

**MINUTES
TOWN OF MONTVERDE
TOWN COUNCIL MEETING**

February 9, 2016

The Town of Montverde met in regular session on Tuesday, February 9, 2016 at 7:00 pm in the Town Hall Auditorium.

Council Present:

President Billy Bates

Vice President Glenn Burns

Jim Ley

Judy Smith

Jim Peacock

Staff Present:

Graham Wells, Town Clerk

Terry Burden, Public Works Director

Kevin Rausch, Fire Chief

Anita Geraci-Carver, Town Attorney

Sean Parks – Town Planner

Mayor Wynkoop called the meeting to order at 7:01 pm and led the Pledge of Allegiance.

The invocation was given by Pastor Jonathan Winningham, First Baptist Church, Montverde

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

MINUTE APPROVAL

MOTION by Councilwoman Smith to approve the Regular Council Meeting Minutes from January 12, 2016; **SECONDED** by Councilman Bates

For: Bates, Burns, Ley and Smith Peacock

Against: None

MOTION CARRIED 5-0

PRESENTATION

Mayor Wynkoop introduced Mr. T J Fish, Executive Director of the Lake Sumter Metropolitan Planning Organization. He said that the MPO was responsible for the planning of all new roads, railroads, Biking Trails and asked Mr. Fish to give an update on the projects being worked on in particular the new Turnpike exit and the intersection of CR455 and Ridgewood Avenue.

Mr. Fish explained that the roll of the Lake Sumter MPO was to plan for the growth and expansion within Lake and Sumter counties and to secure both federal and State funding to complete the projects that were approved for construction. He cited the expansion of State Road 50 going from a four lane to a six lane highway through Clermont which needed to be eight lanes to cope with the increased traffic. He said that this is not something that they wanted to do and needed to find alternative ways to keep the traffic flowing.

He spoke about the progress of the Lake Apopka Trail and the scenic overlook that was part of a 250 mile coast to coast bike trail which when completed would link St Petersburg to the east coast. He also talked about the Green Mountain scenic byway which would ultimately link Winter Garden to Mt Dora. He congratulated the Town and in particular Councilman Glen Burns on winning the 9th Horizon Small Municipality Award for the extension to the Greenway Trail.

The Turnpike interchange is forecast to be completed and open in May 2017. Access will be available from the north and the south through electronic toll booths only. Hancock Road which is currently being completed would be the four lane arterial route to the south and Hancock to 561A to the north, a two lane road is the only other route that is committed to at this time. The other arterial routes connecting to the Turnpike interchange will be built over a generation as funding is available. The speed will be dictated by the markets. It is felt that the interchange will be a relief valve for local traffic wanting to get to Orange County and take some pressure off of SR50.

The topic of funding for the intersection at CR 455 and Ridgewood Avenue was brought up. Mr. Fish maintained that a roundabout was the favored option as this had many benefits over the alternatives. One was the safety aspect. The new 180 feet wide roundabout at the intersection of CR455 and 561 has had zero accidents since it was installed and secondly it would have the benefit of calming the traffic coming along CR455. Speeding motorists have been a big problem both coming in and going out of town. The main issue was having enough land to make it fit. The scenic byway master plan also provides for a roundabout.

Other options such as a right turn lane on Ridgewood have also been considered but would only cure part of the problem. An opportunity for grant money being available through the County from impact fees was discussed and also from the DOT as they recognized the safety benefit of installing a Roundabout. The town would send a letter to Jim Stivender, Director of Public Works at Lake County requesting the prioritization of this project along with the resurfacing of Ridgewood Avenue.

A question was asked about the boat ramp which was fielded by *Sean Parks*. He said that for about one and a half years the Fish and Wildlife Commission who raise their funds through boat fees and fishing permits had already funded the project. His efforts to push the project forward which was to include parking and also a pavilion in the long term had been frustrating and he was going to ask Senator Hayes to take this up on our behalf. The project was considered important as it would be the only ramp on the west side of the lake.

