



**City Council
April 25, 2022
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. Please silence all electronic devices during the meeting. THANK YOU for participating in your City Government.

- I. Call to Order
- II. Invocation - Moment of Silence
- III. Pledge of Allegiance
- IV. Presentation
 1. Legislative Update 2022 - Representative Joy Goff-Marcil
- V. Old Business
- VI. Consent Agenda
 1. Approve the City Council Meeting Minutes of April 11, 2022
 2. 2nd Quarter 2022 Financial Summary
 3. American Rescue Plan Act Funding FY 2022
- VII. Public Period
- VIII. Decisions
 1. Request for Extension - Maitland Art & History Assn.
 2. Extension for Petition No. #2019-03 (SPR) 473 S. Keller Road (Maitland Condominiums)
 3. Request for Reduction of Fine For Code Violations (200 N. Swoope Ave.)
 4. Charter Review Questions 2022
- IX. City Manager's Report/City Attorney/Council Reports
- X. 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
April 25, 2022		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: Approve the City Council Meeting Minutes of April 11, 2022		
Requested Action or Motion: Approve the City Council Meeting of April 11, 2022.		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. CC Minutes 04-11-2022		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
April 25, 2022		Section: Consent Agenda
Department/Office : Finance Department	AGENDA REPORT	Item #: 2.
Subject: 2nd Quarter 2022 Financial Summary		
Requested Action or Motion: Move to receive the 2nd Quarter 2022 Financial Summary and Investment Schedule.		
Summary Explanation & Background: 2nd Quarter 2022 Financial Summary and Investment Schedule.		
Fiscal Impact: n/a		
Exhibits: 1. Q2 2022 Financial Summary		
Commission/Board: City Council		
Contact Person: Jerry Gray 407-539-6201		
Reviewed by City Attorney n/a		

MEETING DATE		AGENDA
April 25, 2022		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 3.
Subject: American Rescue Plan Act Funding FY 2022		
Requested Action or Motion: Move to authorize staff to claim the standard allowance for the American Rescue Plan Act funding of up to \$8.841 million.		
Summary Explanation & Background: On February 7, 2022, the City Council held a workshop to discuss the funding available for the City of Maitland from the American Rescue Plan Act ("ARPA"). The City's expected funding is \$8.8 million, of which \$4.4 million was received in FY 2021 and recorded as deferred revenue while the U.S. Department of the Treasury ("Treasury") finalized their rulings on the use of the funding. On January 7, 2022, the Treasury issued final rules which apply to the City as a "Non-Entitlement Unit" of government effective April 1, 2022 and retro-actively back to March 3, 2021. The final rules created a one-time, standard allowance of ARPA funds up to \$10 million for general government services with the intent of making compliance and reporting easier for smaller governments. The first annual report is due on April 30, 2022, and the staff is recommending the City claim the standard allowance for the entire \$8.8 million, resulting in a reduction of the General fund budget by an equal amount and recognition of the ARPA grant funds.		
Fiscal Impact: Recognition of ARPA funding of \$8.841 million.		
Exhibits:		
Commission/Board: City Council		
Contact Person: Sharon Anselmo 407-539-6221		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
April 25, 2022		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Request for Extension - Maitland Art & History Assn.		
Requested Action or Motion: Move to extend the deadline for site plan submittal, permitting and completion of construction of the on Additional City-Owned Parcel I to December 1, 2024.		
Summary Explanation & Background: History: The City of Maitland and the Maitland Art and History Association, Inc. ("MAHA") entered into a lease agreement ("Agreement") for the Lake Lily Campus, Packwood Campus and the Art Center Campus on July 11, 2011. The Agreement contained provisions related to an option for two Additional City-Owned Parcels with certain milestones. This is outlined in Section 16, which was subsequently modified in the First Amendment to the Lease Agreement executed on September 10, 2012. Per the amended Agreement, MAHA had three separate deadlines: 1. Conceptual Site Plan - Per Section 16(a), MAHA was required to submit a site plan by July 11, 2015. The site plan was to be approved by City Council within 12 months of submission. MAHA submitted the conceptual site plan to the City on July 10, 2015, and it was approved by City Council on March 14, 2016. Both the DRC and the Planning and Zoning Commission recommended approval of the conceptual site plan prior to Council approval. 2. Permits to Commence Construction - Per Section 16(b), MAHA was required to submit for permits within 10 years of the execution of the Agreement (by July 11, 2021) and to commence construction within six months of their approval. 3. Construction of Buildings - Per Section 24, MAHA was required to expend \$600 thousand dollars on a new building or renovation of an existing building by September 30, 2015. On December 8, 2014, MAHA submitted documentation of expenditures and in kind services in the amount of \$724 thousand on the renovation of the Germaine Marvel building which the City Council approved as satisfaction of the Section 24 requirement. Recently, representatives of MAHA advised City staff about the upcoming submission of a site plan for education studios to be constructed on the Art Center Campus and Additional City-Owned Parcel I. Although the deadline per Section 16(b) was not met, the Agreement does allow the City Council to extend the time period granted at their sole discretion. Attached is a letter from the Executive Director requesting an extension to December 1, 2024. A copy of the conceptual site plan for the education studios is attached, along with the 2016 approved conceptual site plan.		

