

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Jim O'Brien

Council Members

Andy Williams

Tony Davit

Mandy David

Tom Stroup

Brandi Haines

Agenda

Agenda

December 12, 2023

6:00 PM

WINDERMERE TOWN HALL

520 MAIN STREET

WINDERMERE, FL 34786

JOIN ZOOM MEETING (COPY/PASTE INTO BROWSER): [HTTPS://ZOOM.US/](https://zoom.us/)

MEETING ID: 821 4588 3499

PASSCODE: 272404

ONE TAP MOBILE: +1-305-224-1968 / 82145883499#

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceedings should contact the Office of the Clerk at least 48 hours beforehand at (407) 876-2563.

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversation shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or/who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

- **THE MEETING IS CALLED TO ORDER BY THE MAYOR**
- **FLAG SALUTE**

1. OPEN FORUM / PUBLIC COMMENT (3-Minute Limit)

2. OLD BUSINESS

a. Town Hall Rehabilitation Update, Presentation, and Approval of Additional Funds (Attachments)

3. NEW BUSINESS

a. Minutes

i. November 14, 2023 Town Council Meeting Minutes (Attachment – Staff Recommends Approval).

ii. November 28, 2023 Town Council Meeting Minutes (Attachment – Staff Recommends Approval).

b. Approve Additional Funding for Aquatic Weed Control for shoreline and Pond Maintenance (Attachments).

4. MAYOR & COUNCIL LIAISON REPORTS

- a. Mayor O'Brien**
- b. Council Member Williams**
- c. Council Member David**
- d. Council Member Davit**
- e. Council Member Stroup**
- f. Council Member Haines**

5. STAFF REPORTS

- a. Town Manager Robert Smith**
- b. Town Attorney Heather Ramos**
- c. Police Chief Dave Ogden**
- d. Public Works Director Tonya Elliott-Moore**
- e. Clerk Dorothy Burkhalter**

6. ADJOURN



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Town Hall Rehabilitation Update and Approval of Additional Funds

REQUESTED ACTION: Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: December 12, 2023

Special Meeting

CONTRACT: N/A

Effective Date: _____

Managing Division / Dept: _____

Vendor/Entity: _____

Termination Date: _____

Public Works

BUDGET IMPACT: \$25,000

Annual

Capital

N/A

FUNDING SOURCE: Reserves

EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Town Hall is a beautiful historical structure that the Town and its residents are very proud of. However, like all buildings, there comes a time when a rehabilitation is necessary to ensure safety and preservation of the structure, as well as improved functionality for its current and potential future uses.

To spearhead this endeavor, the Town engaged the expertise of a Historical Architect to oversee safety, functionality, and longevity improvements. Tom Price Architects was commissioned for this purpose, with the aim of not only securing Windermere Town Hall's structural integrity for years to come but also augmenting its utility for the benefit of the community.

Over the past few months, the architect has diligently formulated plans to safeguard the Town Hall's legacy. A notable development involved revising the initial plans to align with the requirements of a grant from Healthy West Orange, intended to fund the renovations. Consequently, a gazebo performance venue, restroom expansions with external access, and pass-through service windows from the kitchen to the porch were incorporated to fulfill the grant's criteria.

Staff has been working with Florida Division of Historical Resources (SHPO office) with the assistance from historical experts from the Wade Trim office to ensure the protection of the historical designation of Town Hall. This process is continuing.

To keep the community informed and involved, the Town's project team conducted several public information workshops. Following a review with the Historic Preservation Board on 7/24/23, two additional workshops were held on 7/31/23 and 8/16/23. A third workshop took place on 12/7/23, with a subsequent verbal review scheduled at the Town Council Meeting on December 12, 2023.

During the Council Meeting, John Fitzgibbon will present the current plan and incorporate feedback from the December 7 Public Information Meeting. Town Council's approval is sought to progress the project to Healthy West Orange for an official determination on reallocating the existing grant funds.

In addition, this extra work to revise the plans has exhausted the initial architectural services funds for this project approved by Town Council on December 13, 2022. Staff is asking that Town Council approve an additional \$25,000 to finalize plans, complete construction documents, facilitate the bid process, provide architectural review and guidance during construction, and oversee project close-out activities.



WINDERMERE TOWN HALL

Windermere began in the mid-1880s when a settler built his home in the area, giving it and the surrounding area the name of Windermere. In memory of the Queen of England. Other settlers followed, and by 1889, but the community was not formally organized. The town council had no permanent meeting place and citizens often met at the Windermere Woman's Club. The building to become Town Hall. The two-story wood frame building was erected on the shore of nearby Lake Butler. It was moved to its present site in 1938 for use as a community center. It became the seat of local government in 1945. The existing Town Hall is the focus of civic and cultural activities in Windermere. Facilities found there include the Chamber of Commerce, all courts, a municipal office building, a City Hall Building, a small wood frame building used as a library. Windermere's most prominent early residences were the Cal Palmer Building are listed as National Historic Places.

FLORIDA HERITAGE SITE
THE TOWN OF WINDERMERE AND
DEPARTMENT OF STATE
SECRETARY OF STATE

Windermere Town Hall Renovations

Public Input Summary



Maintaining Historical Designation

- Discussions with Dept of Interior/Historic Preservation
- Previous renovations utilized State Grant Funding which required extensive input and oversight from Dept of Interior
- Pursuant to the applicable Federal Regulations and guidance provided by the National Park Service, the Federal NHP listing does not impose any Federal restrictions or limitations on demolition, alterations, or new construction for the Town Hall if there is not Federal funding
- Without Federal or State funding, impacts to Town Hall are only regulated under Town local regulation in Section 3.01.00, LDC
- Currently working with SHPO to respond to request for additional information. WT and PW is developing a response.

Concept Design – Public Input

- Move handicapped ramp to Southside of the building
- Investigate opportunities for funding with Healthy West Orange for programmatic element modifications to align with the grant requirements
- Look at modifying front entry steps to code requirements
- Provide ADA accessibility to exterior restroom entrances
- Provide North and East Elevations – will be provided on the construction documents.
 - North and East were not done prior to this for public input as the modifications were minor.
 - Working with Architect on North Elevation Concept for HWO and Town Council

Proposed Enhancements and Modifications



Safety, Accessibility and Functionality

- Provide foundation enhancements for porch columns
- Provide new handicapped ramp on north side
- Improve stage access and add HC lift for accessibility
- Add new exits at west stage area and back Kitchen east side
- Add guard rails at main entry landing
- Remove steps at NE corner of TH
- Provide access from multipurpose room to porch

Historical Aesthetic Improvements

- Improved roof enhancements
- Renovate porch columns/stairs/rails with Hardie board
- Replace rotted wood
- New metal roof for entire facility

Additional Enhancements

- New multi-purpose room (Bridal Room/storage)
- Restroom Expansion
- Additional Family Restrooms
- Exterior Access to TH Restrooms
- New Kitchen Equipment

