



CITY OF OKEECHOBEE

CITY COUNCIL

MARCH 1, 2022

LIST OF EXHIBITS

Draft Minutes	January 24, 2022 Town Hall Meeting February 1, 2022 Regular Meeting February 15, 2022 Regular Meeting
Exhibit 1	TRC recommendation regarding installation of sidewalks requirement
Exhibit 2	Education Reimbursement Contract Revised



CITY OF OKEECHOBEE, FLORIDA
JANUARY 24, 2022, TOWN HALL MEETING
DRAFT MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the Town Hall meeting of the City Council for the City of Okeechobee to order on Monday, January 24, 2022, at 6:00 P.M. at the Okeechobee Freshman Campus Auditorium, located at 610 Southwest 2nd Avenue, Okeechobee, Florida. The invocation was offered by Mr. Hoot Worley, followed by the Pledge of Allegiance led by Mayor Watford.

Mayor Watford explained those who would like to address the Council needed to complete a comment card or a written comment form and turn them into Deputy Clerk Torres.

II. ATTENDANCE

Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" M. Keefe. Staff Present: City Clerk Lane Gamiotea, City Attorney John Fumero, City Administrator Gary Ritter, Police Chief Donald Hagan, Public Works Director David Allen, Deputy City Clerk Rose Torres, Administrative Secretary Merydian Causier, General Services Coordinator Patty Burnette, Finance Director India Riedel, and Police Lieutenant Bettye Taylor.

III. INTRODUCTION

A presentation was made to the Citizens Charter Review Advisory Committee (CCRAC) Members who were able to be in attendance. The framed certificates of appreciation, which read, "**the City of Okeechobee Florida recognizes the valuable contributions of community involvement and hereby extends this expression of grateful appreciation,**" with their appointed terms were presented by Mayor Watford individually to Sandy Perry, Carey Pigman, Hoot Worley, Jamie Gamiotea, and Myranda Whirls.

A. City Administrator Ritter provided an update on various activities within the City.

- The City recently acquired the property of the Primitive Baptist Church located at 1003 Southwest 3rd Avenue [legal description Lots 9 through 12 of Block 8, SOUTH OKEECHOBEE, Plat Book 1, Page 12, Okeechobee County Public Records]. Grants will be applied to restore the structures. Decisions regarding what the purpose or use of property and structures will be addressed at future Council meetings.
- Many businesses are assisting the City and Okeechobee Main Street with Cattleman's Square within Flagler Park; the sculptures are anticipated to be delivered by the end of March or early April.
- A \$131,000.00 grant for South Park Street and downtown landscaping is being completed.
- Public Works staff are staying busy working on storm water projects to prepare for the rainy season. The American Recovery Act funds are being used to improve underground drainage that has collapsed and to complete the Master Storm Water Permit in the Commerce Center.
- Highlighted the sections of roadways scheduled to be repaved and that the street Stripping Plan would begin soon.
- \$500,000.00 in State Appropriation funds have been applied for City facility repairs and upgrades.

B. City Attorney Fumero provided an update on what has transpired over the last year with meetings held by the CCRAC Members. Using the 11-slide power point [a copy has been incorporated into the official minute file], he gave a presentation on the importance and role of a municipal Charter. The mission of the CCRAC, and issues that were of concern discussed at their meetings. Reviewed the proposed Charter by Article and the specific recommended changes. The final steps are public outreach and input, City Council final approval, then schedule to be a referendum on the November 2022 General Election ballot.

Mayor Watford offered the floor to any CCRAC Members to make comments or ask questions. Member Gamiotea asked how will the Charter be presented to the voters? Mayor Watford responded that was one of the issues the Council still has to resolve. The hope was that more citizens would have been in attendance tonight to get their feedback. Attorney Fumero explained once all issues are resolved, it would be in question form for voters to check yes or no. CCRAC Member Worley encouraged the Council to have someone monitor social media to ensure misinformation was corrected as it transpires. In response to Council Member Keefe's question where people could view the most recent version of the Charter, it was explained it is posted on the City website with their own designated page. Mayor Watford encouraged the Council to speak and address the subject at the various organizations they belong to such as the Economic Council, Kiwanis, Rotary, and their churches.

