

**CITY OF CLEWISTON**  
**Regular Commission Meeting**  
**February 18, 2013**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, February 18, 2013. The meeting was called to order at 6:00 p.m. by Mayor Phillip Roland. Commissioner James Pittman led the audience in the Lord's Prayer and Pledge of Allegiance.

**Attendance:**

**Commissioners Present:** Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Richard Miller, Commissioner James Pittman, and Commissioner Julio Rodriguez.

**Personnel Present:** Finance Director Ted Byrd, Interim City Manager Don Gutshall, City Clerk Marilyn McCorvey, Recreation Director Lance Ramer, Community Development Director Travis Reese, Public Works Director Sean Scheffler, City Attorney Charles Schoech, Rhonda Davis, and Karen Moore.

**Visitors Present:** Ninette Akin, Mark Chamberlain, Jerry Cochran, Terry Gardner, Asa & Betty Godsey, Denise Hatton, Orvell Howard, Christine Howell, Donald Hughes, Al Perry, Paula Pittman, Curtiss Pullen, and John Wellslager.

**PRESENTATION OF AYSO U-12 GIRL'S SOCCER TEAM** – Scott Jones, the AYSO regional representative stated that the Clewiston girl's U-12 soccer team competed in the State soccer games and they were the champs. Mr. Jones stated the championship game was against Boynton Beach with over 1,300 kids in their program. Mr. Jones stated he is proud of the way the girls played and more important, the way they behaved as they also won the sportsmanship award in their division. He further stated that four Clewiston teams won division sportsmanship awards.

**ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA** – Interim City Manager Gutshall asked that the overlay project discussion be added to the agenda as Item 9-A. The Commission agreed to the additions.

**1. Consent Agenda**

- A. *City Commission Workshop Minutes – January 24, 2013*
- B. *City Commission Meeting Minutes – January 28, 2013*
- C. *Proclamation – Sugar Industry Appreciation Week*
- D. *Event Application – Bond Street Bash – February 21, 2013*

ICM Gutshall brought to the Commission's attention that the Bond Street Bash is asking that the street be closed for the event. There is a business whose parking lot access is off of Bond Street. City Attorney Schoech stated the Commission can close off the street, but have to provide local access to businesses. The consensus of the Commission was to close the street and give access to the parking lot off of Central Avenue.

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve the Consent Agenda. Vote 5 yeas, 0 nays.**

**PUBLIC HEARING**

- 2. Ordinance No. 2013-01 – Final Reading** – This ordinance will establish a retirement system for all current employees as of October 1, 2012. This ordinance was drafted by our pension attorney and first reading was at the January 28, 2013 meeting. Mayor Roland opened the Public Hearing and stated the purpose of the hearing was to accept input from all interested parties relative to the passage of Ordinance No. 2013-01. ICM Gutshall stated the issue before the Commission is Ordinance No. 2013-01 which establishes a retirement system for all current employees as of October 1, 2012. ICM Gutshall read Ordinance No. 2012-01 by title and stated the public hearing was advertised in the Clewiston News on February 7, 2013. There being no public comments, Mayor Roland closed the public hearing.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to adopt Ordinance No. 2013-01 on final reading. Vote 5 yeas, 0 nays.**

**ORDINANCE**

3. **Ordinance No. 2013-02- First Reading** - This ordinance outlines the commissioner's life insurance benefits as discussed at the January meeting. ICM Gutshall read Ordinance No. 2013-02 by title. Commissioner Gardner stated she had doubts as to whether the commissioners should receive the fringe benefits that other city employees do.

**Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to approve Ordinance No. 2013-02 on first reading and set the public hearing for March 18, 2013. Vote 5 yeas, 0 nays.**

**MISCELLANEOUS ACTION AND DISCUSSION ITEMS**

4. **Event Application – Sugar Festival Committee** – The Sugar Festival Committee is requesting the same in-kind services as past years. ICM Gutshall stated historically the Police Department has put in an extensive amount of overtime for Sugar Festival. This cost is around \$5,000, and it had been his understanding that the Sugar Festival would bear that cost this year. The Commission agreed that the Sugar Festival is an important day in Clewiston and we should try to partner with them to make a successful event. The Commission stated this item should be discussed during the budget workshops.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve the Sugar Festival Event Application as presented this year, with additional conversation for funding for the 2014 Sugar Festival. Vote 5 yeas, 0 nays.**

5. **Approval of Amendment 2 to the FWC Boating Improvement Program Year 1** – This is a proposal to wrap up the Phase 1 planning and permitting services so the City will be in a position to enter into Phase 2. Forest Michael stated that the Phase 1 project ended September 30, 2012 which was the user survey and master plan. Mr. Michael stated everything is ready to transmit to FWC for closing out year 1. There was discussion on how much of the grant funds were paid to Forest Michael. Mr. Michael stated there was a \$15,000 shift of his fee to get the permitting done. Mr. Michael stated he would be glad to come to a workshop and go over the costs associated with Phase 2.

