



**CITY OF OKEECHOBEE, FLORIDA
MAY 18, 2021, REGULAR CITY COUNCIL
MEETING MINUTES**

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on Tuesday, May 18, 2021, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Reverend Jack Washington of the New St Stephens AME Church, followed by the Pledge of Allegiance led by Council Member Abney.

II. ATTENDANCE

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Wes Abney, Monica Clark, Bob Jarriel, and Bobby Keefe.

III. AGENDA AND PUBLIC COMMENTS

- A. Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn; there were none.
- B. Motion by Council Member Abney, seconded by Council Member Jarriel to approve the agenda as presented. **Motion Carried Unanimously.**
- C. There was one comment card submitted by Mr. Gregg Maynard for public participation for any issues not on the agenda. He was asked to explain the historical significance of the HU-1 helicopter (Huey) on display in Veteran's Park. He did not feel qualified to answer the question, and asked local Vietnam Veteran Mr. Jim Pippin to respond. Mr. Pippin described the Huey as the lifeline to troops on the ground as its primary mission in Vietnam included general support, air assault, cargo transport, medical evacuation, search and rescue, and ground attack. However, elevating the Huey into an active stance would continue to preserve the memories Vietnam Veterans hold so dear. Mayor Watford suggested this information be provided to the Flagler Park Design Review Advisory Committee to be incorporated into the overall re-design of FLAGLER PARK, and thanked Mr. Pippin for his service.

IV. PRESENTATIONS AND PROCLAMATIONS

- A. The Proclamation declaring the month of May 2021 as Mental Health Awareness Month will be mailed to Ms. Deb Pizzimenti and Ms. Lisa Rymer, as they were not able to attend the meeting.
- B. Ms. Kelley Margerum was accompanied by her mother Mrs. Carol Coles, and presented with an engraved crystal mantel clock and a framed certificate which read "In recognition of your 15-years of service, hard work, and dedication to the City, its citizens, and your fellow employees from May 17, 2006 through May 17, 2021."
- C. A custom framed shadow box plaque featuring a Key to the City was presented to Council Member Abney who was accompanied by his fiancé Nicole and her son. Mayor Watford read the Certificate into the record: "presented to John Wesley Abney, Jr. for outstanding leadership. Whereas, the City Council for the City of Okeechobee, Florida, filled a vacancy on August 7, 2018, by virtue of the provisions of Section 2-39 of the Code of Ordinances and appointed Mr. Abney as a City Council Member. His term of office was designated as August 21, 2018 to January 4, 2021 and until his successor is elected and qualified. Then, due to certain circumstances, his term was extended to June 1, 2021; and Whereas, during his term in office, Council Member Abney served as a Liaison for the City of Okeechobee to the Treasure Coast Council of Local Governments, the Treasure Coast Regional League of Cities, and the Okeechobee County Tourist Development Council, January 15, 2019 to June 1, 2021; and as an ex-officio member to the Citizens Charter Review Advisory Committee, October 20, 2020 to June 1, 2021. 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."

IV. PRESENTATIONS AND PROCLAMATIONS

ITEM C CONTINUED: The Mayor, fellow Council Members, and former Council Member Gary Ritter offered words of admiration for the expertise Mr. Abney provided during his term in office.

V. CONSENT AGENDA

Motion by Council Member Clark, seconded by Council Member Jarriel to approve consent agenda item A, April 20, 2021 regular meeting minutes; item B, April 2021 Warrant Register [in the amounts: General Fund \$511,473.50, Public Facilities Improvement Fund \$33,984.54, Capital Improvement Projects Fund \$21,500.48, Appropriations Grant Fund \$63,473.67, and Law Enforcement Special Fund \$75.00]; and item C, payment of \$17,648.74 for the cost of conducting the Special City Election to the Okeechobee County Supervisor of Elections [as provided in Exhibit 1]. **Motion Carried Unanimously.**

VI. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:26 P.M.

A. Motion by Council Member Abney, seconded by Council Member Clark to read proposed Ordinance No. 1222 by title only, amending Code Enforcement procedures and administrative fee. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1222 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES; AUTHORIZING THE CODE ENFORCEMENT MAGISTRATE TO CONSIDER FINE REDUCTIONS; INCREASING ADMINISTRATIVE FEES AS PROVIDED IN THE ORDINANCE; AMENDING OTHER REVISIONS TO REFLECT THE USE OF A MAGISTRATE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE." The title originally included "authorizing the City Attorney to institute foreclosure proceedings as approved in the Ordinance" but was not read as the Council made it clear in previous discussions this language would be removed at the final Hearing.