III. INTRODUCTION CONTINUED

- B.** Council Member Jarriel requested Clerk Gamiotea work up costs to send a copy of the Charter to all Citizen people. He was disappointed in the lack of attendance noting further it was advertised very well.

- C.** Mayor Watford then asked for any comment cards or written comments, none were submitted. No one from the public had any other issues to present to the Council. He reminded everyone all Council meetings are open to the public and anyone can speak at those meetings.

IV. Mayor Watford adjourned the Town Hall meeting at 7:00 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, he/she 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.

DRAFT



CITY OF OKEECHOBEE, FLORIDA
FEBRUARY 1, 2022, REGULAR CITY COUNCIL MEETING
DRAFT MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on February 1, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Jarriel.

II. ATTENDANCE

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" Keefe, Jr.

III. AGENDA AND PUBLIC COMMENTS

A. Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn. Clerk Gamiotea noted an Addendum for New Business Items "B" Exhibit 3, and "C" Exhibit 4 were distributed to be added to the contracts.

B. Motion by Council Member Keefe, seconded by Council Member Clark to approve the agenda as presented. **Motion Carried Unanimously.**

C. No comment cards were submitted for public participation for issues not on the agenda.

IV. PRESENTATIONS AND PROCLAMTIONS

A. Fire Chief Herb Smith accompanied by his wife, son, and former City Fire Lieutenants, was recognized by Mayor Watford and Administrator Gary Ritter for his years of service. He was presented with a monetary award of \$750.00 and a framed certificate, which read **"In recognition of your 30 years of service, hard work, and dedication to the City, it's citizens and your fellow employees from February 3, 1992, through February 3, 2022."**

V. CONSENT AGENDA

Motion and second by Council Members Jarriel and Clark to:

A. [Dispense with the reading and] approve the meeting Minutes for January 4, 2022, as correct by removing Nick Martini from New Business Item "A".

B. Approve a request from Okeechobee Christian Academy to temporarily close SE 2nd Avenue between SE 6th to 7th Street's on February 18, 2022, for a Field Day [as presented in Exhibit 1].

C. Approve a request from Okeechobee Main Street to temporarily close Southwest (SW) 2nd, 3rd, and 4th Avenue's between North and South Park Street's, and South Park Street between SW 3rd and 4th Avenue's, from 5:00 P.M. February 4, through 4:00 P.M. February 6, for the Annual Top of the Lake Art Festival [as presented in Exhibit 2]. **Motion Carried Unanimously.**

VI. NEW BUSINESS

A. Deputy Fire Chief Earl Wooten distributed a written quarterly update on services provided by Okeechobee County Fire and Rescue, within the City from October 1, through December 31, 2021. They responded to 320 incidents, of which 275 were for emergency medical services, and they completed 62 fire prevention inspections. The report has been incorporated into the official minute file. This item is for informational purposes only, no official action is required.

B. Motion by Council Member Keefe, seconded by Council Member Clark to approve a contract with Craig A. Smith and Associates in the amount of \$49,924.00 for City Commerce Center improvements [including the Addendum as presented in Exhibit 3]. **Motion Carried Unanimously.**

C. Motion by Council Member Clark, seconded by Council Member Jarriel to approve a contract with Solitude Lake Management, LLC in the amount of \$14,970.00 for [a portion of the Augustus] canal cleanup [as recorded in as recorded in Plat Book 3, Page 20 for OKEECHOBEE ESTATES, Plat Book 3, Page 23 for FIRST ADDITION TO OKEECHOBEE ESTATES, and Plat Book 3, Page 52 for THIRD ADDITION TO OKEECHOBEE ESTATES, including the Addendum as presented in Exhibit 4]. **Motion Carried Unanimously.**

D. Motion by Council Member Keefe, seconded by Council Member Jarriel to approve the RFQ NO. ADM 01-32-11-21, General Planning Services Ranking [1. Morris-Depew Associates, 2. LaRue Planning and Management Services, Inc. as presented in Exhibit 5]. **Motion Carried Unanimously.**

VII. CITY ATTORNEY UPDATE

- Creating procedures for quasi-judicial matters for the Code Enforcement and Council meetings.
- Will be creating a standard check list for all contacts to be reviewed by him prior to submitting them for agenda items.

