

**MINUTES  
TOWN OF MONTVERDE  
REGULAR TOWN COUNCIL MEETING**

**January 14<sup>th</sup>, 2014**

The Town of Montverde met in regular session on Tuesday, January 14<sup>th</sup>, 2014 at 7:00 PM in the Town Hall Auditorium.

**Council Present:**

Vice President Joe Wynkoop  
Jim Peacock  
Arthur Nix  
Jim Pierce

**Staff Present:**

Mayor Troy Bennett  
Anita Geraci-Carver, Town Attorney  
Mary Mason, Financial Director and Town Clerk

Mayor Bennett called the meeting to order at 7:03 PM and led the Pledge of Allegiance.

Mary Mason performed the roll call and it was determined that quorum was present.

**APPROVAL OF MINUTES**

Mayor Bennett needs approval of the minutes from the December 10<sup>th</sup>, 2013 Council Meeting and approval of the minutes from January 2<sup>nd</sup>, 2014 for the Special Council Meeting. Councilman Jim Pierce says there is a typo on page eleven (11), 3<sup>rd</sup> paragraph and 3<sup>rd</sup> sentence, "b" needs to be changed to "by." Jim's name is spelled wrong as well; his last name is Ley not Lye as typed in the minutes.

**Motion by Jim Pierce accept both the minutes from December 10<sup>th</sup>, 2013 (with adjustments) and January 2<sup>nd</sup>, 2014; SECONDED by Arthur Nix.**

**For: All**

**Against: None**

Mayor Bennett invites Paul Simmons with the Lake County Business to come up and speak. Robert Chandler introduces himself as the Director of Lake County Economic Development and Tourism. Mr. Chandler says they came to Montverde about one and a half or two years ago to pitch some ideas to them about creating a Business Opportunity Center, a program that would help support businesses in Lake County. He says the Council was very generous in partnering with them and with their financial contributions and as part that contribution, they made a promise to the Council that they would keep them up to date on the progress which is why they are here today. He introduces Nancy Munsmy who is the director and Paul Simmons who is the economic development coordinator for their area of Lake County.

The Business Opportunity Center is a program that offers full services and support to all types of businesses, no matter the industry or the stage a business is in. Their goal is to make this Business Opportunity Center in the Lake County a premiere business support program in the entire state. Mr. Chandler says the centers officially launched in September 2012; there is one in Eustis, one in Leesburg, and one in Groveland. He refers to a report card they gave themselves for their services; they gave themselves a "B" in their support services department because they didn't offer enough classes. They gave themselves a "D" in their incubator department; he says they had three or four in Leesburg when they started and one in Groveland in terms of clients in the offices. Three in Leesburg have graduated so they now only have one as well as the one in Groveland. He admits they haven't done a good job of getting people in there. Mr. Chandler says the Town of Montverde was very gracious in agreeing to contributions for three years, but the Business Community Center did not ask for any additional financial aid in the second year because they feel they did not hold up their end of the bargain. Until they get the program moving in the right direction he says they will not be asking for any more money.

He says one of the lessons they learned in the past year is that all function of the BOC must be managed in a seamless manner. He says they are looking at ways to improve their incubator program. He also points out that they did not market their programs effectively and enough classes were not offered. Mr. Chandler says that people have great business ideas but they can't grow their businesses without money so the BOC is trying to find ways to attack that problem. They need more participation from the business community and from the cities. Mr. Chandler reads the Business Opportunity Center's mission statement.

Nancy Munsmy says the programs they have do not work independently, they work better together. She says going forward they have been increasing their classes and seminars and the Leesburg and Lake Sumter campus. Most of the classes they offer are free. She says they have also tried to expand the subjects their classes cover so that they cater to the information their clients need. Consulting is another service they offer to their clients free of charge; there are certified business analysts on their staff.

She breaks down the traditional incubation program. They have an application and screening process to see if the potential client is willing to be coached, interested in learning from experts, and ready to put in the time and the effort. They provide continuous training along the way. She says what they have learned over the last six months of studies done on businesses opened up in Lake County is that fifty percent of them are in the public services category. They are looking to proactively recruit their clients. They are also trying to grow and improve their education partnerships. She says they are trying to get incubator programs at Lake Tech as well as the college, but says it will take them a while to develop those sorts of opportunities.

