



CITY OF OKEECHOBEE, FLORIDA
AUGUST 2, 2022
REGULAR CITY COUNCIL MEETING AND BUDGET WORKSHOP
MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on August 2, 2022, at 5:05 P.M. in the City 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 Chandler.

II. ATTENDANCE

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Robert "Bob" Jarriel, and Robert "Bobby" M. Keefe, Jr. Council Member Monica M. Clark participated electronically via Zoom.

III. AGENDA AND PUBLIC COMMENTS

A. New Business, Item H, Exhibit 14, was added, no items were deferred or withdrawn.

B. Motion and second by Council Members Keefe and Jarriel to approve the agenda as amended. **Motion Carried Unanimously.**

C. There were no comment cards submitted for public participation for issues not on the agenda.

IV. CONSENT AGENDA

Motion and second by Council Members Keefe and Chandler to:

A. [Dispense with the reading and] approve the Minutes for July 19, 2022 [as presented in **Exhibit 1**]; and

B. Approve appointments to the Planning Board, Board of Adjustment, and Design Review Board by designating Mr. David McAuley from Alternate to Regular Member and Mr. Carl Berlin as a [new] Alternate Member, terms being August 3, 2022 through April 30, 2023 [as presented in **Exhibit 2**].

Motion Carried Unanimously.

V. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 5:09 P.M.

A. Motion and second by Council Members Jarriel and Keefe to read by title only, proposed Ordinance No. 1255 regarding Comprehensive Plan Future Land Use (FLU) Map Amendment Application No. 22-004-SSA, submitted by Anita Nunez/Anita's Rental Properties, Inc., to reclassify 2.41+/- unplatted, vacant acres from Multi-Family Residential (MFR) to Commercial (C), located in the 1000 block of the East side of South Parrott Avenue [as presented in **Exhibit 3**]. **Motion Carried Unanimously.**

City Attorney John Fumero read into the record the title of proposed Ordinance No. 1255 as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE CITY OF OKEECHOBEE COMPREHENSIVE PLAN, ORDINANCE NO. 635 AS AMENDED, BY REVISING THE FLU MAP ON A CERTAIN TRACT OF LAND MORE PARTICULARLY DESCRIBED HEREIN FROM MFR TO C, APPLICATION NO. 22-004-SSA; PROVIDING FOR INCLUSION OF ORDINANCE AND REVISED FLU MAP IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Chandler and Jarriel to adopt proposed Ordinance No. 1255. City Planner Ben Smith, who was attending via Zoom, reviewed the Planning Staff Report findings and the recommendation for approval from the Planning Board. The only public comment offered was by Mr. Steve Dobbs of 209 Northeast 2nd Street, who was in attendance on behalf of the applicant. Clerk Gamiotea provided for the record that 18 courtesy notices were mailed to surrounding property owners, advertisements and signs were properly posted, with no objections or comments received to date. **Motion Carried Unanimously.**

B. Motion and second by Council Members Keefe and Jarriel to read by title only, proposed Ordinance No. 1257, regarding Land Development Regulation (LDR) Amendment Application No. 22-002-TA, submitted by City Staff to reduce the Joinder Application Fee in Appendix C, from \$500 to \$100 and rearrange the fees for items 19 and 22 [as presented in **Exhibit 4**]. **Motion Carried Unanimously.**

Attorney Fumero read into the record the title of proposed Ordinance No. 1257 as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING APPENDIX C, SCHEDULE OF LDR FEES AND CHARGES, LDR'S OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

V. PUBLIC HEARING CONTINUED

- B. Continued. Motion and second by Council Members Chandler and Jarriel to adopt proposed Ordinance No. 1257. Planner Smith reviewed the Planning Staff Report findings along with the Planning Boards recommendation of approval. No public or Council comments were offered. **Motion Carried Unanimously.**
- C. Motion and second by Council Members Keefe and Chandler to adopt proposed Resolution No. 2022-04, providing for Solid Waste Collection and Disposal Services Cost to continue to be collected as a non-ad valorem Assessment and establish a Preliminary Assessment Rate for residential customers [as presented in **Exhibit 5**].

