

**Minneola City Council
Meeting Minutes
March 19, 2024 at 6:30 PM
Minneola City Hall**

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 Erick Hernandez, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), Kristine Thompson (City Clerk).

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 Flinn**.

AGENDA REVIEW

There were no changes.

PUBLIC COMMENTS

There were no comments.

CITY MANAGER'S CONSENT AGENDA

Item 1: City Council Meeting Minutes – March 5, 2024

Item 2: Purchase Request – Skid Steer Attachments

Item 3: Purchase Request – VOIP Phone Service

Item 4: Purchase Request – Vehicles

Councilor Serviss indicated the minutes suggested the Memorial Day event would be held at Trailhead Park, but it should reflect the discussion was to hold it at the May Griffith Gazebo at the corner of Silverton St. and Lake Minneola Shores.

Public Comment

There were no comments.

MOTION by Councilor Hernandez, SECONDED by Councilor Serviss to approve the City Manager's consent agenda with the mentioned changes to the minutes.

AYE: Serviss, Flinn, Kelley, Hernandez, Saunders

46 **NAY:** None

47
48 **MOTION PASSED: 5-0**

49
50 **COUNCIL DISCUSSION AND ACTION ITEMS**

51
52 **Item 5: Agreement – Hills of Minneola Utilities Improvement Agreement**

53
54 **Gaby Meyer**, City Consultant with Inspire Placemaking Collective, spoke about the agreement
55 and indicated staff recommended approval.

56
57 **Mayor Kelley** spoke about exposed utility lines along Sullivan Road and asked if there was
58 anything that could be done to help prevent this in the future.

59
60 **Andrew Ivy** spoke about the installation specifications of the proposed lines.

61
62 **Public Comments**

63
64 There were no comments.

65
66 **MOTION by Councilor Serviss, SECONDED by Vice Mayor Flinn to approve Item 5:**
67 **Agreement - Hills of Minneola Utilities Improvement Agreement with the condition that**
68 **any construction would address the concerns expressed about exposed utility lines on**
69 **Sullivan Road.**

70
71 **AYE:** Serviss, Flinn, Kelley, Hernandez, Saunders

72
73 **NAY:** None

74
75 **MOTION PASSED: 5-0**

76
77 **Item 6: Resolution 2024-04 Sugarloaf Conceptual Development Plan Amendment**

78
79 **Scott Gerken** read the resolution by title.

80
81 **Gaby Meyer** gave a presentation detailing the proposed changes to the development plan.

82
83 **Public Comment**

84
85 There were no comments.

86
87 **MOTION by Councilor Serviss, SECONDED by Councilor Hernandez to approve Item 6:**
88 **Resolution 2024-04 Sugarloaf Conceptual Development Plan Amendment as presented.**

89
90 **AYE:** Serviss, Flinn, Kelley, Hernandez, Saunders

92 **NAY:** None

93 **MOTION PASSED: 5-0**

94
95 **Item 7: Purchase Request – Professional Services – Sugarloaf Water Treatment Plant**
96 **Expansion Construction Administration**

97
98 **Mark Johnson** suggested staff is requesting the Council consider approving the purchase of
99 professional services from HALFF Engineering, Inc., as they were the original designers of the
100 plant so it is believed they would be best firm to handle construction administration for the
101 expansion.

102
103 **Public Comment**

104
105 There were no comments.

106
107 **MOTION by Councilor Hernandez, SECONDED by Councilor Serviss to approve Item 7:**
108 **Purchase Request – Professional Services – Sugarloaf Water Treatment Plant Expansion**
109 **Construction Administration conditioned upon City Attorney review of the contract.**

110
111 **AYE:** Serviss, Flinn, Kelley, Hernandez, Saunders

112
113 **NAY:** None

114
115 **MOTION PASSED: 5-0**

116
117 **Item 8: Ordinance 2024-10 Live Local – Second Reading**

118
119 **Scott Gerken** read the ordinance by title.

120
121 **Joyce Heffington** provided a summary of regulations and standards established by this
122 ordinance.