Proposed Enhancements and Modifications



Safety, Accessibility and Functionality

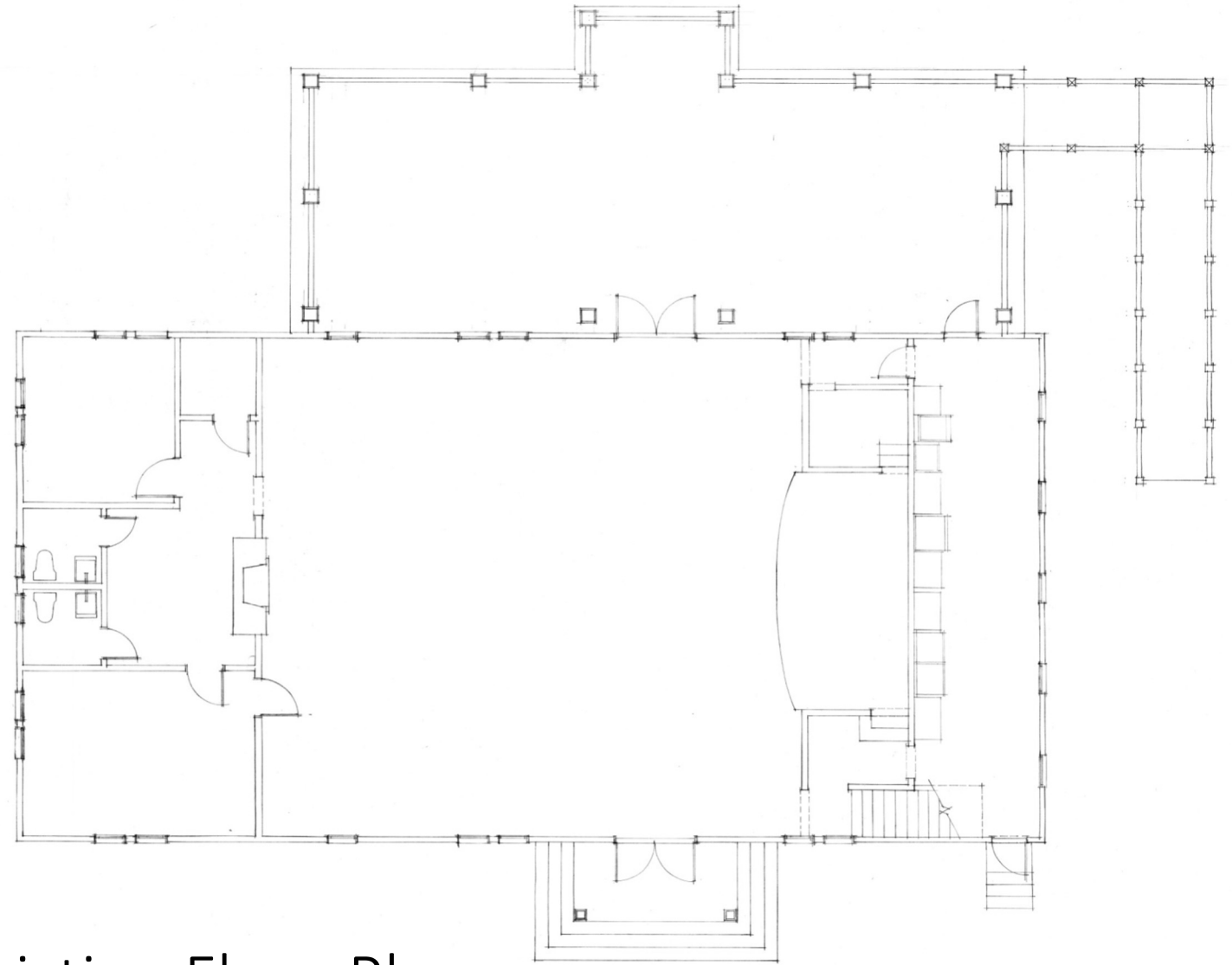
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Additional Enhancements

