

**MONTVERDE TOWN COUNCIL  
SPECIAL MEETING MINUTES  
MARCH 2, 2023, AT 6:30 P.M.**

**TOWN COUNCIL MEMBERS**

Joe Wynkoop, Mayor  
Jim Ley, Councilmember  
Allan Hartle, Vice Mayor  
Judy Smith, Councilmember

**TOWN COUNCIL MEMBERS ABSENT**

Billy Bates, Councilmember

**STAFF**

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

Attendance: 9

**CALL TO ORDER AND OPENING CEREMONIES**

Mayor Wynkoop called the meeting to order at 6:30 p.m. He lead the Pledge of Allegiance  
Town Clerk Johnson did the roll call.

**PUBLIC HEARINGS: VARIANCE REQUEST**

**Resolution 2022-15** A Resolution of the Town Council of the Town of Montverde, Florida, granting a variance from Section 10-81 in Chapter 10 of the Montverde Land Development Code from the minimum five foot side yard setback from the property line for retaining walls and the minimum three foot side yard setback from the property line for paved driveways for the real property.

Town Attorney Geraci-Carver read Resolution 2022-15 by title only.  
She explains the Code for granting a variance is meeting all six of the following conditions:

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.
6. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

Mayor Wynkoop wants to limit remarks to ten (10) minutes for both sides.

Mark Duncan 16233 Four Lake Lanes – presented the applicants information and timeline. Presented four packets to the council with information substantiating their actions.

There was brief discussion between the council and the applicant.

Town Attorney gave an opinion about the presentation regarding the six conditions of the variance and what the council will need to determine.

Town Manager Larino, gave his presentation about the variance issue and the timeline.

Town Planner Parks added that the Building Inspector only inspects the construction issues not set back.

There was extensive discussion.

Mayor Wynkoop recessed the meeting at 7:45pm and reconvened at 7:55pm

Councilmember Ley, asked questions of the applicant and the town.

Mayor Wynkoop, asked questions of the applicant and the town. He stated that at least three of the six conditions have not been met.

Vice Mayor Hartle, asked question of the applicant and town.

Councilmember Smith was not at the first hearing on the variance and did not feel she had enough information and chose to abstain.

Mayor Wynkoop moved to deny, Councilmember Ley second. Variance denied 3-0, Councilmember Smith Abstains, Councilmember Bates was absent.

Applicant asked if he could have some time to remedy, its going to be \$45K to \$60K, I can't get this done in 60 days.

Mayor Wynkoop moved to give 6 months to remove concrete, seconded Councilmember Ley seconded. Approved 3-0. Councilmember Smith Abstains, Councilmember Bates was absent.

### **PUBLIC HEARINGS, ORDINANCES, RESOLUTIONS**

**Resolution 2023-47** A Resolution of the Town Council of the Town of Montverde, Florida, adopting the Lake County Multi-Jurisdictional Hazard Mitigation Plan and providing for an effective date.

Town Attorney Geraci-Carver read Resolution 2023-47 by title only.

Town Manager Larino explained the resolution n the Joint Mitigation Program is need to apply for grants.

Councilmember Ley moved to approve Resolution 2023-47. Councilmember Smith seconded. Resolution 2023-47 approved 4-0 (Councilmember Bates absent).

### **DISCUSSION AND ACTION ITEMS**

#### **Library Construction Management RFQ 2022-04 Ranking**

Town Manager Larino explained the RFQ ranking was completed by town staff and we need permission for the staff to interview and start negotiating with the respondents.

There was brief discussion.

Mayor Wynkoop moved to table to March 14, 2023 meeting. Seconded by Councilmember Smith. Tabled 4-0 (Councilmember Bates absent).

#### **Discussion on repairs to the community building.**

Town Manager Larino stated that the cost to level and stabilize the floors in the community building is a lot more then we budgeted. Because of the age of the building they cannot guarantee the work. They believe you would see at least a 50% improvement. Cost is going to around \$70,000 and we budgeted \$28,000 what would the Council like to do? That is a \$42,000 increase.

There was extensive discussion.

Mayor Wynkoop said he would like to find the money out of current budget.

**Water System improvement update.**

Town Manager Larino, in the planning study of the water improvement system, we have done some life cycle cost. The elevated tank is the most cost efficient and the location should be on the Stecher property. Less maintenance and less cost.

I will get some more details, there is more upfront cost with and elevated tank, but more opportunity for grant money.

Does anyone have any concerns about an elevated tanks.

Mayor Wynkoop stated that its almost double the cost for an elevated tank.

Councilmember Ley is okay with it.

Vice Mayor Hartle said he thinks it's a good idea.

Town Manager Larino, stated that he would get more details and bring them to a workshop.

**Discussion on maintaining existing water rate**

Town Manager Larino stated that we have the opportunity to freeze the usage water rates.

We are allowed to increase these rates by 5% each year both the base rate and usage water rates.

I would like to freeze the usage water rates for potable and irrigation. Would like to change the irrigation consumption from 0-25,000 to 0-60,000 gallons at \$3.33 and 60,000 gallons + to

Mayor Wynkoop stated that was okay.

Councilmember Smith that is good news.

Councilmember Ley stated that was fine with him.

Vice Mayor Hartle has no problem.

Town Manager Larino said we would bring it back in a resolution.

**Upcoming budget amendment review.**

Town Manager Larino, reviewed the budget amendment that will be presented at the next meeting.

**REMINDERS AND ADJOURNMENT**

Mayor Wynkoop moved to adjourn the meeting. Councilmember Smith seconded. Meeting adjourned 4-0 (Councilmember Bates absent) at 8:53 p.m.

  
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Joe Wynkoop, Mayor

ATTEST:

  
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Sandra Johnson