

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, January 24, 2023 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30 pm with the following Council Members present: Council Members Gonzalez, Pines, Entsuah, and Purvis.

Other City officials present were City Manager Bulthuis, City Attorney Mantzaris, and City Clerk Howe.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Police Chaplain Michael Saxe followed by the Pledge of Allegiance.

PRESENTATIONS

Clermont Sea Cadets Battalion Lt Gary Schindele presented updates on the program.

Battalion Lt Gary Schindele officially stepped down and a formal change of command ceremony took place. LTJG Michael Steidley presented the promotion appointment of Chief Petty Officer to Rachel Van de Riet.

Police Chief Broadway presented Chaplain Jeff Barnes with a retirement plaque for 10 years of service with the Clermont Police Department.

Chaplain Victor Lopez was sworn in by Police Chief Broadway and received a Chaplain badge.

PUBLIC COMMENTS

Charlene Forth, 939 W. Desoto Street - spoke on transparency of Council.

Banks Helfrich, 9100 Sands Lake Road – spoke about sustainable living.

Rebecca Thomas, 982 Nathan Ridge Road – asked Council to reconsider the denial of her variance request from the previous meeting.

Mayor Murry stated that he received her email and has staff looking into her request. City Manager Bulthuis stated that staff is drafting an amendment to the ordinance, which prompted her to have to file for a variance, to change the setback minimums which would allow her to build her screen enclosure as requested. The goal is to take the amendment to the Planning Commission in March then to Council in March and April.

AGENDA CHANGES

City Manager Bulthuis informed the Council of the following agenda change:

Item No. 18 – Resolution No. 2023-003R, Micro-Hospital Conditional Use Permit

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A MICRO-HOSPITAL USE GREATER THAN 5,000 SQUARE FEET IN THE TUSCANY VILLAGE PUD, RESOLUTION 1532; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulthuis informed the Council this is a request to table the item to February 28, 2023.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

Council Member Entsuah moved to table Resolution No. 2023-003R to February 28, 2023; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- Lake County tabled the discussion regarding raising Transportation Impact Fees to February 14, 2023. Council passed a resolution in support of raising impact fees on new development for transportation.
- Great Clermont Campout will be February 4–5 at Waterfront Park. Jennifer Stills, Parks & Recreation Manager, introduced Mark Wright- Ahern who is the new Coordinator for the events division.
- Laurie Windham, PIO provided an update on the Citizens Academy.

The program will be open to 25 citizens and will run March 23 through May 4 with weekly classes on Thursdays from 6:00pm to 8:00pm. The Citizen’s Academy will hear from key departments in the city to have an understanding of city operations.

CITY ATTORNEY REPORT

City Attorney Mantzaris – no report.

CITY COUNCIL REPORT

Council Member Gonzalez –

- Attended the Lake County Florida League of Cities meeting.
- Attended the Martin Luther King Jr. parade.
- Attended the Strong Town Initiative.
- Attended the Institute for Elected Municipal Officials in St. Augustine.

Council Member Purvis –

- Praised the Arts and Recreation staff.
- Inquired about Council rights to rebut citizen comments.

City Attorney Mantzaris stated that he can look into the matter and provide a response.

Council Member Entsuah –

- Great celebration at the Martin Luther King, Jr. parade.

Council Member Pines –

- Thanked staff for Martin Luther King, Jr. events.
- Happy Birthday to Mr. Bulthuis.

Mayor Murry –

- Great turnout for the 4th annual Martin Luther King, Jr. parade. City Manager Bulthuis and Deputy City Manager Davidoff walked the parade.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

- Presented a Proclamation to Clermont citizen Frank Klum in honor of his 100th birthday celebration.
- Attended Strong Towns Initiative.
- Happy Birthday to Mr. Bulhuis.
- Thanked Mr. Purvis for donating funds to feed the homeless in our area.

City Manager Bulhuis stated there will be a CRA meeting on February 14, 2023 at 6:00pm. The Beatles will be at the Arts and Recreation Center on February 14, 2023 at 7:00pm.

CONSENT AGENDA

Mayor Murry 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.

Item No. 1 – Surplus Request

Consider surplus from the departments of: Parks and Recreation, Finance, Public Services, and Building Services and dispose of in accordance with the Purchasing Policy.

Item No. 2 - Bid Award and Budget Amendment
Sunburst WTP Improvements

Consider awarding to L7 Construction, Inc. to provide water treatment plant improvements at Sunburst Lane in the budgeted amount of \$6,946,700.

Item No. 3 - Piggyback Purchase
Residential Recycling and Trash Containers

Consider piggybacking of HGACBuy Cooperative contract with Duramax Holdings LLC DBA Otto Environmental Systems for the budgeted amount of \$115,574.40.

Item No. 4 - Piggyback Omnia Contract

Consider piggyback contract with Herc Rentals Inc. to provide equipment rentals, related products and services.

