

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

April 21, 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, Councilwoman Kelly
7 Price, Vice Mayor Sue Cordova, Scott Gerken (City Attorney), Jan McDaniel (City
8 Clerk), Sam Oppelaar (City Manager), Laura Zielonka (Asst. City Manager/Finance), Lt.
9 Greg Link (LCSO), Fire Chief Dobrzykowski, Laura Jones (Planning Director) and Tim
10 Green (GCG).

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

14
15 **PRESENTATIONS**

16
17 **Mayor Yeager** announced that there would be two presentations this evening and
18 requested the Sheriff's Department to begin.

19
20 **Lt. Link** (LCSO) stated he was very proud of all the Minneola deputies and announced
21 the recipient of this year's Minneola Deputy of the Year Award as Deputy Jared
22 Strickland.

23
24 **Sheriff Gary Borders** expressed his appreciation to Deputy Strickland and informed
25 Council that Deputy Strickland had requested duty in Minneola.

26
27 *Sheriff Borders and Lt. Link presented the award to Deputy Strickland.*

28
29 **Mayor Yeager** then asked for the next presenters to come forward and present the bullet
30 proof vest for the Minneola drug dog.

31
32 **Leslie Landenfeld** introduced Tracy Ricardo, sales manager of Belk's department store
33 and gave the history of the organization called Penny for Protection which began the
34 funding for canine police vests. She also explained that her organization, the GWP South
35 Lake Junior Woman's Club had partnered with Belk's to raise the money for the vest.

36
37 *Vest was awarded to Lt. Lukens handler of Minneola Canine Dojie, and each Council*
38 *member congratulated the recipients and thanked the group for their funding of the vest.*

39
40 **AGENDA REVIEW**

41
42 **Sue Cordova** requested Tab # 8: Resolution 2009-03 to be moved to before audience to
43 be heard and to table Ordinance 2009-10 to date certain of May 5th.

44
45 Council agreed.

46
47 **MOTION by Sue Cordova, SECONDED by Pat Kelley to table Ordinance 2009-10**
48 **to date certain of May 5th.**

1 AYE: Kelley, Ortega, Yeager, Price, Cordova

2
3 NAY: None

4
5 MOTION PASSED: 5-0

6
7 **Tab 8 Resolution 2009-03 Quasi-Judicial Hearing @ 7:10 p.m.**

8
9 **AUDIENCE TO BE HEARD**

10
11 **Rick Roderick** (Minneola resident) requested the City's support to have a traffic light be
12 installed at Old 50 and Turkey Farm Road. He also expressed support of the Minneola
13 Fire Department.

14
15 Council agreed that the City Manager should write a letter to the County requesting a
16 traffic light at the intersection of Turkey Farm Road and Old 50.

17
18 **Aldo Solomon** (Minneola resident) reiterated the need for a light at the intersection and
19 also that traffic had been cutting through Country Ridge and speeding through the
20 neighborhood.

21
22 **Jerry Rhoden** (Minneola Fire Department) expressed an emotional request for an
23 internal investigation regarding the 48 hr. closing of the fire department. He adamantly
24 denied that there were any problems within the Minneola Fire Department and explained
25 that all the fire fighters were proud of their department.

26
27 **Jim Frana** (Minneola resident) inquired as to why the sign on old 50 has the high school
28 as Minneola High School as the high school has not been built or named.

29
30 **Jennifer Bode** (Minneola resident) expressed her support of the fire department and her
31 opinion that the fire department should not have been shut down for any length of time or
32 reason.

33
34 **Paul Smerge** (The Reserve) stated his firm was responsible for the sign Mr. Frana
35 referred to and would make any desired changes to the sign on Old Hwy. 50

36
37 **REPORTS:**

38
39 **Sam Oppelaar** briefly went over his report (Exhibit B) as follows:

- 40
- 41 • Traffic camera implementation was still being looked at and suggested an
42 RFP might be the best way to get vendors interests.
 - 43 • Explained the visioning survey would be used at the visioning workshop on
44 May 9th.
 - 45 • Informed Council the permits for the wastewater/water lines on US 27 had
46 been issued by the Department of Environmental Protection.
 - 47 • Explained his perception of the emotional level of the fire department on April
13 had led to his decision to temporary close the department for the safety of

1 all Minneola residents. He explained that at no time was the City at risk or
2 deprived of complete ALS service and explained what had been done to
3 ensure the City was properly covered.
4

