



**City Council
Approved Minutes
March 27, 2023
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 March 27, 2023 meeting to order at 6:32 pm. Staff also in attendance: Interim City Manager Reggentin, City Clerk Hollingsworth, City Attorney Shepard, Parks and Recreation Director Conn, Finance Director Gray, Public Works Director Tracy, Human Resources Director Gondar, Fire Chief Watts, Deputy Fire Chief Morton, Police Chief Manuel, Records Management Specialist Eichner, and Public Information Officer Sargent.

II. MOMENT OF SILENCE

Mayor Lowndes offered a moment of silence.

III. PLEDGE OF ALLEGIANCE

Mayor Lowndes led the Pledge of Allegiance.

IV. PRESENTATIONS

1. MAITLAND FIRE DEPARTMENT FIRE FIGHTER OF THE YEAR

Fire Chief Watts presented Firefighter Paramedic Elijah Taylor (not present) with the 2022 Firefighter of the Year award. Chief Watts stated Mr. Taylor was unable to attend tonight's meeting and would graciously accept on his behalf.

2. FIRE CHIEF WILL WATTS RETIREMENT

Mayor Lowndes read aloud a brief bio highlighting Chief Watts's numerous achievements and accomplishments. Mayor Lowndes then presented Chief Watts with a 22-year service award, expressing deep appreciation and gratitude for all the years of devoted public service and valuable contributions to the City of Maitland. Further, Mayor Lowndes expressed best wishes and continued good health and happiness to Chief Watts.

Chief Watts humbly accepted, then heartfully thanked his family, colleagues and the city council for many years of support and numerous opportunities.

Fire Chief Watts will retire April 6, 2023.

3. 2023 WATER CONSERVATION PROCLAMATION

Mayor Lowndes, on behalf of the City Council, read aloud and presented Utilities Manager McCullen and Public Works Director Tracy with a Proclamation proclaiming the month of April as Water Conservation Month.

Utilities Manager McCullen graciously accepted, then thanked the City Council for the continuous support given to the Public Works Department and the city's conservation efforts.

V. ADJOURN COUNCIL MEETING CONVENE CRA MEETING

Mayor Lowndes adjourned the City Council meeting at 6:47 pm 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 6:49 pm.

VI. OLD BUSINESS

There were none.

VII. CONSENT AGENDA

Mayor Lowndes opened the public comment period for Consent items #2 through #5. 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:	Vice-Mayor Lindsay Hall Harrison
SECONDER:	Councilmember Lori Wurtzel
AYES:	Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes
NAYS:	None

- 1. CITY COUNCIL MEETING MINUTES OF FEBRUARY 27, 2023**
Approve the City Council meeting minutes of February 27, 2023.
- 2. FISCAL YEAR 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND AUDITOR COMMUNICATIONS**
Receive the 2022 Annual Comprehensive Financial Report (ACFR) and Auditor Communications.
- 3. SENECA TRAIL/THISTLE LANE AT HORATIO AVENUE INTERSECTIONS IMPROVEMENT PROJECT**
Approve the removal of the Seneca Trail and Thistle Lane at Horatio Avenue Intersections Improvement Project from the City's Capital Improvement Program.

4. SCHOOL ZONE SIGNING & STRIPING BID AWARD & CONTRACT - TRAFFIC CONTROL DEVICES, LLC

Authorize the Interim City Manager to execute a contract with Traffic Control Devices, LLC for the School Zone Signing and Pavement Marking Improvements (ITB 23-416-001), in the amount of \$290,000 and authorizing a contingency of \$24,000 for field directives.

5. PIGGYBACK CONTRACT ANNUAL SEWER SYSTEM REHABILITATION - MILLER PIPELINE, LLC

Authorize Interim City Manager to execute a piggyback contract with Miller Pipeline, LLC utilizing Orange County Contract #Y22-128.

VIII. PUBLIC PERIOD

Mayor Lowndes opened the Public Period.

Dale McDonald, 108 Tangelo Ct, stated he supported the public speakers from the prior meeting and their advocacy for pickle ball courts.

Jo Ann Bentti, 1771 Chinook Trail, stated there are several city projects to consider and prioritize, i.e. Library and Splashpad. She also noted that there are some pavers needing to be replaced at the senior center.

