

CITY OF CLEWISTON
Regular Commission Meeting
January 22, 2018

The City of Clewiston City Commission held its regular Commission Meeting in the City Hall Commission Chambers Monday, January 22, 2018. The meeting was called to order at 5:30 p.m. by Mayor Gardner. The audience joined in reciting the Lord's Prayer and 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, Police Chief Aaron Angell, Public Works Director Sean Scheffler, Community Development Director Travis Reese, Utilities Director Danny Williams, Code Enforcement Officer Debbie McNeil, Compliance Manager Lynne Mila, City Engineers Tommy Perry and Scott Jones and City Attorney Gary Brandenburg.

Visitors Present: Kevin Jarvis, Tara Belcher, Chris Felker, Jerry Cochrane, Donnie Hughes, Ramon Iglesias, Emily Hunter, Lindsey Hall, Asa and Betty Godsey, Yvonne Swindle, Andy Tilton, Terry Gardner, Jimmy Pittman and Niki Kelley.

CALL MEETING TO ORDER

PRAYER AND PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA - none

1. Consent Agenda

- A. *Commission Meeting Minutes – January 8, 2018*
- B. *Declaration of Surplus Equipment*

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

PRESENTATION OF GIFT FROM HENDRY COUNTY FAIR AND LIVESTOCK SHOW TO CITY OF CLEWISTON – Yvonne Swindle

Yvonne Swindle, Kevin Jarvis, Tara Belcher, Lindsey Hall and Niki Kelley of the Hendry County Fair and Livestock Show presented a large U.S. Flag to the Commission to be placed on U.S. Highway 27 in the City. Ms. Swindle stated the Hendry County Fair and Livestock Show raised the funds to purchase the flag and plans to raise funds to purchase a flag pole. City Manager Perry asked that the specs for the flag pole be sent to him.

Ramon Iglesias of Roland and Mary Ann Martin Marina and Emily Hunter, Director of the Hendry County Tourism Development Council, addressed the Commission requesting that all John Boy Auditorium rental fees be waived for the FLW event this week. He stated the event helps to promote the City and brings a lot of sales tax revenue to the City. He reminded the Commission that the TDC recently contributed \$50,000 to remodel the John Boy Auditorium. Mayor Gardner stated the John Boy Auditorium is not included in the Interlocal Agreement between the City and Hendry County. She also stated that she realizes the importance of the fishing tournaments. Public Works Director Sean Scheffler asked that the cleaning fee not be waived because that fee will be used to maintain the recent renovations to the auditorium. Mr. Iglesias stated that as a tribute for Nik Kayler, the angler who recently lost his life on the Lake while participating in the FLW event out of Okeechobee, a Coast Guard Fly By and a Man Overboard Salute is being planned for Thursday morning as they sing the National Anthem. Mr. Iglesias also stated that a Pan American event will be held on February 4, 2018. He explained that Clewiston was chosen for the event and he feels that even though it is not a large event, we need to show them that we are capable to host large events. He then stated that FLW is hosting another one day event on February 10, 2018. Commissioner Rodriguez stated that he understands the impact of the tournaments and but feels

there should be some type of agreement with the Hendry County Tourism Development Council if the fee is waived. He noted the City has always been behind on the repairs at the John Boy Auditorium. Mayor Gardner agreed an agreement for TDC sponsored events for the use of the John Boy Auditorium is needed so the City can continue to work with the TDC in promoting the community.

Commissioner Roland made a motion to waive the entire rental fee for the John Boy Auditorium for anything sponsored by the Hendry County Tourism Development Council.

Commissioner Petersen stated that she would like to see an agreement in place but would like to waive the fees for two upcoming events.

Commissioner Roland amended his motion, seconded by Commissioner Petersen, to waive the entire rental fee for the John Boy Auditorium for the upcoming FLW event on January 25, 2018. Vote 5 yeas, 0 nays

Mayor Gardner stated that the direction is to get an agreement between the Hendry County Tourism Development Council and the City of Clewiston waiving all John Boy Auditorium rental fees.