5 Council comments:

- 6 • **Pat Kelley** stated he had not been notified prior to the decision to shut down the
7 department. He stated that if two of the firefighters had been the issue, than those
8 two might have been taken off duty instead of shutting down the department. He
9 spoke on public trust, the cost and level of service and stated he was open to what
10 the other Council member's opinion on the subject. Sam Oppelaar stated he
11 would be happy to meet with Mr. Kelly and answer his questions.
- 12 • **Kelly Price** stated she also had not been notified prior to the decision to shut
13 down the department for 48 hours and disagreed with that decision.
- 14 • **Sue Cordova** stated she had been contacted prior to the action and had lost her
15 trust in the City Manager because of this action. She stated she had spoken with
16 many agencies and most had reported it was not unusual for problems to arise
17 within a department. She adamantly expressed her support of the Minneola
18 Firefighters and asked for an independent inquiry into the events leading up to the
19 decision to shut down the department.
- 20 • **Victor Ortega** thanked the Council for their insight into the situation and agreed
21 that an investigation should be conducted.
- 22 • **Mayor Yeager** informed Council that there had been problems within the
23 department from the beginning elaborating on several different occasions and
24 expressed his support of the City Manager. He also acknowledged that he had
25 always supported the fire department and urged everyone to remedy the situation
26 once and for all.
- 27 • **Sue Cordova** asked the City Manager if he would be opposed to an inquiry of the
28 events. *Sam Oppelaar stated he would defer to Council's decision.*
29

30 **MOTION by Sue Cordova, SECONDED by Pat Kelley that we allow Scott Gerken**
31 **to approach Bob Williams (Tavares Atty.) to come in and do a review on how this**
32 **was handled; talk to all the necessary personnel and come back with a written**
33 **report on how this was handled, so we can ensure that something like this does not**
34 **happen again.**
35

36 Council Comments:

- 37 • **Pat Kelley** stated he would hope that none of the City departments are shut down
38 and that he believed that all Council members were not treated equally as it
39 seemed to him that the Mayor was very involved in the operations of the City. He
40 expressed some confusion regarding the firefighter's resignation and asked if the
41 decision to shut down the fire department had been made by the City Manager or
42 a team of staff. *Sam Oppelaar stated he had consulted with other staff members*
43 *before making the final decision. He also stated the Mayor was not involved in the*
44 *final decision.*
45

- 1 • **Mayor Yeager** explained he was not involved with the decision, and had been
2 aware of the meetings but he had not attended those meetings but was aware of
3 the meetings.
- 4 • **Victor Ortega** asked that the City Manager relax and move forward with running
5 the City.
- 6 • **Kelly Price** expressed support of the City Manager.

7
8 **Chief Dobrzykowski** requested a meeting with the City Manager to clarify some of the
9 charges heard at the meeting.

10
11 **Lt. Link** asked for Council direction on either getting an extended warranty on the City
12 motorcycle or trade it in and that the Midnight Basketball Program was scheduled to
13 begin on May 15th at 6:00 p.m.

14
15 **Sue Cordova** suggested an extended warranty.

16
17 **Mayor Yeager** suggested replacing the motorcycle with funds from the forfeiture fund.

18
19 *Council consensus was to get a new motorcycle.*

20
21 **REPORTS (continued)**

22
23 **Pat Kelley** stated he would wait for the inquiry report which should answer the questions
24 he had asked earlier.

25
26 **Victor Ortega** expressed support for the City Manager and congratulated Mr. Oppelaar
27 on his recent article which was published in PM Magazine recently.

28
29 **Kelly Price** had no report.

30
31 **Sue Cordova** explained that the Fire Committee Study from 2004 had not included all
32 the equipment and should not be used as a comparison to the cost of the Fire Department.
33 She suggested in comparison to look at the salaries at that time and what they are now.
34 She stated she was ready to tackle the budget and stated she believed administrative was
35 top heavy and should be cut; but would not cut either the fire department or sheriff's
36 department.

37
38 **Mayor Yeager** defended his statement that the fire department was expensive and
39 reminded Council that most management departments were one person departments. He
40 stated that the Fire Department should operate on what the assessment fee generates and
41 he too was ready to tackle the budget.

42
43 **Tab 1 Approval of the Minutes**

44
45 Council Meeting Apr. 7, 2009 @ 7:00 p.m.
46 Quasi-Judicial Hearing (Ord. 09-09 & Ord. 09-10) Apr. 7, 2009 @ 9:08 p.m.
47 Council Workshop Apr. 8, 2009 @ 5:00 p.m.

1 Sue Cordova made a correction to the April 7th Council Meeting minutes: pg. 1 of 8; line
2 27, change to Latter Day Saints.

3
4 **MOTION by Sue Cordova, SECONDED by Pat Kelley to approve the minutes as**
5 **amended.**

6
7 **AYE:** Kelley, Ortega, Yeager, Price, Cordova

8
9 **NAY:** None

10
11 **MOTION PASSED: 5-0**

12
13 *Recess was called at 9:28 p.m. and reconvened @ 9:48 p.m.*

14
15 **Tab 2 Consent Agenda**

- 16 • **Ordinance 2009-08 SJRWMD Conservation Rule 2nd Reading**
17 • **Ordinance 2009-11 SRF Loan Amendment 2nd Reading**
18 • **Ordinance 2009-09 (Quasi Judicial) 540 S. Hwy 27 Rezoning 2nd Reading**

19
20 **Scott Gerken** read the three Ordinances by title only for the second time. He also noted
21 that SJRWMD had agreed to the suggested change of regulating reclaim water in the
22 agreement.

23
24 **Mayor Yeager** asked for public comments; there were no comments.

