

**Minneola City Council
Meeting Minutes
Minneola City Hall
October 20, 2020 at 6:30 PM**

The City of Minneola Council Meeting was called to order by Mayor Pat Kelley. Also present were Vice Mayor Serviss, Councilor Lisa Jones, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), and Christina Stidham (City Clerk). Due to the Covid-19 pandemic, all present were practicing “social distancing” by remaining at least six feet apart in the council chambers.

CALL TO ORDER

Mayor Kelley called the meeting to order at 6:34 p.m.

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

There were no changes.

MOTION by Vice Mayor Serviss, SECONDED by Councilor Jones, to excuse Councilor Price’s absence from the meeting.

AYE: Serviss, Jones, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

PROCLAMATION

Item 1: Red Ribbon Week Proclamation

Mayor Kelley read the Red Ribbon Week Proclamation proclaiming October 23-31, 2020, as Red Ribbon Week in Minneola, Florida, encouraging participation in drug prevention education activities.

CITY MANAGER'S CONSENT AGENDA

Item 2: City Council Meeting Minutes for October 6, 2020

Item 3: CARES Act Funding Distribution – Money Network Financial, L.L.C. Agreement

Item 4: CARES Act Funding Distribution – Payroll Processing Plus Inc. Agreement

48 **Item 5: The Hills of Minneola Additional Phasing**

50 **Item 6: Overlook at Grassy Lake Phase 3 & 4 Proportionate Share Mitigation Agreement**

52 **Public Comment**

54 There were no comments.

56 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Saunders, to approve the**
57 **Consent Agenda.**

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

61 **NAY:** None

63 **MOTION PASSED: 4-0**

65 **PUBLIC COMMENTS**

67 **Nathan Focht**, Lake County resident, thanked Mrs. Jones for her time and service to the City of
68 Minneola.

70 **COUNCIL DISCUSSION & ACTION ITEMS**

72 **Item 7: Resolution 2020-12 – C.U.P. – 18537 US Highway 27 – Quasi-Judicial**

74 **Scott Gerken** read Resolution 2020-12 by title only. After explaining this is a quasi-judicial
75 matter, he swore in Joyce Heffington, Ramon Flores, Mark Johnson, and members of the public
76 wishing to speak.

78 **Joyce Heffington** explained this CUP is for an office warehouse building. Staff and the Planning
79 and Zoning Board recommend approval with parking and landscaping modified per staff
80 recommendation.

82 **Scott Gerken** clarified the warehouse is an office warehouse for their own supplies.

84 **Public Comment**

86 **Justin Shelton**, Vice President of Noland's Roofing, commented that they appreciate the
87 opportunity to be part of the community and employ many members of the community. He further
88 verified the warehouse will be a self-contained unit to store all their materials inside.

90 **Daniel Smith**, Resident, spoke in favor of the project.

92 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Jones, to approve Resolution**
93 **2020-12 for a Conditional Use Permit for 18537 U.S. Highway 27.**

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

95

96 **NAY:** None

97

98 **MOTION PASSED: 4-0**

99

100 **Item 8: The Hills of Minneola, Area 2, Pod 1, Phase 2, Park Site Plan – Quasi-Judicial**

101

102 **Joyce Heffington** explained this site plan is for the neighborhood park in Phase 2. It was approved
103 by Planning and Zoning Board conditioned on posting no parking signs on the opposite side of the
104 street, having a right-of-way utilization agreement and an insurance policy for the city, and not
105 planting any trees within 10 feet of the utility lines.

106

107 **Public Comment**

108

109 There were no comments.

110

111 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Saunders, to approve The Hills**
112 **of Minneola, Area 2, Pod 1, Phase 2, Park Site Plan with the conditions of no parking signs**
113 **on the opposite side of the street, a right-of-way utilization agreement and insurance policy**
114 **for the city, and not planting any trees within 10 feet of the utility lines.**

115

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

117

118 **NAY:** None

119

120 **MOTION PASSED: 4-0**

121

122 **Item 9: Holden Ridge Subdivision Final Plat**

123

124 **Joyce Heffington** explained this is a final plat for 72 townhome units on Babair Lane behind the
125 high school. Staff recommends approval conditioned upon the maintenance agreement with Lake
126 County being approved, the updated title of opinion being approved by our attorney, an entrance
127 gate being installed with an electronic opener for the fire department, all required revisions on the
128 plat and in the documents be included, all outstanding fees be paid, any other outstanding issues
129 be resolved before recordation including a maintenance bond recorded, utility easement
130 agreement, a correction on Joinder and Consent, and a performance bond or Certificate of
131 Completion.

