City Council
Approved Minutes
November 13, 2023
Council Chambers
6:30 PM

I. CALL TO ORDER

Present:	5 -	Councilmember Lori Wurtzel, Vice Mayor Vance Guthrie, Councilmember Michael Wilde, Councilmember Lindsay Hall Harrison, Mayor John Lowndes
Absent:	0 -	

Mayor Lowndes called the November 13, 2023 meeting to order at 6:32 pm. Staff also in attendance: City Manager Reggentin, Assistant City Manager Kifolo, City Clerk Hollingsworth, City Attorney Shepard, Parks and Recreation Director Conn, Finance Director Gray, Public Works Director Tracy, Fire Chief Morton, Police Chief Manuel, Community Development Director Matthys, 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. PUBLIC HEARING

1. ORDINANCE NO. 1422: SITE-SPECIFIC ZONE DISTRICT MAP AMENDMENT AZS(2023)-0002: 801 S. LAKE DESTINY RD.

City Clerk Hollingsworth read aloud, by title, Ordinance No. 1422.

Community Development Director Matthys provided an overview of Ordinance No. 1422 stating the applicants, SEE Consult GmbH and Jenni Clucas (ITS.USA) are requesting a zone district map amendment from residential single family-1 (RSF-1) to West Side Research and Technology District (WS-RT). Director Matthys briefly recapped the actions leading up to tonight.

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. 1422 Site-Specific Zone District Map Amendment AZS(2023)-0002 - 801 S. Lake Destiny Road, 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**

V. COUNCIL MEETING RECESS - CONVENE CRA MEETING

Mayor Lowndes recessed the City Council meeting at 6:37 pm for the purpose of convening the Community Redevelopment Agency meeting.

Upon adjournment of the Community Redevelopment Agency, Mayor Lowndes reconvened the City Council meeting at 6:39 pm.

VI. OLD BUSINESS

There were none.

VII. CONSENT AGENDA

Mayor Lowndes opened the public comment period for Consent items #3 through #14.

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

1. **CITY COUNCIL MEETING MINUTES OF OCTOBER 23, 2023**
   Approve the City Council meeting minutes of October 23, 2023.
2. **CITY COUNCIL WORKSHOP MEETING MINUTES OF OCTOBER 31, 2023**
   Approve the City Council Workshop meeting minutes of October 31, 2023.
3. **PARK PERIMETER USE AGREEMENT**
   Authorize the City Manager to enter in to a Park Perimeter Use Agreement with Chris and Michelle Ordetx for the usage of certain City-owned property at 814 Suwanee Ct.
4. **PIGGYBACK CONTRACT PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE: ODYSSEY MANUFACTURING COMPANY**

Authorize the City Manager to execute a piggyback contract with Odyssey Manufacturing Company for the purchase and delivery of chemicals for Water and Waste Water- Sodium Hypochlorite.

5. **PIGGYBACK CONTRACT TEMPORARY STAFFING SERVICES: PEOPLEREADY FLORIDA, INC.**

Authorize the City Manager to execute an Amendment to extend piggybacking on the City of Oviedo's RFP Contract No. 18-31 with People Ready for temporary and seasonal worker assistance through May 13, 2025; reflecting the date the Piggyback contract was entered on May 13, 2020 and any subsequent contract extensions.

6. **CONSTRUCTION MANAGER AT RISK CONTINUING CONTRACT: A^2 GROUP INC.**

Authorize the City Manager to execute a Continuing Services Agreement for Construction Manager at Risk with A2 Group Inc.

7. **CONSTRUCTION MANAGER AT RISK CONTINUING CONTRACT: OELRICH CONSTRUCTION, INC.**

Authorize the City Manager to execute a Continuing Services Agreement for Construction Manager at Risk master agreement with Oelrich Construction, Inc.

8. **CONTINUING ENGINEERING AGREEMENT RATE INCREASES: BURGESS & NIPLE**

Approve an amendment to the Burgess & Niple Continuing Professional Engineering Services Contracts for Group B: Utility Lines & Plants, and Group C: Stormwater for the requested rate increases.

9. **CITYWIDE WELCOME SIGNAGE PROGRAM PHASE I PROPOSAL MODIFICATION: DESIGNAGE CREATIVE, LLC.**

Approve the change of the vendor for the Citywide Welcome Signage Program Phase I proposal from Designage, Inc. to Designage Creative, LLC.

10. **REPLACEMENT VEHICLE PURCHASES MAITLAND POLICE DEPARTMENT:** Step One Automotive Group

Authorize the purchase of seven (7) Ford Police Explorer Interceptor Vehicles from Step One Automotive Group for $415,341.29.