Allen Hartle asked if Mr. Fish had an update on the connection between US 27 and SR 429. *Mr. Fish* described some of the issues that had to be overcome and also added that the MPO did not know how they were going to finance the project. The proposed connection was to cross from the Lake Louisa area on US27 to the Beltway which would also take pressure off of SR50 which is currently the only route going east. It would also benefit by reducing the traffic currently using Hartwood Marsh Road to get to Winter Garden which was not built for the volume it is currently carrying.

CITIZEN QUESTION AND COMMENT

Being no questions or comment the Mayor closed this section.

MAYOR AND COUNCIL SECTION

Councilman Burns – PASS

Councilwoman Smith – Attended the elderly Affairs Council Meeting on January 28, 2016 where the guest speaker was Mr. Homan, Assistant Director for Senior Services. He said that his agency accepts referrals through Elder Options and as part of the revamping of the agency had hired a Program Director to join the Elder Council. What he explained was that there was a real problem when elderly people tried to call a number for support and then be given a different number to call. This could happen several times before they got through to the correct department. He said that this was difficult for some seniors to deal with and that there should be someone to walk them through the maze. Giving a senior a telephone number when they are in crisis did not help.

Another discussion concentrated on internet fraud and crime targeting the elderly and that there was a website IC3.gov that can take the complaints of fraud from victims. It is an FBI website and they are encouraging anyone who is a victim of fraud to report it so that something can be done about it. Councilwoman Smith said that she intended to create a newsletter for the town's seniors to keep them informed with the different programs that are available. The first newsletter would go out with the water bill at the end of February.

Councilman Bates – PASS

Councilman Ley – Said that he and the Mayor had met with the Sheriff's Deputy in charge and coordinator of the COPS program, Ed Nathanson. He reported that the program was not being done away with and that it was an important contribution to the Sheriff's Department. Councilman Ley said that he had brochures and applications and was looking for volunteers to sign up to serve and protect their community and work alongside the Sheriff. He said that the academy class was normally held at night and needed four volunteers to make the class viable.

They talked about the town having an additional car and other ideas that would be brought to the town in the future. Typically ex sheriff's car go to auction and the better ones can be held back for use in the COPS program. They cost around \$5,000. Alternatively the Sheriff's office can assign one of their COPS cars to Montverde which means that the Town would not have to pay.

The process for anyone interested in the program is to complete the application which would include extensive background checks and then if approved would attend the training classes.

He then asked Terry Burden, the Public Works Director for an update on the street signs. *Mr. Burden* said that they had replaced twelve stop signs and that the street signs and brackets were now in for what needs to be replaced this year. These were mainly for the Pines, Magnolia Terrace and Long Ridge plus some others that were faded out around town. Weather permitting they would start to be installed in the next two weeks. There were also a number of stop bars that were faded out which he would contract out to be repainted.

He added that the water valves around town would need to be exercised along with the fire hydrants before mowing seasons begins. Six hundred thirty five backflow valves on the resident's side of the meter need to be changed out. Pot holes were a continuing problem with the rain but there was nothing major at this time.

Alex Fresonke said that where the trails meet the road crossing areas there are no signs in place and also that many of the reflectors were missing or needed replacement. *Mr. Burden* said that it was on his list. *Councilman Ley* said that Terry and Blake were always busy and that they were looking to get bids to outsource the majority of the mowing, freeing up more time for them to attend to other projects and make the department more efficient. *Mr. Burden* said that he had highlighted the maps of the town to ascertain the total acreage that needs to be mown so that "apples for apples" bids could be secured. Certain parts of the town would continue to be taken care of by public works staff.

Alex Fresonke asked if this presented an employment opportunity. *Mayor Wynkoop* responded that the last time it was costed out the mowing was around \$25,000 whereas an employee with benefits would be much more. Once the bids come in, he would review it and Council can decide which way they want to go. *Councilman Bates* said that he was in favor of having a third guy in town to help Terry. *The Mayor* said that this was not in the budget for this year.

