



**Minutes of the
Crystal River City Council
Regular Council Meeting
Monday, October 22nd, 2018 @ 7:00 p.m.
Council Chamber, City Hall**

1. CALL TO ORDER

Mayor Farley called the meeting to order at 7:00 p.m.

Council Present: Mayor Jim Farley, Vice Mayor Ken Brown, Council member Mike Gudis, Council member Pat Fitzpatrick, Council member Robert Holmes

Council Absent: None

Staff Present: David Burnell, City Manager; Jennifer Rey, City Attorney; Mia Fink, CMC, City Clerk; Jack Dumas, Assistant City Manager, Michelle Russell, Finance Director; Jackie Gorman, Planning Director; Beau Keene, Public Works Director

Council member Gudis offered the invocation and Mayor Farley led in the Pledge of Allegiance.

Mayor Farley recognized Sheriff Mike Prendergast.

2. ADOPTION OF AGENDA

Motion to adopt the agenda was made by Vice Mayor Brown; seconded by Council member Fitzpatrick. Motion carried unanimously.

3. PRESENTATIONS

- A. *Red Ribbon Week Proclamation.....Sergeant Michael Manley, Young Marines*
No one was in attendance to accept the proclamation.

Mayor Farley then presented Detective Corey Sharpe with a Key to the City to recognize his service and upcoming retirement.

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

- A. Motion to approve minutes from the Regular Council meetings held September 24, 2018 and October 8, 2018
- B. Motion to approve a special event permit, waiver of open container and road closure request for the 2019 Florida Manatee Festival

Background: Agenda Sheet **Requested Motion: Motion to approve the special event permit, road closure request and waiver of open container submitted by the Citrus County Chamber of Commerce for the 2019 Florida Manatee Festival.**

Summary: The Citrus County Chamber of Commerce has submitted a Special Event Permit application for the 2019 Florida Manatee Festival to be held January 19th & 20th. The following roads will be closed starting Friday, January 19th at 1:00pm; NW 1st Avenue from US Hwy 19 to NW 7th Street; NW 7th Street from NW

2nd Avenue to N Citrus Avenue; and N Citrus from US 19 to Crystal St.; and NW 3rd Street from Citrus Avenue to Kings Bay Park. The festival will begin Saturday at 9:00 am and end on Sunday at 4:00 pm. The permittee is requesting to use City property including; Little Springs Park, City Hall parking lot, Kings Bay Park, and the corner of Highway 19 and Citrus Avenue. All aspects of the permit are the same as in previous years.

Staff Recommendation: Staff recommends approval

End of Agenda Sheet]

C. Motion to approve a special event permit and waiver of open container for Rock Kings Bay

Background: [Agenda Sheet] **Requested Motion: Motion to approve the special event permit, road closure request and waiver of open container submitted by Best Florida Fest for Rock Kings Bay.**

Summary: Best Florida Fest, the company that produced the Scallop Fest, is requesting the use of Kings Bay Park for a concert on February 9, 2019. The event will utilize Kings Bay Park and NW 3rd Street, requesting to close the road from 12:00pm-10:00pm. There will be a concert, food trucks and beer and wine sold by a local non-profit. The concert will be gated and there will be a fee for entry.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

D. Motion to approve road closure request for First Baptist Church

Background: [Agenda Sheet] **Requested Motion: Motion to approve the road closure request submitted by First Baptist Church.**

Summary: The First Baptist Church is requesting to close NW 7th Street from Citrus Avenue to NW 1st Avenue from 12:00pm-4:00pm on Saturday, October 27, 2018 for their Fall Festival. This closure will not affect access to any other businesses or residents.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

Vice Mayor Brown and Council member Holmes requested that Item 5C be pulled from the consent agenda for discussion.

Motion to approve the consent agenda as amended was made by Council member Holmes; seconded by Gudis. Motion carried unanimously.

Vice Mayor Brown noted the amount of funding spent on city sponsored special events that are free of charge. Council member Holmes expressed concerns with a for-profit company organizing the event, costs to city, and lack of information including number of restrooms, and fees for the event.

Council discussion was held regarding the previous event held by the organization, proceeds made to the not-for-profit affiliate Citrus County Blessings and benefits of holding events down town.

Motion to table consideration of approval of item 5C, a special event permit, road closure request and waiver of open container submitted by Best Florida Fest for Rock Kings Bay was made by Council member Holmes; seconded by Council member Fitzpatrick. Motion carried unanimously.

6. PUBLIC INPUT

(Time Limit of Three Minutes)

Lisa Yeater- Best Florida Fest- Addressed questions regarding item 5C, noting \$3,800 donation to Citrus County Blessings and \$1,000 donation to Crystal River High School Foot Ball from the

Scallop Festival, and confirming that most "T.B.D." information is based on ticket sales, and Public Works staffing costs were covered.

Ralph Duball- 940 SE 4th Avenue- Suggested soliciting more public input for city hall relocation decision, allowing all residents to vote.

Mike Yeater- Best Florida Fest- Did scallop Festival- CR HS Football Team- wants to do whatever is good w the city- do not want to interrupt any citizens or businesses- we do live here- want to give a place for people to have fun- we have other avenues for events- will be putting another application in for scallop festival- Kings Bay is great- we use plantation for

Pete Langlois- 1123 SE 3rd Avenue- Suggested that his comments previously submitted via email be considered for revision of draft noise ordinance, providing a hard copy to staff (ATTACHMENT A).

