



CITY OF OKEECHOBEE, FLORIDA
JUNE 6, 2023, 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 June 6, 2023, at 6:05 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Pastor Doug Ryan of Treasure Island Baptist Church; 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., Vice Mayor Monica M. Clark, Council Members Noel A. Chandler, Robert "Bob" J. Jarriel, and David R. McAuley.

III. AGENDA AND PUBLIC COMMENTS

- A. Under V. Consent Agenda, Item B., Motion corrected to ratify rather than approve Grant Agreement.
- B. Motion and second by Council Members Chandler 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. Mayor Watford and Lieutenant Belen Reyna recognized Officer Ryan Holroyd for his years of service. He was presented with an engraved crystal mantle clock and a framed Longevity Service Certificate, read into the record as follows: **"In recognition of your fifteen years of service, hard work, and dedication to the City, its citizens, and your fellow employees from June 8, 2008 through June 8, 2023."**

V. CONSENT AGENDA

Motion by Council Member Jarriel, second by Vice Mayor Clark to:

- A. Dispense with the reading and approve the Minutes from May 2, 2023, and May 16, 2023 [as presented]; and
- B. Ratify Grant Agreement for Cybersecurity Grant Program [DMS-22/23-345 with Florida Department of Management Services in the amount of \$60,000.00 as presented in **Exhibit 1**].
Motion Carried Unanimously.

VI. NEW BUSINESS

- A. Ms. Debbie A. Goode, of Carr, Riggs and Ingram, LLC, reviewed the highlights of the Audited Financial Statements Fiscal Year (FY) October 1, 2021 through September 30, 2022, the Report reflects a clean Audit. The three Pension Funds, of which all are adequately funded, were briefly discussed. The information below, provides the comparison of the adopted budgeted amounts, the amended budgeted amounts, actual spent, and difference between the amended to actual:

	Original Budget	Amended Budget	Actual	Difference
Total Revenues	\$ 8,387,381.00	\$ 7,815,398.00	\$ 8,095,403.00	\$280,005.00
Expenditures:				
Legislative	\$ 182,835.00	\$ 154,700.00	\$ 152,910.00	\$ 1,790.00
Executive	\$ 268,005.00	\$ 248,600.00	\$ 242,051.00	\$ 6,549.00
City Clerk	\$ 300,087.00	\$ 255,900.00	\$ 223,657.00	\$ 32,243.00
Finance Services	\$ 337,930.00	\$ 310,800.00	\$ 289,105.00	\$ 21,695.00
Legal Council	\$ 190,400.00	\$ 176,700.00	\$ 184,486.00	-\$ 7,786.00
General Services	\$ 558,794.00	\$ 501,800.00	\$ 494,280.00	\$ 7,520.00
Public Safety, Fire	\$ 1,070,865.00	\$ 834,950.00	\$ 824,797.00	\$ 9,153.00
Public Safety, Police	\$ 3,149,173.00	\$ 2,962,677.00	\$ 2,866,087.00	\$ 96,590.00
Transportation	\$ 1,394,125.00	\$ 1,310,700.00	\$ 1,274,221.00	\$ 36,479.00
Physical Environment	\$ 1,978,201.00	\$ 462,400.00	\$ 411,555.00	\$ 50,845.00
Capital Outlay	\$ 318,800.00	\$ 417,000.00	\$ 380,204.00	\$ 36,796.00
Other Financing Sources, Sale of Capital Assets	\$ 121,000.00	\$ 121,000.00	\$ 121,906.00	\$ 906.00
Revenues over Expenditures	-\$ 1,240,834.00	\$ 300,171.00	\$ 872,956.00	\$572,785.00
Beginning Fund Balances	\$10,242,883.00	\$10,242,883.00	\$10,242,883.00	
Ending Fund Balances	\$ 9,002,049.00	\$10,543,054.00	\$11,115,839.00	\$572,785.00

VI. NEW BUSINESS CONTINUED

- A. Continued. The overall financial soundness of the City shows Total Assets exceeding Liabilities by \$20,679,327.00. All Funds Total Assets were \$14,750,280.00; Total Liabilities were \$3,547,752.00; Deferred Revenue (Business Tax Receipts) was \$47,895.00; leaving a Total Balance of \$11,154,633.00 (of which \$44,007.00 is non-spendable for inventory; \$1,279,892.00 is restricted for Public Facilities; \$18,337.00 is restricted for Law Enforcement; \$1,589,534.00 assigned for subsequent year's expenditures and \$8,222,863.00 is unassigned). The City's Total Net Position increased by \$1,468,709.00.

