

1 **Minneola City Council**
2 **Minutes**
3 **February 05, 2019 at 6:30 PM**
4 **Minneola City Hall**
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6
7 The City of Minneola Council Meeting was called to order by Mayor Pat Kelley. Also
8 present were Vice Mayor Pam Serviss, Councilor Lisa Jones, Councilor Kelly Price,
9 Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), April
10 Sheppard (Acting City Clerk)

11
12 **CALL TO ORDER**
13

14 **Mayor Kelley** called the meeting to order.
15

16 **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE**
17

18 A moment of silence was observed, and the Pledge of Allegiance was led by a representative
19 from Boy Scout Troop Number 1848.
20

21 **AGENDA REVIEW**
22

23 **Councilor Jones** requested Item 7 Overlook at Grassy Lake Phase 1 Final Plat be tabled.
24

25 **Joyce Heffington**, City Planner, stated the Certificate of Completion is needed.
26

27 **Scott Gerken** stated there are some scheduling issues.
28

29 **PUBLIC COMMENTS**
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31 **Craig Harris**, JTD Land Owner/Developer, explained he was unaware that something was
32 missing and listed the items that have been completed.
33

34 **City staff** confirmed that a Certificate of Completion is needed.
35

36 **Mayor Kelley** stated packages must be 100% complete before being brought to council.
37

38 **MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss, to table Item 7**
39 **Overlook at Grassy Lake Final Plat.**
40

41 **AYE:** Serviss, Jones, Kelley, Price, Saunders
42

43 **NAY:** None
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45 **MOTION PASSED: 5-0**

PUBLIC COMMENTS

Kandie Alexander, resident, requested council to consider installing an A.D.A. accessible wheel chair swing and merry-go-round within the parks and recreation designs for children with physical disabilities.

Vice Mayor Serviss expressed appreciation for her service to the community.

Mayor Kelley suggested spending \$20,000 towards a swing and merry-go-round and requested Kandie Alexander develop a proposal to bring back to council.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to approve request for \$20,000 dedicated to A.D.A. accessible playground equipment such as merry-go-round, wheelchair swing, and platform swing.

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

Mark Stapleton, Leesburg resident and business owner, explained his experience working with accessible playground equipment wholesalers, presented council with equipment resources, and recommended the equipment be labeled for handicapped use only.

Kandi Alexander expressed thankful appreciation to the council and stated she will network with others and present the ideas.

Mayor Kelley requested her leave contact information with council.

Councilor Price volunteered to assist in the project.

PUBLIC COMMENTS

Debbie Flinn, P&Z Commission Chairwoman, informed council of her concern for P & Z Commission's standards of residency. She questioned Commissioner David Yeager's residency and presented council with support documentation including property records, city codes, zoning, and C.U.P. exceptions. She expressed her appreciation of service Mr. Yeager but asked that he voluntarily step down. She requested council to consider his removal.

Council and staff discussed the matter including an explanation of the legal view of residency and history on this issue. They also discussed the issue of zoning relating to a special exception permit for a caretaker's residence.

Mayor Kelley requested city attorney review the C.U.P. option.

92 **Daniel Smith, Alternate P&Z Commissioner**, expressed thanks to Debbie Flinn and
93 support of the City to make the right decision. He stated there was no animosity towards
94 Mr. Yeager.
95
96 **Council and staff** discussed Mr. Yeager's options for resolution. Revisions for residency
97 of P & Z members are in the city charter and any changes must be placed before the voters.
98
99 **Debbie Flinn** asked for, as a public record, Mr. Yeager to voluntarily step down, expressing
100 concern as the special exception process would go before P & Z Commission.
101
102 **Scott Gerken** remarked recusal by Mr. Yeager would be appropriate at that point.
103
104 **Council** discussion on validity of residency claims continued.
105
106 **David Yeager** made explanatory remarks as to his history of residency and stated he
107 respects the board's opinion.
108
109 **Council and staff** requested parties rectify their differences and finalize a decision. Further
110 discussion was made as to case law, zoning, special exception, and change of address
111 options.
112
113 **David Yeager** commented that he wishes to serve at the pleasure of the council as a public
114 servant.
115
116 **Mayor Kelley** asked city attorney to work with the parties for final resolution on this issue.
117
118 **Mark Johnson** asked the council for clarification regarding their previous discussion of
119 modifying the charter to allow for the appointment of two (2) business owners to the P & Z
120 Commission and whether they wanted it to be put on the ballot.
121
122 **Mayor Kelley** requested city attorney review the possibility of business consultants on the
123 board.
124
125 **Ramon Flores**, Senior Code Enforcement, commented the P&Z Commission may confer
126 with experts when so inclined.
127
128 **Council and staff** having conferred on the residency issue agreed no motion needed be
129 made and asked for a legal finalization to be agreed upon.
130
131 **Scott Gerken** explained the legal options for resolving the residency issue including
132 applying for special exception, re-establish a residential address elsewhere, no time
133 requirement is found in code and stated he would attempt to resolve by next council meeting.
134
135 **PUBLIC COMMENTS**
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137 **Pastor Watkins** thanked council for their consideration of Resolution 2019-01.

