

January 5th, 2016  
5:30 PM

The City Council of the City of Inverness met on the above date in Regular Session at 212 W. Main Street with the following members present:

President Hepfer (Not Present)  
Vice President Ryan  
Councilwoman Bega  
Councilman McBride  
Councilman Hinkle  
Mayor Plaisted (Not Present)

Also present were City Manager DiGiovanni, City Attorney Haag, Asst. City Manager Williams, Community Development Director Day, and City Clerk Davis.

The Invocation was given by Councilman Hinkle and the Pledge of Allegiance was led by the City Council.

#### **ACCEPTANCE OF AGENDA**

**Councilman Hinkle motioned to accept the Agenda as presented. Seconded by Councilman McBride. The motioned carried unanimously.**

#### **PUBLIC HEARINGS**

None

#### **OPEN PUBLIC MEETING**

None

#### **SCHEDULED APPEARANCES**

**6)a) Proclamation Presentation – “National Mentoring Month”** – Vice President Ryan presented the National Mentoring Month Proclamation to Cheri Chancey and Darlene Carlson of the Big Brothers/Big Sisters Organization.

**6)b) Leeson’s Mobile Home Park** – Attorney Clark Stillwell, Leeson’s Mobile Home Park representative, addressed City Council, noting prior discussion on terms of agreement, and recently completed work with Attorney Haag’s office on easement terms. Exhibit B, of the Master Settlement Agreement, which is a location map was provided to Council with corrections and has been placed in the original agreement. He had all documents with his client’s signature to provide to the City Attorney, for all easements to be recorded, with the exception of the agreement. All permits have been issued, except for the Club House, which they will wait until the general contractor signs off on club house; to be accomplished shortly.

**Councilman McBride** questioned the location of DRA and Clubhouse easement. Attorney Stillwell noted how it was divided to separate streets, Line Ave. (3 mobile home units in the right of way), which are being removed. Club house encroachment (storage shed) is

being removed, with a remaining 1.5ft of encroachment in the right of way, and the easement calls for a term of 20 years. The drainage retention area adjacent to club house structure was modified slightly. Zephyr Street encroachments are more nominal and can be easily removed. Cherry Street drainage area was removed so the existing right of way could remain.

Attorney Haag stated that the documents are in proper order and ask council to proceed with the recommended action in their agenda, with the replacement of exhibit “B”. **Councilman Hinkle motioned to approve the agreement with Leasons MHC, LLC, and authorize the Council President to execute the document. Seconded by Councilwoman Bega. The motion carried unanimously.**

City Manager DiGiovanni noted that the Zephyr Street Project construction will likely begin within the next 30-60 days.

**6c) Woodard Curran – Annual Report** - Glenn Burden, Area Manager for Woodard and Curran, presented an Annual Report for the Inverness Facility on Hwy 41 S, providing a power point presentation. He spoke of the success of the public/private partnership and moving daily operations from a corrective maintenance and reactive style to a more predictive and preventative maintenance style.

Mr. Burden spoke of the renovations, cleaning, and disinfection accomplished for more preventative operations of the Citrus Booster Station, Waste Water Treatment Plant, 581 Water Treatment Plant, and Water Reclamation Facility. He referenced the major 12 inch water main break and how they were able to clean and disinfect various components of the water system.

There have been eight projects completed in the Capital Improvement Program, including the Master Lift Station isolation valve installation, Aeration Mixer controller, and several lift stations completely rehabbed with new pumps, control panels, and piping.

Woodard & Curran has select chosen technology initiatives with computerized maintenance management system, a data management software, a Technology Suite including SEMs; HACH WIMs, and DO Forms. He spoke to staff being the backbone of the operation, certifications and cross training, and corporate staff behind the scenes. There were several operational challenges with the 12” water main break, water distribution chlorine burn, a lightning strike, etc.

On the horizon for next year will be to continue to identify and replace old water and wastewater piping to get to that preventative and predictive style of operation, and expansion of the current service area. Mr. Burden spoke of the successful partnership with city staff and management.

City Manager DiGiovanni stated this is how government can work more like a business, to provide higher level efficiencies, cost containment, as well as greater depth of expertise. We appreciate and value this relationship.

**6d) Sweetwater Pointe – Residents** - was addressed by City Manager DiGiovanni who explained how Sweetwater Point was a subdivision beyond the City of Inverness, but is in our service area, and based on a long standing interlocal agreement with the county. In abundance of caution, the City sent correspondence effectuating this evening’s public forum to give residents an opportunity to address City Council directly. Should the

Council conclude that (majority) support exists from the balloting and public forum, a Resolution to proceed with the assessment program and project will be considered for adoption at a later date.

He noted that he was first contacted by Sweetwater residents in 1996-97 to bring water into this community which at the time the project cost numbers exceeded \$10,000 (\$11-\$12k) per buildable lot. What has recently occurred with Homeowners Association (HOA) was to find ways to make this more affordable to bring forward. County government met with HOA and conducted a vote and indicated support for water to be brought into Sweetwater. The City came up with recent plan and cost analysis figures which are in agenda packet and much less than previous amount from years prior.

