City Council Minutes
October 26, 2020
Council Chambers
6:30 PM

I. CALL TO ORDER

Present:	5 -	Mayor Dale McDonald, Vice-Mayor Michael Wilde, Councilmember Michael Thomas, Councilmember Vance Guthrie, Councilmember Lindsay Hall Harrison

Mayor McDonald called the meeting to order at 6:33 PM. Also present were City Manager Anselmo, City Attorney Shepard, and City Clerk Waldrop.

II. INVOCATION

Mayor McDonald requested a moment of silence.

III. PLEDGE OF ALLEGIANCE

Mayor McDonald led the Pledge of Allegiance.

IV. PUBLIC HEARINGS

1. ORDINANCE - AMENDMENT TO CHAPTER 14, SPECIAL EVENT PROCEDURE

The City Clerk read, by title, an ordinance of the City Council of the City of Maitland, Florida amending the procedure and requirements for securing a permit to hold a special event; providing for legislative findings; providing for severability; providing for codification; providing for conflicts; and providing for an effective date.

Mr. Jay Conn, Parks & Recreation Director, stated that upon review of Chapter 14 of the City Code(Special Events), it was noted that currently only not-for-profit organizations are permitted to host a special event in the City of Maitland. The City Attorney recommended that this restriction is not permissible and that any group should be evaluated equally regardless of their membership, purpose, or message. Included in the revisions are updated regulations pertaining to fireworks and other minor verbiage modifications. Mr. Conn stated that they did make the minor change to have a Maintenance of Traffic Plan (MOT) submitted with the application.

Mayor McDonald opened the Public Hearing. There being no one who wished to be heard, Mayor McDonald closed the Public Hearing.

A motion was made to adopt Ordinance #1383 amending Chapter 14, "Special Events" of the City Code.

RESULT:	**Adopt**
MOVER:	**Councilmember Vance Guthrie**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

2. ORDINANCE - AMENDING CHAPTER 6 - "FIRE PROTECTION AND PREVENTION"

The City Clerk read, by title, an ordinance of the City of Maitland, Florida relating to fire prevention and amending the Maitland City Code; implementing the Florida Fire Prevention Code; adopting the Florida Fire Prevention Code by reference and referenced provisions of nationally recognized codes; providing for the general regulation of fire prevention activities within the City of Maitland; readopting local technical amendments as prescribed by Florida Statute; reorganizing sections to coordinate with the Florida Fire Prevention Code; providing for clarifications of requirements regarding standpipes; readopting Fire Sprinkler systems requirements; readopting electronic monitoring requirements for fire sprinkler systems; providing for conflicts; providing for severability; providing for codification and providing an effective date.

The City Manager stated that the City of Maitland has submitted local amendments to the statewide Florida Fire Prevention Code (FFPC) to the State Fire Marshal's Office (SFMO). This submittal process fulfilled the established statutory obligations and the City has been authorized by the SFMO to adopt and readopt these local amendments into its City code according to Florida Statute 633.202. This ordinance update maintains and clarifies these local amendments, and aligns the City Code with the FFPC. This ordinance must be re-adopted every three years. Updates and changes to the Maitland City Code include 1. The recognition of the new Florida Fire Prevention Code (FFPC), 7th edition, 2018 editions of NFPA 1 Fire Prevention Code, and NFPA 101 Life Safety Code; 2. Removing the necessity of gaining a permit for residential backyard fire pit use. Guidance on residential burning, in relation to combustible materials, size of the fire, and setbacks from adjacent buildings, are provided in greater clarity. Commercial burning of yard waste or construction materials remains prohibited. Any fire that creates a nuisance atmosphere may be extinguished at the discretion of the authority having jurisdiction or the Division of Forestry.

Mayor McDonald opened the Public Hearing. There being no one who wished to be heard, Mayor McDonald closed the Public Hearing.

A motion was made to adopt Ordinance #1384 amending and re-adopting City Code Chapter 6, "Fire Protection and Prevention."

RESULT:	**Adopt**
MOVER:	**Councilmember Lindsay Hall Harrison**
SECONDER:	**Vice-Mayor Michael Wilde**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

3. ORDINANCE - AMENDING CHAPTER 2 - "POLICE OFFICERS' & FIREFIGHTERS' PENSION PLAN"

The City Clerk read, by title, an ordinance of the City of Maitland, Florida, amending Chapter 2, "Administration," Article IV, "Pensions and Retirement," Division 4, "Police Officers and Firefighters," to amend the City of Maitland Police Officers and Firefighters Pension Plan Membership; provide for conflicting ordinances; provide for severability; and providing an effective date.