IX. CITY ADMINISTRATOR UPDATE

- The landscape architect will present the remaining plans and designs for the Flagler Park at the next meeting.
- River Run residents met with RaceTrac's representatives, in attendance on behalf of the City were Administrator Ritter, Building Official Jeff Newell, Code Enforcement Officer Anthony Smith, and Public Works Director David Allen. A representative from RaceTrac took pictures to document residents' complaints and their findings.
- The two large oak trees in front of City Hall are scheduled to be cut down tomorrow, an arborist confirmed they are diseased.
- Reminder to review the Strategic Plan and powerpoint.
- Public Works Director Allen provided to RaceTrac, the elevations, and surveys, they have agreed to move the perimeter wall.
- Public Works staff cleaned out the stormwater ponds within River Run to get the water flowing.

X. COUNCIL COMMENTS

- Council Member Jarriel asked the City Clerk Gamiotea the status of researching costs to mail Charter information to the residents, she is working on the request.
- Council Members Chandler and Clark again thanked Chief Smith for his years of service.

XI. ADJOURN, Mayor Watford adjourned the meeting at 6:42 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.



CITY OF OKEECHOBEE, FLORIDA
FEBRUARY 15, 2022, REGULAR CITY COUNCIL MEETING
DRAFT MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on February 15, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford, 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., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" M. Keefe, Jr.

III. AGENDA AND PUBLIC COMMENTS

- A. There were no requests for items be added, deferred, or withdrawn from the agenda.
- B. Motion by Council Member Keefe, seconded by Council Member Clark to approve the agenda as presented. **Motion Carried Unanimously.**
- C. No comment cards were submitted for public participation for issues not on the agenda.

IV. PRESENTATIONS AND PROCLAMTIONS

A. Police Officer Jeremy LaRue, accompanied by his wife, was recognized by Mayor Watford and Police Chief Donald Hagan for his years of service. He was presented with a personalized leather embossed portfolio and framed certificate, which read **"In recognition of your 10 years of service, hard work, and dedication to the City, its citizens and your fellow employees from February 10, 2012, through February 10, 2022."** Additionally, he was honored for his service as a member of the Citizen Charter Review Advisory Committee (CCRAC). Mayor Watford presented a framed Certificate of Appreciation, with his terms of service.

V. CONSENT AGENDA

Motion and second by Council Members Keefe and Clark to:

- A. [Dispense with the reading and] approve the meeting Minutes for January 18, 2022 [as presented].
- B. Approve the Warrant Register for January 2022 [in the amounts of: General Fund, \$614,310.00; Public Facilities Improvement Fund, \$31,550.28; and Capital Improvement Projects Fund, \$101,387.90, as presented].
- C. Approve a request from Okeechobee Main Street to temporarily close Southwest (SW) 2nd, 3rd, and 4th Avenue's between North and South Park Street's, from 5:00 P.M. on March 11, 2022, through 6:00 P.M. on March 13, 2022, for the Annual Speckled Perch Festival [as presented in Exhibit 1].

Motion Carried Unanimously.

VI. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:09 P.M.

