

CITY OF CLEWISTON
Regular Commission Meeting
March 21, 2016

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, March 21, 2016. The meeting was called to order at 5:00 p.m. by Vice Mayor Kristine Petersen. The audience joined in reciting the Lord's Prayer and the Clewiston High School Public Safety Academy students lead the audience in reciting the Pledge of Allegiance.

Commissioners Present: Vice Mayor Kristine Petersen, Commissioner Mali Gardner and Commissioner Julio Rodriguez. Mayor Phillip Roland and Commissioner Sherida Ridgill were absent.

Personnel Present: Interim City Clerk Kathy Combass, City Attorney Charles Schoech, Finance Director Shari Howell, Code Enforcement Officer Debbie McNeil, Community Development Director Travis Reese, Police Chief Don Gutshall, Police Lieutenant Aaron Angell, Public Works Director Sean Scheffler, Recreation Director Lance Ramer, Utilities Director Danny Williams, Library Director Ava Barrett, City Engineer Tommy Perry and Scott Jones and Karen Moore.

Visitors Present: Ninette Aker, Asa and Betty Godsey, Frank and Tina Harris, Jackie Hoopes, Donnie Hughes, Pepe Lopez, Pat Lucey, Robin Hicks Nunley, Penny Roland, Lorina Scheffler, Laura Smith, Andy Tilton, Karson Turner, and Ted Dominiack.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA

Due to the absence of City Manager Al Perry, at the request of Clyde Johnson, Police Chief Gutshall requested Agenda Item #4 be deleted from the agenda. Mr. Johnson requested the agenda item be moved to the April 18, 2016 agenda.

Police Chief Gutshall also requested Agenda Item #7A "Code Enforcement Update" be added to the agenda. Vice Mayor Petersen stated the Code Enforcement Update should be included in the Monthly Departmental Activity Reports.

1. Consent Agenda

- A. *Commission Workshop Minutes – February 11, 2016*
- B. *Commission Meeting Minutes – February 15, 2016*
- C. *Proclamation – American Red Cross Month – March 2016*
- D. *Hendry County Library System – Unattended Child Policy*
- E. *Hendry County Cooperative Library System – Circulation Policy*

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve the consent agenda. Vote 3 yeas, 0 nays

PRESENTATION OF PROCLAMATION IN RECOGNITION OF AMERICAN RED CROSS MONTH – MARCH 2016.

Vice Mayor Petersen read a proclamation recognizing March 2016 as American Red Cross Month. The Commission presented the proclamation to American Red Cross representatives Pat Lucey and Frank and Tina Harris.

RECOGNITION OF THE GREEN THUMB GARDEN CLUB, LADIES AUXILIARY VFW POST 4185, AND MEN'S AUXILIARY VFW POST 4185 FOR THEIR GENEROUS DONATIONS TO THE CIVIC PARK IMPROVEMENT AND VETERANS' MEMORIAL.

Public Works Director Sean Scheffler recognized the Green Thumb Garden Club, Ladies Auxiliary VFW Post 4185 and Men's Auxiliary VFW Post 4185 for their recent contributions given both directly and indirectly, via the Clewiston High School Public Service Academy, towards the Civic Park and Veterans Memorial Project. Representatives on hand for the recognition of these generous efforts included Ninette Aker of the Clewiston Green Thumb Garden Club, Penny Roland and Jackie Hoopes from Ladies Auxiliary VFW Post 4185 and Ted Dominiack from Men's Auxiliary VFW Post 4185.

Vice Mayor Petersen and Commissioner Gardner, on behalf of the Commission, expressed their appreciation to all of the community individuals and organizations for the efforts they provide through the work they perform and contributions they provide. Commissioner Gardner also extended her appreciation and congratulations to the Public Service Academy students for their efforts in representing the community and their performance at the conference they had recently attended.

ORDINANCE

2. **Ordinance No. 2016-01 – Final Reading** - Ordinance No. 2016-01 amends Article VI, Chapter 110 of the Code of Ordinances, entitled "Supplementary District Regulations" of the City Code; providing for enactment of new sections 110-530 and 110-531, entitled Residential/Commercial Development and Improvement; Land Use Residential/Commercial; providing for repeal of conflicting ordinances; providing for severability and providing an effective date.

Vice Mayor Petersen opened the public hearing by stating the purpose of the public hearing was to discuss and accept input from all interested parties relative to the adoption of Ordinance No. 2016-01. She asked that all citizens desiring to speak on the matter identify themselves by name and address. She stated all public comments would be incorporated into the official minutes of the meeting. Vice Mayor Petersen summarized Ordinance No. 2016-01 and read it by title. Vice Mayor Petersen stated the public hearing was advertised in the Clewiston News on March 3, 2016. Commissioner Gardner noted the comments that were made at the March 17, 2016 workshop were incorporated into the ordinance. Vice Mayor Petersen closed the Public Hearing.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve Ordinance No. 2016-01 on final reading and authorize the Mayor to sign. Vote 3 yeas, 0 nays

