

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

The City Council met in a regular meeting on Tuesday, May 22, 2018 in the Clermont City Council Chambers. Mayor Ash called the meeting to order at 6:30pm with the following Council Members present: Council Members Brishke, Travis, Bates, and Goodgame. Other City officials present were City Manager Gray, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Sam Arocho gave the invocation followed by the Pledge of Allegiance.

PROCLAMATIONS

City Clerk Howe read the Men's Health Month proclamation aloud. Mayor Ash presented the proclamation to Dr. Brahmbatt and Dr. Parekatill.

Economic Development Director Schmidt introduced Dr. Brahmbatt and Dr. Parekatill, co-directors of Pur Clinic. Dr. Brahmbatt provided a presentation on men's health and announced Friday Night Lights will take place on June 1 and the Welcome Back Run will take place on June 9 at Lake Hiawatha Park. Dr. Parekatill expressed gratitude to the City and thanked the City for their support.

City Clerk Howe read the ALS Awareness Month proclamation aloud. Mayor Ash presented the proclamation to Darcy Klempner of the ALS Association.

City Clerk Howe read the Election proclamation aloud.

PRESENTATIONS

Fiscal Year 2017 Annual Financial Report

Finance Director Van Zile introduced Tammy Campbell to present the report from the city's auditing firm.

Tammy Campbell, Audit Partner with McDermott Davis, presented highlights of the annual financial report and stated the City is in compliance with Florida Statutes. The assessment indicated a favorable overall financial condition. Ms. Campbell also presented the CAFR to the City Council.

PUBLIC COMMENTS

Jim Purvis, 4206 Hammersmith Drive, expressed concern of the road conditions of Citrus Tower Boulevard and urged Council to contact the County in regards to repairs for the road. City Manager Gray responded the City has contacted the County regarding Citrus Tower Boulevard as it is a county road. City Manager Gray stated he would contact the County Manager and Public Works Director again as well as draft a letter from the Mayor to include other roads the County has not kept up with. The County decided not to vote on a 5 cent gas tax for maintenance of existing roads. The other option for the tax would be to place on a ballot in November. The 5 cent gas tax would be distributed to all cities for the restricted use of repaving city roads.

REPORTS

City Manager Gray requested items 7 and 10 be tabled by Council.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

Item No. 7 – Resolution No. 2018-11, Table to June 26, 2018

City Clerk Howe read Resolution No. 2018-11 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow a convenience store with fuel sales in the C-1 Light Commercial zoning district.

Council Member Goodgame moved to table Resolution 2018-11 to June 26, 2018; seconded by Council Member Bates. The motion passed with all members present voting aye.

Item No. 10 – Variance Request, New Beginnings Greenhouse

Council Member Goodgame moved to table item 10 to June 26, 2018; seconded by Council Member Bates. The motion passed with all members present voting aye.

City Manager Gray reported the City closed on the Hancock property for Public Works and City buildings will be closed Monday, May 29, 2018 as it is Memorial day.

City Attorney Mantzaris – No report.

Council Member Bates – No report.

Council Member Goodgame reported attending a local wedding in the City.

Council Member Brishke – No report.

Council Member Travis thanked the Mayor and everyone who supported the Ride of Silence on May 16. She congratulated East Ridge Middle School Principal, Stephanie Mayuski, on receiving the District Principal of the Year Award. Ms. Mayuski also received a promotion to Regional Executive Director for Region 3.

Mayor Ash reported she was at Victory Pointe on May 9 to welcome Steve Meckfessel, Director of Fondo Cycling Circuit. On May 11, she attended the final class of the employee academy at the Parks and Recreation Center. On May 12, she attended the Montverde Academy gala with other Council Members and City staff. On May 16, she was at Belk with Police to acknowledge Police Week where they spoke about safety. Later that day, she was at Waterfront Park for the Ride of Silence. The Ride of Silence was there to recognize the cyclists who have been injured or killed while cycling. On May 17, she attended the homeless forum at the South Lake Foundation where the emphasis was on affordable low income homes and apartments in Lake County. On May 19, she was at Engel and Volkers for Coffee and Conversation with the Mayor. On May 20, she attended the awards and graduation ceremony for Sea Cadets at the Arts and Recreation Center. On May 21, she attended the Lake Apopka Gas meeting in Winter Garden and discussed financial statements for the company.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

CONSENT AGENDA

Mayor Ash advised the next item on the Agenda for consideration was the Consent Agenda and requested anyone wishing to have any item pulled for discussion to please come forward at this time.