Councilman Peacock – Asked Terry Burden for an update on the water line on Lowry Road. He responded that he thought that we were waiting on the engineer for some information before we could move forward. *Mayor Wynkoop* said that there is a meeting of the professional staff every month and Steve Romano, the Town's engineer was calculating how much the properties would need to give up for the Right of Way. Once that is ascertained then The Mayor and Councilman Peacock could go and talk to the owners who he thought would be amenable to the idea if the road could be repaved.

There were three issues with Lowry; the new water line, repaving the road and storm water control which were all tied together. *Councilman Peacock* asked if the town was still looking at pervious concrete but Mr. Burden said that it was not thought to be a best idea. *Councilman Peacock* said that directional boring to install new water lines was now more advanced and cheaper than tearing up the road. He said that they can bore to a depth of 20 feet or more to put in a 16 inch line down the middle of the road. *Mr. Burden* said that we have to fix the Right of Way issue before we can consider installing the pipe and repaving.

Storm water control is a priority on Lowry Road as water should not drain directly into Lake Florence without treatment. To comply with the EPA's Small MS4 Storm Water Program, the town is looking at alternative ways of directing the water to be filtered through the ground before it enters the lake. This is a challenge as there is limited space available to create drainage ponds or swales.

INTRODUCTION OF THE TOWN'S NEW DEPUTY SHERIFF, DANNY YOUNG

Mayor Wynkoop asked Danny Young who has taken over from Deputy McKane to come up and introduce himself.

Deputy Young thanked Graham Wells for putting good things about him in the newsletter alluding that he was a Baptist pastor joking that it was dangerous asking him to speak. He said that he was with the Sheriff's office for 13 years, then out for ten years and been back for a year. He is married with three children, two grown and the youngest who is eleven and has two grandchildren. In total he has fifteen years plus in Law Enforcement and his most recent post was in the City of Webster where he was raised. He added that he is experienced in small town policing and their politics.

He likes traffic duty which he described in the top two most dangerous jobs alongside domestic disputes. He said he is friendly and likes to talk to people and get to know them. He has only written one traffic ticket since he has been in the Town but given a lot of warnings. He was handpicked for the position in Montverde to heal some things as he was thought to be a good fit. He said it will take some time to get to know the town, the people, what they do and at what times they do it to be completely effective. His plan was to be promoted but not within the next two years.

He described his role as Community Oriented Policing which was not the possible outside of a small town. When he was working the US27/192 area in four corners he had 30,000 residents to look after and would just go from call to call to call. There was no time to get to know anyone. Community Orientated Policing was to give effective courteous service to the residents of the Town. His aim is to be Approachable, Active and Accountable.

He said that he drives the neighborhoods at 5 mph so that residents can stop him and introduce themselves. He also spends some of the day in the substation so that residents know that there is a place where they can stop by and talk to him. He will be active, he likes to work and make a lot of traffic stops. Lastly he wants to be accountable. He knows that this has been an issue in the past and that there has to be an element of trust particularly in the early months. Ultimately he works for the Lake County Sheriff first and the Town second. The Mayor and the Town Clerk have his schedule and also his cell phone number. He finished by saying that he is glad to be here and appreciated the time given to him to address the residents.

MAYOR WYNKOOP

Mayor Wynkoop said that in the past week six committees and boards had met for orientation with several other people on a conference call. In total there were around 32 people who participated bringing their expertise.

After Mayor Wynkoop outlined what their responsibilities were and explained the principal of Sunshine law, they broke into groups to get to know each other and to arrange the dates for their first meeting. He said that the meetings would be advertised on the bulletin board and the website and any resident is welcome to attend.

He said that he had joined the South Lake Chamber of Commerce which enabled him to meet with different people and pick up ideas that would benefit the Town. One thing he learned was that when Disney was done with electronic equipment such as sound, projectors and screens they would often give them to municipalities. The Town had just purchased a sound system from Guitar Center in Winter Park. It comprised of a sound board and four speakers. This would be used in the Auditorium and also is powerful enough to be used at the stage in Kirk Park for an open mic night or a talent evening. He said that he had tested the same system before purchasing it to ensure that it would meet the purpose. *Don Hiatt* said that sound system was good and that he liked the quaintness of the theatre style auditorium.

