City Council
October 25, 2021
Council Chambers
6:30 PM

WELCOME to our City Council meeting. In the interest of time efficiency, the following will prevail for comments by the public. Each speaker will be permitted up to 3 minutes to state his/her case. Group presentations will be permitted 3 speakers including the spokesperson - each being limited to up to 3 minutes. No speakers will be interrupted. <u>Please silence all electronic devices during the meeting</u>. THANK YOU for participating in your City Government.

I. Call to Order

II. Invocation - Central Florida Freethought Community

III. Pledge of Allegiance

IV. Presentation

1. Proclamation - Orange County Week of the Family

V. Public Hearing

1. Ordinance - New Thurston House Lease

VI. Old Business

VII. Consent Agenda

1. Approve the City Council Meeting Minutes of October 11, 2021
2. Purchase - Recreation Instructor Services
3. Purchase of Hypochlorite
4. Purchase of Vactor Truck
5. Purchase of Police Vehicles
6. Purchase Sanitary Sewer Master Plan Planning Services
7. Purchase Stormwater Engineering Design Services

VIII. Public Period

IX. Decisions

1. Ordinance - Right of Way Abandonment
2. Purchase Building Code Services

X. Discussion

1. Charter Amendments

XI. City Manager's Report/City Attorney/Council Reports

XII. Adjournment

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

Disclaimer: Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Presentation
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject: Proclamation - Orange County Week of the Family
Requested Action or Motion:
Summary Explanation & Background:
Fiscal Impact:
Exhibits: 1. Proclamation Week of the Family
Commission/Board: City Council
Contact Person:
Reviewed by City Attorney

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Public Hearing
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject:
Ordinance - New Thurston House Lease

Requested Action or Motion:
After receiving public input, move to adopt an ordinance authorizing the City Manager to lease the Thurston House property and approve the format for a new lease.

Summary Explanation & Background:
As discussed at the City Council meeting of September 13 and September 27, 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.

On September 27, 2021, the amended lease was approved by City Council and accomplished the following:

1. Provides for a rent abatement of up to 6 months while they continue to market the business; and
2. Allows 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 and allow the City Manager to execute the lease. Since there is currently no tenant to sign a new lease, the Council directed 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:

1. No pets clause,
2. Security and advance lease deposits,
3. Requirement that the tenants remain on site when guests are present,
4. 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.
5. The terms "premises" and "lease premises" have been clarified to be synonymous and consistent.

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 reserves the right to disqualify any tenant based upon those background checks.

At the September 27, 2021, City Council introduced the ordinance and set the public hearing date for October 11, 2021. On October 11, 2021, the City Council continued the public hearing to October 25, 2021.

This agenda item is to address the adoption of an ordinance authorizing the City Manager to lease the Thurston House property and approve the format for a new lease.

Fiscal Impact:
N/A

Exhibits:
1. Thurston House Ordinance 2021 (generalized)
2. Thurston House Final Lease 2021 (JJS Redline Consistency) 10-9-21 CC approval

Commission/Board: City Council

Contact Person: Mark Reggentin 407-539-6220

Reviewed by City Attorney
Yes

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject:
Approve the City Council Meeting Minutes of October 11, 2021

Requested Action or Motion:

Summary Explanation & Background:

Fiscal Impact:

Exhibits:
1. Minutes 10112021

Commission/Board: City Council

Contact Person:

Reviewed by City Attorney

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Parks & Recreation	AGENDA REPORT	Item #: 2.

Subject:
Purchase - Recreation Instructor Services

Requested Action or Motion:
Move to approve a purchase order in an amount not to exceed $70,000 to compensate Donald McGinnis for tennis instruction services in FY22.

Summary Explanation & Background:
The City of Maitland Purchasing Policy requires that commodities or services equal to or exceeding $50,000 be approved by Council. Tennis contractor Donald McGinnis will likely exceed the City Manager's $50,000 threshold in FY22 through teaching tennis programs with the Parks and Recreation Department. Therefore, staff is requesting that a purchase order in an amount not to exceed $70,000 be approved to compensate Mr. McGinnis for his services performed throughout the coming year. Tennis and all instructional programs run by the Parks and Recreation Department are revenue neutral and are correlated with the revenue received by each individual program.

Fiscal Impact:
No impact to the General Fund.

Exhibits:
None

Commission/Board: City Council

Contact Person: Jay Conn 407-539-6264

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.

Subject:
Purchase of Hypochlorite

Requested Action or Motion:
Move to authorize the City Manager to execute a piggyback contract with Odyssey Manufacturing Co. off of the Bay County Utilities Contract 20-55 for sodium hypochlorite through the current expiration date and any future extensions (September 2024).

