

**Minneola City Council
Minutes
July 02, 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 Kelly Price, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), April Sheppard (Acting City Clerk)

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 **Vice Mayor Serviss**.

PUBLIC COMMENTS

Mayor Kelley asked for public comments. There were no comments.

AGENDA REVIEW

Scott Gerken explained the clothing donation bin ordinance is still under review for revisions.

CONSENT AGENDA

Mayor Kelley asked for public comments. There were no comments.

Item 1: City Council Workshop Minutes June 18, 2019

Item 2: City Council Meeting Minutes June 18, 2019

Item 3: Purchase Request – Wastewater Treatment Plan Inspection and Repair Services

Item 4: Purchase Request – Painting Services

Item 5: Purchase Request – Life Station Pump Soft Starter Replacement and Installation

Item 6: Purchase Request – Illuminated Street Sign Replacement and Installation

Item 7: Purchase Request – Surveying Services – Proposed Public Safety Facility

Item 8: Purchase Request – Geotechnical Services – Proposed Public Safety Facility

Item 9: Service Contract – Lawn Maintenance

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

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

DISCUSSION & ACTION ITEMS

Item 10: Ordinance 2019-05 – Hills of Minneola Community Development District – Second Reading and Public Hearing

Scott Gerken read Ordinance 2019-05 by title only.

Brent Spain, applicant's attorney, provided an introduction.

Councilor Saunders stated the document was not conclusive as presented. For example, when would the fire station be addressed?

Craig Wrathell, President of Wrathell, Hunt & Associates, applicant's consultant, responded to the council. He explained this meeting is where the fire station requirement should be addressed and affirmed the requirement could be included as a requirement now but could not be added to the agreement later.

Scott Gerken asked about making additions later by amendment or petition.

Craig Wrathell responded that it would be an additional special power and could be added if necessary and suggested an interlocal agreement between the district and the City may be a better mechanism to use.

Craig Wrathell also responded to the council's concern for the lot owners' debt limit. He mentioned a twenty dollar (\$20) per foot bond debt cap assessment per lot, impact fees, and a three and one-half (3.5) to four (4) month timeline after the district is created to have the interlocal agreement in place. He also gave scenarios to explain debt versus bonds versus impact fees and the possible option of funding the fire station construction as a second layer of bonds.

Mayor Kelley asked for public comments. There were no comments.

92 **MOTION by Councilor Saunders, SECONDED by Councilor Jones, to approve**
93 **Ordinance 2019-05 Hills of Minneola Community Development District.**

94
95 **Mayor Kelley** asked **Scott Gerken** for clarification of the granted rights of the C.D.D.
96 within the development agreement.

97 **Scott Gerken** explained the concept of a C.D.D. for infrastructure is approved.
98 Requirements and objections are considered, are met, and appear to be in order. Explained
99 the C.D.D. is a tool to fund the infrastructure within the boundaries of their community. The
100 district is a governmental entity, governed by Florida Statute 190, with protections and
101 benefits much more than with an H.O.A.

102
103 **AYE:** Serviss, Kelley, Price, Jones, Saunders

104
105 **NAY:** none

106
107 **MOTION PASSED: 5-0**

108
109 **Item 11: Ordinance 2019-04 – Amended & Restated Development Agreement – Hills**
110 **of Minneola – Second Reading and Public Hearing ~ Quasi-Judicial**

111
112 **Scott Gerken** read Ordinance 2019-04 by title only.

113
114 **Scott Gerken** swore in members of the public, developer representatives, and staff
115 including Joyce Heffington, Ramon Flores, and Mark Johnson.

116
117 **Joyce Heffington** stated the staff recommended approval.

118
119 **Mayor Kelley** asked for public comments.

120
121 **Daniel Smith**, city resident and alternate planning and zoning commissioner, mentioned
122 landscape design, especially canopy trees on small lot sizes, near utility lines, and in
123 easements.

124
125 **Mayor Kelley** asked for public comments.

126
127 **Councilor Jones** inquired about Section 9, of the agreement, including the definitive
128 numbers for acreage of wet lands and green space of at least 370.6 acres. She requested
129 “plus or minus” (+/-) be struck from agreement. She suggested adding “... at no cost to the
130 City” to Section 18, on page 13, regarding grade and fill.

131
132 **Brent Spain** responded that they had no objections to the requested changes. He explained
133 the language, in Section 17, for wetlands impact and rating mitigation from the St. John’s
134 Water Management District.

