

CITY OF CLEWISTON
Regular Commission Meeting
May 21, 2012

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, May 21, 2012. The meeting was called to order at 6:00 p.m. by Mayor Richard Miller. Pastor Curt Owen gave the invocation and the audience recited the Pledge of Allegiance.

Attendance:

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

Personnel Present: Finance Director Ted Byrd, 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, City Attorney Charles Schoech, and Karen Moore.

Visitors Present: Jerry Cochrane, Terry Gardner, Asa & Betty & Godsey, Brenda Holcomb, Christine Howell, Donald Hughes, Richard & Erin Jones, Reva Marshall, Amy McKown, Paula Pittman, Cynthia Potter, Curtiss Pullen, Cindy Shearer, and Jillian Sparks.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – None

PUBLIC COMMENTS

Brenda Holcomb and other members of the Active Citizens for Children (ACFC) group came forward to speak about their desire to spearhead a community project to rebuild the “Woodworks Park”. They were asking the Commission for their approval to rebuild the park in the same location it had previously been. Ms. Holcomb stated the park would most likely have to be rebuilt in phases and they hope to have some cost estimates and designs for the next meeting. The estimated cost to rebuild the park is about \$150,000. Commissioner Gardner asked the group to keep in mind the two issues that citizens had concerns about when the park was previously in the location: 1) the noise factor because neighbors in the area used to complain, and 2) the possible need for bathrooms. The ACFC invited anyone interested to attend their meetings which are held the first Thursday of the month at 7:00 p.m. at the Youth Center.

1. Consent Agenda

- A. *City Commission Workshop Minutes – April 12, 2012*
- B. *City Commission Regular Meeting Minutes – April 16, 2012*
- C. *Florida Boating Improvement Grant Agreement Amendment No. 1*
- D. *Hendry County Library Cooperative Long Range Plan 2012-2017*
- E. *National Public Works Week Proclamation*

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

Public Hearings

- 2. Ordinance No. 2012-01** – Mayor Miller opened the Public Hearing by stating the purpose of the public hearing is to discuss and accept input from all interested parties relative to Ordinance No. 2012-01 and asked anyone who wished to speak to come forward and state their names and address. City Manager McKown stated the issue before the Commission is to consider Ordinance No. 2012-01 which will amend or repeal certain provisions of the current CPID, Commerce Park Industrial District. Official notice of this public hearing was advertised in the Clewiston News on May 3, 2012. No one came forward to make comments. Mayor Miller closed the Public Hearing.

Commissioner Pittman made a motion, seconded by Commissioner Gardner, to adopt Ordinance No. 2012-01 on final reading. Vote 5 yeas, 0 nays.

3. **Ordinance No. 2012-02** - Mayor Miller opened the Public Hearing by stating the purpose of the public hearing is to discuss and accept input from all interested parties relative to Ordinance No. 2012-02 and asked anyone who wished to speak to come forward and state their name and address. City Manager McKown stated the issue before the Commission is to consider Ordinance No. 2012-02 which will repeal the existing City Charter and proposes enactment of a new City Charter. Official notice of this public hearing was advertised in the Clewiston News on May 10, 2012.

A non-city resident, Raoul Bataller, came forward to speak about the Sunshine Law and the need for the Commission to understand it. The Commission stated they were aware of the Sunshine Law. Mayor Miller thanked the Charter Review Committee (CRC) for their work. Commissioner Gardner also thanked the CRC and stated they did a lot of work in a little bit of time. She feels the CRC has come up with a Charter that puts checks and balances in place. Commissioner Pittman and Commissioner Joseph Miller echoed the thanks to the CRC. Commissioner Rodriguez thanked the CRC and stated they worked hard and came up with a great product. He urged the citizens to go out and encourage people to vote for the revised Charter. Mayor Miller closed the public hearing.

Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve Ordinance No. 2012-02 on first reading and set the final public hearing for June 18, 2012. Vote 5 yeas, 0 nays.

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

4. **Agreement with South Central Florida Express on the Railroad Crossing at Olympia** – Mayor Miller stated that he has discussed the agreement with SCFE and was told this is a standard agreement they have with every city the railroad runs through. City Attorney Schoech stated by Statute, the City is not required to maintain the signal or crossing arms and this agreement asks the City to pay 50% of those costs.

Commissioner Gardner made a motion, seconded by Commissioner Pittman, to approve the contract with SCFE with a cap of \$2,000 on the yearly maintenance costs. Vote 5 yeas, 0 nays.

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

FINANCIAL REPORT FROM THE FINANCE DIRECTOR – Finance Director Byrd stated the reports indicate 58% of the year's budget has been expended.

REPORTS FROM CITY MANAGER – City Manager McKown gave the Commission a Benefits Committee update. He stated we currently have a defined benefit plan which insures retirees a certain benefit for life. Mr. McKown stated our current plan experienced a large loss in 2008, updated their mortality rates, had no increase in earnings and the return rate was lowered to assume 7.5%. Mr. McKown stated that our current provider has asked for a 64% increase in funding over last year to approximately \$800,000. He stated that many cities are moving toward defined contribution plans to remove the full portion of risk from the local government. Mr. McKown stated that staff is getting more information for options, but he wanted to inform the Commission of the situation. Commissioner Gardner asked to see projections on what the actual cost would be and asked if the City would stay with the current provider. Mr. McKown stated that through experience, we have found it very beneficial to our employees to have a representative who is willing to come on site to help employees with their investment decisions so it is doubtful we would stay with the current provider. Commissioner Gardner stated she felt it is important that the City move to the defined contribution plan, and we really need to look at the fees and other expenses related to any plan.

REPORTS FROM THE CITY ATTORNEY – None

REPORTS FROM THE CITY COMMISSION – Commissioner Gardner asked for an update on the Honeywell project. Utilities Director McCarthy stated he would like to have a workshop in June to update the Commission. He stated that Honeywell is hoping to be prepared to come to the Commission with a full proposal in August. Commissioner Gardner asked if the budget workshops had been scheduled. Mr. McKown will send the Commission a workshop calendar. Commissioner Pittman congratulated Scott Martin on another FLW tournament win. Mayor Miller congratulated Brandon Pena for his participation in a recent NCAA golf tournament.

Adjournment:

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

Richard Miller, Mayor

Marilyn McCorvey, City Clerk