



**City Council Minutes
December 13, 2021
Council Chambers
6:30 PM**



I. CALL TO ORDER

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

Absent: 0 -

Mayor Lowndes called the meeting to order at 6:34 PM. Also present were City Manager Anselmo, Legal Counsel Brackens and Deputy Clerk Sotero.

II. INVOCATION - MR. DALE MCDONALD

Mr. Dale McDonald thanked Maria Waldrop, City Clerk for her tenure over the last 36 years and stated what an asset she has been to the City of Maitland. Mr. McDonald also provided the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Lowndes led the Pledge of Allegiance.

IV. PRESENTATIONS

1. FACC RETIREMENT - MARIA T. WALDROP - PRESENTED BY PAT BURKE, FACC CENTRAL EAST DISTRICT DIRECTOR

Mrs. Patricia Burke, FACC Central East Director, presented Maria Waldrop, City Clerk, with a Retirement Resolution and thanked her for her participation and many years of service to the Florida Association of City Clerks.

2. RETIREMENT RESOLUTION - MARIA T. WALDROP, CITY CLERK

Mayor Lowndes presented a framed Retirement Resolution of Appreciation and a Tower of Achievement Award to Maria Waldrop, City Clerk, on behalf of the City Council, residents and employees of the City, expressing deep appreciation and gratitude for 36 years of devoted public service and valuable contribution to the City of Maitland. Mayor Lowndes expressed best wishes and continued good health and happiness to Maria and her family during the ensuing years. Maria thanked the Council, staff and residents for allowing her to serve over the past 36 years and expressed her gratitude to the Council, staff and residents alike.

3. PRESENTATION OF CERTIFICATE GFOA /AWARD OF FINANCIAL REPORTING ACHIEVEMENT - JERRY GRAY, FINANCE DIRECTOR

Mayor Lowndes presented Finance Director Jerry Gray with the Certificate of Achievement for Excellence in Financial Reporting for the FY 2020

Comprehensive Annual Financial Report (CAFR) and thanked him for his outstanding efforts.

V. PUBLIC HEARING

1. RESOLUTION - INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT

The Deputy City Clerk read, by title, a resolution of the City Council of the City of Maitland, Florida, declaring the City of Maitland's intent to use the uniform method for the levy collection and enforcement of non-ad valorem special assessments under section 197.3632, Florida Statutes, to fund the undergrounding of utilities and installation of street lighting upon a portion of Greenwood Gardens, Section one, as more particularly described in Exhibit "A" attached hereto; stating the need for the levy of such special assessment; making findings in support thereof; providing a description of the real property subject to the special assessment; providing for notice to the property appraiser, tax collector and the Florida Department of Revenue; and providing for an effective date.

The City Manager stated that in February 2019, City Council authorized the Greenwood Gardens Undergrounding Project which included the relocation of utilities and installation of pedestrian style street lights. The assessment roll was established in April 2019 and the meter conversion project started in August 2019. In addition to removal of Duke electric lines, other utilities (cable, telephone, etc) were notified to remove their equipment. The conversion project was completed by June 2020, while other utilities continued the process of removing their equipment from the poles. In July 2021, the City accepted the completed improvements so that the costs of the meter conversion can be assessed to the parcels that benefited. The total cost of the project was \$527K, with 81K being assessed to the parcels (\$1,893.60 each) over 10 years with 3% per year interest. The assessment will be billed on the owner's annual tax bill. Residents will be receiving their first installment with their 2022 tax bills via a non-ad valorem assessment issued by the Orange County Tax Collectors Office. In order to enter into agreement with the Orange County Property Appraisers office, a resolution stating the City's intent to utilize the non-ad valorem uniform method of assessment is required under F.S. 197.3632. In addition to the resolution, because this is the first year the City will be levying a non-ad valorem assessment to this improvement area, an additional resolution will be required to adopt the assessment roll at a public hearing (between January 1, 2022 and September 15, 2022). 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.

A motion was made to adopt Resolution #15-2021 declaring the City's intent to use the uniform method for the levy, collection and enforcement of non-ad valorem special assessments under Florida Statutes Section 197.3632.

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

VI. OLD BUSINESS

There was no Old Business to report.

