



CITY OF OKEECHOBEE, FLORIDA
SEPTEMBER 25, 2023, REGULAR CITY COUNCIL MEETING
AND FINAL BUDGET PUBLIC HEARING
MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on September 25, 2023, at 6:01 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Council Member McAuley; followed by the Pledge of Allegiance led by Mayor Watford.

II. ATTENDANCE

City Clerk Lane Gamiotea called the roll. Members present to establish a quorum: Mayor Dowling R. Watford, Jr., and Council Members Noel A. Chandler and David R. McAuley. Council Member Robert "Bob" J. Jarriel entered the Chambers at 6:19 P.M. Vice Mayor Monica M. Clark was absent with consent.

III. AGENDA AND PUBLIC COMMENTS

A. In regard to the Minutes for September 5, 2023, the version being considered for approval is the copy that reads, "Revised as of September 20, 2023." Exhibit eight was distributed prior to the meeting for New Business item "VII. H.," and item "VII. I." with Exhibit nine was added.

B. Motion and second by Council Members Chandler and McAuley to approve the agenda as amended.
Motion Carried.

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 McAuley and Chandler to:

A. Dispense with the reading and approve the Minutes for September 5, 2023, **as Revised**; and

B. Approve the August 2023 Warrant Register [in the amounts: General Fund, \$670,093.00; Public Facilities Improvement Fund, \$33,161.01; Capital Improvement Projects Fund, \$512.41; Industrial Grant Fund, \$1,350.00; and Appropriations Grant Fund, \$675.00; as presented]; and

C. Ratify the reappointment of Mr. Josh Sanders as the Fifth Trustee to the Firefighters' Pension Fund, term beginning October 1, 2023, and ending September 30, 2027.

Motion Carried.

V. PRESENTATIONS AND PROCLAMATIONS

A. Mayor Watford and Chief Hagan recognized Ms. Jeanna Kovac, Police Services Coordinator, for her years of service. Chief Hagan accepted on her behalf a monetary award of \$250.00 and a framed Certificate of Appreciation, read into the record as follows: **"Longevity Service Certificate presented to Jeanna Kovac in recognition of your 20 years of service, hard work, and dedication to the City, its citizens, and your fellow employees from September 16, 2003, through September 16, 2023."**

B. Mayor Watford and Chief Hagan recognized School Resource Officer Phillip "Skip" Eddings for his years of service. The presentation included a monetary award of \$250.00 and a framed Certificate of Appreciation, read into the record as follows: **"Longevity Service Certificate presented to Phillip "Skip" Eddings in recognition of your 20 years of service, hard work, and dedication to the City, its citizens, and your fellow employees from September 24, 2003, through September 24, 2023."**

VI. MAYOR WATFORD OPENED THE FINAL BUDGET HEARING AT 6:18 P.M.

A. Mayor Watford announced the purpose of this Public Hearing is to consider the final reading of Ordinances for the proposed Millage Rate levy and proposed Budget for Fiscal Year (FY) October 1, 2023, through September 30, 2024.

B. Mayor Watford announced the proposed Millage Rate levy represented 2.84 percent more than the roll-back rate of 6.1801 computed pursuant to Florida Statutes 200.065(1).

C. Motion and second by Council Members McAuley and Chandler to read by title only, proposed Ordinance No. 1279, levying a Millage Rate of 6.3556 on all real and tangible personal property for proposed FY October 1, 2023, through September 30, 2024 [as presented in **Exhibit 1**].

Motion Carried.

VI. FINAL BUDGET HEARING CONTINUED

- C. Continued. City Attorney John Fumero read the title of proposed Ordinance No. 1279 into the record as follows: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA; LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW FOR THE FY BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; PROVIDING THAT 6.3556 PER THOUSAND DOLLAR VALUATION SHALL NOT BE LEVIED ON HOMESTEAD PROPERTY; THAT 6.3556 VALUATION SHALL BE USED FOR GENERAL CITY PURPOSES; THAT SAID MILLAGE RATE IS 2.84 PERCENT MORE THAN THE ROLL-BACK RATE OF 6.1801 COMPUTED IN ACCORDANCE WITH FLORIDA STATUTE 200.065(1); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Chandler and McAuley to adopt proposed Ordinance No. 1279. There were no comments from the public. **Roll Call Vote:** Chandler-Yea, Clark-Absent, Jarriel-Yea, McAuley-Yea, Watford-Yea.

Motion Carried.

- D. Motion and second by Council Members Jarriel and McAuley to read by title only, proposed Ordinance No. 1280, setting the annual Budget for FY October 1, 2023, through September 30, 2024 [as presented in **Exhibit 2**].

Motion Carried.

Attorney Fumero read the title of proposed Ordinance No. 1280 into the record as follows: **"AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF OKEECHOBEE, FLORIDA; FOR THE FY BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF OKEECHOBEE FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FY; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members McAuley and Chandler to adopt proposed Ordinance No. 1280 [the revenues and expenditures for each Fund and line items is in the Budget booklet and includes a list of employee job titles, number of employees, and the minimum, medium, maximum salary for new hires and promotions, all of which is a part of Exhibit 2]. There were no comments from the public. **Roll Call Vote:** Chandler-Yea, Clark-Absent, Jarriel-Yea, McAuley-Yea, Watford-Yea.

Motion Carried.

MAYOR WATFORD CLOSED THE FINAL BUDGET PUBLIC HEARING AT 6:24 P.M.

VII. NEW BUSINESS

- A. Motion and second by Council Members Jarriel and McAuley to adopt proposed Resolution No. 2023-08 authorizing the execution of and accepting a Highway Lighting Maintenance and Compensation Agreement No. 432726-1-78-12 with the Florida Department of Transportation (FDOT) [as presented in **Exhibit 3**].

