

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
TUESDAY, JULY 5, 2022
7:00 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. ROLL CALL

V. AUDIENCE

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

- A. Staff Reports
- B. City Manager Report

VII. PUBLIC HEARINGS

- A. Consideration of the first reading of Ordinance No.: O-22-09, An Ordinance of the City Commission of the City of Eagle Lake, Florida, Amending Chapter 16, Article II, Section 16-27, Water Rates, of the Code of Ordinances of the City of Eagle Lake, Florida, Providing an Increase in Residential and Commercial Water Rates Inside and Outside the City; and Amending Chapter 16, Article III, Section 16-59, Sewer Rates, of the Code of Ordinances, Providing an Increase in Residential and Commercial Sewer Rates Inside and Outside the City; Providing a Conflict and Severability Clause and an Effective Date.
- B. Consideration of the first reading of Ordinance No.: O-22-10, An Ordinance Amending the City of Eagle Lake, Florida Code of Ordinances by Amending Chapter 12, Solid Waste, Article III Collection and Disposal, Sec. 12-54 Service Fees – Regular Garbage and Trash Collection, To Update the Charges for Solid Waste Collection and Disposal Authorized therein; Providing for Conflicts, Severability and an Effective Date.

VIII. OLD BUSINESS

- A. 2022/2023 Budget

IX. NEW BUSINESS

- A. Approval to Set Fiscal Year 2022-2023 Proposed Millage Rate at 7.6516 Mills with Authorization for City Manager or Designee to Notify Property Appraiser and the Department of State of the Same, Schedule the 1st Public Hearing Relating to Tentative Millage and Proposed Budget for Wednesday, September 7, 2022 at 7:00 p.m., and the 2nd Public Hearing Relating to Final Millage and Final Budget for Tuesday, September 20, 2022 at 7:00 p.m.

X. CONSENT AGENDA

- A. Approval of the Regular City Commission Minutes -----06/06/2022

XI. AUDIENCE

XII. CITY ATTORNEY

XIII. CITY COMMISSION

XIV. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statute 286.0105).

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON TUESDAY, JUNE 28, 2022
BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

Commission Report

05/27/2022 - 06/27/2022

Case #	Case Date	Name	Violation Address	Status	Follow up date	Violation(s)	Compliance Date	Case Disposition
220071	6/10/2022	Raquel Martinez	960 N 11TH ST	Closed	6/27/2022	High Grass, Weeds, Overgrowth	6/21/2022	Compliance by Property Owner
220070	6/8/2022	Adams & Associates Real Estate Investment LLC	745 3rd St N	Open	6/24/2022	Open Storage(Junk, Trash & Construction Debris		
220069	6/7/2022	CITY OF EAGLE LAKE	Lake Ave E	Closed	6/7/2022	Soliciting (Door-to-Door)	6/7/2022	Individuals appeared to leave area
220068	6/6/2022	CARL PATRICK	309 LAKE HILLS LN	Closed	6/10/2022	Bldg Permit Required (Fence)	6/21/2022	Compliance by Contractor (Rain King)
220067	6/1/2022	Robert Grahm Trust	160 N 4th St	Open		External Lighting, trip hazards, ingress/egress/Aisle blocking		
220066	5/31/2022	CHRISTIAN & GAY JOHNSON	62 N 2nd St	Closed	6/3/2022	Permit Required (Roof)	6/6/2022	Compliance by Contractor

Total Records: 6

6/27/2022

Page: 1 of 1

FROM THE DESK OF THE CITY MANAGER

Memo To: Mayor and Commissioners

Date: July 5, 2022

Ref: Monthly Report

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2022/23 Budget – We are still waiting for the State estimate for revenues which should be here in July. I have revised the budget to reflect a \$150,000 transfer from Recreation impact fees for a new playground at the Eagle Lake Park and a \$40,000 addition for stormwater engineering fees because the State is requiring us to prepare a stormwater plan.

Annexation – A and E Auto Body has acquired a 2-acre parcel across from Race Track on US 17 and is requesting to be annexed into the city. We should be reviewing this application at our meeting in August.