A. Motion and second by Council Members Clark and Jarriel to read by title only, proposed Ordinance No. 1248, regarding Application No. 22-001-SSA, reclassify Blocks 110 and 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, 3.9+/- acres from Commercial (C) to Multi-Family Residential (MFR) on the Comprehensive Plan Future Land Use (FLU) Map, submitted by property owner F. Mitch Stephens/Glenwood Park, LLC, located between Northeast (NE) 2nd to 3rd Avenue's and NE 3rd to 5th Street's [as presented in Exhibit 2]. **Motion Carried Unanimously.**

City Attorney John Fumero read proposed Ordinance No. 1248 by title only as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE CITY OF OKEECHOBEE COMPREHENSIVE PLAN, ORDINANCE NO. 635 AS AMENDED, BY REVISING THE FLU MAP ON A CERTAIN TRACT OF LAND MORE PARTICULARLY DESCRIBED HEREIN FROM C TO MFR, APPLICATION NO. 22-001-SSA; PROVIDING FOR INCLUSION OF ORDINANCE AND REVISED FLU MAP IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT; AND PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Keefe and Clark to adopt proposed Ordinance No. 1248.

City Planner, Mr. Jim LaRue presented the Planning Staff Report findings (included within Exhibit 2), and the Planning Board's recommendation for approval.

Mayor Watford opened the floor for public comment. Mr. Steve Dobbs of 209 NE 2nd Street, Mr. Frank Irby of 1385 SE 23rd Street, and Okeechobee Economic Development Corporation Business Manager Kaylie King of 2229 Northwest 9th Avenue, addressed the Council in support of adopting the ordinance and responded to various questions from the Council.

VI. PUBLIC HEARING CONTINUED

- A. Continued. Pastor Chad Keathley submitted a written comment to be read into the record. Mayor Watford read the following "I am the present pastor of the Okeechobee Church of God located at 301 NE 4th Avenue. I would like to express my support for the proposed building plan on the adjacent property of our church. I have spoken to Mr. Stephens and have shared details of the proposed project with our governing board of elders. While we are very understanding of possible concerns from nearby residents, we welcome the opportunity to have additional families within walking distance of our property. Rental options are very limited in Okeechobee, and we have experienced that firsthand from new attendees and new staff who are still searching for permanent living accommodations. The plan that Mr. Stephens has shared with me seems to be something that will be very beneficial to our church and our community."

Mr. Stephens of 17705 Middlebrook Way, Boca Raton, disbursed a revised potential site plan and responded to various questions from the Council. **Motion Carried Four to One.**

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:54 P.M.

VII. NEW BUSINESS

- A. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1249, regarding Petition No. 22-001-R, rezoning Blocks 110 and 121, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County public records, 3.9+/- acres from Heavy Commercial (CHV) to Residential Multiple Family (RMF), submitted by property owner F. Mitch Stephens/Glenwood Park, LLC, located between NE 2nd to 3rd Avenue's and NE 3rd to 5th Street's, for the proposed use of a multi-family structure [as presented in Exhibit 3]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1249 by title only as follows: "**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM CHV TO RMF, PETITION NO. 22-001-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**"

Motion and second by Council Members Keefe and Jarriel to approve the first reading of proposed Ordinance No. 1249 and set March 15, 2022, as the Final Public Hearing. Following Planner LaRue's review of the Planning Staff Report, Mayor Watford opened the floor for public comment. It was noted for the record that Pastor Keathley's written comments as provided in the previous item were restated for this ordinance. **Motion Carried Unanimously.**

- B. Motion and second by Council Members Jarriel and Clark to read by title only, proposed Ordinance No. 1250, updating the Capital Improvements Five Year Schedule within the Comprehensive Plan [as presented in Exhibit 4]. **Motion Carried Unanimously.**

Attorney Fumero read proposed Ordinance No. 1250 by title only as follows: "**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3177(3)(b); PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**"

Motion and second by Council Members Clark, and Jarriel to approve the first reading of proposed Ordinance No. 1250 and set March 15, 2022, as the Final Public Hearing. **Motion Carried Unanimously.**