Motion Vice Mayor Clark, second by Council Member McAuley to accept the 2022 Audited Financials [as presented in **Exhibit 2**]. **Motion Carried Unanimously.**

- B. Motion and second by Council Members Jarriel and Chandler to approve [the recommendation to rank Nunez Lawn Care and Landscaping as number one by] the Committee Ranking for RFQ No. PW 03-32-05-23, Landscape Maintenance and Installation Services [and approve for Administrator Ritter to negotiate a contract, as presented in **Exhibit 3**]. **Motion Carried Unanimously.**
- C. Motion by Council Member Chandler, second by Vice Mayor Clark to read by title only, proposed Ordinance No. 1278, amending Chapter 58 of the Code of Ordinances and requiring connection to public water and/or sewer systems [as presented in **Exhibit 4**]. **Motion Carried Unanimously.**

City Attorney John Fumero read the title of proposed Ordinance No. 1278 into the record as follows: "**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING PART II OF THE CODE OF ORDINANCES, SUBPART A GENERAL ORDINANCES, CHAPTER 58 UTILITIES, ARTICLE III SEWERS AND SEWAGE DISPOSAL, SPECIFICALLY AMENDING SECTION 58-72 USE OF PUBLIC SEWERS REQUIRED, CREATING NEW REQUIREMENTS FOR CONNECTION TO THE PUBLIC SEWER SYSTEM; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**"

Motion and second by Council Members Jarriel and McAuley to approve the first reading and set July 18, 2023, as the final public hearing date for proposed Ordinance No. 1278. **Motion Carried Unanimously.**

- D. Motion and second by Council Members Chandler and McAuley to adopt proposed Resolution No. 2023-02, amending the schedule of rates, fees, and charges for building permits and plan reviews by the Building Official [as presented in **Exhibit 5**].

Mayor Watford read the title of proposed Resolution No. 2023-02 into the record as follows: "**A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA, REVISING AND AMENDING THE SCHEDULE OF RATES, FEES, AND CHARGES FOR CONSTRUCTION PLANS, BUILDING CONSTRUCTION SERVICES AND OTHER MISCELLANEOUS SERVICES BY THE GENERAL SERVICES DEPARTMENT; AMENDING TABLE 4 WITHIN THE CODE OF ORDINANCES APPENDIX G; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**"

Following a discussion for various amendments to the fee structures, a Motion was made by Vice Mayor Clark, second by Council Member Jarriel to postpone the motion on the floor [to adopt proposed Resolution No. 2023-02] to a future meeting. **Motion to Postpone Carried Unanimously.**

- E. Finance Director India Riedel distributed 11-pages of various graphs to show comparisons of the State revenues, fuel tax, franchise fees, utility tax, and building permit revenues for FY 2015 through current date. Four of the pages reviewed expenditures from the General Fund by each Department. A copy of the document is incorporated into the official Minute File, labeled as Exhibit 7. This item was for informational purposes in preparation for future discussions on the proposed FY 2023-24 Budget.
- F. Motion by Vice Mayor Clark, second by Council Member McAuley to adopt proposed Resolution No. 2023-03, approving the execution of a Post Project Maintenance Agreement with Florida Department of Transportation (FDOT) for the Southwest (SW) 3rd to 5th Streets and South Parrot Avenue Stormwater Sewer System Project [as presented in **Exhibit 6**].

