

**Minneola City Council
Minutes
May 21, 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 Kelly Price, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), April Sheppard (Acting City Clerk). Councilor Lisa Jones was absent.

CALL TO ORDER

Vice Mayor Serviss 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 **Vice Mayor Serviss**.

AGENDA REVIEW

Vice Mayor Serviss requested to table **Item 5: Resolution 2019-04 Amended & Restated Planned Unit Development Agreement – Hills of Minneola**.

MOTION by Councilor Price, SECONDED by Vice Mayor Serviss, to table Item 5: Resolution 2019-04 until June 4, 2019.

AYE: Serviss, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 4-0

Mark Johnson requested to move Item 9 and Item 10 forward on the Agenda.

MOTION by Councilor Price, SECONDED by Vice Mayor Serviss, to move Items 9 to number 1 and Item 10 to number 2.

AYE: Serviss, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 4-0

PUBLIC COMMENTS

Mayor Kelley opened the floor for public comments.

David Nevill, city resident, asked council of the possibility of passing a law requiring bikes to use the bike path rather than the roadway.

Scott Gerken explained bicycles are typically given full rights to use the roads like a vehicle.

Pine Bluff Residents reported Lake Minneola High School students are illegally parking and littering in their subdivision.

Pine Bluff Residents who spoke included David Nevill, Brian Hand, Jean-Pierre Alarcon (HOA Board Member), Chandra Leger, Marcus Correa, and Clayton Taylor.

Lt. Ron Patton, Lake County Sheriff's Office, offered to provide citizens with information regarding their patrol activities.

Council and staff discussed options including privatizing the streets to allow the community to be gated and offered to add “no parking” signage upon approval of the neighborhood residents and the H.O.A. board.

Mayor Kelley explained that the council is open to other suggestions. Privatizing the roadways may not be the answer, commented on global issues, and encouraged a partnership.

Jay Alarcon, Pine Bluff HOA board member, explained it seemed to be an issue of enforcement. He added that the HOA has been to the school, the school board, the City, and the police. A lot of the community's concerns are unenforceable because they are public streets. He suggested the signage be enforced.

Council suggested a grant program in partnership with the HOA for dedicated deputies.

Vice Mayor Serviss stated the council wants to find a solution. She suggested starting with signage and meet with the sheriff's office on the possibility of having a dedicated deputy in the subdivision.

Mayor Kelley suggested, if council agrees, we can start with the signage issues first.

Mark Johnson commented that this issue won't be solved tonight and expressed appreciation towards the city council for always being very responsive to the citizens. He proposed to arrange a meeting with Lt. Patton, a member of council, Jay Alarcon of the HOA board, members of the subdivision, and the city manager to have an in depth discussion on these matters.

89 **Jay Alarcon** also asked about the improvements on Fosgate Road west of Pine Bluff. He
90 stated some of the trees are gone and and asked who he should approach to address the issue.

91

92 **Council** replied to address the issue with the County because it is a County roadway at this
93 time.

94

95 **Mark Johnson** reported on current actions taken, i.e. “no parking, no stopping, no standing”
96 signage was installed at the entrance of Hancock Road in response to the subdivision’s
97 requests. He is also working with Lake County to create some “no parking” striping to
98 provide enhanced notification and enforcement. He explained how the “no parking, no
99 stopping, no standing” signs near Hancock Rd pushed those vehicles further into the
100 subdivision. He added that the City is happy to continue adding signage, if the residents and
101 HOA want them. He stated they are also currently working with school district facilities
102 staff who are trying to figure out how to add some additional offsite parking.

103

104 **Pine Bluff Residents** spoke in favor of adding more signs.

105

106 **Mayor Kelley** commented on the city-owned parcel of property across from the school and
107 explained that it is a global responsibility and equity among other areas with these issues.

108

109 **Council and staff** addressed resident’s inquiry about other neighborhoods with school
110 traffic issues.

111

112 **David Yeagar**, Planning and Zoning Commissioner, suggested a land swap with the school
113 board for the City’s corner lot so the school could turn it into a parking lot. With a right in
114 and right out.