11. **FLORIDA STATE REVOLVING FUND LOAN AGREEMENT WW480280 AMENDMENT 1**

Authorize the Mayor to execute an amendment to the State Revolving Fund Loan for the Construction of Dommerich Hills Ph 2-4 Project, as approved February 13, 2023.

12. **CARRY FORWARD FUNDS FROM FY 2023**

Approve the recommended Carry Forward list and to amend the FY 2024 General Fund expenditure budget by $7,123,793 and revenue budget by $340,000; Stormwater Fund expenditure budget by $1,145,000; Road

Impact ($1.1M); Utilities Fund expenditure budget by $11,127,880 and revenue budget by $179,880.

13. LIFT STATION 1 DEED TRANSFER: SOUTH SEMINOLE NORTH ORANGE COUNTY WASTEWATER TRANSMISSION AUTHORITY (SSNOCWTA)

Authorize the City Manager to execute a Quit Claim Deed for the transfer of the Lift Station 1 property to the South Seminole North Orange County Wastewater Transmission Authority (SSNOCWTA).

14. HURRICANE IAN EXPENDITURES

Approve using FY 2023 Emergency Designated Fund Balance to cover Hurricane Ian debris removal and repair related expenses of $459,318.

VIII. PUBLIC PERIOD

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

IX. DECISIONS

1. UPTOWN MAITLAND LOT 2 DECLARATION OF RESTRICTIONS AND AGREEMENT FOURTH AMENDMENT

Community Development Director Matthys provided an overview of the fourth amendment. In accordance with the "Uptown Maitland East Developer's Agreement", recorded September 2003, the City approved the development of 93 multi-family residential units and nearly 7,000 square feet (sq. ft.) of retail/office space on Lot 1 of Uptown Maitland, located at 525 Sybelia Parkway. The Developer's Agreement was set to expire in 2013, without the construction of a project on Lot 2, an integral part of the agreement. Prior to the expiration, the property owner entered into a Declaration of Restrictions and Agreement applicable to Lot 2, which held in place many of the requirements of the Agreement. The Declaration of Restrictions and Agreement, recorded December 2012, established the following restrictions on Uptown Maitland East Lot 2:

- A maximum of three (3) multi-family dwelling units;
- A minimum of 11,018 sq. ft. of office/retail space and a maximum of 58,018 sq. ft. of office/retail space;
- The developer is responsible for the installation and maintenance of the streetscape;
- Buildings are to have a height of 3-5 stories, with a maximum height of 55 ft., plus 25 additional feet for architectural treatments;
- No ground floor setbacks are required;
- Parking is 2 spaces per residential unit and 3 per 1,000 sq. ft. for retail/office use; and
- Architectural form and elevations are set in Exhibit E (showing an elevation consistent with the adopted Downtown Master Plan).

The applicant is the owner of Uptown Maitland Lot 2 located at 425 Sybelia Parkway. The applicant seeks to redesign the site and is asking Council approval to replace the existing architectural form and elevations in Exhibit E of the Declaration, with new forms and elevations reflecting the new design ("Fourth Amendment"). The proposed new elevation shows several single-story office buildings oriented towards Sybelia Parkway and East George 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 to approve the Uptown Maitland Lot 2 Declaration of Restrictions and Agreement Fourth Amendment, as presented.

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

2. RESOLUTION NO. 19-2023: AMENDING CERTAIN PERMITTING FEES WHEN USING PRIVATE PROVIDER SERVICES

Community Development Director Matthys introduced the proposed Resolution No. 19-2023 to repeal and replace Resolution No. 9-2020 amending the schedule of construction related permit fees.

On June 8, 2020, Council adopted a building and building-related permit fee resolution (Resolution 9- 2020), replacing the previous fee schedule and adding a transaction charge for the use of a debit and/or credit card payment of permit fees.

In an effort to expedite building permits, the Florida Legislature sanctioned an alternative plan review and inspection process utilizing what is commonly referred to as a "Private Provider". Section 553.791, Florida Statutes, authorizes the owner of a building or structure, or the owner's contractor (upon written authorization of the owner) to elect to use licensed private providers to provide building code plan review and inspection services. This option would allow the owner or their contractor to hire a licensed third party building plan reviewer and/or building code inspector(s) to ensure the building/structure is in full compliance with the Florida Building Code. The statute is not applicable for a local government's planning, zoning or fire reviews or inspections.

The Statute further requires a jurisdiction to reduce the permit fee by the amount of cost savings realized by the local government agency when an owner or contractor retains a private provider for the purposes of plan review or building permitting services. Maitland's adopted fee for most building and subtrade (mechanical, electrical, plumbing, fire, etc.) permits is 1.75% on the construction value of the work.