Gail Kostelnick- 2021 NW 13th Street- Inquired about an anticipated date for city hall location decision and discussed a sidewalk project on 19th Street, expressing a number of concerns regarding the project and suggesting it be re-designed.

City Manager Burnell provided clarification regarding sidewalk design and configuration and Council discussion was held regarding previous citizen requests for addressing issues with the sidewalk. Mayor Farley confirmed he was not in attendance for that vote.

Cindi Guy- 1301 SE 4th Avenue- Expressed concerns with item 9D for purchase of a passenger van for Three Sisters Springs Visitors Center, including private sector interference and ethics.

7. PUBLIC HEARING

- A. Consideration of approval of Ordinance No. 18-O-15 amending the Land Development Code, Chapter 2, "Zoning Districts and Permitted Uses" on First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m.

Motion to read Ordinance No. 18-O-15 by title only was made Council member Holmes; seconded by Vice Mayor Brown. Motion carried unanimously.

AN ORDINANCE THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA; AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 2, ZONING DISTRICTS AND PERMITTED USES; SECTION 2.03.03 ACCESSORY USES IN EACH ZONING DISTRICT; BY DELETING 2.03.03(D) IN ITS ENTIRETY; TABLE 2.03.03 ACCESSORY STRUCTURES BY DELETING "ROADSIDE VENDING" IN ITS ENTIRETY; AND, CHAPTER 4, BY DELETING SECTION 4.02.07 DESIGN STANDARDS FOR ROADSIDE VENDING IN COMMERCIAL HIGHWAY (CH) ZONING DISTRICTS IN ITS ENTIRETY AND REPLACING IT WITH LANGUAGE REGULATING TEMPORARY USES; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Background: [Agenda Sheet **Requested Motion: Motion to approve Ordinance No. 18-O-15 amending the City’s Land Development Code establishing new regulations for temporary uses on First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m.**

Summary: Staff has discussed the need to amend the City’s Temporary Use Ordinance to be similar to that of Citrus County. Attached you will find Ordinance 18-O-15 that aligns the City’s temporary uses with Citrus County’s code. These uses are as follows:

TEMPORARY USE OR STRUCTURE	ALLOWABLE TIME FRAME & STIPULATIONS
Temporary Office Facilities (including Real Estate Sales Offices & Construction trailers)	1-year with up to two (2) 1-year extensions
Outdoor Retail Sales Events for the same merchandise that is sold within a permitted established use on the same property. Allowed in CH Zoning Districts only	4 days per sale with a maximum of 4 occurrences per parcel per calendar year.
Seasonal Sales (Christmas trees, Halloween Pumpkins, or similar uses	90 days per calendar year with no more than 30 days per occurrence, or 3 occurrences per parcel per year.
Seasonal Sales – Fireworks	Governed by State Law
Special Events (Fairs, Festivals, Arts & Craft Shows, Exhibits, and Similar Outdoor Events on Private Property)	4 days per event with a maximum of 3 occurrences per parcel per year.
Mobile Food Vehicle sales (includes carts and food trucks)	Maximum 400 SF w/approved site plan & approval from Property owner

Each permit will have criteria that must be met (i.e., driveway access, off-street parking, etc.) and the permit will be coordinated through the Special Events Coordinator. Any special requests over and above what is listed in this Ordinance will require approval by City Council.

The Planning Commission recommended approval of this Ordinance on September 6, 2018.

Staff Recommendation: None

End of Agenda Sheet]

Staff Presentation: Planning and Development Services Director Jackie Gorman addressed Council questions, noting intent to align city policies with those of the county and other municipalities. Vice Mayor Brown expressed concerns regarding some of the proposed language and possibility of outside vendors setting up tent sales. Staff provided further clarification regarding property owner consent requirements and provided examples.

Public Hearing: No one spoke for or against the ordinance.

Motion to approve Ordinance No. 18-O-15 amending the City’s Land Development Code establishing new regulations for temporary uses on First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m. was made by Council member Holmes; seconded by Council member Fitzpatrick. Motion carried 4-1 (with Vice Mayor Brown in opposition).

B. Consideration of approval of Ordinance No. 18-O-16 amending Chapter 10, "Health, Sanitation and Public Welfare" and Chapter 14 "Streets and Sidewalks" on First Reading and setting a public hearing for

November 13, 2018 at 7:00 p.m.

Motion to read Ordinance No. 18-O-16 by title only was made by Council member Fitzpatrick; seconded Vice Mayor Brown.

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING CHAPTER 10 HEALTH, SANITATION, AND PUBLIC WELFARE, ARTICLE I, IN GENERAL AND, CHAPTER 14 STREETS AND SIDEWALKS, ARTICLE III PRIVATE YARDS AND LOTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Background: [Agenda Sheet] Requested Motion: Motion to approve Ordinance No. 18-O-16, amending Chapter 10, "Health, Sanitation, and Public Welfare", "Article I, In General" and Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots" on First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m.

Summary: City Council requested staff to review the existing codes relating to unkempt private yards and growing vegetation in order to shorten timelines associated with the process for enforcing violations. During the meeting held October 8, 2018 a draft ordinance was placed on the agenda for Council discussion and consensus was reached to move forward with adoption.

Revisions include the following:

SECTION 3. AMENDMENT OF CHAPTER 14 ARTICLE I.

Sec. 10-5. - Unimproved Real property maintenance standards.