115

116 **Motion by Vice Mayor Serviss, SECONDED by Councilor Price, to excuse Councilor**
117 **Jones from tonight’s meeting.**

118

119 **AYE: Serviss, Kelley, Price, Saunders**

120

121 **NAY: None**

122

123 **MOTION PASSED: 4-0**

124

125 **Pine Bluff Residents** expressed mixed opinions about turning the City’s corner parcel into
126 a parking lot with some being in favor of the idea and others being against the idea.

127

128 **Calvin Taylor**, resident, stated he was not in favor of using that piece of land for a parking
129 lot preferring to enforce the “no parking” signage.

130

131 **Lt. Ron Patton** reported to council that traffic is higher, so patrolling is stepping up. He
132 thanked the council for the addition of one more deputy, the department takes their job very
133 seriously, are handling traffic issues at every school in the County, and that the department
134 is one of only two that has met the state mandate regarding guardians and officers in the

135 schools. He offered the residents of Pine Bluff the opportunity to meet with him in his office
136 to show them how things work at the sheriff's office.

137

138 **Tammy Fischer**, Minneola Boy Scout Leader, commented on at-risk kids, kids walking
139 two miles to school, and the design of the parking lot driveway takes too long. She stated
140 the high school should solve the problem and re-design the parking lot so kids can park
141 there and suggested the massive property for bus loop could possibility be used as a drop
142 off zone. She stated the engineering, on the school site, is all wrong.

143

144 **Pine Bluff resident** has asked the students why they park in Pine Bluff when they have the
145 grades to park at the school. The response was so they get out quicker.

146

147 **Mayor Kelley** responded that council has made recommendations to the school to queue
148 parking.

149

150 **Vice Mayor Serviss** commented on at-risk kids versus kids in general and overcrowded
151 parking area.

152

153 **Brian Hand**, Pine Bluff resident, mentioned that according to Bill Matthias, District 1
154 School Board Member, the school board has a plan to correct before the next school year
155 and suggested to everyone present to please send him an email.

156

157 **Mark Johnson** responded that part of the plan is to convert some space across the street
158 from the high school, however there appears to be some mixed responses from Pine Bluff
159 residents about that idea..

160

161 **Brian Hand** asked everyone to put pressure on school board and stated the school board
162 has failed our community.

163

164 **Mayor Kelley** clarified the current school site was donated property to the school board,
165 and the original school site at Scrub Jay was purchased. The county commission would not
166 let them build there, because the roads were inadequate.

167

168 **Mark Johnson** stated the County would not issue the school a driveway permit.

169

170 **Brian Hand** commented on property next to school had been sitting vacant with taxes
171 unpaid. He requested council to email and ask the school board to finally do their job.

172

173 **Mark Johnson** explained that the current school board has been very responsive and Bill
174 Mathias has been very engaged with the community. He suggested inviting Bill Mathias to
175 the community meeting.

176

177 **Mayor Kelley** recapped action to move forward with signs, work with sheriff's office on
178 installing enforceable signs, recommended Vice Mayor Serviss to represent council in
179 committee, and for committee members to address these issues and figure out what to do by
180 the fall. He added, let's just fix it.

181 **Vice Mayor Serviss** agreed to represent council in the committee.
182
183 **Jay Alarcon** asked about striping and yellow curbing.
184
185 **Mark Johnson** affirmed striping was part of the plan as long as the residents and HOA are
186 in agreement.
187
188 **Mayor Kelley** voiced concern and sympathy to the residents' complaints, recommending
189 installing signs first, then land issue second.
190
191 **Mark Johnson** explained that this is an issue that the council has had major concerns about
192 and the council is open to ideas. The process on how to resolve this, is understanding what
193 the root cause of the problem is. There is not enough parking and parking passes are being
194 sold out. He encouraged everyone to sit down together and try to resolve these issues. He
195 added that the council does care and is concerned.
196
197 **Jay Alarcon** also asked about the possibility of towing vehicles.
198
199 **Lt Patton** stated it is a public street and the sheriff's office cannot tow unless they interfere
200 with the safety of fire vehicles and responding ambulances.
201
202 **Mayor Kelley** asked for additional public comments on Pine Bluff.
203
204 **Mayor Kelley** asked Mark Johnson to get a list of names of key people for the committee
205 and asked Vice Mayor Serviss to represent council.
206
207 **Vice Mayor Serviss** agreed to represent council in committee.
208
209 **Councilor Saunders** explained the difficulties of the situation and unintended
210 consequences some of the solutions could cause. He discussed the differences between
211 district schools versus charter schools. He added that he is not in favor of speed bumps or
212 speed tables but is in favor of donating the land if it would solve the problem.
213
214 **Councilor Price** voiced agreement to work together to solve the issue.
215
216 **Mayor Kelley** asked for additional public comments on Pine Bluff. There were no
217 additional public comments.
218
219 **Mayor Kelley** spoke about the city owned parcel. He suggested the school board would
220 need to improve it. He mentioned that the scrub pine harvesting could be an issue and the
221 need for buffer.
222
223 **Vice Mayor** thanked the residents for their comments.
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225 **Mayor Kelley** asked for public comments on any other subject not on the agenda. There
226 were no further comments at this time.