Item No. 5 - Utility Agreement
Federico Rosado

Consider the utility agreement request for water only at an existing home located at 12029 S. Hancock Road.

Item No. 6 - Agreement Termination

Consider agreement termination between the City of Clermont and Wannemacher Jensen Architects, Inc. in the original amount of \$311,662 for the design of Fire Station No. 2.

Item No. 7 - Road Closure Request
Honor the Fallen 5k

Consider Road Closure request for "Honor the Fallen 5K" on March 4, 2023.

Item No. 8 - Event and Road Closure Request
Advent Health/FloDash

Consider Event and Road Closure request for "Freedom 5K" on July 4, 2023.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

Item No. 9 - Event and Boat Ramp Closure Request
Horrible Hundred 2023

Consider the Florida Free Wheelers Bicycle Club's annual event at Waterfront Park on Nov. 18 and 19, 2023, and Boat Ramp Closure on Sunday, Nov. 19, 2023.

Item No. 10 - Event, Fireworks, and Open Container Request
4th of July Red, White & Boom

Consider City Event request and Open Container area at Waterfront Park between 3rd Street and 4th Street on July 4, 2023 from 5:00 PM to 9:30 PM.

Item No. 11 - Event and Open Container Request
Sips and Salsa

Consider Event and Open Container request for the City of Clermont's Sips & Salsa cultural event co-hosted by the South Lake Chamber of Council in downtown Clermont on Sept. 23, 2023.

Item No. 12 - Event, Road Closure and Boat Ramp Closure Request
Light Up, Parade, and Cookies & Cocoa

Consider allowing the Clermont Parks & Recreation Department to host the annual holiday events in downtown Clermont with Street Closures for "Light Up Clermont" on Dec. 1, "Holiday Hometown Parade" on Dec. 2 with Boat Ramp Closure and "Cookies & Cocoa" on Dec. 8.

Charlene Forth pulled items 8 and 9 from the consent agenda.

Council Member Purvis moved to approve the consent agenda with the exception of items 8 and 9; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

Item No. 8 – Event and Road Closure Request, Advent Health/FloDash

Charlene Forth, 939 W Desoto St – complimented the event and how it is run.

Item No. 9 – Event and Boat Ramp Closure Request, Horrible Hundred 2023

Charlene Forth, 939 W Desoto St – spoke on the behavior of the attendees in the past.

Council Member Purvis moved to approve consent agenda items 8 and 9; Seconded by Council member Pines. Passed unanimously 5-0 with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

UNFINISHED BUSINESS

Item No. 13 – Ordinance No. 2023-002, MSTU Final

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTED PURSUANT TO SECTION 125.01(l)(q), FLORIDA STATUTES (1999), CONSENTING TO THE INCLUSION OF THE CITY OF CLERMONT, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MUNICIPAL SERVICE TAXING UNIT FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Manager Bulthuis explained the City is currently on a one year contract with the county for services. The county adds a millage rate to city residents for the service of ambulance and emergency medical services. Lake County is asking for a contract with no end date, staff is proposing a 5 year contract with a 1 year out, if the city decides they would no longer want to utilize the county's services.

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

Council Member Purvis moved to approve Ordinance No. 2023-002; Seconded by Council Member Entsuah. The motion passed by roll call vote 5-0.

Items No. 14 and 15 were heard concurrently and voted on separately.

City Clerk Howe read the following two ordinances aloud by title only.

Item No. 14 - Ordinance No. 2023-003, Firefighter Pension Plan Revisions Final

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT FIREFIGHTERS' PENSION TRUST FUND, AS ADOPTED BY ORDINANCE NO. 304-C; PROVIDING PLAN BENEFIT REVISIONS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

Item No. 15 - Ordinance No. 2023-004, Police Officers Pension Plan Revisions Final

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF CLERMONT POLICE OFFICERS' RETIREMENT PLAN, AMENDING CHAPTER 46; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

City Manager Bulthuis explained when the contracts were signed with the Police and Fire Unions, there were amendments to the pension agreements. The amendments take time to get through the processes. Staff has been working with the pension boards to make the necessary changes.

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

Council Member Purvis moved to approve Ordinance No. 2023-003; Seconded by Council Member Pines. The motion passed by roll call vote 5-0.

Council Member Gonzalez moved to approve Ordinance No. 2023-004; Seconded by Council Member Purvis. The motion passed by roll call vote 5-0.

NEW BUSINESS

Item No. 16 – Variance Request, Wallace Property/DWW Square

Development Services Director Henschel presented the item. The applicant is requesting the following two variances: (1): To allow for a reduced rear yard setback to be 14 feet instead of 25 feet as required by the code, Section 122-206 and (2): To allow for a landscape buffer width between adjacent properties to be 5-foot wide instead of the minimum 10-foot width requirements for the Land Development Codes, Section 118-37. The vacant 0.216 +/- acre parcel is located on the south side of State Road 50 and west of 2nd Street. The parcel zoning is C-1 Light Commercial and the designated Future Land Use is Commercial.

