

**Minneola City Council
Minutes
June 18, 2019
Immediately Following the City Council Workshop at 6:30 p.m.
Minneola City Hall**

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

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 Pam Serviss.

PUBLIC COMMENTS

There were no comments.

AGENDA REVIEW

MOTION by Councilor Price, SECONDED by Vice Mayor Serviss, to table Item 6 – Ordinance 2019-04 – Amended & Restated Development Agreement to July 2.

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

MOTION by Councilor Serviss, SECONDED by Councilor Price, to table item 11 – Regulation Donation Bins First Reading to the next meeting.

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

CONSENT AGENDA**Item 1: Combined City Council and Planning & Zoning Commission Workshop Minutes****Item 2: City Council Meeting Minutes****Item 3: Purchase Request – Firefighter Protective Equipment****Item 4: Purchase Request – Refurbished Cardiac Monitor/Defibrillator****Item 5: Contract Amendment – Law Enforcement Services – Lake County Sheriff's Office**

MOTION by Councilor Jones, SECONDED by Council Price, to approve the Consent Agenda.

AYE: Serviss, Jones, Kelley, Price, Saunders

NAY: None

MOTION PASSED: 5-0

DISCUSSION & ACTION ITEMS**Item 7: Founder's Ridge – Heddon Village – Preliminary Plat**

Grant Watson swore in staff members and members of the audience who wished to speak on this item.

Joyce Heffington stated the plats are for the first two phases of Founder's Ridge, Heddon Village and Reeve's Village. The P & Z commission recommended approval with staff and Lake County M.P.O. comments. In order to meet the state fire code, for free space in the road for the fire trucks, staff is recommending no parking signs be posted along the streets by the developer and the H.O.A. will be required to help enforce this. The declarations need to include the requirements of no on-street parking enforceable by the H.O.A. and declare the reason for the no on-street parking is due to the width of the streets. The M.P.O. suggests the developer should monitor the traffic on Scrub Jay Lane for signal control warrants in the future and the developer should be responsible for a proportionate share of such costs. Also, the developer will need to propose a signal mitigation as outlined in Section 8 b of the M.P.O. letter.

Mayor Kelley asked for the H.O.A. enforcement to be explained.

87 **Grant Watson** explained the State Statutes and the development's declarations will set up
88 a procedure as to how to notify homeowners when there has been a violation. The City
89 would still have ability to enforce parking violations as well.

90
91 **Mark Johnson** explained that this is not a new residential development being considered
92 for approval. This project has had vested development rights for a long time.

93
94 **Mayor Kelley** asked for public comments.

95
96 **Nathan Focht**, of 10345 Mountain Trail Drive, commented that an H.O.A. can fine a
97 homeowner and put a lien on the house if the fine goes unpaid. The lien would be behind
98 any actual debtors. Their only real power is if there is a homeowner that actually owns the
99 home.

100
101 **Daniel Smith**, of 1849 Kerry St., stated the H.O.A. could fine for violations in addition to
102 the City which could cause a resident to become double fined.

103
104 **Mayor Kelley** expressed concern with issues no parking signs could cause.

105
106 **Councilor Jones** expressed concern that people will not follow the rules which would cause
107 the fire truck to be unable to get through in an emergency. The only way to ensure this will
108 not happen is to make sure the road is wide enough.

109
110 **Mayor Kelley** mentioned what has been approved already by the council.

111
112 **Kim Woodbury**, of Woodbury Development Company, discussed who can regulate the
113 stopping, standing, or parking on the streets. He suggested the declarations of covenants is
114 limited to land within the community, in which the owners of the parcels are members,
115 which excludes the public. He does not believe this applies to the public streets. If the
116 H.O.A. did attempt to regulate street parking, they could only enforce a contract between
117 the owner of property and the H.O.A., not any non-residents. He suggested on-street parking
118 is allowed in the City's code and the letter from fire department stated there needed to be
119 twenty feet (20') of clear width. This does not relate to the amount of room needed to get
120 by with fire truck. Fire trucks are about eight feet (8') to eight and one-half feet (8.5') wide,
121 most cars are six and one-half feet (6.5') to seven feet (7') wide if there were two cars parked
122 on either side of a twenty-four foot (24') road you would still have ten feet (10') for a fire
123 truck to get through.