VII. CONSENT AGENDA

Mayor Lowndes requested public comment on Consent Items 3-12. 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 Lindsay Hall Harrison
SECONDER:	Councilmember Michael Thomas
AYES:	Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison, John Lowndes
NAYS:	None

- 1. APPROVE THE CITY COUNCIL MEETING MINUTES OF NOVEMBER 8, 2021**
Approve the City Council meeting minutes of November 8, 2021.
- 2. APPROVE THE CITY COUNCIL SPECIAL MEETING MINUTES OF NOVEMBER 22, 2021.**
Approve the City Council special meeting minutes of November 22, 2021.
- 3. 4TH QUARTER 2021 FINANCIAL SUMMARY**
Receive the 4th Quarter 2021 Financial Summary and Investment Schedule.
- 4. AMEND CITY CLERK EMPLOYMENT AGREEMENT**
Authorize the Mayor to execute an amendment to the City Clerk's employment agreement.
- 5. ART AND HISTORY CENTER STRUCTURAL DESIGN**

Authorize the City Manager or Designee to approve the proposal from DRMP for structural design.

6. CANCEL THE DECEMBER 27, 2021 CITY COUNCIL MEETING

Cancel the December 27, 2021 Council meeting.

7. CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) GRANT FOR DOMMERICH HILLS SEPTIC TO SEWER PHASES II-IV PROJECT

Approve the City Manager or Mayor to execute grant agreements and other grant related administrative items with Florida Department of Environmental Protection for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Grant awarded to the Dommerich Hills Sewer Phase II-IV Project.

8. MAITLAND PROFESSIONAL FIREFIGHTERS, LOCAL 3590, IAFF COLLECTIVE BARGAINING AGREEMENT

Accept the collective bargaining agreement between the City of Maitland and the Maitland Professional Firefighters, Local 3590 IAFF; and, authorize the Mayor to sign the Agreement.

9. PURCHASING BID AWARD - SURFACE WATER QUALITY SAMPLING

Authorize the City Manager to execute the agreement with Environmental Research & Design Inc. for the City's surface water quality sampling.

10. STAFF APPOINTMENTS - PUBLIC RISK MANAGEMENT OF FLORIDA BOARD MEMBER

Appoint the Human Resources/Risk Management Director to serve as the City's Representative and the HR/Risk Management Generalist to serve as the alternate member for the City of Maitland on the Public Risk Management Board of Directors.

11. RESOLUTION - LOCAL MITIGATION STRATEGY

Approve Resolution #16-2021 to update the current Local Mitigation Strategy Plan to be consistent with Orange County.

12. HOLIDAY PAY - NON-EXEMPT SWORN POLICE PERSONNEL

Authorize the City Manager to update the Personnel Policies to provide eighty hours of holiday pay for non-exempt police personnel.

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. APPROVAL OF THE GMP FOR IMPROVEMENTS TO FT. MAITLAND PARK

Mr. Jay Conn, Parks & Recreation Director, stated that upgrades to Ft. Maitland Park were identified in the Parks and Recreation Master Plan to

improve park amenities (i.e. a playground and picnic area), to redevelop the existing building, and to improve existing signage. Planning was initiated in 2018 to install these upgrades. However, further planning progression also considered the following: on 1/28/19, Council reviewed initial conceptual plans and expressed the desire to add a boat loading/unloading area and a more formalized kayak/paddleboard launch area in addition to the other amenities; on 5/19, it was determined that the police boathouse was no longer needed and that it was feasible to convert that amenity to a lake viewing deck, which was also added to the planned improvements; on 12/1/20, Council held a workshop to discuss conditions of a grant received for site improvements to Ft. Maitland. Other discussions involved various parking concerns at the site. It was determined that the number of parking spaces would remain the same and any changes to parking restrictions could be addressed through a change in policy and adoption of an ordinance while the project was under construction; on 12/14/20, Council accepted a motion to "approve the previously approved list of improvements to Ft. Maitland Park." Those improvements are reflected in the plans; and on 1/11/21, Council approved a change order for final design revision to plans for Ft. Maitland Park. The City negotiated a Guaranteed Maximum Price (GMP) of \$1,661,000 with a project contingency of \$90,000 for construction of the aforementioned improvements with the City's Construction Manager at Risk, Burkhardt Construction. Pricing was verified through a budgetary proposal received from an alternative construction contractor as well as from recent similar projects. Staff is supportive of accepting the contract for the improvements to Ft. Maitland Park and is recommending that the City Manager be authorized to enter into an agreement with Burkhardt Construction for an amount not to exceed \$1,661,000 with a project contingency of \$90,000. Mr. Conn answered questions posed by Council.

Mayor Lowndes opened the public comment period. Mr. Dale McDonald, 108 Tangelo Court, stated that he was in agreement with everything that Council discussed and also stated that he wanted the residents to be incentivized to use the park first and foremost safely. There being no one else who wished to be heard, Mayor Lowndes closed the public comment period.