Summary Explanation & Background:
Odyssey Manufacturing Co. has been supplying the City of Maitland sodium hypochlorite for the past ten years. The current piggyback contract expired September 30, 2021. Odyssey has agreed to utilize a piggyback agreement with Bay County Utilities for the sale of sodium hypochlorite. This contract is valid through September 20, 2022 with two (2) additional one (1) year renewal options available (through September 2024). Although the City has utilized this company in the past, it is anticipated that expenditures will exceed the City Manager's purchasing threshold for FY 2022 and future years.

Staff recommends authorizing the City Manager to execute a piggyback contract with Odyssey Manufacturing Co. off of the Bay County Utilities Contract 20-55 for sodium hypochlorite through the current expiration date and any future extensions (September 2024).

Fiscal Impact:
Funds are allocated in budget account 41303533-535251 for the purchase of chemicals.

Exhibits:
1. Piggyback Contract Signed
2. Odyssey COI
3. Bay County Piggyback 2022

Commission/Board: City Council

Contact Person: Karen McCullen

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 4.

Subject:
Purchase of Vactor Truck

Requested Action or Motion:
Move to approve the purchase of FY 22 vaccume truck through Environmental Products Group utilizing Sourcewell contract # 122017-FSC-2 awarded to Vactor.

Summary Explanation & Background:
The Public Works Department utilizes a vacuum truck in its Stormwater division to service and clean pipes and structures throughout the City. In FY 22 the City is recommending purchasing the following budgeted vehicle for the Public Works Stormwater Division: Vactor 2100i Sewer Cleaner - $415,297. There is $400,000 available in the 32371537-566430-VE001 account line from the FY 2022 vehicle replacement budget adopted in the Stormwater fund. The deficiency of $15,297 will be covered by the proceeds from the sale of the existing truck, which is expected to generate $45,000 - $60,000. This vehicle can be purchased through Environmental Products Group, which is the authorized dealer for Vactor in Central Florida. Note, the cost of this vehicle will increase by $7,500 if not purchased by October 31, 2021. This vehicle was also priced using the Florida Sheriff's Association contract. The Sourcewell pricing was the lower of the two costs.

In consideration of our City's sustainability program, the Public Works Department has evaluated the availability of electric or hybrid electric vehicles for consideration for City vehicle purposes. Given the nature and duty of the vehicle to be used by Public Works, there are currently no alternative vehicles available in the needed applications.

Staff recommends approval of the purchase of this vehicle from Environmental Products Group utilizing Sourcewell contract # 122017-FSC-2 .

Fiscal Impact:
Available in the 32371537-566430-VE001 account line from the FY 2022 vehicle replacement adopted budget from the Stormwater Utilities Funds.

Exhibits:
1. Vactor 2100i Proposal Maitland 10142021 FINAL

Commission/Board: City Council

Contact Person: Christopher Kennedy (407) 539-6217

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Police Department	AGENDA REPORT	Item #: 5.

Subject:
Purchase of Police Vehicles

Requested Action or Motion:
Move to authorize the purchase of four (4) police package vehicles $190,360 from Alan Jay Fleet Sales, Sebring.

Summary Explanation & Background:
The FY 2022 budget includes funding for (3) police vehicles for the Police Department from Line Item 01-420-519-6430, Project Code VE-0001. One vehicle is a scheduled replacement and two vehicles are additions to the police fleet included for the two officers being added in FY22. Considering the vehicle age and condition of the vehicle being replaced, the vehicle will be sent to auction or used for non-first responder purposes. The vehicles being replaced has spent 7 years in front line service. The fourth vehicle will be a replacement vehicle for a police vehicle that was rear-ended by an insured motorist. The City is working with the insurance company to get reimbursed for the undepreciated value of the vehicle. Any difference will come from the City Managers' contingency fund.

These vehicles will be Chevy Tahoes and will be purchased from Alan Jay Fleet Sales via the national Sourcewell contract #2022 120716-NAF for $47,590 each; which is in line with the FL Sheriffs Association contract. This is an after the fact PO issued approval. As staff was seeking quotes from various dealers for replacements, this dealer had 4 vehicles available that had been pre-ordered by another agency who no longer required them. In order to secure the 4 vehicles because of the long lead times for vehicles, typically over 13 months, staff has already issued the PO to Alan Jay. In the event Council chooses not to approve, since the City has not taken delivery, we will cancel the order with Alan Jay with no impact to the City.

These vehicles will be equipped with LED emergency lighting, light bars, grill lights, rear deck lights, mirror lights, siren and speaker, computer stand, decals, prisoner seat & cage divider, gun lock, back up camera and weapons vault.