The City Manager stated that on August 13, 2012, the City Council adopted Ordinance No. 1230 removing the Mayor as a trustee of the Police Officers and Firefighters Pension Plan ("Pension Plan") and adding a member of Senior Management to be appointed by the City Council to serve as a trustee for the Police Officers and Firefighters Pension Plan ("Pension Plan"). Subsequently, Charter Section 5.06 was amended by Ordinance No. 1232 on November 26, 2012 to apply term limits for any member of a permanent board, commission, or agency appointed by the City Council to two consecutive terms. Although this was intended to impact the resident members of the Pension Board, as drafted it also impacted the appointed senior management representative. The City's current Finance Director, Jerry Gray, was appointed by City Council in 2014 to fill the unexpired term of the now City Manager. He was then reappointed by City Council again in August of 2016. As of August 2020, the Finance Director is not eligible for re-appointment. The City code specifies that the two Chiefs, Police and Fire, are named by position and therefore avoid the term limits applied to appointed members. Staff is recommending that Council amend the City code to specify the Finance Director is named by position, rather than appointed by Council. This would allow Jerry Gray to continue to serve as a trustee while he serves in the position of Finance Director. This is consistent with the intention of Ordinance 1230, to have the member of senior management with the most financial experience and appropriate background continue to serve as a trustee for the Pension Plan.

Mayor McDonald opened the Public Hearing. There being no one who wished to be heard, Mayor McDonald closed the Public Hearing.

A motion was made to adopt Ordinance #1385 to amend Chapter 2, Article IV, Division 4, t amend the membership of the Police Officers' and Firefighters' Pension Plan.

RESULT:	**Adopt**
MOVER:	**Councilmember Lindsay Hall Harrison**
SECONDER:	**Vice-Mayor Michael Wilde**
AYES:	**Dale McDonald, Michael Wilde , Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

4. ORDINANCE – NON EXCLUSIVE C&D FRANCHISE AGREEMENT - DISPOSALL INC.

The City Clerk read, by title, an ordinance of the City of Maitland, Florida, granting Disposall, Inc. 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.

The City Manager stated 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 attached non-exclusive franchise agreement was drafted by the City Attorney's office. Disposall, Inc., 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 Orlando, Florida, and has been in business since 1979. They currently provide 600 roll-off containers utilizing the hauling services for clients and desire to provide services to Maitland residents and businesses.

Mayor McDonald opened the Public Hearing. There being no one who wished to be heard, Mayor McDonald closed the Public Hearing.

A motion was made to adopt Ordinance #1386 granting a non-exclusive franchise agreement to Disposall, Inc.

RESULT:	**Adopt**
MOVER:	**Councilmember Vance Guthrie**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

V. OLD BUSINESS

The City Manager stated that she forwarded an email to Council related to the court case for the parking issue at Fort Maitland Park. If the Council has any questions they should contact the city attorney directly for clarification and that this item will be on the November 9, 2020 Council agenda. In addition, there will be an email sent regarding the grant restrictions on the park land which will explain the terms of the federal grant.

The City Manager stated that the Gem Lake PD will be on agenda for the November 9, 2020 Council meeting. If Council would like a brief overview of the project, contact Dan Matthys in Community Development to schedule a meeting.

VI. CONSENT AGENDA

Mayor McDonald asked if anyone from the public would like to speak on items 2-9 on the Consent Agenda. There being no one who wished to speak, Mayor McDonald closed the public comment period.

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

RESULT:	**Approve**

MOVER:	**Vice-Mayor Michael Wilde**
SECONDER:	**Councilmember Vance Guthrie**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

1. APPROVE MINUTES OF THE CITY COUNCIL MEETING OF OCTOBER 12, 2020

Approve the City Council Meeting Minutes of October 12, 2020.

2. ANNUAL MANHOLE REHABILITATION

Authorize the City Manager to approve a contract with Engineering Spray Solutions (ESS) for sanitary manhole and stormwater structure rehabilitation.

3. ADOPTION OF RECREATION INSTRUCTOR CONTRACT

Approve a purchase order in the amount of $58,000 for tennis instruction to Donald McGinnis for FY21.

4. CONTINUING PROFESSIONAL GIS SERVICES AGREEMENT WITH DRMP

Authorize the City Manager to execute the Scope of Services agreement with DRMP for Professional GIS Services and approve the carryforward of funding to FY 2021.

5. CROWN CASTLE AGREEMENT

Authorize the City Manager to execute the agreement with Crown Castle for the installation, operation and maintenance of AMI equipment.

6. PURCHASE OF POLICE VEHICLES

Authorize the purchase of (2) two police package vehicles $89,780 from Garber Fleet Sales Jacksonville.

7. LIFT STATION GENERATORS DESIGN

Authorize the City Manager to execute the agreement with Burgess and Niple, Inc. for the Lift Station Generator Design Project in the amount of $81,200.

8. ART & HISTORY MUSEUM PROPERTY DAMAGE REPAIR CONTRACT

Authorize the City Manager to award a contract to RLA Conservation Inc. for $124,000 for the restoration of the Art & History Museum property damage.

