



**CITY COUNCIL MEETING
MASCOTTE, FLORIDA**

**MONDAY, MAY 1, 2017
6:00 P.M.**

COUNCIL CHAMBERS **121 N. SUNSET AVE**
TEDDER-THOMAS MEMORIAL CIVIC CENTER **MASCOTTE, FLORIDA**

MINUTES

CALL TO ORDER: Mayor Krull called the May 1, 2017, Regular Council Meeting to order at 6:00 p.m.

INVOCATION/MOMENT OF SILENCE & PLEDGE OF ALLEGIENCE: Mayor Krull gave the invocation followed by Mayor Krull leading the Pledge of Allegiance.

ROLL CALL:

Present: Council Member Steven Sheffield
Council Member Louise Thompson
Mayor Barbara Krull
Council Member Sally Rayman

Absent: Mayor Pro Tem Brenda Brasher

Also Present: Jim Gleason, City Manager
Dolly Miller, Deputy City Manager/Finance Director
Randy Brasher, Fire Chief
Larry Walker, Public Services Director
Eric Pedersen, Police Chief
Maxwell Spann, City Planner
Stephanie Abrams, Assistant City Clerk
Michelle Hawkins, City Clerk
Virginia Cassady, City Attorney

46 Mayor Krull closed the regular council meeting at 6:05pm and opened the Local Planning
47 Agency meeting.

48
49 City Council acts as the Local Planning Agency.

50

51 **1. A. LOCAL PLANNING AGENCY: Comprehensive Plan Consistency (Project number**
52 **2017-01-122 18601 Tuscanooga Road Voluntary Annexation).**

53

54 City Planner Maxwell Spann approached the podium to address council on this item.

55

56 Maxwell Spann explained this annexation and how they are currently in the County and Lake
57 County had directed the applicant to come to the City of Mascotte and ask about being annexed
58 into the city.

59

60 Maxwell Spann stated the following:

61

62 **1. Consistency with the Comprehensive Plan.**

63 The Comprehensive Plan gives direction towards annexation through the Intergovernmental
64 Coordination *Objective 11-5: Annexation Coordination: The City will prioritize and manage annexations*
65 *that are going to provide for the most effective implementation of public services and provide*
66 *opportunities to prevent sprawling development patterns*

67 And also through;

68 *Policy 11-5.1: All annexation policies shall be consistent with the Interlocal Service Boundary*
69 *Agreement entered into with other cities and the County pursuant to Part II, Chapter 171, Florida*
70 *Statutes.*

71 The City encourages the use of annexation as a tool to ensure the quality and viability of development
72 in the Mascotte area. Regulations governing site planning, architectural design, signage, landscaping
73 and lighting regulations are much stricter in Mascotte than in unincorporated Lake County. City policy
74 also requires annexation for connection to the City utility systems, if the property is adjacent to the City
75 boundary.

- 76 • **The annexation is found to be consistent with the Comprehensive Plan because the parcels**
77 **are planned for an expansion to a previously approved development within the Interlocal**
78 **Service Boundary.**

79

80 City Attorney Cassady stated that the legal description will need to be reviewed as the legal
81 description doesn't look correct.

82

83 Maxwell Spann stated that he will review the legal description and make the necessary
84 corrections.

85

86 LPA Member Krull opened the floor for public comments:

87 There were none.

88 *LPA Member Sheffield finds that project 2017-01-122 18601 Tuscanooga Road is consistent*
89 *with the City's Comprehensive Plan. LPA Member Thompson seconded the motion.*
90 *Motion Passed 4 to 0*

91
92 *LPA Member Sheffield "Aye"*
93 *LPA Member Rayman "Aye"*
94 *LPA Member Thompson "Aye"*
95 *LPA Member Krull "Aye"*

96
97 LPA Member Krull adjourned the Local Planning Agency meeting at 6:15pm

98
99 Mayor Krull re-opened the regular council meeting at 6:16pm.