- C. Administrator Ritter provided an update on the services provided by the City's Landscape Architect, Calvin, Giordano & Associates, Inc. regarding the schedule for the remaining deliverables for The Flagler Park Master Plan. The City received the property surveys, a comprehensive tree assessment and survey, and the topography surveys. On February 21st, the architect will meet with City Staff and Okeechobee Main Street representatives to coordinate and clarify designs for the remainder of the Master Plan. The schedule of items that will be due to the City is as follows: March 25th, revisions for Park 7, Butterfly Square; March 31st, Conceptual Planting Plan for the curb extension along the South side of South Park Street from SW 6th to SE 2nd Avenue's; April 29th, Park 5, Settlers Square; May 27th, Park 4, Seminole Square; June 24th, Park 3, Speckled Perch Square; July 29th, Park 2, Veteran's Memorial Square; August 26th, Park 1, City Hall Plaza. That will bring them to the end of their contract. No official action was required.
- D. Following discussion, a Motion and second by Council Members Clark and Jarriel to postpone to the March 1, 2022, meeting the request to approve a recommendation from the Technical Review Committee to deviate from the standards listed in Section 78-36 of the City's Land Development Regulations regarding the requirements for installation of sidewalks pertaining to the Budget Home, LLC, triplex project located at NE 3rd Avenue and 5th Street [as presented in Exhibit 5]. **Motion Carried Unanimously.**

VII. NEW BUSINESS CONTINUED

- E. Mayor Watford yielded the floor to Ms. Magi Cable of the Okeechobee Historical Society to present potential uses of Primitive Baptist Church property [located at 1003 SW 3rd Avenue, legal: Lots 9 through 12 of Block 8, SOUTH OKEECHOBEE, Plat Book 1, Page 12, Okeechobee County public records]. The Historical Society would like to partner with the City to utilize at least one of the two buildings as a museum to feature Mr. Gordie Peer, Mr. Pete Clemons, and other local family's historical artifacts as well as feature historical information about the churches in Okeechobee. A copy of a power point that provided local church establishments, including the Primitive Baptist Church in 1919, and current photographs of the property and inside the buildings, is incorporated within the official minute file. The Council thanked Ms. Cable for her presentation. No official action was taken at this time.
- F. Police Chief Hagan and Finance Director India Riedel provided for informational purposes recent developments related to the Florida Statewide Law Enforcement Radio System. After the 2004 and 2005 hurricane seasons, the state-wide system was mandated for all agencies and hospitals to participate in by 2008. At that time, there were grants/state appropriations to assist with the initial purchases. The new system will be required to be implemented as of 2023. To date, there are no grants/state appropriations available for the City to apply to cover or off-set the costs for a new console and radios. However, they are hopeful this will change. Senator Ben Albritton of District 26 has recently been a champion on this issue and understands the financial hardship these costs will have on rural agencies. There are many things going on behind the scenes and equipment available to purchase now, which are not budgeted items. Staff will continue to monitor the situation and weigh options on equipment purchases; this issue will be a costly item in the upcoming Fiscal Year budget.

VIII. CITY ATTORNEY

- Working on the draft ordinance to adopt the Charter, will send the template to be reviewed soon.
- There are several preemption bills moving through the current Legislative process that are troubling, he will continue to monitor them closely.
- Continues to draft a quasi-judicial ordinance to adopt a policy for land use and rezoning issues. The City currently has a Resolution that needs to modernize the procedures.

IX. ADMINISTRATOR UPDATE

- Working with the Central Florida Regional Planning Council to assist/moderate the Council-Planning Board Joint Workshop to review the FLU and Zoning Maps inconsistencies and the best methods to address the properties.
- The two companies who submitted to the Planning Services Request For Qualifications will be making presentations to the Council at the March 1st meeting. From there, a contract will need to be negotiated for Council approval.
- As part of the public outreach recommended by the CCRAC regarding the proposed Charter, he will be highlighting the proposed changes on the local radio station, WOKC, once a month starting in March to provide information.
- Chief Smith has sold another fire truck and 4 pallets of equipment on gov deals.
- The City's two appropriation bills are still in place at this time.

X. COUNCIL COMMENTS

Council Member Chandler:

- Suggested that instead of replacing the two large oak trees located on the front lawn of City Hall that were recently removed, to install different landscaping closer to the building. With the trees gone, you can now see the actual architecture of the building.