Robert Chandler says the key take-away is that their goal is for this to be a program that anyone can utilize, whether your business is just an idea on a piece of paper or you've owned your business for ten or fifteen years but you want to expand your company and your revenue, they can help you. He says they did no traditional marketing in the first year; they will do a full blown marketing campaign in the second year including billboards and media. They will also include print collateral and a more consolidated web address which is [www.LakeBOC.com](http://www.LakeBOC.com). He says they will continue to their community outreach as well. They will be doing a quarterly report starting in March and they are discussing forming an advisory board to help with direction.

Mr. Chandler mentions their Shark Tank Project that they intend to launch this summer; it will be a business writing competition to get some excitement going for creating small businesses and getting entrepreneurs engaged in what the BOC is doing.

Mayor Bennett says they need to put a tab on their website so that people can have access to [LakeBOC.com](http://LakeBOC.com). Councilman Pierce says quarterly reports are good because it will keep it fresh in their minds.

## **PUBLIC COMMENT**

*Chris Hopkins, 16443 Magnolia Bluff Drive*

Mr. Hopkins says he couldn't make the Council Meetings for the last few months, so he wants to congratulate everyone now on their elections.

*Josephine Lopez, 17626 Virginia Circle*

Ms. Lopez says she was looking at the Montverde website and has seen no changes on the departments, Mike Revell and Billy Bates are still on the website. She would like to see the new Council Members on the website as well as their profiles. Mary Mason says their IT Specialist is revamping the entire website; he's been working on it for months and they are in the final stages of it now.

*Karen Arellano*

Mayor Bennett says Ms. Arellano owned a lot in Magnolia Terrace and sold it to someone back in 2009. He says they began to Code Enforce this particular lot because it was overgrown and there were a lot of complaints. It went to the Code Enforcement board and went through the process it was supposed to go through. The Code Enforcement Board fined the property owner \$100 a day and continued to drop in and code enforce them but it wasn't doing any good. Mayor Bennett says the end results are substantial, to the point where the owner had to default on the property and Karen Arellano has had to take the property back. He says he is left with this lien on the property that he doesn't have the power to get rid of but the Council has the ability to resolve this issue tonight. She is on a tight rope and has a buyer that is interested in the house. Mayor Bennett says Ms. Arellano is a long-time citizen of the town who takes care of her own properties; he feels if she had been aware of this, they would not be having this conversation right now. \$100 a day since October 2<sup>nd</sup>, 2009 makes the amount due a total of \$155,000 plus 18% interest according to code, which adds on another \$120,000. Mayor Bennett says the total is \$275,681.81 plus a \$180 administration fee.

Karen Arellano says she did not know that this problem existed. When they sold the house they did a seller financing and when the previous owner stopped paying they tried to work with him but go nowhere. They had to hire an attorney and foreclose on the property. She says at that point they had to cut their losses and retain the property back but the attorney did not disclose the code enforcement situation. She says she found out through default because they have a closing with the family who wants to buy the house this coming Friday at 2:00 PM. She is asking for forgiveness; she says she brought the HOA fees current on the day she found out about the lien.

Anita Geraci-Carver says the statute for code enforcement allows the Council, at the owner's request, to waive the fines and interest; she says normally administration fees are paid because those are fees that the Town has incurred but because Karen Arellano was not the owner at the time, the situation is a little different. She says they have the right to make any waivers. Councilman Pierce asks if they ever got any money from the previous owner. Ms. Arellano says they got the down payment and some payments up until a certain point, until the payments stopped.

Councilman Peacock asks if she is the sole property owner at this time. She responds that the property is owned by her and her husband. Mayor Bennett asks Mary Mason if they can kill the lien fast enough for the closing if they release the fees. Mary Mason says they could file the paperwork tomorrow. Anita Geraci-Carver says they could always execute the release and send it to the closing agent for them to report it during closing. Councilman Pierce asks how they protect against this in the future; he wants to know if this affects their financials at all. Mayor Bennett says no. Ms. Arellano says she had no idea that this was taking place. Mary Mason says they let the property owner know and then file the lien with the County. Anita Geraci-Carver says they are not obligated to let anyone other than the property owner know about a lien.

