



**City Council
Draft Minutes
September 26, 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 September 26, 2022 meeting to order at 6:32pm. Staff also in attendance: Interim City Manager Reggentin, City Clerk Hollingsworth, City Attorney Shepard, Human Resources Director Gondar, Public Works Director Tracy, Parks and Recreation Director Conn, Finance Director Gray, Police Chief Manuel, Fire Chief Watts, 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. PUBLIC HEARING

1. RESOLUTION AD VALOREM TAX RATE FISCAL YEAR 2023.

City Clerk Hollingsworth read aloud, by title, a resolution adopting a 4.3453 mill ad valorem tax levy upon all real and personal property for the appropriation to the general operating expenses of the city, a 0.2180 mill voted debt service levy upon all real and personal property for appropriation to the City of Maitland, Florida limited tax general obligation refunding note for the City of Maitland, Florida commencing on October 1, 2022, and ending on September 30, 2023; authorizing the City Manager or Designee of the city to certify such millage; and, providing for an effective date.

Interim City Manager Reggentin provided a brief synopsis of the budget calendar reaching tonight's final adoption of the budget and millage rate. He stated that on July 25th, the City Council set the proposed millage rate at 4.3453 and the voted debt millage rate at 0.2180. The rolled-back millage rate was set at 3.9043. The proposed operating and voted debt millage and the date and time of the tentative budget public hearing were included in the proposed tax bills sent out by the Orange County Property Appraiser in August. On September 12, 2022, the City Council held the first public hearing required by TRIM requirements and set the tentative

millage rate at 4.3453 and the voted debt millage rate of 0.2180 for a total millage rate of 4.3453. This millage rate only requires a majority vote under the maximum millage rate requirements. The tentative millage rate of 4.3453 is 11.30% above the rolled-back rate of 3.9043.

After taking public input, the Council may adopt the final operating millage rate at or below the tentative millage rate of 4.3453.

Mayor Lowndes opened the public comment period.

Dale McDonald, 108 Tangelo Court, inquired about the 11.30% tax increase.

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

Interim City Manager Reggentin confirmed that the 2022 tax year operating millage rate is 11.30% above the rolled-back rate.

A motion was made to adopt Resolution No. 11-2022, setting the operating millage for the 2022 tax year as 4.3453, which is 11.30% above the rolled-back rate of 3.9043, as presented.

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

A motion was made to adopt Resolution No. 11-2022, setting the voted debt millage rate for the 2022 tax year as 0.2180 for a combined total millage rate of 4.5633 mills, as presented.

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

2. RESOLUTION FISCAL YEAR 2023 ANNUAL BUDGET.

City Clerk Hollingsworth read aloud, by title, a resolution of the City of Maitland, Florida, adopting the annual budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, appropriating funds for operating expenses, supplies, personnel and otherwise appropriating funds for the efficient and effective operation of the government of the City of Maitland and all its operations and functions for the fiscal year ending September 30, 2023; providing a means to amend the said annual budget so as to carry forward the funding of purchase orders, work orders and grants outstanding as of September 30, 2022; providing a means to amend the said annual budget to reflect grants received after September 30, 2022; authorizing the transfer of funds herein appropriated so long as the total combined appropriations shall not be increased thereby; adopting the revenues and expenditures, and the position authorization table; adopting the Ad Valorem Property Tax Millage upon assessment roll for the tax year 2022; adjusting the Ad Valorem Property Millage Rate; and, providing for an effective date.

Interim City Manager Reggentin stated that the General Fund budget workshop was held on July 18th and the Enterprise and Miscellaneous Funds workshop was held on August 1st. On Monday, September 12, 2022, the City Council tentatively adopted a General Fund budget of \$33,057,000, an operating millage of 4.3453 and voted debt millage of 0.2180 for a combined millage rate of 4.5633.

General Fund

The tentative General Fund budget for FY 2023 (tax year 2022) is balanced with a tax rate of 4.3453 established by the Council on September 12th. The General Fund budget of \$33,057,000 is the same as the tentative budget set by the Council. The budget funds one additional Transportation Trades Worker and the changes to the Health Insurance Plan.