124
125 **Kim Woodbury** stated their development agreement indicates they have concurrency for
126 the first five hundred ninety-nine (599) units and has as set of improvements for them to do.
127 Those improvements are greater than what would be a proportionate fair share. A signal
128 would benefit their residents and they would need to coordinate with the County to have
129 any signal put in. He is fine with having the responsibility of having additional costs for a
130 traffic signal on Scrub Jay Lane and Citrus Grove Road.

131
132 **Mayor Kelley** asked if they are opposed to putting no parking signs on one side of the street.

133 **Kim Woodbury** stated he would agree to that if the City told them no parking was required
134 on one side of the street.

135
136 **Mayor Kelley** asked if his concern was the requiring the H.O.A. to enforce it.
137

138 **Kim Woodbury** stated there were two concerns, one is these subdivisions do not work
139 without street parking. The second is wherever no parking is required, enforcement should
140 be done by the City.
141

142 **Mark Johnson** clarified staff requested no parking enforcement in the covenants as a
143 creative way to make sure the H.O.A. partnered with the City on enforcement especially
144 while the developer is in charge of the H.O.A. and has construction crews building homes
145 in the subdivision. This was not to absolve the City from parking enforcement.
146

147 **Grant Watson** stated the City has the ability to require the signage as they desire, has the
148 ability to enforce their parking rules in the code, and believes the City would be more
149 efficient in addressing parking violation issues.
150

151 **Councilor Jones** inquired if the development would be willing to make one half of the street
152 have no parking.
153

154 **Councilor Saunders** suggested no parking on one side of the street is a bad idea and “No
155 Parking” signs look horrible.
156

157 **Kim Woodbury** stated Lake County would decide if a traffic light is necessary at the
158 intersection of Scrub Jay Lane and Citrus Grove Road.
159

160 **Councilor Price** stated she agreed with Councilor Saunders.
161

162 **Councilor Jones** also agrees with Councilor Saunders.
163

164 **Mayor Kelley** expressed concern with possible parking in cul-de-sacs.
165

166 **Kim Woodbury** stated a fire truck turning diagram was submitted showing the turn radius
167 is adequate.
168

169 **Mayor Kelley** asked for public comments.
170

171 **Paul Giacalone**, resident, read a section from the Florida Fire Prevention Code which states
172 the required width of fire lanes.
173

174 **Councilor Jones** asked Chief Otero for his opinion.
175

176 **Chief Otero** stated the fire department’s comment came from the exact quote Mr. Giacalone
177 read from the Fire Prevention Code. He explained what width is needed when a fire truck is
178 fully deployed when fighting a house fire.

179 **Mayor Kelley** suggested there may be existing roads that do not meet the fire code and
180 asked for clarification.

181

182 **Chief Otero** deferred this question to the city attorney.

183

184 **Grant Watson** suggested the agreement is of central concern here when considering
185 options. He would have to look through City's code to see if there was something to
186 incorporate changes as state safety codes are passed.

187

188 **Paul Giacalone** suggested the elevation of the roads should be taken into consideration as
189 well.

190

191 **Daniel Smith** stated the developer is coming as close to meeting the fire code as possible
192 by requiring no parking on one side of the street.

193

194 **Mayor Kelley** suggested the developer include "No Parking" signs and they could always
195 be removed at a later date if necessary.

196

197 **Grant Watson** stated if there are any unforeseen need for signage or markings, the City can
198 require signage in the interest of public safety.

199

200 **Councilor Jones** asked how permits for skinks and scrub jays work.

201

202 **Kim Woodbury** stated the scrub jays can be relocated. This project has paid \$500,000 to
203 improve a scrub jay habitat in a receiving location.

