

**Minneola City Council
Meeting Minutes
Minneola City Hall
March 21, 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 Erick Hernandez, Councilor Joe Saunders, Scott Gerken (City Attorney), Mark Johnson (City Manager), and 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

Vice Mayor Flinn requested items relating to the car wash and the backyard chicken discussion be moved to the front of the discussion items.

Mark Johnson indicated staff is requesting to table Item 6, Resolution 2023-04 Shed Variance, to the April 4 city council meeting.

MOTION by Vice Mayor Flinn, SECONDED by Councilor Hernandez to table Item 6: Resolution 2023-04 Shed Variance until the April 4, 2023 City Council meeting and move Item 11: Backyard Chicken Discussion to be the first discussion item.

AYE: Serviss, Flinn, Kelley, Hernandez, Saunders

NAY: None

MOTION PASSED: 5-0

PUBLIC COMMENTS

Ron Dahlgren, 1911 Holden Ridge Blvd., spoke in remembrance of Operation Iraqi Freedom.

Banks Helfrich, 9100 Sams Lake Road, spoke about sustainability and free tours he offers of his farm.

PRESENTATION

Yasir Mercado presented a PowerPoint presentation regarding the bridge at Scrub Jay Lane.

Council's consensus was to allow the Turnpike to move forward with the demolition of the bridge provided adequate signage is installed to notify the public.

PROCLAMATION

Mayor Kelley proclaimed April 2023 as Water Conservation Month.

CITY MANAGER'S CONSENT AGENDA

Item 3: City Council Meeting Minutes – March 7, 2023

Item 4: Purchase Request – Bleach Tanks

Item 5: Purchase Request – Street Sweeper Injection Pump

There were no public comments.

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

AYE: Serviss, Flinn, Kelley, Hernandez, Saunders

NAY: None

MOTION PASSED: 5-0

COUNCIL DISCUSSION & ACTION ITEMS

Item 6: Resolution 2023-04 Shed Variance

Tabled to the April 4, 2023, City Council meeting.

Item 11: Backyard Chicken Discussion

Joyce Heffington indicated the Planning & Zoning Commission discussed amending the code regarding backyard chickens to allow for a pilot program which would allow a maximum of six single family homes to have chickens regardless of lots size with the same regulations currently in our code relating to chicken coops, chicken runs, training, and other maintenance. She suggested if a pilot program is implemented it would be evaluated at the end of the year at which time Council can decide to continue, modify, or discontinue the program. Some additional requirements for consideration are to receive permission from adjacent property owners, property owner permission if the property is a rental, and periodic inspections performed by Code Enforcement.

Public Comment

Ron Dahlgren expressed concern with the smell associated with raising chickens. He expressed concern with the suggested pilot program.

92 **Councilor Hernandez** suggested if the pilot program is approved benchmarks need to be set.

93
94 **Councilor Serviss** indicated several residents called or emailed her regarding this topic. She was
95 unable to print all messages but had copies available for council and the audience to review.

96
97 **Mayor Kelley** indicated he would like to table the discussion since he was given documentation
98 from Councilor Hernandez that he has not been able to review.

99
100 **Monica Luna**, 804 Disston Avenue, spoke in support of backyard chickens. She provided copies
101 of a petition containing signatures of individuals in favor of backyard chickens.

102
103 **Wally Szkwarko**, 802 South Main Avenue, spoke against allowing backyard chickens.

104
105 A discussion followed regarding the life expectancy of chickens, noise created by chickens, and
106 smells associated with raising chickens.

107
108 **Council Serviss** read a message received from a resident who spoke against chickens.

109
110 **Lisa Jones** inquired what information was provided to the mayor by Councilor Hernandez.

111
112 Copies were made available to members of the audience.

113
114 **Lisa Jones** spoke in support of backyard chickens.