Motion by Council Member Clark, seconded by Council Member Jarriel to adopt proposed Ordinance No. 1222 [as provided in Exhibit 2] including the deletion of the third "Whereas" clause. Attorney Fumero briefly explained the changes noted throughout the document were based on Council consensus at the first reading on March 2, 2021, and the second reading held April 6, 2021, as well as the additional presentations by Assistant Attorney Kowalsky on March 16, 2021. There were no public comments offered. **Motion Carried Unanimously.**

Distributed at the meeting and incorporated in the minute file was a copy of Table 3 Code Violations and Fees, within Appendix G of the Code of Ordinances. Changes to both Chapter 18 and Table 3 will be forthcoming. Mayor Watford instructed Clerk Gamiotea to ensure Mr. Abney was notified when these items are on future agendas.

B. Motion by Council Member Keefe, seconded by Council Member Jarriel to read proposed Ordinance No. 1223 by title only, regarding Land Development Regulations (LDR) Text Amendment No. 21-001-TA. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1223 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING CHAPTER 90 OF THE LDR OF THE CITY OF OKEECHOBEE; AMENDING SECTION 90-483, REVISING THE PROVISIONS FOR PARKING REDUCTION REQUESTS; AMENDING SECTION 90-484, REVISING THE PROVISIONS FOR REQUESTING APPROVAL FOR UNPAVED PARKING; DELETING SECTION 90-485, MOVING LIMITATIONS FOR PARKING REDUCTION APPROVALS TO SECTION 90-483; AMENDING APPENDIX A OF THE LDR ADDING FORM 21, PARKING REDUCTION PETITION; AMENDING APPENDIX C OF THE LDR ADDING AN APPLICATION FEE FOR PARKING REDUCTION PETITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

VI. PUBLIC HEARING CONTINUED

ITEM B CONTINUED: Motion by Council Member Abney, seconded by Council Member Clark to adopt proposed Ordinance No. 1223 [as provided in Exhibit 3 including the correction noted below by Planner Smith]. Mr. Ben Smith, City Planner with LaRue Planning and Management gave a brief overview of the discussion from the first reading held April 20, 2021. A minor correction was noted to remove the words "Modification of parking and loading space requirements shall be as follows:" in Section Two. It will now read "Sec. 90-483. - Modification of parking and loading space requirements" and then continues with the underlined words "Parking reduction requests to provide less parking and/or loading spaces than is required by Sections 90-512 and 90-513 may be submitted, reviewed, and approved by the Technical Review Committee as follows:" continuing further with new items one through eight. There were no public comments offered. **Motion Carried Unanimously.**

- C. Motion by Council Member Clark, seconded by Council Member Abney to read proposed Ordinance No. 1224 by title only, regarding LDR Text Amendment No. 21-002-TA. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1224 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; ADOPTING THE HOLDING REZONING PROGRAM, PROVIDING INCENTIVES FOR OWNERS OF PROPERTIES ZONED HOLDING TO REZONE TO OTHER ZONING DISTRICTS SUPPORTED BY THE LDR, REDUCING THE APPLICATION FEES AND APPLICATION SUBMITTAL REQUIREMENTS; AMENDING APPENDIX A OF THE LDR ADDING FORM 22, HOLDING ZONING DISTRICT BOUNDARY CHANGE PETITION; AMENDING APPENDIX C OF THE LDR ADDING AN APPLICATION FEE FOR REZONING PROPERTY ZONED HOLDING; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion by Council Member Abney, seconded by Council Member Clark to adopt proposed Ordinance No. 1224 [as provided in Exhibit 4]. There were no public comments offered. Motion by Council Member Clark, seconded by Council Member Abney to amend proposed Ordinance No. 1224 by adding a sunset clause of one-year. **Motion to Amend Carried Unanimously. Vote on Motion as Amended Carried Unanimously.**

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 7:08 PM.

VII. NEW BUSINESS

- A. Motion by Council Member Jarriel, seconded by Council Member Keefe to read proposed Resolution No. 2021-01 title only, accepting the May 4, 2021 Special City Election results for one City Council Member. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Resolution No. 2021-01 by title only as follows: "A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE OFFICIAL RESULTS FOR THE 2021 SPECIAL CITY ELECTION; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY NOEL A. CHANDLER, AS AN ELECTED CITY COUNCIL MEMBER; PROVIDING FOR THE CITY CLERK TO ISSUE A CERTIFICATE OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion by Council Member Clark, seconded by Council Member Keefe to adopt proposed Resolution No. 2021-01 [as presented in Exhibit 5, of which the certification provided there were 3,125 registered voters with only an 11.78 percent voter participation. The statement of votes cast was: Noel A. Chandler, 65 Votes by Precinct, 67 Votes by Mail, 132 Votes Total; Lisa Feltenberger, 55 Votes by Precinct, 21 Votes by Mail, 76 Votes Total; Beth W. Lehman, 54 Votes by Precinct, 35 Votes by Mail, 89 Votes Total; David R. McAuley 34 Votes by Precinct, 37 Votes by Mail, 71 Votes Total]. **Motion Carried Unanimously.**