No person shall keep or allow to remain upon his/her premises within the city or upon premises in the city under his/her charge or control in such a manner as not to become a public or private nuisance. All unimproved parcels within the city shall remain free and clear of debris, trash, garbage and other similar items such that the parcels do not become a public or private nuisance. All prior landscaped or mowed lots in the city shall be kept free from the overgrowth of weeds and vegetation which exceed a height of twenty-four (24) inches. Upon written notice, in accordance with Section 14-51, to the property owner requesting compliance with this section and the owner's timely failure to respond within remedy the non-compliance within ten (10) seven (7) days of receipt of the notice, the city may, after re-inspection in accordance with Section 14-51(d), mow weeds and vegetation in violation of this height requirement to bring the parcel into compliance with this section. A fee will be charged to the owner by the city for any mowing/maintaining of a parcel, such will be the actual cost for performing this service.

SECTION 4. AMENDMENT OF CHAPTER 14, ARTICLE III.

Sec. 14-51. -Notice of Prohibited conditions.

(a) No person shall be in violation of the real property maintenance standards set forth in Section 10-5.

(a)(b) If a code enforcement officer determines that vegetation, which violates the maintenance standards in this article exists, and determines that the city should correct the violation, a code enforcement officer shall notify the owner(s) of record of the property in writing and demand that such owner cause the violation to be remedied within seven (7) days. The notice shall be given by first class mail, addressed to the owner(s) of record [of] the property described, as their names and addresses are shown upon the records of the county property appraiser, and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. Notice shall also be posted upon the property declared a "public nuisance". Notice may be served by hand delivery to the owner(s) of record of the property in lieu of mailing.

(b)(c) The notice shall be substantially in the following form:

NOTICE OF PROHIBITED CONDITIONS

I inspected your property (describe property) on or about (date) and found the following conditions (describe conditions) that are a violation of City Code Chapter _____, Article _____. You are hereby notified that you must correct these violations within ten (10) seven (7) days of the date of this Notice or by (date), whichever is later. If not all conditions are corrected by this date, the City will cut, trim, edge and clear the property to correct the violations of the City Code. To perform this maintenance, the City will also remove any junk, rubbish or other material from the property. The cost of this work, including administrative expenses, will be charged to you in the form of a lien against the property. You can appeal the finding that there is a violation by filing a written appeal to the City Clerk within ten (10) seven (7) days of the date of this letter.

(Official Title)

(d) The code inspector shall perform a re-inspection after the allowed time to remedy the violation. If the violation has been corrected, the case will be considered closed or shown as being in compliance. If the re-inspection finds no change, then the City may proceed to cut, trim, edge and clear the property to correct the violations of the City Code, and charge the owner for the costs, including administrative expenses in the form of a lean against the property.

Sec. 14-52. - Appeals.

(a) Within thirty (30) after the mailing or service of notice, or after the first day of posting on the property, whichever occurs last, the owner or the designated agent of the owner may file an appeal to show that the violation alleged in the notice does not exist. The appeal shall be in writing and must be filed with the director of code enforcement.

(b) The code enforcement special master shall hold a hearing at such reasonable time and place as provided under chapter 2, article VI, of the Ordinance Code of the City of Crystal River.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

Staff Presentation: City Attorney Rey provided a brief overview of the item, noting that height should be reduced from 24 in. to 12 in. under Section 10-5. She also addressed questions regarding the appeals process and notices.

Public Hearing: No one spoke for or against the ordinance.

Motion to approve Ordinance No. 18-O-16, amending Chapter 10, "Health, Sanitation, and Public Welfare", "Article I, In General" and Chapter 14 "Streets and Sidewalks", Article III, "Private Yards and Lots" on First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m. was made by Vice Mayor Brown; seconded by Council member Holmes. Motion carried unanimously.

C. Consideration of approval of Ordinance No. 18-O-17 amending Chapter 12, "Offenses and Miscellaneous" On First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m.

Motion to read Ordinance No. 18-O-17 by title only was made by Vice Mayor Brown; seconded by Council member Fitzpatrick.

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING CHAPTER 12 OFFENSES AND MISCELLANEOUS, ARTICLE IV NOISE, NOISE AT NIGHT; PERMIT; CERTAIN ACTS PROHIBITED; DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Background: [Agenda sheet] **Requested Motion: Motion to approve Ordinance No. 18-O-17 amending Chapter 12, “Offenses and Miscellaneous” On First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m.**

Summary: City Council requested staff to review, consolidate and clarify the existing codes relating to noise in order to address certain problems occurring in both residential and public areas. During the meeting held October 8, 2018 a draft ordinance was placed on the agenda for Council discussion and consensus was reached to move forward with adoption .

Revisions include deletion of Sections 12-8 through 12-10 of Chapter 12, inclusion of definitions of both daytime and nighttime, and creation of Section 12-63A64. “Noise at Night”. A specific noise prohibition was also included pertaining to certain animals and birds, Section 12-7071(15).

Draft revisions include the use of equipment that is mandated by the State, and requires purchase, training and regular calibration of the equipment. The noise ranges and times do vary from community to community and some are derived from OSHA regulation to prevent loss of hearing at the work place.

Staff Recommendation: N/A

End of Agenda Sheet]

Staff Presentation: City Attorney Rey provided a brief overview of the item, noting the purpose of consistency and uniformity of existing noise code.

