



- **MONTVERDE**
- **TOWN COUNCIL**
- **REGULAR MEETING**
- **AUGUST 8, 2023**

## **CALL TO ORDER AND OPENING CEREMONIES**

- **Pledge of Allegiance**
- **Invocation**
- **Roll Call**

## PRESENTATION AND ADMINISTRATIVE MATTERS

### Proclamation for Constitution Week

# PROCLAMATION

WHEREAS, September 17, 2023, marks two hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

**NOW, THEREFORE**, I, Joe Wynkoop, Mayor of the Town of Montverde in the State of Florida, do hereby proclaim September 17 through 23, 2023 be

## CONSTITUTION WEEK

In Montverde, Florida and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Great Seal of the Town of Montverde to be affixed this 8<sup>TH</sup> Day of August in the year two thousand twenty-two.

# Citizens question/comment period.

The Town Council invites the public to come forward with questions, comments, and concerns. Action will not be taken by the Council at this meeting, but questions may be answered by Staff or issues may be referred for appropriate Staff action. If further action is necessary, the item may be placed on a future agenda for further review and consideration.

# Department and Committee Reports

Town Manager Larino

Town Attorney Geraci-Carver

2023 Summary of New Laws

Summary of Chapter 2023-169 BMAP

Summary of Chapter 2023-17 affordable housing

Town Planner Parks

Lake County Commissioner

Town Council

Mayor

# JULY FINANCE REPORT

<b>Beginning Bank Balance</b>	\$ 4,683,973.72
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

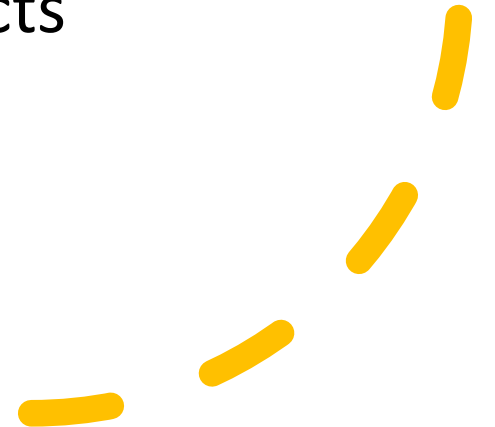
# Consent Agenda

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- **Minutes of the Town Council Regular Meeting held July 11, 2023**
- **Minutes of the Town Council Workshop held July 18, 2023**
- **Ordinance 2023-33** An Ordinance of the Town of Montverde Florida amending Chapter 5 of the Town of Montverde Land Development Code to include Article III titled unfit and unsafe buildings; including definitions, reporting or observance of violations, identifying an unfit 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)**

## DISCUSSION AND ACTION ITEMS

- Discussion on NPDES Permitting
- Discussion on the Fiscal Year 2023-2024 Budget
- Discussion on Stormwater Projects

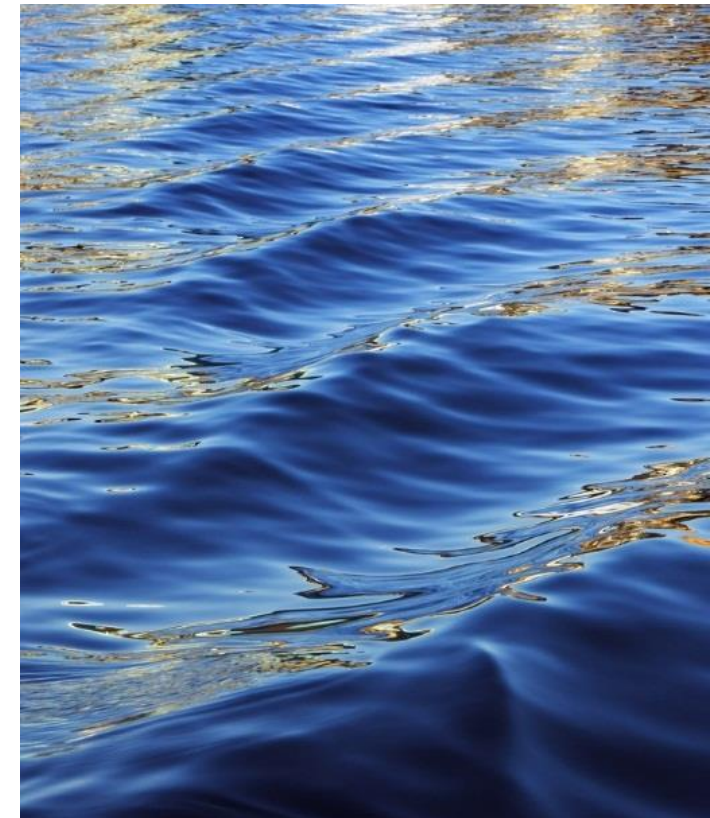






# NPDES & Clean Waterways Act Requirements Update

Town of Montverde August 8, 2023  
Maryann Krisovitch, NPDES Specialist



# What is NPDES?

- National Pollutant Discharge Elimination System
- Regulates discharges from MS<sub>4</sub>s, construction & industrial sites
- MS<sub>4</sub> = Multiple Separate Storm Sewer System
- Statutorily required by F.S. 403.0885 & 62-621.300
- Requires the Town to
  - Reduce discharges to maximum extent practicable
  - Protect water quality
  - Satisfy water quality requirements of the Federal Clean Water Act (different than the State Clean Waterways Act, Senate Bill 712)

