

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

CALL TO ORDER

The City Council met in a regular meeting on Tuesday, February 28, 2023 in the Clermont City Council Chambers. Mayor Murry called the meeting to order at 6:30pm with the following Council Members present: Council Members Gonzalez, Pines and Purvis.

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

Absent: Council Member Entsuah

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Mark Wajada of Blessed Sacrament Catholic Church followed by the Pledge of Allegiance.

PROCLAMATION

City Clerk Howe read a proclamation recognizing East Ridge High School Soccer Teams State Championship. Mayor Murry presented the proclamation to Coach John Quirk. The coach thanked the team, their parents and community for their support.

City Manager Bulthuis stated that East Ridge High School Girls Cheerleading won state last year. The city has ordered signs to go in front of the school designating the cheerleading and soccer teams as state champions.

OPENING COMMENTS

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

Item No. 10- Variance Request, 987 W. Magnolia Street

City Manager Bulthuis informed the Council this is a request to table this item to April 25, 2023.

Council Member Pines moved to table the Variance request to April 25, 2023; Seconded by Council Member Gonzalez. Passed unanimously 4-0 with all members present voicing aye.

Item No. 11 – Resolution No. 2023-003R, Micro – Hospital CUP

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 this item to April 11, 2023.

Council Member Pines moved to table Resolution No. 2023-003R to April 11, 2023; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

Item No. 15 – Variance Request, 601 E. Desoto Street

City Manager Bulthuis informed the Council this is a request to table this item to April 11, 2023.

Council Member Gonzalez moved to table the Variance request to April 11, 2023;
Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present
voicing aye.

PUBLIC COMMENTS

Sharon Keys, 644 Osceola Street – recognized Black History Month.

Banks Helfrich, 9100 Sams Lake Road – spoke about sustainability and community living.

Katherine Falcon, 280 Edgewood Drive – spoke on residents coming to meetings to speak on issues in our community rather than collaborating to provide solutions.

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

REPORTS

CITY MANAGER REPORT

City Manager Bulthuis –

- On March 8 at 6 pm there will be a community meeting regarding the project at 8th Street at the Clermont City Center.
- Citizens Academy is extending the deadline to sign up. The academy starts March 23 and meets for seven consecutive Thursdays from 6pm to 8pm.
- Clermont Fire Department will meet with the panel for the National Accreditation process tomorrow in Orlando.
- March 3 movies under the stars.
- March 4 Honor the Fallen 5K in downtown Clermont.
- March 11 – 13 Great Clermont Triathlon at Waterfront Park.
- Spring Games starts next week and continues for 2 weeks.
- Attended the Police vs Fire softball game.
- There was an incident last week on Lake Palatka between a boat and a jet ski. The incident was outside of city limits. Clermont does have a marine unit that patrols the lakes to assist Lake County, the main focus of the unit is Lake Minneola as Lake County is the primary department to patrol the lakes.

Chief Broadway presented an overview of the Clermont Police Department Marine Unit. City Manager Bulthuis informed council that Code Enforcement is at the boat ramp every weekend.

- The Clermont Chamber of Commerce has partnered with Sommer Sports and has requested permission to host their Business after Hours event at Waterfront Pavilion on March 9 from 5:00 PM to 7:00 PM. They will need approval from Council because they will be serving alcohol. The Chamber will meet all requirements regarding having a Police Officer present and does have a license to serve alcohol.

City Manager Bulthuis requested approval from Council to allow the Chamber of Commerce to utilize Waterfront Pavilion and serve alcohol on March 9 from 5:00 PM to 7:00 PM.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

Council Member Purvis moved to approve; Seconded by Council Member Gonzalez.

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

Passed unanimously 4-0 with all members present voicing aye.

CITY ATTORNEY REPORT

City Attorney Mantzaris – No report.

CITY COUNCIL REPORT

Council Member Pines – No report.

Council Member Gonzalez –

- Participated in a ride along with Police Officer Lopez.
- Attended the Camp Out event.

Council Member Purvis – The City hosted National Catamaran Races, 49 boats participated this year.