100

101 **2. A. Consent Agenda: Approval of Council Meetings Minutes for the April 3, 2017 and**
102 **April 17, 2017 council meeting and the City Manager's employment agreement.**

103

104 Mayor Krull opened the floor for public comments:
105 There were none.

106

107 *Council Member Sheffield motioned to approve the consent agenda as presented.*
108 *Mayor Krull seconded the motion.*

109

110 *Motion Passed 4 to 0*

111

112 *Council Member Sheffield "Aye"*
113 *Council Member Thompson "Aye"*
114 *Council Member Rayman "Aye"*
115 *Mayor Krull "Aye"*

116

117 **3. A. Public Hearing: Final Reading and Adoption of Ordinance 2017-05-565**
118 **(Noise/Sound Regulations).**

119

120 City Attorney Cassady read by title only Ordinance 2017-05-565:

121

122

ORDINANCE 2017-05-565

123

124

125

126

127

128

129

130

131

**AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA,
DELETING SECTION 11-3 FROM THE CODE OF ORDINANCES;
CREATING ARTICLE II OF CHAPTER 20, TO BE ENTITLED "SOUND
REGULATIONS" AND INCLUDING THEREIN LEGISLATIVE
FINDINGS, DEFINITIONS, PROHIBITED NOISE AND SOUNDS,
EXEMPTIONS, AND SPECIAL TEMPORARY PERMITS; ADOPTING
THE "PLAINLY AUDIBLE STANDARD" AND THE "REASONABLE
PERSON OF NORMAL SENSIBILITIES STANDARD" TO DETERMINE
WHEN CERTAIN SOUNDS ARE UNLAWFUL; LIMITING THE HOURS**

132 **OF CERTAIN ACTIVITIES WHICH GENERATE NOISE; AMENDING**
133 **SECTION 12-22 REGARDING CLASSES OF VIOLATIONS FOR**
134 **CHAPTER 20; PROVIDING FOR SEVERABILITY, CONFLICTS,**
135 **CODIFICATION, AND AN EFFECTIVE DATE. BE IT ORDAINED BY**
136 **THE CITY COUNCIL OF THE CITY OF MASCOTTE, FLORIDA, AS**
137 **FOLLOWS:**

138 City Attorney Cassidy explained this item, along with City Manager Gleason.

139 Mayor Krull opened the floor for public comments:
140 There were none.

141

142 *Council Member Thompson moved to approve the final reading and adoption of*
143 *Ordinance 2017-05-565 (Noise/Sound Regulations). Council Member Rayman*
144 *seconded the motion.*

145

146 *Motion Passed 4 to 0*

147

148 *Council Member Thompson "Aye"*

149 *Council Member Sheffield "Aye"*

150 *Council Member Rayman "Aye"*

151 *Mayor Krull "Aye"*

152

153 **3. B. Public Hearing; Reading and Adoption of Ordinance 2017-05-567 (Voluntary**
154 **Annexation of 18601 Tuscanooga Road Alternate key #1298059).**

155

156 City Attorney read by title only Ordinance 2017-05-567:

157

ORDINANCE 2017-05-567

158

159 **AN ORDINANCE ANNEXING, BY VOLUNTARY PETITION,**
160 **PROPERTY GENERALLY LOCATED NEAR THE INTERSECTION OF**
161 **TUSCANOOGA ROAD AND PAINTED HORSE LANE, LYING SOUTH**
162 **OF TUSCANOOGA ROAD, AND COMPRISING 43 +/- ACRES MORE OR**
163 **LESS, SAID PROPERTY BEING ANNEXED IN ACCORDANCE WITH**
164 **THE VOLUTARY ANNEXATION PROVISIONS OF SECTION 171.044,**
165 **FLORIDA STATUTES (2016), AND IN ACCORDANCE WITH THE**
166 **INTERLOCAL SERVICE BOUNDARY AGREEMENT DATED**
167 **FEBRUARY 15, 2013 AND SECTION 171.205, FLORIDA STATUTES**
168 **(2016); REDEFINING THE BOUNDARIES OF THE CITY OF**
169 **MASCOTTE TO INCLUDE SAID PROPERTY; PROVIDING FOR**
170 **FINDINGS; PROVIDING A LEGAL DESCRIPTION AND A MAP;**
171 **DIRECTING THE CITY CLERK TO RECORD THIS ORDINANCE**
172 **WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF**
173 **ADMINISTRATIVE OFFICER OF LAKE COUNTY, AND WITH THE**

174 **DEPARTMENT OF STATE; PROVIDING FOR CONFLICTS, AND**
175 **SEVERABILITY; SETTING AN EFFECTIVE DATE.**

176

177 City Planner Maxwell Spann approached to podium to address council. He discussed
178 what was written on the staff report, and how the Local Planning Agency did find the
179 annexation consistent with the City's Comprehensive Plan.

