

**Minneola City Council  
Meeting Minutes  
Minneola City Hall  
April 20, 2021 at 6:30 PM**

The City of Minneola Council Meeting was called to order by Mayor Pat Kelley. Also present were Vice Mayor Pam Serviss, Councilor Debbie Flinn, Councilor Kelly Price, 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 6:33 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**

**Mayor Kelley** announced that the applicant for Pinecrest requested to move Item 15 to be heard first before the presentations as they have a flight to catch.

**PUBLIC COMMENT**

**William Quesenberry**, Minneola resident, spoke regarding speeding in Ardmore Reserve, building a 3-way stop, and speed tables.

**Mark Johnson** responded that the 3-way stop is under review by the engineer and will be installed by the developer once approved.

**Ray Nevril**, Minneola resident, spoke regarding speeding in Quail Valley.

**Kristen Nelson**, Leesburg resident, spoke regarding being pro-life and read from the Bible.

**Steven G. Sidlovsky**, of Cincinnati, Ohio, spoke regarding declaring the child in the womb personhood, supporting a Personhood Florida Petition, and encouraging Life Peace Zones.

**Item 15: Pinecrest Academy Expansion Site Plan – Quasi-Judicial**

**Scott Gerken** explained that this item was tabled from the last meeting due to an access issue to see if something could be worked out.

**Scott Gerken** swore in those wishing to speak.

46 **Mayor Kelley** said he met with the applicant, and they cannot expand if they are required to build  
47 a right-hand turn lane on Hancock Road. They discussed alternative options. The first preferred  
48 option is building a turn lane on Old Highway 50 to alleviate morning traffic. As a secondary  
49 option, they discussed utilizing the school driveway on South Avenue as an entrance-only for  
50 morning traffic. They will also install speed humps on South Avenue and take steps to control the  
51 traffic.

52  
53 **Councilor Flinn** commented that she is very familiar with the traffic in the South Street area and  
54 is in favor of the first option.

55  
56 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to Approve Item 15:**  
57 **Pinecrest Academy Expansion Site Plan subject to staff conditions and contingent upon**  
58 **entering into a road agreement with the City providing a secondary access to the school that**  
59 **is satisfactory to the City with Old Highway 50 being the first option and South Avenue being**  
60 **a secondary option only if Highway 50 isn't an option.**

61  
62 **Council Discussion**

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64 **Vice Mayor Serviss** expressed concern that no one from South Avenue was at the meeting to  
65 provide their opinion and prefers the Old Highway 50 turn lane entrance.

66  
67 **Scott Gerken** commented that there will also be staggered start times and onsite queuing to help  
68 with traffic.

69  
70 **Public Comment**

71  
72 None

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74 **AYE:** Serviss, Flinn, Kelley, Price, Saunders

75  
76 **NAY:** None

77  
78 **MOTION PASSED: 5-0**

79  
80 **Keith Severns, Pinecrest Academy Representative**, commented that their civil engineer will be  
81 meeting with Lake County to propose the turn lane on Old Highway 50. He confirmed that they  
82 will also have an officer on-site to address school traffic.

83  
84 **PRESENTATIONS**

85  
86 **Item 1: Tetra Tech Presentation Regarding the East Ridge Water Treatment Ground**  
87 **Storage Tank.**

88  
89 **Bo Reardon**, Tetra Tech Engineer, provided an update on the East Ridge Water Treatment Plant  
90 ground storage tank. It was identified as an immediate need in the Utility Master Plan. Tetra Tech  
91 designed it, and it is out for bid. The bid opening is May 7, 2021.

**Item 2: Tetra Tech Presentation Regarding the Sugarloaf Water Treatment Plant Expansion Design.**

**Bo Reardon**, Tetra Tech Engineer, provided an update on the Sugarloaf Water Treatment Plant expansion design. The City is partnering with developers for this project. It isn't an immediate need, so we will hold it until it is ready to be constructed.

**PROCLAMATION**

**Item 3: Mothers Against Drunk Driving (M.A.D.D.) Power Talk 21 Day Proclamation.**

**Mayor Kelley** read the Power Talk 21 Day Proclamation and proclaimed April 21, 2021 as Power Talk 21 Day in the City of Minneola.

