

**MONTVERDE TOWN COUNCIL  
REGULAR MEETING MINUTES  
AUGUST 8, 2023, AT 7:00 P.M.**

**TOWN COUNCIL MEMBERS PRESENT AT MEETING**

Joe Wynkoop, Mayor  
Allan Hartle, Vice Mayor  
Billy Bates, Councilmember  
Jim Ley, Councilmember  
Jim Peacock, Councilmember

**STAFF PRESENT AT MEETING**

Paul Larino, Town Manager  
Anita Geraci-Carver, Town Attorney  
Lisa Busto, Associate Planner  
Sandra Johnson, Town Clerk

**CALL TO ORDER AND OPENING CEREMONIES**

- Pledge of Allegiance
- Invocation
- Roll Call

**PRESENTATION AND ADMINISTRATIVE MATTERS**

Proclamation for Daughters of the American Revolution for celebrating Constitution Week.

**CITIZENS QUESTION/COMMENT PERIOD**

Banks Helfrich 9100 Sams Road, Clermont FL, is a sustainable farmer has tours on Saturdays.

Bob Tomlinson, 16634 Magnolia Terrace, asked is Ridgewood is complete.

Paul explained they are working to get sidewalks and there will be crosswalks added at Magnolia Terrace.

Sophie Adeline 15703 Vista Verde trash pick up is not reliable.

Town Manager stated he would pass this onto the County, but she is not in the Town limits.

Jane Tomlinson, 16634 Magnolia Terrace wants to give recognition to Green Mountain Scenic By Way for the 1.3 million dollar grant they just received.

Mike Whidden, 17635 Broad St., Truskett Park looks really good but some of the wood walk way rails need to attention.

**DEPARTMENT & COMMITTEE REPORTS**

Town Manager Larino’s Report. Working with Lake County to finalize the JPA hopefully will have it for the September meeting. We will be having our budget hearings in September. appreciates all the hard work his staff has been doing. Public Works is organizing the back lot area. Got our new Public Works vehicle – put into service today. Would like permission to lower the price for the Boom Truck. It is worth about \$27,000 but the tires are shot, would like to list it at \$24,000. Councilmember Bates moved to approve the price of \$24,000. Vice Mayor Hartle seconded. Approved the price of \$24,000 5-0.

Town Attorney Geraci-Carver Report.

Annual Performance evaluation for Town Manager, is due September 12<sup>th</sup> meeting. I will have these out to the Council by the end of this month.

Town Planner Parks Report.

Lisa Busto gave update for Town Planner.

Usual amount of zoning clearance, single family homes, fences and pools. Working on conceptual plans for future.

Lake County Commission Report. None

Fire Department Report

David Kipper Lake County Fire Chief gave an update on the department. Introduced Jennifer Barker the new County Manager.

Town Councill Reports

Councilmember Bates had no report.

Vice Mayor Hartle had no report.

Councilmember Ley no report.

Councilmember Peacock no report

Mayor Wynkoop Report no report

**JULY FINANCE REPORT**

Beginning Bank Balance	\$ 4,683,973.72
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Revenues	\$ 657,695.29
Expenditures	\$ 408,435.96
Ending Balance	<u>\$ 4,933,233.05</u>
Grant Clearing Account	\$ 5,872,965.47
Total Bank Balance	\$ 10,654,171.47

Vice Mayor Hartle stated this was a first, having \$10,000,000 in the bank.

**CONSENT AGENDA**

*The Council may take one vote to act on all items on the Consent Agenda or remove items for further discussion. If any member of the public desires to speak about an item on the consent agenda, you will need to step forward to the microphone and request that the item be pulled from the consent agenda before the town council votes to approve.*

Minutes of the Town Council Regular Meeting held July 11, 2023.

Minutes of the Town Council Special Meeting/Workshop held July 18, 2023.

**Ordinance No. 2023-33** An Ordinance of the Town of Montverde, Florida, amending Chapter 5 of the Town of Montverde Code of Ordinances to include Article III titled unfit and unsafe buildings; including definitions, reporting or observance of violations, identifying an inappropriate or unsafe structure, disposition of unfit structures, determination of owner and manner of serving notice, process for violations and an appeal procedure; providing for liens, emergency action and penalties; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date. **(Second Reading)**

No one from the public wished to speak.

Councilmember Ley moved to approve the consent agenda. Vice Mayor Hartle seconded. Consent Agenda items approved 5-0.

**DISCUSSION AND ACTION ITEM**

Discussion on NPDES Permitting Maryann Krisovitch with Surface Water Professionals gave a presentation on stormwater and the need to preserve our waterways.