Other Budgeted Funds

The Utilities Fund budget of \$19,607,000 includes a capital outlay of \$9.5 million, including water line replacement, Water Treatment Plant #6 upgrades and Dommerich Hills Phase 2-4 sewer. The balance of the budget are operating expenses of \$8.7 million (personnel costs, wastewater treatment costs at Iron Bridge and Altamonte Springs treatment plants, repair and maintenance, depreciation, and supplies) and \$1.4 million for estimated debt service obligations.

The Solid Waste Fund budget of \$3,050,200 includes \$2.2 million in contractual services for solid waste and recycling, hauling and disposal. Contractual services account for 73% of the fund's budget, with the balance consisting of administrative costs, materials and supplies and a payment in lieu of franchise fees to the General Fund.

The Stormwater Environmental Fee Fund budget of \$2,057,300 includes \$660 thousand in capital outlay (32% of the budget), \$454 thousand in personnel costs (22% of the budget) and \$0.9 million in operating expenditures (46% of the budget). Operating expenditures include: chemicals, drainage repair and maintenance, contracted street sweeping, solid waste disposal, lab and professional fees for water quality monitoring, aquatic weed control, fuel and power costs, administrative fees, and equipment repair and maintenance.

The Voted Debt Millage Fund budget of \$816,000 consists entirely of debt service costs related to the Limited General Obligation Note. Fiscal 2023 debt service consists of \$254 thousand of interest expense and \$565 thousand in principal payments.

Position Authorization Table

There are 253 authorized positions (231 existing full-time, 17 existing part-time, and 5 new full-time positions).

General Fund - 1 Transportation Trades worker

Stormwater Fund - 1 Environmental Specialist

Utilities Fund - 1 GIS Analyst, 1 Project Manager and 1 Wastewater Technician

Two positions remain unfunded:

General Fund - 1 Accountant and 1 Building Inspector

After receiving public input, staff is recommending the Council adopt the budget resolution for FY 2023.

A discussion ensued. Interim City Manager Reggentin 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 a brief discussion, the City Council moved to approve Resolution No. 12-2022, adopting the General Fund Budget of \$33,057,000; Utilities Fund Budget of \$19,607,000; Solid Waste Budget of \$3,050,200; and, Stormwater Environmental Utility Budget of \$2,057,300; Voted Debt Service Budget of \$818,575; and Position Authorization Table for FY 2023, 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

3. ORDINANCE RIGHT-OF-WAY ABANDONMENT - LAKE CATHERINE DRIVE.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, vacating and abandoning a portion of the Lake Catherine Drive right-of-way, according to the Plat thereof, as recorded in Plat Book "R", page 47, of the Public Records of Orange County, more particularly described in Exhibit A, contingent on rededication of previously vacated right-of-way; providing for conflicts, recording and an effective date.

Public Works Director Tracy restated that in 2021, an application was filed by Jon B. and Angela Mendelsohn, property owners of 815 Lake Catherine Drive, to vacate and abandon a portion of the City right-of-way on Lake Catherine Drive. The applicants requested an area of approximately 21 square feet to be vacated in order to rebuild an existing dock. On November 8, 2021, City Council passed Ordinance No. 1391, which vacated the requested portion of Lake Catherine Drive right-of-way.

The applicants have since determined that the portion abandoned was incorrect. They have requested to dedicate this portion back to the city in order to vacate the correct portion of the right-of-way. Staff does not object to the vacating provided the right-of-way deed is properly executed and recorded.

After the public hearing, the staff recommends the Council move to adopt an ordinance to vacate and abandon a portion of Lake Catherine Drive, as presented.

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

A motion was made to adopt Ordinance No. 1408, vacating and abandoning a portion of Lake Catherine Drive right-of-way, as presented.

RESULT:	Adopt
MOVER:	Councilmember Lori Wurtzel
SECONDER:	Councilmember Vance Guthrie
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes

NAYS:	None
--------------	-------------

4. ORDINANCE RIGHT-OF-WAY ABANDONMENT - PERRY STREET (FORDS AVENUE).

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, vacating and abandoning a portion of Perry Street (now known as Fords Avenue) right-of-way, according to the Plat thereof, Thompson Subdivision as recorded in Plat Book "Q", page 1, of the Public Records of Orange County, Florida more particularly described in Exhibit A; providing for conflicts, recording and an effective date.

