



**City Council Minutes
September 27, 2021
Council Chambers
6:30 PM**



I. CALL TO ORDER

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

Absent: 0 -

Mayor Lowndes called the meeting to order at 6:32 pm. Also present were City Manager Anselmo, Assistant City Manager Reggenton, City Attorney Shepard and City Clerk Waldrop.

II. PLEDGE OF ALLEGIANCE

Mayor Lowndes led the Pledge of Allegiance.

III. PRESENTATION

1. PROCLAMATION - FIRE PREVENTION WEEK

Councilmember Guthrie presented a Proclamation to Fire Marshal Brandon Lawrence, proclaiming the week of October 3rd through October 9, 2021 as Fire Prevention Week in the City of Maitland, urging all citizens to "Learn the Sounds of Fire Safety" for Fire Prevention Week 2021 and to support the many public safety activities and efforts of Maitland's fire and emergency services.

IV. PUBLIC HEARINGS

1. RESOLUTION - AD VALOREM TAX RATE FISCAL YEAR 2022

The City Clerk read, by title, a resolution adopting a 4.4937 mill Ad Valorem Tax Levy upon all real and personal property for the appropriation to the general operating expenses of the City, a 0.2370 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, 2021 and ending on September 30, 2022; authorizing the City Manager or designee of the City to certify such millage; and, providing for an effective date.

The City Manager stated that on July 26th, the City Council set the proposed millage rate at 5.0000 and the voted debt millage rate at 0.2430. The rolled back millage rate was set at 4.1693. 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 13, 2021, the City Council held the first public hearing required by TRIM requirements and set the tentative millage

rate at 4.4937 and the voted debt millage rate of 0.2370 for a total millage rate of 4.7307. This millage rate only requires a majority vote under the maximum millage rate requirement.

The tentative millage rate of 4.4937 is 7.78% above the rolled back rate of 4.7307 mills.

Mayor Lowndes opened the Public Hearing. Mr. Dale McDonald, 108 Tangelo Ct., stated that he was happy to hear the presentation in regards to the budget and fund balance. Mr. Howard Schieferdecker, 606 Minnehaha Circle, stated that he echoed what Mr. McDonald had said and he asked if the funding was still available for the George Street project. There being no one else who wished to be heard, Mayor Lowndes closed the Public Hearing.

After discussion, a motion was made by Councilmember Thomas to adopt Resolution #12-2021 setting the operating millage for the 2021 tax year at 4.3453 which is 4.22% above the rolled back rate of 4.1693. **The motion dies for lack of a second.**

A motion was made to adopt Resolution #12-2021 setting the operating millage rate for the 2021 tax year at 4.4937 which is 7.78% above the rolled back rate of 4.1693.

RESULT:	Failed
MOVER:	Councilmember Lindsay Hall Harrison
SECONDER:	Councilmember Vance Guthrie
AYES:	Lindsay Hall Harrison
NAYS:	Michael Wilde, Michael Thomas, Vance Guthrie, John Lowndes

A motion was made to adopt Resolution #12-2021 setting the operating millage for the 2021 tax year at 4.3453, which is 4.22% above the rolled back rate of 4.1693.

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

A motion was made to adopt Resolution #12-2021 setting the voted debt millage rate for the 2021 tax year as 0.2370 for a combined total millage rate of 4.5823.

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

2. RESOLUTION - FISCAL YEAR 2022 ANNUAL BUDGET

The City Clerk read, by title, a resolution of the City of Maitland, Florida, adopting the annual budget for the fiscal year beginning October 1, 2021, and ending on September 30, 2022, 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, 2022; 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, 2021; providing a means to amend the said annual budget to reflect grants received after September 30, 2021; 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 personnel authorization table; adopting the ad valorem property tax millage rate upon the assessment roll for the tax year 2021; adjusting the ad valorem property tax millage rate; and, providing for an effective date.