135 **Denver Marlow**, of Sun Terra Communities, reiterated the language regarding wetlands
136 in Section 17 means any changes would have to be permitted through St. Johns and provided
137 a handout provided to the council.
138

139 **Council, staff, and Denver Marlow** discussed wetlands, requested a rendering of the 18
140 acres of wetlands, and discussed the impacts to and quality of wetlands.
141

142 **Denver Marlow** explained that designation of isolated, stand-alone wetlands may be scores
143 lower by St. Johns.
144

145 **Council and Brent Spain** also agreed that trees within the development would be subject
146 to the City's code.
147

148 **Council** explained that the City's planning and zoning commission is currently working on
149 adjusting the number of required trees in relation to lot size.
150

151 **Mayor Kelley** suggested any tree reductions that are authorized per lot should be relocated
152 to another area within the City and requested developers and builders attend the planning
153 and zoning commission workshop when modifications to the current tree ordinance are
154 discussed.
155

156 **Denver Marlow** stated this is a partnership and they are more than willing to work with the
157 council on their plans for trees.
158

159 **Councilor Jones** requested Section 1, Item 5a and Item 7, referring to wetlands final site
160 plan review, be stricken entirely, Item 3b changed to a minimum 370.6 acres rather than
161 "plus or minus" (+/-), page 6, where perimeter buffer regarding a lot next to an existing lot,
162 revert back to the original language as lots are not "residential lot," revert back to same
163 language throughout, and the last redline in Section 8 stating "as determined by final site
164 plan review process" be stricken.
165

166 **Denver Marlow** acknowledged and affirmed council's concerns and agreed to remove any
167 ambiguity. He clarified the impervious terminology.
168

169 **Council and staff** recapped the council's recommendations including the grading the
170 retention pond at the civic site, compliance with the tree requirements, and final site plan
171 review limited to the industrial area.
172

173 **Denver Marlow** responded they are willing to work with the City's staff and the water
174 district's management and is agreeable with the requested changes. He asked for the
175 opportunity to be flexible.
176

177 **Councilor Saunders** explained the usage of "plus or minus" (+/-) is a unit of measure and
178 a standard engineering discipline term used all over the world.
179

180 **Mayor Kelley** asked if there was a motion to approve.

181 **MOTION by Councilor Saunders, SECONDED by Councilor Price, to approve**
182 **Ordinance 2019-04 Amended & Restated Hills of Minneola Development Agreement**
183 **with recommended changes.**

184
185 **AYE:** Serviss, Kelley, Price, Saunders

186
187 **NAY:** Jones

188
189 **MOTION PASSED: 4-1**

190
191 **Item 12: Ordinance 2019-07 – Economic Development – Ad Valorem Tax Exemption**
192 **– Second Reading**

193
194 **Scott Gerken** read Ordinance 2019-07 by title only.

195
196 **Mark Johnson** introduced the ordinance, explained that it is a request for a partial
197 exemption of forty percent (40%) for five (5) years as an incentive. He explained the millage
198 rate reduction is expressed as a percentage, covers the new building only, and does not cover
199 the land or personal property. He stated the project would not have come to fruition without
200 an incentive and the City is receiving benefit from having a vacant commercial infill lot get
201 developed, the increase in revenues from a new medical building, the increase in revenues
202 from added personal property, new high wage jobs for the community, reduction of
203 operational costs by transferring the retention pond maintenance to the property owner in
204 perpetuity, and transportation safety improvements at the intersection of Citrus Tower
205 Boulevard and Mohawk Road. He added that this incentive should generate an overall
206 positive return on investment.

207
208 **Mayor Kelley** asked for public comments. There were no public comments.

209
210 **MOTION by Councilor Price, SECONDED by Councilor Saunders, to approve**
211 **Ordinance 2019-07 Economic Development Ad Valorem Tax Exemption.**

212
213 **AYE:** Serviss, Kelley, Price, Jones, Saunders

214
215 **NAY:** none

216
217 **MOTION PASSED: 5-0**

218
219 **Item 13: Fire Assessment Program**

220
221 **Council and staff** reviewed and discussed the fire assessment program.

222
223 **Mayor Kelley** expressed his preference of keeping the rate the same this year, would like
224 to address making modifications next year, but would agree with the council's decision.

225 **Councilor Jones** stated she was against keeping the rate the same. She expressed her
226 preference of adjusting the rate to \$69.00 per house.

227
228 **Councilor Price** spoke in favor of keeping the rate the same.