Air Valve – An air valve at the pumpstation on Eagle Loop Road failed and will be replaced with stainless steel. This will cost the city \$47,000 to replace. All new pump all new pumpstations are now required to have stainless steel air valves instead of steel or plastic.

Building Renovations – We are working on new schemes for the new city hall complex with Code Brian volunteering to develop the new building footprint. This will save us architect costs as we strive to develop a successful building foot print.

Fireworks – We had another successful firework show last Saturday night and we need to thank our staff for pulling it all together.

ORDINANCE NO.: O-22-09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, AMENDING CHAPTER 16, ARTICLE II, SECTION 16-27, WATER RATES, OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE LAKE, FLORIDA, PROVIDING AN INCREASE IN RESIDENTIAL AND COMMERCIAL WATER RATES INSIDE AND OUTSIDE THE CITY; AND AMENDING CHAPTER 16, ARTICLE III, SECTION 16-59, SEWERS, RATES, OF THE CODE OF ORDINANCES, PROVIDING AN INCREASE IN RESIDENTIAL AND COMMERCIAL SEWER RATES INSIDE AND OUTSIDE THE CITY; PROVIDING FOR CONFLICT AND SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the government, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, following due and proper notice as required by Florida Statute Section 180.136, the City Commission held a public hearing to consider a water and sewer rate increase at the City Commission meeting on August 15, 2022; and

WHEREAS, at said hearing, the City Commission considered testimony of all interested persons and the documents in the file; and

WHEREAS, pursuant to Section 180.13(2), Florida Statutes, the City Commission is authorized to establish just and equitable rates and charges to be paid for the use of the municipal utility by each person, firm, or corporation whose premises are served thereby.

NOW, THEREFORE, be it ordained and enacted by the people of the City of Eagle Lake, Florida:

1. Chapter 16, Utilities, Article II, Water, Section 16-27, Water Rates, of the Code of Ordinances of the City of Eagle Lake, Florida is hereby amended to provide an increase in residential and commercial water rates inside and outside the City as shown on Exhibit “A” attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The rates adopted herein shall be implemented on the first day of the October 2018 billing cycle, and will begin to be reflected on the billing statements scheduled to be received by customers during the first week of November 2021.

2. Chapter 16, Utilities, Article III, Sewers, Section 16-59, Rates, of the Code of Ordinances of the City of Eagle Lake is hereby amended as shown on Exhibit “B” attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The rates adopted herein shall be implemented on the first day of the October 2022 billing cycle, and will begin to be reflected on the billing statements scheduled to be received by customers during the first week of November 2022.

2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

3. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

4. This ordinance shall take effect immediately upon its adoption by the City Commission of the City of Eagle Lake, Florida.

INTRODUCED on first reading this ____ day of _____, 2022.

PASSED on second reading this ____ day of _____, 2022.

CITY OF EAGLE LAKE, FLORIDA

CORY COLER, MAYOR
COMMISSIONER

ATTEST:

CITY CLERK DAWN WRIGHT

Approved as to form:

CITY ATTORNEY HEATHER R. MAXWELL

Sec. 16-27. Water Rates.

The rates and the charges for the use and service of the water system for the city shall be based on the minimum charges or the amount of water supplied to the user by the city waterworks system as shown on the meter readings for each month. The rates are as follows: (~~strikethrough~~ language deleted, underline language added)

WATER RATE STRUCTURE

Based on Gallons

	<i>Residential</i>	<i>Residential</i>	<i>Commercial</i>	<i>Commercial</i>
	<i>Inside City</i>	<i>Outside City</i>	<i>Inside City</i>	<i>Outside City</i>
0-4,000	\$16.03 <u>\$16.27</u>	\$20.03 <u>\$20.33</u>	\$18.06 <u>\$18.33</u>	\$22.56 <u>\$22.90</u>
4,001-8,000	\$2.72/1,000 <u>\$2.76/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>	\$2.72/1,000 <u>\$2.76/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>
8,001-12,000	\$3.41/1,000 <u>\$3.46/1,000</u>	\$4.25/1,000 <u>\$4.31/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>	\$4.25/1,000 <u>\$4.31/1,000</u>
12,001-18,000	\$4.41/1,000 <u>\$4.47/1,000</u>	\$5.53/1,000 <u>\$5.61/1,000</u>	\$4.41/1,000 <u>\$4.47/1,000</u>	\$5.53/1,000 <u>\$5.61/1,000</u>
18,001-over	\$5.44/1,000 <u>\$5.52/1,000</u>	\$6.79/1,000 <u>\$6.89/1,000</u>	\$5.44/1,000 <u>\$5.52/1,000</u>	\$6.79/1,000 <u>\$6.89/1,000</u>