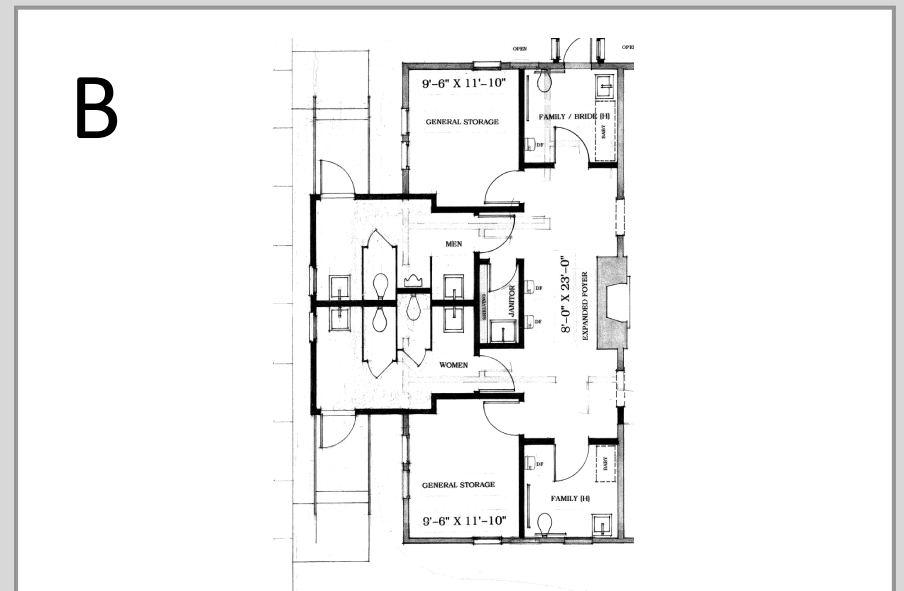
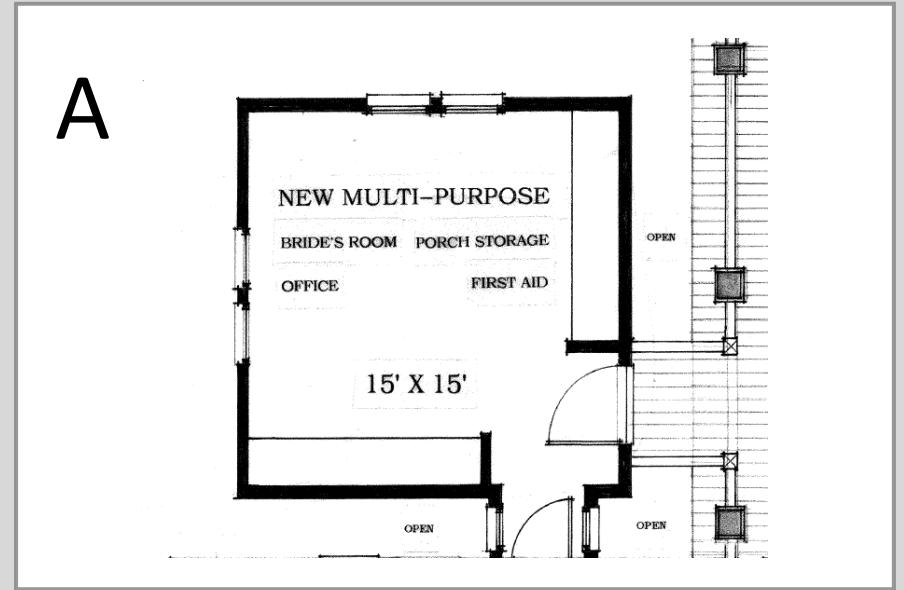
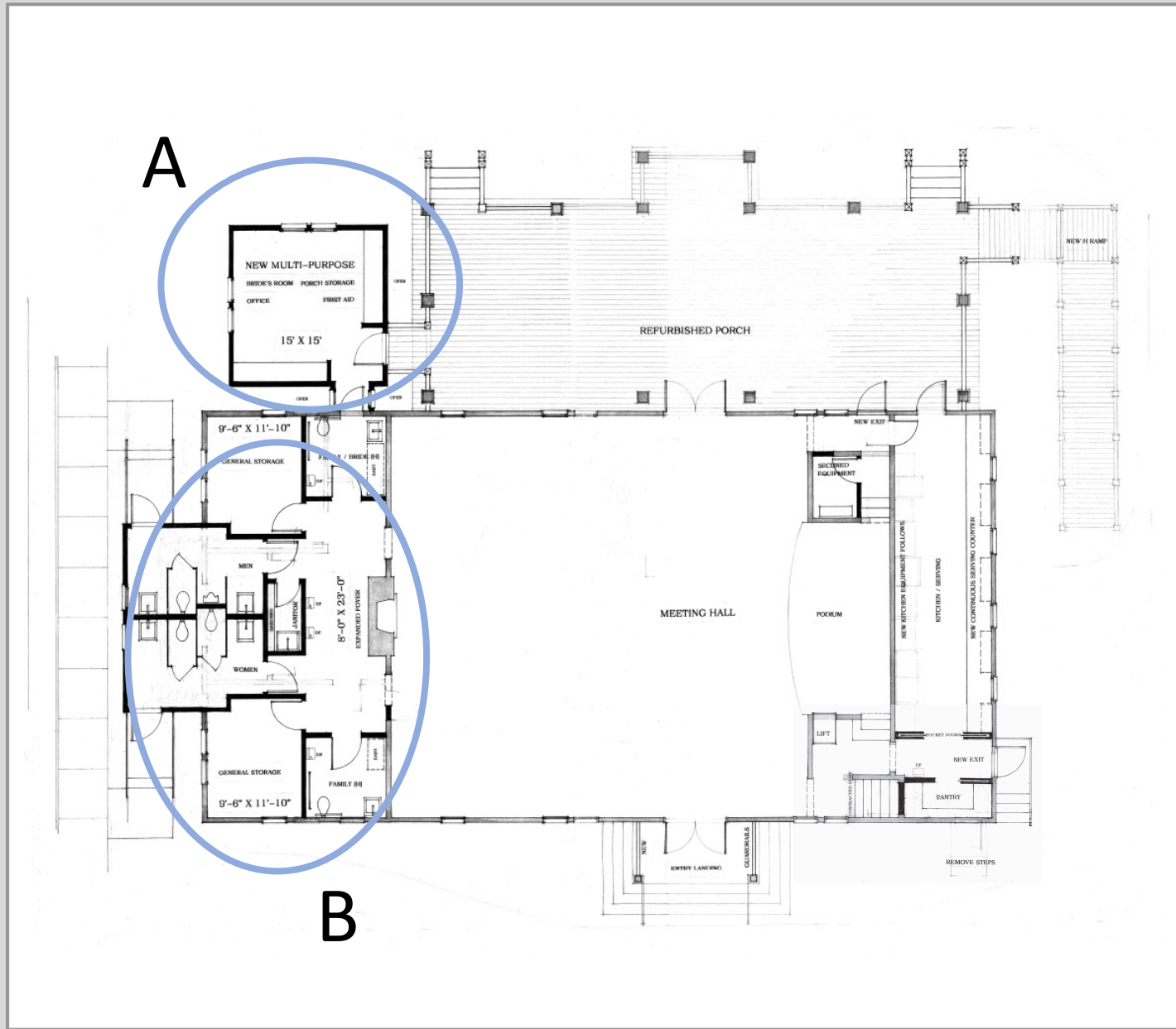
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- New Kitchen Equipment