Council Member Jarriel:

- Asked that monthly Department Head reports begin again.
- Suggested that the Mayor and Council ride on the vintage fire truck in the next parade.

Council Member Keefe:

- Inquired to when the Council-Planning Board Joint Workshop would be held. No date has been set to allow for the City to enter into a contract for Planning Services.
- Agreed with Council Member Chandler's idea.

XI. ADJOURN, Mayor Watford adjourned the meeting at 8:02 P.M.

Submitted By:

Lane Gamiotea, CMC, City Clerk

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Sec. 78-36. - Sidewalks, driveways, and pedestrian access.

(a) *When required.*

- (1) All projects, except for those involving only one individual single-family structure, constructed in zoning districts set out in section 90-71 of this Code, wherein the lands of the owner and/or developer adjoin a collector or arterial street or city right-of-way, shall provide sidewalks adjacent along each such street or right-of-way.
- (2) Sidewalks shall be provided on residential streets in proposed and replatted subdivisions.
- (3) If a sidewalk is proposed on only one side of a residential street, the technical review committee must consider the following prior to approval:
 - a. City sidewalk improvement plans.
 - b. Safety considerations.
 - c. Location of existing or proposed schools and recreation areas, and existing sidewalks.
- (4) Residential projects abutting a commercial, office, service or recreation use shall provide pedestrian access from the development to such use.
- (5) Where deemed necessary to provide circulation or access to a shopping center, school, playground, or community facility, pedestrian ways and crosswalks may be required after consideration by the technical review committee. Such ways shall be not less than ten feet wide with a sidewalk meeting requirements of these regulations.
- (6) In any area where the owner or developer constructs a driveway which extends to a city right-of-way, and which would cross or adjoin a city sidewalk, such driveway shall also be constructed of concrete or other material approved by the city. Additionally, such driveway shall be constructed in conformity with applicable sidewalk design standards to ensure that the portion of such driveway that may extend into a city right-of-way is constructed in a manner consistent with surrounding sidewalks.
- (7) The technical review committee may, upon demonstration of undue hardship to, or existing circumstances beyond the control of the owner or developer, recommend to the city council, approval of a deviation from these standards designed to alleviate such hardship.

(b) *Design standards.*

- (1) Design standards of sidewalks and pedestrian ways shall conform to these regulations, and the Manual of Standards for Design, Construction and Maintenance for City Streets of Appendix E, Chapter 6, herein, and as amended from time to time.
- (2) Design, construction or alteration of median strips shall conform to the state department of transportation regulations.

(LDR 1998, § 875; Ord. No. 861, § 2, 6-15-2004; Ord. No. 1079, § 3, 1-17-2012)



CITY OF OKEECHOBEE, FLORIDA
TECHNICAL REVIEW COMMITTEE MEETING
JANUARY 20, 2022
SUMMARY OF COMMITTEE ACTION

I. CALL TO ORDER

Chairperson Ritter called the regular meeting of the Technical Review Committee (TRC) for the City of Okeechobee to order on Thursday, January 20, 2022, at 10:00 A.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida, followed by the invocation and Pledge of Allegiance.

II. ATTENDANCE

The following TRC Members were present: City Administrator Gary Ritter, Building Official Jeffery Newell, Okeechobee County Fire Rescue (OCFR) Captain Justin Hazellief, Police Chief Donald Hagan, and Public Works Director David Allen. City Planning Consultant Jim LaRue, Committee Secretary Patty Burnette and General Services Secretary Keli Trimnal were also present. Fire Chief Herb Smith, City Attorney Gloria Velazquez, Okeechobee County Environmental Health Director Victor Faconti, Okeechobee Utility Authority (OUA) Executive Director John Hayford, and the Okeechobee County School Board representative were absent.

III. AGENDA

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Police Chief Hagan, seconded by Building Official Newell, to approve the agenda as presented. **Motion Carried Unanimously.**
- C. There were no comment cards submitted for public participation.