Commissioner Petersen made a motion, seconded by Commission Roland, to waive the entire rental fee for the John Boy Auditorium for the upcoming Pan American event on February 4, 2018. Vote 5 yeas, 0 nays

PUBLIC HEARING

2. **PUBLIC HEARING - Ordinance No. 2017-21 – Final Reading** – Ordinance No. 2017-21 amends Section 102-75 to change the date to require property owners to pave, at the property owners' expense, certain driveway aprons no later than February 1, 2019.

Mayor Gardner summarized and read Ordinance No. 2017-21 by title. She stated that official notice of the public hearing was advertised accordingly and opened the public hearing. She explained this ordinance changes the date requiring property owners to pave certain driveway aprons and allows time for staff to provide the Commission with property addresses of unimproved aprons and additional information. Commissioner Rodriguez opened a discussion regarding a City driveway apron paving project that was previously discussed. City Attorney Brandenburg stated that he prepared a memorandum regarding the project for staff to follow. City Manager Perry stated that staff has met and is working on it at this time and will make a recommendation to the Commission once the inventory is finished. As there were no further comments, Mayor Gardner declared the public hearing closed.

Vice Mayor Atkinson made a motion, seconded by Commissioner Roland, to approve Ordinance No. 2017-21 and authorize the Mayor to sign. Vote 5 yeas, 0 nays

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

3. **Authorization of bucket truck purchase** – Quote from vendor Altec is per NJPA specifications. The NJPA contract and quote have been reviewed by City Attorney Brandenburg.

Vice Mayor Atkinson made a motion, seconded by Commissioner Petersen, to approve the purchase of the bucket truck per Altec quote. Vote 5 yeas, 0 nays

4. **RFQ No. 2018-01 - Request for Qualifications for Professional Services including engineering, inspections, surveying, mapping, groundwater, surface water, water quality, utilities, land planning, land development, landscape architect, transportation/traffic; for multiple continuing contracts for three (3) years, with the**

potential of 2 one-year renewals - The City advertised RFQ No. 2018-01 and six (6) submittals were received and opened on January 16, 2018 at 2:00 p.m.

City Manager Perry informed the Commission that six submittals were received and ranked by City staff. The Commission discussed the option of selecting more than one engineer. City Attorney Brandenburg stated the City's Charter indicates there is one City Engineer and a City employee could be designated as the City Engineer Coordinator or the Charter could be changed at the next election. He confirmed there is nothing preventing the City from naming a City Engineer as well as having additional engineers available. Mayor Gardner noted that no City employee is licensed as an engineer. Finance Director Shari Howell confirmed a monthly fee of \$100 is currently paid to the City Engineer to attend the monthly Commission Meetings. She stated she was requested to provide the information regarding the expenses paid by year to the City Engineer and explained what is presented is for City engineering services only. She also explained the expenses vary year to year as they depend on what is going on. Commissioner Rodriguez stated that he would like to see the qualifications on both engineers if the Commission decides to choose only one engineer. City Manager Perry stated that all submittals were impressive. Attorney Brandenburg recommended the City have them all designated as special engineering service firms if more than one firm is selected. He also stated that the Commission may want to look at the types of services each firm offers before a choice is made. He added that the City Engineer serves at the pleasure of the Commission so the Commission can decide on the responsibilities of the City Engineer and could give out all special engineering services on a piece meal basis under the existing Charter. Mayor Gardner stated she would like to review the submittals and feels that, according to the Charter, a City Engineer, whose responsibilities may change, needs to be selected and a library of special engineering services is needed. She recommended this item come back to the Commission at the next meeting to allow more time for the Commission to review the submittals. Attorney Brandenburg explained the firms should be ranked and if more than one firm is going to be selected, they should be ranked according to each specialty. He added that staff will then negotiate with the top firm in each area to see if a price can be reached and if a price cannot be reached, the firm is rejected and staff will begin to negotiate a price with the next ranked firm. Mayor Gardner stated that more information is needed to make the right decision. City Attorney Brandenburg confirmed that staff could not ask for cost until the most qualified firm is selected.