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| Item No. 1 – Meeting Minutes | Consider approval of the April 24, 2018 and May 8, 2018 Regular Council Meeting Minutes. |
| Item No. 2 – DEP Agreement No. LW670 | Consider grant agreement with the State of Florida Department of Environmental Protection Land and Water Conservation Fund in the amount of \$200,000 for the Victory Pointe Project. |
| Item No. 3 – Event and Open Container Request | Consider allowing open containers in the requested area for the City of Clermont 4th of July event at Waterfront Park. |
| Item No. 4 – Event, Open Container, and Road Closure Request | Consider allowing open containers and road closures for the City of Clermont's Sips & Salsa inaugural event co-hosted by the South Lake Chamber of Council in downtown Clermont. |
| Item No. 5 – Resolution No. 2018-19R | Consider 2019 Florida Division of Cultural Affairs Cultural Facilities Program Grant application request in the amount of \$500,000 for the Meet Us in the Middle Project. |

Linda Charlton requested to pull item 2 from the Consent Agenda.

Council Member Goodgame moved to approve Consent Agenda Items 1, 3, 4 and 5; seconded by Council Member Bates. The motion passed with all members present voting aye.

Capital Planning and Projects Director Kinzler explained the agreement highlights the level of treatment received by the stormwater flowing through the Victory Pointe Project. It's a multi-stage project to break down nutrients and sedimentation before discharging the stormwater to the lakes.

Council Member Goodgame moved to approve Consent Agenda Item 2; seconded by Council Member Bates. The motion passed with all members present voting aye.

UNFINISHED BUSINESS

Item No. 6 – Ordinance No. 2018-20, *Final*

City Clerk Howe read Ordinance No. 2018-20 aloud by title only.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

An Ordinance of the Code of Ordinances of the City of Clermont, Lake County, Florida, amending Chapter 54, Streets, Sidewalks, and Other Public Places, Section 54-101, "Definitions" and Section 54-102 "Permit Required/Exemptions", creating Section 54-107 "Distribution of Materials on City Property", repealing all ordinances in conflict herewith, providing for severability, codification and effective date.

Parks and Recreation Director Davidoff presented proposed changes to Chapter 54. The cost for a special event permit is \$10. City Manager Gray stated seeing a problem particularly at Waterfront Park along the trail where signs are creating a dangerous situation for people using the trail. The proposed changes will remedy the situation.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Brishke inquired as to how the new information will be communicated to people. Parks and Recreation Director Davidoff replied staff is communicating by having park rangers and staff patrolling the area and communicating with people during the day and the weekends.

Mayor Ash inquired of the process if someone is set up without a permit. Parks and Recreation Director Davidoff stated staff would recommend an alternate location and would do their best to work with the individuals to resolve the matter.

Council Member Goodgame moved for the adoption Ordinance 2018-20; seconded by Council Member Bates. The motion passed 5 to 0 on a roll call vote.

NEW BUSINESS

The next two items will be heard together and voted on separately.

Item No. 8 – Resolution No. 2018-12, *Fifty West Realty*

City Clerk Howe read Resolution No. 2018-12 aloud by title only.

A Resolution of the City Council of the City of Clermont, Lake County, Florida, granting a Conditional Use Permit to allow a single building to occupy more than 20,000 square feet of floor space.

Item No. 9 – Variance Request, *Fifty West Realty*

Senior Planner Kruse presented the request from Fifty West Realty. Staff distributed a revised site plan to Council. Staff has reviewed the application and recommended approval of the request for a Conditional Use Permit. The Planning and Zoning Commission voted to recommend approval of the Conditional Use Permit. Senior Planner Kruse presented four variances to the Land Development Code to develop the site of the new building. Staff supports the reduction of parking spaces and the stall depth of 18 feet without wheel stops, but with a 2-foot buffer area. Staff does not support the request for the reduction in landscape buffer and an increase in compact parking.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

Rick McCoy, Project Engineer, McCoy and Associates, stated there is a 30-foot retaining wall abutting the property where the buffer would be located. If trees were to be planted in accordance to code, they would go on the retaining wall which would cause the wall to fail in the coming years. The owner is present for questions.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Bates commented the property looks to conform with the surrounding area should Council allow the proposed changes.

Council Member Travis suggested a reduction in the size of the building and parking. City Manager Gray commented staff suggested moving the developing buildings closer to Highway 50 to hide the parking lots as the city starts developing, but it has not been officially adopted yet. Also, the utility easement which runs along the property restricts the location of any structures which would be built on this property.

Council Member Brishke suggested to move compact parking someplace else. Mr. McCoy stated the compact parking is affected by the geometry of the property.

Council Member Goodgame expressed concern with no wheel stops around the perimeter and parking of large vehicles overtaking the sidewalks. Mr. McCoy stated the property would have an extra 2-foot of mulch landscaping to compensate for not having wheel stops.

