

**Minneola City Council
Minutes
February 19, 2019 at 6:30 PM
Minneola City Hall**

The City of Minneola Council Meeting was called to order by Mayor Pat Kelley. Also present were Vice Mayor Pam Serviss, Councilor Lisa Jones, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), Kristine Thompson (Administrative Assistant). Councilor Kelly Price was absent.

CALL TO ORDER

Mayor Kelley called the meeting to order.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A moment of silence was observed, and the Pledge of Allegiance was led by **Josh Parker**, Boy Scout.

AGENDA REVIEW

Scott Gerken stated Item 4 and 5 need to be tabled. He explained that staff is waiting on some engineering from the H.O.A. and property owner among other issues. Staff has suggested tabling this until May 7th.

Mark Johnson clarified this delay is beyond the City's control.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Jones, to table Item 4 to May 7th

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

MOTION by Vice Mayor Serviss, SECONDED by Councilor Jones, to excuse Councilor Kelly Price.

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

PUBLIC COMMENTS

Mel Ash, resident of Quail Valley, explained his concerns with the potential for stormwater runoff from Ardmore Reserve flowing into Quail Valley and causing an overflow in the retention area on Tradewind Dr. He thanked Mayor Kelley and David Yeager for helping him so quickly. He indicated the developer is working to address his concerns.

Mayor Kelley stated Ardmore Reserve cannot divert their runoff into Quail Valley. He requested Mr. Ash to notify the City if this occurs.

CONSENT AGENDA**Item 1: City Council Meeting Minutes February 5, 2019****Item 2: Agreement with the Lake County Property Appraiser for the Notification of Non-Ad Valorem Assessments on the Annual T.R.I.M. Notices****Item 3: Agreement with the Lake County Property Appraiser for the Uniform Collection of Non-Ad Valorem Assessments****Item 4: Right-of-Way Vacation – Big Sky Court – Tabled****Item 5: Subdivision Replat – Big Sky Subdivision – Tabled**

MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss, to approve the Consent Agenda.

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

DISCUSSION & ACTION ITEMS**Item 6: Final Plat – Overlook at Grassy Lake – Phase 1**

Joyce Heffington explained staff recommends approval of the final plat with the condition that lots 1-5, 43-47, 74-76, 97-101 are limited to 2,700 square feet under roof including covered porches, garages, etc. unless it is sprinkled or a booster pump station is installed and any structure placed on Tract D will have to be sprinkled.

Mayor Kelley asked why those lots are being limited.

Chief Otero explained to Council the concerns with the fire flow from one hydrant.

Councilor Saunders expressed concerns with the H.O.A. covenants and restrictions. His concerns were:

- Page 8, Point 1, states, “Non-Profit Organization”, should be “Not-For-Profit.”
- Article 3, Section 3.0, Paragraph B, calls for the directives to go through certified educational requirements. Where it states, “... any other documents that applies ...” they should list actual documents which are: Articles of Incorporations, by-laws, Florida Statutes for H.O.A.s, Florida Statutes for Not-For-Profit Organizations, and Developer’s Agreement.
- The paragraph relating to an M.S.T.U. and M.S.B.U. taxing authority didn’t provide enough details. He does not believe Minneola wants that and would prefer that language be removed so that there is not a taxing authority.
- Article 8, Section 8.01, Paragraph H, Irrigation System, indicates properties can’t have an individual well unless approved by the architectural review committee (A.R.C.). He added irrigation wells are not allowed and needs to be changed.
- Section 9.01, stated again that they can have an irrigation well if it is approved by the A.R.C., and needs to be removed.
- Section 9.22, Tree Removal, all tree removals requires a city permit. In the H.O.A. document, it says unless the tree is within 6 feet of the dwelling, in which case they can remove the tree. The City has a permitting process and they can’t remove a tree based on the A.R.C.’s approval alone. It has to be approved by the City.

Scott Harp, engineer with BESH Engineering, asked what can be done to have these issues corrected and not have the plat denied.

Council discussed possible options on how to move forward.

Mayor Kelley asked for Public Comments.

There were no comments.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Saunders, to table Item 6 Final Plat – Overlook at Grassy Lake – Phase 1 to the next meeting.