**CITY MANAGER'S CONSENT AGENDA**

**Item 4: City Council Meeting Minutes for March 20, 2021**

**Item 5: Purchase Request – A.C. Unit Replacement at 307 Virginia Street – Funds Available**

**Item 6: Purchase Request – Washer/Extractor for Fire Department – Funds Available**

**Item 7: Purchase Request – Contract with Rick Tuss for Updating Cemetery Procedures – Funds Available**

**Public Comment**

There were no comments.

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

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

**NAY:** None

**MOTION PASSED: 5-0**

**COUNCIL DISCUSSION & ACTION ITEMS**

**Item 8: Hills Crossing Developer Agreement Modification**

**Joyce Heffington**, City Planner, spoke regarding the current developer agreement explaining that it limits the amount of monument signs to one sign on Citrus Grove Road and two signs on Hancock Road. There are four separate parcels, and each may want their own sign. They are also asking for the same allowance for height as was allowed for the Publix sign. The Planning and Zoning Commission recommended approval.

**Tim Hogan**, Attorney representing the Publix Shopping Center, explained that they are currently in negotiations with national and regional tenants. The existing P.U.D. allows only one parcel to have a monument sign and each tenant requires one monument sign per parcel. He requested that City Council approve four monument signs, one for each of the four parcels. Additionally, he requested approval of a 19 ft. maximum sign height for the wall signs above the canopies on the Publix shopping center building.

**Mayor Kelley** pulled up a Google map online virtually showing businesses in Hunters Creek off Osceola Parkway. He demonstrated that there are no stand-alone monument signs for these national and regional businesses providing a nice clean look. He asked how we want Minneola to look in the future. He commented that he will not support the modification allowing more monument signs.

**Dale Hefe**, North American Properties Managing Partner in Florida, discussed the sign issue and went over the proposed specifications of the signs.

**Tim Hogan** requested a continuance for this item to be heard at the May 4, 2021 meeting.

**MOTION by Councilor Saunders, NO SECOND, to approve the Hills Crossing Developer Agreement Modification.**

**MOTION FAILED for lack of a second.**

**Tim Hogan** requested Council approve of the 19-foot wall height and table the monument sign discussion to the next meeting.

**MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to approve the 19-foot maximum wall sign height and table the monument sign issue to the next meeting per applicant request.**

**Public Comment**

**None**

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

**NAY:** None

**MOTION PASSED: 5-0**

**Item 9: Resolution 2020-20 – Variance – Popeye’s Restaurant – Quasi-Judicial**

**Scott Gerken** read Resolution 2020-20 by title and explained that this is a quasi-judicial matter.

**Scott Gerken** swore in those wishing to speak on Item 9: Resolution 2020-20 and Item 10: Popeye’s Site Plan.

**Joyce Heffington** spoke regarding the variance request to allow a 16-foot maximum height for the retaining wall, allow a 3 to 1 grade instead of a 4 to 1 grade, and allow a smaller radius for the two-way driveway access. Planning and Zoning Commission recommended approval. Staff requests, if approved, the new wall is required to match the existing wall in material, color, and pattern.

#### **Public Comment**

**Bob Ziegenfuss**, Project Engineer, explained they have redesigned the site working with the neighboring property owner to the north to obtain a slope easement to avoid a wall on the north side of the property. There will only need to be walls on the east and south side of the property. This will help to level the site to the north. They are requesting the smaller radius to get the desired parking on the site. The proposed driveway radius will provide appropriate space for fire and emergency vehicles as well as delivery trucks to turn.

**Nathan Focht**, Lake County resident, spoke about the 16-foot wall only being visible from Quail Valley and the lake.

**Daniel Smith**, City resident and P & Z Commission member, commented that Quail Valley already sees a wall, so this will just be an extension of the current wall. He spoke about the unique topography and how they are trying to work with their neighboring property owner.

**Vice Mayor Serviss**, commented that it may benefit Quail Valley to have the wall.

**Mayor Kelley** expressed concern with the size and reliability of the wall.

**Bob Ziegenfuss** confirmed that the east side would only be visible from Quail Valley. The percentage of walls that fail are very small and a signed and sealed engineer wall is covered by the statute of limitations for 7 years.