115
116 **Nathan Focht**, 707 Blue Citrus Lane, informed council he owned a chicken farm in the Sugarloaf
117 Mountain area for eight years for the purpose of selling eggs which contained 1,200 chickens at
118 any given time. He stated that residents will not save money by having their own chickens. It will
119 be cheaper to buy them at the store.

120
121 **Councilor Saunders** indicated he was not in support of a pilot program for a restricted number of
122 residents. He suggested any decision made should apply to all residents. He suggested this matter
123 should not be decided on by council but instead placed on the ballot for residents to vote on.

124
125 Council's consensus was for the attorney to draft an ordinance for a referendum placing the
126 measure on the ballot for the upcoming election in November.

127
128 **Item 7: Resolution 2021-20 Conditional Use Permit Vision Car Wash – Quasi-Judicial**

129 **Item 8: Resolution 2023-02 Variance Vision Carwash – Quasi-Judicial**

130
131 **Scott Gerken** read the resolutions by title and swore in those wishing to speak on Item 7 and Item
132 8.

133
134 **Councilor Hernandez** disclosed he met with the applicant prior to the council meeting.

135
136 **Vice Mayor Flinn** disclosed she met with the applicant prior to the council meeting.

Councilor Serviss disclosed the applicant reached out to her, but she did not meet with them.

Joyce Heffington explained that car washes are not mentioned specifically as a permitted use in the B-1 zoning district, therefore a conditional use permit is required. The applicant is requesting a variance for parking requirements and window requirements. The Planning & Zoning Commission recommended approval of the conditional use permit with conditions and recommended approval of the variance.

Mayor Kelley inquired about the billboard that is currently installed on this property.

Joyce Heffington stated the applicant will remove the billboard.

Scott Gerken reminded council they passed a code provision approximately a year ago making car washes a permitted use within industrial areas. At the time this provision was passed, this conditional use permit application was pending. In fairness to the applicant, the City has allowed them to bring the application through. If council were inclined to approve the resolution tonight, the City would have to go back and tweak the code provision to grandfather in this application.

Greg Crawford, representing applicant, showed a PowerPoint presentation relating to the design of the building and conceptual site plan.

Public Comment

Multiple residents came forward to speak positively of the project.

Councilor Hernandez inquired about what type of soap the car wash would be using.

Greg Crawford suggested the soap is environmentally friendly.

Councilor Hernandez asked what has the applicant done to reduce noise pollution.

Greg Crawford suggested the applicant plans to install silencers on the blowers to lower its decibel and oriented the building so the car wash exit is facing away from the neighborhood.

Councilor Saunders asked what the hours of operation were.

Greg Crawford stated during the week the hours are 8:00 a.m. to 8:00 p.m., on Sundays the hours are 8:00 a.m. to 6:00 p.m.

Councilor Saunders asked if the water is recycled and drained into the City's wastewater system.

Greg Crawford suggested a portion of the water is recaptured, filtered, and used again but the water used during the rinse stage is drained into the wastewater system.

Mark Johnson advised the council the architectural renderings do not include the vacuum areas, in the past Council wanted the columns to be covered with brick, stone, or stucco. He also suggested council previously mentioned having the motors and pumps fully enclosed to help reduce noise.

Councilor Saunders asked if the vacuums are coin operated.

Greg Crawford indicated the vacuums are free for those who purchase a car wash, they are not coin operated, and the vacuum equipment will be fully enclosed.

Scott Gerken suggested the resolution will be modified to clarify the applicant's proposed hours of operation is 8:00 a.m. – 8:00 p.m., except on Sundays which then they will close at 6:00 p.m. It was recently amended to include conditions which state the vacuums will be located inside and the poles must be covered to match the building's exterior. He explained the concept plan and the architectural drawings are attached and are incorporated into the approval. The concept plan comes back with the site plan will be more detailed, but it needs to be consistent with the concept plan. He explained that the car wash's conceptual plan chosen by the applicant (with the owner's consent) requires the removal of the billboard and, per our code, the billboard is a nonconforming use and cannot be relocated on the property. The applicant is aware of the requirement. The last requirement is that the equipment room is enclosed. He suggested modifications will be made to require a silencer on the blowers.