The 2015 Audit starts next week and would be reported to the residents when completed. He said that there was \$5,000 in the budget for a minor renovation of the Auditorium. This would include repair and repainting of the walls, new lighting and new blinds. The floor needed to be fixed but that would have to wait until the new financial year. *The Mayor* stated that he wanted to get to a bid process for all of the vendors used regularly by the Town to ensure that we were getting the best possible deal. He was also looking at charging for the flyers that go out with the water bill and newsletter to recoup some of the postage cost incurred by the Town. *Attorney Anita Geraci-Carver* confirmed that this was legal.

He said that he wanted the Town decorated with flags for Memorial Day, Veterans Day and the Fourth of July. They would be put up on every pole on CR455. *Allen Hartle* suggested that people could sponsor a flag by purchasing one as a patriotic American. He also said that they should be made in America. *Councilman Ley* suggested that the poles should have lights to shine on the flag. Terry Burden was asked how many flags were normally put up which was about sixteen. *Mayor Wynkoop* said that this was not enough. *Allen Hartle* said that we should approach the HOA's to put them up in the subdivisions. *Councilwoman Smith* said that we should also put flags on the graves of our veterans buried in the Town's cemetery.

The Friends of Montverde is having their h'ordeuvres and dance for Valentine's Day this coming Friday. Everyone is invited to come. The Outside the Box Theatre Group is starting their new play "Steel Magnolias" this coming weekend which will run for three weeks. The Parks and Recreation Committee which organizes the Concerts in the Park and Montverde Day needs additional members to help with these events. *Allen Hartle* asked for clarification of sunshine laws for committees and boards and whether nonmembers who attended the meeting were allowed to speak. Mayor Wynkoop said that it was up to the members if they allowed it or not.

Mayor Wynkoop explained that the financial reports which were now on the website were easier to read and understand and encouraged residents as well as Council to look at them.

ADOPTION OF A FORMAL WRITTEN POLICY TO CLARIFY AND CODIFY THE INVOCATION PRACTICES OF THE TOWN OF MONTVERDE

The Town Council desires to maintain a tradition practiced by Congress and dozens of state legislatures by opening its legislative meetings with prayer to place the Town Council in a solemn and deliberative frame of mind and invoke divine guidance in Town affairs for the benefit and blessing of the Town Council.

This is the second reading of Ordinance 2016-01. *Anita Geraci-Carver* read the title of the ordinance and *Mayor Wynkoop* said that the ordinance was about a time of prayer before the commencement of Council meetings and ensured that a policy was in place.

He opened it up for public comment and being none closed it passing it back to Council for a motion.

MOTION by Councilman Ley to approve Ordinance 2016-01 as written; SECONDED by Councilman Bates

For: Bates, Burns, Ley, Peacock, Smith

Against: None

MOTION CARRIED 5-0

ORDINANCE 2016-03 AMENDING THE CODE FOR SETBACKS FOR SCREEN ENCLOSURES.

This is the second reading of Ordinance 2016-03. *Anita Geraci-Carver* read the title of the ordinance. *Mayor Wynkoop* said that the Planning and Zoning Board had met and discussed this ordinance extensively and that it had also been to Council for the first reading. The distance from the rear property line of 25 feet for a screened enclosure around a patio did not work well in many instances and was at odds with the setback for a screened enclosure around a swimming pool which is 7.5 feet.

Alex Fresonke asked what the permitting fee was for this. It was explained that the fee schedule was a separate issue and *Graham Wells* said that the fee would not change. *Councilwoman Smith* asked about changing the setback requirement where a roof was placed over the screen enclosure. *Sean Parks* responded that if it was requested by Council a separate ordinance would be required as the setbacks were referenced in different sections of the code. Changing the rear setback to 15 feet would be in line with other cities. *Mayor Wynkoop* said that we were addressing it but that this ordinance was just bringing screened enclosures for patios in line with those around swimming pools. *Councilman Peacock* said that it would make it consistent.