VII. NEW BUSINESS CONTINUED

- B. Motion by Council Member Clark, seconded by Council Member Keefe to approve the [Code Enforcement Special Magistrate] recommended fine reduction [to 50-percent of the accumulated fines of \$4,925.00] including administrative costs and allow Staff to provide a payment plan for Code Enforcement Case No. 200110013, Gregory and Sharon Williams, 501 Northwest 16th Street [legal description: Lot 26 and the East one-half of Lot 25 of Block 52, CONNERS HIGHLANDS, Plat Book 1, Page 21, public records of Okeechobee County, Florida, as provided in Exhibit 6]. **Motion Carried Unanimously.**
- C. Motion by Council Member Keefe, seconded by Council Member Abney to approve an Addendum to the existing Agreement for Information Technology with ICS Computers, Inc. [RFQ No. FIN 01-32-03-19, as provided in Exhibit 7] **Motion Carried Unanimously.**
- D. Motion by Council Member Clark, seconded by Council Member Jarriel to accept the resignation letter and proposed settlement agreement and complete release [by City Administrator Marcos MontesDeOca as provided in Exhibit 8 of which a portion was distributed at the meeting and incorporated in the minute file]. **Motion Carried Unanimously.**

Attorney Fumero clarified the resignation effective date is June 18, 2021, and offered this would be the appropriate time for Council to discuss a possible interim or give additional direction as Administrator MontesDeOca will be on annual leave June 14 through 18, 2021. Motion by Council Member Jarriel, seconded by Council Member Clark to nominate Gary Ritter as Interim City Administrator and authorize Attorney Fumero to negotiate a contract with a salary figure of \$85,000.00 to \$95,000.00. Mr. Ritter conveyed his acceptance of the nomination. **Motion Carried Unanimously.**

- E. Motion by Council Member Abney, seconded by Council Member Keefe to approve Amendment No. 1 to the Interlocal Agreement between Okeechobee County and City of Okeechobee for Fire Services originally executed on December 18, 2020 [as provided in Exhibit 9. This postpones the effective date from June 1 to August 2, 2021 providing firefighters the opportunity to obtain their paramedic certification by June 15, 2021. Chief Smith distributed a spreadsheet summarizing the testing phases of the Firefighters enrolled in the paramedic certification program. A copy has been incorporated in the minute file]. **Motion Carried Unanimously.**

VIII. CITY ATTORNEY UPDATE

Attorney Fumero provided a brief update on the progress of a proposed demolition ordinance, and nuisance abatement ordinance; status of code enforcement cases recently settled, sold at a sheriff's auction, and up for foreclosure sale. Together with Mayor Watford, an update was given on the status of the Lake Okeechobee System Operating Manual (LOSOM).

IX. CITY ADMINISTRATOR UPDATE

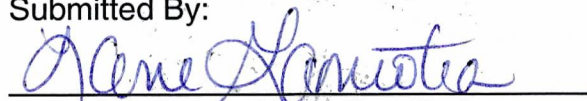
Administrator MontesDeOca provided an update on the Primitive Baptist Church as the City recently purchased the 2020 Tax Certificate and will begin the process of tax sale on the prior year Certificates. There has been no business engagement on the commercial landscape program to date.

X. COUNCIL COMMENTS

Council Member Abney conveyed his appreciation to everyone for their assistance to him while serving on the Council; this is his last official meeting. Council Member Jarriel expressed his enjoyment of working with Administrator MontesDeOca, and asked the citizens to continue to engage with City Staff and the Council not only during Town Hall meetings but at each Council meeting. Council Member Clark welcomed Council Member-Elect Chandler who will take his Oath on June 1, 2021. Mayor Watford offered his sincere appreciation to the City Staff for the support and condolences he received for his mother's passing. He added that he accepts Administrator MontesDeOca's resignation with regret.

XI. Mayor Watford adjourned the meeting at 7:46 P.M.

Submitted By:

A handwritten signature in blue ink, appearing to read "Lane Gamiotea", is written over a horizontal line.

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.