

1 **City of Minneola**
2 **Council Meeting**
3 **Minneola City Hall**

September 1, 2009
7:00 P.M.

4
5 The City of Minneola Council Meeting was called to order by Mayor David Yeager.
6 Present were: Councilman Pat Kelley, Councilman Victor Ortega, Vice Mayor Sue
7 Cordova, Scott Gerken (City Attorney), Jan McDaniel (City Clerk), Laura Zielonka
8 (Finance Director/Assistant City Manager), Sam Oppelaar (City Manager), Lt. Greg Link
9 (LCSO), Jerry Rhoden (Minneola Fire Dept.), Laura Jones (Planning Director) and Tim
10 Green (Green Consulting Group). Councilwoman Kelly Price was excused due to illness.

11
12 A moment of silence was observed and the Pledge of Allegiance was lead by Vice Mayor
13 Cordova.

14
15 **AGENDA REVIEW**

16
17 **Mayor Yeager** announced that **Reports** would be moved to the end of the meeting, and
18 requested other items be postponed.

19
20 **MOTION by Sue Cordova, SECONDED by Victor Ortega to table Planning &**
21 **Zoning Operations, Tab 2; Ordinance 2008-15; Tab 5; Ordinance 2008-43, Tab 6;**
22 **and Ordinance 2009-09 Tab 8 to date certain of September 15th.**

23
24 **AYE:** Kelley, Ortega, Yeager, Cordova

25
26 **NAY:** None

27
28 **MOTION PASSED: 4-0**

29
30 **PRESENTATION**

31
32 **Sam Oppelaar** presented Council with a Certificate of Appreciation for adopting a
33 resolution "Building Citizenship in the Community."

34
35 **Sue Cordova** stated she would like to make a motion to excuse Councilwoman Price.

36
37 **MOTION by Sue Cordova, SECONDED by Pat Kelley to excuse Kelly Price from**
38 **the meeting because she is ill.**

39
40 **AYE:** Kelley, Ortega, Yeager, Cordova

41
42 **NAY:** None

43
44 **MOTION PASSED: 4-0**

45
46 **Mayor Yeager** acknowledged receipt of two thank you notes from Ginny Brown-Waite
47 thanking the City for hosting her town hall meeting.

1 **AUDIENCE TO BE HEARD**

2
3 **Rick Roderick** (Minneola Resident) expressed his appreciation for the Ginny Brown-
4 Wait meeting, stated he had been advised that the light at Turkey Farm Road would be
5 installed within two months and requested he be allowed to attend the meeting to express
6 their ideas on the expansion of Turkey Farm Road and Hancock Road. He then spoke on
7 recent items in the press and suggested connecting the homes, south of the new high
8 school, on the central water & sewer system.

9
10 **Tab 1 Dome Property Irrigation**

11
12 **Sam Oppelaar** explained the need for Council guidance for the use of the irrigation well
13 on the Dome Property. He explained the Council had approved the site plan for the
14 property in January. He also informed Council he had given the owner permission to
15 open the business prior to Council's ruling on the use of the well.

16
17 **Rick McCoy** (Project Engineer) accepted responsibility for not clearly establishing the
18 use of the irrigation well and asked for Council's consideration of the request.

19
20 **Mayor Yeager** stated he was in favor of allowing the use of existing irrigation well and
21 did not think the City's ban on wells was enforceable.

22
23 **Scott Gerken** explained that other cities were not able to enforce such bans in their city.

24
25 ***Council comments:***

- 26
- 27 • **Pat Kelley** had no problems with allowing the use.
 - 28 • **Victor Ortega** supported the use of the well.
 - 29 • **Sue Cordova** stated that if St. Johns' had no problem with it, then the City should
30 not. She stated as long as all cross-connection criteria was met, there should be
31 no issues.
 - 32 • **Mayor Yeager** stated the City should work with the business to resolve the issue.

33 **Sam Oppelaar** requested a motion to approve this particular property.

34
35 A general discussion pursued regarding irrigation wells.

36
37 **Rick McCoy** assured Council that there was no way for cross connection contamination.

38
39 **Mayor Yeager** asked for public comments. There were no comments.

40
41 **MOTION by Sue Cordova, SECONDED by Victor Ortega to allow the property**
42 **owner to move forward with the application process for the existing well at the**
43 **Dome Property at 712 S. Hwy. 27.**

44
45 **AYE:** Kelley, Ortega, Yeager, Cordova

46
47 **NAY:** None

1
2 **MOTION PASSED: 4-0**

3
4 **Tab 3 Amend Interlocal Agreement – Water Alliance of Lake County**

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6 **Sam Oppelaar** explained the history of the water alliance and the wishes of that alliance
7 to become a more structures board and the need for the cities of Lake County to band
8 together to form the alliance. He informed Council some cities were in favor of
9 participating and some were not.