**MOTION by Joe Wynkoop to forgive the lien, waive the interest fee, and pay the \$180 administration fee.**

Councilman Pierce says he would like to amend the motion to pay for all administration fees because he doesn't feel the tax payers should shoulder the burden for this.

**MOTION by Joe Wynkoop to forgive the lien, waive the interest fee, pay the \$180 administration fee, and pay the attorney fees; SECONDED by Arthur Nix.**

**For: All**

**Against: None**

## **NEW BUSINESS**

### **Continuing Services Agreement with CPH, Inc for Engineering Services by Mayor Troy Bennett.**

Mayor Bennett says the June Project is the first thing they will most likely talk about. He says they know Tony, Oakland and Clermont very well so they can move along pretty quickly. Mayor Bennett says Councilman Nix knows them pretty well and can provide them with documents and data to get them up to speed. He says there is some surveying that needs to get done. The Lowry Project is hot on their list this year, the water system needs to be evaluated and brought up to date as well as the water towers and water pumps. Mayor Bennett says most of the things they are talking about are project driven so they knew what their engineering cost was up front and dealt with them. CPH, Inc supplied them with their contract, including their rate and reimbursement schedule to adhere to during their billing time for projects that are considered piecemeal.

Councilman Nix says he would like to meet with Scott and Steve to give them what he has and get them caught up. There has not been an engineering contract in four or five years, just a gentlemen's contract with Arthur Nix. Mayor Bennett says it is an "easy out" contract; meaning if they decide they can't work together they have sixty days to walk away. The contract came from Anita Geraci-Carver with some slight adjustments. Councilman Peacock asks Councilman Nix if the rates and reimbursement fees look okay to him, Councilman Nix says yes they look standard.

**MOTION by Joe Wynkoop to approve the Continuing Services Agreement with CPH, Inc;**  
**SECONDED by Jim Pierce.**

**For: All**

**Against: None**

The Montverde Fire Chief says he is bringing forward an EMS Equipment Grant request that they were approved to get through the local EMS Grant. He gives an overview of the grant; he says every August they get a notification that an EMS Grant has become available for Lake County and they submit a letter of equipment request for items they need to enhance their response to medical calls. They send it off to the Medical Director who either approves or does not approve it; they usually get the approval in October or November when the County knows they are going to be receiving the money and vote to receive it. Once they receive the money it is given to Lake County Fire who then notifies that the money has been received and will notify them if they've been approved to receive the equipment they requested. The Fire Chief says they requested one Physio Control Life Pak 1000 AED and an oxygen regulator. He explains their current AED situation; they have three total AEDs, one is owned by the town of Montverde and the other two are on loan from Lake County. One of the AEDs is out of service. One AED is an older model that you can no longer buy parts for. He says they are going to use the older AED as a spare until it is no longer an option. The Fire Chief is asking the Council to accept what is being given to the Fire Department; he says in years past, any equipment that is requested over \$1,000 the County purchases it and tells them when it's available and they go pick it up. Anything under \$1,000 the Fire Department purchases and submits invoices, receipts, and checks showing that they have been paid for and then get reimbursed.

Mayor Bennett asks the Fire Chief to break down the items they requested and their price. The Fire Chief says the Physio Control Life Pak 1000 AED costs \$1,960 and provides them consistency in transferring patients. It will go on Engine 85. He says the other thing they requested was four oxygen regulators; they only have three. One is out of service and after doing research, he says it is cheaper to replace than to fix it. One does not meet the state requirements when tested so it was recommended that they get it replaced. The cost is \$543.96 for a total cost of \$2,503.96. The local medical director is involved because he's the one who gives the approval for the grant.