A part of the City's Climate Change Resolution, staff evaluated alternative fuel vehicles, including electric and hybrid vehicles. Given the duty requirements for the police vehicles, relatively limited options available, current supply chain issues with extended lead times in excess of 14 months, staff recommends purchasing the Chevy Tahoes.

Fiscal Impact:
3 vehicles are funded by the current General fund budget, the wrecked vehicle will be funded by insurance proceeds and City Manager's contingency.

Exhibits:

1. NJPA-MAITLAND CITY OF-CC10706 1FL 9C1_33513-4_Quote 2. 2022 PD Vehicle Justification
Commission/Board: City Council
Contact Person: Jerry Gray, David Manuel 407-539-6201, 407-539-6243
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 6.

Subject:
Purchase Sanitary Sewer Master Plan Planning Services

Requested Action or Motion:
Move to authorize the City Manager to execute the amendment to the agreement with Burgess & NIple, Inc. for professional engineering services to update the 2020 Sanitary Sewer Master Plan in the amount of $91,850.

Summary Explanation & Background:
In December 2019, the City entered into an agreement with Burgess & Niple, Inc. to provide professional engineering services to update the 2013 Sanitary Sewer Master Plan. The City has utilized the master plan for planning and budgeting purposes and has accomplished many of the recommended projects in the 2013 Sewer System Master Plan Update. The 2020 update included documenting the completed projects since the 2013 plan; updating the flow generation to include present, five-year, 10-year and build-out projections; evaluating of the capability of the existing system to support the current and future wastewater flow generation projections; and recommending cost-feasible improvements to maintain the current level of service, support future flow generation and comply with regulatory requirements.

This Amendment provides additional professional services as requested by Public Works to expand the scope of the study to: 1) create a model of the sewer system using modeling software; 2) use the model during the development review process to determine the impact of proposed development on the existing sewer system; 3) develop an asset management plan based on the United States Environmental Protection Agency (USEPA) guidelines; and,4) supplement the report to meet the requirements of Florida House Bill (HB) 53.

As Burgess & Niple, Inc. developed the 2020 Sanitary Sewer Master Plan, and is one of the City's continuing engineering service providers for utility projects, staff recommends using them for this work. The cost for Burgess & Niple, Inc. to perform these services is $91,850. Staff recommends authorizing the City Manager to execute the amendment to the agreement with Burgess & NIple, Inc. for professional engineering services to update the 2020 Sanitary Sewer Master Plan in the amount of $91,850.

Fiscal Impact:
Funds available in Line Item 4135135-533100 for Professional Services in the FY22 Wastewater Operating Budget.

Exhibits:
1. 2020 Sewer System Master Plan Update-SA 1-Model-AMP-HB 53-DRAFT 100521

Commission/Board: City Council

Contact Person: Karen McCullen
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 7.

Subject:
Purchase Stormwater Engineering Design Services

Requested Action or Motion:
Move to authorize the City Manager to execute the agreement with CPH, Inc. for professional engineering services to design a stormwater drainage solution for Thistle Lane Drainage Improvements in the amount of $61,750.

Summary Explanation & Background:
In recent years, City staff have determined that stormwater improvements to drain stormwater from Thistle Lane are needed. Public Works has requested the professional engineering services of CPH, inc. for the design, permitting and bidding assistance for the Thistle Lane Drainage Improvements project. The project consists of a review of the existing drainage pattern and rerouting the drainage through a secondary stormwater system meeting City minimum requirements which discharges at the existing discharge point east of the school pond. This will include upsizing an existing pipe system that is reaching the end of its useful life.

Staff recommends authorizing the City Manager to execute the agreement with CPH, Inc. for professional engineering services to design a stormwater drainage solution in the amount of $61,750.

Fiscal Impact:
Funds available in Line Item 32371537-566300 for Capital Improvements in the FY22 Stormwater Operating Budget.

Exhibits:
1. Thistle - 10-6-2021

Commission/Board: City Council

Contact Person: Christopher Kennedy (407) 539-6217

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Decisions
Department/Office : Public Works	AGENDA REPORT	Item #: 1.

Subject:
Ordinance - Right of Way Abandonment

Requested Action or Motion:
Move to introduce an ordinance to vacate and abandon a portion of Lake Catherine Drive, and set the Public Hearing and action date for November 8, 2021.

Summary Explanation & Background:
An application has been filed by Jon B. and Angela Mendelsohn, property owners of 815 Lake Catherine Drive, requesting that the City vacate and abandon a portion of the City right of way on Lake Catherine Drive. The applicants have requested an area of approximately 21 square feet to be vacated in order to rebuild an existing dock.