IRRIGATION RATE STRUCTURE

Based on Gallons

	<i>Residential</i>	<i>Residential</i>	<i>Commercial</i>	<i>Commercial</i>
	<i>Inside City</i>	<i>Outside City</i>	<i>Inside City</i>	<i>Outside City</i>
0-4,000	\$16.03 <u>\$16.27</u>	\$20.03 <u>\$20.33</u>	\$18.06 <u>\$18.33</u>	\$22.56 <u>\$22.90</u>
4,001-8,000	\$2.72/1,000 <u>\$2.76/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>	\$2.72/1,000 <u>\$2.76/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>
8,001-12,000	\$3.41/1,000 <u>\$3.46/1,000</u>	\$4.25/1,000 <u>\$4.31/1,000</u>	\$3.41/1,000 <u>\$3.46/1,000</u>	\$4.25/1,000 <u>\$4.31/1,000</u>
12,001-18,000	\$4.41/1,000 <u>\$4.47/1,000</u>	\$5.53/1,000 <u>\$5.61/1,000</u>	\$4.41/1,000 <u>\$4.47/1,000</u>	\$5.53/1,000 <u>\$5.61/1,000</u>
18,001-over	\$5.44/1,000 <u>\$5.52/1,000</u>	\$6.79/1,000 <u>\$6.89/1,000</u>	\$5.44/1,000 <u>\$5.52/1,000</u>	\$6.79/1,000 <u>\$6.89/1,000</u>

(a) There are hereby established rates and the charges for the use and service of the sewerage system of the city. Such rates shall be based on the minimum charges stated or the amount of water supplied to the user by the city waterworks system as shown on the water meter readings for each month as follows:

(1) For system users who are water customers, the rate shall be:

a. Residential rates:

1. Inside city:

i. First 1,000 gallons	\$28.85	<u>\$29.82</u>
ii. Over 1,000 gallons, per 1,000 gallons	\$5.18	<u>\$ 5.26</u>

2. Outside city:

i. First 1,000 gallons	\$36.07	<u>\$36.61</u>
ii. Over 1,000 gallons, per 1,000 gallons	\$6.49	<u>\$ 6.59</u>

b. Commercial rates:

1. Inside city:

i. First 1,000 gallons	\$28.85	<u>\$29.82</u>
ii. Over 1,000 gallons, per 1,000 gallons	\$6.57	<u>\$ 6.67</u>

2. Outside city:

i. First 1,000 gallons	\$35.07	<u>\$36.61</u>
ii. Over 1,000 gallons, per 1,000 gallons	\$8.22	<u>\$ 8.34</u>

c. Amounts charged for the first 1,000 gallons are minimums regardless of the usage.

(2) For those who use the sewerage system but not water, the rate shall be as follows:

a. <i>Residential rate:</i>		
1. Inside city, per month.....	\$93.82	<u>\$ 95.23</u>
2. Outside city, per month	\$113.21	<u>\$114.91</u>
b. <i>Commercial rate:</i>		
1. Inside city, per month.....	\$121.87	<u>\$123.70</u>
2. Outside city, per month	\$152.35	<u>\$154.63</u>

(b) All potential users required by this article or by state law or regulation to connect to the system shall be charged the appropriate monthly user charge regardless of whether or not their structure is actually connected to the system.

(c) Exemptions from sewer charges shall be as follows:

- (1) Users that have a separately metered ice machine shall not be subject to sewer charges for water used in this machine.
- (2) Users that have a separately metered irrigation system shall not be subject to sewer charges for water used in this system.