RESOLUTION

3. **Resolution No. 2016-03** – Resolution 2016-03 adopts amendments to the budget for fiscal year 2015-2016.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez to approve Resolution 2016 -03 and authorize the Mayor to sign. Vote 3 yeas, 0 nays

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

4. **Deleted - Clyde Johnson Contracting & Roofing, Inc. Appeal of Administrative Decision denying fence location at 1005 and 1007 W. Ventura Ave. (Lotus St. and Ventura Ave.)**
5. **Approval of Site Dedication for the Boat Basin Project – FWC Florida Boating Improvement Program Contract No. 14332** - The Site Dedication Form needs to be approved and signed in order to close out the FWC grant for the boat basin totaling \$75,500. This is one of the final steps needed in order to be able to submit an invoice to FWC for reimbursement.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez to approve the Site Dedication for the Boat Basin Project and authorize the Mayor to sign. Vote 3 yeas, 0 nays

6. **Approval to purchase a used vehicle for the Police Dept. Criminal Investigation Division (CID)** – Police Chief Gutshall requested to purchase a used vehicle for the Police CID. Chief Gutshall explained this vehicle would replace the CID unit that had been totaled in an accident in July of 2015. He said due to this event occurring late in the fiscal year, a replacement was not included during budget preparation and the vehicle the department had been utilizing for this essential purpose was now assigned to the Community Improvement Division. At Commissioner Gardner’s request, Finance Director Shari Howell explained the funding for the vehicle could come from excess funds available from a combination of proceeds from the recent loan that had been acquired to purchase equipment and the initial budgeted principal payments for the equipment purchases. She stated the overage was due to calculating and rounding of funding needed for this purpose; she said it had been staff’s intention to transfer the excess funds to reserves in order to utilize them for future principal payments toward the equipment loan. She also stated one thousand dollars (\$1,000) in insurance proceeds had been received this fiscal year for the scrap sale of the wrecked unit and felt this justified, if needed, a budget transfer from contingency funding totaling this amount for the purchase. In all, the excess funds available with the contingency budget transfer totaled eighteen thousand eight hundred eighty-three dollars (\$18,883).

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez to approve the purchase of a used vehicle for the Police Dept.

Criminal Investigation Division (CID) not to exceed \$18,000. Vote 3 years, 0 nays

7. **Reappointments to the Community Redevelopment Advisory Board** – Four (4) members of the Community Redevelopment Advisory Board have terms which expired December 2015. The members are Karl Larsen, Sarah Hammock, “Pepe” Lopez and Luan Walker. All have agreed to continue to serve in this capacity again.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez to approve the reappointments of all four (4) members to the Community Redevelopment Advisory Board. Vote 3 years, 0 nays

- 7A. **Community Improvement Department Update** – Code Enforcement Officer Debbie McNeil addressed the Commission and stated since the February 15, 2016 Commission Meeting, the department had 58 cases open, of which 10 were referred out to other departments and 36 have been resolved. She also performed 33 rental inspections. Officer McNeil also stated a Magistrate Hearing was held on March 16, 2016, which resulted in the following.

- a) 1 fine assessment;
- b) 6 old business – of which 3 were in compliance and dismissed and 3 were moved to the fine assessment stage;
- c) 5 new cases – of which 2 were in compliance prior to the meeting and 3 were findings of guilt; and
- d) 1 lien reduction request which was heard and was continued until the next hearing.

Officer McNeil explained the compliance procedure steps to the Commission. City Attorney Schoech stated he would be meeting with City Manager Perry and staff to discuss the viability of foreclosure efforts on properties with existing code liens. He stated he would plan on making a recommendation at the next regular Commission meeting.

Commissioner Rodriguez requested a list of properties from Officer McNeil which are not in compliance. Commissioner Gardner also requested that repeat violators be included and highlighted in the list.

There was a general discussion of two (2) cases in which the buildings have no power and the concern there may be people living in the buildings. City Attorney Schoech stated it was okay for the property owners to perform clean-up and debris removal, but they should not be doing any construction work on the building. Commissioner Gardner requested staff attempt to confirm what is actually happening at these locations.

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

PUBLIC COMMENTS - There were no public comments at this time.

COMMENTS FROM CITY MANAGER – Police Chief Gutshall commended the staff for their efforts during the Sugar Festival.

COMMENTS FROM THE CITY ATTORNEY- none.

COMMENTS FROM THE CITY COMMISSION – Commissioner Gardner thanked everyone for coming together at the Raisin Cane Rodeo and expressed her appreciation to Frank and Tina Harris, representing Friends of the Library, for the “Friends” fundraising efforts during the Sugar Festival in support of the Library. She stated she wanted to meet with Attorney Schoech regarding the fence interpretation in the ordinances. She also noted the Governor approved \$1.5m for a new Police Department, \$350,000 for the S169 bridge design and \$50,000 for the FRDAP Grant for bathrooms and lighting for Trinidad Park.

Vice Mayor Petersen thanked Library Director Ava Barrett for allowing her to be involved in the Library’s recent program honoring students. She also stated she felt the new police cars looked great.

The meeting was adjourned at 5:39 p.m.

Kristine Petersen, Vice Mayor

Kathy Combass, Interim City Clerk