Previously, if a property owner or their contractor elected to use private provider services, the City would merely remove the appropriate portion of the permit fee (i.e. review and/or inspection). However, with the adoption and implementation of the Land Development Code, additional planning/zoning related reviews are now performed at the building permit stage. As such, staff is seeking to retain costs incurred through planning, zoning and fire plan reviews and inspections when a private provider is used.

Staff researched multiple area jurisdictions to explore how they recoup non-building code related costs associated with plan review and/or inspections. Based on that research, it was found that surrounding jurisdictions reduce the plan review fee by as little as 5% and as much as 100% and reduced the inspection fee by as little as 13% and as much as 100%.

The proposed resolution would repeal and replace Resolution 9-2020 by adding language to reduce the plan review and/or inspection fee by 50% when private provider services are contracted by a property owner or their contractor. In addition, clean up language was added to Section J(1) - Special Fees, to account for future amendments to a 2005 Resolution referenced in this resolution regarding public records request fees. The revised language now reads, "Labor and copy charges will apply per the Records Request Policy adopted in Resolution No. 20-2005 on November 14, 2005, as amended from time to time".

Mayor Lowndes opened the public comment period.

Public comment was given as follows:
Chris Impellitier, 380 W. Ventris Avenue

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

A motion was made to adopt Resolution No. 19-2023 repealing and replacing Resolution No. 9-2020 amending the schedule of construction related permit fees, as presented.

RESULT:	**Adopt**

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

3. COST AND FUNDING OF NEW MAITLAND PUBLIC LIBRARY AND PARK PROJECT

City Manager Reggentin discussed the site plan of the architectural style and parking as revised by HBM and answered questions posed by Council.

The City of Maitland embarked on a review of the library in 2017 to determine options for upgrading and improving the facility or if a new facility would better serve the residents of Maitland. In 2018, a facility assessment was completed and, based upon the evaluation, the City Council determined upgrading and renovating the facility was not an option. As requested by City Council, in 2020 a comparative site evaluation process was conducted, having three (3) sites evaluated. The chosen site was City owned property at 301 S. Maitland Avenue, along with the adjacent parking lots to the east and west, Maitland Senior Center, and Quinn Strong Park as the location for the new library. On September 14, 2020, the Council voted unanimously to approve Quinn Strong Park as the preferred site for the new library. Based upon this, the City determined to move forward with the design of a new library and renovation of the park.

Based upon the input that was received, the City Council directed staff to issue a Request for Qualifications (RFQ) for architectural firms to begin the preliminary design for the library. On November 18, 2022, the City received statements of qualifications for the RFQ. Based upon the rankings of the selection committee, in May 2023 the City Council approved HBM Architects to conduct the public involvement and preliminary design phase of the project.

At the September 14th City Council meeting, two designs were presented to the Council for input, and refinements were made to both designs based upon input from the City Council and the public. At the October 23rd meeting, the City Council determined that a more modern design was preferable to the more traditional design for the proposed new library. However, concerns were raised regarding the site layout with specific concern related to the location of parking adjacent to the Germanine Marvel building and event pad. The design team has refined the conceptual site plans to attempt to address these concerns.

Based upon discussions at the October 23 & 31, 2023, meetings, the Council requested that staff prepare more specific options for borrowing, which included levels from 9-15 million dollars. The current estimated total cost of the library and improvements to Quinn Strong Park are approximately $19 million.

As discussed previously, there are three sources of funding available for funding the project, including:

1. City Council Capital Fund Designation - 8.4 million dollars is available in this designation for capital projects.
2. Repayment of Advance to CRA - There is approximately 3.1 million dollars in repayment of the advance outstanding as of 2024.
3. Park Impact Fees - Staff is expecting a little more than $800,000 in park impact fees from the Maitland West Apartments in FY 2024. These funds would only be used for the park improvement portion of the project.

Total of 12.3 million dollars

The funding decision to use all or a portion of these funds for the project will affect the request of the residents on the amount of a potential millage rate increase to fund principal and debt service payments for construction. The city's financial advisor has been consulted regarding current market interest rates. As requested by the Council, different scenarios were reviewed based upon projected interest rates, terms of the bond issue, and amount of the loan. These range from principal and interest payments between $585,463 for a 30-year loan to $1,153,142 for a 20-year loan. This would equate to a millage rate of 0.1420 to 0.2796 mils. In terms of real dollars, this would equate to the following average annual expense for a home valued at $500,000, between $71 and $139 per year.