Attorney Fumero read the title of proposed Resolution No. 2023-08 into the record as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FDOT; PROVIDING FOR AN EFFECTIVE DATE."**

Motion Carried.

After the vote, it was realized the content for now adopted Resolution No. 2023-08 conflicted with the content within the Agreement. The Resolution should address maintenance and compensation for highway medians, not highway lighting. Council Members Jarriel and McAuley made a motion and second, to reconsider the previous action taken.

Motion to Reconsider Carried.

Motion and second by Council Members Chandler and McAuley to adopt proposed Resolution No. 2023-08, as corrected, replacing lighting with median [and any additional language changes needed]. Attorney Fumero read the corrected title into the records as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY MEDIAN MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FDOT; PROVIDING FOR AN EFFECTIVE DATE."**

Motion Carried.

VII. NEW BUSINESS CONTINUED

- B. Motion and second by Council Members Jarriel and Chandler to approve the 2023-2024 School Resource Officer Program Agreement with the Okeechobee County School Board [for two officers in the amount of \$122,218.00 as presented in **Exhibit 4**].

Motion Carried.

- C. Motion by Council Members Jarriel and McAuley to ratify street sweeping services for March through September 2023, in the amount of \$15,862.00 with USA Services [as presented in **Exhibit 5** under the July 18, 2017, Piggyback Agreement from the City of Cape Coral, which has expired].

Motion Carried.

- D. Motion and second by Council Members Jarriel and McAuley to approve an Agreement in the amount of \$17,767.00 to Craig A. Smith and Associates for the Construction Engineering Inspection Services for the Southwest (SW) 5th Avenue Paving Improvement Project [for the FDOT Small Counties Outreach Program Grant Contract No. G1A84, as presented in **Exhibit 6**].

Motion Carried.

- E. Motion and second by Council Members Chandler and McAuley to approve, with contingencies [as listed], Preliminary Plat Application No. 23-009-TC/PP, replatting Lots 6 through 10, TAYLOR CREEK MANOR, [as recorded in] Plat Book 3, Page 4, Okeechobee County public records, into a new Plat consisting of 12 lots (one for each townhome), common area, and access tracts, titled BRIDGEWATER ON TAYLOR CREEK, submitted by John J. Rice, on behalf of property owner B and T Fair Investments Inc., consisting of 1.39+/- acres and located at 116 SE 8th Avenue. 1. A private utility easement shall be recorded or platted over the proposed sewer service and covered in the Homeowners' Association (HOA) documents. 2. An easement and/or an HOA document condition shall provide for shared maintenance of all water services that cross over property boundaries. 3. HOA required to maintain and make provisions for the continued maintenance for storm water within the appropriate documents. [As presented in **Exhibit 7**].

Motion Carried.

- F. The communications tower located behind City Fire Station One no longer in use was recently disassembled. To recoup a portion of the cost, the Public Works Staff was selling it to a metal scrap business. Administrator Ritter conveyed the Okeechobee Utility Authority's (OUA) interest in acquiring it. **The consensus of the Council was to offer it to the OUA for the cost incurred to have it disassembled.**

- G. Administrator Ritter and Mrs. Courtney Moyett, Okeechobee County Tobacco Prevention Specialist, presented the options to create a law banning smoking, e-cigarettes/vaping, and/or all tobacco products in City Parks based on newly adopted House Bill 105. **The consensus of the Council was to entertain the possible adoption of an Ordinance banning smoking, e-cigarettes, and vaping in City Parks. Staff will proceed with creating a draft and present it to the Council at a future meeting.** The appropriate signage to post, at no expense to the City, will be furnished through Mrs. Moyett.

- H. Distributed prior to the meeting, and now labeled as **Exhibit 8**, was a rough draft of the Comprehensive Emergency Management Plan, initially written as a Peacetime Plan in 1994. The Council and Staff are to review, provide input, and comments to the Administrator's Office. Once the Plan is reviewed and corrected, a Resolution adopting the document will be presented at a future Council meeting.

- I. **Added Item.** Motion and second by Council Members Jarriel and McAuley to approve a payment in the amount of \$11,002.50 to Craig A. Smith and Associates for additional Engineering Services required to address a request from the South Florida Water Management District to satisfy final permitting requirements for the Commerce Center. The original contract was in the amount of \$49,924.00 [as presented in **Exhibit 9**].

Motion Carried.

VIII. CITY ATTORNEY UPDATE

- Reviewing/drafting various Ordinances for amendments to the Code, including changes to broaden the membership to specific Citizen Boards to include City business owners who do not reside in the County.
- Continuing to review documents submitted for a Final Plat Review.
- The title for Cattlemen's Square is an on-going issue.
- Working on the Memorandum of Understanding (MOU), to address the use of the Primitive Baptist Church property as overflow parking for Freedom Baptist Church.

IX. CITY ADMINISTRATOR UPDATE

- Expounded on the complications of the MOU with Freedom Baptist Church.
- Status on selling the City's property (three Lots) in the SW area, still waiting on the OUA's decision.

IX. CITY ADMINISTRATOR UPDATE CONTINUED

- The Okeechobee Historical Society presented the City an award for the purchase and restoration work on the Primitive Baptist Church building and property.
- Met today with the individuals working on the Marketing Grant for lodging survey in coordination with Central Florida Regional Planning Council representatives.

X. COUNCIL COMMENTS

Council Member Jarriel expressed apologies for his late arrival and commended Code Enforcement Staff for the written response they provide to property owners once their property is brought into compliance.

XI. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 7:25 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.