Mayor Wynkoop opened it up for public comment and being none closed it and passed it back to Council for a motion.

MOTION by Councilman Bates to approve Ordinance 2016-03 as written; SECONDED by Councilwoman Smith

For: Bates, Burns, Ley, Peacock, Smith

Against: None

MOTION CARRIED 5-0

ORDINANCE 2015-04 AMENDING THE CODE, CLARIFYING THE TYPES OF FENCES AND FENCE MATERIAL ALLOWED

This is the second reading of Ordinance 2016-04. *Anita Geraci-Carver* read the title of the ordinance.

Mayor Wynkoop said that the ordinance clarifies the type of material that could be used for fences. The Town has had issues with a resident draping bed sheets between posts which was not acceptable.

The Mayor opened Public Comment

Don Hiatt questioned the use of cloth used around sporting arenas. *Sean Parks* responded that the ordinance provided for commercial grade screening which must be attached to an existing properly permitted fence.

Public comment was closed.

Attorney Anita Geraci-Carver said that the motion from the first reading Council had included additional language to be added grandfathering in existing properly permitted fences that did not conform to the new code. She said that this language had been added. *Sean Parks* also confirmed that “cross member” had been added as agreed by Council at first reading.

MOTION by Councilman Bates to approve Ordinance 2016-04 including the additional language from the Attorney; SECONDED by Councilman Ley

For: Bates, Burns, Ley, Peacock, Smith

Against: None

MOTION CARRIED 5-0

ORDINANCE 2016-05 AMENDING SECTION 2-141 IN CHAPTER 2 OF THE TOWN’S CODE OF ORDINANCES

This is the second reading of Ordinance 2016-05. *Anita Geraci-Carver* read the title of the ordinance.

Mayor Wynkoop said that this was straight forward; in different parts of the code, the cemetery is referred to as a committee and in others as a board. As it only acts in an advisory capacity to the Council it should be a committee. The ordinance makes the changes necessary to the code so that all references are as a committee and not a board.

Mayor Wynkoop opened it up for public comment and being none closed it and passed it back to Council for a motion.

MOTION by Councilwoman Smith to approve Ordinance 2016-05 as read; SECONDED by Councilman Bates

For: Bates, Burns, Ley, Peacock, Smith

Against: None

MOTION CARRIED 5-0

ADDITION OF NEW MEMBER TO COMMITTEES

A recommendation by *Mayor Wynkoop* was made for resident Dale Heathman to be added to the Historical committee.

MOTION by Councilman Bates to approve the new committee member; SECONDED by Councilman Ley
For: Bates, Burns, Ley, Peacock, Smith
Against: None
MOTION CARRIED 5-0

CHANGE OF SERVICE FROM CENTURYLINK AND DIRECT TV TO COMCAST AT THE FIRE HOUSE

Mayor Wynkoop explained that for some time the Fire Chief had complained about the poor internet service at the Fire House. It was being brought to Council as he needed approval to sign a new contract with Comcast. He asked *Graham Wells* if he would explain the details.

Graham Wells said that the library had been using Comcast for internet access as a temporary measure pending the installation of the new fiber optic system that would be supplied by the City of Leesburg on behalf of the Lake County Library System. The Comcast lines were under contract until March and it was the intention to move them to the Fire House to replace CenturyLink for internet and phone service and also Direct TV. This would give them better speed and also services such as call waiting and caller ID which they didn't currently have.

The cost of the replacement services were about the same but that Council had to consider how long they wanted to take the new contract for. The options were for three years where the installation was free and discounts of \$50 per month were available. A two year contract meant an installation cost of \$50 with the \$50 discount. A one year contract would mean an installation fee of \$199 and no monthly discount.

He explained that this was a trade off as early termination of any contract would mean paying the \$245 monthly premium for the remainder of the contract period. When the library pulled out of the three year contract with CenturyLink for the new fiber optic system, the early termination fee was over \$2,000. This was reimbursed to the Town by the Lake County Library System but highlighted the risk of a longer contract. A one year contract was preferable but the Town would lose the \$50 monthly discount plus have to pay the full \$199 installation fee.

