



**CITY OF OKEECHOBEE, FLORIDA
DECEMBER 20, 2022, REGULAR CITY COUNCIL MEETING
MEETING MINUTES**

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on December 20, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. Following a moment of silence in memory of Ericka Smith, a current City employee who lost her life in a tragic accident, 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 A. Chandler, Monica M. Clark, Robert "Bob" J. Jarriel, and Robert "Bobby" M. Keefe, Jr.

III. AGENDA AND PUBLIC COMMENTS

A. Under VI. New Business, Item A, a Report was distributed and will be labeled Exhibit 9 in the official minute file; Item F, action modified to discuss proposed Ordinance No. 1270 instead of reading the title and setting a final adoption date; and Item H, additional materials were distributed for Exhibit 8.

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. PRESENTATIONS AND PROCLAMATIONS

A. Mr. David McAuley was recognized by Mayor Watford and was presented with a framed Certificate of Appreciation, read into the record as follows: **"The City of Okeechobee, Florida recognizes the valuable contribution of community involvement and hereby extends this expression of grateful appreciation to David R. McAuley for faithful service as a dedicated member appointed to the Planning Board, Board of Adjustment, and Design Review Board, October 6, 2021, through December 6, 2022."**

B. In honor of this being the last meeting Council Member Keefe would be on the City Council, a custom framed shadow box featuring a Key to the City was presented by Mayor Watford. The Certificate was read into the record as follows: **"Presented to Mr. Robert Michael Keefe, Jr. for outstanding leadership. Whereas, on November 6, 2018, by virtue of the provisions of the Charter of the City of Okeechobee and Florida State Law, a General City Election was held by the qualified voters; and Whereas, the City Council for the City of Okeechobee, Florida adopted Resolution No. 2018-09 accepting the Canvassing Board Official Results whereby Mr. Robert M. Keefe, Jr. was declared as an elected City Council Member to serve as a local legislator from January 7, 2019 to January 2, 2023. He did not seek re-election in 2022; and Whereas, during the course of his term in office, Council Member Keefe served as a Liaison for the City of Okeechobee to the Central Florida Regional Planning Council (January 15, 2019 to June 1, 2021), to the Okeechobee County Tourist Development Council (January 6, 2021 to January 2, 2023), and the Okeechobee Main Street Board (January 15, 2019 to January 2, 2023). He also obtained his Basic Academy Certification from the Institute for Elected Municipal Officials in 2019. Now Therefore, in appreciation of his Service and Outstanding Leadership to our community, the City of Okeechobee proudly recognizes his contributions by honoring him with a Key to the City."**

V. CONSENT AGENDA

Motion and second by Council Members Keefe and Clark to:

A. Dispense with the reading and approve the meeting Minutes for December 6, 2022;

B. Approve the November 2022 Warrant Register [in the amounts: General Fund, \$422,514.42; Public Facility Fund, \$89,757.83; Capital Improvement Project Fund, \$67,392.50; Industrial Development Fund, \$7,275.00; and Appropriations Grant Fund, \$675.00, as presented]; and

C. Approve the City taking ownership of SE 12th Drive from Airi Acres Homeowners Association [A strip of land 30.00-feet in width lying in a portion of the private street parcel (SE 11th Street) as shown on the Plat of AIRI ACRES, according to the Plat thereof as recorded in Plat Book 7, Page 53, of the public records of Okeechobee County, Florida.

V. **CONSENT AGENDA CONTINUED**

- C. Continued. Said strip being described as follows: Beginning at the Southwest (SW) corner of the Northwest (NW) 1/4 of the SE 1/4 of Section 22, Township 37 South, Range 35 East, Okeechobee County, Florida, also being the SW corner of said AIRI ACRES, then N 00°11'00" E, along the West line of said SE 1/4 and along the West line of said AIRI ACRES, a distance of 239.99-feet; thence S 89°09'33" E, a distance of 30.00-feet, thence S 00°11'00" W, a distance of 239.99-feet to the South line of said NW 1/4 of the SE 1/4 and the South line of said AIRI ACRES; thence N 89°09'16" W, along said South line, a distance of 30.00-feet of the Point of Beginning. Containing approximately 0.17 acres, as presented in **Exhibit 1**].