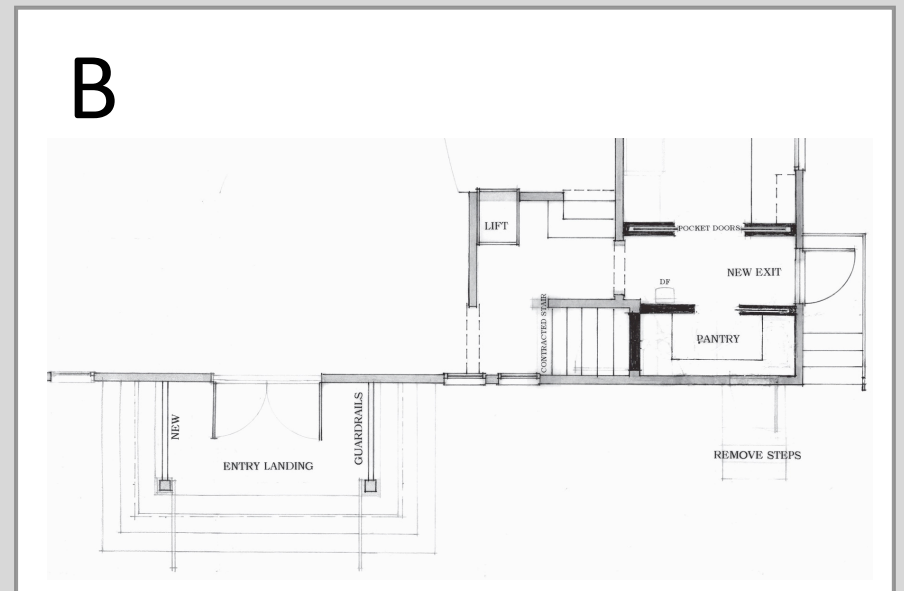
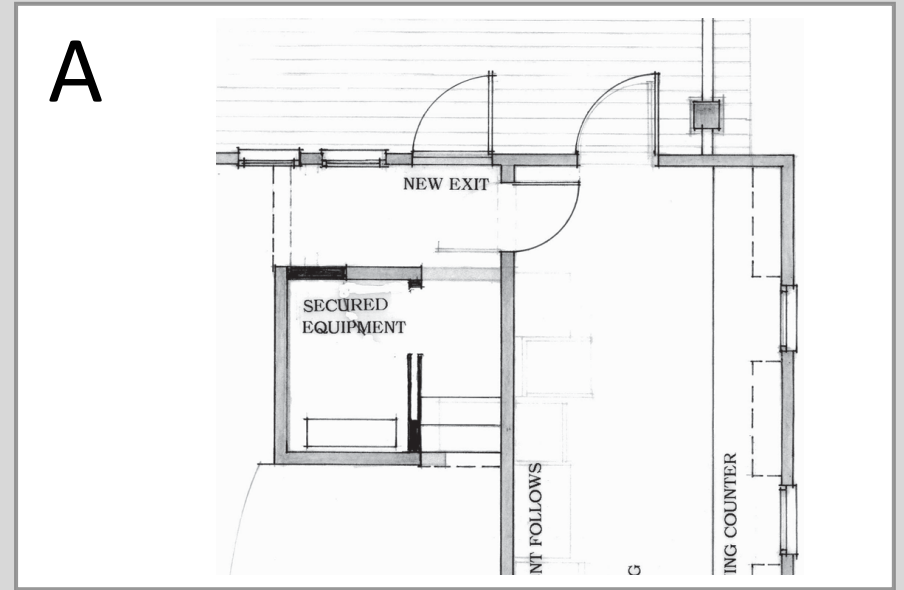
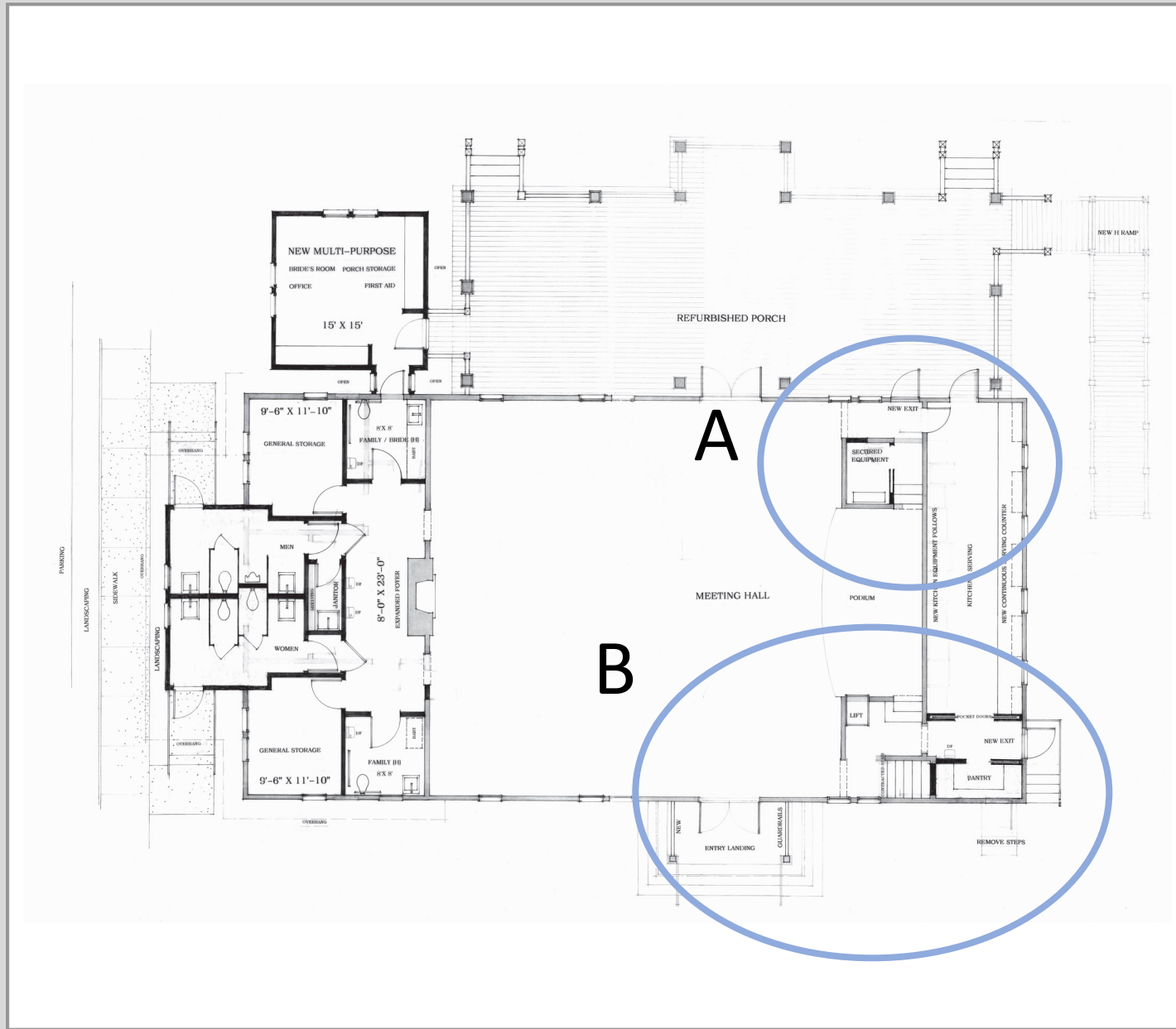