180 City Attorney Cassady stated that the legal description will need to be reviewed as it is
181 not correct. She also stated that this annexation will not be in effect until after 30 days
182 from the date the city adopts this ordinance as Lake County has 30 days to object this
183 annexation.

184 City Manager Gleason stated that Lake County was the ones that sent this applicant to the
185 city, so he doesn't feel like there will be an issue.

186 Mayor Krull questioned if this annexation creates an enclave. City Planner Maxwell
187 Spann stated that it does create an enclave, but he doesn't feel like the county will object
188 since there is an ISBA agreement with the county.

189 Council Member Sheffield questioned water lines. City Manager Gleason stated that
190 they are on well. Council Member Sheffield questioned if the city's code states that
191 residents have to be on city water.

192 Public Services director Walker stated that he will have to review the city's
193 comprehensive plan.

194 City Attorney Cassady stated on the planner's staff report it states:

- 195 1. **Potable Water:** The City of Mascotte provides potable water services within the City Limits. All
196 capital costs associated with the extension or provision of potable water service to this site will be
197 paid for by the applicant through impact fees. The Objective A2-6 within Infrastructure Element
198 shall apply to the Annexation.

199 City Planner Maxwell Spann stated that the utility will have to be addressed when the
200 applicant develops the property.

201 Council Member Sheffield questioned if this annexation will affect the city's
202 consumption use permit (CUP). Public Services Director Walker stated no.

203 Staff is asking council to approve the annexation with the stipulation that the legal
204 description is reviewed and corrected prior to the Mayor signing the ordinance.

205 Mayor Krull opened the floor for public comments:

206 There were none.

207

208 *Mayor Krull moved to approve the adoption of Ordinance 2017-05-567 (Voluntary*
209 *Annexation of 18601 Tuscanooga Road Alternate key #1298059) with a stipulation that*

210 *the legal description will be reviewed and corrected if needed. Council member*
211 *Sheffield seconded the motion.*

212

213 *Motion Passed 4 to 0*

214

215 *Council Member Thompson “Aye”*

216 *Council Member Sheffield “Aye”*

217 *Council Member Rayman “Aye”*

218 *Mayor Krull “Aye”*

219 **4. A. Ordinances: First Reading of Ordinance 2017-06-568 (Amending City’s Land**
220 **Development Regulations for Chain Link Fences).**

221

222 City Attorney Cassady ready by title only Ordinance 2017-06-568:

223

224

ORDINANCE 2017-06-568

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

**AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA,
AMENDING SECTIONS 3.20 AND 5.12 OF THE LAND DEVELOPMENT
CODE TO PROVIDING CLARIFICATION REGARDING CHAIN LINK
FENCES WITHIN THE CITY; PROVIDING FOR CONFLICTS,
SEVERABILITY, CODIFICATION, AND PROVIDING FOR AN
EFFECTIVE DATE.**

City Manager Gleason explained that at the last council meeting there were some discussions regarding the chain link fences. We now have this updated ordinance for the first read.

There was some discussion among council. Council Member Sheffield stated that he doesn’t want chain link fences in the city.

Mayor Krull stated that she wants chain link fences, but not in the front. There were continued discussions.

Council doesn’t want chain link in the front, no requirement for hedges, and no chain link fences on corner lots.

Mayor Krull opened the floor for public comments:

There were none.

Mayor Krull moved to approve the first reading of Ordinance 2017-06-568 with the proposed amendments. Council Member Rayman seconded the motion.

