

**MONTVERDE TOWN COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 14, 2023**

COUNCIL MEMBERS PRESENT

Joe Wynkoop, Mayor

Allan Hartle, Vice Mayor

Judy Smith, Councilmember

COUNCIL MEMBERS NOT PRESENT

Jim Ley, Councilmember

Billy Bates, Councilmember

STAFF PRESENT

Paul Larino, Town Manager

Anita Geraci-Carver, Town Attorney

Sandra Johnson, Town Clerk

CALL TO ORDER AND OPENING CEREMONIES

Audience Attendance 26

PRESENTATION AND ADMINISTRATIVE MATTERS

Appointment to MPO

Mayor Wynkoop moved to appoint Councilmember Ley to the board and the Mayor will serve as the alternate. Councilmember Hartle seconded. Approved 5-0

Appointment of Leslie Temmen to Lake County Library Advisory Board. Mayor Wynkoop moved to approve. Councilmember Ley seconded. Approved 5-0.

Appointment of Jane Tomlinson to Alternate Lake Library Advisory Board. Mayor Wynkoop moved to approve. Vice Mayor Hartle seconded. Approved 5-0.

MINUTES APPROVAL

Minutes of the Town Council Regular Meeting held January 10, 2023. Councilmember Bates moved to approve. Councilmember Smith seconded. Approved 5-0.

Minutes of the Town Council Special Meeting held January 25, 2023. Councilmember Ley stated on page 4 the date of the boy's scout event is March 9th, not the 10th. Councilmember Bates stated on page 2 it states *If they don't meet all six of these conditions you should approve, if you find all but one of the conditions is met, it should result in the variance being denied.* This should read **SHOULDN'T**. Councilmember Bates moved to approve as amended. Vice Mayor Hartle seconded. Approved 5-0.

CITIZENS QUESTION/COMMENT PERIOD

Matthew Bauman wants the agenda packet on the web page.

Town Manager Larino explained that the packets can be very large and we don't have the capacity to place these on with ADA compatibility so our webmaster has to review and place on the web. We are looking to upgrade our server.

Banks Helfrich, Sam's Lake Road, Clermont in the business of service. Farmer of community farm tours 2nd sat of every month tour 90 minutes. Open to everyone.

DEPARTMENT & COMMITTEE REPORTS

Town Manager Larino's Report.

Effective March 15th thru April the Community Building will be closed for repairs. We will be raising the kitchen and redoing all the floors.

Update on the Florida Highway Patrols, traffic stops, tickets and arrests.

We are going to do a new survey of the cemetery which will add the new plots to the area where the fence was moved out.

New phones VoIP are in service now.

Broadband is connected and running.

Town server is outdated. We are going to update with new firewall and 500 mg compatibility. 500megs.

New Software for meter reading. Looking at those capable of integrating with two meters.

Sewer workshop on February 28th

March 2nd is the variance and a few other items.

Councilmember Ley asked if the utility pole replacement going on is close to being complete.

Town Manager, I believe so, but Duke has had no communication with me.

Town Attorney Geraci-Carver Report.

New ruling from the Courts when you continue an item on the agenda to a specific date, you will have to re-advertise. You can table without at date but will have to advertise the new date.

Santana foreclosure was up held, we are waiting on the court to issue order and then we will complete the foreclosure.

We have issued an order of foreclosure on the Delisle property. He has ninety days to come into compliance, if the doesn't we will move forward with foreclosure.

Town Planner Parks Report. Not Present

Lake County Commission Report. Not Present

Committee Reports

None

Town Council Reports.

Councilmember Bates stated that the utility pole workers are leaving trash behind where they are working.

Town Manager Larino said we have talked to our Duke rep, they came out within an hour to clean up mess. If there are additional issues, let me know.

Councilmember Smith no report

Vice Mayor Hartle was at a security conference, and they informed us about internet scams that are happening in the area to seniors. Please make everyone aware to be careful about giving information over the phone, internet, etc.

Hartle at security conference, scams about internet service

Councilmember Ley no report

Mayor Wynkoop Report.

Would like a stormwater update on a regular basis.

We have invited the Town of Minneola to attend our March meeting. They did a presentation at a meeting Paul and I attended. The development that they are planning is shocking. I want all of you to see what they plan on doing.