Existing Floor Plan

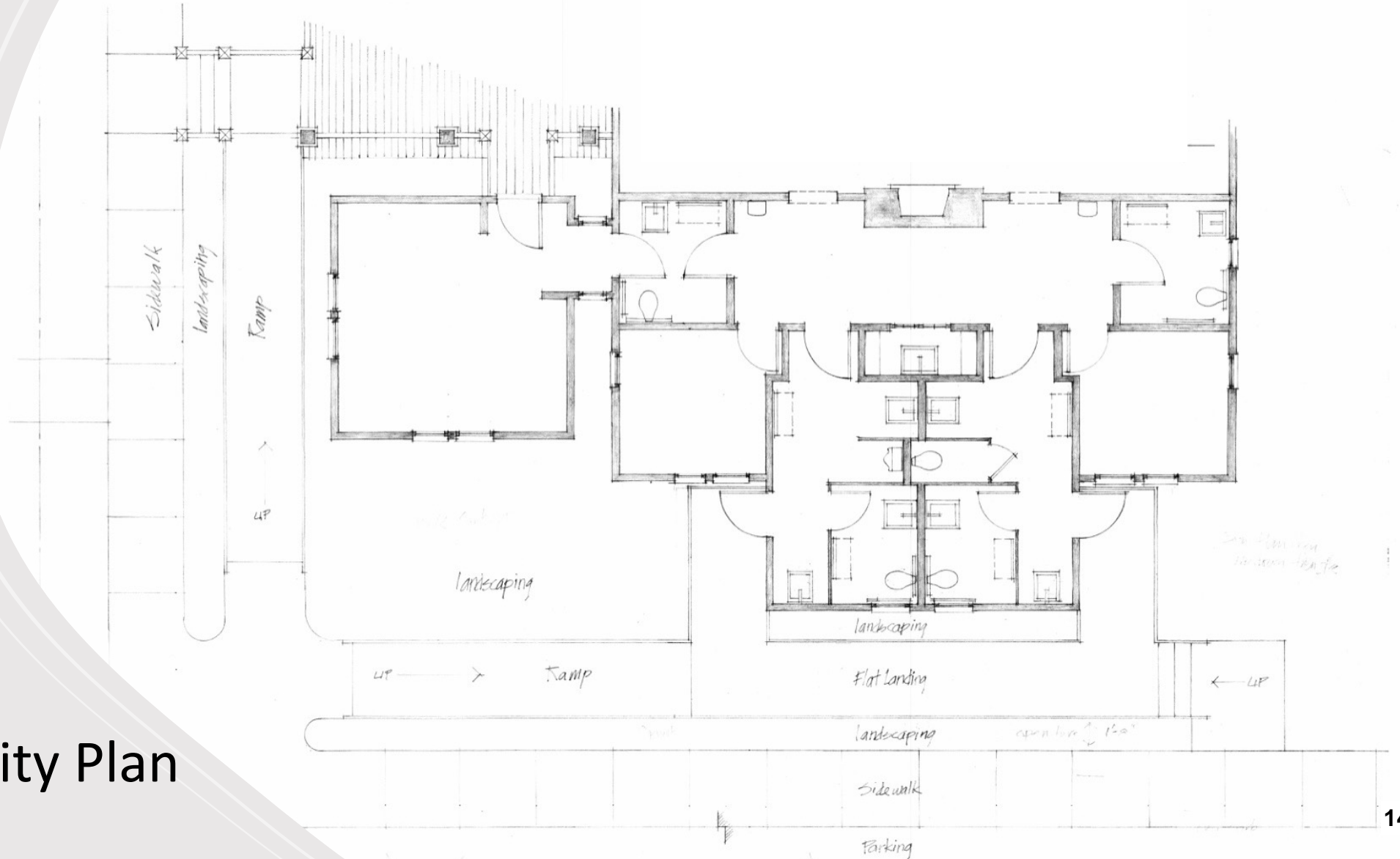


Revised Floor Plan

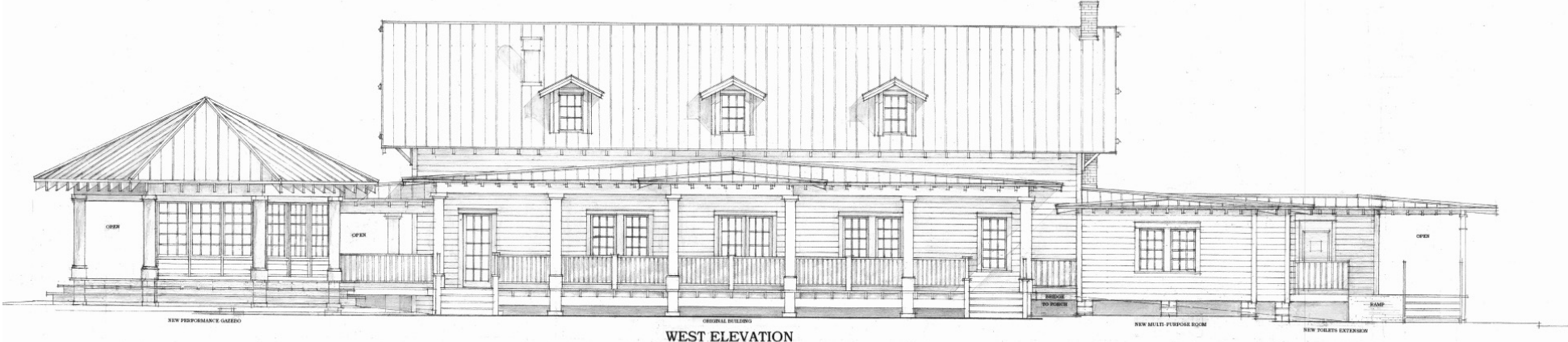
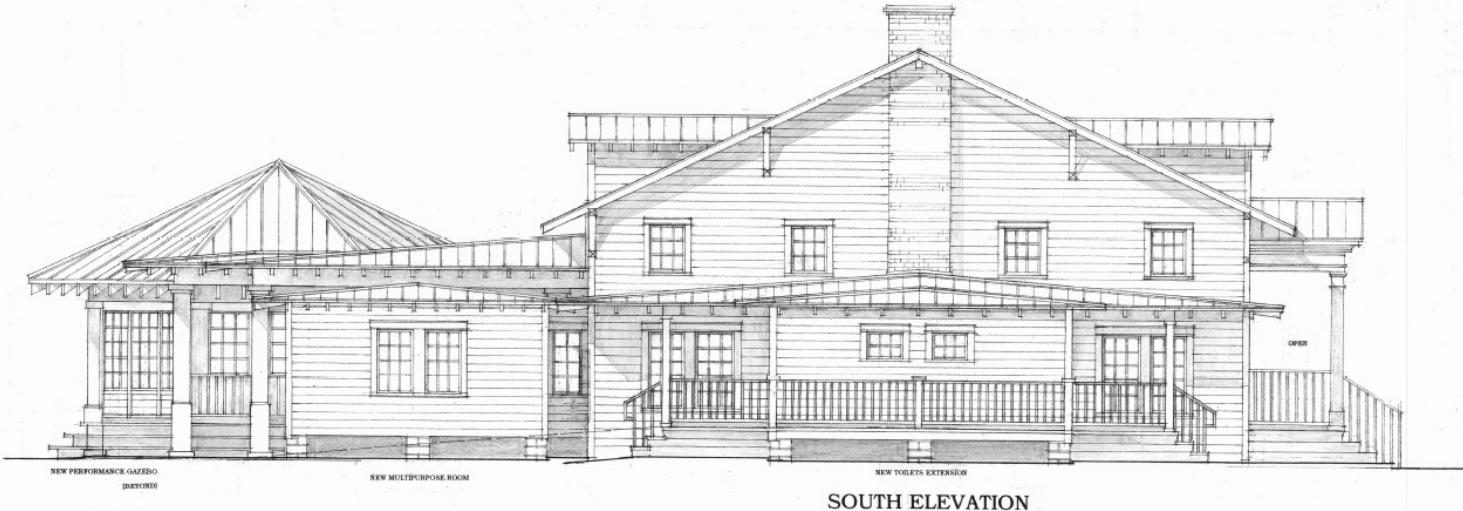