Discussion on the Fiscal Year 2023-2024 Budget

Discussion on Stormwater Projects

## PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

*Mayor Wynkoop asked to have this Resolution moved item to front of this section. All Council was in agreement.*

**Resolution No. 2023-69** A Resolution of the Town Council of the Town of Montverde, Florida approving the First Amendment to Interlocal Agreement for fire protection and rescue services between Lake County, Florida and the Town of Montverde; providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Mayor Wynkoop stated this is our interlocal with the county regarding fire protection and rescue services.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Resolution.  
Mayor Wynkoop closed the public hearing.

Councilmember Ley moved to approve Resolution No. 2023-69. Vice Mayor Hartle seconded. Resolution No. 2023-69 approved 5-0.

*Town Attorney Geraci-Carver asked to move this item, all Council agreed.*

**Resolution No. 2023-63** A Resolution of the Town Council of the Town of Montverde Florida, granting final plat approval for Willow Ridge Phase 2 consisting of 126 lots located on Blackstill Lake Road and Fosgate Road within the Town of Montverde, Lake County, Florida; providing for conditions, and providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Mayor Wynkoop stated this is the Phase II plat approval for Willow Ridge.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Resolution.  
Mayor Wynkoop closed the public hearing.

Councilmember Peacock asked the results of the issues with the stormwater.

Town Manager Larino explained the issues, fines and what the Magistrate ordered and what is being done to prevent it in the future. He noted that some of the issue is being caused by the Turnpike construction and the state has been made aware of that.

Vice Mayor Hartle moved to approve Resolution No. 2023-63. Councilmember Peacock seconded. Resolution No. 2023-63 approved 5-0.

**Resolution No. 2023-62** A Resolution of the Town Council of the Town of Montverde, Florida, granting a variance from Section 10-52(e) in Chapter 10 of the Montverde Land Development Code from the minimum lot width at building to allow a minimum lot width at building of 84' rather than the required 90' minimum lot width at building required in R1M zoning for the real property located at 17129 Lakeside Drive, Montverde, Florida, owned by Sarah Soltis and Justin Moorefield; providing for conditions; and providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Mayor Wynkoop stated this variance was heard at the last P&Z Meeting.

Councilmember Ley asked how many lots do we have in town like this?

Town Manager stated that he was not sure.

Town Manager stated that the P&Z came forward with unanimous decision to accept the variance.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Resolution.  
Mayor Wynkoop closed the public hearing.

Councilmember Bates moved to approve Resolution No. 2023-62. Councilmember Ley seconded. Resolution No. 2023-62 approved 5-0.

**Ordinance No. 2023-34** An Ordinance of the Town of Montverde, Florida amending zoning regulations in Chapter 8 of the Town of Montverde Land Development Code to include a declaration of Unity of Title process for the combination of real property within the Town of Montverde; providing for the repeal of ordinances in conflict herewith; providing for codification and severability, and providing for an effective date. **(First Reading)**

Town Attorney Geraci-Carver read the Ordinance by title only.

Town Manager Larino explained the reason for the Ordinance.

Councilmember Bates asked if this would be a problem with the public hearing process.

Town Attorney Geraci-Carver said it would not.

Mayor Wynkoop asked why the County doesn't allow them to split the lot after a Unity.

Town Planning Associate Busto read a portion of the form that states it can't split after a Unity.

Mayor Wynkoop opened the public hearing.

John Arellano, CR 455 stated, with the lot split, why worry about that a lot split has to go to the P&Z Board and the Council.

Mayor Wynkoop closed the public hearing.

Town Attorney Geraci-Carver will look into why the County doesn't allow them to split after a Unity.

Councilmember Ley said he likes the fact that they can't be split after they have a Unity.

Mayor Wynkoop moved to approve Ordinance No. 2023-34. Councilmember Bates seconded. Ordinance No. 2023-34 approved 5-0.

**Ordinance No. 2023-35** An Ordinance of the Town of Montverde, Florida, Amending Article VI in Chapter 2 of the Town of Montverde Code of Ordinances to impose a pass-through convenience surcharge usage fee; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date. **(First Reading)**

Town Attorney Geraci-Carver read the Ordinance by title only.

Mayor Wynkoop stated this is because we have to pay for the credit card fee and we need to add a fee for this on everything but utility customers.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Ordinance.  
Mayor Wynkoop closed the public hearing.

Councilmember Ley moved to approve Ordinance No. 2023-35. Councilmember Peacock seconded. Ordinance No. 2023-35 approved 5-0.

