

CITY OF CLEWISTON
Regular Commission Meeting
May 15, 2017

The City of Clewiston City Commission held its regular Commission Meeting in the City Hall Commission Chambers Monday, May 15, 2017. The meeting was called to order at 5:00 p.m. by Mayor Gardner. Mike Pittman on behalf of the Clewiston Ministerial Association gave the invocation and Congressman Mario Diaz-Balart led the audience in reciting the Pledge of Allegiance.

Commissioners Present: Mayor Mali Gardner, Vice Mayor Michael Atkinson, Commissioner Kristine Petersen, Commissioner Julio Rodriguez and Commissioner Phillip Roland.

Personnel Present: City Manager Al Perry, Interim City Clerk Mary K. Combass, Finance Director Shari Howell, Community Development Director Travis Reese, Public Works Director Sean Scheffler, Utilities Director Danny Williams, Recreation Director Lance Ramer, Interim Police Chief Aaron Angell, Code Enforcement Officer Debbie McNeil and City Engineer Scott Jones.

Visitors Present: Christine Howell, Donnie Hughes, Jerry Cochrane and Jennifer Black

Congressman Mario Diaz-Balart addressed the Commission and stated that additional funding was appropriated to repair the dike surrounding Lake Okeechobee. He also stated two symbols seen and recognized are the Capital Building which is the symbol of democracy and the U.S. Flag which is the symbol of freedom. He further stated that he had a U.S. Flag flown over the Capital to honor a special person in this community. He then presented the U.S. Flag along with a Certificate to Mary Ann Martin honoring her outstanding contribution to this community as a businesswoman and sportswoman fighting and working for freedom for 35 years. Ms. Martin stated that she loves the Lake and the City of Clewiston and therefore is proud to accept the award. Mayor Gardner, on behalf of the Clewiston City Commission, also thanked Ms. Martin for her contribution.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – City Manager Perry stated there is an additional handout for Agenda Item No. 4 and that Gloria Rosen is not in attendance to provide the Securian Pension Plan update.

SECURIAN PENSION PLAN UPDATE – Gloria Rosen – Ms. Rosen was not in attendance to provide an update to the Securian Pension Plan.

1. Consent Agenda

- A. *Commission Workshop Regarding US27 Zoning Regulations Minutes – April 12, 2017*
- B. *Commission Workshop Minutes – April 12, 2017*
- C. *Commission Meeting Minutes – April 17, 2017*
- D. *Event Application – Food Truck Invasion –Third Monday of each month for twelve months beginning June 19, 2017- pending Fire Marshal approval of Fire Safety Permit Application*
- E. *Proclamation – Community Action Month – May 2017*
- F. *Proclamation – Williams Syndrome Awareness Month – May 2017*

Vice Mayor Atkinson made a motion, seconded by Commissioner Petersen, to approve the Consent Agenda. Vote 5 yeas, 0 nays

PRESENTATION OF PROCLAMATION IN RECOGNITION OF COMMUNITY ACTION MONTH – MAY 2017 TO PA HOUA LEE-YANG, CSBG ECONOMIC DEVELOPMENT DIRECTOR OF THE AGRICULTURAL AND LABOR PROGRAM, INC.

Mayor Gardner read a proclamation recognizing May 2017 as Community Action Month and presented the proclamation to Pa Houa Lee-Yang of CSBG Economic Development Director of the Agricultural and Labor Program, Inc.

PRESENTATION OF PROCLAMATION IN RECOGNITION OF WILLIAMS SYNDROME AWARENESS MONTH – MAY 2017 TO LOCAL RESIDENT TRACY RAMIREZ AND DAUGHTER SOLEIL

Mayor Gardner read a proclamation recognizing May 2017 as Williams Syndrome Awareness Month and presented the proclamation to Ms. Tracy Ramirez and her daughter, Soleil.

PUBLIC HEARINGS

2. **Public Hearing - Ordinance No. 2017-08 – Final Reading** - Ordinance No. 2017-08 amends Section 110-2 of the Zoning Code to modify the definition of extended stay hotel and motel to eliminate the requirement for a dishwasher.