# Montverde's Permit

- Town is a Phase II MS<sub>4</sub> permittee
- NPDES Permit is for five years
  - April 7, 2020 to April 6, 2025
  - Town is in Year 4, (a reporting year) April 7, 2023 to April 6, 2024
  - Report and new permit request will be due by October 6, 2024
- Permit has six minimum control measures
  - Public Education
  - Public Outreach
  - Illicit Discharge Detection & Elimination
  - Construction Site Stormwater Runoff Control
  - Post-construction Stormwater Management in New Development and Redevelopment
  - Pollution Prevention/Good Housekeeping for Municipal Operations
- Also requires activities to address TMDLs (Total Maximum Daily Loads)

# Other Reporting Requirements



- Office of Economic & Demographic Research
  - Section 403.9301 & 403.9302 F.S. (Chapter 2021-194)
  - Municipalities must develop a 20-year needs analysis every five years
  - Montverde submitted this via Lake County last July 31, 2022
- HB 1379 (2023)
  - Requires any municipality within a BMAP (Basin Mgmt Action Plan) to include in capital improvement of comp plan a list of projects to achieve load reductions
  - Must address treatment or upgrading of wastewater treatment plants & prioritize advanced waste treatment
  - **Town's Comp Plan must be updated by July 1, 2024** and as needed thereafter
  - Lots of one acre or less – prohibition of new conventional OSTDS (onsite sewage treatment and disposal systems AKA septic systems)
  - Sewage disposal facilities prohibited from discharging to any waterbody not meeting its TMDL

# Clean Waterways Act

- Senate Bill 712 (2020) Subparagraph 403.067(7)(a)9
- Promotes resilient wastewater infrastructure & utilities
- Includes water quality protections to be taken by municipalities to reduce impact of nutrient pollution sources on waterways by strengthening BMAP requirements
- Local governments (counties and municipalities) within a BMAP must develop a wastewater treatment plan and/or an OSTDS remediation plan if the Florida Department of Environmental Protection (FDEP) identifies domestic wastewater treatment facilities or OSTDS as contributors of at least 20% of point source or nonpoint source nutrient pollution or if the department determines remediation is necessary to achieve the TMDL
- Montverde is located within the Upper Ocklawaha River Basin BMAP and the Lake Apopka sub-basin both with TMDLs for Total Phosphorus (TP)

# Clean Waterways Act

- **Developing strategies:**

- Where allocations have not already been identified, they will be calculated as part of the BMAP updates due by July 1, 2025

- **Available funding:**

- Springs Grants (may be poss. due to Lake Apopka's spring)
- Water Quality Improvement Grants including septic to sewer, WWTP improvements, OSTDS retrofits to nutrient-reducing OSTDS
- 319 Grants Federal grants for construction, education and monitoring. Projects could include water quality improvement/restoration, groundwater protection. Septic to sewer connections

- **Next steps:**

- **February 1, 2024** – deadline for submitting draft OSTDS remediation and/or wastewater treatment plans to FDEP
- **August 1, 2024** – deadline to submit complete OSTDS and/or wastewater treatment plans to FDEP



Thank you for your  
time!

# NPDES & Clean Waterways Act Requirements Update

Town of Montverde August 8, 2023  
Maryann Krisovitch, NPDES Specialist  
Maryann@SurfaceWaterPros.com  
352-434-5025



# DISCUSSION AND ACTION ITEMS

- Discussion on NPDES Permitting
- Discussion on the Fiscal Year 2023-2024 Budget
- Discussion on Stormwater Projects





**PUBLIC HEARINGS, ORDINANCE AND  
RESOLUTIONS**



# Resolution 2023-62

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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.

**In order to authorize a variance, the committee must find:**

- (1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Such onsite conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;
- (2) That the special conditions and circumstances do not result from the actions of the applicant;
- (3) That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant;
- (4) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- (5) That the grant of the variance will be in harmony with the general intent and purpose of this LDC and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (6) The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

# Ordinance No. 2023-34

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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)**

# Ordinance No. 2023-35

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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)**