**Ordinance No. 2023-36** An Ordinance of the Town Council of the Town of Montverde, Florida, adopting amendment to Interlocal Service Boundary Agreement; and providing for an effective date.

Town Attorney Geraci-Carver read the Ordinance by title only.

Mayor Wynkoop explained the Ordinance and the Interlocal Service Boundary Agreement. This would extend the agreement for an additional 13 years. Ferndale area can only be developed for 1 home per 5 acres.

Mayor Wynkoop stated that all the cities in this agreement have to sign this agreement. I think this has a good chance to pass this, because it is an additional 13 years for a total of 20 years.

Mayor Wynkoop opened the public hearing.

No one spoke in favor of or against the Ordinance.  
Mayor Wynkoop closed the public hearing.

Town Attorney Geraci-Carver we will amend to make the language clearer.

Mayor Wynkoop moved to approve Ordinance No. 2023-36. Councilmember Bates seconded. Ordinance No. 2023-36 approved 5-0.

**Resolution No. 2023-70** A Resolution of the Town Council of the Town of Montverde, Florida, authorizing the Town Manager and Town Attorney to bid at the foreclosure sale to be held in Lake County Case No. 35-2022-CA-000162; authorizing the bid amount to equal the amount set forth in the final judgement of foreclosure; an providing for an effective date.

Town Attorney Geraci-Carver read Resolution by title only.

Mayor Wynkoop explained the reason for the foreclosure on the Santana property, and the length of time we have had to get to this point. This is on a property she owns in Minneola because her property in Montverde is homestead and the law states if they have property in the same county that is not homestead the foreclosure goes to that property.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Resolution.  
Mayor Wynkoop closed the public hearing.

Councilmember Peacock asked if anyone was living in this house.

Mayor Wynkoop said no, they are trying to sell it.

Councilmember Ley moved to approve Resolution No. 2023-70. Councilmember Peacock seconded. Resolution No. 2023-70 approved 5-0.

**Resolution No. 2023-71** A Resolution of the Town of Montverde, Lake County , Florida, approving State Revolving Fund Amendment 2 to loan agreement DW351300 between the State of Florida Department of Environmental Protection and the Town of Montverde Florida, to reschedule load repayment activities to allow the town additional time to complete planning and design activities to allow the town additional time to complete planning and design activities for Drinking Water Capital Projects designated as Project DW351300; designating authorized representatives; providing for conflicts, severability, and effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Town Manager Larino explained this is to allow additional time to start loan payment for the work on the Water Improvements that are covered under the State Revolving Fund

loan. This is a loan that is usually loan forgiveness of 50% or more, deferring this until February 2024.

Mayor Wynkoop opened the public hearing.  
No one spoke in favor of or against the Resolution.  
Mayor Wynkoop closed the public hearing.

Councilmember Bates moved to approve Resolution No. 2023-71. Vice Mayor Hartle seconded. Resolution No. 2023-71 approved 5-0.

**Resolution No. 2023-73** A Resolution of the Town Council of the Town of Montverde, Florida, authorizing the Town Manager to hire a temporary, part time employee to serve as the Project Manager for the construction of the library in lieu of a Construction Manager with guarantee maximum price; repealing Resolution No. 2023-68; and providing for an effective date.

Town Attorney Geraci-Carver read the Resolution by title only.

Town Manager Larino explained that during negotiations with AD Morgan the cost of having the contract manager at risk is going to be too much. If we do it in house will cost around \$150,000. This would include the manager, our architect looking over the project and have the building official make additional inspections.

Mayor Wynkoop said this is a good way to save some money.

Councilmember Peacock stated if it is done correctly, it can work. We have limited options. You need to have your eyes on the project. I would be happy to stop in occasionally to keep another set of eyes on it.

Mayor Wynkoop opened the public hearing.  
Sam Davidson, 11725 Palm View Dr., this is a good way to keep your eyes on it.  
Mayor Wynkoop closed the public hearing.

Councilmember Bates moved to approve Resolution No. 2023-73. Vice Mayor Hartle seconded. Resolution No. 2023-73 approved 5-0.

## **REMINDERS AND ADJOURNMENT**

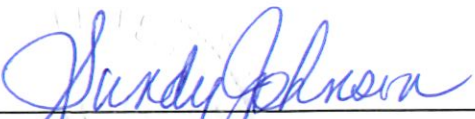
Councilmember Peacock moved to adjourn. Vice Mayor Hartle seconded.

Meeting adjourned at 9:12 p.m.



  
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Joe Wynkoop, Mayor

Attest:

  
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Sandy Johnson, Town Clerk