Council member Holmes suggested further coordination between staff and enforcement entities prior to moving forward with adoption. City Manager Burnell discussed challenges related to equipment and training involved. Council discussion was held regarding the proposed hours and days of week for quiet times, and consensus was reached to modify the Sunday quiet time to begin at 9:00 p.m. Further Council discussion was held regarding consideration of holidays and concerns regarding equipment needed for enforcement. “No Engine Braking” signs were also discussed.

Motion to table consideration of approval of Ordinance No. 18-O-17 amending Chapter 12, “Offenses and Miscellaneous” On First Reading and setting a public hearing for November 13, 2018 at 7:00 p.m. was made by Council member Holmes; seconded by Council member Gudis. Motion carried unanimously.

Further discussion was held regarding holiday exceptions during which City Attorney Rey suggested consistency with holidays observed by the city.

8. CITY ATTORNEY

A. Charter Amendment Process (clarification)

City Attorney Rey discussed two methods for Charter Amendment process, (both mandated Charter Review process that occurs every ten years, and method of ordinance adoption to place amendment on ballot) as a follow up to suggested charter amendment language provided by Council member Holmes to amend current election candidate qualification standards.

9. CITY MANAGER

A. *Motion to join a Mutual Aid Agreement for Water and Wastewater with Florida's Water/ Wastewater Agency Response Network*

Background: [Agenda sheet **Requested Motion: Motion to join a Mutual Aid Agreement for Water and Wastewater with Florida's Water/ Wastewater Agency Response Network.**

Summary: This is a formalized system of "utilities helping utilities" to address mutual aid during emergency situations. The system consists of a secure web-based data bank of available resources and a practical mutual aid agreement designed to reduce bureaucratic red tape in times of emergency. The goal of FlaWARN is to provide immediate relief for member utilities during times of emergencies. The purpose is to get personnel with the necessary tools and equipment that can both assess and assist the impacted water and wastewater systems as quickly as possible by whatever means necessary until such time that a permanent solution to the devastation may be implemented.

FlaWarn was modeled after an emergency response network in California named CalWARN, California Water/Wastewater Response network. CalWARN was designed as strictly a mutual aid assistance network. By combining mutual aid network with security information collaborative, FlaWARN has been able to cover all aspects of both natural and manmade emergency assistance.

Why was this organization developed:

During the hurricanes of 2004, utilities throughout the state found it difficult to get the needed assistance without a formalized agreement for the responding utility to get reimbursed for their efforts. FlaWARN resolved this issue by offering member utilities a standardized mutual aid agreement outlining terms and condition of reimbursement prior to requesting and receiving assistance. Crystal River has made huge strides in the last seven years in backup equipment, but the City is far from self-sufficient if a major storm was to enter this area.

How is it structured:

A steering committee provides leadership for FlaWarn. It is composed of five state water/wastewater professional organizations including: AWWA, FWEA, FWPCOA, FRWA, SEDA; three at large members and a representative of FEDP. The University of Florida Center for Training, Research and Education for Environmental Occupations (UF/TREEO) is responsible for implementing the program. Meetings of the steering committee are conducted via phone conferences or in person as needed.

Some history of FlaWARN:

FlaWARN responded to four major events in 2005. Starting with Hurricane Dennis in the Florida Panhandle in July and Hurricane Wilma in October, FlaWARN mobilized member utilities to respond with plant operators, mechanics, electrical technicians, generators, pumps Vector-ject trucks, and water distribution and wastewater collection system repair crews. Working conditions are always difficult and crews are often forced to sleep in their vehicles and eat military rations. This effort followed with five member utilities that were sent to Texas after Rita. Today they are helping meet the needs in the overwhelming damage of Hurricane Michael.

Staff Recommendation: Staff is in strong support of this agreement.

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item.

Motion to join a Mutual Aid Agreement for Water and Wastewater with Florida's Water/ Wastewater Agency Response Network was made by Council member Holmes; seconded by Vice mayor Brown. Motion carried unanimously.

B. Motion to enter into an agreement with Mittauer & Associates, Inc. in an amount not to exceed \$46,600.00 for engineering services related to forcemain re-routing improvements in the Paradise Point

Road area

Background: [Agenda Sheet Requested Motion: Motion to enter into an agreement with Mittauer & Associates, Inc. in an amount not to exceed \$46,600.00 for engineering services related to forcemain re-routing improvements in the Paradise Point Road area.

Summary: One of the important FY2019 utility capital improvement projects approved by Council involves addressing the existing circuitous sanitary forcemain routing arrangement in the Paradise Point Road area.

With reference to the attached recommendation exhibit contained within the recently-completed Wastewater Master Plan study, sewage from Picardy Village, the Port Hotel, and residences along Kings Bay Drive was historically pumped north and then east along Kings Bay Drive. When the hump bridge on Kings Bay Drive was reconstructed circa 1990, it was decided that an aerial forcemain crossing was un-desirous and the forcemain routing was “turned around” to pump sewage south down Kings Bay Drive, then east along Paradise Point Road, and finally discharging to the gravity sewer system on Pinwheel Drive (which flows south to Lift Station #19 located at Three Sisters Springs Trail/Ft. Island Trail).

This “now existing” arrangement is inefficient as it requires re-pumping of the collected wastewater several times over and creates a dependence on other stations to maintain the piggyback flows. Verbally:

Picardy Village (some 30+ single family homes generating an estimated 9,000 GPD) is served by LS #18. This lift station pumps north and then west along Paradise Pt. Rd. and dumps into the gravity collection system (which also accepts flows from the Port Hotel) feeding LS #32 (which is located north up Kings Bay Dr.)