Attorney Fumero read the title of proposed Resolution No. 2023-03 into the record as follows: "**A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; APPROVING THE EXECUTION OF A POST-PROJECT MAINTENANCE AGREEMENT FOR STATE ROAD 15/SOUTH PARROTT AVENUE/ U.S. HIGHWAY 441, FROM SW 3RD TO 5TH STREETS, BETWEEN THE CITY OF OKEECHOBEE AND THE FDOT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**" **Motion Carried Unanimously.**

VI. NEW BUSINESS CONTINUED

- G. Council Member Jarriel requested to discuss whether the Council could adopt an ordinance allowing stipulations or conditions on developments/projects when a rezoning is considered. The justification for the request was due to several developments obtaining rezonings and either not coming to fruition or, most recently the development plan changing. He explained, during the rezoning process [for two blocks in the Northeast section, Mr. Mitch Stephens presented conceptual] plans to develop a 44-unit apartment complex. Once the rezoning was complete, the project [was submitted for Site Plan approval known as Glenwood Park by] the Technical Review Committee (TRC), it changed to [29 rental units in two phases of] six duplexes [and two single-family homes]. The design of the duplexes has four bedrooms and four bathrooms in each unit. He believed this to be a college style dormitory complex that would create many code enforcement issues as the co-living design could potentially provide housing for unrelated individuals. When he voted in favor of the rezoning, he was under the impression this development would provide housing for families.

Attorney Fumero explained why an ordinance cannot be adopted that would put stipulations on rezoning petitions. Planner Ben Smith provided an overview of what the TRC approved including the list of contingencies the developer is required to meet to build the Glenwood Park project. The design meets the requirements within the Code. He also explained, the Council could make amendments to various definitions, interior design requirements, and density requirements, to not allow this design style.

It was understood that any amendments to the Code would not have an impact on Glenwood Park, as it is already approved. However, Mr. Stephens and his Project Engineer Steve Dobbs, were in attendance and distributed a seven-page document to provide an explanation for scaling the project back, changing the design layout, and to assure the Council this would be a good housing development. The information included cost escalation and increases in regulations and requirements for rentals. Developers need to get at least one percent per month gross rent in order to pay their construction loans, cover insurance, property taxes, and repairs. Co-Living concepts and trends have gained popularity to ease the housing shortages and costs of rent. In conclusion, Mr. Stephens cautioned adopting more restrictions for developers could make the housing situation worse. A copy of the document has been incorporated in the official Minute File, labeled as Exhibit 8. **The consensus of the Council was to direct Administrator Ritter, Attorney Fumero, and Planner Smith to review the Code and present their recommended amendments to the Council at a future meeting.**

VII. CITY ATTORNEY UPDATE

- Reviewing Waste Management Agreement and rates to be adopted for FY 2023-24;
- Monitoring potential effect of Senate Bill 170, that will require City Staff to complete an Economic Impact Statement to accompany Ordinances considered for adoption, unless they are on the provided exemption list;
- Reviewing the bid documents for sidewalk improvements;
- Continuing to address issues for the title of Cattlemen's Square with Hamrick Trust;
- Reviewed the building permits and plan review fees Resolution and the mandatory water and wastewater connection Ordinance;
- Continuing to work on updates to various sections of the Code of Ordinances, including those required after adoption of the new Charter.

VIII. CITY ADMINISTRATOR UPDATE

- Reminded the Mayor and Council of the following events of which they should have received invitations for: June 7th Economic Council Luncheon, June 14th Central Florida Regional Planning Council Meeting and Luncheon, June 15th one of two Junior Leadership Summer Camps graduation ceremony;
- June 14th through 16th he and Finance Director Riedel will be attending the Public Risk Management Annual Conference;
- June 14th and 26th students participating in the Junior Leadership Camps will be visiting City Hall and conducting Mock City Council Meetings;
- Okeechobee Utility Authority has approved an agreement with Evergreen Solutions for a salary study, he is working towards a piggyback agreement for the Council to consider;
- The Board of County Commission has adopted a Resolution to waive permit fees for fire inspections for City facilities.

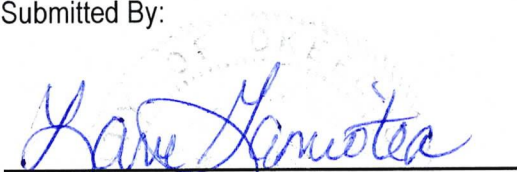
IX. COUNCIL COMMENTS

Council Member Chandler expressed his support for growth and listed several developments that are proposed or recently approved in the County, and in Glades County close to the Okeechobee/Glades County lines. These projects alone will impact the City in addition to developments being proposed within the boundaries of the City. He cautioned that growth needs to be carefully considered to be done properly, alluding to the impact of the City's infrastructure and services.

X. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 8:30 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.