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CONSENT AGENDA

Item 1: City Council Meeting Minutes – May 07, 2019.

Item 2: Interlocal Agreement Amendment – Traffic Sign Maintenance.

Council considered a request to approve an Interlocal Agreement Amendment between the City of Minneola and Lake County for Traffic Sign Maintenance.

Item 3: Interlocal Agreement – Wastewater Services.

Council considered a request to approve an Interlocal Agreement between the City of Minneola and the City of Clermont for Wastewater Services.

Item 4: Grant Agreement – Minneola Trail Renovations.

Council considered a request to approve a Grant Agreement with the Florida Department of Environmental Protection for Renovation of the South Lake Trail in Minneola.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to approve the Consent Agenda subject to attorney review of agreements Item 3 and Item 4.

AYE: Serviss, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 4-0

DISCUSSION & ACTION ITEMS

Item 5: Resolution 2019-04 Amended & Restated Planned Unit Development Agreement – Hills of Minneola – 1st Public Hearing - Postponed Until June 4, 2019.

Item 9: Screened Enclosures – Discussion of the Setback Requirements.

Council and staff discussion on how to better define the space, suggesting Mark Johnson and Scott Gerken work together on changes and how to expedite the permit.

Mayor Kelley asked for public comments.

Jennifer Dutton, resident at The Reserve of Minneola, explained her patio permit for a screened enclosure was denied due to the building setback. She explained there are no rear neighbors, a retention pond is located in the back, and expressed the time sensitive nature of the situation due to signing the paperwork to build the house and the timing between moving from her current home to their new home once it is built. She added that they are looking to screen enclose the patio after the home and patio are built.

273 **Scott Gerken** commented on code changes and asked if council is inclined to make those
274 changes.

275

276 **Council consensus** affirmed making the changes necessary.

277

278 **Scott Gerken** inquired about the phasing of the build.

279

280 **Jennifer Dutton** affirmed they would have to change the contract with the builder.

281

282 **Scott Gerken** stated he will talk with staff and attempt to resolve the issue.

283

284 **Council and staff** discussed how it may be difficult to define with the different types of
285 roofs and suggested using the language of cage enclosure.

286

287 **Scott Gerken** stated from a timing stand point the Planning and Zoning Commission meets
288 on June 3rd, 2019. The ordinance could come before council the next night June 4th, 2019,
289 and possibly be passed within one month if everyone is inclined.

290

291 **Council and staff** discussed that a variance may not necessary if the council is changing
292 the code and inquired about the building timeline for the resident.

293

294 **Council consensus** was in agreement with an attempt to modify the code by the end of June
295 if possible.

296

297 **Mayor Kelley** asked for additional public comments.

298

299 **Daniel Smith**, Alternate Planning and Zoning Commissioner, reported on last week's
300 commission meeting regarding the screen enclosure and patio issue. He stated they are
301 working toward getting this before the council by next meeting June 4th, 2019.

302

303 **Scott Gerken** confirmed the council's intent was to draft a change to the code to allow
304 patios with screen enclosures to have the same setback as sheds and pools.

305

306 **Council** expressed the slab pouring issue for the new home and patio should be worked out
307 by staff, if possible, until the ordinance can be modified.

308

309 **Joyce Heffington** suggested a definition for the enclosure as "a screen structure with no
310 vertical or horizontal panels shall be a screen enclosure."

311

312 **Mayor Kelley** asked for additional public comments. There were no comments.