9. BID AWARD - RIGHT OF WAY AND MEDIAN LANDSCAPE MAINTENANCE

Authorize the City Manager to execute the agreement with Carol King Landscape for the landscape maintenance of the right-of-ways, medians, and associated parcels throughout the City.

VII. PUBLIC PERIOD

Mayor McDonald opened the Public Period.

Mr. Carlos Reyna, 1200 Willowbrook Trail, had questions regarding Code Enforcement and asked the City to provide him with the answers.

Mrs. Stacie Larson, Executive Director, Maitland Public Library, provided an update on the upcoming events at the Library.

Mrs. Cathy Sandifer, 710 Lake Catherine Drive, thanked the Council and staff for the tree giveaway.

There being no one else who wished to be heard, Mayor McDonald closed the Public Period.

VIII. DECISIONS

1. CONTINUING CONSULTING SERVICES NEW LIBRARY PUBLIC ENGAGEMENT PROGRAM

The City Manager stated that over the last year the City Council has been in discussions regarding the most appropriate site for a new library. A site analysis was conducted by ACI Architects Inc. dated July 31, 2020, to evaluate the three most likely sites for a new library. At the City Council workshop on August 31st, the Council reached unanimous consent to move forward with the Quinn Strong Park site. At the September 14, 2020 meeting, Council unanimously voted to select Quinn Strong as the site for the new library. Staff had provided a proposal to move to the next phase (community engagement, conceptual renderings, and program development). However, Council asked to have the next step consist of community engagement to provide feedback to the Council prior to proceeding to conceptual renderings. The steps of that scope include the following tasks: identification and engagement of interested stakeholders in the community; in person focus group meetings; online survey; and, incorporation of vision for Quinn Strong Park and surrounding area to include park improvements, pedestrian access, parking, etc. The total cost to complete these steps is $47,200 plus any direct expenses. Due to the focus on national and local elections, Thanksgiving and December holidays, the ability to engage in a meaningful community involvement process is unlikely. In order to achieve the most meaningful engagement, the months of November and December will be utilized for the creation of session programs, and development of communications strategies with stakeholders as well as building interest and excitement via social media, online and web page development. In person meetings and online survey processes will begin in January. The City Manager introduced Mr. Scott Webber, Architect, ACi Architect Inc. to provide a presentation on the scope of services.

Mr. Scott Webber provided a brief summary of the proposal. Ms. Julie Von Weller, Community Outreach Expert, Aci Architect Inc., and, Mr. Anders Dahlgren, President and Founding Partner, Aci Architect Inc., (remotely) provided information and answered questions posed by Council. A discussion ensued.

Mayor McDonald requested public comment.

Mrs. Joann Benti, 1770 Chinook Trail, provided comments from her neighbors regarding the Library and she also provided suggestions on how the focus groups should be structured for the residents.

Mr. Carlos Reyna, 1200 Willowbrook Trail, expressed his excitement about the possibility of a new Library.

Mrs. Cathy Sandifer, 710 Lake Catherine Drive, stated that she believes the library should have a smaller footprint due to the way technology is currently expanding in today's world.

There being no one else who wished to be heard, Mayor McDonald closed the public comment period.

After discussion, a motion was made by Councilmember Guthrie to approve the scope of services with a 10% contingency added if needed. **The Motion Failed.**

After discussion, a motion was made to approve the scope of services and authorize the City Manager to execute the contract.

RESULT:	**Approve**
MOVER:	**Councilmember Lindsay Hall Harrison**
SECONDER:	**Vice-Mayor Michael Wilde**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

2. APPOINTMENTS - SOUTH SEMINOLE NORTH ORANGE COUNTY WASTEWATER TRANSMISSION AUTHORITY

The City Clerk stated that the terms of Assistant City Manager Mark Reggentin (Member) and Mayor McDonald (Alternate Member) to the South Seminole & North Orange County Wastewater Transmission Authority (SSNOCWTA) expired on October 22, 2020. Since Mayor McDonald's term on Council ends in April 2021, staff recommends Council reappoint Assistant City Manager Mark Reggentin (Member) and appoint Public Works Director Kim Tracy as the Alternate member effective October 23, 2020.

Mayor McDonald requested public comment. There being no one who wished to be heard, Mayor McDonald closed the public comment period.

A motion was made to reappoint Mark Reggentin (Member) and appoint Kim Tracy (Alternate) to the South Seminole Orange County & North Orange County Wastewater Transmission Authority (Member & Alternate).

RESULT:	**Approve**
MOVER:	**Vice-Mayor Michael Wilde**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

IX. DISCUSSION

There were no Discussion items.

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

There were no reports.

XI. ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:11 PM.

CITY OF MAITLAND

____

Signature

____

Title

ATTEST:

____

Signature

Title