Council Member Bates inquired as to where the landscape buffer is being requested to be reduced. Mr. McCoy replied on the entire east side, north side, and against the retaining wall overlooking Toyota on the west side. City Manager Gray noted the Council has allowed prior applicants to share landscape buffers in the past.

Council Member Bates moved to approve Resolution 2018-12; seconded by Council Member Goodgame. This motion was passed with all members present voting aye.

Council Member Goodgame conveyed concern regarding the wheel stops being removed from spaces surrounding the building. Senior Planner Kruse stated the variance request indicates the elimination of wheel stops shall only be for those spaces along the exterior of the parking lot, but not for the spaces surrounding the building.

Council Member Travis moved to approve item 9, Variance Request; seconded Council Member Bates. The motion passed with all members voting aye.

Item No. 11 – Resolution No. 2018-17R

City Clerk Howe read Resolution No. 2018-17R aloud by title only.

A Resolution of the City Council of the City of Clermont, Florida, approving, solely for the purposes of Section 147(F) of the Internal Revenue Code and Section 163.01, Florida Statutes, the issuance by the Capital Trust Agency of its senior living revenue bonds (H-Bay Ministries, Inc. – Superior Residences Project), series 2018, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$90,000,000, for the purpose of financing the senior living facilities herein described, one of which is located in the City of Clermont; and providing an effective date.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

City Attorney Mantzaris stated there are two steps for the Council to take in regards to this agenda item. The first step is to have a public hearing with regards to the proposed bonds and the second step is to approve the bonds as the local government jurisdiction for which one of these projects is located. The agenda item has to do with \$90 million issuance of bonds. Council must make sure to have a public hearing on this item first and then take action. These are proposed to be tax exempt bonds and the Internal Revenue Service's regulations require the local government jurisdiction to approve the bonds. A letter from Foley and Lardner, the City's bond counsel, was provided to the Council. The letter stated there will not be a negative impact to the City and there is no liability for the City. The Resolution has an indemnification requirement within its language.

Mr. Ogieva Guobodia, Senior Vice President of Piper Jaffray, stated this transaction is an established non for profit acquisition to expand H-Bay's Ministries' mission. Their mission is to provide housing for seniors. The facility being acquired has been operating since 2002 with 340 units of assisted living.

City Manager Gray clarified this is not a city revenue bond.

Mayor Ash opened the public hearing. There were no comments. Mayor Ash closed the public hearing.

Council Member Travis inquired of any changes to the use. Mr. Guobodia clarified they are not changing the use of the facility as it will remain an assisted living and memory care facility.

Council Member Bates moved to approve Resolution 2018-17R; seconded by Council Member Goodgame. The motion passed with all members present voting aye.

Item No. 12 – Conceptual Design for Phase 1 of Downtown Waterfront District

Capital Planning and Projects Director Kinzler presented a powerpoint presentation of the conceptual plan overview of downtown Clermont. Staff is requesting Council's approval of the conceptual design. Once approved, staff will bring the conceptual plan to the public for their discussion and input.

City Manager Gray will be meeting with the community and businesses owners to show them the approved designs and to garner their input as they will have questions on such topics as street closings. Council is only voting to approve the conceptual design so staff may go out to the community for the residents' ideas or concerns. Then, the design will go back to Council for approval in order to go out to bid.

Mayor Ash requested to be kept updated on the community's concerns regarding the design.

Mayor opened the Public Hearing.

Steven Hannah, 1251 Fran Mar Court, inquired how the City plans to publicize the public meetings to discuss the conceptual designs for downtown. Mr. Hannah also inquired if the City plans to use navigational signs and other traffic calming measures. City Manager Gray replied the City wants to use signage and kiosks for citizens using the trails downtown and the City will send direct mailers to property owners and local media. Capital Planning and Projects Director Kinsler stated the City will ensure property separation and traffic calming between the trail and the road.

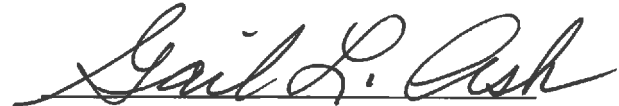
Mayor Ash closed the Public Hearing.

Council Member Goodgame moved to approve the conceptual design for Phase 1 of Downtown Waterfront District; seconded by Council Member Travis. The motion passed with all members present voting aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
May 22, 2018

ADJOURN: With no further comments, this meeting adjourned at 8:26 pm.

APPROVED:


Gail L. Ash, Mayor

ATTEST:


Tracy Ackroyd Howe, City Clerk