5. Departmental Monthly Activity Reports - Presented for information only.

PUBLIC COMMENTS – none

COMMENTS FROM CITY MANAGER - none

COMMENTS FROM THE CITY ATTORNEY – City Attorney Brandenburg stated there is still an issue regarding who is going to sign off on the FMPA documents. He explained the question is whether FMPA is going to pay the cost of the attorney. City Manager Perry stated that FMPA hinted that they will not pay the cost of the attorney and informed him that the City will be receiving a refund check of about \$90,000. Utilities Director Williams stated the refund is an overage for power and is normal. Attorney Brandenburg stated that he does not have any idea how much the opinion would cost but recommended the City not sign if FMPA does not pay for the opinion.

Commissioner Roland made a motion, seconded by Vice Mayor Atkinson, to write FMPA a letter notifying them that the City Attorney is not going to give the City an opinion and in order for the City to hire an attorney to give an opinion, FMPA will provide a list of attorneys to choose from and pay for the opinion. Vote 5 yeas, 0 nays

COMMENTS FROM THE CITY COMMISSION – Commissioner Petersen asked about the lift station infrastructure in the Sonny's Restaurant area and when the DEP Wastewater Plan license renewals will be done. Director Williams stated the Berner Lift Station is next on his list and City Engineer Scott Jones noted the license renewals are not yet due; they have a five year renewal.

Commissioner Roland stated the asphalt level is bad at the red light on WC Owen and asked when Hendry County will be resurfacing WC Owen, Francisco and Sonora. City Manager Perry agreed to get the information and the County's five year paving plan to the Commission.

Commissioner Rodriguez asked if City staff was still pursuing the USDA grant for the utilities relocation. City Manager Perry stated the grant was dropped because everything for that project was site specific based. Commissioner Rodriguez stated that he feels we need to follow through so that we don't lose any other grants. City Manager Perry clarified that it was not staff's fault that the grant was lost. Mayor Gardner requested City Manager Perry to provide a list of what projects are going on now and who is responsible for monitoring the process of each one. Commissioner Rodriguez asked who is working on the \$1,000,000 grant for infrastructure on the east side of town. Utilities Director Danny Williams stated there is grant money for the expansion of the wastewater plant and explained that Hendry County has hired someone to work on that. He further explained that once they get to the point to expand the plant, they will turn the grant over to the City. He then stated that he is in favor of expanding but feels we should be cautious before we know what is going to go in that location. Mayor Gardner stated she feels it needs to be looked at because economic development is needed. She also stated that staff should know who is going to monitor each grant and see it through. She further stated that staff should look at each grant before applying to make sure the right decision is being made. Director Williams stated he agrees but feels we should be cautious. Mayor Gardner asked City Manager Perry, Compliance Manager Mila and Utilities Director Williams to see where we are on the grant for the infrastructure on the east end of town and see what process we need to go through and bring it back to the Commission.

Commissioner Rodriguez stated that the new banners on US Highway 27 look really nice and noted the irrigation for the royal palm trees is going in.

Mayor Gardner stated that she has received complaints on the removal of public parking for the benefit of private parking and feels we need to revisit the decision to take away public parking. She also stated there is a two hour parking time limit on Bond Street and feels if we have it on Bond Street, we should have it on Central Avenue.

Commissioner Roland opened a brief discussion regarding trucks parking on the paved area on the City's right of way of the All Juice plant property. Mayor Gardner asked staff to research the matter to determine if there was an agreement or if this is a Code Enforcement issue.

ADJOURNMENT

The meeting was adjourned at 6:37 p.m.

Mali Gardner, Mayor

Mary K. Combass, Interim City Clerk