ORDINANCE O-22-10

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE, FLORIDA CODE OF ORDINANCES BY AMENDING CHAPTER 12, SOLID WASTE, ARTICLE III COLLECTION AND DISPOSAL, SEC. 12-54 SERVICE FEES – REGULAR GARBAGE AND TRASH COLLECTION, TO UPDATE THE CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL AUTHORIZED THEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Eagle Lake provides its residents and businesses solid waste collection and disposal through contracted vendors; and,

WHEREAS, the fees charged by vendors have increased over time thereby requiring the City to pass along said increases to its residents and businesses.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE PEOPLE OF THE CITY OF EAGLE LAKE, FLORIDA:

1. That Chapter 12, Solid Waste, Article III Collection and Disposal, Sec. 12-54 Service Fees – Regular Garbage and Trash Collection of the Code of Ordinances of the City of Eagle Lake, Florida is hereby modified, as set forth at Exhibit “A” attached hereto and made a part hereof.

2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect. If any portion of this Ordinance is determined to be void, unconstitutional or invalid, the remainder of this Ordinance shall remain in full force and effect. This Ordinance may be codified and made a part of the City’s Code of Ordinances and the Sections and exhibits to this Ordinance may be renumbered or re-lettered to accomplish such intention.

3. This ordinance shall become effective on the date of passage by second reading.

ORDINANCE O-22-10

PAGE 2

INTRODUCED AND PASSED on first reading this ____ day of _____, 2022.

PASSED AND ADOPTED on second reading this ____ day of _____, 2022.

CITY OF EAGLE LAKE, FLORIDA

CORY COLER, MAYOR

ATTEST:

CITY CLERK DAWN M. WRIGHT

Approved as to form:

CITY ATTORNEY HEATHER R. MAXWELL

Exhibit "A"

Sec. 12-54. - Service fees—Regular garbage and trash collection.

The following fees shall be charged for collection services described at Section 12-53 above, for each single-family residential dwelling unit and for each licensed commercial establishment, without regard to whether or not the service is actually used:

- (1) *Single-family residential dwelling unit:*
 - a. —~~\$25.67~~ \$27.34 per month for service once per week for either 65 or 95 gallon carts.
 - b. Additional service beyond the service established by city or city's duly authorized service provider is subject to additional charge by city or city's duly authorized service provider.
- (2) *Commercial collection rates:*
 - a. —~~\$25.67~~ \$27.34 per month per cart assigned to the customer for service once per week for either 65 or 95 gallon carts regardless of the number of carts put out by the customer for collection. I.e., if a customer requests and is assigned two carts, said customer will be charged ~~\$51.33~~ \$54.67 per month which is the charge for two carts whether or not two carts are presented for collection each week.
 - b. Any commercial account requiring additional service beyond the service established by the city or city's duly authorized service provider is subject to additional charge by city or city's duly authorized service provider.
- (3) *Unusual locations, accumulations.* Reasonable charges for unusual locations, types and accumulations of garbage and trash shall be determined by the city manager and subject to approval by the city commission.
- (4) *Commercial bulk containers:*
 - a. ~~\$13.65~~ \$14.54 per cubic yard per pickup.
 - b. Commercial bulk container customers are required to utilize containers adequately sized to service the commercial account. Frequency of collection and container size (either 2, 4, 6, or 8 cubic yards) shall be within customers discretion.
- (5) *Rate adjustments.* The city manager shall increase or decrease each of the above rates in an amount equal by percentage to the amount of each appropriate increase or decrease or imposed or assessed by the city's service provider.

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
MONDAY, JUNE 6, 2022
7:00 P.M.
COMMISSION CHAMBERS
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

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

II. INVOCATION

Commissioner Metosh gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag.

IV. ROLL CALL

PRESENT: Wilson, Metosh, Coler

ABSENT: Billings, Clark

City Clerk Wright advised Commissioner Billings notified her that he was sick and would not be able to attend the meeting.
City Clerk Wright advised Commisisoner Clark notified her that he had to work and would not be able to attend the meeting.