25
26 **MOTION by Sue Cordova, SECONDED by Kelly Price to approve Ordinance 2009-**
27 **08, 2009-11, and 2009-09.**

28
29 **AYE:** Kelley, Ortega, Yeager, Price, Cordova

30
31 **NAY:** None

32
33 **MOTION PASSED: 5-0**

34
35 **Tab 3 Lake County League of Cities re: SJRWMD**

36
37 **Sam Oppelaar** explained the request from the Lake County League of Cities to send a
38 letter regarding alternative water supplies to St. John's River Water Management District.

39
40 Council comments:

- 41 • **Sue Cordova** stated she disagreed with the reference to 2013 but agreed with the
42 rest of the information.

43
44 **Consensus of Council was to send the letter of support to SJRWMD**

1 **Tab 4 Lake County Library Policy LCC-12**

2
3 **Sam Oppelaar** explained the amendment to the Library Policy as a policy for filing a
4 complaint of offensive material and stated all cities in the library system had to approve
5 the change in policy.

6
7 **Mayor Yeager** asked for Council comments; there were no comments.

8
9 **Mayor Yeager** asked for public comment; there were no comments.

10
11 **Council consensus was in support of the policy amendment.**

12
13 **Tab 5 Best Buy Mobile Home Easement**

14
15 **Sam Oppelaar** explained that PBS&J had reached an agreement for a utility easement
16 for a lift station with the owner of the Best Buy Mobile Home business on N. Hwy 27.
17 He requested Council's approval to acquire the easement at the agreed price of \$4,600.00.
18 He also explained the location as on the north side of the proposed Racetrack Station
19 which was a better location than the previous site a little to the south.

20
21 **Brad McMahan** (PBS&J) explained he was filling in for Marc Walch and would answer
22 Council's questions.

23
24 **Sue Cordova** asked if the owner of the property understood that if something would
25 happen to his septic system he would be required to hook into the central sewer system.
26 She requested the easement be attached to the property and not to the business.

27
28 **Mayor Yeager** explained he believed the property would soon be for sale and the current
29 owner had any intention of hooking into our system any time soon.

30
31 **MOTION by Sue Cordova, SECONDED by Victor Ortega to approve the payment**
32 **of \$4,600.00 from impact fees to pay Best Buy Mobile Homes with a change in the**
33 **developer agreement stating that Best Buy or any future property owner located at**
34 **10831 Arrow Tree Blvd. Minneola, FL 34715 will pay at the current rate to hook up**
35 **to water and wastewater.**

36
37 **AYE:** Ortega, Yeager, Price, Cordova

38
39 **NAY:** Kelley

40
41 **MOTION PASSED: 4-1**

42
43 **Tab 6 Report of Septage Acceptance into the City's Wastewater System**

44
45 **Sam Oppelaar** explained that the study had determined that the idea of allowing private
46 Septage haulers dump into the city's wastewater plant.

1 **Brad McMahan** stated his firm had done the study and had concluded that it would not
2 be cost effective to allow this type of use.

3
4 **Tab 7 The Reserve: 3rd Amendment to the DA 1st Public Hearing**

5
6 **Jim McNeil (Atty. for The Reserve)** explained the request to amend the agreement by
7 allowing the developer to build 1200 sq. ft. homes within the development.

8
9 **Paul Smerge (Standard Pacific Homes)** stated he believed there was a market for smaller
10 homes and agreed to limit the number of smaller homes within the development.

11
12 A general discussion pursued regarding setting a number of homes to be built at 1,200 sq.
13 ft.

14
15 **Council agreed to allow a maximum of 150, 1200 sq. ft. homes, to be built in the**
16 **development.**

17
18 **Scott Gerken** noted that this was the first public hearing and this item would be on the
19 next agenda for final approval.

20
21 **FINAL COMMENTS:**

22
23 **Pat Kelley** thanked Laura Zielonka for her explanations of the water rate restructuring
24 and the fire assessment fee.

25
26 **Victor Ortega** state he was impressed with the explanations from Ms. Zielonka and
27 asked Council to consider a sports complex for the City and asked that it be discussed at
28 the visioning workshop. *(Council agreed to look at the information regarding a sports*
29 *complex at the visioning workshop.)*

30
31 **Kelly Price** had no comments.

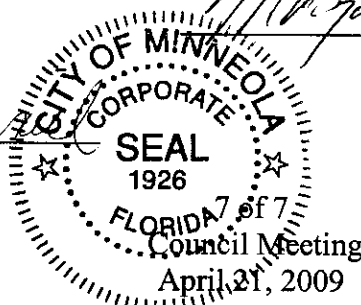
32
33 **Sue Cordova** stated she had been approached by a citizen asking if the public could ask
34 for an item be removed from the consent agenda to allow for public comments. *(Council*
35 *agreed the Mayor could ask the public if they had any items they wished to discuss.)*

36
37 **Mayor Yeager** suggested the Council look at the big snow ski slope in Dubai and
38 consider something like that be brought to Minneola.

39
40 **MOTION by Pat Kelley, SECONDED by Kelly Price to adjourn.**

41
42 *The meeting adjourned at 10:41 p.m.*

43
44
45
46 **ATTEST:**
47 *Jan McDaniel*
48 **Jan McDaniel, CMC**



David Yeager

Mayor David Yeager