# **Ordinance No. 2023-36**

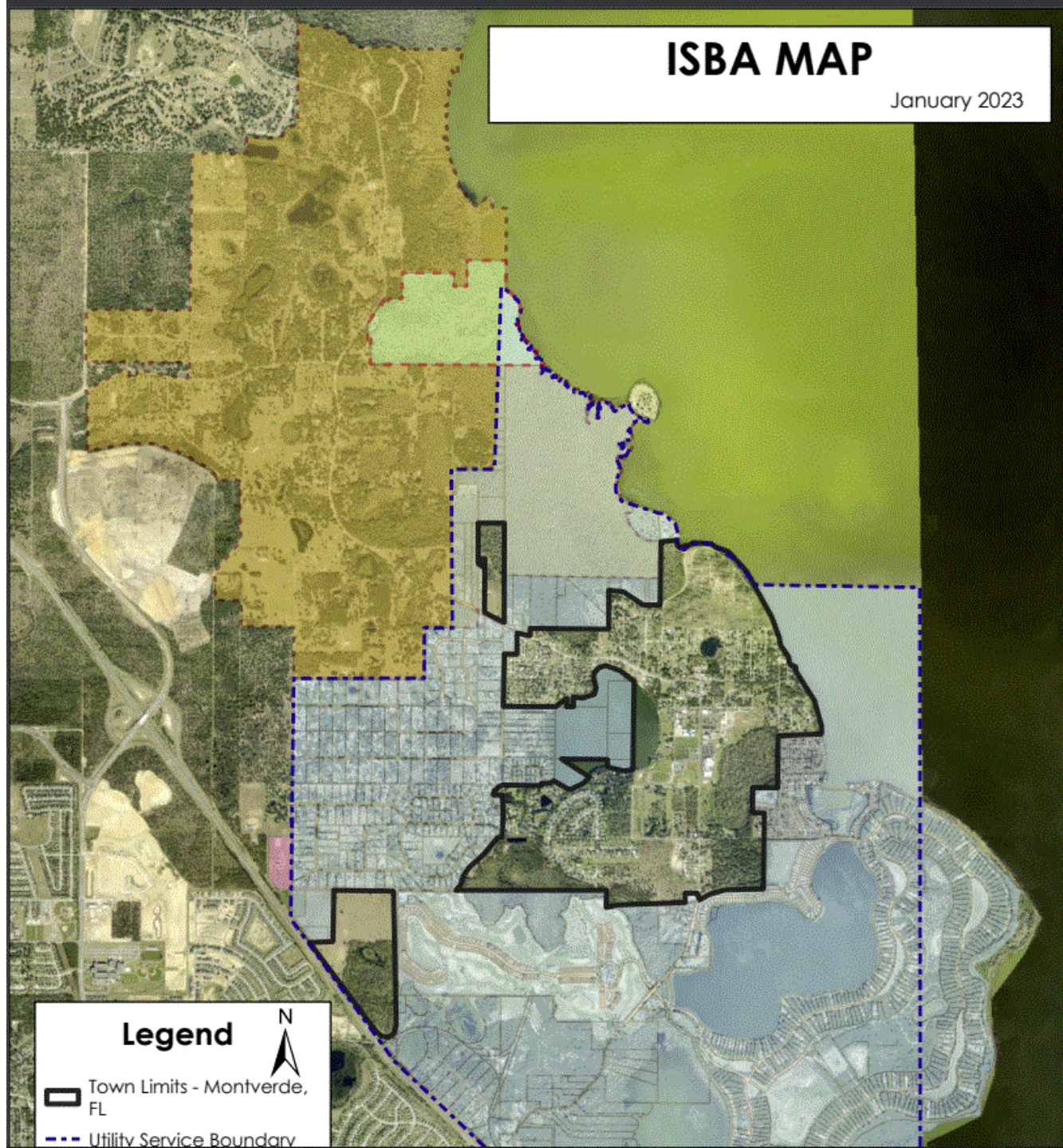
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An Ordinance of the Town Council of the Town of Montverde, Florida, adopting amendment to Interlocal Service Boundary Agreement; and providing for an effective date.




# ISBA MAP

January 2023



## Legend



 Town Limits - Montverde, FL

 Utility Service Boundary

# Resolution 2023-69

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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.



# Resolution 2023-63

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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.

# WILLOW RIDGE PHASE 2

REPLAT OF TRACT FD-1, WILLOW RIDGE, AS RECORDED IN PLAT BOOK 78, PAGES 70 THROUGH 75  
OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN  
SECTION 10, TOWNSHIP 22 SOUTH, RANGE 26 EAST,  
TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA

SHEET 2 OF 6

PLAT BOOK \_\_\_\_ PAGE \_\_\_\_



# Resolution 2023-70

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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-CCA-000162; authorizing the bid amount to equal the amount set forth in the final judgement of foreclosure; and providing for an effective date.

## Enforcement Actions

<b>12/03/2018</b>	Hearing with Special Magistrate for code violations.
<b>08/08/2019</b>	Order of Enforcement, finding of facts from Special Magistrate
<b>12/18/2019</b>	Order of Fine from Special Magistrate
<b>7/28/2021</b>	Order of Foreclosure from Special Magistrate
<b>11/20/22</b>	Order of Final Judgement
<b>7/6/23</b>	Final Judgement
<b>9/12/2023</b>	Public Sale of Property

# Resolution 2023-71

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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.

# Resolution 2023-73

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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.



Thank You for Attending

Town of Montverde Council  
Meeting