**MOTION by Arthur Nix to sign and accept the Grant; SECONDED by Jim Peacock.**

**For: All**

**Against: None**

Vice President Wynkoop asks the Chief to run him through the process after someone dials 911. Chief says if someone dials 911 from a cell phone, it goes to the nearest 911 center which is the Sherriff's office. The dispatching centers are all under one roof; the Sherriff's office as well as EMS. The EMS call taker will take down as much information as possible and then they send the call to the gate keeper. The gate keeper then sends the call to the appropriate units. When the information is entered into the CAD system, it automatically pops up on a big screen that tells the dispatcher who is closest, who is not the closest, etc. When you call 911 off of a cell phone, the CAD system picks up your location. There is a standard response of one minute, from the time you get the call until the time you respond. If the dispatcher does not get any response from the closest department they will try again. If there is no response within 25 seconds then the dispatcher will then dispatch the closest company. Vice President Wynkoop asks if companies are instructed not to answer the call if they are too far away. Chief says there is always an officer on call to accept a call. Mayor Bennett asks if there is staff at the firehouse that will help people if they call there instead of 911. Chief says the staff will help with an emergent situation; they'll get their address and start commuting, but they always suggest hanging up and calling 911.

**MAYOR and COUNCIL**

**Vice-President Joe Wynkoop:**

Bingo is Friday at 7:00 PM. He feels that Bingo is going to outgrow the Community Building soon; he wants to look into building a Recreation Center where the Skate Park was. Councilman Pierce says they separated themselves from Bingo so it is not a town related event. Vice-President Wynkoop says the Community Building is too small for weddings, etc. as well. Councilman Pierce says they could move Bingo to Montverde Academy if they need a bigger space. Vice-President Wynkoop asks if there is money out there to build a Recreation Center. Councilman Pierce says they would need to build a business plan and would like to see it as a complete concept that they can decide to fund or not fund. Mayor Bennett says they can pass it off to the Vision Committee.

Vice-President Wynkoop says they need to talk about the Retreat; he wants to go through the Charter so that everyone can understand it.

Thursday at 1:30 PM is the Super Senior Meeting.

**Jim Peacock:**

Councilman Peacock has been keeping up with the Niagara issue. The bottling company in Groveland has applied to double their withdrawal from it, up to one million gallons per day. The staff of the St. John's Water Management District has recommended approval to the District board. The review has been pushed until February. Councilman Peacock asks the Council to draft a letter of opposition and forward it to St. John's. Councilman Pierce asks for clarification; he asks if their original permit has changed. Mayor Bennett says they're original permit was about pulling from the upper aquifer but they changed it to pull from the lower aquifer. Councilman Pierce asks if the prevailing thought of the professional is that the lower aquifer is not connected to the upper aquifer. The lower aquifer starts in Kissimmee and goes south. Mayor Bennett says the difference is that the upper aquifer is potable water that you can drink "out of the shoot." He says it is 800 to 1,000 feet down. The lower aquifer is 2,000 to 3,000 feet down, not even close to being drinkable. Mayor Bennett says Niagara is proposing to pull from the lower aquifer, truck it back and then filter it; known as reverse osmosis. Councilman Pierce says they are currently pulling 498,000 gallons out of the upper aquifer, daily. Niagara applied for doubling that, and some was going to come from the upper and some was going to come from the lower. The proposal now is to take the one million from the lower aquifer. Councilman Pierce says he doesn't agree with sending a letter of opposition because he feels the new proposal is more beneficial for the people since they won't be pulling any water from the upper aquifer. Councilman Peacock says it's not the amount, but the principal. He says he will never be convinced that the two aquifers are not connected. Councilman Pierce agrees. Councilman Nix says he would like to get more facts before submitting a letter.

**Arthur Nix:**

Councilman Nix congratulates the Chief on graduating with his Bachelors of Science in December. He congratulates the Librarian, Martha, for being on the front page of the Orlando Sentinel two times.

He talks about Kasey Kesselring and the new field; he says it's something else. He invited Mr. Kesselring to come to a Council meeting and tell them about it. It's the first one on American soil. There is going to be a ground breaking. It's for mentally challenged kids; the Montverde Academy soccer players can volunteer to help them play soccer. Councilman Peacock says it's basically a miniature soccer field with a fence around it.

Councilman Nix asks what is going on with the trail. Mayor Bennett says they had to construct the advertisement but had to get it approved; they did that and sent it in two or three weeks ago. He asks Mary Mason where they stand. Mary Mason says they are still waiting on approval for the advertisement.