LS #32 then sends its flows (along with the LS #18 flows) further north along Kings Bay Drive to LS #16. LS #16 then re-pumps all this flow back south, then east down Paradise Pt. Rd, and finally south to the LS #19 collection system on Pinwheel Drive; LS #19 then has to re-pump all these flows yet again.

It is desirous to create a more efficient and reliable sewage transmission system by defeating circuitous pumping and eliminating the dependence upstream stations have on the downstream piggyback stations. This can be accomplished by re-routing the forcemains to allow the individual lift station to manifold directly into the 12” forcemain on Three Sisters Springs Trail. An added bonus is that by doing so, some 120,000 gallons per day will be freed up off Lift Station #19 --- new capacity available to the recently awarded South Sewer Expansion grant project.

The engineer’s proposed fee of \$46,600.00 appears to be in line with the scope of services which includes: hydraulic modeling; development of the plans and specifications; permitting; bidding services; contract administration; construction engineering inspections; and final permit certificates of completion.

Staff Recommendation: Approve the requested motion.

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item.

Motion to enter into an agreement with Mittauer & Associates, Inc. in an amount not to exceed \$46,600.00 for engineering services related to forcemain re-routing improvements in the Paradise Point Road area was made by Vice mayor Brown; seconded by Council member Fitzpatrick.

Council member Gudis inquired about increased efficiency.

Motion carried unanimously.

Council member Fitzpatrick exited the meeting.

C. Motion to award purchase order to Rosenbauer for the purchase of a Level I Custom Pumper using the current Florida Sheriff's Contract #FSA18-VEF13.0 in the amount of \$404,875.00. Together with the purchase of additional equipment, list attached, to be placed in service with new engine in the amount not to exceed \$30,000.00. Total purchase request is \$434,875.00.

Background: [Agenda Sheet **Requested Motion: Motion to award purchase order to Rosenbauer for the purchase of a Level I Custom Pumper using the current Florida Sheriff's Contract #FSA18-VEF13.0 in the amount of \$404,875.00. Together with the purchase of additional equipment, list attached, to be placed in service with new engine in the amount not to exceed \$30,000.00. Total purchase request is \$434,875.00.**

Summary: The Crystal River Fire Department is recommending the purchase of a new Level I Custom Engine. This will be replacing a 1994 Engine/Tanker referred to as Tanker 1. The Engine will have a 1500 gallon per minute pump, a 750 gallon water tank and foam system. The life span of an engine is 20 years, so we would expect this unit to be in service near 2040. There is a list of equipment attached that will be purchased and placed in service with this Engine. This equipment includes items that are affixed or assigned to the engine including master monitor, 1200 feet of 5 inch supply hose, communication headsets, flashlights, axes, intake relief valves, nozzles and mounting brackets to name a few items. These items will be purchased directly to save on the mark up. There is a discount if the chassis is paid for at the time it is delivered to the body plant of \$8,479.00. Chassis cost is approximately half the cost of the total unit. They are also offering an additional discount of \$7,045.00 if the entire cost is paid at the time of order.

Bidding Company	Base Price	Recommended Vehicle Cost Breakdown:	
Rosenbauer	\$339,229.00	Rosenbauer Base Price	\$ 339,229.00
Ten-8	\$352,261.00	Selected Options	<u>\$+ 89,125.00</u>
Sutphen	\$364,945.00	Vehicle Price	\$ 428,354.00
REV	\$347,823.00	Discount for chassis payment	\$ - 8,479.00
Ferrara	\$351,352.00	Trade- In Value	\$ - 15,000.00
Alexis	\$380,869.00	Vehicle Cost w/o add-ons	\$ 404,875.00
		Additional Equipment	<u>\$+ 30,000.00</u>
		Total Vehicle Cost	\$ 434,875.00

Staff Recommendation: Staff reminds Council that the funding for this purchase does not come from the current budget; it comes from the Renewal and Replacement fund set up and funded by Council over many years thereby having the necessary funding for a large and periodic purchases (recap attached). Staff recommends awarding the purchase to Rosenbauer in the amount of \$404,875.00 and approval of the purchase of additional equipment in an amount not to exceed \$30,000.00 for a total amount to be charged to Renewal and Replacement of \$434,875.00. Purchase of additional equipment listed to follow current purchasing requirements. Staff recommends taking the discount for paying for the chassis at delivery to the plant due to the fact the MSO will be issued to the City at that time. The manufacture would still be responsible until delivery. Please find attached Additional Equipment list, Bid and Specifications from Rosenbauer and the Florida Sheriff's bids from Rosenbauer, Ten-8, Sutphen, REV, Ferrara, and Alexis.

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item. Council member Gudis commended renewal and replacement fund establishment, Fire Chief/Assistant City Manager Jack Dumas discussed previous vehicle purchases made via renewal and replacement funding and Vice Mayor Brown discussed the option of declaring the Tanker 1 as surplus for disposition, in lieu of trade-in and wished to instruct staff to do so. Staff confirmed that proceeds from such a sale could be placed back into renewal and replacement fund (or Fire Reserve fund). Council member Holmes discussed the option of donating Tanker 1 to a Hurricane Michael-impacted community in need.