AYE: Serviss, Kelley, Saunders

NAY: Jones

MOTION PASSED: 3-1

Item 7: Resolution 2019-02 – Variance Request – Maximum Block Length – Quasi-Judicial

Scott Gerken read the Resolution 2019-02 by title and swore in members of the public, developer representatives, including Greg Beliveau, and staff including Joyce Heffington, Ramon Flores, and Mark Johnson.

Joyce Heffington explained the maximum block length allowed in the city's code is 1,200 feet. A few blocks proposed, in the Hills of Minneola, are greater than 1,200 ft.

No discussion.

Mayor Kelley asked for public comments

There were no comments.

MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss, to approve Resolution 2019-02 – Variance Request – Maximum Block Length.

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Item 8: Preliminary Subdivision Plat – Hills of Minneola – Quasi-Judicial

Scott Gerken gave the opportunity for anyone else to swear in who did not earlier.

Joyce Heffington explained this is the Hills of Minneola subdivision which was a topic at the last Workshop. She stated this plat includes a park area, school site, and tunnel from school to the park. She added that the Planning & Zoning Commission recommended approval.

Councilor Jones discussed the town center.

Mayor Kelley discussed alternative tree requirement ideas.

Mayor Kelley asked for public comments.

There were no comments.

MOTION by Councilor Saunders, SECONDED by Vice Mayor Serviss, to approve Preliminary Subdivision Plat – Hills of Minneola

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Item 9: Site Plan – RaceTrac Petroleum, Inc. – Quasi-Judicial

177 **Scott Gerken** swore in anyone else wishing to speak on this item who was not previously sworn
178 in, including representatives for the developer.

179
180 **Joyce Heffington** explained this is the site plan for RaceTrac. The outdoor display enclosure has
181 been removed from the site plan.

182
183 Discussion followed regarding the possible location of propane tank cases. It was clarified this
184 needs to be shown on the site plan.

185
186 **Jeffery Baird**, representative for RaceTrac, stated he was not aware the propane tank cases had to
187 be shown on the site plan. He asked if it could be shown on the building plans.

188
189 **Scott Gerken** said it can be done as a minor site plan amendment and can be approved at a staff
190 level.

191
192 **Mayor Kelley** asked for public comments.

193
194 There were no comments.

195
196 **MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss, to approve Site Plan –**
197 **RaceTrac Petroleum, Inc.**

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199 **AYE: Serviss, Jones, Kelley, Saunders**

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201 **NAY: None**

202
203 **MOTION PASSED: 4-0**

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205 **Item 10: Resolution 2019-06 – Conveyance of F.D.O.T. Property to the City of Minneola**

206
207 **Scott Gerken** read Resolution 2019-06 by title.

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209 **Mayor Kelley** asked for public comments.

210
211 There were no comments.

212
213 **MOTION by Councilor Saunders, SECONDED by Vice Mayor Serviss, to approve**
214 **Resolution 2019-06 – Conveyance of F.D.O.T. Property to the City of Minneola**

215
216 **AYE: Serviss, Jones, Kelley, Saunders**

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218 **NAY: None**

219
220 **MOTION PASSED: 4-0**

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222 **Item 11: Hills of Minneola Park**

223 **Mark Johnson** stated there will be a workshop on this item on March 12, but a councilmember
224 requested it as an agenda item at this meeting too.

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226 **Council** discussed various park options.

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228 **Item 12: Discussion of Political Districts**

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230 **Mark Johnson** says this is an opportunity for the city council to discuss if they want to maintain
231 the current council-at-large design or some kind of district option as allowed by state law.

232
233 **Council** discussed district design and term limit options. It was noted that residents should have
234 a say in what is chosen.

235
236 **Scott Gerken** suggested a straw ballot or something similar could be done to get an idea of what
237 residents prefer.

238
239 **Mayor Kelley** asked for public comments.

240
241 **David Yeager** suggested to first see if residents are interested in political districts.

242
243 **Greg Beliveau** discussed various state district requirements.

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245 **Nathan Focht**, county resident, voiced concerns with political districts.

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247 **Daniel Smith** cautioned creating political districts without term limits.

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249 **Council's** discussion continued regarding term limits.

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251 **FINAL PUBLIC COMMENTS**

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253 **Holly Garas**, skin care specialist and aesthetician, wanted to perform microblading and
254 microsculpting at a hair salon near Ink Ink Tattoo and was told by staff this would not be allowed
255 at this location.

256
257 **Council** inquired what microblading and microsculpting was.