MOTION by Councilor Hernandez, SECONDED by Councilor Serviss to approve Item 8: Resolution 2023-02 Variance Vision Carwash with the conditions previously mentioned.

AYE: Serviss, Flinn, Hernandez

NAY: Kelley, Saunders

MOTION PASSED: 3-2

MOTION by Councilor Hernandez, SECONDED by Councilor Serviss to approve Item 7: Resolution 2021-20 Conditional Use Permit Vision Car Wash with the conditions previously mentioned.

AYE: Serviss, Flinn, Hernandez

NAY: Kelley, Saunders

MOTION PASSED: 3-2

Item 9: Request for Qualifications (R.F.Q.) for Fire and Police Sub-Station (Station 88) Architectural Design Services

223 **Mark Johnson** indicated staff is requesting Council's approval to begin advertising for an RFQ
224 for architectural services for the City's second fire station in the Hills of Minneola. Once this
225 process begins, council will have a second chance to vote on entering into a contract.

226
227 **Public Comment**

228
229 There were no comments.

230
231 **MOTION by Councilor Hernandez, SECONDED by Councilor Serviss to approve Item 9:**
232 **Request for Qualifications (R.F.Q.) for Fire and Police Sub-Station (Station 88)**
233 **Architectural Design Services.**

234
235 **AYE:** Serviss, Flinn, Kelley, Hernandez, Saunders

236
237 **NAY:** None

238
239 **MOTION PASSED: 5-0**

240
241 **Item 10: Ordinance 2023-11 Sidewalks and Street Trees – First Reading**

242
243 **Scott Gerken** read the ordinance by title.

244
245 **Joyce Heffington** explained this ordinance increases sidewalk width requirements from 5 feet to
246 6 feet in order to allow for two wheelchairs or walkers to pass by each other. This ordinance will
247 also require trees placed within a right-of-way to include a root block device so the roots do not
248 damage streets or sidewalks.

249
250 **Public Comment**

251
252 **Nathan Focht** spoke about the root block requirement and questioned how this would affect trees
253 with a shallow root system.

254
255 Council requested advice regarding root block system from an arborist, or a specialist from the
256 University of Florida.

257
258 **Jennifer Morse**, 1064 Golden Dawn Loop, spoke against trees in the right of way.

259
260 **FINAL PUBLIC COMMENTS**

261
262 **Jennifer Morse** spoke on behalf of her mother who lives near 1117 Heather Glen Drive. She
263 indicated her mother has no concerns with the shed variance that will be seen at the April 4 City
264 Council meeting.

REPORTS**Mark Johnson**

- Spoke about The Reserve at Lake Ridge Phase 1 park. He indicated the developer is requesting council extend the approval of their site plan due to difficulties obtaining materials.
 - Council's consensus was to extend the approval for 6 months for the Reserve at Lake Ridge Phase 1 park site plan.
- Mentioned the Friends of the Minneola Schoolhouse library was this weekend at City Hall.

Vice Mayor Flinn

- Spoke about the possibility of Council receiving City issued cell phones.

Mayor Kelley

- Spoke about a bill passing through the legislature which would require elected officials to disclose all finances. He explained income, liabilities, assets, and anything owned worth greater than \$1,000 will have to be itemized.

Scott Gerken

- Suggested the bill regarding financial disclosures for elected officials that has passed the House, but is not yet final, establishes stricter financial disclosure requirements for elected officials.
- Spoke about the City's solicitation regulations. He suggested the code could be assessed to see if it can be updated to help further regulate door-to-door sales.

Mayor Kelley indicated he has asked staff to prepare an ordinance regarding raised crosswalks to help reduce speeds in neighborhoods.

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 9:36 P.M.)

ATTEST:



Kristine Thompson, City Clerk



Pat Kelley, Mayor