Staff requested direction regarding the amount to be borrowed and the allotment of current funding options the City Council will put toward the cost of the new library and park renovation. This allows staff to calculate the amount to be financed and the proposed ballot language that would be presented to the voters.

A discussion ensued and City Manager Reggentin responded to questions posed by Council.

Mayor Lowndes opened the public comment period.

Public comment was given as follows:
Bill Randolph, 331 White Oak Circle
Mike Thomas, 816 Tuscarora Trail

Steven Lee, 1661 Apache Trail
Dale McDonald, 108 Tangelo Court
Bob Allen, 1651 Indian Dance Court

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

A motion was made directing staff to present prepared ballot language requesting authorization to borrow $14 million dollars to fund construction of a new public library and improvements to Quinn Strong Park.

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

4. RESOLUTION NO. 20-2023: CALLING A REFERENDUM ELECTION REGARDING FINANCING A NEW MAITLAND PUBLIC LIBRARY & PARK PROJECT

City Manager Reggentin provided an overview of the prospective ballot language for the library and park bond. As discussed at the October 23rd City Council meeting and the October 31st City Council workshop, following a decision on the funding of a new library and renovation of Quinn Strong Park, ballot language must be adopted by resolution to be included on the March ballot. Resolution No. 20-2023 meets the requirements of Chapter 100.341 of the Florida Statutes. There is a maximum of 75 words that may be included in the ballot language and a maximum of 15 words for the title.

> **100.341 Bond referendum ballot.—The ballots used in bond referenda shall include a printed description of the issuance of bonds to be voted on as prescribed by the authority calling the referendum. A separate statement of each issue of bonds to be approved, giving the amount of the bonds and interest rate thereon, together with other details necessary to inform the electors, shall be printed on the ballots in connection with the question "For Bonds" and "Against Bonds."**

A brief discussion ensued and City Manager Reggentin responded to questions posed by Council.

Mayor Lowndes opened the public comment period.

Public comment was given as follows:
Nanci Adler, 381 W. Trotters Drive
Beth Abely, 100 Tangelo Court

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

After further discussion, City Attorney Shepard proposed amended ballot language as:
City of Maitland Question 1
CITY OF MAITLAND GENERAL OBLIGATION BONDS FOR A NEW PUBLIC LIBRARY AND PARK PROJECT
~~To improve and enhance public services~~, ~~s~~Shall the City issue bonds to finance the ~~building~~ construction and equipping of a new public library and improving its location at Quinn Strong Park in the principal amount not to exceed $14,000,000, bearing interest not exceeding the legal rate, maturing not later than thirty (30) years from the date of issuance, payable from ad valorem taxes to be levied in the City on all taxable property?

FOR BONDS
AGAINST BONDS

A motion was made to adopt as amended Resolution No. 20-2023 calling a referendum election; providing ballot title and question text for the 2024 General Municipal Election.

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

5. VISION ZERO ACTION PLAN

City Manager Reggentin provided an overview of the Vision Zero (VZ) Action Plan, stating earlier this year, MetroPlan Orlando secured nearly $3.8 million in Safe Systems for All (SS4A) federal grant funds and will allocate these resources towards regional transportation improvements. Specifically, MetroPlan will fund and support the development of the VZ Action Plan for the three counties and 21 municipalities within its service area including the City of Maitland.

The City's VZ Action Plan being led by a project team spearheaded by the Public Works Department and includes members from Administration, Police, and Fire.

The City is requested to establish a VZ Action Plan Working Group to review and comment on the VZ Action Plan as it is being forwarded.

Staff recommended designating a combined group of Transportation Advisory Board (TAB) and Planning and Zoning (P&Z) Commission members as the City's VZ Action Plan Working Group.

A brief discussion ensued.

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 approve participation in the Regional VZ Action Plan and designate the members of the Planning and Zoning (P&Z) Commission and Transportation Advisory Board (TAB) as the City's VZ Action Plan Working Group.

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

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

City Manager Reggentin announced several upcoming events.
November 18: Maitland Community Cleanup at Lake Minnehaha.
November 18: Movies in the Park at Independence Square.
December 1: Getdown Downtown at Independence Lane.
December 2: Season of Light at Lake Lily Park.
Lastly, the recreational needs survey has been scheduled for mailing. An online survey will also be available to residents.

Councilmember Guthrie provided an update from the recent MAC (Municipal Advisory Board) meeting.

City Clerk Hollingsworth provided an update regarding the upcoming General Election to be held on March 19, 2024, with the petition filing period from November 13 - 17, 2023 and candidate qualifying period from November 27 - December 1, 2023.

Councilmember Hall Harrison thanked the Maitland Rotary Club for the successful 47th Art Festival held at Lake Lily.

XI. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:14 pm.