Staff is recommending Council approval of the extension request for Additional City-Owned Parcel I which will be impacted by the project. Additional City-Owned Parcel II was included in the 2016 Council approval; however, the concept (a sculpture garden) only utilized a portion of the parcel and the remainder of the parcel contains the City's gazebo and walking paths in Quinn Strong park.

Fiscal Impact:

N/A

Exhibits:

1. Request to Extend Permitting Deadline
2. Maitland Art and History Association Lease Agreement 7112011
3. First Amendment to the Agreement
4. Education Studios 2022
5. Approved Conceptual Site Plan 031416

Commission/Board: City Council

Contact Person: Sharon Anselmo 407-539-6221

Reviewed by City Attorney

Yes

MEETING DATE		AGENDA
April 25, 2022		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 2.
Subject: Extension for Petition No. #2019-03 (SPR) 473 S. Keller Road (Maitland Condominiums)		
Requested Action or Motion: Approve a one-year-time extension for the approved Site Plan to allow the applicant to proceed to Site Construction and Building Permits.		
Summary Explanation & Background: <u>Background</u> On November 20, 2019, the Development Review Committee approved the Site Plan for a 50-unit condominium development known as the 473 S. Keller Road Maitland Condominiums. The project is zoned Planned Development (PD) and is located on approximately 4.71 acres on the west side of Keller Road on Lake Shadow. The PD was approved by City Council on January 28, 2019 (Ordinance 1343) and included a detailed PD Development Plan that incorporated many development standards codified in the recently adopted LDC update including parking, landscaping, lighting, signage, bike racks, architectural elevations and materials, dumpster screening and sustainability elements. On May 5, 2020, the city approved a Site Construction Permit (11-19-36778) for the project. However, no construction activity has occurred to date. The applicant states that due to the long downturn (2020-2021) of the economy as a result of the pandemic, they did not start construction within the period allowed following approval of the site plan. As a result, the Site Construction Permit and thus, the approved site plan expired. Per Chapter 7.5-87 of the Land Development Code in effect at the time the site plan was approved, if construction of the building(s) has not begun within two (2) years following approval of a site plan, or if the building permit for construction of the building(s) has become void any time after the two-year time period has expired, the approval of the site plan therein shall lapse. The section further goes on to state that upon request of the applicant, the Council may waive the time limitation and grant a time extension for a maximum period of one (1) year when the City Council deems such action is necessary to prevent injustice or to facilitate the proper development of the city. Because the Site Construction Permit for the project (issued in May of 2020) expired in May of 2021, the site plan is also deemed expired.		
<u>Request</u> The applicant is requesting a one-year time extension for the project due to the impact of the pandemic on the project. If granted, the applicant states they would like to proceed with the construction of this project.		
<u>Staff Recommendation</u>		

Due to the circumstances provided by the applicant and the detailed development standards approved during the PD process, staff supports the request for a one-year extension for the Site Plan, which will provide the applicant with the opportunity to proceed with the required new site construction and associated building permits.

