

**CITY OF CLEWISTON
Regular Commission Meeting
September 19, 2011**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, September 19, 2011. The meeting was called to order at 6:00 p.m. by Mayor Richard Miller. Pastor Mike Hall gave the invocation and Boy Scout Nicholas Ponce led the audience in the Pledge of Allegiance.

Attendance:

Commissioners Present: Mayor Richard Miller, Commissioner James Pittman and Commissioner Julio Rodriguez. Commissioner Mali Gardner and Commissioner Joseph Miller were absent.

Personnel Present: City Manager Steve McKown, Police Chief Don Gutshall, Utilities Director Kevin McCarthy, City Clerk Marilyn McCorvey, Golf Course Director Adolfo Pena, City Engineer Tommy Perry, Recreation Director Lance Ramer, Community Development Director Travis Reese, Public Works Director Sean Scheffler, Library Director Eric Tommerdahl, and City Attorney William Doney.

Visitors Present: Tony Chihocky, Mike Hall, Denise Hatton, John Hicks, Donny Hughes, Nicholas Ponce, and Jillian Sparks.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – City Manager McKown asked that Nicholas Ponce, Eagle Scout candidate, be allowed to come forward to speak about his project. Nicholas came forward and explained that he was going to repair the Gambian baskets at the levy park as his Eagle Scout project. He stated he has worked one Saturday and expects to work at least two or three more in order to finish the project. He stated he would welcome community help and that he needed some tools to use for the project. The work will begin Saturday morning at 8:30.

Public Comments – Pastor John Hicks came forward to inform the Commission and the audience that the Ministerial Association is planning a Christmas choir presentation on December 10 and 11 at the John Boy auditorium. He stated that rehearsals will start the coming week at first Baptist church. Please call 983-5555 for more information on the program.

1. Consent Agenda

- A. *City Commission Budget Workshop Minutes – August 8, 11, 15, & 29, 2011*
- B. *City Commission Workshop Minutes – August 11, 2011*
- C. *City Commission Regular Meeting Minutes – August 15, 2011*
- D. *City Commission Special Meeting Minute - August 29, 2011*
- E. *Approval of State Aid to Libraries Grant Agreement*
- F. *Appointment of Haitham Kaki to the Planning & Zoning Board*
- G. *Event Application – Clewiston Business Bash – November 8, 2011- Street Closing*

Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to approve the Consent Agenda. Vote 3 yeas, 0 nays. (Commissioner Gardner and Commissioner Joseph Miller were absent)

ORDINANCE

2. **Ordinance No. 2011-03** – This ordinance amends Chapter 14 of the City Code regarding animals, Article 1. In general, Section 14-1 of the City designation of a Bird Sanctuary and deleting the prohibition on carrying a gun or rifle within the Bird Sanctuary. City Manager McKown stated that this Ordinance will conform our Code to State Statute and read the Ordinance by title.

Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to approve Ordinance No. 2011-03 on first reading and set the public hearing for October 17, 2011. Vote 3 yeas, 0 nays. (Commissioner Gardner and Commissioner Joseph Miller were absent)

MISCELLANEOIUS ACTION AND DISCUSSION ITEMS

3. **Permit Fee Approval for Vessels Overnight Parking in the City's Parking Areas.** – Section 82-3 of the City's Code of Ordinances requires boat trailers, with or without boats, kept in the City's parking areas at the boat basin to obtain a permit from the City. After Hurricane Wilma, we did not have a problem for quite some time, but we again are experiencing a problem with trailers being left in the parking areas for spans of time.

Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to table this item. Vote 3 yeas, 0 nays. (Commissioner Gardner and Commissioner Joseph Miller were absent)

4. **FDOT Maintenance Agreement** – City Manager McKown stated FDOT has informed us that their contract price for the US 27 mowing that we perform will be less this year than the past year. They informed us that if we do not accept the new price terms, they will award the mowing to a contract mower. City Manager McKown informed the Commission we have two options: (1) accept the new contract price or (2) accept their mowing contractor which will not be up to the current standards as the corridor will be mowed monthly instead of weekly.

Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to approve the new maintenance agreement with the reduced rate structure of \$19,151.99 with FDOT and authorize City Manager McKown to execute the agreement. Vote 3 yeas, 0 nays. (Commissioner Gardner and Commissioner Joseph Miller were absent)

9. **Departmental Monthly Activity Reports** – Presented for information only.

10. **Police Department Presentation – Police Chief Don Gutshall** – Chief Gutshall gave a brief, informative presentation on his staff and statistics.

FINANCIAL REPORT FROM THE FINANCE DIRECTOR – Finance Director Byrd stated that as of August 31, 91.67% of our budget has been used. We have received about 86% of expected revenues.

REPORTS FROM CITY MANAGER – City Manager McKown thanked everyone for their thoughts and prayers throughout his medical procedures. He stated we are looking forward to adopting the 2011-12 budget next week. Mr. McKown stated he has met with Mr. Perez of Hato Potrero Farms and he would like to be a mortgagee rather than a lessee. City Attorney Schoech's office is working on the paperwork for this.

REPORTS FROM THE CITY ATTORNEY – None

REPORTS FROM THE CITY COMMISSION – The Commission had a brief discussion about the CRA and funds available. Commissioner Pittman asked for an update on the Plattner's building. City Manager McKown stated that the Building Commission issued an order for demolition of the building, but the Community Development Department had acted in good faith giving them time to repair the building. Plattner's was approved for a façade grant to help with the costs of renovating the building, but we learned this week they have fired the general contractor the permit was issued to. Community Development Director Reese has issued Plattner's a deadline of October 19 to get the building into compliance. If it is not in compliance on that date, it will be demolished.

City Manager McKown stated that the building on Aztec that was ordered to be demolished should be down this week. The saw cut on the building is complete. Mayor Miller stated that next Monday at 6:30 p.m., there will be a joint workshop of the County Commission and the City Commission. Mayor Miller asked for some information on how much the east and west recreation areas receive in total. Mayor Miller is convinced that until there is pressure put on the County Commission they will not address the problem. City Manager McKown stated that if we have the workshop, Mayor Miller needs to control the agenda and the meeting. The meeting should not be used to solve the County's other problems.

Adjournment:

The meeting was adjourned at 6:50 p.m.

Richard Miller, Mayor

Marilyn McCorvey, City Clerk