The City Manager stated that the General Fund budget workshop was held on July 19th and the Enterprise and Miscellaneous Funds workshop was held on August 2nd. On Monday, September 13, 2021, City Council tentatively adopted a General Fund budget of \$30,516,600, and operating millage of 4.4937 and voted debt millage of 0.2370. The tentative General Fund budget for FY 2022 (tax year 2021) is balanced with the use of \$1.1 million of the funds being repaid by the CRA for advances made by the General fund and with a tax rate of 4.4937 established by Council on September 13th. See the attached General Fund budget summary which outlines the revenue and expenditures, as well as the impact on fund balance. The General Fund budget of \$30,466,000 is \$50 thousand less than the tentative budget set by Council as a result of some additional refinement to original estimates. The budget funds two additional Police Patrol Officers. As discussed during the first budget hearing, the additional recommendations not included in the tentative budget can be added at tonight's meeting or by budget amendment at any time after budget adoption by the City Council. The City Manager answered questions posed by Council.

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

After discussion, a motion was made to approve Resolution #13-2021 adopting the General Fund Budget of \$30,742,000; Utilities Fund Budget of \$11,761,000; Solid Waster Budget of \$2,833,000, and Stormwater Environmental Utility Budget of \$1,915,970; Voted Debt Service Budget of \$820,900; and Position Authorization Table for FY 2022.

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

3. ORDINANCE - CAPITAL IMPROVEMENTS PROGRAM 2022-2026

The City Clerk, read, by title, an ordinance to amend Ordinance No. 1381 in direct relation to the Capital Improvements Program, Table 1, amending the Capital Improvement Element (CIE) to replace Table 1 of the Capital Improvements Program of the CIE to recognize the annual updates of the City of Maitland's 5-year-CIP; amending the CIE relating to Orange County Public Schools 10-Year-Capital Outlay plan, and providing an effective date.

The City Manager stated that the ordinance adopts a revised Table 1 to amend the CIP element of the Comprehensive Development Plan ("CDP"). The projects included are consistent with the City's 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. Table 2, summary of projects, has been included in the legislative report for information purposes only.

Mayor Lowndes opened the Public Hearing. Mr. Dale McDonald, 108 Tangelo Court, stated that there was a MATS Study 2.0 coming out from the DOT which might want to consider some transportation changes within the CRA.

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

A motion was made to adopt Ordinance #1389 to approve the FY2022-2026 Capital Improvements Program (including revised Table 1), to replace Table 1 within Chapter 7, Governance and Implementation Element, Capital Improvements Sub-Element of the 2035 CDP, to recognize the annual update of the 5 year CIP; and recognize the annual update of the Orange County Public Schools 10-Year-Outlay Plan.

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

V. ADJOURN COUNCIL MEETING CONVENE CRA MEETING

Mayor Lowndes recessed the City Council meeting to convene the Community Redevelopment Agency Meeting at 8:03 pm.

Mayor Lowndes adjourned the Community Redevelopment Agency meeting to reconvene the City Council meeting at 8:07 pm.

VI. OLD BUSINESS

There was no Old Business to report.

VII. CONSENT AGENDA

Mayor Lowndes requested public comment on Consent Items 3-7. There being no one who wished to be heard, Mayor Lowndes closed the public comment period. A motion was made to approve the Consent Agenda as presented.

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

1. APPROVE THE CITY COUNCIL BUDGET WORKSHOP MEETING MINUTES OF AUGUST 8, 2021

Approve the City Council Budget Workshop meeting minutes of August 8, 2021.

2. APPROVE THE CITY COUNCIL MEETING MINUTES OF SEPTEMBER 13, 2021

Approve the City Council meeting minutes of September 13, 2021.

3. APPROVAL OF APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM

Authorize the City Manager to submit a 2021 grant application with the Florida Recreation Development Assistance Program for the renovation of Sybelia Beach Park.

4. INTERLOCAL AGREEMENT BETWEEN APOPKA AND MAITLAND FOR THE USE OF GILLIAM FIRE TRAINING FACILITY

Approve an Interlocal Agreement between the City of Maitland and the City of Apopka for the use of the Gilliam Fire Training Facility.