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259 **Holly Garas** explained microblading is etching into skin and adding a pigment into it to create
260 hair strokes and microsculpting is similar but done on the scalp then requested that this be allowed
261 at this location.

262
263 **Mayor Kelley** advised her to work with the city manager and staff to see if there was anything
264 that can be done.

265
266 **Council and Staff** discussed reviewing city code for any conflict or changes and recommended
267 Holly Garas continue working with staff.

REPORTS**Mark Johnson:**

- The hot air balloon applicant has not met the requirements, including proof of insurance, for holding a special event at the park this weekend. He asked how the council would like him to proceed in the event the applicant does not provide the required items.
 - **Mayor Kelley** stated it is a great event but we need to make sure the applicant has submitted everything to satisfy the City's requirements before approving the special event permit.
- Participated in a webinar regarding Livestreaming and explained federal law requires closed captioning to be 90% accurate, YouTube's close captioning is reportedly only 70% accurate. Due to fears of being compliant with the A.D.A. requirements, Mount Dora has continued to refrain from any further livestreaming at this time.
 - Councilor Jones inquired if in the meantime we could work on getting agenda items in the Dropbox available to the public.
- Complaint regarding garbage on Citrus Grove Road and Scrub Jay Lane was forwarded to Lake County.
- The County has postponed our meeting regarding the expired Automatic Aid Agreement. Their new request to meet is on March 11.
- Working with Clermont on an interlocal agreement for the temporary collection and treatment of sewer at the Minneola Business Park.
- Library is gearing up for another impact fee grant application for the furnishings inside of the library.
- Spoke with representatives of the Park & Ride, mentioned Council's desire to prohibit or limit semi-truck parking, and also mentioned council's idea of an Amazon kiosk on their site for package delivery.
 - **Councilor Serviss** asked what the end result was.
 - Mark Johnson stated that Rethink Your Commute, who is contracted through FDOT, brought the request to FDOT officials. FDOT officials have raised the request to a supervisor and options are being considered.
- Post Office stated they will have meeting regarding zip code concerns. Attempts to reach them to set up this meeting have gone unanswered. He will continue to work with them on trying to set up a meeting.
- Councilor Price and Fred Miller met with the ladies regarding the wheelchair swing and merry-go-round on-site at Trailhead Park. The meeting went well and they will be moving forward.
- The contract with Strollo for the design of the fire and police station will be presented at a council meeting soon.
- Working on an R.F.P. for landscape maintenance.
- Workshop on March 12 for the Hills of Minneola Park.
- Working on an R.F.P. to remodel of the old city hall building into a library.
- Thank Mayor Kelley for handling a complaint over the weekend.

Councilor Jones:

- Inquired on the status of the vacant city clerk position.

- 312 ○ **Mark Johnson** stated some interviews had been held and the position has been advertised
313 twice. There are some candidates he has in mind and would be happy to discuss it with
314 Councilor Jones after the meeting.
- 315 • Inquired what the plans are for the Schoolhouse Library once it is moved to the old city hall.
316 ○ **Mark Johnson** suggested the City would like to convert it to a multi-use building including
317 a museum, senior citizen center, and a bookstore for the Friends of the Library to raise
318 money for the Schoolhouse Library.

319
320 **Scott Gerken:**

- 321 • The issue of David Yeager's residency.
322 • Asked if the city council wanted to move forward with amending the charter to allow up to
323 two business owner positions on the Planning & Zoning Commission.
324 ○ **Mayor Kelley** stated we will consider addressing this after we make other charter
325 amendments for political districts.

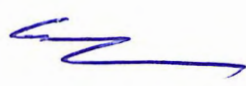
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327 **MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss, to adjourn.**

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329 **AYE:** Serviss, Jones, Kelley, Saunders

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331 **NAY:** None

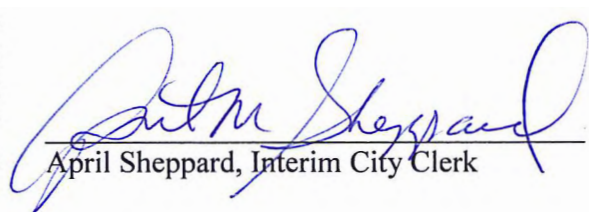
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333 **MOTION PASSED: 4-0**

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335 *(Meeting adjourned at 8:25 P.M.)*

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Pat Kelley, Mayor

343 **ATTEST:**

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April Sheppard, Interim City Clerk

