

MINUTES, UMATILLA CITY COUNCIL MEETING  
JULY 17, 2018 7:00 P.M.  
COUNCIL CHAMBERS, 1 S CENTRAL AVENUE, UMATILLA, FL

Pledge led by **President Wright** and invocation given by **City Clerk Karen Howard**.

**Meeting called to order at 7:00 p.m.**

**ROLL CALL**

IN ATTENDANCE: President Laura Wright; Vice President Brian Butler; Council members Katherine Adams, Eric Olson, Scott Purvis; Mayor Mary Johnson; Public Works Director Aaron Mercer; Police Chief Adam Bolton; Fire Chief Shane Lanoue; City Attorney Kevin Stone; City Clerk Karen Howard

ABSENT:

**AGENDA REVIEW**

**Public Works Director Aaron Mercer** noted an addition to the agenda of a change order for the REDI grant covering smoke testing and sewer repair.

**MOTION by Purvis; SECOND by Olson; to approve the agenda as amended. Motion carried.**

**MINUTES REVIEW**

1 Minutes, City Council meeting, June 19, 2018

**MOTION by Olson; SECOND by Purvis; to approve the Minutes of the City Council meeting of June 19, 2018. Motion carried.**

**PUBLIC COMMENT**

None

**PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

2 Ordinance 2018 – F Referendum Question, First Reading

**Attorney Kevin Stone** read the ordinance by title:

**ORDINANCE 2018 - F**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, PROVIDING FOR AMENDMENTS OF THE CITY CHARTER; AMENDING ARTICLE II, SECTION 3 RELATING TO POWERS OF THE CITY; DELETING ARTICLE III, SECTION 5 OF THE CHARTER RELATING TO THE PRESIDENT OF THE CITY COUNCIL; AMENDING ARTICLE III SECTION 14 SPECIAL MEETINGS; AMENDING ARTICLE IV SECTION 1 ELECTION; AMENDING ARTICLE IV, SECTION 2 POWERS; DELETING ARTICLE IV SECTION 3 ACTING MAYOR; DELETING ARTICLE IV SECTION 4 IMPEACHMENT; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**Attorney Stone** noted a couple points are made in the staff report that are fair points. There is going to be a lot on the ballot this time around. The Council a year ago considered recommendations of the Charter Review Committee. We put those things on the ballot and many of those questions were passed by the voters. This is a continuation of work of the Charter Review Committee. They wanted to limit the amount of things to be put before the voters.

The Committee only recommended one change. The title of the ordinance shows the various sections of the Charter that would be changed because the title of Council President goes away and is replaced by Mayor. The point of this Charter Amendment is to combine the roles of the Mayor and the President. The City of Umatilla is unique these days in that we have a Mayor that

does not get to vote. Our Mayor has some veto power over ordinances and important duties within the community. It is rare these days that a Mayor does not have a vote on the things that come before a Council.

We have a Council President who has jobs a Mayor often would have: running the meetings, acting as a Chairperson, and signing certain documents. Currently we have a figurehead Mayor who has some things to do but it is different from what you normally see.

The upshot is to eliminate the second position, give the Mayor the duties of the Council President and eliminate the sixth chair on the dais. Instead of having a separately elected Mayor the Council would choose the Mayor from among its membership. This is what you see in most other cities. This is fairly common among other cities.

This really is one change but it has ripple effects through the Charter requiring some clean up work.

There are some bullet points in the staff report that are material things that change. The ballot question was developed by staff in my office and complies with rules for what the question has to say and the word limit requirements.

**Mayor Johnson** said this has my full support. I want it to be known I think this is a great idea.

**Council member Adams** noted it says the election of the Mayor and Vice Mayor will be done annually at the first meeting in January. A change was made that the newly elected officials take office after the election in November. You might have a Mayor that leaves and there is a time period.

**Attorney Stone** responded the goal was to set the choice of the Mayor to line up with the current way the President and Vice President of the Council are chosen at the first of the year. The Council is still going to be elected pursuant to the change last year and become active members of the Council. Then the Council will chose the officers from among themselves the first meeting in January when you have the Sine Die meeting and follow it up with the kick off meeting for the year.

**Council member Adams** asked what if the Mayor and Vice Mayor are unseated and we do not have a Mayor from November through January?

**Attorney Stone** said he would have to look at the specifics. I suppose we have that possibility today if the President is not reelected. We can make a change for the second reading allowing the selection of Mayor by the Council members to be held after the election results are certified and the new duly constituted Council forms and meets.

Discussion took place on when to hold the Sine Die meeting; that can be done once the new Council is seated.

**MOTION by Olson; SECOND by Butler; to approve Ordinance 2018 – F, first reading.**

**AYES: Adams, Olson, Purvis, Butler, Wright**

**NAYS:**

**Motion carried.**

#### **NEW BUSINESS**

**Council member Purvis** recused himself.

**Public Works Director Aaron Mercer** said this request came in late today. I apologize for putting it on the agenda but it is time sensitive. As you recall we received a \$500,000 REDI grant for sewer infiltration.

We awarded a contract to Utility Technicians for a smoke test to locate the intrusion. We did find some intrusion issues but not the smoking gun we were expecting. We analyzed data from our lift stations but determined it was not one source point issue as we were hoping which would have been a less expensive fix. It turns out there are multiple areas in the city that need to be repaired.