204

205 **Kim Woodbury** suggested they have not had sand skinks but left one area undeveloped
206 because it is a likely habitat for sand skinks.

207

208 **Councilor Jones** stated she would like to see language in the covenants which inform
209 residents to check with the City to make sure they are following rules in regards to tree
210 removal so they are not confused when they obtain H.O.A. approval first.

211

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

213

214 **David Yeager**, resident, stated the streets in Ardmore Reserve are twenty-four feet (24')
215 wide. He explained they made a mistake in Phase 1 of The Reserve at Minneola but fixed it
216 in Phase 2. He agreed there would be an issue with no parking on one side of the street.

217

218 **David Yeager** mentioned the removal of the fencing for the sand skink area at Grassy Lake
219 Elementary.

220

221 **Mark Johnson** stated the school district advised the City that they performed a new sand
222 skink survey, found that there were no longer any sand skinks at Grassy Lake Elementary,
223 and removed the protective fencing. The proposed project also has a C.D.D. which may be
224 used as an enforcement mechanism rather than the H.O.A.

225 Discussion followed regarding the City's code requirements for on street parking.
226
227 **Grant Watson** read Item 7 – Preliminary Subdivison Plat – Founder's Ridge – Heddon
228 Village by title.
229
230 **MOTION by Councilor Price, SECONDED by Councilor Saunders, to approve Item**
231 **7 – Preliminary Subdivision Plat – Founder's Ridge – Heddon Village**
232
233 **AYE:** Serviss, Kelley, Price, Saunders
234
235 **NAY:** Jones
236
237 **MOTION PASSED: 4-1**
238
239 **Grant Watson** read Item 8 – Preliminary Subdivison Plat – Founder's Ridge – Reeves
240 Village by title.
241
242 **MOTION by Councilor Saunders, SECONDED by Councilor Price, to approve Item**
243 **8 – Preliminary Subdivision Plat – Founder's Ridge – Reeves Village**
244
245 **AYE:** Serviss, Kelley, Price, Saunders
246
247 **NAY:** Jones
248
249 **MOTION PASSED: 4-1**
250
251 **Vice Mayor Serviss** stepped out of the meeting.
252
253 **Item 9: Ordinance 2019-06 – Patios and Screen Enclosures – Second Reading and**
254 **Public Hearing**
255
256 **Grant Watson** read the ordinance by title
257
258 **Joyce Heffington** stated this would allow for a bird cage or an open patio but not a closed
259 in screen room.
260
261 **MOTION by Councilor Saunders, SECONDED by Councilor Price, to Item 9**
262 **Ordinance 2019-06 – Patios and Screen Enclosures – Second Reading and Public**
263 **Hearing**
264
265 **AYE:** Jones, Kelley, Price, Saunders
266
267 **NAY:** None
268
269 **MOTION PASSED: 4-0**

270 **Item 10: Ordinance 2019-07 – Economic Development – Ad Valorem Tax Exemption**
271 **– First Reading**

272
273 **Grant Watson** read the ordinance by title.

274
275 **Vice Mayor Serviss** returned to the meeting.

276
277 **Grant Watson** swore in anyone who was not previously sworn in.

278
279 **Councilor Jones** stepped out of the meeting.

280
281 **Item 12: Public Safety Building – Construction Project Update**

282
283 **Mark Johnson** distributed modifications to public safety building plans. He explained the
284 clock tower is being discussed as an additive alternate which could be added now or at a
285 later date depending on cost and funding. Most of the other changes council discussed have
286 been addressed on the new plans. He asked that council review the plans and let him know
287 if there are any additional changes they would like.

288
289 **Item 13: Annexations – Commercial & Industrial Properties**

290
291 **Mark Johnson** stated in November and December, staff requested council consider
292 annexations along the Highway 27 corridor. He stated there was some discussion on this
293 idea and there were mixed opinions whether to move forward or not. He added that the staff
294 are requesting council consider the commercial and industrials area along Highway 27 and
295 vacant land regardless of current use within our I.S.B.A. area along the Highway 27
296 corridor.