Motion Carried Unanimously.

VI. **NEW BUSINESS**

- A. County Fire Chief Ralph Franklin distributed a four-page written Report, covering August through November 2022. They responded to 572 incidents, of which 460 were for emergency medical services, with an average response time of 4 minutes, 53 seconds; and completed 130 fire inspections [as presented in **Exhibit 9**]. He also responded to questions about employment vacancies, and confirmed only one former City Firefighter, out of the six hired, remains employed. This item was for informational purposes only, no official action was required.
- B. City Clerk Gamiotea presented the Conduct of Election Report for the 2022 General City Election [as presented in **Exhibit 2**]. This item was for informational purposes, no official action was required.
- C. Motion and second by Council Members Clark and Keefe to adopt proposed Resolution No. 2022-09, accepting the 2022 General Election Results for the Office of three City Council Members, providing their responsibilities, compensation, benefits, and dates of office [as presented in **Exhibit 3**].

City Attorney Fumero read into the record the title of proposed Resolution No. 2022-09 as follows: **"A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE OFFICIAL RESULTS FROM THE OKEECHOBEE COUNTY CANVASSING BOARD FOR THE CITY COUNCIL RACE IN THE 2022 GENERAL CITY ELECTION; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY DOWLING R. WATFORD, JR., BOB JARRIEL, AND DAVID R. MCAULEY; PROVIDING FOR A SUMMARY OF DUTIES, COMPENSATION, BENEFITS, AND PUBLIC RECORDS; PROVIDING FOR THE CITY CLERK TO ISSUE CERTIFICATES OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."** **Motion Carried Unanimously.** [These newly elected officials will take their Oaths of Office and receive their Election Certificates on December 27, 2022, at 11:00 A.M.]

- D. Motion and second by Council Members Keefe and Jarriel to adopt proposed Resolution No. 2022-10, accepting the 2022 General Election Results for the Charter Referendum Question [as presented in **Exhibit 4**].

Attorney Fumero read into the record the title of proposed Resolution No. 2022-10 as follows: **"A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE OFFICIAL RESULTS FROM THE OKEECHOBEE COUNTY CANVASSING BOARD FOR THE REFERENDUM QUESTION ON THE 2022 GENERAL CITY ELECTION BALLOT AND DECLARING THE RESULTS THEREOF; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."** **Motion Carried Unanimously.**

- E. Motion and second by Council Members Clark and Chandler to adopt proposed Resolution No. 2022-11, accepting the results of the 2022 uncontested Office of the City Clerk, providing the responsibilities, compensation, benefits, and dates of office [as presented in **REVISED Exhibit 5**].

Attorney Fumero read into the record the title of proposed Resolution No. 2022-11 as follows: **"A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE 2022 OFFICIAL RESULTS FOR THE OFFICE OF THE CITY CLERK; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY LANE GAMIOTEAS AS THE ELECTED CITY CLERK; PROVIDING FOR A SUMMARY OF DUTIES, COMPENSATION, BENEFITS, AND PUBLIC RECORDS; PROVIDING FOR THE CITY CLERK TO ISSUE A CERTIFICATE OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."** **Motion Carried Unanimously.** [Mrs. Gamiotea will take her Oath of Office and receive her Election Certificate on December 27, 2022, at 11:00 A.M.]

VI. NEW BUSINESS CONTINUED

F. Proposed Ordinance No. 1270, amending Chapter 14 Businesses, Section 14-173 Fireworks and Chapter 30 Environment, Section 30-43 Public Nuisances of the Code of Ordinances [as presented in **Exhibit 6**] was discussed with recommendations for amendments by Administrator Ritter and Police Chief Hagan. **Changes will be made that are more easily enforced and brought back before the Council at a future meeting.**

G. Citizen Board Matrix Ranking sheets were submitted to Clerk Gamiotea in order to determine which of the two applicants would be appointed to the Planning Board, the Board of Adjustment, and the Design Review Board. Mr. Dale Burk received seven points and Mr. Jon Folbrecht received eight points.

