



**CITY OF OKEECHOBEE, FLORIDA
AUGUST 3, 2021, REGULAR CITY COUNCIL
MEETING MINUTES**

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on Tuesday, August 3, 2021, at 6:00 P.M. in the Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Keefe.

II. ATTENDANCE

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel Chandler, Monica Clark, and Bobby Keefe. Council Member Bob Jarriel was absent.

III. AGENDA AND PUBLIC COMMENTS

- A. Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.
- B. Motion by Council Member Clark, seconded by Council Member Keefe to approve the agenda as presented. **Motion Carried Unanimously.**
- C. There were no comment cards submitted for public participation.

IV. PRESENTATIONS AND PROCLAMATIONS

- A. Mr. Chad Troutman was recognized by Mayor Watford and Police Chief Peterson for his years of service and specifically for his exclamatory work as the City's member of the Joint Drug Task Force over the last five years. He was presented with an engraved crystal mantel clock and a framed certificate which read "In recognition of your 15-years of service, hard work, and dedication to the City, its citizens, and your fellow employees from August 2, 2006, through August 2, 2021."

V. CONSENT AGENDA

Motion by Council Member Keefe, seconded by Council Member Clark to approve consent agenda item A [minutes of the regular meetings held June 1, 2021, and July 6, 2021, as presented]; item B [June 2021 Warrant Register in the amounts: General Fund \$662,025.06, Public Facilities Improvement Fund \$51,080.62, and Capital Improvement Projects Fund \$24,429.43 as presented]. **Motion Carried Unanimously.**

VI. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:09 P.M.

- A. Motion by Council Member Keefe, seconded by Council Member Chandler to read proposed Ordinance No. 1229 by title only, amending the Firefighters Pension Fund [as presented in Exhibit 1]. **Motion Carried Unanimously.**

City Attorney Furnero read proposed Ordinance No. 1229 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE AMENDING AND RESTATING THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS' PENSION FUND, ADOPTED PURSUANT TO ORDINANCE 889, AS SUBSEQUENTLY AMENDED; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE."

Council Member Chandler moved to adopt proposed Ordinance No. 1229, seconded by Council Member Clark. There were no public comments or questions. Clerk Gamiotea noted for the record the proposed Ordinance and Actuary Impact Statement were emailed to the required State Retirement Offices, confirmed it was received, and no comments or objections have been received to date. [This amendment reflects the provisions of the August 2, 2021, merger with Okeechobee County to provide fire services within the City. From this date forward new members cannot be added to the Plan, only current members who elect to remain. Additional changes provide for Board of Trustee seats to be held by either retired or active firefighters who remain a member of the Plan, as well as updates due to recent changes to the Internal Revenue Code.

VI. PUBLIC HEARING CONTINUED

- A. CONTINUED: Summary of Impact Statement Findings: the required employer contribution amount for firefighters for Fiscal Year ending September 20, 2022, decreased by \$22,686.00; the Unfunded Actuarial Accrued Liability for Firefighters increased by \$268,575.00; the Funded Ratio of the System decreased from 122.7 to 114.8 percent]. **Motion Carried Unanimously.**

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:11 P.M.

VII. NEW BUSINESS

- A. Motion by Council Member Clark, seconded by Council Member Chandler to read by title only, proposed Ordinance No. 1231, Right-of-Way Abandonment Petition No. 21-001-AC submitted by JKST Holdings, LLC, to close the East to West alley in Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 2]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1231 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 110, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-001-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Chandler moved to approve the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date; seconded by Council Member Clark.

City Planning Consultant Ben Smith provided the Staff Report combined with the recommendation to approve the request from both the Technical Review Committee and the Planning Board. However, this Petition and the one addressed in Item B, Ordinance No. 1232 were already in progress when the City Council denied adopting Ordinance No.'s 1225, 1226, 1227, and 1228 which would have reclassified the property within Blocks 110 and 121 as Multi-Family Residential on the Future Land Use Map and rezoned them to Residential Multiple Family. The objective was to vacate the alleyways once the land use and zoning was completed, to provide a better design rather than splitting the two blocks in half. Mr. Steve Dobbs addressed the Council on behalf of the applicant, requesting the final public hearing be continued until after the Council considers Item F on tonight's agenda.

