

**MINUTES
TOWN OF MONTVERDE
TOWN COUNCIL MEETING**

June 13, 2017

The Town of Montverde met in regular session on Tuesday June 13, 2017 at 7:00 pm in the Town Hall Auditorium.

Council Present:

President, Jim Peacock

Vice President, Jim Ley

Billy Bates

Absent:

Judy Smith

Staff Present:

Joe Wynkoop, Mayor

Graham Wells, Town Clerk, Treasurer

Terry Burden, Public Works Director

Anita Geraci-Carver, Town Attorney

Sean Parks, Town Planner

Roll call was performed, and it was determined that a quorum was present.

MINUTE APPROVAL

MOTION by Councilman Ley to approve the Local Planning Agency Meeting Minutes for April 11, 2017; SECONDED by Councilman Bates

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

MOTION by Councilman Ley to approve the Local Planning Agency Meeting Minutes for May 9, 2017; SECONDED by Councilman Bates

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

MOTION by Councilman Ley to approve the Regular Council Meeting Minutes for May, 9 2017; SECONDED by Councilman Bates

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

MOTION by Councilman Bates to approve the Special Council Meeting Minutes for May 25, 2017; SECONDED by Councilman Peacock

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

CITIZENS QUESTION AND COMMENT

Bob Tomlinson – 16634 Magnolia Terrace Blvd brought up the issue of people connecting tanks to the Town's fire hydrant and stealing water.

Dan Sisulak – 17532 Hillside Drive brought the issue of a large water bill as a result of a broken pipe at his home. Council were sympathetic and requested that staff look at his average bill to see how much it was over and come back to them. Mr. Sisulak showed a plumbers receipt for the repair.

Being no further questions the mayor closed public comment.

COMMITTEES AND BOARDS

There were no committee members present to report.

MAYOR AND COUNCIL SECTION

COUNCIL MEMBERS

Councilman Ley – Suggested that the Town look at the cost to install speed tables on Lake Street and Highland Avenue to slow drivers who were using it as a cut through to avoid the intersection of Ridgewood and Seventh Street.

Councilman Peacock – Pointed out the new shades that he and the visioning committee had chosen and that new carpeting and seating was to come.

Councilwoman Smith – Absent

Councilman Bates – Pointed out that residents could get the agenda ahead of the meeting from the website on their phone.

MAYOR

The Mayor updated residents on the following topics:

- Glenn Burns had resigned his position on Council due to health issues.
- Bingo was this Friday at the Community Building.
- Said that he would be looking to Council to fund \$25,000 to renovate the building by the firehouse. The renovation would turn the garage into an extra room and have a new kitchen. Rent from the building would yield \$900 - \$1,100 per month.
- The Town would be switching out water meters which would cost around \$20,000 per year until all meters had been changed. These would be read through the internet.
- Loss of water due to leaking pipes.
- The County would be striping the roads where golf carts were permitted to cross.
- Introduced Lieutenant Mark Stauffer who in turn introduced Master Deputy Brad Leafers who is the replacement for Danny Young.
- New Turnpike Exit at Minneola is now open.
- The bridge over the Turnpike connecting Fosgate Road on both sides

FINANCE REPORT

The finance report for April and May were in the Council packet. The bank balances as at May 31, 2017 were as follows:

Operating Account - \$-4042.03

Money Market Account - \$1,632,833.15

Water Deposit Account - \$70,209.01

Library Account - \$1805.50

Investment Account - \$277,672.75

NEW BUSINESS

RESOLUTION 2017-29 EXPRESSING THE TOWN'S SUPPORT FOR CONSTRUCTION OF A FOSGATE ROAD BRIDGE OVER THE FLORIDA TURNPIKE

Lake-Sumter MPO and Lake County approached Florida's Turnpike Enterprise ("FTE") about the need for an additional connection over the Turnpike and FTE found that they could justify the expense of building the bridge when FTE widens the mainline Turnpike to eight lanes in 2021. Lake County may be willing to execute an agreement with FTE committing to connecting to the bridge; however, Lake County desires input from the Town of Montverde. If approved this resolution of The Town Council expresses its support, interest, and desire for construction of the Fosgate Bridge over the Turnpike.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Ley to approve the Resolution 2017-29; SECONDED by Councilman Peacock

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

RESOLUTION 2016-26 ESTABLISHING THE PRELIMINARY ASSESSMENT RATE FOR FIRE SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017

The preliminary rate for the fire assessment was set last year at \$160.00 for residential units. The actual rate adopted only \$80.00 which was added to the tax bill. The preliminary rate is the maximum amount that could be charged and is proposed at \$80.00 for this year. The actual rate will not be adopted until August following the public hearing process.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Peacock to approve the Resolution 2017-26; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0

RESOLUTION 2017-28 APPLICATION FOR VARIANCE - AK1509343

The applicant is requesting a variance from the minimum rear yard, front yard and wetland buffer setback criteria stipulated in Chapter 10 and Chapter 4 of the Land Development Code (LDC).

Attorney Anita Geraci Carver read the resolution title. The Mayor opened public comment.

The applicant Lynn Riffle outlined what they were requesting and that they had Department of Health approval for the 50 foot septic setback as it was a lot of record before 1972. Following extensive debate and conversation, the Mayor closed public comment and passed it back to Council for a motion. As there were only three council members present, any motion would require a unanimous vote to pass.

MOTION by Councilman Bates allowing a zero lot line at the front and staying out of the "AE" flood zone at the rear. This motion did not get a second. MOTION FAILED.