Councilman Nix asks about the Inter-local they talked about last month in regards to the fire review. Mayor Bennett says they submitted the Inter-local they had with the County and they encompass all of that, including the fire review. He says they will discuss it when they get to Tab 10. Mary Mason says the Inter-local on Tab 10 is the current one from 2007. Sean Parks says they did the right thing by getting an engineer on board; he says they were just chatting about the process of going over a site plan review. The engineer will be involved from the very beginning. If they are not comfortable or feel qualified then they can ask Robin for their comments, according to the Inter-local. Councilman Nix says he doesn't want any mistakes to come back on the Town of Montverde. Councilman Pierce says they should add that

language. Mayor Bennett asks if they can discuss this with the engineers and see how they want to move forward. Councilman Nix says that he would be more comfortable with the County doing it.

**Jim Pierce:**

Councilman Pierce inquires about the waste contract. Mayor Bennett says in regards to the Sherriff's contract and waste contract, everyone got back from holiday and they were bombarded with calls for appointments. He says starting Monday through the 1<sup>st</sup> of February he has a lot of appointments and meetings. Mayor Bennett says they pay \$18 and change for their 2 days a week trash service, per household, per month. He says if they go with the County, they'll pay \$11 and change, plus \$2 for the extra day, per household, per month. They are looking at a possible \$4 or \$5 reduction, doing the same service with the same company. Mayor Bennett has a meeting on January 24<sup>th</sup> with two Lake County officials and he will be able to bring more accurate information in February. Councilman Pierce says this may be an advantageous for them to do bulk instead of a direct deal. Mayor Bennett says they don't have a meeting date with the Sherriff yet because they are currently having conflicts within their own schedule. Councilman Pierce asks if anyone know a coyote trapper. Mayor Bennett asks Sean Parks to tell Terry and they will go from there.

**Mayor Troy Bennett:**

Mayor Bennett says they already talked about the meetings he was trying to set up with Lake County officials.

Mayor Bennett and Vice-President Wynkoop met with the County and Jim Stivender about what to do about the heavy traffic. He says they presented him with a plan to clear out the tree and add a right hand turning lane at CR 455 and Ridgewood. They need to do a hardcore count before doing anything; there are already people out there. The biggest issue is all of the utilities on that corner including gas and water. Lake Apopka Gas is going to be running a pipe down Ridgewood to connect both sides of Magnolia Terrace resulting in natural gas heading down that direction. Vice-President Wynkoop says Jim Stivender was planning to collect information in January, evaluate it in February and bring it to Council in March.

Mayor Bennett said he talked to Jim Stivender about the Golf Cart Ordinance since CR 455 is his jurisdiction. Jim Stivender said that he doesn't care as long as there is proper signage; they can cross at every block if they wanted to. Mayor Bennett says the next stage is identifying the roads. If the Council is serious about going forward with this, they need to set up a workshop with the planners, the engineers, and the Town Attorney. Councilman Pierce asks if they can slow down the process and send out a questionnaire to see how many citizens are actually interested in this. Mayor Bennett says they can include the questionnaire in January's water bill' he says the Town doesn't really respond to questionnaires though.

Mayor Bennett says they need to have a workshop in February so they can be prepared to ask Jim Stivender more detailed questions. Vice-President Wynkoop says maybe they don't need a workshop but they do need to be prepared to talk about it more in March. Mayor Bennett says they need to workshop so they can list the roads the citizens will be allowed to drive on, go over road maps, etc. Mayor Bennett decides to send the questionnaire so they can get some feedback and they'll talk about it again in February. He says the golf carts are authorized to use the side of CR 455 if they are tagged correctly.



Councilman Pierce says that he is not 100% ready to roll forward with this; he only brought it up because he was seeing a lot of infractions. He would like to get more support from the community.

Mayor Bennett asks the audience how they feel about it. A woman says she would like to see them put the questionnaire on the website. Mary Mason says she can put on the website for the citizens to call Town Hall with a yes or a no. Councilman Pierce says they really need to move into social networking, such as Facebook. Mayor Bennett says they have legal issues with Facebook. Councilman Pierce says the new website needs to be more functional; Mayor Bennett says they need to get with Dennis Woodward. He asks Mary Mason what directions she gave Dennis for the new website. Mary Mason says asked for it to have a better look and have more information.

