



CITY OF OKEECHOBEE, FLORIDA
DECEMBER 5, 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 December 5, 2023, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue (AVE), Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford; followed by the Pledge of Allegiance led by Council Member McAuley.
- II. **ATTENDANCE**
City Clerk Lane Gamiotea called the roll. Members present to establish a quorum: Mayor Dowling R. Watford, Jr., Vice Mayor Monica M. Clark, and Council Members Noel A. Chandler, Robert “Bob” J. Jarriel, and David R. McAuley.
- III. **AGENDA AND PUBLIC COMMENTS**
A. Changes to the agenda were as follows: Items V.D. and E., were withdrawn from the Consent Agenda and added to New Business, items VII.D. and E., and the motions changed from “... approve the disposal ...” to “ ... designate as surplus and destroy ...”.
- B. Motion and second by Council Members Jarriel and McAuley 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. Miss Lila Bishop, an Osceola Middle School student, and Future Farmers of America (FFA) Club member, was recognized for placing third, with her project titled “Don’t Burn the Bacon,” on November 3, 2023, at the National FFA Convention in Indianapolis, Indiana. Miss Alyssa Cortez and Miss Emily Hildebrand, Okeechobee 4-H Club members, were recognized for placing seventh at the Eastern National 4-H Horse Round-Up in Louisville, Kentucky last month.
- V. **CONSENT AGENDA**
Motion by Council Member Jarriel, second by Vice Mayor Clark to:
- A. Dispense with the reading and approve the Minutes for November 7, and 21, 2023, [as presented in **Exhibit 1**]; and
- B. Reappoint Mrs. Donna Howard to the General Employees’ Pension Board of Trustees, as City resident one of two appointed by the City Council, term being January 1, 2024, through December 31, 2027 [as presented in **Exhibit 2**]; and
- C. Cancel the December 19, 2023, regular Council Meeting.
- D. Item was moved to New Business, item VII.D.
- E. Item was moved to New Business, item VII.E.
Motion Carried Unanimously.
- VI. **MAYOR WATFORD OPENED THE PUBLIC HEARING FOR ORDINANCE ADOPTION AT 6:14 P.M.**
A. Motion by Vice Mayor Clark, second by Council Member McAuley to read by title only, proposed Ordinance No. 1281, Land Development Regulation (LDR) Text Amendment Application No. 23-004-TA, adding a definition for Medical Marijuana Dispensaries, removing them as a permitted use in the following Zoning Districts: Light Commercial (CLT), Heavy Commercial (CHV), Commercial Business District (CBD), and Industrial (IND); and existing facilities to be considered nonconforming uses [as presented in **Exhibit 5**].
Motion Carried Unanimously.
- City Attorney John Fumero read the title of proposed Ordinance No. 1281 into the record as follows: “**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, PROHIBITING MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF OKEECHOBEE AS SUBMITTED IN LDR TEXT AMENDMENT APPLICATION NO. 23-004-TA; AMENDING THE CODE OF ORDINANCES CHAPTER 66 GENERAL PROVISIONS, SECTION 66-1 DEFINITIONS; AMENDING CHAPTER 90 ZONING, ARTICLE III DISTRICTS AND DISTRICT REGULATIONS, DIVISION 7 CLT DISTRICT SECTION 90-252 PERMITTED USES, DIVISION 8 CHV DISTRICT SECTION 90-282 PERMITTED USES, DIVISION 9 CBD DISTRICT SECTION 90-312 PERMITTED USES, AND DIVISION 10 IND DISTRICT**”

VI. PUBLIC HEARING FOR ORDINANCE ADOPTION CONTINUED

- A. Continued. **SECTION 90-342 PERMITTED USES; PROVIDING FOR EXISTING MEDICAL MARIJUANA DISPENSARIES NONCONFORMING; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Jarriel and Chandler to adopt proposed Ordinance No. 1281. The Planning Board recommends approval. Mayor Watford opened the floor to public comments. Mr. Carl Horbath and Ms. Lisa Dean expressed their opposition to adopting the proposed Ordinance. **Roll Call Vote: Chandler-Yea, Clark-Yea, Jarriel-Yea, McAuley-Yea, Watford-Yea.**

Motion Carried Unanimously.

- B. Motion and second by Council Members Chandler and Jarriel to read by title only, proposed Ordinance No. 1282, Abandonment of Right-of-Way (R-O-W) Petition No. 23-002-AC, for the alleyway laying North to South (S) between Lots 3 through 6 and 9 through 12 of Block 34, FIRST ADDITION TO S OKEECHOBEE, Plat Book (PB) 1, Page (PG) 17, Okeechobee County public records, submitted by Steven M. Guelff, on behalf of the property owners, Guelff Family Limited Partnership and Porter Holdings of Okeechobee. The property is located between S Parrott and Southwest (SW) 2nd AVE, and SW 17th and 18th Streets (ST) [as presented in **Exhibit 6**].