We asked Utility Technicians to put together a change order that addresses a number of things. It fixes a number of laterals, caps, and most significantly is a change out of 207 manhole covers. The new manhole covers will be locking with the city's name on them. They also have a gasket seal system that will prevent stormwater intrusion that we are experiencing with our current manhole covers. It will also keep them from being stolen. The covers are cast iron and work some money. Tavares had thirty stolen last year.

There is a two to four week lead in time; that is the reason for the need to get that before you. The balance of the funds in the grant will allow us to buy two generators or a generator and a stand-by pump. We are evaluating the options.

BESH has evaluated this as well as my staff and we are recommending approval of the change order for \$356,000. The change out should be completed by the end of October.

Discussion focused on the installation of the manholes and patching around the manhole. **Mr. Mercer** said it is a complete system that is grouted in place with a tool specifically for bobcats that will be used to replace the covers. We interviewed a few different vendors and found this to be the most effective and affordable option for the city giving us the best bang for our buck.

**Vice President Butler** asked **Council member Purvis** for his opinion on the product selected.

**Council member Purvis** said he was comfortable with the system. This is a gasketed ring and cover. After we did the smoke test we resmoked several areas in town and noticed smoke coming out of several manhole covers. **Mr. Purvis** talked about testing done over a manhole cover and found the covers were leaking between three and nine gallons a minute. You calculate that among two hundred manholes, considering the length of the rain and the time it takes for the water to clear the area. We feel this is where most of the intrusion is occurring.

We feel this will be a permanent fix. This system cuts a very neat hole in the middle of the street and then the ring and cover goes in and the entire void is filled up with concrete from the manhole to the road and is dyed black. It gives a nice finish.

**MOTION Olson; SECOND by Adams; to approve Change Order 1 in the amount of \$356,000. Motion carried.**

### **GENERAL DISCUSSION**

3 Traffic Safety SR 19 – Police Chief Adam Bolton

**Police Chief Bolton** during the FDOT Complete Streets presentations there was some discussion about speed limits on State Road 19 and if they were appropriate. We asked FDOT to do an evaluation to see if we are at the right speed. Their response is in your packets.

Discussion took place on the speed at which a ticket would be issued. **Chief Bolton** said in general our officers exercise discretion; at seven miles over the speed limit is defensible in most cases. **Chief Bolton** referenced the new statistics included in the packet breaking down the officer stops for the month.

**Mr. Mercer** noted the DOT response indicates the evaluation will take approximately sixty days. We will bring back to the Council the DOTs recommendation.

### **REPORTS**

#### **CITY ATTORNEY**

**Attorney Kevin Stone** reported much research on Mebane Street in Mitchener's subdivision. research and we need to get back with city staff. In the 1910s it was purchased by Mr. Mebane and left a stretch of land owned by Mr. Mebane and known as Mebane Street. I have found no dedication to the public. The legal descriptions started showing property lines ending at the supposed street. There is a law on undedicated land becomes a city street. There are situations when people get angry one way or the other pertaining to personal ownership and city ownership. I need to do some more research on this.

I attended the Florida Municipal Attorney's Association Annual Seminar. The city sends me to that and I appreciate it. There was a session on Municipal Airports. Thanked the city for the opportunity to attend.

**MAYOR**

- Babe Ruth girls won the State Championship and I would like to recognize them at the next Council meeting
- Attended booster meeting last night and met the new UHS Principal Thomas Gerds
- Reiterated her support of the referendum question and stated if the question is not passed by the voters she will fulfill her four year commitment
- Working on Breakfast for Educators

**COUNCIL MEMBERS**

**Adams**

- JAVA course is being held at the museum tomorrow from Noon through 2 p.m.
- July 25 Museum Snack and Chat will feature Greg Nelson talking about the history of United Southern Bank
- The museum roof is done and looks very good. The museum is going strong

**Wright**

- Working with the Chamber for Breakfast for Educators. We thank the First Baptist Church for stepping up as the host venue. There will be more serving lines and lots of parking
- Cooking for Presbyterian Church Vacation Bible School
- Working with Girls Ranch preparing for school

**STAFF**

**Public Works Director Aaron Mercer**

- CDBG grant is in the final 60 days of the Environmental Assessment. We will be working on the bid packet in the next few months
- The FDOT landscape is being reviewed
- Water meter project is moving along and is at 50% completion

**Police Chief Adam Bolton**

- The annual Active Shooter Training will be held on July 31<sup>st</sup> at the school with several different agencies participating

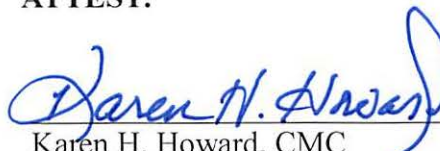
**President Wright** reminded Thursday is Meet the Principals at Gator's of Umatilla between 4 and 6 p.m.

**Meeting adjourned 7:33 p.m.**



Laura Wright  
Council President

**ATTEST:**



Karen H. Howard, CMC  
City Clerk





**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, HENRY SCOTT PURVIS, hereby disclose that on JULY 17, 20 18 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Award of Change Order on Project 2018-A SANITARY SEWER SMOKE TESTING. My company was awarded the project under a sealed bid process in May 2018.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

July 17, 2018  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.