313

314 **Item 10: Driveway Permit – Discussion of the Driveway Connections for the Minneola**
315 **Charter School.**

316

317 **Scott Gerken** gave a handout to the council and audience of plans and explained the main
318 issue of traffic flow concerns.

Council and staff discussed the charter school's revised plans which would allow all school traffic to enter onto a two-lane driveway off of Fosgate Road, travel on the driveway across the school's property and through an easement to the school, then exit onto North Oakland Avenue through a double driveway. The options of a land swap or easement with terms of a revocable ingress and egress easement granted to the school district or charter school or both for school traffic with an option for the easement to be returned to the City in the future were also discussed. Finally, there was a deliberation regarding a request for the City to provide a contribution to towards the driveway's construction with the school being responsible for maintenance for the entire driveway. This will come back as a formal request. The intent is to have everything in place before school opens in the fall.

Council and staff further discussed some share costs for engineering and an incentive to speed the project along.

Mayor Kelley asked for a school representative to come forward.

Sherry Watts, Charter School CEO and Principal, remarked the City and school attorneys are going to develop an agreement. She recalled a discussion that the school would pay for the section of driveway across the school's property from Fosgate Road, the driveway construction would be a shared expense between the school board and the City across the easement granted by the City, and the charter school would also like to be a party to the easement.

Mayor Kelley confirmed the agreement regarding driveway connection.

Scott Gerken asked for an acknowledgement agreeing to an "out only" onto North Oakland Avenue.

Sherry Watts agreed that the "out only" is part of their revised plan which includes an "in only" from Fosgate Road and an "out only" onto North Oakland Avenue. She made additional remarks as to the time frame of needing the proposed driveway to be temporary until the high school is built on the 24 acre parcel.

Mayor Kelley made reference of crushed stone being used for the driveway.

Scott Gerken asked about the building time frame and plans for the upcoming school year with the additional students. He asked what the school would do if the driveway permit was not approved.

Sherry Watts stated she was not willing to start the driveway until there is an agreement on the easement and explained that she will run traffic exactly as it has been run since 2007 if the City does not approve the driveway permit.

Scott Gerken impressed upon Ms. Watts that there is an interlocal agreement with the school board, which includes charter schools, that states before any expansion to a school is made, plans must be brought to the City at least 90 days before construction. He explained

365 that agreement was not followed here, so the City has had to be reactive on this important
366 matter.

367

368 Discussion continued between the council, staff, and school representative regarding a
369 potential land swap with the school district on Scrub Jay Lane instead of Fosgate Road in
370 the future and concerns about the Fosgate Road connecting to North Oakland Street with
371 the potential for a lot of stacking on East Minneola Street.

372

373 **Mayor Kelley** asked **Scott Gerken** to make the easement project a top priority.

374

375 **Scott Gerken** requested Ms. Watts provide the contact information of the charter school's
376 attorney.

377

378 **Council and staff** discussed agreement changes, the development, and the cost and payment
379 of a driveway apron curb cut.

380

381 **Sherry Watts** closing remark was that she had no complaints with the city council.

382

383 **Scott Gerken** stated the easement will need to come back to council.

384

385 **Gary Backman**, Ardmore Reserve resident, commented on the good progress on Fosgate
386 Road he has observed and how fast construction is moving. He expressed concerns about
387 school traffic backing up on Fosgate Road and suggested additional signage.

388

389 **Mayor Kelley** responded that construction plans are available to review.

390

391 **Daniel Smith** inquired as to why the City is incurring costs for city easement improvement
392 for the charter school driveway.

393

394 **Council and staff** explained the council is helping the neighborhood. It was the best
395 compromise possible, under so short a notice, to prevent traffic issues. The City has zero
396 authority on school district property and their construction projects do not go through the
397 City's permitting process. Therefore, the City is left in a reactionary role. School planning
398 involves an interlocal agreement with municipalities, but that process was not followed by
399 the school in this case. The cost figures will come back before the council approves the
400 easement agreement.

401

402 **Daniel Smith** stated he appreciates the council spending time to discuss the matter.

403

404 **David Yeagar** stated he is against the school's behavior in this matter but is in favor of
405 allowing the school to use the easement in order to keep cars off North Oakland Avenue.

406

407 **Item 6: Fire Station Construction Project.**

408

409 **Mark Johnson** gave introductory comments asking for input and ideas for revisions.