229
230 **Staff and council** discussed the City's position regarding the timeline for advertising and
231 preparation of the budget to preserve the ability to raise the assessments going forward.
232 Many acknowledged the need for a rate increase at some point in the future.

233
234 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, in favor of the fire**
235 **assessment rate to remain the same.**

236
237 **AYE:** Serviss, Kelley, Price

238
239 **NAY:** Jones, Saunders

240
241 **MOTION PASSED: 3-2**

242
243 **FINAL PUBLIC COMMENTS**

244
245 **Mayor Kelley** asked for final public comments.

246
247 **Ray Nivala**, city resident, mentioned speeding issues and vehicles blocking sidewalks in
248 Quail Valley.

249
250 **Mayor Kelley** explained the efforts being made at Pine Bluff where there are similar issues.

251
252 **Mayor Kelley** asked for any final public comments.

253
254 **Vance Jochim**, of fiscalrangers.com, stated A.D.A. compliance lawsuits are reducing
255 online transparency. He suggested finding an answer to this issue within the attorney or city
256 manager associations. He recommended the fiscal dollar amount be added to the agenda.
257 He explained he is requesting all city councils find a way to increase transparency in light
258 of the A.D.A. lawsuits.

259
260 **Mayor Kelley** explained the historical usage of the consent agenda items in relation to
261 budgeted items and agenda line items. He explained that the staff list certain purchase
262 requests on the agenda even when they do not have to out of an effort to be abundantly
263 transparent. He expressed his appreciation to Vance Jochim for his attendance and
264 suggestions.

265
266 **Scott Gerken** expressed agreement that staff's listing of certain purchase requests are
267 beyond what is required and the negative affect the A.D.A. lawsuits have had regarding
268 transparency.

269
270 **Daniel Smith** mentioned posting of the agenda packets on Facebook.

Mayor Kelley explained the City has different A.D.A. requirements to follow than individuals who post online.

REPORTS

Mark Johnson:

- Staff met with the Pine Bluff H.O.A. and discussed adding “no parking” signage and pavement striping. The H.O.A. appeared to be satisfied with instituting those next steps. The student parking situation will be monitored, reviewed, and readdressed, if necessary, after the first quarter of the school year.
- The City’s index crimes went down by approximately thirteen percent (13%). When factored based upon population, the crime rate went down by approximately seventeen percent (17%).

Council Jones:

- Asked about scheduling a workshop to prioritize city projects.
 - **Council consensus** was to hold a workshop on July 09, 2019, at 6:30 p.m.

Councilor Price:

- Asked for an update regarding the equipment Trailhead Park.

Scott Gerken:

- The closing on the Shamrock Property acquisition is scheduled for next week.
- Expressed concerns over the Minneola Charter School driveway issue. The school’s driveway construction cost estimate came in exceptionally high, so the school is revisiting their engineering plans. He relayed the City’s concerns that school will be starting soon and the school has no driveway plan in place. He reminded the school to coordinate their plans with the City. He explained the temporary easement proposed for the project is now in conflict.
 - **Mayor Kelley** asked Mark Johnson to get School Board Member Bill Matthias involved, since the property is owned by the school board.
- Asked for consensus on the ballot measures that were discussed at a previous meeting.
 - **Council consensus** was to postpone adding anything to the ballot this year, continue to work on the questions, and try to add them onto the ballot next year.

Vice Mayor Serviss:

- Wasp nest at front entrance needs to be removed.
- The planning and zoning commission requested to consult with a tree professional for advice on making modifications to the tree ordinance. One member recommended Mr. Gallus Quigley, city resident, for professional advice. Tim Green, a planner and landscape architect, was also recommended.
 - **Vance Jochim** recommended the Ag Center in Tavares.
 - **Council** expressed appreciation for the suggestion.
- **Vice Mayor Serviss** recommended Pine Bluff residents document tag numbers of any students that are parking illegally or misbehaving in their neighborhood and present the information to the school’s administration.

- **Vice Mayor Serviss** asked for council consensus to hold the Minneola Back-to-School Forum again this year. She added that school begins August 12, 2019.
 - **Council consensus** was in favor of hosting Back-to-School Forum again.

Councilor Jones:

- Met with Lake County School Superintendent and staff on mental health issues. She stated they have good initiatives in place and suggested a resolution to encourage the governor and other officials to continue to provide resources to broaden awareness.
- Stated the fire assessment fee needs to fund the fire department as intended.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to adjourn.

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

(Meeting adjourned at 8:12 P.M.)



Pat Kelley, Mayor

ATTEST:



April Sheppard, Interim City Clerk