Public Works Director Tracy spoke and presented this item on behalf of Community Development Director Matthys. She stated that on September 12, 2022, the City Council introduced an ordinance to vacate the referenced portion of Perry Street (known as Fords Avenue).

Staff recommends the Council adopt the Ordinance to vacate and abandon a portion of Perry Street (known as Fords Avenue).

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

A motion was made by the Council to adopt Ordinance No. 1409, vacating and abandoning a portion of Perry Street (known as Fords Avenue) right-of-way, as presented.

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

5. ORDINANCE RIGHT-OF-WAY ABANDONMENT - HOWELL BRANCH ROAD.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, vacating and abandoning a portion of Howell Branch Road right-of-way, according to the Plat thereof, as recorded in Plat Book "T", page 7, of the Public Records of Orange County, more particularly described in Exhibit A; providing for conflicts, recording and an effective date.

Public Works Director Tracy spoke and presented this item on behalf of Community Development Director Matthys. She stated that on September

12, 2022, the City Council introduced an ordinance to vacate and abandon a portion of Howell Branch Road.

Staff recommends the Council adopt the ordinance to vacate and abandon a portion of Howell Branch Road.

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

A motion was made by the Council to adopt Ordinance No. 1410, vacating and abandoning a portion of Howell Branch Road right-of-way, as presented.

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

6. ORDINANCE FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM (CIP) 2023-2027.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, amending Ordinance No. 1389 in direct relation to the Capital Improvements Program, Table 1; amending the governance and implementation element of the Maitland Comprehensive Development Plan 2035 (CDP) to replace Table 7.1 Capital Improvements Program to recognize the annual update of the City of Maitland 5-Year CIP; amending the CDP relating to Orange County Public Schools (OCPS) to recognize the annual update of the OCPS 10-Year Capital Outlay Plan, and providing an effective date.

Interim City Manager Reggentin stated that City Council adopted the FY 2023 Budget, which included the CIP. This document summarizes the major capital expenditure projects contemplated by the City of Maitland over the next five years. The projects included are consistent with the City's approved Comprehensive Development Plan ("CDP"). Capital improvement projects, by definition, are physical assets constructed or purchased to provide, improve or replace a public facility and are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purposes of the state requirements, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

A discussion ensued.

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

After a brief discussion, a motion was made by the Council to adopt Ordinance No. 1411, approving the FY 2023-2027 Capital Improvements Program (including revised Table 1), updating Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP, recognizing the annual update of the 5-Year CIP; and recognizing the annual update of the Orange County Public Schools 10-Year Capital Outlay Plan, as presented.

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

7. ORDINANCE NON-EXCLUSIVE FRANCHISE AGREEMENT CONSTRUCTION AND DEMOLITION (C&D) DEBRIS REMOVAL - WE GOT THIS HAULING, LLC.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, granting We Got This Hauling, LLC. a Non-Exclusive Franchise to provide roll-off container collection and disposal of waste within the City of Maitland, Florida; outlining the franchisee's duties and providing for terms and conditions under which such franchise will operate; provide for severability and provide for an effective date.

Interim City Manager Reggentin stated that this ordinance was introduced to the City Council at the September 12, 2022 meeting. He restated that in July 2013, the City Council approved an exclusive franchise with Waste Pro of Florida, Inc., for collection of single and multi-family residential solid waste, yard waste and recycling, and commercial solid waste. The franchise excludes the disposal of solid waste and construction and demolition ("C&D") debris removal and the City established non-exclusive franchises through adoption of City Code Sections 7-32 through 7-37 in August 2013. The non-exclusive franchise program enables residents and businesses to obtain competitive pricing for C&D debris removal services while still maintaining a level of oversight to ensure haulers are properly licensed, insured and qualified to provide services within the City limits. Self-hauling by residents or contractors of C&D debris is not regulated.