In accordance with Article VIII, Right of Way/Utility Easement Abandonment, all requirements for the right of way abandonment application have been met by the applicant and all applicable utilities have provided letters of no conflict. At their meeting on October 14, 2021, the Development Review Committee recommended approval of the request to vacate and abandon the portion of Lake Catherine Drive right of way.

After receiving public input, staff is recommending the Council move to introduce an ordinance to vacate and abandon a portion of Lake Catherine Drive, and set the Public Hearing and action for November 8, 2021.

Fiscal Impact:
N/A

Exhibits:
1. Petition No. 2021-04 (ROW) 815 Lake Catherine Drive
2. Draft ORDINANCE NO
3. Legal Desc and Sketch of Desc

Commission/Board: City Council

Contact Person: Kimberley Tracy 407-539-216

Reviewed by City Attorney
Yes.

MEETING DATE		AGENDA
October 25, 2021	MAITLAND FLORIDA	Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 2.

Subject:
Purchase Building Code Services

Requested Action or Motion:
Move to remove the item from the table. Move to authorize the City Manager to execute a piggyback contract with M.T. Causley, LLC - a Safebuilt Company for building code plans review and inspection services consistent with the Town of Astatula and M.R. Causley, LLC - a Safebuilt Company agreement.

Summary Explanation & Background:
In light of the continued increase in building services workload and the difficulty in securing adequate third party assistance needed from a single provider, the Community Development Department is requesting Council approve and authorize the City Manager to execute a contract with M.T. Causley, LLC - a Safebuilt Company for Building Code plans review and inspection services. The City of Maitland currently utilizes Universal Engineering for continuing building plans review and inspection services in conjunction with a piggyback contract with Lake County. However, the demand for services in Maitland has been difficult for Universal Engineering to support on their own, thus resulting in a reduction in the level of service to our residents and customers.

The proposed piggyback agreement between the Town of Astatula and M.T. Causley, LLC - a Safebuilt Company will supplement the needed building plans review and inspection services and allows the City not to be dependent on a single provider. The existing agreement is on an annual basis and automatically renews unless prior notice is provided by either the City of Maitland or M.T. Causley, LLC - a Safebuilt Company. Fees for plan review and inspection services will be billed on an hourly basis. Staff anticipates utilizing the building plans review and inspection services as needed based on our workload. It is anticipated the total annual fees will exceed $50,000 thereby requiring Council approval of said agreement.

At the Council meeting of October 11, 2021, City Council tabled the item so that some additional language could be added to the piggyback contract by the City Attorney. The City Attorney has drafted the language and the revised piggyback contract was transmitted to the vendor for their review. The vendor was amenable to all revisions subject to a modification of Term 4(b), which refers to Section 14(a) of the piggyback contract. The proposed modification states:

> *"With respect to any claims made policies obtained by Vendor to meet these insurance requirements, Vendor shall ensure that such coverage is renewed and in effect for a period of three years after the termination of this Agreement*:"

The revised version of the piggyback contract is attached for Council review.

Fiscal Impact:
Contracted services are billed at an hourly rate per attached agreement.

Exhibits: 1. Piggyback Contract Form - Safebuilt Mark Up
Commission/Board: City Council
Contact Person: Dan Matthys 407-539-6211
Reviewed by City Attorney Yes

MEETING DATE		AGENDA
October 25, 2021		Section: Discussion
Department/Office : Administration	AGENDA REPORT	Item #: 1.

Subject:
Charter Amendments

Requested Action or Motion:
N/A - Discussion Only.

Summary Explanation & Background:
On August 30, 2021, the Charter Review Commission (CRC) approved their final report with five recommendations for charter amendments. On September 27, 2021, the City Council accepted the report. On October 11, 2021, City Council reviewed the five charter amendments recommended by the CRC. The Council provided direction that the Gender Neutral Language be included in a future charter amendment, the Elected Officials Salaries amendment was not necessary and further consideration and clarification is needed for the remaining three amendments (Mayoral Sucession Amendment, Clarification of Term Limits and Appointment or Removal of City Officers and Employees).

The CRC's final report and tonight's presentation are attached for reference. The next step is for the City Council to decide which, if any, of the remaining amendments to place on the next City-wide election for voter consideration and whether there are any additional amendments the Council wishes to consider. The next regularly scheduled election is March of 2022.

Fiscal Impact:
None, if ballot questions are included in regular election.

Exhibits:
1. CRC Final Report 2021
2. Charter Amendment Presentation 102521

Commission/Board: City Council

Contact Person: Sharon Anselmo 407-539-6221

Reviewed by City Attorney
City Attorney's Office provided language to the CRC for ballot amendments.