Motion and second by Council Members Chandler and Jarriel to move Mr. Carl "Butch" Berlin, Jr. from an Alternate to Regular Member to the Planning Board, the Board of Adjustment, and the Design Review Board, with a term of December 21, 2022, through April 30, 2023, replacing Mr. David McAuley. **Motion Carried Unanimously.**

Motion and second by Council Members Keefe and Clark to appoint Mr. Jon Folbrecht as an Alternate Member to the Planning Board, the Board of Adjustment, and the Design Review Board, with a term of December 21, 2022, through April 30, 2023, replacing Mr. Berlin. **Motion Carried Unanimously.**

H. Administrator Ritter provided information regarding City owned vacant property located at the corner of SE 5th Street and 2nd Avenue [Lot 1 of BLOCK 220, FIRST ADDITION TO OKEECHOBEE, Plat Book 1, Page 11, as presented in **Exhibit 8** as modified]. The property is currently zoned Commercial Professional Office with a Future Land Use designation of Commercial, is approximately 0.153 acres, has a non-conforming road frontage and area due to its size. In 1995, the adjoining property owner was contacted about purchasing the property but chose not to. **Administrator Ritter was instructed to contact Mr. Hayford to inquire of any interest the Okeechobee Utility Authority may have in purchasing this property. Should they decline, the current adjoining property owner will be contacted.**

I. Attorney Fumero provided an update regarding new advertising legislation, Florida Statutes, Chapter 50, effective January 1, 2022. It allows for a municipality to publish legally required advertisements and public notices on a publicly accessible website if the cost is less than the cost of publishing advertisements and public notices in a newspaper with the conditions that: the notices and advertisements be in a searchable format and indicate the date of initial posting on the website; and the City publish an annual notice indicating citizens may receive public notices through first class mail or e-mail and that information maintained. Additional considerations to be made before switching to this format include the City's ability to verify a percentage of internet accessibility by the general public and the cost of mailing public notices compared to continuing to publish them in the newspaper. Following a discussion, **Council was in agreement to let the City Clerk and Attorney continue to monitor how other municipalities are implementing these procedures, as it does not appear to be advantageous to implement at this time.**

VII. CITY ATTORNEY UPDATE

- Special Exception for a new cell tower will come before the Council at the recommendation of the Board of Adjustment;
- Met with Executor of the Hamrick Trust regarding a release from the Trust for Cattlemen's Square of FLAGLER PARK, related to a requirement issue for the Department of Environmental Protection (DEP) grant;
- Worked with the City Clerk on the Resolutions regarding the 2022 General Election;
- Reviewing changes with the City Clerk needed to the Code of Ordinances following the adoption of the new City Charter; and
- Continuing to refine the food truck, storm water ordinances, and the lien reduction ordinance and matrix.

VIII. CITY ADMINISTRATOR UPDATE

- Met with South Florida Water Management District representatives and the City Engineer to discuss the Commerce Center master stormwater permit and required modifications. New environmental permitting rules being proposed by the Florida Department of Environmental Protection that could impact future development were also discussed;
- Will be scheduling presentations to Jonathon and Kutter Crawford at a January meeting;
- Reminded all to attend the Investiture Ceremony on December 27, 2022, at 11:00 A.M. and the City Christmas luncheon on December 21, 2022.

IX. COUNCIL COMMENTS

Council Members Chandler and Clark and Mayor Watford wished everyone a Merry Christmas.


Council Member Jarriel suggested that the Council and Staff begin looking at ways to encourage people to attend the next Town Hall Meeting.

Council Member Keefe wished everyone a Merry Christmas and expressed his appreciation for the opportunity to be on the Council.

X. ADJOURNMENT

There being no further items of discussion, Mayor Watford yielded the floor to Council Member Keefe who adjourned the meeting at 7:35 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.