Attorney Fumero read into the record the title of proposed Resolution No. 2022-04 as follows: "A **PRELIMINARY RATE RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; PURSUANT TO THE SECTION 2.08, ORDINANCE NO. 784 RELATING TO THE PROVISION OF SOLID WASTE COLLECTION AND DISPOSAL SERVICES; SETTING FORTH A BRIEF DESCRIPTION OF SOLID WASTE SERVICES PROVIDED; DETERMINING THE SOLID WASTE ASSESSED COST FOR THE UPCOMING FISCAL YEAR (FY); ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR THE UPCOMING FY; AUTHORIZING AND SETTING A PUBLIC HEARING TO CONSIDER COMMENTS FROM THE PUBLIC CONCERNING ADOPTION OF AN ANNUAL RATE RESOLUTION; DIRECTING THE CITY ADMINISTRATOR TO UPDATE THE ASSESSMENT ROLL, AND TO PROVIDE NECESSARY NOTICE THEREOF TO AFFECTED LANDOWNERS IN THE CITY OF OKEECHOBEE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**"

Mayor Watford yielded the floor to Mr. Jeff Sabin and Ms. Debbie Perez, who announced the new branding for Waste Management to call the company "WM." Ms. Perez gave a nine-slide power point presentation that applies to this item as well as Public Hearing Item D, but more to New Business Item E, which is a request to extend and amend the existing Franchise Agreement through 2029. The presentation covered WM's long-term partnership with the City; participation and support of local events/organizations; their footprint throughout Florida; changes in the future by implementing automated collection using compressed natural gas vehicles; and the inflation impact to the industry. The proposed annual rate increased to \$366.00 from last year's rate of \$247.08. A copy of the power point presentation has been incorporated into the official minute file within Exhibit 5. The Council shared recent issues with collection and complaints received by residents. Mr. Sabin assured them all the issues would be resolved. **Motion Carried Unanimously.**

- D. Motion and second by Council Members Jarriel and Chandler to adopt proposed Resolution No. 2022-05, adopting the Solid Waste Collection and Disposal Services Cost and Assessment Rate for FY 2022-23 for residential customers [as presented in **Exhibit 6**].

Attorney Fumero read into the record the title of proposed Resolution No. 2022-05 as follows: "A **RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; RELATING TO THE PROVISION OF SOLID WASTE COLLECTION AND DISPOSAL SERVICES; CONTINUING IMPOSITION OF THE SOLID WASTE COLLECTION ASSESSMENT PREVIOUSLY ESTABLISHED BY RESOLUTION NO. 01-08; ADOPTING THE ANNUAL RATE RESOLUTION AS PERMITTED BY ORDINANCE NO. 784 FOR FY 2022-23; APPROVING THE PRELIMINARY RATE RESOLUTION; AND CERTIFYING THE SOLID WASTE ASSESSMENT ROLL AS AUTHORIZED BY FLORIDA STATUTES 197.3632(4)(5) AS NECESSARY UNDER FLORIDA STATUTES 197.3632; PROVIDING FOR PUBLIC HEARING AND COMMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**"

There were no comments or questions from the public or Council. **Motion Carried Unanimously.**

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 5:40 P.M.

VI. NEW BUSINESS

- A. Motion and second by Council Members Jarriel and Keefe to rescind the previous action taken on July 19, 2022, to approve the maximum Millage Rate for advertisement for 2022 Tax Notices, Millage Rate of 7.6018 for Budget Year 2022-23. **Motion Carried three to two, Mayor Watford and Council Member Chandler voting No.**

Motion and second by Council Members Jarriel and Keefe to set the maximum Millage Rate to the Rollback Rate of 6.8987 [for advertisement for 2022 Tax Notices for Budget Year 2022-23]. Mr. Lalo Rodriguez, Mrs. Wanda Morgan, Mr. Mark Bragel, and Mrs. Paulette Bragel addressed the Council expressing their support of adopting a lower Rate. It was clarified that the advertised Rate is not the final Rate that will be adopted. **Motion Carried three to two, Mayor Watford and Council Member Chandler voting No.**

VI. NEW BUSINESS CONTINUED

- B. Motion and second by Council Members Keefe and Jarriel to approve an engagement letter with Carr, Riggs, and Ingram for FY 2022-23 audit services [as presented in **Exhibit 7**]. **Motion Carried Unanimously.**
- C. Motion and second by Council Members Keefe and Jarriel to approve the disposal of surplus obsolete fire equipment by donation to the Glades County Volunteer Fire Department [as presented in **Exhibit 8**]. **Motion Carried Unanimously.**
- D. Motion and second by Council Members Jarriel and Chandler to adopt proposed Resolution No. 2022-06, adopting the Commercial Rates for Solid Waste Collection and Disposal Services for FY 2022-23 [as presented in **Exhibit 9**].