**MOTION by Councilor Price, SECONDED by Councilor Flinn, to Approve Item 9: Resolution 2020-20 – Variance for Popeye’s Restaurant.**

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

**NAY:** None

**MOTION PASSED: 5-0**

#### **Item 10: Popeye’s Site Plan – Quasi-Judicial**

Everyone speaking was already sworn in.

**Joyce Heffington** said the environmental assessment cleared. We need the St. Johns River Water Management District permit. The signs are for illustrative purposes and not being approved at this time. The signs will have to go through the sign application permitting process. Staff would like

to request that light deflectors be installed to prevent light intrusion to Quail Valley, no donations boxes permitted on the site, all walls match existing walls in material, pattern, and color, and that all outstanding fees are paid before receiving the site plan permit.

**Public Comment**

None

**MOTION by Councilor Price, SECONDED by Councilor Flinn, to Approve Item 10: Popeye's Site Plan with staff recommendations including obtaining the St. Johns River Water Management District permit, installation of light deflectors, no donation boxes permitted on site, walls match existing walls in material, pattern, and color, and that all fees are paid prior to receiving the site plan permit.**

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

**NAY:** None

**MOTION PASSED: 5-0**

**Item 11: Resolution 2021-02 – Variance – Sunoco – Quasi-Judicial**

**Scott Gerken** read Resolution 2021-02 by title only and swore in those wishing to speak.

**Joyce Heffington** confirmed that the Planning and Zoning Commission recommended approval with the following conditions: applicant is required to place large containers with tall landscaping for screening purposes on the asphalt along Highway 27 in place of a buffer, and a landscape plan must be submitted and approved showing the size, location, and planting material which must come from the City of Minneola plant list. The applicant can't meet the lot size requirement of one acre for a convenience store with fuel operation.

**Carlos Barrios**, engineer of record, explained they are proposing to keep everything the same, while making improvements to meet code requirements including aesthetic improvements to the building, adding parking spaces, connecting the sanitary line, and doing stormwater improvements.

**Vice Mayor Serviss** spoke regarding varying social media posts about the project. Residents opinions included comments on the two years of vacancy, not needing another gas station, as well as concerns with the products sold.

**Carlos Barrios** explained that his client wasn't aware of some of the products being sold previously and they agree that those products won't be sold on the premises.

**Councilor Flinn** commented that she hated seeing it vacant, but that product sales must be addressed.

**Mayor Kelley** spoke about the future and what we want Minneola to look like. We've made a lot of progress in this area. Race Trac used brick for their building and put in a road, Taco Bell has an aesthetically nice building, Jack's removed the old white building, Palm Tire has made improvements, and the new library is coming here. If Sunoco took out the pumps, it could meet the requirements to be a convenient store. He commented that he can't support this project as he doesn't think it's the best use in this area and is concerned with how it will look in 10 years.

**Mayor Kelley** expressed concern with the number of variances being requested, and that approving this request would be going backwards after working to improve the properties along Highway 27.

**Councilor Flinn** commented that this is a lot of variances being requested while everything else is improving.

#### **Public Comment**

**Daniel Smith** spoke regarding the Planning and Zoning Commission discussion not needing another gas station in the area but didn't know what else could go there.

**Vice Mayor Serviss** commented that we want to move forward, not backwards. In the future, this will likely be a prime location for a business.

**Mayor Kelley** commented that it isn't a non-conforming site needing a variance, it is only non-conforming because of selling gasoline.

**Vice Mayor Serviss**, commented that we completely support small business.

**Carlos Barrios** requested a continuance to bring back elevations for consideration.

**Nathan Focht** spoke about population growth needing gas stations.

**Mayor Kelley** responded that we don't want a gas station at this location.

**Vice Mayor Serviss**, explained that this area isn't in need of another gas station, but we need gas stations in other areas.

**Mayor Kelley** commented that he has concerns with the gas station at this location in part due to the density and proximity to the lake.

**Nicholas Fabricatore**, Minneola resident, commented that he owns the property right behind this area and is currently remodeling. He said he doesn't see the benefit in this gas station with Race Trac right there.