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

IX. DECISIONS

1. ORDINANCE INTRODUCTION POLICE OFFICER AND FIREFIGHTERS PENSION

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, amending Chapter 2, Article IV, Division 4, Police Officers and Firefighters, of the City Code, providing for conflicts, providing for severability, providing for codification; and providing for an effective date.

Interim City Manager Reggentin introduced the ordinance and provided a brief overview.

At the Maitland Police Officers and Firefighters Pension Board ("Board") meeting on December 14, 2022, the Board unanimously approved and directed the plan administrator to forward the attached ordinance and no impact statement to the City Council for their consideration. The ordinance will allow:

1. Employees who have opted in for the 20 and out of any age to receive a refund for the additional amounts paid for that benefit to receive a refund of additional contributions paid if they later decide to opt out of the 20 and out.

2. Allow members, in the event of death prior to retirement, to make other beneficiary elections prior to their actual retirement.
3. Change the age for IRS minimum distribution.
4. Clarify the payout period for Share Plan distributions to start when they reach retirement age.

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 introduce the proposed Ordinance, setting the public hearing and action date of April 10, 2023, as presented.

RESULT:	Introduce
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. ORDINANCE INTRODUCTION ZONING MAP AMENDMENT (AZS 2022-0001) 473 S. KELLER ROAD

City Clerk Hollingsworth read aloud, by title, an ordinance of the City of Maitland, Florida, amending the Official Zoning Map, a part of Article 1 of the Maitland Land Development Code by Changing the Zoning Classification of property located at 473 South Keller Road, further described herein, from Planned Development (PD) to West Side New Market (WS-NM) District and providing for an effective date.

Community Development Director Matthys presented the Development Review Committees' staff analysis report, dated February 1, 2023, that addresses the application's compliance with the applicable review standards.

On January 28, 2019, Council approved an application to rezone the subject property from R-1 (Singlefamily district) to Planned Development (PD) along with a PD concept plan, for the development of a six-story, 50-unit gated condominium community with associated parking and amenities. On November 20, 2019, the Development Review Committee (DRC) approved a site plan consistent with the PD concept plan. On April 25, 2022, the applicant received Council approval for a one-year extension of the site plan to allow the applicant time to file Site Construction and other associated building permits.

In late 2022, the applicant contacted staff expressing a desire to increase the number of units of the approved project, citing that the approved PD

was no longer feasible due to a variety of factors such as material and labor costs, inflation, et cetera. After exploring his options, the applicant elected to request a rezoning from PD to WS-NM. The WS-NM district is consistent with adjacent properties and, per the LDC, is intended to provide sufficient flexibility to adapt to future market demands.

Applications for site-specific zone district map amendments require a quasi-judicial public hearing, held in accordance with Sec. 2.4.7, Public Hearing Procedures of the Land Development Code. The City Council may consider all testimony and evidence it deems competent and substantial to the application, and may exclude testimony or evidence it determines to be irrelevant, immaterial, incompetent, unreliable or unduly repetitious. The Council's review and decision is based on whether the application meets all applicable requirements of the Land Development Code, based on the entirety of the record before the decision-making body.

- February 1, 2023: The Development Review Committee (DRC) voted unanimously to recommend approval of the application.
- March 2, 2023: The Planning and Zoning Commission (P&Z) voted unanimously to recommend approval of the application.

Community Development Director Matthys answered questions posed by the Council and introduced applicant Eli Melamed of ERM-TLS, Inc. A brief discussion ensued.

Mayor Lowndes opened the public comment period.

Dale McDonald, 108 Tangelo Court, inquired as to the 55 and older project and would it be an ALF (assisted living facility).

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

Discussion ensued with Community Development Director Matthys and Eli Melamed answering questions posed by the Council.

A motion was made to introduce the proposed Ordinance for the Zoning Map Amendment (AZS 2022-0001) 473 S. Keller Road, setting the public hearing and action date of April 10, 2023, as presented.