Motion to award purchase order to Rosenbauer for the purchase of a Level I Custom Pumper using the current Florida Sheriff's Contract #FSA18-VEF13.0 in the amount of \$404,875.00. Together with the purchase of additional equipment, list attached, to be placed in service with new engine in the amount not to exceed \$30,000.00. Total purchase request is \$434,875.00 ...

with amendment directing staff to look into possibility of surplus sale and if direct sale yields more than \$15,000 trade in value, authorize staff to continue with surplus sale with proceeds to be placed back into fire reserve fund was made by Council member Gudis; seconded by Vice Mayor Brown. Motion carried 4-0.

Council member Holmes noted the importance of maintaining a community rating, which impacts local insurance rates. City Manager Burnell discussed the need for an additional motion to cover the additional \$15,000.00 short-fall caused by eliminating trade-in value of Tanker 1.

Motion to approve an additional \$15,000 for the purchase of the fire truck to be reimbursed with surplus sale proceeds if it is not traded in was made by Vice Mayor Brown; seconded by Mayor Farley. Motion carried 4-0.

D. Motion to purchase a Ford Transit 350 Long Wheelbase Extended Length High Roof Wagon with Para transit Package from Nick Nicholas Ford in the amount of \$57,757.18

Background: Agenda sheet **Requested Motion: Motion to purchase a Ford Transit 350 Long Wheelbase Extended Length High Roof Wagon with Para transit Package from Nick Nicholas Ford in the amount of \$57,757.18**

Summary: Three Sister Spring's transportation services from Three Sister Springs Refuge to Three Sister Springs Welcome Center have in the past utilized a number of different leased or purchased vehicles for transit. The budget this year has funding for purchase a used trolley that would meet peak volume periods. However during the slow periods nine to ten months of the year operating a trolley is expensive and requires CDL drivers. The van proposed is the largest of its design for non-CDL licensed drivers with a full load capacity of fifteen people. It comes with extended height option and includes ADA compliant loading devise.

The plan is to use the van during low volume periods and supplement on high volume days. In essence it will be the primary vehicle 75% of the time. The purchase is the first new vehicle and is being purchased under State Contract to assure cost saving over traditional purchases. Three quotes have been received and review for lowest cost.

The desire to have the Transit Van look like a trolley will be done by using a wrap that mimics the current trolley photo attached. The cost of the wraps is not included because the installer is designing and installing at no cost for rear advertising on the rear of both vehicles if we agree to keep the advertisement on the vehicles for two years.

The City in the proposed contract will continue servicing Three Sister Springs Refuge until the City chooses to eliminate service with notice. If the City chooses to stop service to Three Sisters Springs Refuge and downtown businesses the equipment could be made part of the bid to take over transportation services. This purchase and operation is a self-sufficient enterprise fund at no cost to tax payers of Crystal River.

Public Transit Office	\$71,425.00
Crystal Ford	\$66,991.00
Nick Nicholas	\$57,757.18

Staff Recommendation: Recommends Purchase from Nick Nicholas Ford End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item and discussed prior year transportation challenges related to a damaged trolley that was leased and a rental van utilized for replacement.

Vice Mayor Brown spoke in opposition of the purchase, noting ongoing Three Sisters Springs Coordinating Committee activity and potential impacts.

City Manager Burnell expressed concerns regarding potential visitor dissatisfaction due to long shuttle wait times. Council member Holmes spoke in favor of the purchase, noting the enterprise fund revenue source and ability to dispose of any assets that would prove unnecessary in the future. Vice Mayor Brown inquired about the ability to anticipate existence of the revenue funding as listed, noting potential weather impacts of the upcoming manatee season. City Manager Burnell confirmed listed enterprise fund revenues exist, not anticipated, and confirmed city's ability to dispose of Three Sisters Springs Visitor's Center related assets in the event that the city ended its role as concessionaire for USFWS. Discussion was held regarding the City's role in ensuring visitor access to the Three Sisters Springs Refuge site and overview of events leading up to the current structure, with Council member Gudis noting the economic benefits of the trolley system, public or private, and Vice Mayor Brown expressing concerns with transportation-related investment.

Motion to purchase a Ford Transit 350 Long Wheelbase Extended Length High Roof Wagon with Para transit Package from Nick Nicholas Ford in the amount of \$57,757.18 Council member Gudis; seconded by Mayor Farley. Motion carried 3-1 with Vice Mayor Brown in opposition.

10. CITY COUNCIL

A. Motion to adopt 2019 Council Meeting, Holiday and Board meeting Schedules

Background: Agenda Sheet **Requested Motion:** **Motion to approve the proposed City Council Meeting Schedule for 2019.**

Summary: The City Charter establishes that City Council shall hold regular meetings at such times as it may determine but no less than one regular meeting per month. Traditionally, Council has established the 2nd and 4th Mondays of each month as the days when Council meetings are conducted. Attached, is a proposed 2019 schedule that assumes that the traditional meeting dates will be maintained with only one meeting anticipated for the months of June, July, November and December.

Proposed changes are as follows:

*The second meeting in May will be held on Tuesday, May 28th due to Memorial Day falling on Monday, May 27th.

*The November meeting will be held on Tuesday, November 12th due to Veterans' Day falling on Monday, November 11th.

Also attached for your convenience, are the monthly Community Redevelopment Agency, Planning Commission, Tree Board (in the event that a quorum is re-established) and Waterfronts Advisory Board meeting schedules, as well as the Holiday Schedule for the 2019 calendar year.