5. TACTICAL RESPONSE TRUST FUND BUDGET APPROPRIATION

Move to approve a budget appropriation of \$2,100 from the Tactical Response Team Trust Fund for FY2021 Budget.

6. CHANGE ORDER - KELLER PARK ROOFS REPLACEMENT

Approve the change order with Johnson-Laux Construction, LLC in the amount of \$22,966.18 for roof repair damage found during renovation.

7. RADIO SYSTEM GENERATOR REPLACEMENT

Authorize the City Manager to execute the contract with Johnson-Laux Construction, LLC for the purchase and installation of a replacement generator for the radio system located on the cell tower in the amount of \$77,675.23.

VIII. PUBLIC PERIOD

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

IX. DECISIONS

1. AMENDMENT TO THE CURRENT THURSTON HOUSE LEASE

The Assistant City Manager stated that at the City Council meeting of September 13, 2021, the Council was open to the idea of continuing the use of the Thurston House as a Bed and Breakfast. The City Council discussed approaching this in a two-step process to allow the current tenants to continue marketing the business while not creating a hardship for them while they phase out of the operation of the Bed and Breakfast. The second is to approve a new lease with modified language acceptable to the City Council.

This requires an amendment of the existing lease and approval of a new lease. Based upon the discussion by the City Council, the intent of the amendment to the current lease with the Ballards is to accomplish two things: 1. Provide for a rent abatement of up to 6 months; 2. allow a termination of the existing lease upon execution of a new lease with new tenants. The second step in the process is to adopt a format for the new lease for a future tenant. Since there is currently no tenant to sign the new lease, the Council discussed having the City Attorney draft a new lease that could be executed if the Ballards found a new tenant to purchase the business.

Amendments to the new lease that are included are as follows: No pets clause, Security and advance lease deposits, requirements that the tenants remain on site when guests are present, and reference to City Arborist is amended to Public Works Director or designee due to the fact that the City Arborist position is transitional and may not exist or be filled at any given time. This agenda item is to address the addendum to the existing lease. The Assistant City Manager answered questions posed by Council.

Mayor Lowndes opened the public comment period. Mr. Dale McDonald, 108 Tangelo Ct., stated that he thinks the City should look into Workforce Housing as another option for this location. There being no one else who wished to be heard, Mayor Lowndes closed the public comment period.

After discussion, a motion was made to approve the amended Thurston House Lease.

RESULT:	Approve
MOVER:	Councilmember Lindsay Hall Harrison
SECONDER:	Councilmember Michael Thomas
AYES:	Michael Thomas, Lindsay Hall Harrison, John Lowndes
NAYS:	Michael Wilde, Vance Guthrie

2. **ORDINANCE - NEW THURSTON HOUSE LEASE**

The City Clerk read, by title, an ordinance of the City of Maitland, Florida, authorizing the City Manager or designee to lease certain properties owned by the City of Maitland; providing for conflicts; and, providing for an effective date.

The Assistant City Manager stated that as discussed at the City Council meeting of September 13, 2021, the Council was open to the idea of continuing the use of the Thurston House as a Bed and Breakfast. The City Council discussed approaching this in a two-step process to allow the current tenants to continue marketing the business while not creating a

hardship to them while they phase out of the operation of the Bed and Breakfast.

