



**City Council
Approved Minutes
April 25, 2022
Council Chambers
6:30 PM**



I. CALL TO ORDER

Present: 5 - Councilmember Lori Wurtzel, Councilmember Vance Guthrie, Councilmember Michael Wilde, Vice-Mayor Lindsay Hall Harrison, Mayor John Lowndes

Absent: 0 -

Mayor Lowndes called the meeting to order at 6:32 pm. Staff also in attendance: City Manager Anselmo, City Attorney Shepard, Administrative Assistant Cordero, Assistant City Manager Reggentin, Fire Chief Watts, Police Chief Manuel, Community Development Director Matthys, Parks and Recreation Director Conn, Finance Director Gray, and Public Information Officer Sargent.

II. INVOCATION - MOMENT OF SILENCE

Mayor Lowndes offered a moment of silence.

III. PLEDGE OF ALLEGIANCE

Mayor Lowndes led the Pledge of Allegiance.

IV. PRESENTATION

1. LEGISLATIVE UPDATE 2022 - REPRESENTATIVE JOY GOFF-MARCIL

Representative Joy Goff-Marcil presented a brief 2022 Legislative update regarding:

Redistricting
Education
SB 620- Local Business Protection Act
HB 71- Net Metering

A discussion ensued by the Council. Representative Goff-Marcil answered questions posed by the Council.

V. OLD BUSINESS

None to report.

VI. CONSENT AGENDA

Mayor Lowndes opened the public period for Consent items #2 and #3. There being no one who wished to speak, Mayor Lowndes closed the public comment period.

A motion was made to approve the Consent agenda as presented.

RESULT:	Approve
MOVER:	Councilmember Michael Wilde
SECONDER:	Councilmember Vance Guthrie
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

- 1. APPROVE THE CITY COUNCIL MEETING MINUTES OF APRIL 11, 2022**
Approve the City Council Meeting Minutes of April 11, 2022.
- 2. 2ND QUARTER 2022 FINANCIAL SUMMARY**
Receive the 2nd Quarter 2022 Financial Summary and Investment Schedule.
- 3. AMERICAN RESCUE PLAN ACT FUNDING FY 2022**
Authorize staff to claim the standard allowance for the American Rescue Plan Act funding of up to \$8.841 million.

VII. PUBLIC PERIOD

Mayor Lowndes opened the Public Period.

Mr. Brian Catalano, 3618 Calloway Drive, Orlando, and Kyle Carter, 1044 Quinnwood Lane, spoke in opposition regarding the scheduled closure at Ft. Maitland Park, including the boat ramp, temporarily impeding access to Lake Maitland.

Mayor Lowndes responded to clarify that due to the previously approved and scheduled improvements at Ft. Maitland Park, including the boat ramp, the scheduled closures are unavoidable. Tentatively to be completed and re-opened later this fall.

There being no one else who wished to speak, Mayor Lowndes closed the Public Period.

VIII. DECISIONS

- 1. REQUEST FOR EXTENSION - MAITLAND ART & HISTORY ASSN.**
Danielle Thomas, Executive Director of the Maitland Art & History Museums, presented the Conceptual Site Plan Modifications and Extension Request to include the studios and classrooms on Parcel I to include a sculpture on the portion of Parcel II to the Council. Art & History Museums Executive Director Thomas answered questions posed by the Council.

City Manager Anselmo provided a brief history and stated that the City of Maitland and the Maitland Art and History Association, Inc. ("MAHA") entered into a lease agreement ("Agreement") for the Lake Lily Campus, Packwood Campus and the Art Center Campus on July 11, 2011. The Agreement contained provisions related to an option for two Additional City-Owned Parcels with certain milestones. This is outlined in Section 16, which was subsequently modified in the First Amendment to the Lease Agreement executed on September 10, 2012. Per the amended Agreement, MAHA had three separate deadlines:

1. Conceptual Site Plan - Per Section 16(a), MAHA was required to submit a site plan by July 11, 2015. The site plan was to be approved by City Council within 12 months of submission. MAHA submitted the conceptual site plan to the City on July 10, 2015, and it was approved by City Council on March 14, 2016. Both the DRC and the Planning and Zoning Commission recommended approval of the conceptual site plan prior to Council approval.
2. Permits to Commence Construction - Per Section 16(b), MAHA was required to submit permits within 10 years of the execution of the Agreement (by July 11, 2021) and to commence construction within six months of their approval.
3. Construction of Buildings - Per Section 24, MAHA was required to expend \$600 thousand dollars on a new building or renovation of an existing building by September 30, 2015. On December 8, 2014, MAHA submitted documentation of expenditures and in kind services in the amount of \$724 thousand on the renovation of the Germaine Marvel building which the City Council approved as satisfaction of the Section 24 requirement.