132

133 **Public Comment**

134

135 There were no comments.

136

137 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Saunders, to approve the**
138 **Holden Ridge Subdivision Final Plat subject to all outstanding conditions being satisfied.**

139

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

142 **NAY:** None

144 **MOTION PASSED: 4-0**

146 **Scott Gerken** explained that the PUD approved for this project 6 years ago required impact fees to be prepaid. Now the statute has changed, and it is better to pay impact fees as they are permitted to build.

150 **Public Comment**

152 There were no comments.

154 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Saunders, to approve not requiring Holden Ridge to prepay impact fees at time of plat and allowing them to pay impact fees at time of permitting.**

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

160 **NAY:** None

162 **MOTION PASSED: 4-0**

164 **Item 9: Resolution 2020-11 – C.U.P. – Proposed Carwash – Quasi-Judicial (Continuation from 10/06/20 City Council Meeting)**

167 **Scott Gerken** read Resolution 2020-11 by title only and verified everyone was sworn in to speak.

169 **Joyce Heffington** explained that the Planning and Zoning Board recommended denial. Staff recommends that if approved, it is conditioned upon all fees being paid and the conditions that are included in the C.U.P.

173 **Scott Gerken** explained the resolution has been modified to include conditions discussed at the last meeting, many of which were proposed by the applicant.

176 **Chris Blurton**, engineer of record and planners for this project, spoke regarding traffic generation and sound concerns. They have moved the building as close to Highway 27 as possible to address fan noise and are proposing upgrading the buffer to a Class B buffer. To address traffic, they are also proposing signage to direct traffic to the private road, extending the median east, installing a “No U-turn” sign, and adding new thermoplastic striping at existing median. He also spoke regarding the review by the Central Florida Regional Planning Council.

183 **Mayor Kelley** spoke regarding concerns with the volume of traffic.

185 **Mayor Kelley** read the East Central Florida Regional Planning Council Review Item # 6 into the
186 record regarding traffic issues:

187 *"Finally, the congestion at the intersection of U.S. 27 and Southern Breeze Drive and along*
188 *Southern Breeze Drive adjacent to the proposed project entrance will be exacerbated by the*
189 *additional traffic that this project will generate. The developer's proposed addition of a U-turn*
190 *prohibition will further increase congestion at the intersection of U.S. 27 and Southern Breeze*
191 *Drive. It would behoove the state and county to make improvements at this intersection to add*
192 *capacity to the northbound left turn from U.S. 27 onto Minneola Shores so that drivers would not*
193 *use Southern Breeze Drive to make a U-turn in order to circumvent the left turn directly from U.S.*
194 *27."*

195
196 **Tom McGee** spoke regarding giving right-of-way to the city in 2006. He spoke about the traffic
197 issues and the city having the project reviewed by a traffic engineer rather than a planner.

198
199 **Scott Gerken** clarified that one of the conditions of the C.U.P. is that a full traffic study be done
200 applicant at the time of site plan.

201
202 **Mayor Kelley** asked the applicant if he had a traffic engineer provide their opinion regarding this
203 proposed project's traffic issues.

204
205 **Chris Blurton** confirmed that it was a civil engineer opinion, and not a traffic engineer opinion.

206
207 **Vice Mayor Serviss** expressed concern with the residents' issues being addressed. She asked if
208 the carwash is willing to deed the 10-foot easement to Quail Valley like Walgreens did?

209
210 **Chris Blurton** confirmed that the applicant would be willing to deed the easement to Quail Valley.

211
212 **Tom McGee** interjected that they would work with Quail Valley to maintain the easement
213 landscape, but they can't be in the position to dedicate the 10-foot easement to them.

214
215 **Mayor Kelley** passed the gavel to **Vice Mayor Serviss**.

