

CITY OF CLEWISTON
Special Commission Meeting and Final Budget Hearing
September 27, 2021

The City of Clewiston City Commission held a Special Commission Meeting and Final Budget Hearing in the City Hall Commission Chambers on Monday, September 27, 2021. The meeting was called to order at 5:00 p.m. by Mayor Petersen. Commissioner Pittman gave the invocation and the audience joined in reciting the Pledge of Allegiance.

Commissioners Present: Mayor Kristine Petersen, Vice Mayor Greg Thompson, Commissioner Mali Gardner and Commissioner James Pittman. Commissioner Hillary Hyslope attended via telephone.

Personnel Present: City Manager Randy Martin, City Clerk Kathy Combass, Finance Director Shari Howell, Interim Police Chief Tom Lewis and Fire Chief/Community Development Director Travis Reese. City Attorney Gary Brandenburg and Consulting Engineer Andy Tilton attended via telephone. Utilities Director Danny Williams also attended via telephone.

Visitors Present: Michael Atkinson, Terry Gardner and Janet Taylor

Additions/Deletions/Changes and Approval of the Agenda

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

Public Comments - none

1. **Resolution No. 2021-101** – Resolution No. 2021-101 approves the Site and Architectural plans for the proposed VIA Clewiston Partners LLC furniture facility for Lots 10, 11 and 12, Clewiston Commerce Park, Addition 1, contingent upon the plans, including the additional items described in the letter to VIA Clewiston Partners LLC and David’s Carpentry and Concrete dated September 22, 2021, being resubmitted to the Technical Review Committee for an additional review.

Mayor Petersen summarized the agenda item and read Resolution No. 2021-101 by title.

**Commissioner Pittman made a motion, seconded by Vice Mayor Thompson,
to approve Resolution No. 2021-101. Vote 5 yeas, 0 nays.**

Before the vote, Commissioner Gardner asked staff to review the findings described in the letter to VIA Clewiston Partners and David’s Carpentry and Concrete particularly regarding the cul-de-sac and City right-of-way. Manager Martin explained that the existing street cul-de-sac is not currently designed for an industrial cul-de-sac. He reminded everyone that there was previous discussion to preserve the right-of-way to allow for future build out to an industrial cul-de-sac proper design when the Commission discussed subdivision of the 10 acre tract which has now been subdivided. He stated that staff is still recommending build out by negotiating with the developer/property owner a price for the City’s share of building out the right-of-way. It is recommended that this negotiation occur when the developer/property owner receives a price for paving included in their project. If the City is satisfied with that price and the City share for inclusion of the cul-de-sac work is successfully negotiated, the City could enter into a cost-sharing agreement subject to Commission approval. He confirmed the entire proposed right-of-way depicting the expanded cul-de-sac was retained as the City’s property when the lots were sold. Director Reese reviewed the entire list of items the technical review committee requested to be submitted for additional review. He stated that the technical review committee felt that all the substantive requirements were addressed in the plan and recommended approval with the submission of the listed items back for technical review. Manager Martin then asked Engineer Tilton to comment on the stormwater retention design elements. Engineer Tilton stated that the main pond for the Commerce Park subdivision is for water attenuation as well as part of the water

qualities component for the subdivided properties including these lots. Each of the subdivided lots is designed to connect directly into the system that delivers it to the existing pond. He noted that the technical review committee wants to see the stormwater calculations because the site plan submitted did not have this information included when the plan was presented to the review committee. After further discussion, Manager Martin stated that Michael Atkinson, who represents the builder/developer of the property for the owner, was in attendance in case there were any questions for the developer/property owner agent.

After the vote, Manager Martin stated the builder indicated there was a lengthy order period for the material; approval would allow them to proceed with ordering the building. Mr. Atkinson confirmed the building order is 40 weeks out. Manager Martin stated the site preparation could begin and the builder could proceed to the permitting phase after finalizing all site plan details. Mr. Atkinson explained that the developer did not want to obligate the order for the materials or complete too much of the final plans before getting the Commission's approval of the site plan, building design characteristics and layout information presented for this meeting. He hoped to have completed detailed plan sets to turn in for a permit in 3-4 weeks after tonight's action. Director Reese noted that this is the proper procedure.

Manager Martin asked City Attorney Brandenburg to give an update on the status of the previously approved contract for the purchase of Lots 13 and 14 of Commerce Park since there was available time remaining before the scheduled start of the public hearings to follow this portion of the meeting. Attorney Brandenburg stated that it looked like the closing was going to go forward; he was waiting on an update as to whether the remaining items were completed today to confirm.

The meeting recessed at 5:19 p.m. and reconvened at 5:30 p.m.

Mayor Petersen announced that Utilities Director Danny Williams had joined the meeting during the discussion via telephone and Consulting Engineer Andy Tilton was no longer on the phone following the Commerce Park discussions.

PUBLIC HEARINGS

2. Final Public Hearing of the FY 2021-2022 Budget – 5:30 p.m. (A copy of the FY 2021-2022 Tentative Budget was a part of the September 13, 2021 City Commission Tentative Millage & Budget Hearing Agenda and can be viewed on the City's website and a copy of the proposed FY 2021-2022 Budget may be obtained from the Finance Department.)

A. Resolution No. 2021-102 – Resolution No. 2021-102 adopts a millage rate for the levy of ad valorem taxes for Fiscal Year 2021-2022. The proposed millage rate is 6.5314 mills.