JANUARY FINANCE REPORT

Beginning Bank Balance	\$ 3,580,390.94
Revenues	\$ 745,670.02
Expenditures	\$ 240,039.02
Ending Balance	<u>\$ 4,086,021.94</u>
Grant Clearing Account	\$ 4,854,430.94
Total Bank Balance	\$ 8,934,353.03

DISCUSSION AND ACTION ITEM

Sports Courts

Town Manager Larino gave a brief presentation about the sports courts discussed with Council last month. He would like the approval to start moving forward with the project. We can earmark the money from the sale of a portion of the Stecher property and Park and Rec Impact fees that are available. It will be an estimated \$250,000 - \$300,000 project.

There was discussion as to whether the Council prefers one basketball court or two.

Mayor Wynkoop moved to approve the design with one basketball court. Motion fails for lack of a second.

There was brief discussion.

Councilmember Bates moved to approve the design with two basketball courts. Vice Mayor Hartle second. Motion approved 4-1 (Mayor Wynkoop voted nay)

Town Manager Larino said he would draw up two versions of parking.

Discussion on road closures

Town Manager Larino explained his suggestion on closing Fifth Street and Division Street. Using Fifth for parking at the sports court.

There was brief discussion.

Discussion of FEMA reimbursement

Town Manager Larino gave a summary of the reimbursement the Town has requested from FEMA. This will come in as budget amendment. He would like to put \$15,000 in equipment replacement. FEMA will pay the comp time out and \$46,000 to Public Works to even their budget out.

Town Attorney stated that reimbursing the Town Manager is allowed by FEMA. It doesn't set a precedence.

Mayor Wynkoop would like a monthly review of comp time for Paul.

There was brief discussion.

Vice Mayor Hartle moved to approve the FEMA reimbursement. Councilmember Bates seconded. Motion approved 4 – 1 (Councilmember Ley voted nay) Roll call vote: Councilmember Smith Yes, Vice Mayor Hartle Yes, Councilmember Ley No, Councilmember Bates Yes, Mayor Wynkoop Yes.

Discussion of International Property Maintenance – Staff Report

This is the property maintenance code that we talked about in previous workshops. You felt that it was a little too broad, so he went through it and made those changes. I have asked that you table this ordinance so that the Town Attorney can make those changes.

There was brief discussion regarding the changes that have been made after the last meeting.

Opened to the public. No one spoke in favor or opposition of the code.

Tabled until March 14, 2023– Ordinance 2022-23.

Review of town grants tracking

Mayor Wynkoop said this is the tracking system in place for grant money that we have received. We will trigger annual audits for these grants, and this will keep everything in one place.

Councilmember asked how are you going to furnish the library.

Town Manager stated that he does believe we will have grants to furnish.

Review of active code enforcement cases

Town Manager Larino gave a summary of the opened code enforcement cases and let the council know he had

Discussion on trails and sidewalks

Town Manager Larino explained that he is working on grants to improve the sidewalks and connect the trail system in the town. He is looking into grants to pay for these improvements.

There was brief discussion.

Review of JPA

Town Manager Larino updated the status of the JPA agreement the town is working on with area cities and towns in the 180 area. We want the same design and lot sizes in this area. Joint review of development in this area. Town take more control over the right of way. Turnover Ridgewood and 455 – the county would be responsible for the paving, draining and maintenance, we would take care of the maintenance of the right of way.

Mayor Wynkoop stated that he has invited Minneola to the next meeting to give a presentation about the growth they are expecting. Town Manager Larino and he were at a meeting where they gave this presentation and he feels the council should see this so they understand how important these agreements are.

Council agreed with the language in this agreement.

Review of ISBA

Town Manager Larino said that he is asking for a 50 year extension. The Ferndale protection area one home per 5 acres, extending the current deadline date to 2050. Minneola is going to be the no vote. We are just asking to extend.

PUBLIC HEARINGS, ORDINANCE AND RESOLUTIONS

Ordinance No. 2022-21 An Ordinance of the Town Council of the Town of Montverde, Lake County, Florida, amending the Town of Montverde’s comprehensive plan pursuant to 163.3184, Florida Statutes, by amending the comprehensive land-use plan designation from Lake County Agriculture to Town of Montverde Single Family Low Density Residential on the future land-use map for the herein described property; providing for severability and scrivener’s errors; the directing the Town Manager to amend said comprehensive plan; repealing all ordinances in conflict herewith; providing for the forwarding of this ordinance to the State of Florida Department of Economic Opportunity; and providing for an effective date.

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

Town Manager Larino stated the applicant has requested this be tabled to March 14, 2023.

Mayor Wynkoop moved to table Ordinance 2022-21. Councilmember Ley seconded. Ordinance 2022-21 tabled 5-0.