216
217 **Daniel Smith**, city resident and Planning and Zoning Board member, spoke regarding Planning
218 and Zoning board concerns. As this is a conditional use, it doesn't have to be approved. He
219 recommends denial.

220
221 **Nathan Focht**, county resident, spoke in favor of land owners' rights and the carwash.

222
223 **Ray Nivarez**, city resident and Quail Valley H.O.A. President, explained they used their Facebook
224 page to ask residents opinions on the project. Approximately 1/5 of the residents responded with
225 70% against it. As an H.O.A. their only concern is their landscaping that has been there for about
226 20 years. Other neighboring developers, including Walgreens, deeded the landscaped area to the
227 H.O.A. The H.O.A. is requesting the same from this developer.

228
229 **Laura Smith**, city resident, spoke about the traffic and noise issues. Some of the changes the
230 developer is proposing will likely have some minimizing effects but without more data, it's

impossible to know how much impact. She expressed concern with the landscape Quail Valley has been maintaining and improving at a substantial cost for years wanting the area deeded to Quail Valley.

Councilor Saunders spoke regarding the traffic issues with the intersection that have been going on for years. He expressed that the carwash traffic isn't the problem as it's a much larger issue. He commented that he is not in favor of extending the median to block the left turn into Walgreens. His concern is that if the carwash goes out of business, it can't be used as anything else. If approved, he suggested conditioning it to be torn down if it goes out of business.

Councilor Jones expressed that no user is likely to be able to fix the intersection and believes the carwash is a better use than many other uses.

Mayor Kelley agreed with Councilor Saunders concern with approving a carwash. Approval is committing to a carwash, as it can't be used as anything else in the future.

Chris Blurton commented on the large expense of the traffic study being required by his client. FDOT needs empirical evidence to spur action such as changing the timing on the signal.

Mark Johnson suggested if approved, consider tying the C.U.P. to an approved architectural and site plan rendering.

MOTION by Councilor Jones, SECONDED by Councilor Saunders, to approve Resolution 2020-11 Conditional Use Permit conditioned upon requiring an approved architectural and site plan rendering.

AYE: Jones, Saunders

NAY: Serviss, Kelley

MOTION FAILED: 2-2

Vice Mayor Serviss passed the gavel back to **Mayor Kelley**.

FINAL PUBLIC COMMENT

There were no comments.

REPORTS

Mark Johnson:

Asked if Council wanted to change the next council meeting date due to the election?

MOTION by Councilor Jones, SECONDED by Vice Mayor Serviss to change the next Council Meeting date from November 2, 2020 to November 5, 2020.

AYE: Serviss, Jones, Kelley, Saunders

277 **NAY:** None

278
279 **MOTION PASSED: 4-0**

280
281 **Mark Johnson** report continued:

- 282 • Kids' Safe Night Out Update
 - 283 ○ Movie, pizza, popcorn etc.
 - 284 ○ Social distancing
 - 285 ○ Open only to Minneola residents
- 286 • CARES Act update
- 287 • Adult Gaming Facility (Internet Café) application in process

288
289 **Councilor Jones** thanked Mark Johnson for his guidance, fairness, and dedication to the
290 community.

291
292 **Scott Gerken** commented that an associate attorney would be at the next meeting due to a
293 scheduling conflict. He also thanked Councilor Jones for her service to the city.

294
295 **Vice Mayor Serviss** expressed her gratitude and well wishes to Councilor Jones.

296
297 **Councilor Jones** provided an update on the Art Committee trip to Ocala to learn about their arts
298 program that was started in 2008.

299
300 **Councilor Jones** expressed her thanks to the Council and the City of Minneola residents for 8
301 amazing years serving on the City Council.

302
303 **Mayor Kelley** expressed his appreciation and gratitude to Councilor Jones for her hard work and
304 service to the city recognizing the impact she had made on projects over the years.

305
306 **MOTION by Councilor Jones, SECONDED by Vice Mayor Service, to adjourn the meeting.**

307
308 **AYE:** Serviss, Jones, Kelley, Saunders

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310 **NAY:** None

311
312 **MOTION PASSED: 4-0**

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314 *(Meeting adjourned at 8:41 P.M.)*





Pat Kelley, Mayor

323 **ATTEST:**

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Christina Stidham, City Clerk