10
11 ***Council comments:***

- 12 • **Mayor Yeager** stated he had served on the previous recommending water
13 alliance board and urged the Council to approve the agreement to help create a
14 voice for the water alliance.
- 15 • **Sue Cordova** stated that it would be necessary to keep the larger cities players
16 involved or the alliance would not have a voice. She suggested making a
17 condition within the motion that Minneola would participate as long as key
18 players were involved.
- 19 • **Victor Ortega** was in favor of the alliance with Mr. Oppelaar as facilitator.
- 20 • **Pat Kelley** was in favor of a unified force.

21
22 **Sam Oppelaar** explained his support of the alliance and that he would be the facilitator
23 of the alliance.

24
25 **Tim Green** stated that generally a team would be more effective than a single voice, and
26 reminded Council that membership in the alliance was stated in the City's comprehensive
27 Plan.

28
29 **Laura Jones** agreed with Mr. Green.

30
31 **Mayor Yeager** asked for public comments.

32
33 **Joseph Saunders** (Minneola Resident) stated that although he believed St. John's River
34 Water Management District to be a dictatorship, he was in favor of the alliance.

35
36 **MOTION by Sue Cordova, SECONDED by Victor Ortega to approve the amended**
37 **agreement contingent upon at least 2/3 of the other bodies approving.**

38
39 **AYE:** Kelley, Ortega, Yeager, Cordova

40
41 **NAY:** None

42
43 **MOTION PASSED: 4-0**

1 **Tab 4 Lake County Sheriff's Replacement Vehicles**

2
3 **Mayor Yeager** explained the Sheriff had requested two new patrol vehicles and
4 explained the funds would come from the forfeiture fund.

5
6 **Laura Zielonka** explained that the auditors had suggested using those funds, and not
7 keeping them on the books.

8
9 ***Council comments:***

- 10 • **Sue Cordova** asked what would happen with the old vehicles which were owned
11 by the City and supported the idea of new vehicles. She reminded Lt. Link to
12 include "Serving the Citizens of Minneola" on the new vehicles.

13
14 **Joe Saunders** requested that the new decals required for Citizens on Patrol vehicles do
15 not cost the City any money.

16
17 **Scott Gerken** asked that no liability be placed on the City for the Citizens on Patrol unit.

18
19 **Lt. Link** stated the Citizens on Patrol unit would be under the sheriff's liability.

20
21 **Mayor Yeager** stated he could get the Citizens on Patrol decals donated if the sheriff
22 wished.

23
24 **MOTION by Sue Cordova, SECONDED By Victor Ortega to replace the two**
25 **sheriff's vehicles using the forfeiture account and use the two existing vehicles for**
26 **Citizens on Patrol account.**

27
28 **AYE:** Kelley, Ortega, Yeager, Cordova

29
30 **NAY:** None

31
32 **MOTION PASSED: 4-0**

33
34 The meeting adjourned at 8:04 p.m. for a break and reconvened at 8:14 p.m.

35
36 **Tab 5 Ordinance 2008-15 (Tabled to Sept. 15th meeting)**

37
38 **Tab 6 Ordinance 2008-43 (Tabled to Sept. 15th meeting)**

39
40 **Tab 7 Ordinance 2009-17**

41
42 **Scott Gerken** read Ordinance 2009-17 by title only for the first time and explained this
43 Ordinance was before Council due to their request to regulate soliciting within the City of
44 Minneola.

45
46 **Sam Oppelaar** expressed concern that the Ordinance may be difficult to enforce but
47 believed that with the required City Manager approval for a soliciting permit would be a
48 good tool.

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3 **Council comments:**

- 4 • **Pat Kelley** had no comments.
5 • **Victor Ortega** had no comments.
6 • **Sue Cordova** requested the Ordinance be more restrictive by only allowing
7 evening time hours for soliciting, a penalty for violating the Ordinance should be
8 included and to ensure the Ordinance is enforceable.
9

10 A general enforcement discussion pursued.

11
12 **Mayor Yeager** asked for public comment.

13
14 **Rick Roderick** (Minneola resident) expressed concerns with allowing solicitation in the
15 City.

16
17 **John Dole** (Minneola resident) questioned the ability to enforce and asked that a
18 background search and substantial fee be required for a permit.

19
20 **Sue Cordova** requested that the soliciting permit be limited to one month.

21
22 *1st reading; no action taken.*

23
24 **Tab # 9 Ordinance 2009-19 Exclusive Franchise**

25
26 **Scott Gerken** read Ordinance 2009-19 by title for the second time.

27
28 **Mayor Yeager** asked for Council comments; there were no comments.

29
30 **Mayor Yeager** asked for public comments; there were no comments.

31
32 **MOTION by Sue Cordova, SECONDED by Pat Kelley to approve Ordinance 2009-**
33 **19 as written.**

34
35 **AYE:** Kelley, Ortega, Yeager, Cordova

36
37 **NAY:** None

38
39 **MOTION PASSED: 4-0**

40
41 **REPORTS**

42
43 **Sam Oppelaar** referred to his City Manager report (Exhibit A) and spoke briefly on the
44 following:

- 45 • Roger Gerkey will be rejoining staff as a part time employee.
46 • He and Mark Jacobson would be meeting in Ocala with the Department of
47 Agriculture regarding funding for the utility lines on North US Hwy. 27.