Mayor Murry –

- Will be walking in the Honor the Fallen 5K.
- Attended the Police vs Fire Softball game on Saturday. The event was to raise funds for park equipment for special needs children.
- Mayor's luncheon on March 7 at Clermont Café.
- Attended the Police Departments new officer's ceremony.
- Congratulated East Ridge High School Soccer Team.

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 – Meeting Minutes

Consider approval of the minutes of the January 24, 2023 and February 14, 2023 Council Meetings.

Item No. 2 – Surplus Request

Consider declaring end-of-life inventory as surplus from Police, Information Technology, City Manager, Building Services and dispose of it in accordance with the Procurement Policy.

Item No. 3 – Bid Award

Consider approval of construction contract between the city of Clermont and Vogel Bros. Building Co, to provide wastewater treatment plant improvements on Hancock Road in the in the amount of \$48,730,000 that includes a contingency fund of \$4,430,000 or 10% for unforeseen circumstances that may occur during the construction process.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

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| Item No. 4 – Purchase of Police Vehicles | Consider purchasing from the Florida Sheriff's Association with Garber Ford to acquire eight (8) police vehicles for the amount of \$358,077.40. |
| Item No. 5 – Piggyback Pinellas County Contract | Consider piggyback contract with Advanced Roofing Inc. to provide roofing installation and repair services. |
| Item No. 6 – Piggyback Contract and Budget Amendment | Consider piggyback contract with Traffic Control Devices, LLC to provide electrical services to install LPRs for \$30,000 with a corresponding budget amendment to the Police Impact Fund. |
| Item No. 7 – Piggyback Purchase of Playground Equipment | Consider the purchase of playground equipment for Hancock Park in the total budgeted amount of \$59,987.03 from the OMNIA Partners contract number 2017001134. |
| Item No. 8 – Resolution No. 2023-008R | Consider approval of Fiscal Year 2023 Budget Amendment to the General Fund, Sanitation Fund, and CRA Fund. |
| Item No. 9 – Event, Boat Ramp Closure, Trail Closure, Open Container Request
<i>Pig on the Pond</i> | Consider the event on October 13 - 15, 2023 to be held at Waterfront Park with an open container in approved area, fee waiver, and signage on City property, fireworks, staff assistance and trail and boat ramp closure. |

Council member Purvis moved to approve the consent agenda items 1 -9 as presented; Seconded by Council member Pines. Passed unanimously 4-0 with all members present voicing aye.

UNFINISHED BUSINESS

Item No. 10 - *This item was addressed earlier in the meeting and tabled to the April 25, 2023 meeting.*

Item No. 11 – *This item was addressed earlier in the meeting and tabled to the April 11, 2023 meeting.*

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

Item No. 12 – Ordinance No. 2023-001, Evaluation & Appraisal Review (EAR) Final

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT PERTAINING TO THE COMPREHENSIVE PLAN FOR THE CITY OF CLERMONT, FLORIDA, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING ACT, CHAPTER 163, PART II, FLORIDA STATUTES BY ADOPTING THE EVALUATION AND APPRAISAL REPORT; SETTING FORTH THE AUTHORITY FOR ADOPTION OF THE EVALUATION AND APPRAISAL REPORT; SETTING FORTH THE PURPOSE AND INTENT OF THE COMPREHENSIVE PLAN AMENDMENT; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN AMENDMENT; PROVIDING FOR CONFLICT, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Development Services Planner Kruse presented the item. This public hearing is for the adoption of the Evaluation and Appraisal Review (EAR) of the Comprehensive Plan that was transmitted to the Florida Department of Economic Opportunity (DEO) and other state agencies for review and comment. The review process allows a 60 day window for these agencies to provide objections, recommendations and comments in regards to the proposed changes. The City Council approved the transmittal on December 13, 2022. The review period has concluded with the City receiving acknowledgement from five state agencies. Three agencies provided acknowledgement of “no comment.” One agency provided acknowledgement of the proposed changes as “no adverse impacts.” The final agency provided no objections or comments to the proposed amendment.