Staff Recommendation: Staff is recommending approval of the proposed City Council Meeting schedule.
End of Agenda Sheet]

Motion to approve the proposed City Council Meeting Schedule for 2019 was made by Council member Holmes; seconded by Council member Gudis. Motion carried unanimously.

11. COMMITTEE REPORTS

A. Mayor Farley

- *Waterfronts Advisory Board* – Ms. Rosetti reported on pole anchoring incentivizes program discussion.

B. Vice Mayor Brown

- *Withlacoochee Regional Water Supply Authority* – Reported on FY 2019 budget approval, without Citrus County representation present. Council member Holmes requested a copy of the budget document.
- *Crystal River Main Street*- Reported that the Pump House Open House/Sip'n'Stroll event is scheduled for Tuesday, October 30th, 5-7 p.m., with presentation at 5:30 p.m. He also reported on recent activities related to vacant properties and tools for visualization of the Bayside Plan.

C. Council member Fitzpatrick

- *Metropolitan Planning Organization*
- *Three Sisters Springs Coordination Committee*

D. Council member Gudis

- *Tourist Development Council*- Reported on information shared by the TDC contracted marketing research firm attendance, noting 500,000 visitors last year.
- *Library Governing Advisory Board*
- *Florida League of Cities*
- *Citrus County Community Charitable Foundation Board*- Reported on annual meeting upcoming and officer elections.

E. Council member Holmes

- *Keep Citrus County Beautiful*- Reported on finance discussion, receipt of FDOT reimbursement, Pride Award nominations and S.O.W.W. debriefing.
- *Springs Coast Steering Committee*

12. COMMUNICATIONS

Mayor Farley shared correspondence received from the International Institute of Municipal Clerks confirming attainment of a Certified Municipal Clerk designation for City Clerk Fink.

13. COUNCIL MEMBER REPORTS

A. Mayor Farley

B. Vice Mayor Brown

- C. Council member Fitzpatrick
- D. Council member Gudis- Discussed the upcoming Remembering Our Fallen Heroes Monument and opening ceremony scheduled for Friday, October 26, 2018 at 5:30 p.m.
- E. Council member Holmes- Discussed tree trimming conducted by Duke Energy contractors to clear lines and expressed concerns regarding treatment of heritage trees and debris left behind.

City Manager Burnell reported that a concrete injection project at L.S. 1 is requiring more concrete than expected.

14. PUBLIC INPUT

(Five Minute Time Limit)

Phil Jannarone-1405 SE 5th Avenue- Discussed Item 9D, noting the resulting decrease in overall trolley expenditures and commented on city hall relocation and the need for further public input and citizen participation before a decision is made.

Gail Kostelnick- 2021 NW 13th Street- Discussed city hall relocation, reading the facility requirements (sq. footage) from the Long and Associates presentation, expressing concerns with recommended site location, access to the facility (flood-related) and need for further public input.

Christie Croteau-1123 SE 3rd Avenue- Expressed concerns with draft Ordinances No. 18-O-16 and 18-O-17, including a typo, and potential issues with daytime definition for Friday (beginning 8:00 a.m.), as well as 60 day notice period. City Attorney Rey provided clarification regarding the notice period.

Phillis Rosetti- 209 SE Paradise Point Road- Spoke in favor of extending land-based noise prohibitions to waterways.

Kennedy Smith-Crystal River- Commented on van purchase, having purchased one 15 years ago for \$1,000.00 more.

Pete Langlois- 1123 SE 3rd Avenue- Reads a portion of existing noise ordinance from current code, then reads 14 prohibitions from different section of current code, expressing concerns regarding potential confusion for enforcement and lack of familiarity with existing code.

15. ADJOURNMENT

Mayor Farley adjourned the meeting at 9:01 p.m.

CITY OF CRYSTAL RIVER

ATTEST:

MIA FINK, CITY CLERK



JIM FARLEY, MAYOR

ATTACHMENT "A"

From: Peter Langlois pete@novanetco.com
Subject: Noise ordinance suggestions for City Attorney.
Date: October 10, 2018 at 3:18 PM
To: Burnell Dave dburnell@crystalriverfl.org



Dave

I had a number of suggestions for organizing the noise ordinances into a cohesive unit. I spoke to Jennifer at the end of the city Council meeting and let her know I would be sending these to you Dave so that you could forward to her. She expressed interest in the additional comments I had to offer.

Please forward this message to our legal counsel. Thank you.

Hello Counsellor

For the sake of our law-enforcement, who will not flip back-and-forth easily between pages trying to piece together our intention, can we please consolidate all of the prohibited acts in a single section? 12-63 creates "prohibition".

Sec. 12-62. - Enforcement; remedies.

Unless otherwise provided, violations of this chapter shall be enforced by the City of Crystal River Code Enforcement and Crystal River Police Departments. In addition to any remedy provided for in this chapter, the city may enforce the provisions herein by any other lawful means.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-63. - Prohibition.

It shall be a violation of this article for any person to make, cause, or allow the making of any noise or sound within the city that exceeds the noise levels as set forth in this article.

(Ord. No. 07-O-05, 2-26-2007)

Sec. 12-63A64. - Noise at Night.

00744705

We then list as a prohibited act, disturbing the peace.

This is A Prohibition.

No person shall, between the hours of 9:00 p.m. and 7:00 a.m. of the next day, Monday through Thursday, and between 11:00 p.m. and 8:00 a.m. Friday through Sunday during Nighttime ring bells, yell, shout or make any other noise that shall disturb the peace and tranquility of the neighborhood or break the rest or annoy residents of the community.