**Mayor Kelley** asked for a motion.

**Scott Gerken** explained that he prefers positive motions, but you don't have to vote for the motion.

318 **Mayor Kelley** passed the gavel to **Vice Mayor Serviss** to make a motion.

319  
320 **MOTION by Mayor Kelley, SECONDED by Councilor Price, to Approve Item 11:**  
321 **Resolution 2021-02 – Variance for Sunoco.**

322  
323 **AYE:** None

324  
325 **NAY:** Serviss, Flinn, Kelley, Price, Saunders

326  
327 **MOTION FAILED: 0-5**

328  
329 **Item 12: Resolution 2021-01 – Special Exception Use – Sunoco – Quasi-Judicial**

330  
331 *Item not heard as it was contingent on Item 11: Resolution 2021-02 passing*

332  
333 **Item 13: Ordinance 2021-06 – Construction & Demolition Dumpster Permits – 1<sup>st</sup> Reading**

334  
335 **Scott Gerken** read Ordinance 2021-06 by title only. As this is first reading, no vote is required.

336  
337 **Joyce Heffington** explained that this ordinance will streamline the registration and permitting  
338 process for private construction & demolition dumpster companies as well as lower the fee from  
339 \$2,500 annually to \$300. There are also additional requirements for the dumpsters on construction  
340 sites. Planning and Zoning Commission recommended approval.

341  
342 **Scott Gerken** this will also require a permit for the dumpster when you pull a building permit for  
343 a property to identify where the dumpster will be placed, address how the C & D will be hauled  
344 and disposed of at completion and verify only licensed and insured haulers are used.

345  
346 **Public Comment**

347  
348 None

349  
350 **Item 14: Ordinance 2021-07 – Maintenance and Security of Vacant Lands – Second Reading**

351  
352 **Scott Gerken** read Ordinance 2021-07 – by title only.

353  
354 **Joyce Heffington** said the Planning and Zoning Commission recommend approval with  
355 clarification of the definition of vacancy. The attorneys have clarified the definition of vacancy.

356  
357 **Public Comment**

358  
359 None

360  
361 **MOTION by Vice Mayor Serviss, SECONDED by Councilor Price, to Approve Item 14:**  
362 **Ordinance 2021-07 – Maintenance and Security of Vacant Lands.**



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

**NAY:** None

**MOTION PASSED: 5-0**

**Item 16: The Hills Park Concept Plan Discussion**

**Mayor Kelley** explained that he and staff met with The Hills this week. The location of the park hasn't been graded yet. They are willing to grade out and build the park for impact fee credits as Council discussed in the past. We need to get an agreement in place, so they can design and build the park.

**Scott Gerken** explained that the P.U.D. agreement mentioned building a park, but it was conceptual and didn't provide specifics and timing.

**Council consensus** was to have the attorney draft and impact fee agreement for building the park.

**FINAL PUBLIC COMMENT**

**Daniel Smith** spoke requesting the City consider installing a sidewalk in the Reserve near the lift station and connecting it over to the sidewalk on Grassy Lake Road. Residents cut through this area to get to the school daily.

**Mark Johnson** said staff would look into it.

**Daniel Smith** spoke regarding vehicles and school busses on Grassy Lake going around traffic that is stacking up by crossing into the opposite lane towards oncoming traffic.

**REPORTS**

**Mark Johnson:**

- Our Finance Manager, Charlotte Gentile, is retiring and Friday will be her last day.
- Lake County is doing a great job with the CARES ACT. We did request that they add mortgage assistance to the rental assistance program if possible, within the federal guidelines to assist those behind on payments.
- The water treatment plant underground storage tank is out for bid.

**Councilor Flinn** reminded everyone about the fundraiser on Saturday at Lil' Anthony's.

**Vice Mayor Serviss** asked about considering hiring more deputies with the traffic issues.

**MOTION by Councilor Flinn, SECONDED by Vice Mayor Serviss, to adjourn the meeting.**

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

408 **NAY:** None

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410 **MOTION PASSED: 5-0**

411 *(Meeting adjourned at 9:30 P.M.)*

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418 **ATTEST:**

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420

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Christina Stidham, City Clerk



Pat Kelley, Mayor

