



## TOWN OF KENNETH CITY FLORIDA

### Council Meeting Minutes

November 16, 2022

#### A. Call to Order

#### B. Moment of Silence by Mayor Howell and Pledge of Allegiance

#### C. Roll Call

Present were Councilmember Roberts, Councilmember Noble, Vice Mayor Cummings, Councilmember Zemaitis, Mayor Howell, Interim Town Manager Duncan, Town Attorney Johnston

#### D. Consent Agenda

Motion to approve Consent Agenda items 1,2,3,4, and 6 was made by Councilmember Zemaitis

A second was made by Councilmember Noble

All those in favor

Motion to approve Consent Agenda items, 1,2,3,4, and 6 was approved

Councilmember Zemaitis questioned the Imagine That Performance Project Reports.

Councilmember Noble asked for further clarification. There was ongoing discussion between Council and staff on this item and the need for more discussion on a Town Manager.

It was determined that a workshop would be appropriate to discuss a New Town Manager. A workshop on this topic was scheduled for January 5, 2023 at 6:30 pm.

Motion to approve Consent Agenda item 5 was made by Councilmember Noble

A second was made by Vice Mayor Cummings

All in favor

A motion to approve Consent Agenda item 5 was passed

#### E. Chief Michael Vieno Graduation

Interim Town Manager Duncan announced that Chief Michael Vieno graduated from the Florida Criminal Justice Executive Institute. Town Council delivered a plaque to Chief Vieno and congratulated him on his graduation.

**F. Update on Trunk or Treat Event**

Chief Vieno gave an update on the Trunk or Treat Event. He said he was pleased with the turnout and that there were over 800 families. He thanked Ms. Lancto for her support as a volunteer.

Chief Vieno also announced that the Town won an award for the Law Enforcement Engagement Challenge. The award was 8 sets of sequential road flares and a complete radar system. He said that the value of the equipment was close to \$6000.00.

**G. Persons Wishing to Be Heard on Items NOT Listed on the Agenda**

There was no public comment.

**I. Action Agenda**

1. Approval of Public Works Task Order with Imagine That Performance

Interim Town Manager Duncan introduced this item by explaining that the former Public Works Supervisor gave his resignation to the Town. This left a management gap in the Public Works Department. The Task Order under consideration is to fill this gap and look at the operating costs of the Public Works Department.

There was discussion about this item amongst Council and staff. There was a discussion about the resignation of the former Public Works Supervisor and the need for transparency between Town Council and the Interim Town Manager.

A motion to approve Task Order Exhibit N with Imagine That Performance was made by Councilmember Noble (amended to add a 90 day end date)

A second was made by Vice Mayor Cummings

There was no public comment

Councilmember Zemaitis said she would feel more comfortable if the Task Order had an end date.

Town Attorney Johnston recommended that the Task Order be put in place for 90 days.

Councilmember Noble amended her motion to include an end date of 90 days in Task Order Exhibit N

Councilmember Noble Y

Councilmember Zemaitis Y

Councilmember Roberts N

Vice Mayor Cummings Y

Mayor Howell Y

A motion to approve Task Order Exhibit N with Imagine That Performance to include a 90 day end date was passed

## 2. Pipe Replacement on 5694 46th Avenue N

Interim Town Manager Duncan indicated that a resident brought this item to the Town's attention. He indicated that stormwater was a problem, and the Town Engineer reviewed this item. Public Works Consultant Keith Bodeker indicated that this was a common repair that needed to be done which was removal and replacement with some restoration work. He indicated that he had worked with the Town Engineer through previous employers.

It was determined that there was money for stormwater replacement in the budget and that this was an urgent need.

Councilmember Noble asked if Mr. Bodeker would be the Project Manager and he said that he would be.

Financial Consultant JP Murphy indicated that the project had already been quoted prior to the Town's Purchasing Policy Change. But the conditions of the property had changed. He indicated that the costs to bid it out would be high and was requesting a bid waiver.

A motion to replace pipe on 5694 46<sup>th</sup> Avenue was made by Councilmember Noble (motion was amended to include waiver)

A second was made by Councilmember Zemaitis

Amend motion to add the waiver

Councilmember Zemaitis stated that her second had not changed

Public comment on this agenda item:

Lisa Malloy, 5710 46<sup>th</sup> Avenue N

Ms. Malloy indicated that there was signed paperwork that this has been repaired in the past. She indicated that she lost part of a fence. She didn't understand what the bid was for and wanted to make sure that her property was also repaired.

Paul Asche, 6412 44<sup>th</sup> Avenue

Mr. Asche indicated that the City of Tampa had just begun the replacement of storm sewers. He indicated that instead of digging up streets, the City was using some type of material inside the existing pipe. He suggested that the Public Works Department look into this to save time and money.

David Yench, 5694 46th Avenue N

Mr. Yench indicated that he was the owner of the property. He said that his concern was the power pole in his yard that could cause problems for the whole block.

Mr. Bodeker indicated Mr. Asche was referring to some sort of pipelining. He indicated that the ability to do that meant that the pipe needed some structural integrity. He indicated that this pipe was already eroding which would make lining more difficult. He indicated that there was still a need to dig up the pipe and make the repair. He indicated that pipe needed to be replaced due to the structural degradation of that area.