Haulers who wish to provide C&D removal services within the City must submit an application and the required documentation outlined by the City Code. Per the City Charter, all franchises must be adopted via ordinance, and the non-exclusive franchise agreement was drafted by the City Attorney's office.

We Got This Hauling LLC., has completed the application and submitted all documentation required under Section 7.24, and is qualified to provide C&D debris removal services. This hauler is located in Sanford, Florida, and has been in business since 2021. They currently provide roll off containers utilizing the hauling services for clients and desire to provide services to Maitland residents and businesses.

The staff is recommending the City Council approve the ordinance granting a Non-Exclusive Franchise Agreement to We Got This Hauling LLC.

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

A motion was made by the Council to adopt Ordinance No. 1412, granting a Non-Exclusive Franchise Agreement to We Got This Hauling, LLC., as presented.

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

8. ORDINANCE CHARTER AMENDMENTS 2023 GENERAL MUNICIPAL ELECTION.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, submitting to the electors of Maitland proposed amendments to the Charter of the City of Maitland; providing ballot titles, summaries and text for the proposed amendments; providing directions to the City Clerk; providing for severability; providing for an effective date for approved amendments; providing for an effective date for the ordinance.

City Clerk Hollingsworth stated that the City Council has reviewed and considered several recommended charter questions since October 11, 2021. Most recently, on September 12, 2022, the City Council introduced an ordinance providing the six (6) final charter questions. These six (6) charter questions shall be submitted to the voters at the next municipal

election on March 14, 2023.

1. Clarification of Term Limits: Recommended by the Charter Review Commission to clarify how long a mayor who has served two terms must sit out before being eligible to qualify again. If the mayor has served two (2) consecutive terms in office, either as mayor or council or any combination thereof, they would be ineligible to qualify to run for any council seat until one year after the end of their last term (ineligible for one election cycle). Example: Jane Smith's second 3-year term as mayor concluded April 11, 2022. Jane Smith would be eligible to qualify in January 2024 for the March 2024 election, taking office April 2024.

2. Mayoral Succession: Recommended by the Charter Review Commission to provide succession in the event of a vacancy in the office of the mayor. The initial statement in this section of the Charter states that the vice mayor will become mayor for the remainder of the unexpired term. The last sentence of the section states that the vice mayor shall assume all duties of the mayor until the next scheduled municipal election for the mayoral seat. By removing the last sentence, the conflict will be addressed and the vice mayor will take the place of the Mayor and serve out the remainder of his or her term as mayor.

3. Availability of Printed Copy: Recommended by staff for cleanup and best practices considering the availability of the code online 24-7. There will be a printed copy available for public inspection at the office of the city clerk.

4. Providing for Run-offs, Timing thereof and Tie-Breaking: Discussed by the Charter Review Commission and recommended by staff to eliminate the provision for a run-off election and allow candidates to be elected by plurality. After discussion by the Council, the direction was to provide a minimum percentage of at least 35% of votes cast to be elected. The current amendment would only eliminate a run-off election when a candidate receives 35% or more of votes cast. If no candidate receives the 35% minimum, there would be a run-off between the two candidates receiving the highest total number of votes cast. In the event that two candidates receive the same number of votes during any election, the drawing of lots would be used to break the tie.

5. Petitions, Oath, Qualifying: Recommended by staff to utilize the statutory candidate oath provided for in Sec. 99.021(1)(a) Florida Statutes and establishing a petition submittal period prior to the already established qualifying period. This will allow the Supervisor of Elections office adequate time to certify submitted petitions and return the candidate petition certification to the city clerk prior to qualifying. The established qualifying period would remain unchanged.

6. Gender Neutrality: Recommended by the Charter Review Commission to eliminate all references to gender. Instead, the charter language would include they, their, them and themselves or refer to the title of position being referenced.

Staff recommends the adoption of the proposed charter amendments ordinance and submission to the voters at the next municipal election scheduled for March 14, 2023.

A discussion ensued. City Clerk Hollingsworth answered questions posed by the Council.

Mayor Lowndes opened the public comment period.

Dale McDonald, 108 Tangelo Court, spoke regarding the proposed questions and in favor of minimizing the total number of charter amendment questions on the ballot.