MOTION by Councilman Peacock to deny the variance; SECONDED by Councilman Ley

For: Ley, Peacock

Against: Bates

Absent: Smith

MOTION FAILED 2-1

MOTION by Councilman Ley to table the item; SECONDED by Councilman Bates

For: Ley, Bates

Against: Peacock

Absent: Smith

MOTION FAILED 2-1

Anita Geraci-Carver explained that as no motion was passed this became an application with no action.

FIRST AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLERMONT AND THE TOWN OF MONTVERDE FOR THE PROVISION OF WASTEWATER SERVICES

The Town of Montverde would like to provide wastewater services for new development within its 180 utility district. This agreement if approved will facilitate a bulk rate for the City of Clermont to provide wastewater services to new developments such as Black East.

The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Peacock to approve for the Mayor to sign the agreement; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

UTILITY SERVICES AND OWNER AGREEMENT BETWEEN CENTER LAKE PROPERTIES AND THE TOWN OF MONTVERDE

This agreement if approved is between the Town of Montverde and the owner of the property known as Black East.

The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Ley to approve for the Mayor to sign the agreement; SECONDED by Councilman Peacock

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

PUBLIC HEARINGS

ORDINANCE 2016-19 AMENDING THE TOWN'S COMPREHENSIVE PLAN

This is the final adoption hearing of Ordinance 2016-19 amending the Town's Comprehensive Plan by amending the Comprehensive Land Use Plan Designation for the Property known as Black East. The amendment is from Lake County Urban Low and Rural transition to Town of Montverde Single Family Low Density Residential – Planned Urban Development (PUD).

Approval to adopt Ordinance 2016-19 is requested.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Peacock to adopt Ordinance 2017-19; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

ORDINANCE 2017-16 AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE ELEMENT TO INCLUDE A NEW POLICY REQUIRING ADHERENCE TO THE NEIGHBORHOOD STANDARDS AND GUIDELINES MANUAL FOR THE SUBDIVISION OF LAND WITHIN THE TOWN OF MONTVERDE WHERE 4 OR MORE LOTS ARE BEING CREATED

This is the final reading of Ordinance 2017-16. The Town desires to amend the Comprehensive Plan to include a new policy in the Future Land Use Element which imposes requirements for subdivisions of land into 4 or more lots to comply with neighborhood standards and guidelines. The Town also desires to protect its unique and rural identity and it is vital to plan and provide guidelines to ensure future growth adds to the fabric of the community while preserving the rural identity and lifestyle of the Town.

Standards and guidelines addressing residential design, walkable neighborhoods, water resource protection – low impact development criteria, and conservation criteria will achieve the Town's goal of preserving its identity.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Bates to adopt Ordinance 2017-16 item; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

ORDINANCE 2017-15 AMENDING THE COMPREHENSIVE PLAN BY REVISING THE TRANSPORTATION ELEMENT TO INCLUDE A NEW GOAL, OBJECTIVE AND POLICIES RELATING TO COMPLETE STREETS TO ACCOMMODATE VARIOUS TYPES OF USERS

This is the final reading of Ordinance 2017-15. Complete Streets are roadways designed to accommodate all users, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders. The Town shall implement Complete Streets policies for use in planning and development decisions.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Peacock to adopt Ordinance 2017-15; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

ORDINANCE 2017-14 AMENDING CHAPTER 6 AND 8, AS WELL AS VARIOUS SECTIONS IN CHAPTER 4 OF THE LAND DEVELOPMENT CODE TO REQUIRE COMPLIANCE WITH NEIGHBORHOOD STANDARDS AND GUIDELINES MANUAL FOR NEW SUBDIVISIONS

This is the final reading of Ordinance 2017-14. These standards shall apply to regulate development allowed by this Code. The intent of this chapter is to promote development that is aesthetically pleasing, compatible with the community character, properly served with necessary public facilities and services and compatible with neighboring uses.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Ley to adopt Ordinance 2017-14; SECONDED by Councilman Peacock

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

ORDINANCE 2017-23 AMENDING SECTION 2.5 IN CHAPTER 2 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO EXPAND THE DUTIES OF THE PLANNING AND ZONING BOARD

This is the first reading of Ordinance 2017-23 adding Sections 2-5(g) and (h) in Chapter 2, Part III (Land Development Code) of the Montverde Code of Ordinances shall be created to include the following duties performed by the Planning and Zoning Board:

Sec. 2-5. (g) – Annexations and other development related approvals.

Sec. 2-5. (h) – Complete streets.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Bates to adopt Ordinance 2017-23 item; SECONDED by Councilman Ley

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

ORDINANCE 2017-25 AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED CEMETERY

This is the first reading of ordinance 2017-25 changing the definition of Town resident; amending membership requirements for the cemetery committee; requiring annual review of a certificate of reservation and a process therefore; allowing for issuance of a certificate of reservation and providing for cancellation of a certificate of reservation.

Anita Geraci-Carver read the Ordinance title. The Mayor opened public comment and there being none closed it and passed it back to Council for discussion and a motion.

MOTION by Councilman Ley to adopt Ordinance 2017-25; SECONDED by Councilman Peacock

For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION PASSED 3-0

Being no further business a motion to adjourn was requested at 8:39 pm.

MOTION TO ADJOURN by Councilman Peacock to adjourn; SECONDED by Councilman Ley


For: Bates, Ley, Peacock

Against: None

Absent: Smith

MOTION CARRIED 3-0


Respectfully submitted,



Joe Wynkoop, Mayor
ATTEST:



Jim Peacock, Council President



Graham Wells, Town Clerk