Recently, representatives of MAHA advised City staff about the upcoming submission of a site plan for education studios to be constructed on the Art Center Campus and Additional City-Owned Parcel I. Although the deadline per Section 16(b) was not met, the Agreement does allow the City Council to extend the time period granted at their sole discretion. Art & History Museums Executive Director Thomas is requesting an extension to December 1, 2024.

The staff is recommending Council approval of the extension request for Additional City-Owned Parcel I which will be impacted by the project. Additional City-Owned Parcel II was included in the 2016 Council approval; however, the concept (a sculpture garden) only utilized a portion of the parcel and the remainder of the parcel contains the City's gazebo and walking paths in Quinn Strong Park. A discussion ensued. City Manager Anselmo answered questions posed by the Council.

Mayor Lowndes opened the public comment period.

Mr. Bill Randolph, 331 White Oak Circle, spoke in favor of the extension and provided a brief synopsis of the Conceptual Plan for the Maitland Art and History Museums.

There being no one else who wished to speak, Mayor Lowndes closed the public comment period.

After discussion, a motion was made to extend the deadline for site plan submittal, permitting and completion of construction of the Additional City-Owned Parcel I to December 1, 2024.

RESULT:	Approve
MOVER:	Vice-Mayor Lindsay Hall Harrison
SECONDER:	Councilmember Michael Wilde
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

2. EXTENSION FOR PETITION NO. #2019-03 (SPR) 473 S. KELLER ROAD (MAITLAND CONDOMINIUMS)

Community Development Director Matthys stated that on November 20, 2019, the Development Review Committee approved the Site Plan for a 50-unit condominium development known as the 473 S. Keller Road Maitland Condominiums. The project is zoned Planned Development (PD) and is located on approximately 4.71 acres on the west side of Keller Road on Lake Shadow. The PD was approved by City Council on January 28, 2019 (Ordinance 1343) and included a detailed PD Development Plan that incorporated many development standards codified in the recently adopted LDC update including parking, landscaping, lighting, signage, bike racks, architectural elevations and materials, dumpster screening and sustainability elements.

On May 5, 2020, the city approved a Site Construction Permit (11-19-36778) for the project. However, no construction activity has occurred to date. The applicant states that due to the long downturn (2020-2021) of the economy as a result of the pandemic, they did not start construction within the period allowed following approval of the site plan. As a result, the Site Construction Permit and thus, the approved site plan expired. Per Chapter 7.5-87 of the Land Development Code in effect at the time the site plan was approved, if construction of the building(s) has not begun within two (2) years following approval of a site plan, or if the building permit for construction of the building(s) has become void any time after

the two-year time period has expired, the approval of the site plan therein shall lapse. The section further goes on to state that upon request of the applicant, the Council may waive the time limitation and grant a time extension for a maximum period of one (1) year when the City Council deems such action is necessary to prevent injustice or to facilitate the proper development of the city. Because the Site Construction Permit for the project (issued in May of 2020) expired in May of 2021, the site plan is also deemed expired. The applicant is requesting a one-year-time extension for the project due to the impact of the pandemic on the project. If granted, the applicant states that they would like to proceed with the construction of this project.

Due to the circumstances provided by the applicant and the detailed development standards approved during the PD process, staff supports the request for a one-year extension for the Site Plan, which will provide the applicant with the opportunity to proceed with the required new site construction and associated building permits. A discussion ensued. Community Development Director Matthys answered questions posed by the Council.

Mayor Lowndes opened the public comment period. There being no one who wished to speak, Mayor Lowndes closed the public comment period.

After discussion, a motion was made to approve a one-year-time extension for the approved Site Plan to allow the applicant to proceed to Site Construction and Building Permits.

RESULT:	Approve
MOVER:	Councilmember Lori Wurtzel
SECONDER:	Vice-Mayor Lindsay Hall Harrison
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

3. REQUEST FOR REDUCTION OF FINE FOR CODE VIOLATIONS (200 N. SWOOPE AVE.)

Community Development Director Matthys stated that on June 9, 2020, the City initiated a Code Case concerning the property located at 200 N. Swoope Avenue after receiving reports of overgrown vegetation, trash, and mold/mildew on the building and the sidewalk in front of the building. After providing ample time to correct the violation, a Notice of Violation was sent on December 2, 2020. Since the issue was not corrected, the case was brought before the Special Magistrate on January 6, 2021 for a public hearing. At that public hearing, the Special Magistrate, noting that the respondent was not present, determined that the owner, Dorothy

Wright, was in violation of the Maitland City Code for "Accumulation of trash, junk, debris and nonliving plant material on property", "Excessive growth of grass, weeds and brush on property" and the International Property Maintenance Code for "Sanitation (exterior)" and "Protective Treatment". The magistrate imposed a deadline for compliance on or before January 21, 2021, after which the city could impose fines of up to \$250 a day if the violations were not corrected.