Motion Passed 3 to 1

Council Member Thompson “Aye”

254 *Council Member Sheffield* "Nye"
255 *Council Member Rayman* "Aye"
256 *Mayor Krull* "Aye"

257 **5. A. Resolutions: Adoption of Resolution 2017-05-600 (Budget Amendment- Water &**
258 **Sewer Fund- 400):**

259 City Attorney Cassady read by title only Resolution 2017-05-600:

261
262 **RESOLUTION NO. 2017-05-600**

263
264 **Budget Amendment- Water and Sewer Fund (400)**

265 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY**
266 **OF MASCOTTE, FLORIDA, PURSUANT TO SECTION 29**
267 **OF THE CITY CHARTER AMENDING THE BUDGET FOR**
268 **THE 2016-2017 FISCAL YEAR BY INCREASING AND /OR**
269 **DECREASING THE AMOUNT OF REVENUES AND**
270 **EXPENDITURES IN THE WATER AND SEWER FUND**
271 **RECEIVED AND INCURRED AFTER THE ORIGINAL**
272 **BUDGET WAS APPROVED; PROVIDING FOR**
273 **SEVERABILITY AND PROVIDING FOR AN EFFECTIVE**
274 **DATE.**

275 City Manager Gleason explained this item.

276
277 Mayor Krull opened the floor for public comments:
278 There were none.

279
280 *Council Member moved to adopt Resolution 2017-05-600 (Budget Amendment Water*
281 *and Sewer Fund-400). Council Member Thompson seconded the motion.*

282
283 *Motion Passed 4 to 0*

284
285 *Council Member Sheffield* "Aye"
286 *Council Member Thompson* "Aye"
287 *Council Member Rayman* "Aye"
288 *Mayor Krull* "Aye"

289
290 **5. B. Resolutions: Adoption of Resolution 2017-05-601 (Budget Amendment- Water**
291 **Impact Fee-420):**

292
293 City Attorney read by title only Resolution 2017-05-601:
294
295

296 **RESOLUTION NO. 2017-05-601**

297 **Budget Amendment – Water Impact Fee Fund (420)**

298
299
300 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY**
301 **OF MASCOTTE, FLORIDA, PURSUANT TO SECTION 29**
302 **OF THE CITY CHARTER AMENDING THE BUDGET FOR**
303 **THE 2016-2017 FISCAL YEAR BY INCREASING AND /OR**
304 **DECREASING THE AMOUNT OF REVENUES AND**
305 **EXPENDITURES WITHIN THE WATER IMPACT FEE**
306 **FUND, RECEIVED AND INCURRED AFTER THE**
307 **ORIGINAL BUDGET WAS APPROVED; PROVIDING FOR**
308 **SEVERABILITY AND PROVIDING FOR AN EFFECTIVE**
309 **DATE.**

310 City Manager Gleason explained this item.

311
312 Mayor opened the floor for public comments:

313 There were none.

314
315 *Council Member Sheffield moved to adopt Resolution 2017-05-601 (Budget*
316 *Amendment- Water Impact Fee Fund-420). Council Member Rayman seconded the*
317 *motion.*

318
319 *Motion Passed 4 to 0*

320
321 *Council Member Thompson “Aye”*

322 *Council Member Sheffield “Aye”*

323 *Council Member Rayman “Aye”*

324 *Mayor Krull “Aye”*

325 **5. C. Resolutions: Adoption of Resolution 2017-05-602 (Budget Amendment- Wastewater**
326 **Impact Fee Fund-440):**

327
328 City Attorney Cassady ready by title only Resolution 2017-05-602:

329 **RESOLUTION NO. 2017-05-602**

330
331 **Budget Amendment- Wastewater Impact Fee Fund (440)**

332
333 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY**
334 **OF MASCOTTE, FLORIDA, PURSUANT TO SECTION 29**
335 **OF THE CITY CHARTER AMENDING THE BUDGET FOR**
336 **THE 2016-2017 FISCAL YEAR BY INCREASING AND /OR**
337 **DECREASING THE AMOUNT OF REVENUES AND**
338

339 EXPENDITURES WITHIN THE WASTEWATER IMPACT
340 FEE FUND, RECEIVED AND INCURRED AFTER THE
341 ORIGINAL BUDGET WAS APPROVED; PROVIDING FOR
342 SEVERABILITY AND PROVIDING FOR AN EFFECTIVE
343 DATE.

344 City Manager Gleason explained this item.

345
346 Mayor Krull opened the floor for public comments:
347 There was none.

