

**MINUTES
TOWN OF MONTVERDE
SPECIAL TOWN COUNCIL MEETING**

December 23, 2015

The Town of Montverde met in Special session on Wednesday, December 23, 2015 at 6:30 pm in the Town Hall Auditorium.

Council Present:

President Billy Bates

Vice President Glenn Burns

Jim Ley

Judy Smith

Staff Present:

Graham Wells, Town Clerk

Terry Burden, Public Works Director

Anita Geraci- Carver, Town Attorney

Mayor Wynkoop called the meeting to order at 6:33 pm and led the Pledge of Allegiance.

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

RESOLUTION 2015-30 - ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE TOWN OF MONTVERDE

Mayor Wynkoop outlined that the only agenda item was the approval of Resolution 2015-30 and deferred to Attorney Geraci-Carver for an explanation of the Resolution. She read the Resolution aloud and added that this was the first step in the process if the Town should want to add the collection of fees for garbage to the Tax bill. This would mean that it would be collected once a year as opposed to being collected monthly with the water bill.

She recalled that when the Town did this with the fire assessment fee we were required to publish the resolution four times, once a week in a daily newspaper preceding this meeting which had been done. If approved the advertisement would be added to the Resolution as Exhibit A to show that the advert was placed for the four weeks prior to this meeting. This is the first step and if approved, a signed copy of the Resolution would be sent to the Lake County Tax Collector, Lake County Property Appraiser and also to the Florida Department of Revenue putting them on notice that the Town is considering this. There would be other steps including a study to determine how much it should be and a number of public hearings on the matter.

Mayor Wynkoop opened it up for public comment and questions. There being none he closed public comment.

Councilwoman Judy Smith commented that she very much disapproved of the Resolution. She felt that a great number of the Residents of Montverde were on a fixed income and that budgeting was a critical thing for them. She said that adding this lump sum to the tax bill in addition to what we have already put on it with the fire assessment would be a burden to them. She said that if you budget \$17.50 a month for your garbage it is doable and they are used to it, but if you put a \$200 addition onto the tax bill it becomes a burden. Even if they put the money aside for the tax bill, in the interim they may have a number of crises which takes the money that they have been saving for the tax bill so when the tax bill arrives they do not have the money to pay it. She said that she did not approve of it.

Councilman Ley said that he also had concerns about it but wanted the opportunity to listen to the arguments and to research it. He said that he felt that Councilwoman Smith had made several well placed thoughts and that he was open minded. Councilman Bates stated that he had been in favor of it thus far as a business decision as it relieved the Town of time and labor to collect the money in the same way as we did with the fire assessment. Councilman Burns asked how big the problem was with the collection of the garbage bill.

Mayor Wynkoop reminded Council that this was a step that enabled them to talk about it next year and not to go through the in's and out's at this stage. He did feel that there were a number of reasons we should look at it, one being the issue of collection of the fees particularly with rented or leased properties where the tenants did not pay their water and garbage bills. This was not limited to just leased properties but it seemed to be more of an issue with them. The owners would be responsible to pay the fee to the Town on the tax bill, relieving the Town of the collection from the tenants.

He said that since becoming Mayor he had been paying more attention to it and that renters can just up and leave without paying the water and garbage bill leaving the Town to collect the debt from the owners. As a result he wanted it put on the agenda to discuss it over the next few months getting more information on the trends and the extent of the problem. He also said that the garbage was not billed to or paid by owners of vacant land. Overall he wanted Stephanie's (Water Billing Clerk) time to be freed up to spend on more productive things for the residents.

Mayor Wynkoop said that it was on the agenda to enable us to discuss it and go forward if we should decide to next year. On that point Judy had reservations as the Resolution appeared to state that if approved that we would be doing it. Anita stated that legally this was the first step and that if you want the option to put it on the tax bill next year then you must follow the process which would also include a number of public hearings and sending notices by mail to all the property owners informing them of your intention. You are not obligated to do it by approving the Resolution but if you do not approve it then you give up the opportunity should you want to add it to the tax bill in 2016.

Councilwoman Smith wanted to rebut earlier remarks made and suggested that if a resident did not pay then the garbage service could be withdrawn and that as public servants it was the job of Town staff to collect the debt. Councilman Bates responded that withdrawing the service did not solve the problem as the Town pays a lump sum to WastePro whether they collect garbage or not as it is a contract price. This was another reason for adding it to the tax bill as we will get paid for sure. Anita also said that the Town wants all properties to have garbage service otherwise the trash would end up in the ditches.

Councilwoman Smith asked if there was any other way that it can be billed other than once a year on the tax bill. Anita suggested that some Counties allowed owners to pay their tax bills quarterly and that we would research with Lake County and bring the answer to the next meeting on the subject.


Being no further discussion Mayor Wynkoop asked for a motion to approve or not approve Resolution 2015-30.

**MOTION by Councilman Ley to approve Resolution 2015-30; SECONDED by Councilman Bates
For: Burns, Bates, Ley
Against: Smith
MOTION CARRIED 3-1**

ADJOURN

MOTION to Adjourn by Billy Bates; SECONDED by Jim Ley at 6:50 pm. Passed unanimously.

Respectfully submitted,




Joe Wynkoop, Mayor



Billy Bates, Council President

ATTEST:



Graham Wells, Town Clerk