138 **Item 1: Resolution 2019-01 Placement of the Edmund Kirby Smith Statue.**

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140 Scott Gerken read by title only.

141

142

PUBLIC COMMENTS

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144 There were no further comments.

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146 **MOTION by Councilor Price, SECONDED by Vice Mayor Serviss, to approve**
147 **Resolution 2019-01 Placement of the Edmund Kirby Smith Statue.**

148

149 **AYE:** Serviss, Jones, Kelley, Price, Saunders

150

151 **NAY:** None

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153 **MOTION PASSED: 5-0**

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155

CONSENT AGENDA

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157 **Item 2: City Council Meeting Minutes January 15, 2019**

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159 **Item 3: Combined City Council & Planning & Zoning Commission Workshop Minutes**
160 **January 29, 2019**

161

162 **Item 4: Purchase Request – New Water Meters**

163

164 **Item 5: Continuing Service Contract for Planning Services**

165

166 **Item 6: Professional Services Contract for Water Distribution Improvements**

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

170

171 **AYE:** Serviss, Jones, Kelley, Price, Saunders

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173 **NAY:** None

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175 **MOTION PASSED: 5-0**

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DISCUSSION & ACTION ITEMS

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179 **Item 7: Overlook at Grassy Lake Final Plat - tabled**

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181 **Item 8: Interlocal Agreement – Citrus Grove Road Phase III – Utility Relocation**
182 **Project**

183 **Scott Gerken** provided a review of the agreement and expressed reservation of and the need
184 for clarification on utility easement relocation costs and sites.

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186

PUBLIC COMMENTS

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188 There were no comments.

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190 **MOTION by Councilor Price, SECONDED by Councilor Jones, to approve the**
191 **Interlocal Agreement subject to attorney review for any revisions.**

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193 **AYE:** Serviss, Jones, Kelley, Price, Saunders

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195 **NAY:** None

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197 **MOTION PASSED: 5-0**

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199 **Item 9: Discussion of Fee Schedule for Fire Safety Related Services**

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201 **Council and staff** discussed the implementation of a fee schedule for fire safety plan
202 reviews, inspections and miscellaneous services for businesses. Discussion included
203 residential fire safety checks.

204

205 **Mayor Kelley** asked city manager to communicate to residents, via water bill, the need to
206 replace smoke detectors periodically.

207

208 **Item 10: Discussion of Livestreaming Public Meetings**

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210 **Council and staff** discussed livestreaming council meetings and workshops. Further
211 research into feasibility, options, and alternatives with transparency in mind will be needed.

212

213 **Mayor Kelley** asked **Ramon Flores** about setting up public records access into an online
214 publicly accessible Dropbox.

215

216 **Mayor Kelley** suggested **Mark Johnson** will know what records can be publicly accessible
217 and what needs to be by request.

218

219 **Council consensus** was to further consider online public records accessibility.

220

221 **Council and staff** discussed the complexity and costs of livestreaming with respect to
222 A.D.A. compliance, fees for closed captioning, and storage.

223

224 **Scott Gerken** advised not to livestream meetings at this time from a legal perspective
225 because it's not required and creates unnecessary liability risks. He added that he is
226 sensitive to the need for transparency and explained that a seminar on the subject will soon
227 be held by the Florida League of Cities.

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FINAL PUBLIC COMMENTS

David Yeagar asked council for dumpster update as a source of revenue. He also stated trees were planted under powerlines in The Reserve at Minneola on Grassy Lake Road and may pose a future threat to the powerlines. He asked council to consider districting for future growth to protect limited downtown representation.