348
349 *Council Member Thompson moved to adopt Resolution 2017-05-602 (Budget*
350 *Amendment- Wastewater Impact Fee Fund-440). Council Member Rayman seconded*
351 *the motion.*

352
353 *Motion Passed 4 to 0*

354
355 *Council Member Sheffield "Aye"*
356 *Council Member Thompson "Aye"*
357 *Council Member Rayman "Aye"*
358 *Mayor Krull "Aye"*

359
360 **6. A. New Business: Approval of Contract with Champions Corp. (Rental Property**
361 **Registration):**

362
363 City Manager Gleason stated that this is the same company that the city is using for
364 foreclosed home. There is not any extra cost as we are the test pilot for this program.

365 City Manager Gleason stated that this all came about when the city decided to have a full
366 time code compliance officer and this is just another tool to help the city.

367 Mayor Krull opened the floor for public comments:
368 There were none.

369
370 *Council Member Sheffield moved to approve the contract with Champions Corp for the*
371 *rental property registration. Council Member Thompson seconded the motion.*

372
373 *Motion Passed 4 to 0*

374
375 *Council Member Sheffield "Aye"*
376 *Council Member Rayman "Aye"*
377 *Council Member Thompson "Aye"*
378 *Mayor Krull "Aye"*

379
380 **6. B. New Business: Approval of Contract with GatorSkitch (Future Public Safety**
381 **Complex):**

382 City Manager Gleason stated that he had staff ask other cities that have or will have a
383 new public safety building and find out who they are using company wise to create a plan
384 for the new building.

385
386 City Manager Gleason stated that this company GatorSkitch came in with the lowest
387 proposal and they are local. He stated that he isn't looking to have something built right
388 now, but in the future.

389
390 City manager Gleason stated that right now there is some money in the budget to do some
391 updates to the police department, but he noticed that the city has been doing patch work
392 not only in the police department but in the fire department as well, so this is something
393 that council can look at for the future.

394
395 City Manager Gleason stated that attached to the agenda packet is the contract and the
396 phases to show how the process will work to come up with a sketch of the proposed
397 public safety building. This is just for month the plans and sketch of the building and
398 what it may cost the city if we decide to build the building. The process will take about
399 eight to ten weeks.

400
401 Mayor Krull opened the floor for public comments:
402 There were none.

403
404 *Council Member Rayman moved to approve the contract with GatorSkitch for the*
405 *future public safety complex. Council Member Thompson seconded the motion.*

406
407 *Motion Passed 4 to 0*

408
409 *Council Member Thompson "Aye"*
410 *Council Member Sheffield "Aye"*
411 *Council Member Rayman "Aye"*
412 *Mayor Krull "Aye"*

413 **7A. Public Comments:**

414
415 Mayor Krull called upon Jane Geraci who resides at 1143 S. Kansas Ave. Groveland,
416 Florida.

417
418 Mrs. Geraci approached the podium to address council.

419
420 Mrs. Geraci stated that she is here this evening regarding the lot that she owns next to the
421 property that she owns where the Rainbow is located, and she stated that there are sheds
422 currently located on this lot that are for sale. She stated that she is asking council to
423 allow outdoor sales. She stated she has no objection to having it as a conditional use.

424

425 Mrs. Geraci stated that currently this item is not allowed and the code compliance officer
426 is giving us to the end of May to remove the sheds, unless council will allow it.

427
428 City Attorney Cassady stated that the city's comprehensive plan will need to be reviewed
429 to see if this is allowed, along with the community redevelopment area (CRA) rules.
430 These items will need to be reviewed by the city planner.

431
432 City Attorney Cassady stated that this can't be just for one property; if council allows it
433 then it will have to be for the whole city.

434
435 City Manager Gleason stated that if council wants to move forward and allow this to be a
436 permitted use it will not be a quick process since it will have to have two readings, and
437 advertising.

438
439 Council Member Sheffield stated that he would like to know what the city's land
440 development code, but he is against this.

441
442 Mayor Krull opened the floor for public comments:
443 There was none.

444
445 ***Council was not interested in making any changes to the city's code regarding outdoor***
446 ***sales.***

447
448 Council thanked Jane Geraci for coming out this evening.