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

After a short discussion, a motion was made by the Council to adopt Ordinance No. 1413, submitting to the electors the proposed amendments to the Charter of the City of Maitland, excluding questions #1 and amending question #4 to the previously presented language on September 12, 2022; authorizing the questions to be renumbered as 1 - 5.

RESULT:	Adopt as Amended
MOVER:	Councilmember Michael Wilde
SECONDER:	Councilmember Vance Guthrie
AYES:	Vance Guthrie, Michael Wilde, John Lowndes
NAYS:	Lori Wurtzel, Lindsay Hall Harrison

V. ADJOURN COUNCIL MEETING CONVENE CRA MEETING

Mayor Lowndes adjourned the City Council meeting at 8:13pm for the purpose of convening the Community Redevelopment Agency meeting.

Upon adjournment of the Community Redevelopment Agency meeting, Mayor Lowndes reconvened the City Council meeting at 8:18pm.

VI. OLD BUSINESS

There was none to report.

VII. CONSENT AGENDA

Mayor Lowndes opened the public comment period for Consent items #2 through #6.

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

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

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

- 1. CITY COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2022.**
Approve the City Council Meeting Minutes of September 12, 2022.
- 2. FISCAL YEAR 2022 AUDITOR COMMUNICATION LETTER - CARR, RIGGS & INGRAM, LLC.**
Receive 2022 Auditors Communication Letter, as presented.
- 3. ART AND HISTORY MUSEUM ROOF REPAIRS - JOHNSON-LAUX CONSTRUCTION, LLC.**
Authorize the Interim City Manager to execute a contract with Johnson-Laux Construction, LLC for replacement and repairs of multiple roofs throughout Art and History Museum complex, in the amount of \$139,663.46 plus a 10% contingency.
- 4. FT. MAITLAND PARK EASEMENT AGREEMENT - DUKE ENERGY FLORIDA, LLC.**
Authorize the Mayor to execute the Ft. Maitland Park easement agreement with Duke Energy Florida, LLC., as presented.
- 5. FY 2023 UTILITY FUND REPLACEMENT VEHICLE - ALAN JAY FLEET SALES.**
Authorize the purchase of a FY23 scheduled Utility replacement vehicle for \$50,255.00, through Alan Jay Fleet Sales utilizing Sourcewell contract # 2023-091521 NAF and 060920 NAF awarded to National Auto Fleet Group.
- 6. RECREATION INSTRUCTOR CONTRACTUAL PAYMENTS - MCGINNIS TENNIS.**
Approve all payments to Donnie McGinnis not to exceed 85% of the total fees received for the Parks and Recreation Department tennis instructional program.

VIII. PUBLIC PERIOD

Mayor Lowndes opened the Public Period.

Stacie Larson, Director of the Maitland Public Library, expressed her gratitude to the city council and the city staff for the approval of the FY 2023 budget. Additionally, she provided information from their board meeting on Wednesday, which culminated in the decision to cease late fee charges on the library books.

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

IX. DECISIONS**1. HILL RECREATION PARK AWARD - FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP).**

Interim City Manager Reggentin stated that the City of Maitland has been awarded \$50,000 to reimburse a portion of the expenses of the recent improvements to Hill Recreation Park by the Florida Recreation Development Assistance Program (FRDAP), a grant funding program for local governments managed by the Florida Department of Environmental Protection. Execution of the agreement is required to accept these funds. It should be noted that one of the requirements in accepting this award is that the entirety of the site must be dedicated in perpetuity as an outdoor recreation site. The site is a designated Heritage Land under the Charter. With this designation, the use of recreation may not be changed without receiving prior approval from the citizens of Maitland via referendum. Because this site is in the middle of a tightly condensed residential neighborhood which is accessible only by narrow residential roads, it is not envisioned that another more intense use such as a fire station or public works compound would ever be appropriate at this location. Additionally, if the city were to propose a sale of the property, that must also be approved by the residents of Maitland through a referendum. The current use of the site as a neighborhood park is the most appropriate use of this particular site based upon its location and the limited park land available in this area of the city.