- 1 • Requested Council direction on the installation of traffic control devices on South
2 Street. Following a lengthy discussion, **Council consensus was to install rumble**
3 **strips near the park and to place a speed awareness sign in the area.**
4 • Reminded Council of the Sept. 9th meeting at 6:00 p.m. and requested Council to
5 review the budget prior to that meeting.
6 • Stated he would be attending the Florida League of Cities legislative committees
7 meetings and that he would be out of town for the holiday weekend.
8

9 **Council comments regarding City Manager Report:**

- 10 • **Pat Kelley** asked that a citizen's recreation board be started as stated in the
11 charter, asked that ID's be reset for the City email accounts, inquired into the
12 progress of getting a trailer for the fire department. **Sam Oppelaar stated he had**
13 **met with Mr. Frana regarding such a board and expressed his concern with the**
14 **suggestion that the board be a decision making board, not an advisory board.**
15 **Ramon Flores stated he would ensure the passwords can be reset. Sam Oppelaar**
16 **stated he had given the trailer task to the fire chief.**
17 • **Victor Ortega** asked if a staff member would be attending the Main Street
18 Conference. **Sam Oppelaar reported Kat Hiatt would be attending.**
19 • **Sue Cordova** expressed her concerns with the hold up of getting kids on the
20 fields at the MAC and the City's problem with scheduling for those fields. **Sam**
21 **Oppelaar explained the problem was that the City does not own the property as of**
22 **yet and many of those organizations wishing to sign up can not have a definite**
23 **date as to when those field would become available.**
24 • **Sue Cordova** continued by suggesting the City take over the mowing of the
25 ROW's on US Hwy. 27 and charging FDOT. **Sam Oppelaar explained the City**
26 **did not have enough equipment to take on the mowing and that a letter had been**
27 **sent to the businesses requesting they mow the right-of way in front of their**
28 **business.**
29 • **Mayor Yeager** stated an Ordinance was needed to ensure businesses mow the
30 rights-of-way; stated the City needs to be in compliance with the ADA regulations
31 if required; agreed that an advisory board for the ball fields should be created; and
32 suggested the former realty building now owned by the City should be utilized by
33 moving EMS into that facility. **Sam Oppelaar responded that he had taken Ralph**
34 **Habermehl to the facility and he had been very receptive of moving into the**
35 **facility.**
36 • **Sue Cordova** stated she wanted to think about that move prior to finalization.
37 • **Pat Kelley** requested information on a trailer for the fire department at the next
38 meeting.
39

40 **Scott Gerken** informed Council that he had been asked to report of ADA requirements
41 for the MAC and informed Council that the City should now have an appointed ADA
42 Coordinator to ensure the City is in full compliance and stated grants are available to
43 fund projects for compliance. He stated the delay in the turnover of the MAC to the City
44 has been title issues and expected those issues to be resolved soon. He then briefly spoke
45 on elevator requirements for the concession stand building at the MAC.
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47 **Sue Cordova** stated that other city parks do not have elevators.

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Lt. Link had no report.

Lt. Jerry Rhoden reported the former Clermont Fire Department trailer had leased the trailer referred to earlier for \$2,600.00 a month. He also informed Council that the Minneola Fire Station has mold and they had installed some dehumidifier to help resolve the problem.

Pat Kelley suggested that instead of full Council salaries, those funds be used to establish a Council Cares Fund to provide some type of health care for Minneola residents.

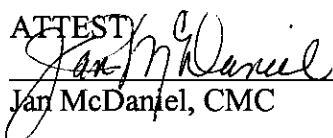
Victor Ortega expressed concern with some of the articles that appeared in the news regarding Minneola and suggested developing better public relations communication. He also informed Council that he had met several state and county officials and enjoyed his role of representing Minneola. He stated he was working to obtain sponsors for wireless at the MAC and also suggested the City acquiring a lobbyist.

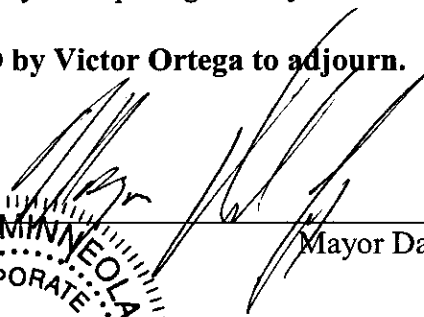
Sue Cordova had no report.

Mayor Yeager spoke on ADA compliance for the second story building at the MAC, Wi-Fi for the City and agreed with the City of acquiring a lobbyist.

MOTION by Pat Kelley, SECONDED by Victor Ortega to adjourn.

The meeting adjourned at 9:50 p.m.

ATTEST

Jan McDaniel, CMC



Mayor David Yeager