123
124 **Scott Gerken** spoke about Live Local density requirements, which sets a maximum of 8 units
125 per acre, which is the maximum residential density allowed under the City's Land Development
126 Regulations.

127
128 **Councilor Hernandez** asked if there has been any case law relating to prohibiting Live Local
129 in PUD zoning districts.

130
131 **Scott Gerken** indicated there has not been any case law he was aware of. He explained that the
132 legislature recently clarified when talking about maximums it doesn't include variances,
133 bonuses, or special approvals.

134
135 **Councilor Hernandez** expressed concern that the ordinance is defining Live Local too much.
136 He suggested he cannot approve the ordinance as it is written.

Public Comment

There were no comments.

Mayor Kelley passed the gavel to Vice Mayor Flinn.

MOTION by Councilor Saunders, SECONDED by Mayor Kelley to approve Item 8: Ordinance 2024-10 Live Local – Second Reading.

AYE: Kelley, Saunders

NAY: Serviss, Flinn, Hernandez

MOTION FAILED: 2-3

Councilor Hernandez asked for the ordinance to be reworded to make sure the City is protected from potential case law.

Scott Gerken asked if there were any specific concerns relating to the ordinance and suggested he would review the ordinance for possible changes.

No Council members suggested any specific changes, but Councilor Hernandez offered to meet with the City Attorney to discuss.

There was a discussion regarding administrative approval and the appeal process.

Item 9: Ordinance 2024-09 Downtown CRA Business Tax Receipts (BTR) Prohibition – First Reading

Scott Gerken read the ordinance by title.

Public Comment

There were no comments.

Item 10: Review of Resolution 2012-13 House of Worship Conditional Use Permit

Joyce Heffington explained this resolution was approved in 2012 for a House of Worship which is no longer operating at this location. She is requesting the Council consider rescinding the resolution since it was specific to that House of Worship and could no longer be applied to another business.

Scott Gerken asked if the property owner had been contacted to be made aware the resolution would be rescinded.

181 **Joyce Heffington** stated that the property owner had not been notified, but she did not anticipate
182 any objection as the conditional use was no longer in use.

183
184 **Scott Gerken** recommended tabling the resolution until the property owner could be notified.
185

186 **Public Comment**
187

188 There were no comments.
189

190 **MOTION by Councilor Hernandez, SECONDED by Vice Mayor Flinn to table Item 10:**
191 **Review of Resolution 2012-13 House of Worship Conditional Use Permit until the next**
192 **meeting to allow time for the property owner to be notified.**
193

194 **AYE:** Serviss, Flinn, Kelley, Hernandez, Saunders
195

196 **NAY:** None
197

198 **MOTION PASSED: 5-0**
199

200 **Item 11: Discussion – Golf Cart Ordinance**
201

202 **Scott Gerken** indicated a draft ordinance relating to golf cart regulations was included, in the
203 Council's agenda packet, for their review.
204

205 **Public Comment**
206

207 There was a discussion relating to regulations and enforcement from both the City and
208 Homeowner's Associations.
209

210 **Mayor Kelley** suggested the Council could hold a workshop over the summer to discuss possible
211 golf cart regulations and requested the City Attorney draft a resolution expressing the Council's
212 intent to review the City's Code of Ordinances as it relates to golf carts.
213

214 **Councilor Hernandez** requested the resolution specify the intent is to create regulations which
215 allow golf carts in a "safe and interconnected" manner.
216

217 **Item 12: Discussion – City Council Meeting Information Inclusion on the Website**
218

219 It was discussed that staff should look into agenda management software options.
220

221 **Public Comment**
222

223 **Nathan Focht** spoke in favor of including the agenda packet on the City's website.
224

