

MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON OCTOBER 20 , 2015 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA

Council members present: Bret Whidden, Mayor
 Dave McGee, Vice Mayor, Financial Director
 Marc Decker, Councilman
 Patricia Lucas, Councilwoman
 Harry Ogletree, Councilman

Others Present: Maxine Brantley, City Clerk
 Steve Ramunni, City Attorney
 Jerri Lynn Schlueter, Public Works Director
 Sam Briefman, Water Plant Supervisor

ITEM 1: ROLL CALL.

Whidden gave the roll call.

ITEM 2: INVOCATION AND PLEDGE OF ALLEGIANCE.

McGee gave the invocation; Ramunni led in the flag salute.

ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA.

NONE

ITEM 4: REORGANIZATION OF THE COUNCIL BOARD.

Whidden states there is a misprint on the agenda; item number 4 reorganization of the Council Board, we did that last at the last meeting. I would like to entertain a motion to move number 7 to number 4 on the agenda.

MOTION was made by McGee seconded by Decker to move item number 7 to item number 4 on the agenda. Motion carried.

Lucas states I want to keep it on the agenda until it gets settled one way or the other. There are a lot of people that are interested in having back yard chickens. We did get this packet from Jim LaRue and Lucas reads information from packet given by Jim LaRue. Lucas states I would not suggest that we do all of those, but some of them are good. Whidden states there are pros and cons to it and to change an ordinance takes time. I have talked to people in the City of Moore Haven and there are some that are for it and some that are against it. There is a lot to it and I think you are right we need to do some more research and we need to look into some input/output from the public. It is not going to be an easy decision. Lucas states then we need to have a workshop so that we can do that. Workshop set for November 23, 2015 at 6:00 p.m.

ITEM 5: DISCUSS AND/OR APPROVE THE FOLLOWING MINUTES.

NONE

ITEM 6: REPORT OF OFFICERS.

6A: Public Work Director

Schlueter states the medium landscape is 100% complete as of today. The only thing we have left, which is not part of their contract, it to stamp concrete medium between 4th Street and 5th Street.

Schlueter states I messed up, we got the Code Enforcement truck. Kevin and I had spoken to Maxine back in August and asked, because of the lead time, if we could order the truck as long as we didn't get invoiced until after October, but I did not come to the Council for the approval to actually purchase the truck and we got the truck on Friday. Bryant states I thought we had already talked about it. Decker states I thought we had talked about it the other way really. Bryant states about what. Decker states about ordering stuff without coming before the Council. Lucas states it was in front of us. Decker states no it wasn't, the budget was. Whidden states we budgeted for the truck. Bryant states yes we did. Whidden states let me back up; we budgeted for the new bucket truck, and purchased that truck without Council approval. Just because it is budgeted does not mean go purchase it without the approval of the City Council. Bryant states we talked about it here in the meeting that night. Whidden states yes we talked about replacing the Code Enforcement vehicle and put it in the budget. Bryant states I assumed I was ok with buying the truck for Code Enforcement. Was I wrong? Ramunni states yes. Whidden states just because you budget something, we went through this when we bought the bucket truck, we approved it in the budget, and when it got to the time we needed it we were going to purchase it, but what Steve is saying is it has to come back before the Council to get approval to buy it. Just because it is in the budget does not mean the money is there to purchase it. Lucas states we told them to order it. Whidden states no we didn't. Schlueter states no we did not come to the Council to order it. Ramunni states where did you get it from and what pricing do you have? Schlueter states I have the state contract from Alan Jay in Sebring. Bryant states it was not all her mistake it, it was my mistake. I thought we had discussed and I assumed we were on board to buy a truck for Code Enforcement.

MOTION was made by McGee seconded by Lucas to purchase the Code Enforcement truck. Motion carried.

Schlueter states we have an opening in the physical environment department, so in the meantime while we are advertising I have a couple of temporary employees that are going to be working on the back of the garbage truck so we don't have to pull somebody off one of the other crews. It is like a contract, they are not covered under benefits, just worker comp, and at the end of the year they get a 1099 not a w2.

6B: City Attorney.

Ramunni states we may have a new CAPFA deal. I received a telephone call from Mark Raymond; we have used him before as a Bond Council. He has some dealings out in California and I had some discussion with a gentleman from the California Municipal Finance Authority, which is a California Governmental Entity, to make a long story short they are looking for a Florida issuer for tax reasons. So I spoke with Ted and now Ted is speaking with the gentleman directly in terms of all the details. I believe Ted is going to be here the second meeting in November to give an update on this and Guam as well.

Ramuni states following the last meeting, I also spoke with Jim LaRue about the marina issue. I think he emailed some information on what Ft. Myers is working on and I think it is in your packets, they are looking at privatizing their marina. This should give you an idea of what needs to go into the RFP, it is a fairly thick packet, so I would just take a look at it for the time being and then we can go from there.

6C: City Clerk.

NONE

6D: Craig A Smith.

NONE

6E: CAS Governmental Services

NONE

6F: Water Department Supervision Reports.