**Vice President Ryan opened the public forum to receive comments.**

**For:**

**Norman Peterson, 9132 E Sweetwater Dr.**, advised that the color of his water was not good, and had to replace water system 3 times in 15 years. He had proof showing results of bad water to include E.coli. He provided a report to submit into the record for this meeting. He and wife strongly support this project.

**Larry James, 9150 E Sweetwater Dr.** stated that if he knew the poor quality of water, he wouldn't have moved there. Has served on board for 7 years and met with previous Public Works Director, in April 2013 with the possibility of bringing City Water. An estimate of \$6,000 per household. We contacted members of association with ballots to see if they pursue this matter. In May 2013 ballot was 54% in favor; May of 2015 ballot was 59% in favor; At 2014 Annual membership meeting we had unanimous show of hand to move forward. June of 2015 the County Ballot was 62% in favor. In 2007 effort was made to do project and some members put out misinformation and project was stopped. He is in favor of starting the project.

**John T. Marqua, 9334 E Sweetwater Drive,** and Board Member; 8-9 years prior, bad drought and had concern of running out of water. This project is for the betterment of the community and himself, and their water is the worst quality in the County, and will not drink it. Another positive thing with this project would be the fire hydrants.

**Susan Mastrangelo, 8774 E Sweetwater Dr;** 13 year resident, noted to have terrible water, and noting all of her appliances, etc. that have had to be replaced. County (City) water would be beneficial for the community and raise the value of our homes.

**Larry King, 9093 E Pinehurst Ct,** spoke to the expense of replacing his appliances and damage to clothing. Having water system, hydrants, etc. will be beneficial to all. This would be a benefit regarding property value and insurance savings. We appreciate that the City moves quickly on this project.

**Charles Davis, 8968 E Sweetwater Dr,** 16 year resident. He has had to replace three washing machines and dishwashers; and another refrigerator. The opportunity to do this is wonderful and price is reasonable.

**Sheila Kyburz, 9184 E Sweetwater Drive** said Amen to everything previously stated. It took 8 days to fill their pool due to upgrading the conditioner and only allowed to fill the pool at a rate of 3 gallons per minute. Spoke to treatment products she has had to purchase in the last 13 years, and tries to keep her property value up. She definitely supports this but doesn't understand the problem with moving forward and asked to help them get this passed.

**Steve Crowley**, 8888 E Sweetwater spoke to clothes and appliances needing to be replaced within just a couple of years. Voting has occurred, the votes are there, and he is in favor of this project.

**Pati Duffy**, 7981 E Sweetwater Dr., since 2001, stated she cannot wash anything white, as it turns orange, including the driveway. Spoke to the appliances she has replaced. Would appreciate drinkable, useable, washable water at her house.

**Elaine Warner**, 8550 E Sweetwater Dr. spoke to damage of hard water and wishes we would provide with City water.

**Frank Bose**, 4216 S Paddock Point, Inverness spoke on behalf of the Homeowners Association and is currently administrator and financial director for the past 6 years. Being in that position he had a fiduciary obligation to the membership, especially the majority of the residents. He referenced the many votes conducted with 61.7% in favor of this project. Has worked on this project with three boards for over three years. Referenced State Statute 373 regarding water quality and wants Council to recognize that the majority of the residents for the community are in favor of this project.

#### **Against:**

**Ralph Rogers**, 8675 E Sweetwater Drive, stated that he has not had any problem with his water, noting how all of his appliances are fine. He referenced the different votes conducted with many of these votes being approval to proceed and investigate. Problem with this process is that he doesn't know what it is going to cost to hook up to system. He has been threatened that if he doesn't connect now, he will not be allowed to in the future. Spoke to a community meeting with a water conditioner salesperson. Would like to know cost to him.

**Bob Hughes** - 8921 Sweetwater Dr. stated he doesn't have problems with his water and this is tearing the community apart. Has lived there for four years and never replaced anything. He spoke to the depth of his well compared to others wells.

**Lynn Rogers** – 8675 E Sweetwater, her second home owned in Sweetwater. She had wonderful water in the original house and the second house has wonderful water. She uses approximately 4 bags of salt a month for the water softener. Her daughter lives in the city and comes to her house with 4 gallon jugs to fill water from the well.

**Doug Connors**, 9375 E Sweetwater Dr. addressed City Council. He stated it was unfortunate how bad some of the water is in the neighborhood for some of the neighbors. He has no problem with his water or appliances. He referenced the Homeowner Covenants regarding a 66 or 75% vote based on the covenants. He questioned if it is possible to provide a variance for those who do not want this water. He would support the project, however he was not for it.

**Frank Bowes** spoke with respect to Mr. Connor's reference to the 66% required for approval as it applies to the covenants regarding water drainage and common areas. He spoke to City Attorney Haag and included an interpretation in the packages handed out to Council. We are not improving the common area, but the living area.

