

**Minneola City Council
Meeting Minutes
Minneola City Hall
December 5, 2023 at 6:30 PM**

The City of Minneola City Council meeting was called to order by Mayor Pat Kelley. Also present were Councilor Pam Serviss, Vice Mayor Debbie Flinn, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), and Kristine Thompson (City Clerk). Councilor Erick Hernandez was absent.

CALL TO ORDER

Mayor Kelley called the meeting to order at 6:30 p.m.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A moment of silence was observed, and the Pledge of Allegiance was led by **Vice Mayor Debbie Flinn**.

AGENDA REVIEW

MOTION by Councilor Serviss, SECONDED by Vice Mayor Flinn to excuse Councilor Erick Hernandez from the meeting.

AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

There were no changes.

Mayor Kelley requested notice of the upcoming meeting relating to Minneola Ridge and Shepards Ridge developments be posted on Facebook along with any associated maps.

Scott Gerken indicated items 6, 7, and 8 are listed on the agenda since they were advertised for this meeting, but at the last meeting Council voted to table these items until the December 19 City Council meeting. He then indicated he spoke with the applicant's attorney and, due to the holidays, they are requesting to continue these items until the January 16, 2024, City Council meeting.

MOTION by Councilor Serviss, SECONDED by Vice Mayor Flinn to table Item 6: Ordinance 2023-28 Minneola Ridge Annexation and Rezoning, Item 7: Ordinance 2023-29 Minneola Ridge Comprehensive Plan Amendment, and Item 8: Minneola Ridge Developer Agreement Amendment until the January 16, 2024, City Council meeting.

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

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47 **NAY:** None

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49 **MOTION PASSED: 4-0**

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51 **Mayor Kelley** asked that any emails which were sent individually to any of the council members
52 be shared with all members of the council.

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54 **Scott Gerken** requested that the applicant be copied with such emails as well.

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56 **PUBLIC COMMENTS**

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58 **Nelson Cruz**, 775 Annabell Ridge Rd., spoke about the sign ordinance passed at the December 5
59 City Council meeting.

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61 **CITY MANAGER'S CONSENT AGENDA**

62
63 **Item 1: City Council Meeting Minutes – November 14, 2023**

64 **Item 2: City Council Workshop Minutes – November 20, 2023**

65 **Item 3: City Council Meeting Minutes – November 21, 2023**

66 **Item 4: Purchase Request – Upgrade Internet Speed at City Hall and Wastewater Treatment**
67 **Plant**

68 **Item 5: Purchase Request – On-Line Permitting Module for Edmunds Software**

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70 **Public Comment**

71
72 There were no comments.

73
74 **MOTION by Councilor Serviss, SECONDED Vice Mayor Flinn by to approve the City**
75 **Manager's consent agenda.**

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

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79 **NAY:** None

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81 **MOTION PASSED: 4-0**

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83 **COUNCIL DISCUSSION & ACTION ITEMS**

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85 **Item 6: Ordinance 2023-28 Minneola Ridge Annexation and Rezoning – Quasi-Judicial –**
86 **Second Reading**

87 **Item 7: Ordinance 2023-29 Minneola Ridge Comprehensive Plan Amendment – Second**
88 **Reading**

89 **Item 8: Minneola Ridge Developer Agreement Amendment – Second Hearing**

These items were tabled until the January 16, 2024, City Council meeting.

Item 9: Ordinance 2023-25 Minneola Hills, LLC Comprehensive Plan Amendment – Second Reading

Scott Gerken read the ordinance by title.

Joyce Heffington explained this is the final hearing for the Minneola Hills, LLC comprehensive plan amendment. The amendment was distributed to the necessary state agencies and no objections were received. She indicated both staff and the Planning & Zoning Commission recommend approval.

Public Comment

There were no comments.

MOTION by Vice Mayor Flinn, SECONDED by Councilor Serviss to approve Item 9: Ordinance 2023-25 Minneola Hills, LLC Comprehensive Plan Amendment – Second Reading.

AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Item 10: Ordinance 2023-30 Smoke Shops – Second Reading

Scott Gerken read the ordinance by title.

Joyce Heffington indicated this was the second reading of the ordinance. She suggested some items were updated since the last reading per council's request.

Public Comment

There were no comments.

Councilor Serviss asked how these regulations would be monitored and enforced.

Joyce Heffington indicated the business must provide documentation of what was sold in the last month. She also suggested the special exception must be renewed annually and inspections could be held at that time.

Mayor Kelley asked if the ordinance requires 500 or 1000 feet from a facility where children gather.

136 **Scott Gerken** responded it is 500 feet, which is consistent with regulations established for the sale
137 of alcohol. He also suggested these regulations can be enforced through code enforcement and that
138 there is a process to revoke the BTR. The sheriff's office can also become involved under certain
139 circumstances

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141 **MOTION by Councilor Saunders, SECONDED by Councilor Serviss to approve Item 10:**
142 **Ordinance 2023-30 Smoke Shops – *Second Reading*.**

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144 **AYE:** Serviss, Kelley, Saunders

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146 **NAY:** Flinn

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148 **MOTION PASSED: 3-1**

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150 **Item 11: Resolution 2023-30 Special Exception Pipe Dreams Smoke Shop – *Quasi-Judicial***

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152 **Scott Gerken** read the resolution by title and swore in those wishing to speak on the item.