Local governments are required to undergo an Evaluation and Appraisal Review (EAR) of the Comprehensive Plan every seven years. The purpose of this evaluation is to analyze the Comprehensive Plan Goals, Objectives, and Policies (GOPs) to ensure compliance with changes in state law and local conditions. The analysis includes proposed amendments to the GOPs, which are considered EAR-based amendments, and data reflecting changes in local conditions. The adoption of these EAR-based amendments will make the final changes to the following elements: Future Land Use, Housing, Transportation, and Capital Improvements Elements. The Public Facilities School Element is no longer required and will be removed, due to an interlocal agreement with Lake County School Board. The remaining nine elements will be unchanged. Staff recommends adoption of the EAR based amendments and approval of Ordinance 2023-001.

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

Council Member Purvis moved to adopt Ordinance No. 2023-001; Seconded by Council Member Gonzalez. The motion passed by roll call vote 4-0.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

Item No. 13 - Ordinance No. 2023-008, A&M 4 Cans, LLC. Final

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, UNDER THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, GRANTING A GARBAGE COLLECTION FRANCHISE TO A&M 4 CANS, LLC. PROVIDING FOR THE TERM OF THE FRANCHISE AND FOR OTHER PURPOSES CONNECTED WITH A FRANCHISE FOR THE COLLECTION OF GARBAGE WITHIN THE CITY OF CLERMONT.

City Clerk Howe read the title aloud.

City Attorney Mantzaris stated that this item is for a standard franchise agreement for a solid waste refuse container collection. The city requires a franchise agreement from private companies due to them using the city roads for business purposes. The agreement is adopted by ordinance and the companies do pay a portion of their revenue to the city.

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

Council Member Purvis moved to adopt Ordinance No. 2023-008; Seconded by Council Member Gonzalez. The motion passed by roll call vote 4-0.

Item No. 14 – Ordinance No. 2023-013, Recodification Final

AN ORDINANCE OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, ENACTING A RECODIFIED CODE OF ORDINANCES FOR THE CITY OF CLERMONT; REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY PERTAINING TO SUBJECTS EMBRACED IN SAID CODE; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

City Attorney Mantzaris explained that a recodification of the city code is done periodically. Mr. Mantzaris worked with the City Clerk's office and retained Civic Plus for assistance in the process. The scope of the agreement with Civic Plus is that their legal team reviewed the code and looked for parts of the code deemed obsolete or changes in operations to essentially nomenclature. The team looked for errors and cleaned up the code, there were no substantial changes made to the code. There is a summary that was provided of the changes that were made to the code.

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – Asked questions regarding the recodification and changes to the code. City Attorney Mantzaris responded to the questions.

Mayor Murry closed the public hearing.

Council Member Purvis moved to adopt Ordinance No. 2023-013; Seconded by Council Member Pines. The motion passed by roll call vote 4-0.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

NEW BUSINESS

Item No. 15 – *This item was addressed earlier in the meeting and tabled to the April 11, 2023 meeting.*

Item No. 16 – Resolution No. 2023-005R, Wesley Christian Academy CUP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, GRANTING A CONDITIONAL USE PERMIT (CUP) AMENDMENT (RESOLUTION 1476) TO ALLOW FOR A PRIVATE SCHOOL TO BE LOCATED IN THE CBD CENTRAL BUSINESS DISTRICT AND A BUILDING GREATER THAN 3,000 SQUARE FEET; PROVIDING FOR CONFLICT, SEVERABILITY, ADMINISTRATIVE CORRECTION OF SCRIVENERS ERROR, PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Development Services Planner Kruse presented the item. The applicant is requesting a conditional use permit (CUP) amendment to allow the construction of a two-story educational building for private school use at an existing church campus, First United Methodist Church (FUMC). The property is located in the Central Business District (CBD), in which requires a CUP for buildings over 3,000 square feet and for private school use. The property is bounded by SR 50 and Desoto Street; and 7th street and 8th street. The property is approximately 10 acres. The site is currently under Resolution 1476, which allows the property to be used as a church campus, including a 35,000 square foot social hall, a 28,000 square foot sanctuary, a 6,000 square foot administration building, classrooms, and existing uses and buildings utilized by the church.