RESULT:	Introduce
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. ORANGE COUNTY TOURIST DEVELOPMENT TAX (TDT) CITIZENS ADVISORY TASK FORCE REPRESENTATIVE APPOINTMENT

Orange County Mayor, Jerry Demings, has requested the City Council to appoint a representative (Maitland Resident) to serve on the Tourist Development Tax (TDT) Citizens Advisory Task Force. This group of citizens will review and provide input to the Board of County Commissioners and Tourist Development Council on potential uses of future, unencumbered TDT revenues.

Mayor Lowndes solicited nominations from council for both a primary and alternate representative.

Mike Thomas, Jeff Flowers and Doris Houck were all nominated by Vice Mayor Hall Harrison.

Dale McDonald was nominated by Councilmember Guthrie.

Bill Derrick was nominated by Councilmember Wurtzel.

Mike Thomas received a second from Mayor Lowndes and a third from Councilmember Wilde.

Jeff Flowers received a second from Mayor Lowndes but failed to receive a third.

Doris Houck and Dale McDonald failed to receive a second or a third.

Bill Derrick received a second from Councilmember Guthrie and a third from Mayor Lowndes.

Therefore, Mayor Lowndes declared Mike Thomas appointed as the primary representative and declared Bill Derrick as the alternate representative to serve on the Orange County Tourist Development Tax (TDT) Citizens Advisory Task Force.

4. 2023 MUNICIPAL ELECTION CERTIFICATE & RESULTS

The City of Maitland held its Municipal Election on Tuesday, March 14, 2023. Per the City Charter, when the City holds an election that is not in conjunction with a County-wide election, the City Canvassing Board shall canvass the returns and issue a certificate to be recorded in the minutes of the next regular or special City Council meeting. The Canvassing Board accepted and certified the official results of the General Municipal Election held on Tuesday, March 14, 2023, as presented by the Orange County Supervisor of Elections Office on March 17, 2023.

City Clerk Hollingsworth read aloud the official election results to be recorded in the minutes.

The City Canvassing Board met on March 17, 2023 and accepted the following official results:

Total votes cast: 1,518

Council Seat #4

Lindsay Hall Harrison 941 Votes 61.99 %

Dale McDonald 577 Votes 38.01%

Candidate Lindsay Hall Harrison received the majority of total votes cast in the regular municipal election. Therefore, she was declared re-elected to Seat #4 Councilmember.

Charter Amenments:

Question #1 Mayoral Succession - Passed with 79.03% of the vote.

Question #2 Availability Printed of Copy - Passed with 66.87% of the vote.

Question #3 Providing for Runoffs - Rejected by 63.34% of the vote.

Question #4 Petitions, Oath.... - Passed with 73.60% of the vote.

Question #5 Gender Neutrality - Passed with 52.24% of the vote.

Council Seat #2 - Incumbent Councilmember Vance Guthrie was unopposed and therefore declared re-elected in accordance with Sec. 8.03 of the City Charter.

Both are to serve a term of three years beginning April 24, 2023.

Note: The 2023 Canvassing Board certification of election results is attached and made part of the permanent record.

A motion was made to accept the certification of election results by the 2023 Canvassing Board as presented.

RESULT: Accept

MOVER: Councilmember Michael Wilde

SECONDER: Councilmember Lori Wurtzel

AYES: Lori Wurtzel, Vance Guthrie, Michael Wilde, Lindsay Hall Harrison, John Lowndes

NAYS: None

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

City Attorney Shepard provided a brief update on the Peacock Ford legal proceedings. He also read a brief excerpt from Senate Bill 102 - "Live Local Act", and provided a brief overview.

Interim City Manager Reggentin reminded everyone of upcoming events: The Maitland Jazz and Blues Festival, March 31 and April 1, 2023, and Earth Day Farmers Market and tree giveaway on March 30, 2023.

Councilmember Wurtzel attended the Maitland Little League's opening day over the weekend. She stated the new board plans to restructure and revitalize the program.

Vice-Mayor Hall Harrison attended the Art & History Museums Gala - The Art Party this past weekend and congratulated A&H on a successful signature event.

City Clerk Hollingsworth announced the Volunteer Appreciation event is scheduled on April 11, 2023. She also stated that the swearing ceremony would be at the April 24, 2023, Council Meeting for both re-elected Councilmembers, Lindsay Hall Harrison and Vance Guthrie.

XI. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 7:51 pm.