449
450 **8. A. City Manager: Debt Update.**

451
452 City Manager Gleason handed out a paper to council. He stated that he just sent this
453 press release to the paper, and he is happy to report that the city is now debt free. He
454 stated that we have to remember that this debt was in the water fund, so it doesn't help
455 the general fund, but it is good to know that we have no debt.

456
457 City manager Gleason stated that debt isn't bad, but it is bad when you have nothing to
458 show for it.

459
460 City Manager Gleason stated that at the next council meeting we will do something
461 ceremonial to show we are now debt free.

462
463 Below is what was sent to the local newspaper and media:

464
465 **INFORMATION RELEASE**
466 **City of Mascotte-Lake County Florida**

467
468 **May 1, 2017**

470 The City of Mascotte is able to report to its residents and businesses that the City is Debt Free!

471

472 The city had taken out eight loans during the economic boom of the mid 2000's totaling
473 \$5,905,381 with interest rates ranging from 2.64% to a high of 5.05%.

474

475 Due dates for the loans ranged from the fiscal years 2016-2017 to the fiscal years 2032-2033

476

477 The city struggled for many years under the burden of debt which brought the city close to
478 reporting a "Financial Emergency" under Florida State Statue 218.503 (Bankruptcy) in April of
479 2011. The former city management had planned on future growth to pay the loans but the
480 collapse of the housing market and a 60% loss of property values created a financial crisis which
481 required the city to divert funds from capital projects and personnel to make the city's loan
482 payments.

483

484 By the city paying off six of the eight loans earlier than was planned the city has saved its
485 residents and businesses an estimated \$507,000 in future interest payments.

486

487 During this difficult financial time the city has been able to reduce the tax rate for the past three
488 years from a high of 9.6147 mils to the current 8.3289. The goal is to provide the residents and
489 business a fourth tax cut in October of 2017 with a target millage rate of 7.9800 which would
490 equal the tax rate the city had 2009-2010.

491

492 Also during the past six years the city increased its Reserves (Savings for Emergencies) from
493 \$330,000 to a current total of \$1,250,000.

494

495 This effort could not have been done without the leadership of the elected officials and the hard
496 work and sacrifices of the dedicated city staff.

497

498 Council is very pleased and thanked each other, city manager, and staff for all of their hard work
499 as this was a team effort.

500

501 **9. A. City Attorney:**

502

503 City Attorney had nothing to report at this time.

504

505 **10. A. City Council:**

506

507

508 **Meeting was adjourned at 7:45pm.**

509 **Budget Workshop began at 8:15pm.**

510

511 **Budget Workshop:**

512

513 City Manager Gleason gave a brief overview of the draft budget.

514 Council Member Sheffield questioned the Information Technology (IT) cost. Deputy City
515 Manager/Finance Director explained the breakdown of the IT cost, which included new
516 computers that will be purchased in various departments which are needed.

517

518 Deputy City Manager/Finance Director Miller stated that we have now put all the computers on a
519 schedule and placed them in the Capital Improvement Plan (CIP).

520

521 Deputy City Manager/Finance Director went over a few items she stated the following:

522

523 The police department will be receiving Justice Assistance Grant for four shot guns.

524

525 There is a 5% raise in the draft budget which is based on the current millage rate.

526

527 There is an increase in the computers cost, but this also accounts for the possibility of getting an
528 agenda/minutes software system.

529

530 Council Member Sheffield questioned the workers compensation cost. Deputy City
531 Manager/Finance Director explained this item.

532

533 Council Member Sheffield questioned the status of the playground equipment being replaced.
534 Public Services Director Walker stated that the equipment is getting ready to be ordered and it
535 will take eight to ten weeks for the equipment to arrive.

536

537 There were no comments from other council members.

538

539 Council was happy with the draft budget and what was presented.

540

541 City Manager Gleason stated that once the city receives the valuation from the property tax
542 collector office he will notify council with any changes and what the valuations will be.

543

544 The budget will be adopted in September. The budget meeting dates are September 13, 2017 and
545 September 27, 2017.

546

547 **Budget Workshop meeting was adjourned at 9:00pm.**

548

549

550

551



Barbara Krull, Mayor

552

553

554

555

ATTEST:

556



557

558

Michelle Hawkins, City Clerk