ADA Accessibility Plan



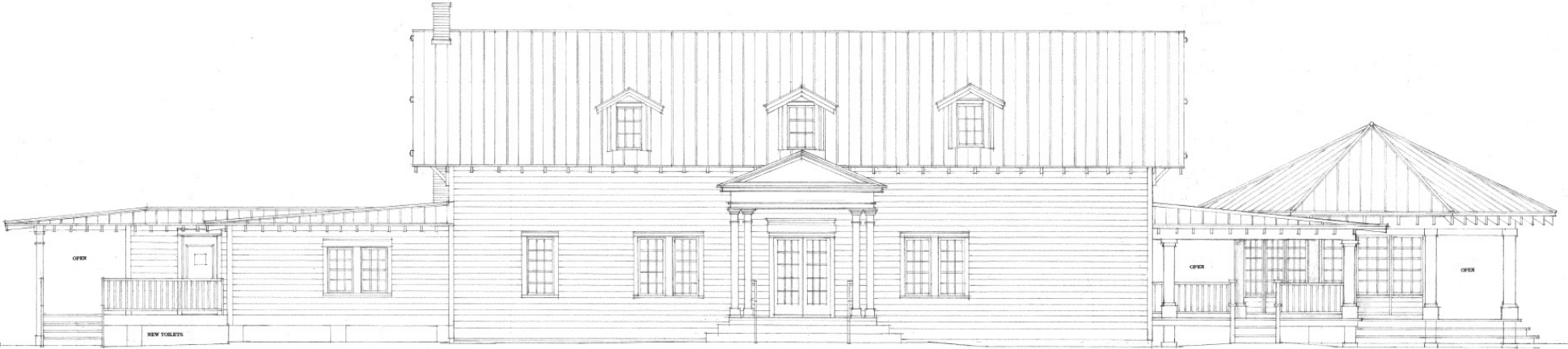
Elevations



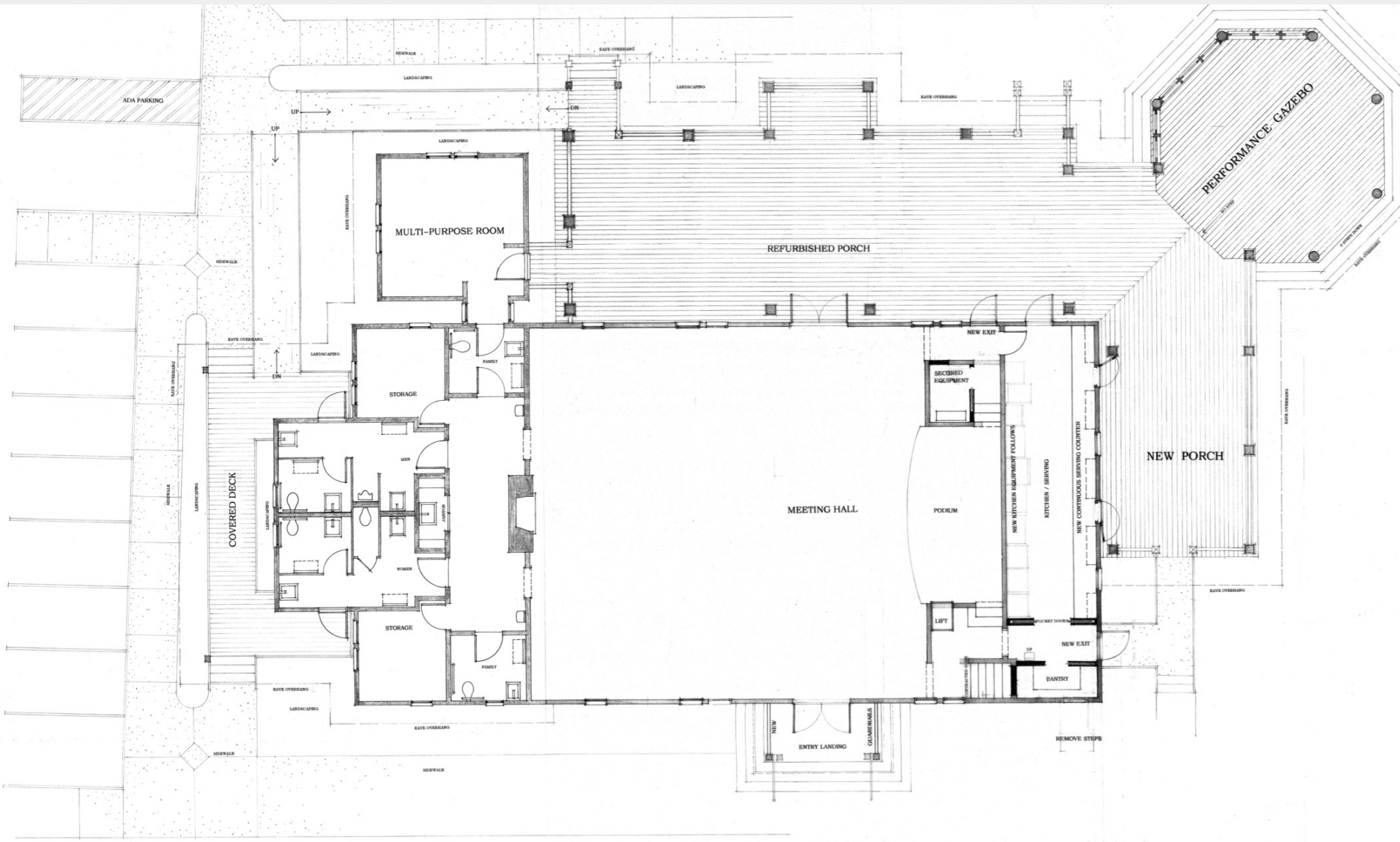
Elevations



NORTH ELEVATION



EAST ELEVATION



Overall Floor Plan

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 14, 2023

CALL TO ORDER:

Present were Mayor Jim O'Brien, Town Council Members Tom Stroup, Andy Williams, Mandy David, and Tony Davit. Town Manager Robert Smith, Attorney Heather Ramos, Public Works Director Tonya Elliott-Moore, Police Chief Dave Ogen, and Town Clerk Dorothy Burkhalter.