It was indicated that the document that was signed previously was to obtain a legal easement so the Town could maintain it.

All in favor

A motion to replace the pipe on 5694 46<sup>th</sup> Avenue to include waiver was passed

### 3. Second Reading of Ordinance 2022-658 Special Magistrate

The Interim Town Clerk read Ordinance 2022-658 into the record.

Town Attorney Johnston explained the purpose of the ordinance which was to develop an easier process for homeowners. Town Attorney Johnston explained the differences between the first and second readings of the ordinance.

Motion to approve Second Reading of Ordinance 2022-658 made by Councilmember Noble  
A second was made by Vice Mayor Cummings

Councilmember Zemaitis Y  
Councilmember Noble Y  
Councilmember Roberts Y  
Vice Mayor Cummings Y  
Mayor Howell Y

A motion to approve Second Reading of Ordinance 2022-658 was passed

### 4. First Reading Ordinance 2022-659 Amending Chapters 74 and 82

The Interim Town Clerk read Ordinance 2022-659 into the record.

Town Attorney Johnston explained the ordinance and its purpose

Motion to approve First Reading of Ordinance 2022-659 made by Councilmember Noble  
A second was made by Vice Mayor Cummings

There was no public comment

All in favor

Motion to approve First Reading of Ordinance 2022-659 was passed

5. Resolution 2022-14 Establishment of ARPA Special Revenue Fund

Financial Consultant JP Murphy read Resolution 2022-14 into the record. He indicated that the Town was recording ARPA funds in the General Fund. He indicated that it would be more transparent to move those funds out of the General Fund. This resolution approves the official action of moving those funds to Fund 150. He indicated that the Town's Financial Representative Aclarian suggested that the Town leave the old fund and assign a new fund number which is Fund 150.

A motion to approve Resolution 2022-14 made by Councilmember Noble  
A second was made by Vice Mayor Cummings

There was no public comment

All in favor

A motion to approve Resolution 2022-14 was passed

6. Resolution 2022-15 FY22 Budget Amendment

Financial Consultant JP Murphy read Resolution 2022-15 into the record. JP explained the purpose of the resolution which was to authorize no new spending as an accounting function. There was ongoing discussion between Council and staff on this item.

A motion to approve Resolution 2022-15 was made by Councilmember Noble  
A second was made by Vice Mayor Cummings

There was no public comment

All in favor

A motion to approve Resolution 2022-15 was passed

7. Building Development Services Piggyback Contract

Consultant Lisa Hendrickson discussed that the purpose of this was item was to approve the SafeBuilt authorization to piggyback for Building and Inspection Services.

There was a discussion about the SafeBuilt contract and procurement that was piggybacked. There was also discussion regarding the price and service level of the new service.

A motion to approve the authorization for the Mayor to execute an agreement in substantially the attached form with SafeBuilt to provide Building Development Services beginning on December 1, 2022 was made by Councilmember Zemaitis

A second was made by Councilmember Noble

Public comment on this agenda item:

Walter Wolf, 5663 47<sup>th</sup> Avenue N

Mr. Wolf asked if the fees would cover the cost of the services. He also asked what would happen if citizens did not have online access.

There was a discussion about Building Department fees. It was also discussed that there would be services provided in Town Hall by appointment. There was also a discussion regarding the number of days that inspections would take place.

All in favor

A motion to approve the authorization for the Mayor to execute an agreement in substantially the attached form with SafeBuit to provide Building Development Services beginning on December 1, 2022 was passed

#### 8. Acclarian Turnkey Staffing and ERP Solution

Consultant Lisa Hendrickson gave a description of the Acclarian contract. There was a question from Vice Mayor Cummings regarding the implementation of Acclarian. There was also discussion between Council and staff regarding the use of ARPA funds to pay for this item.

A motion to approve the Acclarian Agreement for Turn-Key Staffing and an ERP Solution was made by Councilmember Noble

A second was made by Vice Mayor Cummings

There was no public comment

All in favor

A motion to approve the Acclarian Agreement for Turn-Key Staffing and an ERP Solution was passed

## **II. Mayor/Council Comments**

Councilmember Roberts commented that the agenda was difficult to read and asked if page numbers could be added.

Councilmember Zemaitis discussed the fact that there was not appropriate signage for the garage sale. She indicated that some residents were upset by this. There was a discussion about the Town-wide garage sale. It was decided that another garage sale would be held from January 14<sup>th</sup> to January 16<sup>th</sup> of 2023.

Councilmember Noble welcomed Keith Bodeker to the Town. She thanked Chief Vieno for his efforts in organizing Town events.

## **III. Town Manager Comments**

Interim Manager Duncan talked about the technology implementation of Laserfiche, new copier contracts, the Building Department onboarding, current Request for Proposals that were being advertised, and Town events management, Community Hall rental, and landscape maintenance.

Financial Consultant JP Murphy discussed the selection of a Town Auditor and selecting a quote for Council approval.

Interim Town Manager Duncan indicated that it might be more appropriate to have Town Council meetings twice a month. Council was in favor of having two meetings per month.

#### **IV. Adjournment**

Motion to adjourn the meeting was made by Councilmember Roberts

A second was made by Councilmember Zemaitis

All in favor

Motion to adjourn the meeting was passed