



# CITY OF OKEECHOBEE

55 SE THIRD AVENUE  
OKEECHOBEE, FL 34974

**FEBRUARY 7, 2023**

**6:00 PM**

## REGULAR MEETING OFFICIAL AGENDA

**Mayor**

Dowling R. Watford, Jr.

**Vice Mayor**

Monica Clark

**Council Members**

Noel Chandler

Bob Jarriel

David McAuley

<b>Mission Statement:</b>	<b>The mission of the City of Okeechobee is to provide accommodating services that enhance the quality of life for our citizens and businesses in a fiscally sound manner.</b>
<b>Vision Statement:</b>	<b>The City of Okeechobee will maintain a vibrant and prosperous community built on our heritage, history, unique character, and small-town atmosphere.</b>

### I. CALL TO ORDER

### II. ATTENDANCE

### III. AGENDA AND PUBLIC COMMENTS

- A. Requests for the addition, deferral, or withdrawal of agenda items.
- B. Motion to adopt agenda.
- C. Public participation for any issues not on the agenda requires an Agenda Item Form or Comment Card. Citizen comments are limited to 3 minutes per speaker unless otherwise approved by the Mayor.

### IV. PRESENTATIONS AND PROCLAMATIONS

- A. Recognize Sorrell Panaro for receiving a special South Florida Agricultural Scholarship in addition to the regular South Florida Fair Scholarship.
- B. Recognize Jenna Larson for receiving a scholarship from the Western Farm Bureau in addition to the South Florida Fair Scholarship.
- C. Proclaim February 2023 as National Teen Dating Violence Awareness and Prevention Month.

### V. CONSENT AGENDA

- A. Motion to dispense with the reading and approve the Minutes from January 17, 2023.
- B. Motion to temporarily close a portion of SW 3<sup>rd</sup> and 4<sup>th</sup> Avenues between North and South Streets from 5:00 PM on March 10, 2023 to 5:00 PM on March 12, 2023, for the Annual Speckled Perch Festival as submitted by Okeechobee Main Street (**Exhibit 1**).
- C. Motion to temporarily close a portion of SE 2<sup>nd</sup> Avenue between SE 6<sup>th</sup> and 7<sup>th</sup> Streets from 8:00 AM to 2:30 PM on February 24, 2023, for a Field Day as submitted by Okeechobee Christian Academy (**Exhibit 2**).

### VI. QUASI-JUDICIAL PUBLIC HEARING ITEMS

The following items are quasi-judicial in nature. In accordance with Section 286.0115, F.S., an opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, may be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public may request the Council to ask questions of staff or witnesses on their behalf.

Any person presenting documents to the Council should provide the City Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk. No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, F.S.). In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing a special accommodation to participate in this proceeding should contact the City Clerk's office at 863-763-9814 seventy-two (72) hours in advance of this proceeding.

**VI. QUASI-JUDICIAL PUBLIC HEARING CONTINUED**

- A. Motion to approve or deny Special Exception Petition No. 22-003-SE submitted by Kyle Lotze, agent for CitySwitch II-A, LLC, on behalf of the property owner, CSX Transportation Inc. Requesting to permit a structure exceeding 45-FT in height in the Industrial Zoning District, reference Code of Ordinances, Sec 90-345(4), waive the minimum separation from off-site uses, reference Code of Ordinances, Sec 90-603(c); and to waive the separation distances between communication towers, reference Code of Ordinances, Sec 90-603(d); for a wireless telecommunication facility as provided in the Code of Ordinances, Sec 90-603(e). **(Exhibit 3)**.

**VII. NEW BUSINESS**

- A. Motion to discuss City Council meeting dates for 2023.
- B. Motion to read by title only, approve the first reading, and set March 7, 2023, as the final Public Hearing date for proposed Ordinance No. 1270 regulating the use of fireworks **(Exhibit 4)**.
- C. Motion to approve purchase of City Police Equipment in the amount of \$29,175.45 **(Exhibit 5)**.
- D. Discussion of Emerald Green Apartments, Jonathan Einhorn presenting.
- E. Motion to approve an agreement with CW Roberts Contracting Inc., in the amount of \$100,000.00 for asphalt milling and paving **(Exhibit 6)**.
- F. Motion to approve a piggyback Agreement from Broward College Storm Drain Cleaning, Repairs and Maintenance Agreement with Shenandoah General Construction Company, LLC for the South 4<sup>th</sup> Street Pipe Lining Project in the amount of \$1,000,000.00 **(Exhibit 7)**.
- G. Motion to appeal the Magistrate ruling of a 100 percent fine reduction in Code Enforcement Case No. 220128007 in the sum of \$5,700.00 plus a \$50.00 Administrative fee. Property owner, Perry Sylvester Arnold Jr. of 620 NE 4<sup>th</sup> Avenue, Violation of Code of Ordinances Chapter 30, Sections 30-41 Disabled Vehicles, 30-43 Public Nuisances, 30-44 General Cleaning and Beautification; Chapter 82, Section 82-124 Permits **(Exhibit 8)**.

**VIII. CITY ATTORNEY UPDATE**

**IX. CITY ADMINISTRATOR UPDATE**

**X. COUNCIL COMMENTS**

**XI. ADJOURN MEETING**

**PLEASE TAKE NOTICE AND BE ADVISED** that if any person desires to appeal any decision made by the City Council with respect to any matter considered at this proceeding, such interested person will need a record of the proceeding, and for such purpose may need to ensure 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 recordings are for the sole purpose of backup for official records of the Clerk.

In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding should contact the City Clerk's Office in person or call 863-763-9814, Hearing Impaired: Florida Relay 7-1-1 no later than four business days prior to proceeding.

**BE ADVISED** that should you intend to show any document, picture, video, or item to the Council in support or opposition to any item on the agenda; a copy of the document, picture, video, or item must be provided to the City Clerk for the City's records.