A citizen says there is no way to notify people who pay their water bills online instead of in the mail. Mary Mason says the people can opt out of receiving the water bill in the mail as well as the newsletter, etc. Councilman Pierce asks how many people have opted out. Mary Mason responds that eighty (80) people have. Councilman Pierce says they should make everyone do it again.

Mayor Bennett asks who is in favor of the Golf Cart Ordinance. Ruth Ryan says she is not favor of it. Billy Bates says that he brought it up originally about four or five years ago and there were a lot of people for it. Mr. Lopez motorcycles and bicycles can ride on CR 455, why not golf carts. Councilman Pierce says that's why he brought it forward. Rusty says she think it will stop the young people from driving around on the golf carts recklessly. Councilman Pierce says they will be able to enforce the law of age restrictions if they make the golf carts legal in their town. Mayor Bennett says all they have to do is put "Farm Vehicle" on the back of their golf carts or four-wheelers and it becomes legal to drive, according to the Sherriff's department. Mayor Bennett invites everyone to come to the workshop. Councilman Pierce asks Billy Bates what killed the idea when he brought it forward before. Billy Bates says they would have had to do a speed study; and if he remembers correctly they would've had to lower the speed limit. Councilman Nix says they would try to get a resolution on the subject by June. Councilman Pierce suggests talking about it for the next thirty days and setting up a workshop at the next Council Meeting.

Mayor Bennett asks the Council to come up with another convenient day for the Retreat because Anita Geraci-Carver can't make it. The Council agrees to February 1<sup>st</sup>, 2014 at 9:00 AM.

Mayor Bennett says he signed, with the Council's permission, the funding and program agreement for the Department of Economic Opportunity. He received it back, saying the original agreement they signed was not the final copy. Since the contract was originally sent, the legal department made some changes to the standard grant contract. Mayor Bennett says he read it; the only thing that was changed is that the Town is to send their audit compliance certificate to them within 60 days of the close of the recipient fiscal year. He says he is bringing it back so he can get permission to sign it again since there were changes made. Councilman Nix asks what the contract is. Mayor Bennett tells him that it's for the Town Planner to look at the Town; he says when they originally discussed it they talked about the North Shore restoration, the Town's mission statement, etc. No money comes out of the Town's pocket; it's a State of Florida charity thing.

**MOTION by Joe Wynkoop to sign the funding and program agreement for the Department of Economic Opportunity; SECONDED by Jim Pierce.**

**For: All**  
**Against: None**

**Jim Peacock:**

Councilman Peacock asks Sean Parks if he has any details about the Niagara deal. The St. John's Water Management meeting is February 11<sup>th</sup>, 2014; he feels if they don't do anything tonight they may as well not do anything at all. Sean Parks says there is nothing new that he knows of. Councilman Peacock asks if they are requesting withdrawal from the lower aquifer and Sean Parks says yes. Councilman Peacock asks Sean Parks for his opinion since he is part of the South Lake Water Initiative. Sean Parks says he thinks if Niagara is going to take the State's water, bottle it, sell it and make money, they should pay a consumption tax. He says they may want to come to the delegation meeting on January 30<sup>th</sup>, 2014 between 5:00 PM and 7:00 PM in the Tavares building where Representative Metz will be addressing water issues. Sean Parks says they would be the first to talk about a consumption tax for bottling and he'd be happy to help them write a letter.

**Appointment of Recommended Individuals to Montverde Committees.**

Mayor Bennett does recommendations for two committees and one board. The Cemetery Committee includes Ruth Ryan, Kasey Kesselring, Leslie Temmen and Tony Vaughan. The Library Committee includes Jennifer Isaacson, Lynette Phillips, Donna Saborwicz, Joanne Bradley, and Marlene Eck. The Planning and Zoning Board includes Glenn Brecheen, Jon Hopman, Skip Perry, Steve Smith, and Graham Wells. Mayor Bennett says he will bring forward the Park and Vision Committee next time; he says Billy Bates has shown some interest in that and hopefully will have about four others who will join him. The Code Enforcement Board is almost full and the Safety Committee has a lot of interested people. Mayor Bennett says once the approval for all of the lists; hopefully in February they can get all the groups together for a meeting and let them plan out their schedules. Then the Council can hand out tasks. Mayor Bennett asks for approval of the appointment of Cemetery Committee, Library Committee, and Planning and Zoning Board.