**Commissioner Pittman made a motion, seconded by Commissioner Miller, to approve Amendment 2 to the FWC Boating Improvement Program Year 1; and authorize the Mayor to sign. Vote 5 yeas, 0 nays.**

6. **Update in Permitting and Request to Select and Approve Any Site Design Modification for the Parking, Ramps and Areas for Residents' Use of the Waterfront** – ICM Gutshall stated the Commission is being asked to approve one of the waterfront plans. Forest Michael presented an alternate to the plan the Commission previously saw. This plan shows an Alternate A and Alternate B with the main difference being the location of the bridge. The Commission discussed the plan and all agreed that the more westerly location of the bridge was desirable. Terry Gardner stated his design makes it very simple and should be perceived as similar to the John Stretch Park. Mr. Gardner stated the Alternative A for the bridge would be very expensive. A drawing of the Jack Fry Park which was done about 20 years ago was discussed. Mr. Fry's plan had another basin that would be used for families, not necessarily for boating. Mr. Michael stated there are aquatic habitat grants that might be available for the second basin, but those grants are much smaller than the boater improvement grant. Commissioner Rodriguez stated he does not think this project will bring more jobs or businesses to Clewiston. Asa Godsey stated he is a professional fisherman and he has been to a lot of places. Mr. Godsey stated we need another basin. Mr. Godsey felt a lot of locations are losing tournaments because they are not making improvements to their areas. Mr. Godsey does not understand why the Commission is spending so much time on this issue if it is not costing the City taxpayers anything. He stated we need a game plan because there are parking problems and the ramps are also somewhat of a problem. Mr. Godsey stated his only concern is the bridge. He stated that Belle Glade is putting in new ramps and improvements and will be competing with Clewiston for tournaments. Commissioner Rodriguez stated that although the improvements will not cost the City anything, the maintenance and upkeep will.

**Commissioner Pittman made a motion, seconded by Commissioner Miller, to approve the plan with the most westerly bridge and make the parking plan similar to the Gardner Plan, and approve the site dedication map and boundary line. Vote 5 yeas, 0 nays.**

7. **Reappointment of Community Redevelopment Agency Advisory Committee Members** – At the January 8, 2013 CRA Advisory Committee meeting, Mark Chamberlain, Sarah Hammock and Amy McKown were reappointed to the Committee. Cynthia Carroll declined another term on the committee. The Commission needs to formally reappoint these three members.

**Commissioner Gardner made a motion, seconded by Commissioner Miller, to reappoint Mark Chamberlain, Sarah Hammock and Amy McKown to the CRA Advisory Committee. Vote 5 yeas, 0 nays.**

8. **City Manager Discussion** – Staff has provided the Commission with the 31 names, along with their resumes, of potential City Managers for review. Commissioner Gardner stated she wanted a procedure for the evaluation of the City Manager to be in place. She stated that she felt the Commission should be given the evaluation forms 45 days prior to the city manager's anniversary, fill out the evaluation and give to the City Clerk and the evaluation results would be given to the city manager during his/her anniversary month. Each Commissioner gave five names of potential city managers. By consensus, the Commission agreed to have a Special Meeting on Thursday, February 21, 2013 at 12 noon to consider the names.
9. **Discussion on Need for Two Commission Meetings Per Month** – Mayor Roland asked that this item be placed on the agenda for discussion. Commissioner Gardner stated she is good with trying the change for a while and if it doesn't work, we can return to the one meeting per month we currently have.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to have two commission meetings per month, starting in March the first and third Monday for two months with a start time of 5:00 p.m. (The Commission will revisit the meeting schedule in two months and decide whether to continue with two meetings.) Vote 5 yeas, 0 nays.**

- 9-A. **Overlay Project Discussion** – The City went out for bids in July for the overlay project and the bid was awarded to Diaz Paving. Public Works Director Scheffler stated the contract for the project was sent to Mr. Diaz in November. Mr. Diaz had other projects on-going and met with Public Works Director Scheffler in January and stated his costs had gone up and requested a 15% increase in the bid price. City Attorney Schoech stated that if we did not have a time certain for this project, it should be rebid. The Commission posed questions on the gas tax and the local option gas tax and how the funds were spent. Finance Director Byrd stated although there were no paving projects as such, there were a lot of projects in streets. Pedro Diaz came forward and stated he is confused about the way the project was bid if the City did not have the money to do the project. Commissioner Pittman stated that Diaz Paving has the right to raise his price but the City has an obligation to rebid the project and consider reducing the job to what we have in the budget. Commissioner Pittman stated the paving bid should go out every year at the same time.

**Consensus of the Commission was for City Attorney Schoech and ICM Gutshall to discuss this item and bring back for discussion at the Special Meeting on February 21.**

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

**PUBLIC COMMENTS** – None

**FINANCIAL REPORT FROM THE FINANCE DIRECTOR**

**REPORT FROM INTERIM CITY MANAGER** – ICM Gutshall stated we should have the link to the sexual predator web site on the Police Department site this week. ICM Gutshall stated that staff, along with City Attorney Schoech, discussed the COLA for retirees with our pension attorney and she is of the opinion that we should continue the COLA for the defined benefit retirees. City Attorney Schoech agreed the City should continue to pay the 3% COLA.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to authorize the 3% COLA for the retirees of the current plan to continue. Vote 5 yeas, 0 nays.**

**REPORTS FROM THE CITY ATTORNEY** – None

**REPORTS FROM THE CITY COMMISSION** – Commissioner Gardner stated that the Commission should discuss their vision for our gateway of the City. She stated we must do something to improve the face of Clewiston and the story we want to tell. Mayor Roland stated US27 is terrible at the east end of town. City Engineer Tommy Perry stated he will contact the LaBelle DOT office and ask them when they intend to repair it.

**Adjournment:**

The meeting was adjourned at 8:50 p.m.

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Phillip Roland, Mayor

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Marilyn McCorvey, City Clerk