297
298 **Councilor Jones** returned to the meeting.

299
300 **Mayor Kelley** mentioned the City staff had another meeting with 7-Eleven, at the property
301 owner's request, to discuss building near Oak Valley. He discussed the possibilities of
302 parcels such as these developing outside of city limits.

303
304 **Councilor Jones** thought Council agreed six months ago to work on annexing these
305 properties.

306
307 **Mayor Kelley** suggested starting annexation at the City line near Clermont, go to C.R. 561,
308 and annex anything that does not have a building on it or is not residential.

309
310 **Mark Johnson** clarified this is not an effort to generate revenue but an effort to have some
311 control over what happens on our borders. Also, unincorporated properties are serviced
312 regularly with City funded police and fire services and these areas do not directly pay for
313 the services they receive from the City.

314 **Mayor Kelley** mentioned a business that is currently in the County which, if annexed,
315 would not meet certain provisions of the City's code. He stated the City could discuss
316 possible conditional use permits with the current property owners.

317
318 **Council's** consensus was to move forward with annexing these properties.

319
320 **Item 14: Straw Ballot Questions**

321
322 **Mayor Kelley** stated he would like to discuss possible charter changes regarding term
323 limits, term lengths, length of residency, and districts. He expressed concern that as
324 Minneola grows, "Old Minneola" could lose its voice and believes establishing districts
325 could help prevent this. He suggested term lengths options.

326
327 **Councilor Price** discussed whether establishing term limits for the planning and zoning
328 commission should be included as well.

329
330 **Mayor Kelley** asked for public comments.

331
332 **Debbie Flinn** agreed with the idea of the planning and zoning commission having term
333 limits and suggested if this is going to make it on the ballot it will need to be done by August
334 30th.

335
336 **Nathan Focht** explained why term limits are beneficial.

337
338 **Mayor Kelley** inquired when the deadline to have something written up was.

339
340 **Grant Watson** confirmed the deadline would be August 30th.

341
342 **Mayor Kelley** asked if council would like to have a workshop on this topic in the middle
343 of July.

344
345 **Mark Johnson** suggested they might be able to get it on the ballot if council reached some
346 sort of consensus quickly but more time may be needed for further discussion and planning.

347
348 **Councilor Saunders** suggested just getting it on the ballot and letting the residents decide.
349 He expressed concerns with any length of residency restrictions.

350
351 **Councilor Price** stated she believes the council should look at term lengths and explained
352 it is difficult to get any major projects accomplished in two years.

353
354 **Councilor Jones** suggested the council should create a plan, put it on the ballot, and when
355 the City reaches a certain population, the districts would go into effect. She supports term
356 limits and believes the council should have districts and one at-large representative. She
357 believes it may be too ambitious to have this on the ballot in August.

358
359 **Mayor Kelley** is opposed to a straw ballot.

360 **Council** consensus was to have a workshop regarding this topic.

361

362 **Vice Mayor Serviss** suggested the council have four-year terms, no residency length
363 requirements, not ready for districts now but is something to entertain, suggests not running
364 for the district you reside in, and there should not be term limits for how long you are in
365 your seat.

366

367 **Daniel Smith** asked what the City's population is.

368

369 **Mark Johnson** stated the population is approximately 13,000.

370

371 **Daniel Smith** suggested the city council have terms of either 3 or 4 years, lifetime term
372 limit of 3 / 3 year terms or 4 / 2 year terms, and districting set at a certain population.

373

374 **Mayor Kelley** stated a third party would have to help establish the districts.

375

376 **Daniel Smith** also suggested the mayor should be appointed by the council.

377

378 **FINAL PUBLIC COMMENTS**

379

380 **David Yeager** mentioned a large donation bin is now located in Clermont and also
381 suggested the City needs to annex as far north on Highway 27 as possible and not make it
382 an option.

383

384 **Mayor Kelley** expressed he would be fine annexing the commercial properties on Highway
385 27 or in the 180 district.

386

387 **David Yeager** asked who oversees the installation of underground gas tanks.