Ordinance No. 2022-23 An Ordinance of the Town of Montverde, Florida, creating Article III in Chapter 5 of the Town of Montverde Code of Ordinances to adopt the 2021 Edition of the International Property Maintenance Code; providing certain amendments thereto to conform to Florida law and the town’s existing Code of Ordinances by providing for the creation of a code official; defining weeds and prohibiting noxious weeds; supplementing provisions relating to interior surfaces, protective treatment, roofs and drainage, and boarding standards; and removing provisions for a board of appeals as set forth in the 2021 Edition of the International Property Maintenance Code; providing for codification and severability; providing for the repeal of ordinances in conflict herewith; and providing for an effective date.

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

Town Manager Larino stated staff has requested to table until March 14, 2023.

Mayor Wynkoop moved to table Ordinance 2022-23. Councilmember Smith seconded. Ordinance 2022-23 tabled 5-0.

Ordinance No. 2023-24 An Ordinance of the Town of Montverde Florida, amending Sections 6-7 and 6-8 in Chapter 6 of the Code of Ordinances relating to the cemetery to require renewal of a certificate of reservation every five years commencing in 2025 rather than requiring renewal annually; declaring certificates of reservation existing as of December 20, 2022 valid through March 14, 2025; providing for the repeal of ordinances in conflict herewith; providing for codification and severability, and providing for an effective date.

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

Town Manager Larino explained this is an ordinance to change the renewal notice for the cemetery from every year to every five years commencing 2025.

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

There was brief discussion.

Councilmember Ley moved to approve Ordinance 2023-24. Councilmember Smith seconded. Ordinance 2023-24 approved 5-0.

Resolution No. 2023-41 A Resolution of the Town Council of the Town of Montverde Florida, designating certain town property (Exhibit A) as surplus property; authorizing the Town Manager to dispose of said personal property; or approving donation as allowed by law; authorizing the Town Manager, and/or Town Clerk to execute any necessary documents to carry out the intent of this Resolution; providing for an effective date.

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

Town Manager Larino this is a list of surplus property we would like to dispose of and this will give me the authority to dispose/trade in of in accordance with the town's policies and state statute.

There was discussion regarding the 2021 truck and why we would trade that in.

Town Attorney Geraci-Carver said that you are allowed to donate to another community or auction.

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

Councilmember Ley stated that he agreed with everything but the 2021 truck.

Mayor Wynkoop moved to approve Resolution 2023-41 with the following amendment: keep the 2021 truck and do not sell the other equipment for less than 10% of the estimate given on the attachment. Councilmember Ley seconded. Resolution 2023-41 approved 4-1 with Vice Mayor Hartle voting nay.

Resolution No. 2023-42 A Resolution of the Town of Montverde, County of Lake, State of Florida adopting the Town of Montverde 5-year Capital Improvement Program; providing for an effective date.

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

Town Manager Larino explained this is updating our 5-year Capital Improvement plan and went through the different projects.

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

Mayor Wynkoop moved to table Resolution 2023-42 to March meeting. Councilmember Bates seconded. Resolution 2023-42 tabled 5-0.

Resolution No. 2023-45 A Resolution of the Town Council of the Town of Montverde, Florida approving the federally – funded sub-award and grant agreement for DR-4673 Hurricane Ian, agreement number Z3251, between the Town of Montverde and the State of Florida Division of Emergency Management to provide funding for disaster recovery from Hurricane Ian; authorizing the Town Manager to execute the agreement and attachments thereto; providing for an effective date.

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

Town Manager Larino said this is part of the State FEMA project.

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

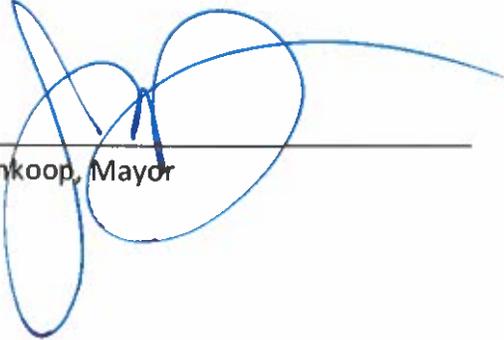
There was brief discussion.

Councilmember Bates moved to approve Resolution 2023-45. Vice Mayor Hartle seconded. Resolution 2023-42 approved 5-0

REMINDERS AND ADJOURNMENT

Town Manager Larino gave an update on the next several meetings.

Mayor Wynkoop moved to adjourn. Councilmember Smith seconded. Meeting adjourned at 9:23 p.m.



Joe Wynkoop, Mayor

Attest:



Sandy Johnson, Town Clerk