Mayor Petersen reconvened the meeting at 5:30 p.m., opened the public hearing and summarized the agenda item. She stated the proposed millage rate is 6.5314 mills, which represents a 3.93% increase over the 6.2847 rolled-back millage rate as defined by the Florida Statutes. She also stated the total of the proposed capital and operating budget for the Fiscal Year 2021-2022 is \$30,433,376. After hearing no comments from the public or discussion by the Commission, she read Resolution No. 2021-102 by title.

Commissioner Pittman made a motion, seconded by Vice Mayor Thompson, to approve Resolution No. 2021-102. Vote 5 yeas, 0 nays.

B. Resolution No. 2021-103 – Resolution No. 2021-103 adopts the budget for Fiscal Year 2021-2022.

Mayor Petersen read Resolution No. 2021-103 by title and asked for discussion by the Commission and comments from the public. There was no discussion by the Commission and no public comments were heard.

Commissioner Pittman made a motion, seconded by Vice Mayor Thompson, to approve Resolution No. 2021-103. Vote 5 yeas, 0 nays.

C. Resolution No. 2021-104 – Resolution No. 2021-104 adopts the City’s FY2022 Capital Improvement Plans.

Mayor Petersen then read Resolution No. 2021-104 by title and asked for discussion and comments from the public. After hearing no discussion by the Commission or public comments, she called for a motion to adopt the City’s FY2022 Capital Improvement Plans.

Vice Mayor Thompson made a motion, seconded by Commissioner Hyslope, to approve Resolution No. 2021-104. Vote 5 yeas, 0 nays.

Commissioner Gardner stated that she would like to invite the Hendry County Property Appraiser to a meeting to talk about the assessment process for the public. Manager Martin agreed to arrange that for a future regular meeting.

Mayor Petersen closed the Final Budget Hearing.

Manager Martin then thanked the Commission and staff for their efforts and working as a team to complete the fiscal year budgeting process in a timely and efficient manner. Mayor Petersen stated that the budget process gets easier and easier every year and expressed her appreciation to Finance Director Shari Howell for her diligence, organization and attention to the detail.

3. Ordinance No. 2021-04 – PUBLIC HEARING - Final Reading – 5:30 p.m. – Ordinance No. 2021-04 levies and imposes upon all insurers, now or hereafter engaging in or carrying on the business of insuring with respect to property insurance, an excise or license tax in addition to any tax now levied, of 1.85% of the gross amount of receipts of all premiums collected from property insurance policies insuring property within the corporate limits of the City of Clewiston and provides when said tax shall be due and payable.

Mayor Petersen opened the public hearing and summarized and read Ordinance No. 2021-04 by title. Manager Martin suggested that Chief Reese review the implications and how these dollars are collected by the State for the record. Chief Reese explained that the 1.85% collected by the State of Florida is collected on all insurance premiums within the State. If this ordinance is approved, the revenue collected by the State within the City of Clewiston going forward will be sent to the City of Clewiston for the firefighter pension fund. This is a tax that is already being collected by the State of Florida and used for funding the Florida Retirement System. Manager Martin pointed out that if this ordinance is approved tonight, the earliest that the City would receive any of the revenues is projected to be around August 2022. Chief Reese noted that one quarter of the funds would be received at that time. Commissioner Gardner mentioned that the Commission previously talked about how this revenue would offset the millage rate. Manager Martin clarified that if the Commission adopts the assessment process for next fiscal year and put it in place, it would be in a subsequent fiscal year that the City would receive those funds and have an opportunity to offset the millage rate in a similar amount. Manager Martin stated that the insurance premium funds would be earmarked specifically for establishing a pension fund for the firefighters; the City could not use those funds for any other purpose. He confirmed that approval of this ordinance before the Commission this evening would allow the City to capture the money. The City would need to create an actual pension in a subsequent action in order to utilize the money. Commissioner Pittman expressed that the City needed to move forward to meet any deadline to create the pension, if there is one. Chief Reese stated that he is not aware of a deadline for that action. The state’s Department of Management Services has provided the City a road map to follow and he have also reached out the League of Cities for input. Chief Reese then reviewed the process with the Commission. Commissioner Gardner asked Manager Martin to continue to keep the Commission updated. Commissioner Pittman asked if we could capture the 1.85% from everyone in our district. Manager Martin stated that staff is still researching that possibility, but it is believed that the only option would be for the County to take some type of action for that to happen.

Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve Ordinance No. 2021-04. Vote 5 yeas, 0 nays.

Commissioner Pittman asked if the City was planning to have the Fall Festival and Trunk or Treat events this year. Manager Martin stated that the Fall Festival is scheduled for October 16 and the Trunk or Treat is scheduled for October 30.

Commissioner Hyslope commented on the details for the Clewiston Museum's Arty Party Event scheduled for October 7 and the South Florida Ag Foundation's Congressional Staffers' Dinner scheduled for October 12.

Manager Martin announced that the Hendry Regional Medical Center Pink Warriors Walk fundraising event is scheduled for October 23 and the Fresh Market on Bond Street event is scheduled for October 16.

Commissioner Gardner announced that U.S. Sugar's steam locomotive Engine No. 148 will be hauling the first cane of its season on October 1 and commented on the details for the public to view the historic locomotive.

Adjournment

Commissioner Gardner made a motion, seconded by Commissioner Pittman, to adjourn the meeting at 5:54 p.m. Vote 5 yeas, 0 nays

Kristine Petersen, Mayor

Mary K. Combass, City Clerk