Mayor Gardner summarized and read Ordinance No. 2017-08 by title. She stated that official notice of the public hearing was advertised accordingly and opened the public hearing to accept input from any interested parties. As there were no comments or questions, Mayor Gardner closed the public hearing.

Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve Ordinance No. 2017-08 on final reading and authorize the Mayor to sign. Vote 5 yeas, 0 nays

3. **Public Hearing - Ordinance No. 2017-09 – Final Reading** - Ordinance No. 2017-09 amends Article V, Division 11, Industrial District, Section 110-435, allowing maximum building height of 55 feet.

Mayor Gardner summarized and read Ordinance No. 2017-09 by titled. She stated that official notice of the public hearing was advertised accordingly and opened the public hearing to accept input from any interested parties. As there were no comments or questions, Mayor Gardner closed the public hearing.

Commissioner Petersen made a motion, seconded by Commissioner Roland, to approve Ordinance No. 2017-09 on final reading and authorize the Mayor to sign. Vote 4 yeas, 0 nays (Vice Mayor Atkinson abstained)

ORDINANCES

4. **Ordinance No. 2017-10 – First Reading** – Ordinance No. 2017-10 amends the Commerce Park Industrial District (CPID), Sections 110-493 through 110-500 of the Clewiston Code of Ordinances.

Mayor Gardner read Ordinance No. 2017-10 by title.

Vice Mayor Atkinson made a motion, seconded by Commissioner Petersen, to approve Ordinance No. 2017-10 on first reading and set the public hearing for June 19, 2017. Vote 5 yeas, 0 nays

City Attorney Brandenburg reviewed the revisions that were made to the ordinance with the Commission. Mayor Gardner stated the Commission and Staff will be able to address any additional concerns with Attorney Brandenburg before the public hearing on June 19, 2017.

5. **Ordinance No. 2017-11 – First Reading** – Ordinance No. 2017-11 amends Article V, Chapter 110, Section 110-524, entitled “Fences, Walls and Hedges”.

Mayor Gardner read Ordinance No. 2017-11 by titled. Commissioner Rodriguez stated that he supports the requirement that all chain link fences, except those used by single-family dwellings and industrial uses, be green, brown or black plastic or vinyl-coated. Mayor Gardner noted the requirement is stated in this ordinance.

Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve Ordinance No. 2017-11 on first reading and set the public hearing for June 19, 2017. Vote 5 yeas, 0 nays

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

6. **Approval of proposed FDOT State Highway Lighting Maintenance and Compensation Agreement for FY 17/18** – This agreement is required for the City to be compensated for maintaining the lights on US 27.

Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve the FDOT State Highway Lighting Maintenance and Compensation Agreement for FY 17/18 in the amount of \$12,852.68 and authorize the City Manager to sign. Vote 5 yeas, 0 nays

7. **Approval of Interlocal Agreement Between the City of Clewiston and the School Board of Hendry County, Florida for the Use of Recreational Facilities** – This Agreement enables the Hendry County School Board to utilize the City's recreational facilities and provides a procedure for authorizing the use of the City's recreational facilities.

Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve the Interlocal Agreement Between the City of Clewiston and the School Board of Hendry County, Florida for the Use of Recreational Facilities and authorize the Mayor to sign. Vote 5 yeas, 0 nays

8. **Discussion Regarding Options and Costs Concerning Tennis, Pickle Ball and Basketball Courts** – The Commission, at the April 17, 2017 Commission Meeting, approved putting the basketball goals up temporarily until staff had time to figure the costs of other options.