Councilwoman Smith asked if Comcast was guaranteeing the price for three years as they have a habit of increasing it every year. *Graham Wells* said that there was a difference between Comcast residential and Comcast for Business. The price structure was set for the duration of the contract period.

Don Hiatt asked if we could seek a system provider to interconnect the Library, Fire House, Town Hall and Community Center as an internal loop. *Mayor Wynkoop* said that he didn't have that level of expertise to discuss it and asked if anyone did in the audience. No one volunteered.

Graham Wells said that one of the reasons that we were using Comcast was that the cable lines were already here and we were paying for them. We can use them to improve the service in the Fire House. The town took out a one year contract to replace the CenturyLink system in the library which was even worse than the fire house. The library was losing customers as they could not use the computers which were very slow. The new fiber optic system would not be ready for a long time and we had to put in a temporary system.

The fiber optic system was being brought in by the City of Leesburg just for Lake County Libraries but it is extremely expensive. Eighty percent of the cost is rebated to the Town. As it turned out the new system became available within four months and made the Comcast system redundant. This is how we first looked at it as a fix for the Fire House. When the CenturyLink system was replaced by Comcast, all their problems went away and the same is expected when installed at the fire house. We do not have a lot of choices and this seemed to be the best option.

Mayor Wynkoop asked *Graham Wells* to go over the figures one more time. The only reason that the prices were similar was because the Fire House current contract with CenturyLink was a three year contract and had discounts built into it. This contract was up this month. It made no sense to come out of the contract early as we would still pay till the end of the term. A one year contract with Comcast would mean losing \$600 in discounts and having to pay the full installation cost (\$199). The only benefit of a three year contract over a two year is the \$50 saving on the installation fee.

The Mayor passed it back to Council to decide what contract period they wanted to approve.

Councilwoman Smith said that if the price can be locked in we should go for three years.

Councilman Peacock said that he favored two years as technology was changing so fast.

Councilman Ley said that as we had already been burned by a three year contract we should go with two years.

Being no further discussion, *Mayor Wynkoop* asked for a motion.

MOTION by Councilman Bates to accept the two year contract; SECONDED by Councilman Peacock

For: Bates, Burns, Ley, Peacock, Smith

Against: None

MOTION CARRIED 5-0

Chris Hopkins said that he had seen the new Deputy Sheriff cruising the neighborhood and asked the Mayor to pass on his thanks as he had not seen a presence from the LCSO for a long time.

Councilman Peacock brought up that the list of projects he had asked for updates on had not made the agenda. Neither the Mayor or Clerk recalled his email at that time; however the issues had been covered in other parts of the meeting. *Graham Wells* assured him that it would be on future agenda's.

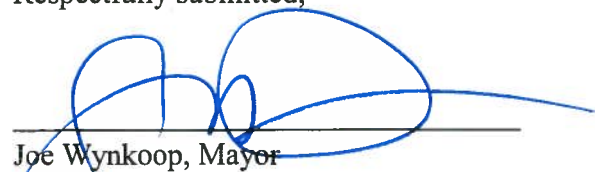
Don Hiatt asked if the packet that goes to Council could be made available to residents ahead of the meeting so that they can review the ordinances, minutes and items on the agenda. *Graham Wells* responded that it was available on the Town's website on the Thursday or Friday before the Council meeting but just a little difficult to find.

A resident asked if the committee and board members details can be put on the newsletter so that residents would know who and how to contact them. Mayor Wynkoop said that we would do that.

Being no further business a motion to adjourn was requested.

**MOTION by Councilman Bates to adjourn; SECONDED by Councilwoman Smith
For: Bates, Burns, Ley, Peacock, Smith
Against: None
MOTION CARRIED 5-0**

Respectfully submitted,




Joe Wynkoop, Mayor



Billy Bates, Council President

ATTEST:



Graham Wells, Town Clerk