The applicant desires to add a 25,000 square foot educational building in the northeast corner of the site along with a 2,200 square foot pavilion within the lower parking lot area adjacent to the new building. The applicant has provided a concept plan, as prepared by Germana Engineering, showing the building and pavilion addition.

The building will be used to expand their existing educational services and students enrolled at Wesley Christian Academy. The additional building will increase school enrollment by 184 students and expand the school to include 8th grade classes. The applicant has performed a queue analysis that focused on the pick-up and drop-off periods for the Kindergarten through grade 8 (K-8) students. The school's queue management system currently operates within its capacity and is projected to operate within its capacity for all age groups/time periods at the expansion buildout year in 2024. The total number of students in K-8 will be 350 students and 110 children in the VPK/3-year-old program.

Staff has reviewed the CUP application in accordance to Sec. 86-144 of the Land Development Code. The proposed intensity, character and type of development is in compliance with the City's comprehensive plan for the Downtown Mixed Use future land use. The church campus and proposed private school expansion is compatible with the surrounding development. The queue management plan appears to accommodate the additional vehicles on-site with this expansion. Staff recommends approval of Resolution No. 2023-005R.

Stephen Elmore, Business Administrator at First United Methodist Church, stated that the school has grown over the years. Mr. Elmore reviewed the timeline of the school from when it first opened until present day and how the needs and demands have grown. They are projecting 150 children to be on the waitlist for the school in the next school year.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

Mayor Murry opened the public hearing.

Charlene Forth, 939 W. Desoto Street – expressed concern over loud speakers and traffic.

Mayor Murry closed the public hearing.

The City Council expressed their excitement over the church expanding. There was a question of the roof being visible, due to the topography, the roof is not visible.

Mayor Murry inquired about building closer to S. R. 50. Mr. Elmore stated that when speaking with staff, it was decided that having a school building close to the main road becomes a safety issue. There was also discussion about busses in the future and Mr. Elmore said there are no plans to add buses.

Council Member Pines moved to approve Resolution No. 2023-005R; Seconded by Council Member Purvis. Passed unanimously 4-0 with all members present voicing aye.

Item No. 17 –Ordinance No. 2023-009, Land Development Code Amendment- Murals *Introduction*

AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE; CHAPTER 102 SIGNS; AMENDING SECTION 102-26 “OTHER SIGNS”; PROVIDING FOR CONFLICT; SEVERABILITY; CODIFICATION; THE ADMINISTRATIVE CORRECTION OF SCRIVENERS ERRORS; RECORDING; PUBLICATION AND AN EFFECTIVE DATE.

City Clerk Howe read the title aloud.

Council Member Purvis moved to introduce Ordinance No. 2023-009; Seconded by Council Member Gonzalez. Passed unanimously 4-0 with all members present voicing aye.

City Manager Bulthuis provided Council with an email he received last week from the Kings Ridge Community Association. The email is asking for input from the City Council regarding the expansion of Hartwood Marsh Road and the options the County presented for noise abatement for Kings Ridge residents that would be affected by the expansion. The options are a retaining wall or landscaping. City Attorney Mantzaris explained they are not asking for approval, only support.

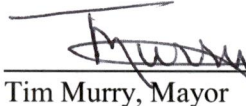
Council Member Purvis gave his opinion as a resident of Kings Ridge. Deputy City Manager Davidoff stated that Lake County is not waiting on a response from the City, they have informed us for informational purposes only.

City Manager Bulthuis will ask Commissioner Sean Parks to address this at the next Council meeting he attends and Mr. Davidoff will reach out to county staff in the morning.

City of Clermont
MINUTES
REGULAR COUNCIL MEETING
February 28, 2023

ADJOURN: With no further comments, this meeting adjourned at 8:10pm.

APPROVED:



Tim Murry, Mayor

ATTEST:



Tracy Ackroyd Howe, MMC
City Clerk