On April 7, 2021, the Special Magistrate found that the property owner had failed to correct the code violations associated with the January 13, 2021 order, and imposed a fine of \$250 per day until the subject violations have been corrected. The fine amount has reached \$116,500 as of today, April 25, 2022. On April 13, 2022, Mr. Eddie Baird contacted the Community Development Department with a formal request to reduce the fines that have (and continue to) accrue. Mr. Baird is currently under contract to purchase the property and has committed to resolve all violations prior to closing on the property in May.

The staff supports Mr. Baird's request as the first goal of code enforcement is to get the property into compliance, followed by recovering the costs incurred. Therefore, the staff recommends a reduction to 10% of the accrued fines once the violations are cured, as this amount would adequately recoup the City's expenses in pursuing the code case and would result in the property being brought into compliance. A discussion ensued. Community Development Director Matthys answered questions posed by the Council.

Mayor Lowndes opened the public comment period.

Mr. Eddie Baird, 461 Manor Road, expressed his desire to adhere to all city codes and requirements. Stating that once he owns the property, the goal is to revitalize the entire property for beautiful office spaces.

There being no one else who wished to speak, Mayor Lowndes closed the public comment period.

After discussion, a motion was made to approve the prospective owner's request to reduce the fine ordered by the Special Magistrate on January 13, 2021 (Case Number CODE-7-20-2091) for the property located at 200 N. Swoope Ave. to 10% of the current accrued, once the violation are resolved, to cover the administrative costs to the City.

RESULT:	Approve
MOVER:	Councilmember Michael Wilde
SECONDER:	Vice-Mayor Lindsay Hall Harrison

AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

4. CHARTER REVIEW QUESTIONS 2022

City Manager Anselmo stated that on October 11, 2021, City Council considered the five questions recommended by the Charter Review Commission in their August 2021 final report. At the meeting, the following items were reviewed:

1. Gender Neutral Language - Place on future ballot.
2. Elected Officials Salaries - Remove from consideration.
3. Vice Mayor Sucession - Council provided guidance to remove the conflict between the vice mayor serving until the next election or filling the unexpired term.
4. Term Limits - Clarify the language to state that a termed out mayor is not eligible to run for the office of council member until one year after the expiration of the mayor's term.

In addition, one item the Charter Review Commission (CRC) discussed but was not recommended in the final report was the issue of a run-off election. It was brought forward to the CRC from then, City Clerk Waldrop. Although a run-off had not occurred in the City since the 90's, the 2022 election came very close to a run-off situation. The cost of a run-off election is equivalent to a regular election, approximately \$22K in 2022. The alternative to the run-off election is for the candidate with the most votes to be declared the winner with a provision for a tie-breaking process. The City Manager also stated that the staff is looking for direction to move forward with the assistance of the City Attorney's office to draft an ordinance for the Council's consideration at a future meeting for the 2023 regular municipal election. City Manager Anselmo answered questions posed by the Council. A discussion ensued.

Mayor Lowndes opened the public comment period.

Mr. Bill Randolph, 331 White Oak Circle, stated that he was previously a CRA member and spoke in favor of the ordinance being drafted with clarity by the City Attorney for upcoming elections.

There being no one else who wished to speak, Mayor Lowndes closed the public comment period.

After discussion, the Council arrived at a consensus to provide staff direction to move forward, with the assistance of the City Attorney's office, to draft an ordinance for the Council's consideration at a future meeting.

IX. CITY MANAGER'S REPORT/CITY ATTORNEY/COUNCIL REPORTS

City Attorney Shepard stated that he received a call from Intercounty Engineering's attorney in regards to the forthcoming settlement agreement. The City Attorney also stated that the Peacock Ford hearing is set for next month.

City Manager Anselmo stated that there is an upcoming event in which Duke will be giving away small trees in celebration of Earthday. Additionally, the City Manager reminded the Council of the Strategic Planning meeting on April 28th.

Vice-Mayor Hall Harrison complimented the Parks and Recreation department for all of the awesome events and offered a special recognition to Event Coordinator Jessica for an outstanding Easter event held at Community Park.

Councilmember Guthrie excused himself from the August 8th Council meeting. Additionally, he stated that approximately 177 tons of trash was pulled out from Lake Sybelia during the lake cleanup over the past weekend.

Councilmember Wurtzel stated that she attended the wonderful Kork and Forks event last week. She recently went to Fredsters, a newly opened restaurant on Keller, Maitland's west side, and encouraged others to show their support.

Administrative Assistant Cordero expressed her gratitude for being given the opportunity to attend and participate in the Council meeting.

X. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 7:56 pm.