Motion by Council Member Keefe, seconded by Council Clark to lay New Business Items A and B on the table until Item F is considered. **Motion Carried Unanimously.**

- F. The Council agreed to consider Item F at this time, which was to discuss the process for the property owners of Block 110 [located in the 200 block along Northeast 4th Street] and Block 121 [located in the 200 block along Northeast 3rd Street] to resubmit a Comprehensive Plan Small Scale Future Land Use Map Amendment Application and Rezoning Petition.

Mr. Steve Dobbs and Mr. Phil Berger presented their case on behalf of the new property owner, Mr. Frank Stephens for the City to administratively correct the Future Land Use and/or the Zoning maps for these two blocks to be consistent as required to develop them. Mr. Stephens also addressed the Council explaining his intentions to develop these blocks, which are located one block East of North Parrott Avenue.

VII. NEW BUSINESS CONTINUED.

- F. CONTINUED: His original development was for apartments, but since that was rejected he is requesting the Lots be rezoned to Heavy Commercial (CHV) [from Light Commercial on Block 110 and from Residential Single Family-One on Block 121, the Future Land Use is already Commercial]. Planner Smith and Attorney Fumero advised that the City Council cannot administratively redesignate the Future Land Use nor Rezone property due to Florida Statutes requiring a specific process based on who is requesting the change. However, there could be a City initiated rezoning with the City assuming all costs, meaning the fee to process the petition would not be paid by the applicant.

Motion by Council Member Keefe, seconded by Council Member Chandler to task Staff with the initiation of a rezoning to CHV for Blocks 110 and 121, CITY OF OKEECHOBEE, as recorded in Plat Book 5, Page 5, Okeechobee County public records. **Motion Carried Unanimously.**

- A. The Council then went back to readdress item A. Motion and second by Council Members Keefe and Clark to remove New Business Items A and B from the table. **Motion Carried Unanimously.** Based on the action taken on Item F, the public hearing for proposed Ordinance No. 1231 cannot be set for September 7, 2021, and will need to be held after the final adoption of the City initiated rezoning petition.

Council Member Keefe moved to amend the motion on floor, approving the first reading of proposed Ordinance No. 1231 and set September 7, 2021, as a final public hearing date **to postpone the final public hearing date to be held after the rezoning final public hearing date for Blocks 110 and 121;** seconded by Council Member Clark. **Motion To Amend Carried Unanimously.** There being no further discussion, **Motion As Amended Carried Unanimously.**

- B. Motion by Council Member Chandler, seconded by Council Member Keefe to read by title only, proposed Ordinance No. 1232, Right-of-Way Abandonment Petition No. 21-002-AC submitted by Shaun and Desiree Penrod, to close the East to West alley in Block 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5 Okeechobee County public records [as presented in Exhibit 3]. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1232 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 121, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (PETITION NO. 21-002-AC); RESERVING UNTO THE CITY, ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE EASEMENT FOR PUBLIC UTILITIES PURPOSES; DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Keefe moved to approve the first reading of proposed Ordinance No. 1232 **and set the final public hearing date to be after the rezoning final public hearing date for Blocks 110 and 121;** seconded by Council Member Chandler. **Motion Carried Unanimously.**

- C. Council Member Chandler moved to approve a proposal [No. P 4142] with Craig A. Smith and Associates to provide professional engineering services [in the amount of \$14,300.00] for a modification to the South Florida Water Management District Permit for the City Commerce Center; seconded by Council Member Keefe [as presented in Exhibit 4]. **Motion Carried Unanimously.**
- D. Mrs. Bobbi Poole submitted a request to discuss shower facilities for the homeless. Due to her absence this item was not discussed.

VII. NEW BUSINESS CONTINUED.

- E. Interim Administrator Ritter requested a presentation of the scope and design of Cattlemen's Square in Flagler Park be provided by the Landscape Architect, Calvin, Giordano, and Associates (CGA). Mr. Gianni Feoli, Director of Landscape Urbanism and Design for CGA provided a 54-slide presentation with 3-D renderings which have been considered and discussed in detail over several meetings with the Flagler Park Design Review Advisory Committee (FPDRAC). The design budget projections provide for demolition and site preparation, new concrete walkways, brick paver and flagstone areas, sculpture foundations, boulders, six benches, three picnic tables, fencing, a ranch entrance from South Park Street, 15 sculpture signs, lighting throughout the landscaping, sculptures and walkways, plantings, sod, and irrigation, with the idea that long-term durability with low maintenance be priority when considering materials. The main reason for the presentation was to obtain budgetary guidance from the Council. Page 55 of the presentation listed the breakdown of the proposed \$1,169,391.94 budget for this block/park [as presented in Exhibit 6]. The Council was clearly taken aback with the proposed costs based on statements made that the design was too elaborate.