**MOTION by Jim Pierce to approve the Cemetery Committee, Library Committee, and Planning and Zoning board; SECONDED by Arthur Nix.**

**For: All**  
**Against: None**

Mayor Bennett tells the Committees that when they get together for their first meeting, they will be instructed to appoint a Chair Person and a Secretary. He says he will take a moment with everyone at the meeting to discuss with them the Sunshine Law.

Mayor Bennett says Billy Bates is going to put a softball game together. It will be the Fire Department against the Council.

## **Discussion of Draft Ordinance Prohibiting Gated Communities.**

Mayor Bennett says this subject is brought to them by President Glenn Burns and he is almost reluctant to go on with it without him being present.

**MOTION by Jim Pierce to push the subject; SECONDED by Jim Pierce**

**For: All**

**Against: None**

Mayor Bennett says the last two Resolutions are about the same subject matter, the ISBA. The June Project is a development of about 265 to 280 homes. He says if they're on their way to Orlando on Old Hwy 50, they can see about 140 homes being cleared out on the Clermont side of the Turnpike. If they look across the road to where the woods are, that's the Montverde side where 145 plus 20 homes in Orange County will be built. Mayor Bennett says the first step to making this successful was providing water and sewer. The Clermont side was easy but the ISBA prevents Clermont from crossing the Turnpike, so the solution was to provide sewer and water through a bulk sale. He says the bulk sale can be obtained by two municipalities. Oakland just got done working a global bulk sale agreement with Clermont; they wrote a resolution and got an inter-local service agreement. It enabled Montverde to create a model for Clermont to run a tap underneath the Turnpike to service the 165 homes on the Montverde side. The cost is the responsibility of the developer; \$0 of Montverde invested. Mayor Bennett says they have a model inter-local service agreement that they can now pursue that have cost elements, impact fee elements, fee structure, and responsibility involved. They can bulk sale water from Oakland and run it underneath Killarney. That inter-local service agreement will look similar to the sewer agreement with Clermont.

Mayor Bennett says they needed an engineer because they have a guy named Tony with another company who was appointed by Council to do a water study and a sewer study. Impact fees and a fee structure study need to be done now because it will let the Town know what they need to charge for those utilities. The study will be done in the next 4 to 6 weeks and then they will be able to talk about water impact fees and water rates that should be used to make the Town stable as well as possible future impact fees for sewer and those rates. Mayor Bennett says then they can take their current ordinance and create a developer's agreement that will have a fee structure of about 25% above what they would normally charge for an "in-town" resident.

Mayor Bennett says to begin the process he has to talk to Clermont and to Oakland, therefore he is presenting two resolutions to the Town tonight, one for each municipality, that basically give him permission to sit down with the aforementioned Towns and begin the process of getting an inter-local service agreements put together. He says once that part is done they will have numbers that will enable them to combine their cost numbers of the municipalities and what the bulk sale agreement will cost including the impact fees and the infrastructure combined with the retail sales of what the studies will tell them plus the information from the engineers to create a proposed financials of how much money 165 homes are going to net the Town in profit without annexing them. Mayor Bennett says they don't have a number yet but they think it will be a \$50,000 to \$100,000 profit for the Town.

Councilman Pierce asks when they are to determine other services, such as fire and trash. Mayor Bennett says they will do that through the developer's part of the agreement when they tie in with the County.

Councilman Nix says in situations like this, normally they know what their cost will be 30 years out; he wants to know if a study like that will be done. Mayor Bennett says Tony will be providing that information. Councilman Nix advises getting CPH to attend the meetings with Mayor Bennett; Mayor Bennett agrees.

**Resolution 2014-01 for the Town to Enter into Discussion with Oakland Concerning the Provision of Water Services for a Development Within the Town's 180 District by Anita Geraci-Carver.**

Mayor Bennett opens up public discussion. *Resident* asks if the land belongs to Lake County. Mayor Bennett says that they are proposing to be strictly a utility provider for the 165 homes. *Resident* asks if they are responsible for the pipes in the ground. Mayor Bennett says yes, it's part of the infrastructure of the utility complex. If something goes wrong, Montverde is responsible for preparing the pipe. Councilman Nix says they need to know that cost. Mary Mason says utility rates will take into consideration the operation and maintenance.