388

389 **Mark Johnson** stated the fire department and the Florida Department of Environmental
390 Protection.

391

392 **David Yeager** stated Walgreens is remodeling and a dumpster has been delivered there.

393

394 **David Yeager** stated the Department of Environmental Protection controls abandoned tanks
395 and indicated there are some abandoned tanks around the City.

396

397 **Vice Mayor Serviss** stepped out of the meeting.

398

399 **Mark Johnson** stated some people have expressed interest in the Sunoco location from time
400 to time.

401

402 **Vice Mayor Serviss** returned to the meeting.

403 **Mark Johnson** suggested the council should consider the charter amendments at a local
404 level and explained districting could create gridlock and increase the cost of government
405 depending on how they are done.

406 REPORTS

407 **Mark Johnson reported:**

- 408 • He met with the property owner of the site commercial site on the corner of Oak Valley
409 and Highway 27 where a 7-Eleven was previously proposed at the property owner's
410 request.
- 411 • The volunteer work day for the mountain bike trail was rescheduled.
- 412 • The Shamrock building environmental study and survey has been completed. The
413 environmental study did not find any contamination. The firm suggested a Phase 2 may
414 be helpful but a second opinion revealed this would not be necessary. We can move
415 forward with closing unless council has any objections.
- 416 ○ Councilor Jones asked if the septic tank was inspected.
- 417 ▪ Mark Johnson stated it was not but there was no evidence of contamination and
418 there are not any floor drains in the work areas.
- 419 ○ Councilor Jones stated the septic tank should still be inspected.
- 420 ▪ Mark Johnson stated staff has already been directed to inspect the septic tank
421 and well.
- 422 ○ Councilor Jones indicated the City of Minneola sign on Highway 27 needs to have
423 the landscaping spruced up.

424 **Councilor Saunders reported:**

- 425 • Asked about the status of various projects including, Popeye's, Pierre Marsan's project,
426 Taco Bell, Minneola Business Park, Overlook at Grassy Lake, and repair of the new
427 engine involved in a crash.
- 428 ○ Mark Johnson explained the status of the projects.

429 **Vice Mayor Serviss reported:**

- 430 • Asked when the intersection of Highway 27 and Washington Street will be improved.
- 431 ○ Mark Johnson stated he is unsure of the timeline and explained the RaceTrac site
432 has performed the demolition and started construction.
- 433 • Explained Mark and she were on top of the issue in Pine Bluff. There had been a meeting
434 scheduled, had to be cancelled, but will be rescheduled.

435 **Councilor Jones reported:**

- 436 • Stated she received a call yesterday from a resident on Forestwood Drive which is in the
437 area of concern for traffic and speeding. The resident had mentioned when the speed
438 limit sign was up it helped deter traffic. She explained there is no speed limit sign on
439 Forestwood Drive now and perhaps a dangerous curve sign would be helpful as well.
- 440 • Expressed concern with vehicles parking in the swales and the right-of-way on
441 Forestwood Drive.

447 **Mayor Kelley reported:**

- 448 • Stated he received a call from the property owner's representative, across from the
449 Minneola Business Park, who want to rezone some of the land to multifamily.
450 • Reported he had visited the Africa Inland Mission, spoke with them this past week, and
451 joined them for a meeting.

452

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

454

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

456

457 **NAY:** None

458

459 **MOTION PASSED: 5-0**

460

461 *(Meeting adjourned at 9:54 P.M.)*

462

463

464

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466

467



Pat Kelley, Mayor

468

469 **ATTEST:**

470

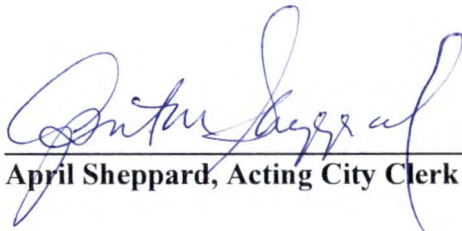
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April Sheppard, Acting City Clerk