Mayor O'Brien called the meeting to order at 6:00pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

Mayor O'Brien opened the floor to the public. Ms. Nora Brophy of 426 Magnolia Street introduced herself. She thanked all staff for their assistance with the Parks and Recreations events. Ms. Brophy then commented on the renaming of the tennis courts at the Windermere Recreation Center to Bowman Courts. She stated that the Parks and Recreation Committee is in favor of the court renaming. Mr. Byron Sutton of 505 W 2nd Avenue introduced himself. He then reminded the Town Council of the contract in place between the Town and Rotary regarding the pavilion. Mayor O'Brien advised that the pavilion is not on the agenda this evening.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

3. TIMED ITEMS AND PUBLIC HEARING:

4. NEW BUSINESS:

a. Minutes

- i. **October 10, 2023 - Town Council Meeting Minutes**
- ii. **October 24, 2023 – Town Council Virtual Workshop Minutes**

Member Davit made a motion to approve all minutes as submitted. Member Williams seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, and Davit – aye. Motion carried 4-0.

b. Ordinances First Reading/Resolutions for Approval

- i. **Resolution 2023-08 Adopting a Vision Zero Policy**

Mayor O'Brien read the title of proposed Resolution 2023-08 for the record. Member Davit made a motion to approve Resolution 2023-08. Member David seconded the motion. Member Stroup requested clarification of the Resolution. Director Elliott-Moore explained that a Resolution is needed should the Town receive any grant funding through/with MetroPlan. After minimal discussion was made, roll call vote was as follows: Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 4-0.

c. Financial

d. Appointments

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 14, 2023

i. Historic Preservation Board – Frank Krens

Mayor O'Brien introduced this item. Member Davit made a motion to appoint Frank Krens to the Historical Preservation Board. Member David seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, and Davit – aye. Motion carried 4-0.

e. Contracts

i. Mike Galura Engineering Consultants – Task Order No. 39 – W 2nd Avenue Roadway Drainage Improvements \$46,510.00

Mayor O'Brien introduced this item. Manager Smith stated that this item has been approved, is funded and out for bid. Member Williams made a motion to approve \$46,510.00 for Task Order #39. Member Davit seconded the motion. Roll call vote was as follows: Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 4-0.

f. Other Items for Consideration

i. Vacant Town Council Seat

Mayor O'Brien introduced this item. He then turned the floor over to Counselor Ramos. Attorney Ramos explained the proposed process to fill the vacancy of Ms. Molly Rose. Mayor O'Brien nominated Mr. Gregg Anderson. Member Davit and Member David did not have a nominee. Member Williams nominated Ms. Brandi Haines. Member Stroup also nominated Ms. Brandi Haines. Mayor O'Brien called for a vote on Mr. Gregg Anderson. Voting was as follows: Davit – aye, David – no, Williams – no, and Stroup – no. Mayor O'Brien then called for a vote for Ms. Brandi Haines. Voting was as follows: Davit – no, David – aye, Williams – aye, and Stroup – aye. Member David made a motion to select Ms. Brandi Haines to fill the vacant seat until the next Election. Member Stroup seconded the motion. Roll call vote was as follows: Davit – no, David – aye, Williams – aye, and Stroup – aye. Motion carried 3-1.

ii. Naming the Tennis Courts at Windermere Recreation Center as Bowman Courts

Mayor O'Brien introduced this item. He explained that the Ms. Brophy spoke earlier on the Parks and Recreation Committee's recommendation to approve the request of naming the Windermere Rec Center Tennis Courts after the late Mr. Doug Bowman. Member David made a motion to approve the renaming of the tennis courts at the Windermere Recreation Center to the Doug Bowman courts. Member Williams seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, and Davit – aye. Motion carried 4-0.

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien thanked everyone who volunteered for the Veterans Day Celebration. He also reminded everyone of the upcoming Light Up Windermere event. Member Williams also reminded all of the Holiday Hoopla on December 1st at 5:00pm and the next Elders Luncheon on December 5th. Member Stroup positively commented on the Active Shooters training that was hosted at the First Baptist Church for the Windermere Police Department.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Manager Smith congratulated Ms. Haines on her appointment. He then reported on the Appropriations, upcoming events, meeting with Marina Bay, and the upcoming Budget meeting. Manager Smith commented on the Pavilion, Town Hall

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 14, 2023

Improvements, and Rotary Inc.

b. TOWN ATTORNEY HEATHER RAMOS – Attorney Ramos wished everyone a Happy Thanksgiving.

c. CHIEF DAVE OGDEN – Chief Ogden reported on the Active Shooters training, Homecoming Parade, Bunk Bed Build, and staffing.

d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE – Director Elliott-Moore reported on current and upcoming projects, 9th and Bessie diverters, road repair work, and staffing.

e. TOWN CLERK DOROTHY BURKHALTER – Clerk Burkhalter reported on the March 19, 2024, elections qualifying dates, which opened November 10th and will close December 11th at noon.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 6:37pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

DRAFT

TOWN OF WINDERMERE

Special Town Council Meeting Minutes

November 28, 2023

CALL TO ORDER:

Present were Mayor Jim O'Brien, Town Council Members Tom Stroup, Andy Williams, Mandy David, and Tony Davit. Town Manager Robert Smith, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

Mayor O'Brien opened the floor to the public. Mr. Randy Kunkel of 615 Bessie Street introduced himself. He then questioned the budget regarding Public Works, legal expenses, iVenture, and no cash on hand. Mayor O'Brien stated that Manager Smith will address the items in his review.

Mayor O'Brien administered the Oath of Office to Ms. Brandi Haines. She has been appointed to complete the vacated term of Ms. Molly Rose, which will expire March 2024.

2. NEW BUSINESS

a. FY 22-23 Budget Amendment

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith addressed the concerns of Mr. Kunkel. He commented on projects, their funding, awaiting reimbursements and how it affects the numbers. Manager Smith explained that the increase in legal expenses is due to litigation matters. He then stated that IT provides support for over thirty employees as well as assuring that safe measures are in place for the Police Department. There being no further questions or comments, Member Davit made a motion to approve the amended budget as presented. Member Williams seconded the motion. Roll call vote was as follows: Haines – aye, Davit- aye, David – aye, Williams – aye, and Stroup - aye. Motion carried 5-0.

b. Resolution 2023-09 Budget Amendment

Mayor O'Brien introduced this item. Member Willaims made a motion to approve Resolution 2023-09 as presented. Member David seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Haines – aye. Motion carried 5-0.

3. ADJOURN:

Mayor O'Brien adjourned the meeting at 6:13pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Approve Additional Funding for Aquatic Weed Control for shoreline and pond maintenance

REQUESTED ACTION: Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: December 12, 2023

Special Meeting

CONTRACT: N/A

Effective Date: _____

Managing Division / Dept: _____

Vendor/Entity: _____

Termination Date: _____

Public Works

BUDGET IMPACT: \$23,412

Annual

Capital

N/A

FUNDING SOURCE: _____

EXPENDITURE ACCOUNT: _____

Reserves

HISTORY/FACTS/ISSUES:

This comprehensive report outlines recent developments and updates on the Town's shoreline maintenance responsibilities in collaboration with Orange County. The document also presents a refined request for an increase in funding to address expanded maintenance requirements resulting from newly identified shoreline areas.

In the preceding year, Orange County commissioned a contractor to inspect shorelines designated for replanting by the Town in 2018. Unfortunately, the inspection revealed a lack of evidence of the prescribed plantings, prompting Orange County to rescind the Town's permits for shoreline treatments at Lake Bessie, Lake Crescent (corridor and canal), and Lake Down. To address potential ecological consequences, Town staff engaged in discussions with Orange County to reinstate the shoreline maintenance permits.