**MOTION by Jim Peacock to approve Resolution 2014-01.**

Vice-President Wynkoop says the inter-local service agreement is for 20 years and they are in their 3<sup>rd</sup> or 4<sup>th</sup> year; he asks what happens to the agreement when they reach the 20<sup>th</sup> year. Anita Geraci-Carver says this is a stand-alone agreement.

**SECONDED by Jim Pierce.**

**For: All**

**Against: None**

**Resolution 2014-02 – for the Town to Enter into Discussion with Clermont Concerning the Provision of Water Services for a Development Within the Town's 180 District by Anita Geraci-Carver.**

Mayor Bennett opens up public discussion and closes public discussion. He says Oakland has the model they will be following.

**MOTION by Arthur Nix to approve Resolution 2014-02; SECONDED by Jim Peacock.**

Vice-President Wynkoop asks if they are authorizing Mayor Bennett to enter into discussions with both Towns and bring it back to Council to discuss further. Mayor Bennett says he is trying to get them to give him an inter-local service agreement that he can bring back to Council for them to approve.

**For: All**

**Against: None**

**New Contract with Zeno Office Solutions for a New Copier.**

Mary Mason says the current copier has been recalled several times. They have a five year contract with Zeno and they're only 3.5 to 4 years in. They use a lot of color and currently have to pay per copy on color. A different contract has been presented that will allow them 3,000 color copies and 3,000 black and white copies. This new contract will cost them less per month; they have been averaging about \$481 and the new contract will be a flat rate of \$460 a month, unless they go over. Mayor Bennett says he told their representative, Sascha, before he signs the new contract he wants to have the new copier to use through the end of the month to make sure they like it.

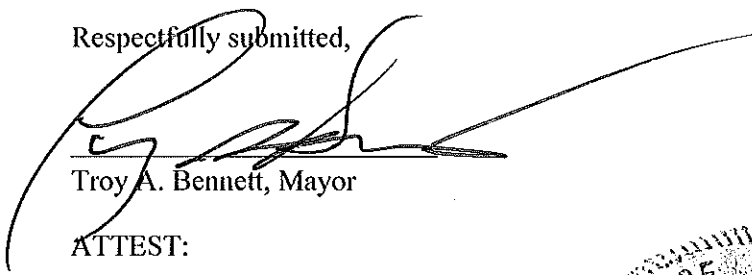
Anita Geraci-Carver says the contract says actually says 1,000 color copies; it needs to be amended. Mary Mason says she thinks it might be a typographical error.

Councilman Pierce asks the value of their contract; \$481dollars x 12 months = \$5772.00. He asks if they have any competitor bids on 3,000 color copies and 3,000 black and white copies. Mayor Bennett says he thinks they have a lot. Councilman Pierce says he thinks a 63 month commitment is pretty major. All service chargers and toner, etc. are included in the price. Councilman Nix asks what make the copier is; Councilman Pierce says it's a Cannon. Councilman Pierce what \$462 x 63 month equals; it equals \$29,106 for five years. He asks why they can't go one more year with what they currently have. Mary Mason says because they are paying a lot of money in overages for color copies. Councilman Pierce wants to know if they can ask him for a three year deal instead of a five year deal; he doesn't like the idea of agreeing to a \$29,106 deal without anything to compare it to. He offers to call Sascha and talk to him. Mayor Bennett says they will push the subject until February.

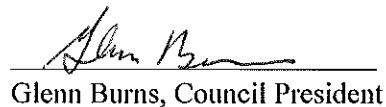
**ADJOURN**

**Motion to adjourn by Joe Wynkoop; SECONDED by Jim Peacock at 9:17 PM. Passed unanimously.**

Respectfully submitted,

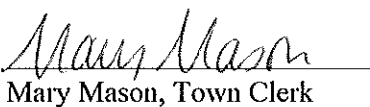


Troy A. Bennett, Mayor



Glenn Burns, Council President

ATTEST:



Mary Mason, Town Clerk