Attorney Fumero read into the record the title of proposed Resolution No. 2022-06 as follows: **"A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; REVISING THE COMMERCIAL RATE SCHEDULE FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES WITHIN THE CITY OF OKEECHOBEE FOR FY 2022-23; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."** **Motion Carried Unanimously.**

- E. Motion and second by Council Members Keefe and Jarriel to approve the Sixth Amendment to the Waste Management, Inc. Franchise Agreement [as presented in **Exhibit 10**]. A revised Schedule A was distributed providing the corrected rates. Motion and second by Council Members Jarriel and Chandler to amend the Sixth Amendment as follows: extend the term of the Franchise through September 30, 2029 [page one, in the Term of Franchise section, change September 30, "2026" to "2029" and that the Agreement is renewed consecutive, change "three" to "five" year periods; page two correct the incorrectly numbered paragraph four to three, and five to four]; page four, remove no caps [in the Annual Review section, renumber this paragraph from six to five, add the wording "first paragraph, fourth sentence of the Second Amendment to the Franchise Agreement is deleted" and remove the remainder of the proposed wording; renumber paragraph seven to six and eight to seven]; and replace Schedule A with the Revised Schedule A page. **Motion to Amend Carried Unanimously. Motion as Amended Carried Unanimously.**
- F. Motion and second by Council Members Keefe and Jarriel to adopt proposed Resolution No. 2022-07, approving a Post-Project Maintenance Agreement with the Florida Department of Transportation for a new Stormwater Sewer System Financial Project No. 4390321-1-52-01, within a portion of Southwest (SW) 21st Street [as presented in **Exhibit 11**].

Attorney Fumero read into the record the title of Proposed Resolution No. 2022-07 as follows: **"A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; APPROVING THE EXECUTION OF A POST-PROJECT MAINTENANCE AGREEMENT BETWEEN THE CITY OF OKEECHOBEE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE."** **Motion Carried Unanimously.**

- G. Motion and second by Council Members Keefe and Jarriel to approve Piggyback Agreement Addendum No. 5 with Okeechobee Medical Providers, Inc. to continue medical services with Treasure Coast Medical Associates [as presented in **Exhibit 12**]. **Motion Carried Unanimously.**
- H. **Item Added:** Motion and second by Council Members Jarriel and Chandler to approve a request for purchase of a replacement traffic signal cabinet in the amount of \$27,723.00 to be reimbursed by Florida Department of Transportation [as presented in **Exhibit 14**]. **Motion Carried Unanimously.**

VII. CITY ATTORNEY UPDATE

- Working with Staff on Truth in Millage Notices;
- Garbage Resolutions;
- Revising Memorandum of Understanding with the County for the Administration of Traffic Control Preemption;
- Dissolving a right-of-way use license request with the City Clerk's Office.

VIII. CITY ADMINISTRATOR UPDATE

- Update on the Cattlemen's Square Project, monuments have arrived, the ribbon cutting ceremony is Saturday, August 6, 2022 at 10:00 A.M.;
- U.S. Army Corp of Engineers Staff will be at Scott Driver Park on August 3, 2022 to discuss the Lake Okeechobee System Operating Manual Environmental Impact Statement.

IX. CITY COUNCIL COMMENTS

Council Member Chandler thanked Staff for their work on the proposed Budget.

IX. COUNCIL COMMENTS CONTINUED

Council Member Jarriel was pleased to learn that the demolition of the structure at SW 3rd Street was completed by the property owners and at no cost to the City.

Council Member Keefe expressed the urgency for the City to resolve the issues between the FLU and Zoning maps, discussing specifically Public Hearing, Item A.

X. MAYOR WATFORD RECESSED THE REGULAR MEETING AT 7:06 P.M. AND RECONVENED BY OPENING THE BUDGET WORKSHOP AT 7:20 P.M.

A. The purpose of the workshop was to review and discuss the proposed Budget for FY 2022-23 [as presented in **Revised Exhibit 13 dated July 27, 2022**].

Pages 1 through 4 provided a Recapitulation of projected Revenues and Expenses for the General Fund with each page having a different Millage Rate option for consideration. Page 1 used the option of the current Millage Rate, 7.6018. Page 2 used a Millage Rate of 7.3518 (current Millage Rate reduced by 25 percent). Page 3 used a Millage Rate of 7.3216 (the Rollback Rate with the Consumer Price Index applied). Page 4 used the Rollback Millage Rate, 6.8987. Due to Council action on New Business, Item A, pages 1 through 3 are now excluded from being discussed for consideration.

General Fund proposed Beginning Fund Balance is \$4,353,367.00. Total projected Revenues are \$7,578,974.00 (Ad Valorem \$2,606,816.00; Other Fees \$704,900.00; Intergovernmental \$1,782,900.00; Charges for Services \$1,328,300.00; Fines, Forfeitures, Penalties \$35,200.00; Uses of Money and Property \$10,100.00; Other Revenues \$40,700.00; Transferred-in from Public Facilities Improvement Fund \$350,000.00; Transferred-in from Capital Projects Improvement Fund \$720,058.00. Total Projected Expenditures are \$7,578,974.00; leaving a Fund Balance of \$4,353,367.00. Pages 5 and 6 provided a detailed Line-Item breakdown (or source) of the revenues, including the transfers-in from other funds. Projected expenditures for each Department and discussion are as follows:

511-Legislative/City Council (pages 8 and 9)	
Total Personnel Costs:	\$ 99,620.00
Total Supplies and Other Services:	\$ 88,176.00
FY 2022-23 Proposed Total:	\$ 187,796.00
512-Executive/Administration (pages 10 and 11)	
Total Personnel Costs:	\$ 219,695.00
Total Supplies and Other Services:	\$ 66,182.00
FY 2022-23 Proposed Total:	\$ 285,877.00
2512-Executive/City Clerk (pages 12 and 13)	
Total Personnel Costs:	\$ 210,677.00
Total Supplies and Other Services:	\$ 103,920.00
FY 2022-23 Proposed Total:	\$ 314,597.00
514-Legal Services (page 14)	
FY 2022-23 Proposed Total:	\$ 190,400.00
513-Finance (pages 15 and 16)	
Total Personnel Costs:	\$ 211,242.00
Total Supplies and Other Services:	\$ 136,900.00
FY 2022-23 Proposed Total:	\$ 348,142.00
519-General Services (pages 17 and 18)	
Total Personnel Costs:	\$ 180,262.00
Total Supplies and Other Services:	\$ 429,925.00
FY 2022-23 Proposed Total:	\$ 610,187.00
521-Police Department (pages 19 and 20)	
Total Personnel Costs:	\$2,772,200.00
Total Supplies and Other Services:	\$ 507,248.00
FY 2022-23 Proposed Total:	\$3,279,448.00
522-Fire Department (pages 21 and 22)	
Total Personnel Costs:	\$ 63,814.00
Total Supplies and Other Services:	\$ 644,400.00
FY 2022-23 Proposed Total:	\$ 708,214.00

X. BUDGET WORKSHOP CONTINUED**A. Continued.****541-Public Works** (pages 23 and 24)

Total Personnel Costs:	\$ 729,963.00
Total Supplies and Other Services:	\$ 924,350.00
FY 2022-23 Proposed Total:	\$1,654,313.00

The **Public Facility (Transportation) Fund** (pages 26 and 27) budget was presented as follows: Beginning Fund Balance of \$926,183.00; Total Projected Revenues of \$1,125,251.00; Total Projected Expenditures of \$1,150,951.00; plus \$350,000.00 to be transferred-out to the General Fund; leaving a Fund Balance of \$550,483.00.

The **Capital Projects Improvement Fund** (pages 29 and 30) budget was presented as follows: Beginning Fund Balance of \$3,590,400.00; Total Projected Revenues of \$50,000.00; Total Projected Expenditures of \$957,000.00; plus, transfer-out \$83,000.00 to Other Grant Funds and \$454,376.00 to General Fund; leaving a Fund Balance of \$2,146,024.00.

The **Other Grants Fund** (page 32) proposed budget was presented as follows: Beginning Fund Balance of \$47,000.00; Total Projected Revenues of \$383,000.00, which includes \$83,000.00 transferred-in from Capital Improvement Projects Fund as Assigned Funds; Total Projected Expenditures of \$430,000.00; leaving a Fund Balance of zero.

The **Industrial Development Grant Fund** (page 33) proposed budget was presented as follows: Beginning Fund Balance of \$120,558.00; Total Projected Revenues of zero dollars; Total Projected Expenditures of \$120,558.00; leaving a Fund Balance of zero.

The **Appropriations Grant Fund** (page 34) proposed budget was presented as follows: Beginning Fund Balance of zero; Total Projected Revenues of \$250,800.00, which includes \$10,800.00 transferred-in from Capital Improvement Projects Fund; Total Projected Expenditures of \$250,800.00; leaving a Fund Balance of zero.

The final proposed budget was the **Law Enforcement Special Fund** (page 35): Beginning Fund Balance of \$15,600.00; Total Projected Revenues of \$1,000.00; Total Projected Expenditures of \$11,500.00; leaving a Fund Ending Balance of \$5,100.00.

In regard to salaries, the **consensus of the Council was not to implement a new Performance Merit Plan and to discontinue the Salary Step Plan; provide for a 4.5 percent Cost of Living Adjustment increase effective October 1, 2022, and a 1.5 percent increase on June 1, 2023 for employees who score at least an average or above on their performance evaluation. However, they approved for Department Heads to utilize the flexibility of a minimum, medium, and maximum salary for new hires starting as of October 1, 2022.** The next budget workshop is scheduled for August 16, 2022 at 5:00 P.M.

XI. MAYOR WATFORD CLOSED THE BUDGET WORKSHOP AND RECONVENED IN REGULAR SESSION AT 9:14 P.M.

A. There were no unfinished items or issues from the Budget Workshop to be discussed.

XII. ADJOURNMENT

There being no further items, Mayor Watford adjourned the meeting at 9:14 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.