Motion Carried Unanimously.

Attorney Fumero read the title of proposed Ordinance No. 1282 into the record as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING A CERTAIN R-O-W BEING AN UNIMPROVED PORTION OF AN ALLEYWAY LYING WITHIN BLOCK 34, FIRST ADDITION TO S OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PB 1, PG 17, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AS SUBMITTED IN ABANDONMENT OF R-O-W PETITION NO. 23-002-AC; 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."**

Motion by Council Member Jarriel, second by Vice Mayor Clark, to adopt proposed Ordinance No. 1282. The Technical Review Committee and Planning Board recommend approval. There were no public comments. **Roll Call Vote: Chandler-Yea, Clark-Yea, Jarriel-Yea, McAuley-Yea, Watford-Yea.**

Motion Carried Unanimously.

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:36 P.M.

VII. NEW BUSINESS

- A. Motion and second by Council Members McAuley and Jarriel to adopt proposed Resolution No. 2023-09, confirming the 2024 schedule of regular meetings [of the City Council as presented in **Exhibit 7** and adding an asterisk to the December 17, 2024, meeting as it may be canceled].

Motion Carried Unanimously.

- B. Motion and second by Council Members Chandler and McAuley to approve the proposal from B & B Site Development, Inc., in the amount of \$27,960.00 to conduct emergency repairs to the Northeast 4th ST [drainage ditch East of 6th AVE, as presented in **Exhibit 8**, related to the Kimley-Horn and Associates Agreement approved on October 17, 2023].

Motion Carried Unanimously.

- C. Motion and second by Council Members Chandler and McAuley to approve an Agreement [under the Awarded Contract RFQ No. ADM-01-23-07-21] in the amount of \$185,007.68 to Kimley-Horn and Associates for professional engineering services for improvements and general hardening to City Hall [as presented in **Exhibit 9**].

Motion Carried Unanimously.

- D. Motion by Vice Mayor Clark, second by Council Member McAuley to designate as surplus and destroy Brite Stands for Fujitsu Tablets used by the Police Department [**Exhibit 3** will be corrected to change selling on GovDeals.com to destroying].

Motion Carried Unanimously.

- E. Motion by Vice Mayor Clark, second by Council Member McAuley to designate as surplus and destroy Fujitsu Tablets and Scanners used by the Police Department [**Exhibit 4** will be corrected to change selling on GovDeals.com to destroying].

Motion Carried Unanimously.

VIII. CITY ATTORNEY UPDATE

- Researched a Conflict of Interest ethics question whether a Planning Board Member can vote on a Rezoning Petition when they are a surrounding property owner, the answer is yes.
- Continuing to review the proposed Stormwater Management ordinance.
- Distributed to the representatives of Hamrick Trust an official Opinion of Title for Cattlemen's Square [Block L, Park 5 of FLAGLER PARK], the City is considered a co-owner.
- Working on a Memorandum of Understanding with Freedom Baptist Church to address maintenance and insurance issues related to their use of City property for overflow parking.
- Mayor Watford inquired whether an ordinance is needed to allow Okeechobee Main Street to continue working toward new signage for the downtown area, Administrator Ritter responded Staff is working on this.

IX. CITY ADMINISTRATOR UPDATE

- In response to Council Member McAuley's question regarding homeowners being notified of mandatory water and wastewater connections, the Okeechobee Utility Authority (OUA) is currently focusing on various construction projects but will eventually provide notification.
- Mr. Al Lewis, of Gator Security, has provided a survey of the property [legal description: Lot 1 of Block 220, FIRST ADDITION TO OKEECHOBEE, PB 1, PG 11 AND PB 5, PG 6, Okeechobee County public records, located at the corner of SE 5th ST and 2nd AVE], Attorney to work on real estate transaction documents for the City to sell the property.
- Inquired whether Council Members were interested in scheduling a visit to Advanced Medical Sanitation in Miami. All responded yes. Attorney Fumero advised that due to Sunshine Laws, the Mayor and each Council Member would have to tour the facility one at a time. Council Member Chandler added he called the two restaurants located next to the biomedical facility, both said there were no issues of bad smells from the facility. The visit will be scheduled after the first of the year.

X. COUNCIL COMMENTS

Council Member Chandler thanked Staff for their hard work on the Annual Tree Lighting Ceremony.


Council Member Jarriel wished all Merry Christmas and reminded everyone about the Lighted Christmas Parade on December 9, 2023.

Vice Mayor Clark wished everyone a Merry Christmas.

XI. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 7:08 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.