Staff recommends that the Mayor be authorized to execute the agreement with the Department of Environmental Protection to accept the FRDAP grant award.

A discussion ensued.

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

After a brief discussion, a motion was made by the Council to authorize

the Mayor to accept the \$50,000 award from the Florida Recreation Development Assistance Program (FRDAP) for Hill Recreation Park, as presented.

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

2. ORDINANCE INTRODUCTION - CHAPTER 20 WATER, SEWERS AND SEWAGE DISPOSAL RATES.

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, amending Chapter 20, Water, Sewers and Sewage Disposal, to provide for service charges, and fees, and billing and collection by interlocal; and providing for conflicts, for severability; providing for repeal of conflicting resolutions; and providing for an effective date.

Interim City Manager Reggentin stated that the City engaged GovRates to perform a Water and Sewer Rate Study. At the July 11, 2022 City Council meeting, Bryan Mantz from GovRates presented the results of the study, which included an overview of the City's utility and current rate structure, as well as rate guiding principles, a survey of surrounding municipality rates and proposed rate recommendations for recurring monthly charges and connection fees. GovRate's rate study concluded that revenues under existing rates are insufficient to meet all the revenue requirements of the Utility Fund and recommended adoption of rates.

As a part of the presentation, it was recommended to adopt the new rates and charges through a resolution rather than by ordinance and on August 8, 2022, Council adopted the respective ordinance and resolution. However, subsequently, while staff was performing a City Charter review, it was noted that City Charter Sec. 2.12, Action requiring an ordinance, (5) Regulate the rate charged for its services by a public utility, does not permit the utility rates by Resolution; therefore, staff is bringing forth the ordinance and Fee Schedule with revisions.

With the exception of the items noted below, there are no changes to rates previously approved. This is an administrative change to re-establish the rates charged by the public utility, previously adopted by Resolution, to an Ordinance, and to address the following:

- Sections 20-18 and 20-62, added Deposit, and provision is added to round up the deposit amount to an increment of \$5.00. This avoids amending deposit amounts annually and simplifies the customer experience when opening an account while providing a simpler accounting within the utility fund.
- In Section 20-19, a paragraph is added to provide the Public Works Director with the authority to determine an appropriate base service charge when there are multiple services provided by the same Primary Line, (ie. Water and Fire Line). This allows the city to adjust availability fees for customers that share a fire line for potable water supplies.
- Sections 20-19 and 20-57, added the 25% out of City surcharge; added Cost Index increase for FY 2028 and beyond.
- The schedule was missing the AMI monthly read fee of \$30.00. This fee was previously adopted for customers that opted out of the radio read meter system and require manual reading of meters.
- The schedule added a third party billing fee (services billed by other entity) to allow for actual costs.

City staff recommends City Council introduce an ordinance implementing GovRate's recommendations to amend Chapter 20 of the City Code, and to set the public hearing and adoption date for October 10, 2022. Once adopted, rates will become effective November 1, 2022.

A discussion ensued.

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

After a brief discussion, a motion was made by the Council to introduce an ordinance, adopting the utility fee schedule and setting the public hearing date for October 10, 2022, as presented.

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

3. PROCLAMATION - STATE OF EMERGENCY - HURRICANE IAN

Interim City Manager Reggentin presented the City Council with an Emergency Proclamation for Hurricane Ian, which was declared by the Honorable Ron DeSantis, Governor of the State of Florida, as a State of Emergency.

The city staff recommends that the Mayor execute and the City Council ratify the Emergency Proclamation for Hurricane Ian.

A discussion ensued. Interim City Manager Reggentin answered questions posed by the Council.

After a brief discussion, a motion was made to ratify the executed Emergency Proclamation for Hurricane Ian.

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

X. DISCUSSION

There were no Discussion item.

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

Interim City Manager Reggentin provided additional information and updates regarding the anticipated landfall of Hurricane Ian in the state of Florida in accordance to the Florida Division of Emergency Management and the National Hurricane Center.

Vice-Mayor Hall Harrison excused herself from the October 10th and October 24th City Council meetings.

Councilmember Wilde requested a Workshop/Special meeting to discuss the City Manager position.

XII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:40pm.