MOTION was made by Commissioner Metosh and seconded by Mayor Coler to excuse Commissioner Billings and Commisisoner Clark from the meeting.

The vote was as follows:

AYES: 3

NAY: 0

V. AUDIENCE

There were no comments from the audience.

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

A. Staff Reports

Sgt. Freeze updated the Commission regarding the events that have occurred in the city.

B. City Manager Report

Manager Ernharth stated the Eagle Lake Sports Association approached the city about a long-term lease, so that, they could apply for grants. Mr. Ernharth stated he will work with the City Attorney and Sports Association regarding how long the lease should be and make sure

that the City can terminate in the event the Sports Association failed to adhere to the lease terms.
Commission discussed lease length and weren't comfortable with a lease longer than 5 years.

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to have the City Manager and City Attorney work with the Sports Association on an up to 5-year long term lease for the ballfield.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

C. Proclamation – Florida League of Cities 100 Year Anniversary

Mayor Coler read the Proclamation for the Florida League of Cities 100 Year Anniversary.

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve the Proclamation for the Florida League of Cities 100 Year Anniversary.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

D. Consideration of the appointment of Germain Neizil to the CRA Board

MOTION was made by Mayor Coler and seconded by Commissioner Metosh to approve the appointment of Germain Neizil to the CRA Board.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

VII. PUBLIC HEARINGS

There were no public hearings.

VIII. OLD BUSINESS

There was no old business.

IX. NEW BUSINESS

A. Consideration of Second Amended and Restated Implementation Agreement – Southeast Wellfield

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve the Second Amended and Restated Implementation Agreement – Southeast Wellfield.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

- B.** Consideration of **Resolution No.: R-22-06, A Resolution of the City of Eagle Lake, Florida, Relating to the State Revolving Fund Loan Program; making Findings; Authorizing the Loan Application; Authorizing the Loan Agreement; Establishing Pledged Revenues; Designating Authorized Representatives; Providing Assurances; Providing for Conflicts, Severability, and an Effective Date.**

Attorney Maxwell read Resolution No.:R-22-06 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Wilson to approve Resolution No.: R-22-06.

Mayor Coler asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Wilson, Metosh, Coler

NAYS: None

- C.** 2022/2023 Budget

The Commission discussed the 2022/2023 budget.

Mr. Ernharth advised this was the 1st draft of the budget; he stated the figures from the State aren't in at this time. Mr. Ernharth stated it is a strong budget.

Commission discussed using Park and Recreation Impact Fees to build a playground at the Eagle Lak Beach as it takes many years to accumulate enough money with CDBG.

X. CONSENT AGENDA

- A.** Approval of the Regular City Commission Minutes -----05/02/2022
- B.** Approval of Financials
- C.** Approval of Bad Debt List -----\$3,742.87
- D.** Approval of Surplus List
- E.** Approval of Final Plat for Eagle Hammock

An updated Bad Debt list was put on the dais; the new amount is \$3,095.07.

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve the Consent Agenda: Item A. the Regular City Commission Meeting Minutes of 05/02/2022, B. the Financials, C. the Bad Debt List in the amount of \$3,095.07, D. the Surplus List, and E. the Final Plat for Eagle Hammock.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 3

NAYS: 0

XI. AUDIENCE

There were no comments from the audience.

XII. CITY ATTORNEY

Attorney Maxwell had no report.

XIII. CITY COMMISSION

Commissioner Wilson had no report.

Commissioner Metosh had no report.

Mayor Coler stated he meet with new Lake Region Principal Amy Hardee; he was able to join Lake Region for their graduation.

He participated in the grand opening of the nutrition store.

He advised the Ridge League of Cities Dinner will be on June 16th; he advised City Clerk Dawn Wright will be presented with the Florida League of Cites Home Rule Hero Award.

XIV. ADJOURNMENT

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to adjourn at 7:24 p.m.

The vote was as follows:

AYES: 3

NAYS: 0

MAYOR CORY COLER

ATTEST:

CITY CLERK DAWN WRIGHT