Through collaborative efforts, Orange County identified additional shoreline areas requiring the Town's maintenance attention. These areas include:

Upland buffer site on Lake Bessie (recently restored with native aquatic plants)

Full shoreline, canal, and upland area at Lake Crescent (previous contract only managed the access corridor and canal)

Small parcel across the cove from Palmer Park owned by the Town

Upland buffer at Fernwood Park (previous agreement only included shoreline plants)

Pond not permitted by the County but under the Town's management responsibility (Lake Butler Boulevard). Monthly maintenance treatments will be conducted at each site, with quarterly treatments at the Lake Butler Boulevard Pond.

The original contract covered specific areas, while the 2024 contract includes expanded responsibilities, denoted by '*', indicating a substantial increase in acreage for management, as required by the County. Additionally, there are increases in cost due to boat access requirements for Palmer Park and Lake Crescent.

Previous Contract included:

- Lake Bessie - shoreline only
- Lake Crescent - access corridor/canal only
- Lake Down - 3 Town parks
- Fernwood Park - shoreline only
- Palmer Park - shoreline only on area by pedestrian dock
- Retention ponds: East 1st Ave/Oakdale, Ballfield Pond

2024 Contract includes:

- Lake Bessie -shoreline and upland buffer *
- Lake Crescent - access corridor, full shoreline, island/wetland, and canal *
- Lake Down - 3 Town parks
- Fernwood Park - shoreline and upland buffer/wetland *
- Palmer Park - shoreline by pedestrian dock and area of land across the Cove owned by the Town
- Retention ponds: East 1st Ave/Oakdale, Ballfield Pond, and Lake Butler Boulevard pond

The original annual treatment cost of \$1,299 per month amounted to \$15,588 annually. With the inclusion of the newly identified expansive sections, the revised monthly cost for shoreline maintenance has increased to \$3,250, resulting in an annual expenditure of \$39,000. This exceeds the Town Manager's authorization limit by \$13,412.01.

To address the increased annual cost, staff requests Town Council approval for an additional \$23,412 annually for the fiscal year 2023-24. The proposed funding will be sourced from town reserves during the current fiscal year, with the understanding that this adjustment will be incorporated into the FY 2024-25 budget cycle at the new annual amount.

Staff is requesting Town Council approval of this funding adjustment as it is crucial to ensuring the effective maintenance of our shorelines and preserving the ecological balance of our lakes.



Aquatic Weed Control, Inc.

Your **CLEAR** Choice in Waterway Management Since 1992

THIS AGREEMENT made the date set forth below, by and between **Aquatic Weed Control, Inc.** hereinafter called "**AWC**", and

Town of Windermere
614 Main Street
Windermere, FL 34786
Tonya, Phone 407-876-2563

One year: 1/1/24-12/31/24*

Hereinafter called "**CUSTOMER**". The parties hereto agree as follows:

AWC agrees to maintain the following waterway(s)/treatment area(s) in accordance with the terms and conditions of this agreement.

Lake Bessie shoreline immersed exotics control and Buffer, Lake Crescent shoreline and middle of canal and Island, Lake Down 3 sections, & Fernwood Park and Upland Buffer, Palmer Park & Parcel across Lagoon, Pond at East 1st Ave & Oakdale and Ball Field Pond & Wetland 11710 Lk Butler associated with Town of Windermere

CUSTOMER agrees to pay **AWC** in the following amount and manner:

- Shoreline grass control Lakes \$ Included (monthly)
- Buffer, Island, Parcel and Upland control \$ Included (Monthly)
- Ponds Immersed and Submersed, Algae \$ Included (monthly)
- Quarterly Wetland across 11710 Lk Butler \$ Included (Quarterly prorated monthly)
- A monthly report of all waterways treated \$ Included

Total monthly investment **\$ 3,250.00**

Scheduled treatments will be provided on a monthly basis (approximately once every 30 days)
Payments for this service will be made in equal and consecutive bi-monthly installments, each due within 30 days of the invoice date.

AWC maintains 2 million dollars general liability, 1 million dollars commercial auto, pollution liability, herbicide/pesticide operations, workers compensation and 5 million dollars excess umbrella. Certificates will be provided upon request.

ACCEPTANCE OF AGREEMENT

Chad Inscho 12/5/23

Aquatic Weed Control, Inc.

Customer's Signature

Title

Print Signature

Date

Print Company Name



Aquatic Weed Control, Inc.

Your **CLEAR** Choice in Waterway Management Since 1992

Addendum to Water Management Agreement

1. AWC's Water Management Agreement will be conducted in a manner consistent with good water management practice utilizing the following methods and techniques when applicable: Periodic treatments to maintain reasonable control of excessive growth of aquatic vegetation. CUSTOMER understands that some vegetation is required in any body of water to maintain a balanced aquatic ecological system.
2. It is CUSTOMER'S responsibility to notify AWC of all work areas that are required mitigation areas in which desirable plants have been installed. AWC assumes no responsibility for damaged plants where CUSTOMER has failed to notify AWC.
3. Price quoted is null and void if not signed and returned within 30 days of proposal date.
4. Water use restrictions after treatment are not often required. When restrictions are required, AWC will notify CUSTOMER in writing of all restrictions that apply. AWC will not be held liable for damages resulting from CUSTOMER'S failure to follow water use restrictions.
5. AWC will not be responsible for the manual removal of dead vegetation such as cattails and grass which may take several seasons to decompose.
6. Neither party shall be responsible for damages, penalties or otherwise for any failure or delay in the performance of any obligations hereunder caused by strikes, riots, war, acts of God, accidents, governmental order and regulations, curtailment or other cause beyond its reasonable control and which, by the exercise of due diligence, it is unable to overcome.
7. * Upon the anniversary date, this agreement will be automatically extended for additional twelve (12) month periods unless CUSTOMER provides written notice stating otherwise.
8. Either party may cancel this agreement with 30 days prior written notice. Upon cancellation, all outstanding balances will be due in full. CUSTOMER agrees to notify AWC in writing prior to any changes in ownership or property management. Changes in ownership or property management will not constitute termination of this agreement.
9. AWC agrees to hold CUSTOMER harmless from any loss, damage or claims arising out of the sole negligence of AWC; however, AWC shall in no event be liable to CUSTOMER, or others, for indirect, special or consequential damages resulting from any cause beyond our control.
10. CUSTOMER agrees to pay AWC in a timely manner, consistent with the terms and conditions of this agreement. Should CUSTOMER fail to make timely payments, AWC may, at its option, charge interest, impose a collection charge and/or file a mechanics lien for all monies past due plus interest, collection costs and reasonable attorney's fees.
11. CUSTOMER agrees to pay any government imposed tax including sales tax.

ACCEPTANCE OF ADDENDUM

Chad Inscho 12/5/23

Aquatic Weed Control, Inc.

Customer's Signature

Date