(Code 1964, § 15-23; Ord. No. 88-0-20, § 1, 11-28-88)

But in 12.7071, we call out prohibitions again. Why split this?

(Ord. No. 07-O-05, 2-26-2007)

Historical

Put all v. n. out



*12.7071
also Prohibition
2-26-07*

v. n. out

Not written

U 70-0

Sec. 12-7071. - Specific noise prohibitions.

In addition to those general standards set forth in section 12-66 section 12-67, and unless otherwise exempted in this article, the following acts, and the causing thereof, are declared to be a violation of this section:

(1) Horns and signal devices. The sounding of any horn or audible signaling device of a motor vehicle, boat, engine, machine, or stationary boiler continuously or intermittently for a period in excess of sixty (60) seconds, except as a danger or emergency warning.

Definitions. Because our law-enforcement may not be able to discriminate clearly between different ideas expressed in these ordinances, I would like to be more explicit in defining our intention for them.

One is "Public Right of Way". As I expressed in my comments during the city Council meeting, I do not believe that our law enforcement will understand the canals to be a public right-of-way. Therefore I believe it is a good idea to include the public right-of-way definition in the definition section, explicitly including the idea that canals are a public right-of-way.

Person shall mean any individual, association, firm, sole proprietorship, partnership, corporation, unincorporated association or any other entity.

Plainly audible shall mean clearly or understandably loud enough to be heard through perception of the human ear. In such cases the location of the source of the noise and the type of the noise being generated can be easily described.

Real property line shall mean an imaginary line along the surface, and its vertical plane extension, which separates the real property owned, rented or leased by one person from that owned, rented or leased by another person, excluding intra-building real property divisions.

Reasonable time shall mean such length of time as may fairly, properly and reasonably be allowed or required to eliminate or abate a noise found to be in violation of this chapter, after

00744705

Another is "Attracting Attention." In 12-7071 paragraph 3, we prohibit:

(3) Loudspeakers and devices for advertising.

a. The use, operation, or playing of any loudspeaker system, sound amplifier or other similar device which produces or reproduces sound which is cast or emitted upon public rights-

of-way for the purpose of commercial advertising or for attracting the attention of the public to any building, structure, vehicle or activity, which is being carried on thereon.

b. The use, operation, or playing of any loudspeaker system, sound amplifier or other similar device between the hours of 9:00 p.m. and 7:00 a.m. the following day during Nighttime in such a manner so as to cause a noise disturbance across a residential real property boundary.

There are several challenges I have with this section. One of them is that the section can be read as prohibiting loud speakers, and it also can be read as prohibiting devices for advertising. Regardless of that ambiguity (I would prefer both being prohibited), this particular paragraph goes to intention. I believe it does not matter what the intention is, merely the act. Why do we want an ordinance that is based on intention at all. Don't we want simple and verifiable

Public Right of Way - includes canals

9

merely the act. Why do we want an ordinance that is based on intention? I would change to "... Commercial advertising, behaviors to be the standard in our community regardless of intention? I would change to "... Commercial advertising, or which results in attracting the attention of the public" It is the result of behavior we want to curb in this case, not the intention.

If there is therefore a way to define "attracting attention", it would provide law-enforcement with a clear and observable behavior. It would give them an additional tool to be able to discriminate that there was in fact a violation occurring.

In prohibition paragraph 14, I am concerned that someone will segregate the idea of a boat as one concept and will ignore the fact that they have been electronics system mounted on it. I would like to add some clarifying language to this paragraph so that it is clear that the prohibitions in paragraph (2) (a) and (b) are not irrelevant simply because we are discussing a vessel (watercraft).

(14) The operation of any vessel on the waterways of the city in such a manner as to create a level of noise which is disturbing of the peace and tranquility, and plainly audible within one hundred (100) feet, or creates a level of measured sound, which exceeds the limits as set forth in Tables I, III, and IV.

(Ord. No. 07-O-05, 2-26-2007)

~~Cross-reference~~ Same Certain acts prohibited, § 12-10.

SO — ADD AUDIO DEVICES COVERED IN 12-7071 (2)(a)+(b).

Compel documentation.

Finally I am concerned about the fact that there does not seem to be any directive to law-enforcement to record specific behaviors in the form of documentation or warnings. It seems like we can have multiple events of noise disturbance, have the Sheriff's deputy show up, and end up still getting a first offense after four or five different occurrences. I don't know how to avoid this problem, but I would like to mandate some behavior for responding officers.

Because of the heavy focus on using decibel measuring devices, and the lack of a specific statement in the prohibition section saying "these do not require a decibel measuring device" I also believe that many of these prohibited acts will get ignored, because our law Enforcement may become fascinated with some kind of technology rather than common sense. Is there a way we can tell them to simply count on their own perception in the cases of prohibitions?

I don't understand if it is possible for a citizen to make a sworn statement of testimony about an observation of a prohibited act, such as playing a loudspeaker heard 200 feet down at canal. If we have such sworn testimony, will that compel law-enforcement to act and investigate?

Thank you for your assistance pulling together a more comprehensive and usable set of regulations.

PETE
Peter Langlois
Managing Partner
Nova Network
www.novanetco.com
(M) +1 703 930 9613
Sent from my iPad. Pleze excuse autokerrekt errors.