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154 **Joyce Heffington** explained smoke shops are prohibited in the CRA districts but can be approved
155 in other zoning districts by special exception. She indicated the applicant owns other stores in the
156 state. There are conditions that must be met if approved. She indicated the grates and signage must
157 be removed from the windows and certain hours must be kept, which are established in the
158 resolution. This special exception only applies to this applicant and is non-transferrable. The
159 resolution would need to be reviewed and renewed each year. The business owner must submit
160 monthly reports showing a minimum of 75 percent of their sales is tobacco. She indicated the
161 Planning & Zoning Commission recommended approval if it met the requirements established in
162 the code and the resolution.

163
164 **Public Comment**

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166 **George Kurum**, applicant, indicated they signed the lease a year ago. He also suggested the grates
167 were installed on the windows to prevent robbery. He expressed concern with the regulations
168 placed against the hours of operation and the percentage placed on tobacco sales.

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170 **Tom Hratko**, 580 Blackstone St., expressed concern with the proposed business. He indicated
171 their website suggests they are a "head shop".

172
173 **Vice Mayor Flinn** expressed concern with approving a resolution for a "head shop".

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175 **Councilor Serviss** suggested she was not in favor of the resolution.

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177 Council failed to make a motion.

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179 **Scott Gerken** offered to speak with the applicant to provide options for moving forward and will
180 provide them a copy of the resolution.

Item 12: New Library – Final Budget and Design

Mark Johnson explained the city requested proposals in 2020 and while there were several interested companies, we only received one response. He indicated the company that submitted the proposal has completed the first phase of the plan and is ready to begin construction.

Public Comment

There were no comments.

MOTION by Councilor Serviss, SECONDED by Vice Mayor Flinn to approve Item 12: New Library – Final Budget and Design.

AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Councilor Saunders inquired about the landscaping.

Denise Pyke, contractor, indicated the landscape plan will be completed by Germana Engineering.

Item 13: Main Avenue Streetscape Vision

Joyce Heffington explained that phase two of the sewer project will occur on Main Avenue. Staff has suggested improvements be made to the streetscape once the sewer project is complete in this area. Inspire Cooperative has provided a proposal and a concept plan showing Main Avenue adjacent to the library as an example.

Public Comment

There were no comments.

MOTION by Councilor Serviss, SECONDED by Vice Mayor Flinn to approve Item 13: Main Avenue Streetscape Vision

AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Item 14: Council Appointments – P&Z Commission Alternates & Parks Committee Reappointments

Mayor Kelley suggested tabling the item until a future meeting when Councilor Hernandez could be present.

MOTION by Vice Mayor Flinn, SECONDED by Councilor Serviss to table Item 14: Council Appointments – P&Z Commission Alternates & Parks Committee Reappointments until the December 19, 2023, City Council meeting.

AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

Item 15: Ordinance 2023-32 Extension to Solid Waste Collection Franchise to GFL Environmental Services USA, Inc. – First Reading

Scott Gerken read the ordinance by title and indicated this was the first of two readings.

Public Comment

There were no comments.

FINAL PUBLIC COMMENTS

Joanna O'Halloran, 618 Arbor Pointe Ave., spoke on behalf of the Hawk Eye Parents, a group of parents from Lake Minneola High School. The group is requesting a sign on Education Avenue be removed or relocated which reads, "End School Zone". She also inquired about the status of the light study Lake County was going to perform on Hancock Road.

Mark Johnson indicated the FDOT (Florida Department of Transportation) is going to hold a "Lunch and Learn" at the high school, an art contest at the elementary school, and have pop up locations along the trail to educate students about pedestrian safety. They will also be giving away reflective gear.

Nathan Focht, 707 Blue Citrus Ln., spoke about the new fire engine, Memorial Day services, and the budget.

REPORTS

Mark Johnson

- **Mark Johnson** requested Council forward him any name suggestions for the roadway adjacent to the new K-8 school in the Hills of Minneola.

Mayor Kelley

- **Mayor Kelley** requested the cost of name tags and two shirts be added to the next consent agenda for both the City Council and the Planning & Zoning Commission.
- **Mark Johnson** suggested there was a line item for uniforms currently in the budget.
- **Mayor Kelley** suggested giving city staff a bonus depending on the number of years they have worked. Part-time or those who have worked one year or less, would receive \$250. For those who have worked one to three years, they would receive \$500. For those who have worked three to seven years, would receive \$750 and those who have worked more than seven years would receive \$1,000.

Council's consensus was to move forward with this bonus schedule.

- **Mayor Kelley** gave Council an example of a completed Form 6 and asked Mark to send the Council information on completing this form.
- **Scott Gerken** suggested the Florida League of Cities may have assistance for completing this form.
- **Mayor Kelley** suggested contacting neighboring cities and hosting a workshop for training on how to complete this form.

Scott Gerken

- **Scott Gerken** indicated the developer's attorney for the Shepards Landing project informed him via email during the council meeting they would like to withdraw their application for the project.

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


AYE: Serviss, Flinn, Kelley, Saunders

NAY: None

MOTION PASSED: 4-0

(Meeting adjourned at 8:00 P.M.)

ATTEST:


Kristine Thompson, City Clerk


Pat Kelley, Mayor