IV. MINUTES

- A. Motion by Building Official Newell, seconded by Police Chief Hagan to dispense with the reading and approve the December 16, 2021, Regular Meeting minutes. **Motion Carried Unanimously.**

V. NEW BUSINESS

- A. Site Plan Review Application No. 22-001-TRC, to construct a 2,940-SF triplex with sidewalk and six parking spaces on 0.32± acres located at Northeast 3rd Avenue and 5th Street.
 - 1. City Planning Consultant Mr. Jim LaRue of LaRue Planning and Management Services briefly reviewed the Planning Staff Report recommending approval of the site plan with the following criteria being met prior to issuance of any building permits; verification of curbside pickup for trash collection and the City's engineering department should review the proposed stormwater facilities and the submitted drainage report to ensure onsite stormwater all be captured and released according to all applicable standards.
 - 2. Building Official Newell asked for clarification from the Applicant as the plans submitted indicate a duplex instead of triplex. In addition, he inquired to the Planner as to whether a sidewalk was required adjacent to each of the rights-of-way (Northeast 3rd Avenue and 5th Street) as indicated in Section 78-36 of the City's Land Development Regulations (LDRs). OCFR Captain Hazellief, and Police Chief Hagan encouraged sidewalks if possible. Public Works Director Allen commented he isn't sure whether there was adequate space to install sidewalks due to the existing drainage swales. He would research and get back in touch with the Applicant. Chairperson Ritter read into the record an email received from OUA Executive Director Hayford regarding missing utility plans that would need to be submitted for his review.
 - 3. Mr. Mike Jimenez, Budget Homes, LLC was present and available for questions. He stated he would contact Mr. Hayford, with OUA, to comply and have his planner make the appropriate changes on the plans to indicate the structure is a triplex not a duplex. He further commented he had no issues with installing sidewalks, he would just need guidance on where to install them due to the drainage swales.
 - 4. No public comments were offered.
 - 5. There were no disclosures of Ex-Parte Communications.

V. NEW BUSINESS ITEM A CONTINUED

6. Motion by Building Official Newell, seconded by Public Works Director Allen to approve Site Plan Review Application No. 22-001-TRC, as presented in [Exhibit 1, which includes the Planning Consultant's analysis of findings and recommendation for approval] with the following conditions: submit utility plans to the OUA; and determination by the Public Works Director on whether it is feasible to install sidewalks adjacent to the rights-of-way. Either installation instructions will be provided to the Applicant or a recommendation to the City Council will be made to deviate from the standards listed in LDR Section 78-36. **Motion Carried Unanimously.**

VI. Chairperson Ritter adjourned the meeting at 10:32 A.M.

Submitted by:

Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Technical Review Committee with respect to any matter considered at this proceeding, he/she 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. General Services' media are for the sole purpose of backup for official records.

DRAFT

EDUCATION REIMBURSEMENT AGREEMENT

THIS AGREEMENT is entered into this _____ day of _____, 20_____,
by and between the CITY OF OKEECHOBEE, FLORIDA, **EMPLOYER**, and
_____, **EMPLOYEE**, and is for the purpose of
employee's guarantee to reimburse certain training or education expenses paid by the **CITY**, and
includes the following:

THIS IS A LEGALLY BINDING CONTRACT FOR EMPLOYEE TO REIMBURSE THE CITY OF OKEECHOBEE, FLORIDA FOR TRAINING/ EDUCATION EXPENSES ADVANCED OR REIMBURSED BY THE CITY UNDER THE CONDITIONS SET FORTH BELOW. IF YOU ARE NOT CERTAIN AS TO YOUR LEGAL RIGHTS AND RESPONSIBILITIES, YOU SHOULD REVIEW THIS CONTRACT WITH LEGAL COUNSEL PRIOR TO EXECUTION.

WHEREAS, the position held by **EMPLOYEE** with the City of Okeechobee may require from time to time that **EMPLOYEE** attend training/education/certification programs or classes, as a pre-requisite to continued employment with the **CITY**; and

WHEREAS, several programs attended by **EMPLOYEE** may over the course of employment with the **CITY** occur over a period of several years and constitute a considerable expense by the **CITY** to properly train or certify its employees.