Fiscal Impact:

n/a

Exhibits:

1. Request for Extension
2. KELLER FSP OCT 11 kevin REVS PER COMMENTS SITE PLAN (1)

Commission/Board: City Council

Contact Person: Sara Blanchard 407-539-6214

Reviewed by City Attorney

Yes

MEETING DATE		AGENDA
April 25, 2022		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 3.
Subject: Request for Reduction of Fine For Code Violations (200 N. Swoope Ave.)		
Requested Action or Motion: Approve the prospective property owner's request to reduce the fine ordered by the Special Magistrate on January 13, 2021 (Case Number CODE-7-20-2091) for the property located at 200 N. Swoope Ave. to 10% of the current accrued fine amount, once the violations are resolved, to cover the administrative cost to the City.		
Summary Explanation & Background: On June 9, 2020, the City initiated a Code Case concerning the property located at 200 N. Swoope Avenue after receiving reports of overgrown vegetation, trash, and mold/mildew on the building and the sidewalk in front of the building. After providing ample time to correct the violation, a Notice of Violation was sent on December 2, 2020. Since the issue was not corrected, the case was brought before the Special Magistrate on January 6, 2021 for a public hearing. At that public hearing, the Special Magistrate, noting that the respondent was not present, determined that the owner, Dorothy Wright, was in violation of the Maitland City Code for "Accumulation of trash, junk, debris and nonliving plant material on property", "Excessive growth of grass, weeds and brush on property" and the International Property Maintenance Code for "Sanitation (exterior) and "Protective Treatment". The magistrate imposed a deadline for compliance on or before January 21, 2021, after which the city could impose fines of up to \$250 a day if the violations were not corrected. On April 7, 2021, the Special Magistrate found that the property owner had failed to correct the code violations associated with the January 13, 2021 order, and imposed a fine of \$250 per day until the subject violations have been corrected. The fine amount has reached \$116,500 as of today, April 25, 2022. On April 13, 2022, Mr. Eddie Baird contacted the Community Development Department with a formal request to reduce the fines that have (and continue to) accrue. Mr. Baird is currently under contract to purchase the property and has committed to resolve all violations prior to closing on the property in May. Staff Recommendation: Staff supports Mr. Baird's request as the first goal of code enforcement is to get the property into compliance, followed by recovering the costs incurred. Staff recommends a reduction to 10% of the accrued fines once the violations are cured, as this amount would adequately recoup the City's expenses in pursuing the code case and would result in the property being brought into compliance.		
Fiscal Impact: Approximately \$11,650 in code enforcement fines to cover City expenses.		

Exhibits:

1. Email from prospective purchaser
2. 200 N Swoope

Commission/Board: City Council**Contact Person:** Dan Matthys 407-539-6211

Reviewed by City Attorney
Yes

MEETING DATE		AGENDA
April 25, 2022		Section: Decisions
Department/Office : Administration	AGENDA REPORT	Item #: 4.

Subject:
Charter Review Questions 2022

Requested Action or Motion:
Move to provide staff direction to move forward, with the assistance of the City Attorney's office, to draft an ordinance for the Council's consideration at a future meeting for the 2023 regular municipal election.

Summary Explanation & Background:
On October 11, 2021, City Council considered the five questions recommended by the Charter Review Commission in their August 2021 final report. At the meeting, the following items were reviewed:

1. Gender Neutral Language - Place on future ballot.
2. Elected Officials Salaries - Remove from consideration.
3. Vice Mayor Sucession - Council provided guidance to remove the conflict between the vice mayor serving until the next election or filling the unexpired term. Draft language is attached.
4. Term Limits - Clarify the language to state that a termed out mayor is not eligible to run for the office of council member until one year after the expiration of the mayor's term. Draft language is attached.

In addition, one item the Charter Review Commission ("CRC") discussed but was not recommended in the final report was the issue of a run-off election. It was brought forward to the CRC from then City Clerk Waldrop. Although a run-off had not occurred in the City since the 90's, the 2022 election came very close to a run-off situation. The cost of a run-off election is equivalent to a regular election (approximately \$22K in 2022). The alternative to the run-off election is for the candidate with the most votes to be declared the winner with a provision for a tie-breaking process.

Staff is looking for direction to move forward with the assistance of the City Attorney's office to draft an ordinance for the Council's consideration at a future meeting for the 2023 regular municipal election.

Fiscal Impact:
None - will go on regular ballot in March of 2023, assuming that an election is held.

Exhibits:

1. Clarification of Term Limits 042522
2. Mayoral Succession Amendment 042522 Language
3. Run Off Elections 042522

Commission/Board: City Council

Contact Person: Sharon Anselmo 407-539-6221

Reviewed by City Attorney
No.