During discussion, the Council requested that the following additions be made to Ft. Maitland Park: a parking space dedicated to local enforcement, additional playground equipment, review of signage, bollards, and boulders as a deterrent for parking in undesignated areas and a fee structure for residents and non-residents alike.

After discussion, a motion was made to accept the proposal from Burkhardt Construction for the construction of improvements to Ft. Maitland Park for an amount not to exceed \$1,661,000 with a project contingency of \$90,000 and authorize the transfer of \$559,400 from General Fund Balance.

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

2. ORDINANCE - PENSION FUND COMPOSITION

The Deputy 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, of the City Code; amending Section 2-123, Pension Trust Fund created, requirements for membership, operation of fund; amending section 2-124, Board of Trustees, Members, Terms of Office; providing for conflicts, severability and an effective date.

The City Manager stated that at the Matiland Police Officers and Firefighters Pension Board ("Board") meeting on September 8, 2021, the Board unanimously approved and directed the plan administrator to forward the ordinance and no impact statement to the City Council for their consideration. The ordinance would allow either the Police or Fire chief to appoint a designee to serve on the Board in their place. The designee must be a present or past member of the plan and can be appointed or reappointed for a four year term and can be removed by the respective Chief. This maintains the general make up of the Board (three police representatives, two citizens, and the finance director), but allows the Chiefs the flexibility of appointing someone to serve in their place. There is no financial impact to the plan as per the statement from the actuary and the ordinance was provided by the Board attorney. The City Manager answered questions posed by Council.

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

A motion was made to introduce an ordinance on first reading to amend Chapter 2, Administration, Article IV, Pensions and Retirement, Division 4, Police Officers and Firefighters; and, set the Public Hearing date for January10, 2022.

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

3. ORDINANCE - WATER, SEWERS AND SEWAGE DISPOSAL

The Deputy City Clerk read, by title, an ordinance of the City of Maitland, Florida amending Chapter 20, "Water, Sewers and Sewage Disposal," Article 1, "In General," of the City Code; amending Section 20-2, Connection Fees; providing for conflicts, severability and effective date.

The City Manager stated that in 2018 the City adopted the equivalent residential unit calculations used by Altamonte Springs for sewer capacity. Because sewer capacity (impact) fees in the Altamonte Springs sewage treatment plant service area are a pass through cost, the City adopted the ERU calculations to ensure there is no discrepancy between what is collected and what is remitted. When the ERU schedule was adopted for sewerage, a portion of the code contained calculations for water connection which is in conflict with the City's current methodology for water connection fees. The City's water connection fees are collected based upon meter size and not ERU. Staff is recommending that the two sentences referencing ERU's for water connection be deleted from Chapter 20. The City Manager answered questions posed by Council.

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

A motion was made to introduce an ordinance on first reading to amend Chapter 20-Water, Sewers and Sewage Treatment; and, set the Public Hearing date for January 10, 2022.

RESULT:	Introduce
MOVER:	Vice-Mayor Michael Wilde
SECONDER:	Councilmember Lindsay Hall Harrison
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 Manager stated that at the quarterly meeting with Duke Energy, they stated that the Dommerich Neighborhood undergrounding had been postponed another year. However, she requested them to provide a design proposal for the Dommerich Neighborhood Undergrounding so the City can move forward with the project. Duke Energy also notified the City that the LED changeout of the lights in Maitland should start by the end of the first quarter of 2022. The City Manager, as requested by Council, agreed to draft a letter and bring it back to the Council in January as to the dissatisfaction the Council has with Duke Energy. The City Manager also reminded Council of the Holiday Luncheon for Tuesday at 11am at the Civic Center.

Legal Counsel Brackens stated that Peacock Ford had asked for the hearing (for the motion that was filed by the City Attorney) to be transferred to the Complex Business Division of the Orange County Courthouse.

Councilmember Guthrie thanked the Fire and Police Department for the Santa Parade that occurred over the weekend.

XII. ADJOURNMENT

There being no further business to come before Council the meeting adjourned at 8:09 PM.

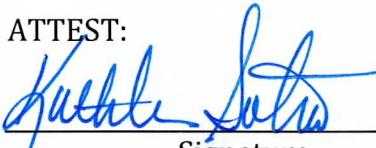
CITY OF MAITLAND

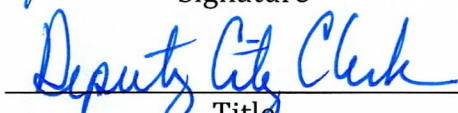


Signature

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ATTEST:



Signature

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