The second is to approve a new lease with modified language acceptable to the City Council. This requires an amendment to the existing lease and approval of a new lease. The second step in the process is to adopt a format for the new lease for a future tenant. Since there is currently no tenant to sign a new lease, the Council discussed having the City Attorney draft a new lease that could be executed if the Ballards found a new tenant to purchase the business. Amendments to the new lease are as follows: No pets clause, Security and advance lease deposits, requirement that the tenants remain on site when guests are present, the reference to City Arborist is amended to Public Works Director or designee due to the fact that the City Arborist position is transitional and may not exist or be filled at any given time. The amended ordinance authorizes the City Manager to execute a lease with a new tenant, eliminating the need to come before the City Council. Although not included in the ordinance, the City Manager shall conduct appropriate background checks to verify the suitability of potential tenants; and reserve the right to disqualify any tenant based upon those background checks. A final point that was discussed at the Council meeting was to provide for a modified first term of the lease based upon the timing of the approval of a new tenant. That is, reduce the first term of the lease to a time equal to the amount of time it takes to find and approve a new tenant. So if it were to take 3 months to find and approve a tenant, the first term of the lease would be 4 years and 9 months. The term of the lease is discussed on line 20 of the lease with the dates left blank. The City Attorney has requested clarification of the intent of the Council. This can be provided at the meeting and any changes at that time. The Assistant City Manager answered questions posed by Council.

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

Vice Mayor Wilde asked for clarification on "net rent", and "minimum rent", "lease premises" and "premises" that is present in the lease.

After discussion, a motion was made to introduce the ordinance revising the lease agreement for the Thurston House; and, set the Public Hearing date for October 11, 2021.

RESULT:

Introduce

MOVER:

Councilmember Lindsay Hall Harrison

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

3. CHARTER REVIEW COMMISSION REPORT

The City Manager stated at its first organizational meeting in September, the Commission began the review of the entire Charter and considered issues that were submitted by staff. A page on the City's website outlines the Charter Review process and provides guidance for residents wishing to participate in the process. A public input meeting was held on March 29, 2021, and residents were notified by a posting on the City's website and via social media. The final public meeting was held on August 30, 2021 to approve this final report and recommendations. After 10 public meetings, public input, extensive research, and deliberation, the Commission made the following recommendations: Replace gendered references with gender-neutral language; Clarify that upon vacancy of the mayor's office, the vice mayor shall serve as mayor only until the next regularly scheduled election; Clarify the waiting period for a mayor or councilmember who has served two terms will be one year; Eliminate the provision for decreases to future elected officials' salaries for decreases in the Consumer Price Index, and Clarify that councilmembers are not prohibited from discussing the appointment or removal of a city administrative officer and employees with persons other than the city manager.

The City Manager stated that the Charter Review Commission is scheduled to Sunset by Ordinance on December 31, 2021 but would Sunset tonight if the report is accepted. She went on to thank the members for all their efforts while serving on the Commission.

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

A motion was made to accept the 2021 Charter Review Commission Report.

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

X. DISCUSSION

There were no Discussion items.

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

The City Attorney stated that there was activity on the bid forfeiture for the Lift Station 1 Relocation Project as an attorney has put in a request for records on the project which could potentially bring litigation in the case; and, the agreement was executed and we expect to receive a check for the full \$211,000 at any time.

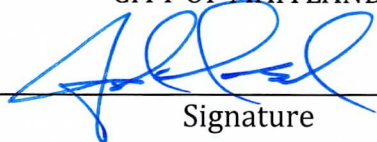
The Assistant City Manager stated that the following events will be happening in October: "Get Down Downtown" Friday October 1st, 6:00-9:00 pm, at Independence Lane and Independence Square; "National Night Out", Friday Oct 5th 6:00-9:00 pm at Independence Lane & Independence Square; "Indiana Jones and The Raiders of the Lost Ark", Saturday October 9th at 7:30 pm at Independence Square; Community Park clean up at Lake Sybelia Beach, October 16th, 8:00-11:00 am, and, "Falloween Celebration" October 30th 5:30-9:00 pm at Independence Square. The Fire Department will be providing flu shots at no cost during the "Get Down Downtown".

Councilmember Guthrie stated that there will be a library walking club on Thursdays at 7:00 am if anyone is interested and also, the Arts and History of Maitland has a program coming up on October 9th, "Victor Bokas: A Bold & Colorful Journey".

XII. ADJOURNMENT

There being no further business to come before Council the meeting adjourned at 8:37 pm.

CITY OF MAITLAND

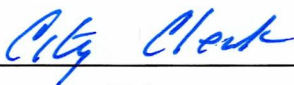


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