410 **Council** moved to the audience seating to view the architect's presentation.

411

412 Mayor, city manager, and city attorney left the chambers.

413

414 **Jim Strollo**, of Strollo Architects. Inc., gave a PowerPoint presentation of the design project
415 for council to review and discuss.

416

417 **David Yeagar** asked if the lift would be A.D.A. compliant.

418

419 **Jim Strollo** replied yes.

420

421 Discussion with council and audience included the idea of a clock tower, suggestion of an
422 A.D.A. lift inside of the clock tower, hinge doors versus overhead doors, and a metal roof
423 versus a shingle roof.

424

425 **Jim Strollo** stated he was open to suggestions and ideas to meet the City's needs. Strollo
426 Architects, Inc. submitted brief schematic, statement of costs, and an update on the schedule.

427

428 Discussion with council and audience continued included the police station being shifted
429 out of the project due to budget and focusing on the fire station with the lake county sheriff's
430 substation to stay at its current location for now.

431

432 Discussion continued regarding the design of back stairs and taking a careful look at design
433 and cost estimates. The project build is anticipated to be 12,000 square feet at a budget of
434 approximately \$250 per square foot. The cost comparison of an elevator versus a lift would
435 be \$40,000 to \$50,000 for an elevator and \$5,000 to 10,000 for a lift. A suggestion was
436 made to consider master planning the main facility usage in the future, to use the clock tower
437 as a camouflaged cell tower, and install the elevator shaft in the clock tower. Additionally,
438 there was further discussion which favored investing in an elevator rather than a lift.

439

440 Council moved back to the dais after the presentation was completed.

441

442 Councilor Saunders left the council chambers for break and returned.

443

444 City Attorney returned to chambers.

445

446 Mayor Kelley returned to chambers.

447

448 **Item 7: Ordinance 2019-02 Cosmetic Tattooing – Second Reading**

449

450 **Scott Gerken** read by title only.

451

452 **Joyce Heffington** re-introduced the ordinance.

453

454 **Mayor Kelley** asked for public comments

455 **Scott Gerken** stated staff recommends approval of the ordinance.

456

457 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to approve Item**
458 **7: Ordinance 2019-02 Cosmetic Tattooing.**

459

460 **AYE: Serviss, Kelley, Price, Saunders**

461

462 **NAY: None**

463

464 **MOTION PASSED: 4-0**

465

466 **Item 8: Resolution 2019-11 – Variance Request Finished Floor Elevation – 1892 Bonser**
467 **Road ~ Quasi-Judicial.**

468

469 **Scott Gerken** read Ordinance 2019-11 by title only.

470

471 **Scott Gerken** swore in members of the public, developer representatives, and staff
472 including Joyce Heffington and Ramon Flores.

473

474 **Joyce Heffington** introduced the resolution and stated staff recommended approval of the
475 resolution.

476

477 **Scott Gerken** stated the planning & zoning commission recommended approval.

478

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

480

481 There were no comments.

482

483 **MOTION by Councilor Saunders, SECONDED by Councilor Price, to approve Item**
484 **8: Resolution 2019-11 Variance.**

485

486 **AYE: Serviss, Kelley, Price, Saunders**

487

488 **NAY: None**

489

490 **MOTION PASSED: 4-0**

491

492 **FINAL PUBLIC COMMENTS**

493

494 **Mayor Kelley** asked for final public comments.

495

496 There were no comments.

497

498 **REPORTS**

499

500 **Mark Johnson did not provide a report due to being outside of chambers speaking.**

501 **Scott Gerken** reported on the certificate of need issue being abolished largely for hospitals.

502

503 **Council** had no further discussion.

504

505 **Joyce Heffington** reminded council of the upcoming combined workshop for a project on
506 County Road 561 on Tuesday, May 28th, 2019, at 6:30 p.m.

507

508 **MOTION by Councilor Price, SECONDED by Serviss, to adjourn.**

509

510 **AYE: Serviss, Kelley, Price, Saunders**

511

512 **NAY: None**

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514 **MOTION PASSED: 4-0**

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516 *(Meeting adjourned at 9:21 P.M.)*

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Pat Kelley, Mayor

522

523 **ATTEST:**

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April Sheppard, Acting City Clerk