Mayor Kelley asked **Scott Gerken** to look further into a charter amendment for districting the City when the population warrants it.

REPORTS**Mark Johnson:**

- Fosgate Road Update
 - F.D.O.T. Transfer of Property to the City
 - Hughes Brothers Construction Applied for a Road Closure Permit from Lake County
- Citrus Grove Road Update
 - Phase I – Official Completion Date is October, 2019 but Expected Completion by August, 2019
 - Phase II – Founder's Ridge developer driven but the new buyer has not closed on the project yet.
 - Phase III - Scheduled to go out for bid in April, 2019
- CRA Items
 - Meeting after the next council meeting on February 19, 2019
- Trailhead Park Update
 - Fitness Equipment Area – Waiting on Additional Bids
 - Splash Pad Project
 - Skate Park Project
 - Tetra Tech Timeline
- Hills of Minneola Apartments Update
 - Construction is expected to begin soon. A administrative decision was made to allow impact fees to be paid at the time the certificate of occupancy is issued.
 - Appreciation extended to city attorney for exceptional service and advice to the City

Council:

- **Vice Mayor Serviss** thanked city manager for the splash pad update
- **Councilor Jones** asked for a website update
 - **Ramon Flores** explained the product design is complete and the data transition is in process.
 - **Council** requested an estimated time of completion.
- **Councilor Jones** asked for a sewer project update
 - **Fred Miller** stated it was approximately 85% complete
 - The Trail is opened and a small portion along the edge remains to be paved.
- **Councilor Saunders** asked if The Oaks was going to be connected to the sewer system

- 273 • **Fred Miller** explained the details of Phase II were not finalized. The Oaks will
274 connect when sewer becomes available. The H.O.A. has been involved in the
275 process for Phase I
- 276 • **Mayor Kelley** asked about the Lake County School Board's 2020-2025 capital plan and
277 expressed concerns whether funds are designated for The Hills of Minneola school
278 o **Mark Johnson** will review and follow up
279 o **Councilor Saunders** suggested charter school option
280 o **Mark Johnson** provided an update on driveway issue for the Minneola Charter
281 School
- 282 • **Mayor Kelley** asked who was responsible for trash pickup on county roadways
283 o **Ramon Flores** explained the county right-of-way is the County's responsibility and
284 the private property along the roadway is the property owner's responsibility in
285 regards to unincorporated Lake County.
- 286 • **Mayor Kelley**, for information purposes, explained RaceTrac called to inquire about
287 outdoor vending machines. He provided a video showing indoor vending options and a
288 video of indoor vending machines at WaWa.
289 o **Vice Mayor Serviss**, for the record, also received the video showing indoor vending
290 machines at WaWa's and CVS
- 291 • **Mayor Kelley** cautioned the council when using social media
292 o Think and use care when replying
293 o Remember the Sunshine Law applies
294 o Comments become permanent records
- 295 • **Councilor Jones** asked about the marijuana moratorium
296 o **Scott Gerken** clarified a prohibition was approved
- 297 • **Vice Mayor Serviss** mentioned
298 o The Tails & Trails 5K Run/Walk will be at Trailhead Park on Saturday, February
299 16th, at 9:00 a.m.
300 o Lt. Patton's softball event changed to May 4th at 6:00 p.m.
- 301 • **Councilor Jones** asked to add city districting as a future agenda item
302 o **Scott Gerken** recommended further discussion was needed.
- 303 • **Mayor Kelley** mentioned the Hills of Minneola Community Park
304 o Workshop ideas for direction
305 o County to join in on the workshop
306 o Conceptual design drawing to follow
307 o Combined Council and P & Z Workshop on March 12th
308 o Invite Commissioner Parks

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

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312 **AYE:** Serviss, Jones, Kelley, Price, Saunders

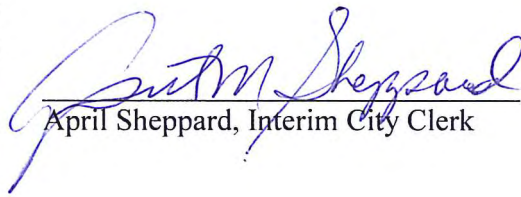
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314 **NAY:** None


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316 **MOTION PASSED: 5-0**

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318 *(Meeting adjourned at 8:39 P.M.)*

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ATTEST:


April Sheppard, Interim City Clerk



Pat Kelley, Mayor