225 **FINAL PUBLIC COMMENTS**
226

227 There were no comments.

REPORTS

Mark Johnson

- Indicated he received plans from the Lake County School Board for the school which will be constructed in the Hills of Minneola. He explained the School Board requested the City's input and the plans are available should the Council wish to review and provide comments.
 - **Councilor Hernandez** asked if the plans could be emailed to the Council.
- Informed the Council the MS Awareness 5k Walk/Run had 65 participants for a total of \$2,240 in registration fees, \$130 in t-shirt sales, \$180 in direct donations, \$2,948 in sponsorships. There were approximately \$3,684 in expenses. The total net profit of the event, which will be donated to the National MS Society, is anticipated to be \$1,184. He highlighted that these are preliminary numbers.
- Provided updates related to the issuance of parking violation warnings.
- Indicated The Florida Turnpike Enterprise informed the City last week that they do not wish for the tunnels underneath the Turnpike to be used as pedestrian tunnels. This is because the tunnels are only 12' wide, but the minimum width for pedestrian tunnels was 10' but was changed to 16' in 2016.
- Informed the Council there will be a Book, Bake, and Craft sale in the gymnasium at City Hall on Saturday from 9:00 a.m. until 2:00 p.m.
- Informed the Council the next Farmer's Market is March 27th. He also mentioned staff is considering changing the day of the week it is held on in order to possibly increase the chances of finding a produce vendor. He asked the Council to consider if they wished to continue to hold a farmers' market if staff is unable to register a produce vendor.
- Indicated at the previous City Council meeting the City Council approved the purchase of school zone signage. Initially, it was decided the City would reimburse Lake County for the purchase of these signs, but Lake County is now asking if we can pay their vendor directly.
 - The Council had no objections to paying the vendor directly.

Councilor Serviss asked for the status of the roundabout on Jalarmy Rd.

Mark Johnson indicated he did not know the status of the roundabout but would find this information.

Councilor Serviss asked for the status of the fire station and library.

Mark Johnson offered to take the Council on a tour of the fire station. He indicated the contract for the library has been signed by the contractor so they should begin construction soon.

Mayor Kelley inquired about installing construction fencing around the construction site.

Mark Johnson suggested the contractor has been asked to install this but would check on the status.

Councilor Serviss

- Spoke about the veterans and first responders memorial site location. Asked when Nathan Focht, Mark Johnson, and herself can meet to start planning this.
 - **Mark Johnson** asked for clarification on who would be planning the event. Council consensus was for the City Council and Nathan to work together on it.

Councilor Flinn

- Inquired about a Public Information Officer.
 - **Mark Johnson** suggested this is something staff would consider while working on the budget but there doesn't appear to be the need for a full-time P.I.O. yet.
 - Council consensus was that there wasn't the need for a full-time P.I.O at this time.

Councilor Hernandez

- Requested the Council receive the agenda packets one week in advance.
 - **Councilor Serviss** requested for the Council to receive the Planning & Zoning Commission agenda packets as well.

Scott Gerken

- Spoke about the Non Ad-valorem Fire Assessment Fee. He explained the current Fire Assessment Fee has a provision which exempts non-profits. Advent Health is a non-profit organization, which is building a hospital in the Hills of Minneola. This hospital would be exempt from the Fire Assessment Fee under the current fee structure. The City's consultant has suggested revising the resolution to include different categories which would not exempt the hospital from this fee. He requested the Council consider what direction they would like to move forward with as it relates to non-profits and the fire assessment fee.
 - **Mayor Kelley** requested staff speak with Advent Health to inform them of this change prior to the Council making a decision.
- Indicated he would forward the League of Cities Post Legislative Update to the Council once it was made available.

There was a discussion as to when Form 6 was due and recent lawsuits filed opposing the recently passed filing requirements of Form 6.

Vice Mayor Flinn

- Spoke about the Book, Bake, and Craft sale held on Saturday.
- Spoke about the Sips and Suds event she and Councilor Serviss would be hosting at Lil' Anthony's.

Mayor Kelley

- Spoke about a fundraiser Minneola Charter School is hosting.

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

AYE: Serviss, Flinn, Kelley, Hernandez, Saunders

NAY: None

MOTION PASSED: 5-0

(Meeting adjourned at 8:32 P.M.)


Pat Kelley, Mayor

ATTEST:


Kristine Thompson, City Clerk