The applicant is proposing development of a 1,650 square foot retail building onsite. The applicant indicates the size of the property along with compliance with the Land Development Regulations provides development challenges that justify the requested variances needed to allow for reasonable use of the land. The proposed project design layout provides a floor area ratio (FAR) of 0.175, which is less than the 0.25 (FAR) maximum allowed by the Comprehensive Plan for Commercial Development. The site as designed will require a minimum of five (5) onsite parking spaces, which is calculated at one space per 333 square feet of floor area. The adjacent property boundaries have C-1 Light Commercial zoning. The proposed retail use is permitted in the C-1 Light Commercial zoning district and will not be out of character with the existing development patterns for the area.

City staff finds the proposed development is consistent with the Comprehensive Plan goals, objectives and policies for commercial land use. The proposed development, as designed, would allow the applicant to use the property on a parcel that is very constricted. The applicant originally proposed a 2,000 square foot building, which required five variances to be considered. The applicant redesigned the site and reduced the building size to make the maximum use of the property with the minimal number of variance requests. The requested variances seem to be the minimum required in order to develop the site. Section 86-174 of the Land Development Code requires a positive finding on the review criteria in order to grant a variance. Staff has reviewed the application as submitted and finds the application does meet a positive finding on all of the five review criteria. Therefore, staff recommends approval of the requested variances.

One additional recommendation that staff is making for this site is to place a fence along the western and southern borders of the property.

Jimmy Crawford was present on behalf of the applicant. They are okay with the fence for security and privacy. The Project Engineer is also present and available for questions.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

Mayor Murry opened the public comments. There were no comments. Mayor Murry closed the public comments.

Discussion was had regarding the retention pond and where the trash will be placed outside of the building. The owner, Mr. Wallace stated that it will be done by a private company and they can keep it on the east side of the building.

Council Member Purvis moved to approve the variance request as presented with the inclusion of the trash cans to be kept on the east side of building and vinyl fence on west and south; Seconded by Council Member Gonzalez. Passed unanimously 5-0 with all members present voicing aye.

Item No. 17 – Event, Open Container Request and Fee Reduction, THE Spring Games

Parks and Recreation Director Brian Forman presented the request. In 2017, THE Spring Games was classified by the City Council as a "Community Partner Event" along with Pig on the Pond and The Sommer Sports Triathlon Series. Each year, college softball teams from around the country compete in Lake County and other locations. This year, THE Spring Games will be held at seven (7) locations throughout Florida with three (3) of those locations being in Lake County; Hancock Park, Legends Way, and Sleepy Hollow Softball Complex in Leesburg. Previous to being named a "Community Partner Event", the City Council had annually waived 50% off field rental fees.

For the 2022 tournament, the City Council waived 100% of field usage fees, the cost of the daily porters, and the cost of the recreational softball league (CGFP) annual banquet, total fees waived were \$16,475. As in past years, staff is requesting field usage fees, the cost of the daily porters, and the cost of the CGFP banquet to be waived. The total requested fee waiver would be an estimates \$18,300.

THE Spring Games have also submitted an Open Container request in order to sell alcohol at Hancock Park. This is the first time that alcohol will be available for an event at Hancock Park. Staff is requesting approval of their Open Container request. Lake Catherine Farms will be the licensed and insured vendor. Off-duty officers are required to be present while alcohol is available, identical to other events that sell alcohol and have an open container area. Based on the area requested and number of attendees, the Police Department has determined that 2 officers are required while sales are occurring.

City Manager Bulthuis stated that last year Council asked staff to review the issue of alcohol during THE Spring Games. Staff reviewed their plan and staff supports the request.

J. R. Rozier, Operations Director of THE Spring Games introduced himself and stated that he is available for any questions.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – expressed concern on reducing fees for events.

Mayor Murry closed the public hearing.

Council Members discussed waiving fees for events and what events bring in to the city in return. City Manager Bulthuis clarified that the applicant will be paying for their own security for the event.

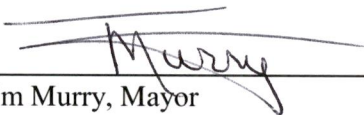
City of Clermont
MINUTES
REGULAR COUNCIL MEETING
January 24, 2023

Council Member Purvis moved to approve item 17 as presented with the provision the event coordinators provide required police enforcement personnel at their expense; Seconded by Council Member Pines. Passed unanimously 5-0 with all members present voicing aye.

Item No. 18 – *This item was addressed earlier in the meeting and tabled to the February 28, 2023 meeting.*

ADJOURN: With no further comments, this meeting adjourned at 7:57 pm.

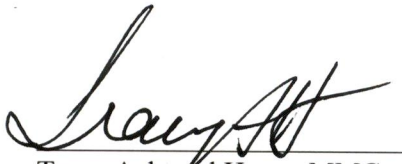
APPROVED:



Tim Murry, Mayor



ATTEST:



Tracy Ackroyd Howe, MMC
City Clerk