The reason for beginning the Cattlemen's Square is this block/park was already approved for Okeechobee Main Street (OKMS) to install their art project featuring a life-size cattle drive that has been funded by local ranchers and private donations. Mrs. Bridgette Waldau, OKMS Culture and Alliance Committee Chair, cautioned the Council on further delaying the project. **The outcome of the discussion was that Interim Administrator Ritter would meet with representatives of OKMS and CGA to scale back the design for this block with the understanding that the sculptures be installed properly once they are shipped, and that additional amenities may be added as necessary or when additional funding/grants provide for them. The revised plan and budget will be resubmitted to the FPDRAC and City Council.**

FPDRAC Members Tewksbury and Scott were present and conveyed their concerns over the costs versus wanting to create a design within Flagler Park that would draw people to the downtown area, stimulate economic development, and be low maintenance yet high quality to last many years. The discussion touched on the perception of who would be funding the revitalization of FLAGLER PARK once the master plan was adopted. It was made clear by the Council that multiple resources and funding would be needed to see the project to fruition.

- G. Council Member Clark moved to approve to adjust the final cost of [Bid No. PW 05-10-09-20 awarded to CW Roberts Contracting, Inc. for] Southeast 3rd Avenue paving not to exceed \$7,248.00 bringing the total completed cost from \$139,848.50 to \$147,096.50 [as presented in Exhibit 7]; seconded by Council Member Keefe. **Motion Carried Unanimously.**
- H. Motion by Council Member Keefe, seconded by Council Member Clark to approve to adjust the final cost of [Bid No. PW 01-10-11-20 awarded to Excavation Point, Inc. for] Southeast 6th Street paving not to exceed \$4,413.61 bringing the total completed cost from \$38,924.00 to \$43,337.61 [as presented in Exhibit 8]. **Motion Carried Unanimously.**
- I. Council Member Keefe moved to approve the designation of India Riedel as the City's Representative and Board Member and Gary Ritter as Alternate to the Public Risk Management Property and Casualty Insurance Trust pursuant to the requirements of Article 6.1 of the Bylaws [as presented in Exhibit 9]; seconded by Council Member Clark. **Motion Carried Unanimously.**
- J. Motion by Council Member Keefe, seconded by Council Member Chandler to appoint Mayor Watford and Council Member Clark to the Okeechobee Utility Authority (OUA) Work Group. **Motion Carried Unanimously.**
- K. Council Member Keefe moved to approve disposal of Fire Department equipment as listed and presented in Exhibit 10 [based on the provisions in the Agreement with Okeechobee County for Fire Services in the City]; seconded by Council Member Chandler. **Motion Carried Unanimously.**

VIII. CITY ATTORNEY UPDATE

City Attorney Fumero provided an update on the Kemp Properties and South Florida BBQ Code Enforcement Cases as well as reporting on the implementation of a tracking system by Code Enforcement Staff.

IX. CITY ADMINISTRATOR UPDATE

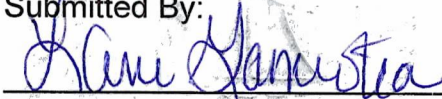
Interim Administrator Ritter conveyed his gratitude to City Staff for consistently going above and beyond to assist the public. Both the Charter Review Committee and Planning Boards have requested joint workshops with the City Council of which he will be arranging once the budget is adopted. The City received four responses for the Engineering Services Requests For Qualifications. Those will be forthcoming after review and ranking is complete.

X. COUNCIL COMMENTS

Council Member Chandler cautioned amending the OUA Interlocal Agreement that provided for Board Members to be considered employees or compensated, as retirement and benefits would be their next request. **Council Member Clark** thanked Code Enforcement for citing the CSX Railroad property located next to her business; they were diligently cleaning it up. **Mayor Watford** noted his appreciation to the City Police Department for their professionalism in handling a recent situation at his home.

XI. ADJOURN: Mayor Watford adjourned the meeting at 8:16 P.M.

Submitted By:



Lane Gamiotea, CMC, City Clerk

Please take notice and be advised that when a person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, s/he may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.