Commissioner Petersen stated that she would like to keep the basketball courts at the current location because they are being used. She also stated that she feels the pickle ball courts would only be used for five to six months out of the year and would like to spend the least amount of funds. Mayor Gardner stated that she feels there are many people who would like to play pickle ball year round. She also stated that she feels the reason why you don't see people playing pickle ball is because basketball and pickle ball are not compatible. She further stated that she does not have a problem with the basketball courts being in the area but does not feel they should be adjacent to the tennis or pickle ball courts. Vice Mayor Atkinson said that he also would like both basketball courts to remain at their current location. He also said both basketball courts were being used and people were waiting to play. Mayor Gardner stated that she does not see enough people playing basketball on both courts. She also stated that she would like to leave the west courts as tennis courts and stripe the east courts for tennis and pickle ball. Community Development Director Travis Reese noted that the first reading of Ordinance No. 2017-11 that was approved by the Commission requires that a basketball court be enclosed by a fence. Mayor Gardner noted that Ordinance No. 2017-11 would be revised before the final reading.

Commissioner Rodriguez made a motion, seconded by Commissioner Roland, to have the east courts go back to be used as tennis courts with striping for pickle ball so they can be used for a dual purpose and the half-court to be used as a basketball court with the asphalt and City staff putting in the lighting. Vote 3 yeas, 2 nays (Vice Mayor Atkinson and Commissioner Petersen voted nay.)

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

PUBLIC COMMENTS - none

COMMENTS FROM CITY MANAGER – City Manager Perry stated that Debbi Towner is retiring next Wednesday and will be missed. He also informed the Commission that he will be having surgery Friday morning and will be out of the office a few days this week and is not sure how long he will be out of the office after the surgery.

City Engineer Scott Jones addressed the Commission and stated that Community Asphalt finished the Road Reconstruction Project quickly and he was very pleased with their work. He also stated that Weekley Asphalt will begin work on the West Boat Basin Parking Overlay Project next. Commissioner Roland expressed that he wanted to make sure the project goes well. City Engineer Jones stated that it is a simple project and agreed to check

on the project daily and provide updates to the City Manager. City Engineer Jones also stated the Block 201 Utility Replacement Project for the Hampton Inn has been advertised.

COMMENTS FROM THE CITY ATTORNEY- none

COMMENTS FROM THE CITY COMMISSION – Commissioner Roland stated that fishing guides have been stocking the canals on the north side of town with fish and Scott Martin has received permission from the Clewiston Drainage District to have fishing tournaments for high school students in those canals. He also expressed that he feels those tournaments should be catch-and-release only. Mayor Gardner stated that she feels that any suggestions, recommendations or guidelines that Mr. Martin may have regarding this matter should be brought back to the Commission. Mayor Gardner expressed that she likes the idea of a fishing club as she feels the City needs to grow the next generation of fishermen. City Manager Perry stated that Mr. Martin suggested the City host a fishing tournament. He believes that clubs from other areas will come and stay in our hotels to participate in the tournament. Commissioner Roland stated that Clewiston Drainage District is in support but this matter is only being discussed at this point; other items will need to be worked out.

Commissioner Petersen stated that this week is National Police Week and expressed her thanks to Police Chief Angell and his department. Mayor Gardner, on behalf of the City Commission, also expressed her thanks and appreciation to Chief Angell and his staff.

There was a brief discussion regarding the paving budget. Public Works Director Sean Scheffler stated there are funds remaining that can be used to resurface the basketball half-court. Vice Mayor Atkinson expressed that he wanted to make sure roads were paved if extra funds were available.

Mayor Gardner stated that she feels it was a great day for the Glades last week with the signing of Senate Bill 10 and encouraged everyone to continue to speak up on behalf of the community. Commissioner Roland said one of the speakers at the signing of Senate Bill 10, said the concrete wall will provide the opportunity to raise the water in the Lake. Mr. Roland stated that if the level goes above 16 feet, the grass beds will be damaged and the Lake will be ruined as a fishing and recreational lake. Mayor Gardner stated that, according to Mr. Dan O'Keefe, Chairman of the South Florida Water Management District, the concrete wall will allow the Lake level to go up an additional 3 to 6 inches and the water can be held a little longer before it is released. Commissioner Roland reminded everyone that all of the pepper grass was killed in about 2 weeks in 2000 when the Lake level was about 17 feet.

ADJOURNMENT

The meeting was adjourned at 6:07 p.m.

Mali Gardner, Mayor

Mary K. Combass, Interim City Clerk