NOW THEREFORE, for the sufficient mutual considerations set forth herein, the undersigned **EMPLOYER** and **EMPLOYEE** enter into this contract on the date and time set forth above and under the conditions set forth herein:

- ~~1. For the sufficient mutual considerations set forth herein, the undersigned **EMPLOYER** and **EMPLOYEE** enter into this contract on the date and time set forth above.~~
- ~~2. That the position held by **EMPLOYEE** with the City of Okeechobee may require from time to time that **EMPLOYEE** attend training/education/ certification programs or classes, as a pre-requisite to continued employment with the **CITY**.~~
- ~~13. That the **CITY** agrees to advance or reimburse the costs of such training/education/ certification, including in its discretion, program fees, materials, travel, lodging, per diem, or other related expenses on behalf of **EMPLOYEE** in an amount not to exceed the sum set forth in Section 9 below.~~
- ~~4. That the several programs attended by **EMPLOYEE** may over the course of employment with the **CITY** occur over a period of several years and constitute a considerable expense by the **CITY** to properly train or certify its employees.~~
- ~~25. That By execution of this Agreement, **EMPLOYEE** contracts and agrees on behalf of him/herself, heirs, and personal representatives, that **EMPLOYEE** shall remain as a full-time employee with **CITY** for a continuous period of three (3) years for sworn law enforcement or two (2) years for non-sworn police department and general employees following completion of any particular training/education/certification session for which the **CITY** advances or reimburses the costs. Once **EMPLOYEE** completes the required such~~

two years of employment, there shall exist no right of CITY to claim reimbursement for the expenses related to that session.

36. If, however, EMPLOYEE should voluntarily or involuntarily leaves the employment of the CITY within the three-year window for sworn law enforcement or two-year window for non-sworn police department and general employees measured from date of completion of a particular training session to date of separation from CITY, then EMPLOYEE agrees and shall reimburse the CITY in full for all expenses reasonably related to EMPLOYEE'S attendance at such training/education/certification session program.

4. If EMPLOYEE fails to complete the training/education/certification program, then EMPLOYEE agrees to and shall reimburse the CITY in full for all expenses reasonably related to EMPLOYEE'S attendance at such training/education/certification session.

57. Such amounts of reimbursement due to CITY upon separation of EMPLOYEE shall be due in full without further demand or presentment, and EMPLOYEE authorizes CITY to withhold to the extent available, any accrued sick leave, unpaid overtime, annual leave, or other monetary benefit to which EMPLOYEE might otherwise be entitled upon separation of employment, to pay such reimbursement, with any excess remaining paid to EMPLOYEE.

68. If at the time of separation of employment, such reimbursement is not paid in full by EMPLOYEE, then EMPLOYEE agrees to pay in addition to CITY all reasonable costs of collection, including but not limited to attorney's fees, court costs and interest.

79. That CITY reserves the right, in its sole and absolute discretion, to waive all or part of any reimbursable expense related to training/education/ certification of any EMPLOYEE for reasons found to be sufficient by CITY.

8. This Agreement shall be governed by and construed under the laws of the State of Florida, and venue for any litigation shall lie in Okeechobee County, Florida.

9. Course Description: _____

Total Fees and Expenses Advanced by CITY: \$ _____ OR

Total Fees and Expenses Reimbursed to EMPLOYEE by CITY: _____

_____ pages attached

EXECUTED and agreed the date above set.

Print EMPLOYEE Name:

EMPLOYEE Signature:

Date Signed:

Print Department Head Name:

Department Head Signature:

Date Signed:

CITY OF OKEECHOBEE, FLORIDA
As authorized agent thereof

ATTEST Department Head Signature:

Lane Gamiotea
City Clerk/Personnel Administrator

___ Original-City Clerk's Office ___ Department Copy ___ Employee Copy