**Sam Arnold**, Sweetwater resident stated he would like facts. He recently moved in and only knows hearsay and asked if he could he get a packet of information, and if he could have a choice regarding the water service. Would like information to make educated decision.

**Vice President Ryan declared the Public Forum closed.**

City Manager DiGiovanni noted that information was available for those who needed it. We worked to provide and develop cost figures as best possible prior to construction, and there are variables. The numbers are from a contractor who is confident to bring the project in at what he stated. Choice is a good thing until you speak to roads and public works projects, and State Statute addresses that. If water goes in front of your house and you don't want it, you can wait 365 days before being required to connect. He spoke to the advantage of fire flow and insurance coverage. He explained State Statute governing water utility projects. We need to make a decision on what is in the best interest of the majority. There may be property covenants that may get in the way of the majority decision. The only thing being asked is to direct this office to work with City Attorney to create an initial Resolution to move forward.

City Attorney Haag wanted to clarify that an assessment program pursuant to Chapter 173 FS. It is not an assessment imposed by the HOA, therefore language in the covenants is not applicable. There are several issues in the restrictions, including voting rights. In doing research, one concern is when this subdivision was platted in late 80's, developer reserved the right to build a utility system for water, and there currently is not a water system, could possibly waive the dedication in the plat. It is up to Council as to how to proceed, and if it is decided to move forward, will have to get in depth and explore the property rights.

**Council Discussion:**

Councilwoman Bega stated she is in favor and would vote to proceed with the investigation, and thinks it would be advantageous for the community.

Councilman Hinkle questioned responsibility to correct the plat, with City Attorney Haag encouraging it would be better for the HOA to do this vs. the City, as City involvement would increase the cost of the assessment. Councilman needs the numbers first before we have final vote, but is in favor of going forward with the resolution.

Councilman McBride stated one concern is, as things evolve, if the city is going to be in a situation where we will spend tax dollars of city residents, and then this fails.

City Manager stated that this is funded though the receipts of the utility system. We would not comingle tax money, but will involve time that is necessary to proceed.

City Attorney Haag stated that we have to determine what right-of-way and easements are needed and until that is provided from the engineer, he cannot comment as to what needs to happen. The HOA needs to work it out.

Councilman McBride supports a motion to enable the Resolution for consideration at a future Council meeting.

Vice President Ryan stated this is a public safety issue along with the addition of a fire main, and is in support of this.

**Councilwoman Bega motioned for the City Manager to develop an enabling Resolution for consideration at a future meeting of Council. Seconded by Councilman Hinkle. The motion carried unanimously.**

**MAYOR'S LOCAL ACHIEVEMENT AWARDS**

None

**CITY ATTORNEY REPORT**

None

## **CONSENT AGENDA**

**Councilman McBride motioned to accept the Consent Agenda. Seconded by Councilwoman Bega. The motion carried.**

- a) Bill Listing\*
  - Recommendation – Approval
- b) Council Minutes – 12/15/15\*
  - Recommendation – Approval

## **CITY MANAGER’S REPORT**

City Manager DiGiovanni spoke to the following:

- ❖ The Four City Tourism Program, which includes Dunnellon, Inverness, Floral City, and Brooksville will have a kick-off meeting and all are excited.
- ❖ On Thursday, we will collaborate with CGI, a firm from Rochester, NY, regarding videos for promotion of businesses in the City.
- ❖ This Friday we will convene with county staff regarding the Impact Fee Agreement and their termination of existing agreement. Our position is to work with the parties and keep everyone connected. When dealing with Impact Fees there is a lot of shared interest.
- ❖ January 12<sup>th</sup>, City Manager will be addressing Inverness Rotary. We have a strong partnership and wants to keep them apprised with City projects, etc.
- ❖ January 18<sup>th</sup>, will be the City’s MLK, Jr. Freedom walk starting at the Valerie Theatre and proceeding to Liberty Park for a program.
- ❖ We are working with diligence to move forward with some projects in State of City presentation to include the Soldier Memorial; Godowski Property; Lighting of downtown trees; Zephyr Street and Highland Boulevard project; Community Garden on property by the airport; Cooter Pond Boardwalk improvements; Bicycle Sharrows; and the Fire Department. There is more but need to make a dent in the above. People are looking to this community to locate themselves and/or open businesses.

## **COUNCIL/MAYOR SUBJECTS**

Councilman Hinkle praised the State of City. He would like a workshop with regard to proceeding with the City Manager’s position. As Council we need to know if we can handle all the projects with the staff we have.

Councilman McBride spoke to a couple projects we will be watching, i.e.; Fire Dept. and the Valerie Theatre, because it is important to this community. We want a good working relationship with the County to work together to make our community a better place to live.

Vice President Ryan restated that we have a good working relationship with county and noted the progress of our projects.

## **CITIZENS NOT ON AGENDA**

None

Meeting adjourned at 7:27pm.

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City Clerk

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Council President