Briefman states I gave you all a revised report for tonight. I have a question for Steve on the sole sourcing; it has to do with a backwash pump I would like to purchase. It is from a sole source, I have contacted other vendors, but they would not give me a price, and the pump I would like to order is for everything, meaning when this pump comes in we can pull the old one out and put the new one right in place. If we order from one of the other companies, we would have to reconfigure everything and it would cost us quite a bit of money. Ramunni states it is \$16,000.00, it is still below our purchasing limit, right Jerri Lynn? Schlueter states yes, if this is a specialized product, then we are within our purchasing policy. Briefman states we will do this in house.

MOTION was made by McGee seconded by Decker to purchase backwash pump. Motion carried.

Briefman states the pump in well 4 quit working and has to be replaced. This cost is \$2,100.00, plus we will need an additional pipe for the well, it will be \$3,500.00 to \$4,000.00 to make those repairs. I just wanted the Council to be aware. Also, on Sunday, the POC computer for the UF,

which is the one outside on the electrical panel, that was with the original UF. We came in Sunday and the screen was black and reading some error, it has been corrupted somehow. We are going to get another one and GE has to program it for us, and upload all the updates for the software. The cost for that is \$6,300.00.

MOTION was made by McGee seconded by Ogletree to purchase POC. Motion carried.

ITEM 7: DISCUSS BACKYARD CHICKENS (LUCAS).

Moved to item #4.

ITEM 8: DISCUSS CODE ENFORCEMENT (McGEE).

McGee states we got a new Code Enforcement truck now and I don't know if there is anybody in here that is pleased with the way the City of Moore Haven looks? I'm not, I think it looks terrible. Just on my road alone there are two junk cars, actually one is a motor home. There is skirting missing on trailers; garbage in people's yards, even had a School Board Member mention what we are going to do to clean Moore Haven up. I am not pointing fingers at one particular person, but we do have a Code Enforcement Officer, and we do have a Public Works Director. Schlueter states there is only so much we can do, we cannot go into somebody's yard and tell them to pick their garbage up out of their yard. McGee states yes we can. Schlueter states we can go into someone's yard and have their car towed out of it. McGee states absolutely. Decker states we have been towing them out for years. Schlueter state no we have been towing off the easement not out of somebody's yard. McGee states we have to do something. Bryant states as long as you all stick behind me, I will do whatever it says. I guarantee it. McGee reads aloud Code 71-5. Bryant states that is exactly what I do Dave. McGee states then why do we have all the issues in the City? There is a motor home at one end of the street and a junk car at the other end and trailers with the skirting torn off all around me. What's the problem, I want to know. Bryant states in our code we have 1998 or 1999 if the trailer was put in before then they are grandfathered in. McGee states I understand that and we are going to get that changed. Bryant states that isn't anything I can do about them now. McGee states what about the cars? Bryant states if it has a tag on it, McGee interrupts and states it doesn't have a tag on it. Bryant states I will tell you one thing I will have it removed tomorrow but you all better stand behind me. McGee states we will. Bryant states where we going to haul it to Dave? McGee states I imagine we will get Sergeant's to remove it. Bryant states ok if that's what you want that is what I will do. Schlueter states I don't think Sergeant's will do it; they want an agreement that the City is giving them permission to remove the vehicle. McGee states we are going to do something, I don't know how. It is up to you all not me. Ramunni states what I would suggest is when you have an issue like that take it to Judge and get an order. You have approval at that point empowering you to remove it. Just set it up to where you go to court and let the court deal with it so to speak. Bryant states you all are telling me I can go on to private property and pull that car off private property. McGee states follow the code and procedures. Bryant states that's what I have been doing. McGee states well they are still there. All I am asking you to do is help me out, people are complaining. It does not look good. On the skirting take care of the ones you can do something about, then when Steve get the ordinance

changed take care of the rest. I want a list of where you go every day with what you are doing on code enforcement. I want a report please, Pat has been asking for one for a while now.

ITEM 9: APPROVAL OF BILLS IN THE AMOUNT OF \$115,935.80.

MOTION was made by Lucas seconded by Ogletree to approve the bill submitted list in the amount of \$115,935.80. Motion carried.

Schlueter states I would like get the Council's approval to pay the Big Tree invoices since the project is completed. Lucas states how much are they? Schlueter states all total is \$32,423.95.

MOTION was made by Lucas seconded by McGee to approve paying Big Tree invoices in the amount of \$32,423.95. Motion carried.

ITEM 10: CITIZENS COMMENTS / GENERAL CONCERNS:

NONE

ITEM 11: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.

Ogeltree--NOTHING

Lucas states I have been going to the EDC meetings and they asked me about the TDC because you are on that board. They want me to find out if you are still going to be on that board Bret? Whidden states I am still on it as far as I know, but if they ever have a meeting and let me know when it is I will show up. Lucas states they have had meetings, they are supposed to Monday at 3:00. Whidden states they have had them on a Monday at 3:00 for a while but I would show up and no one else would be there. I haven't heard from anyone in 3 months.

Decker—NOTHING

McGee – NOTHING

Whidden—NOTHING

ITEM 12: DISCUSS FINANCIAL REPORTS IF NEEDED.

NONE

ITEM 13: ADJOURNMENT

MOTION was made by Ogletree, seconded by Lucas to adjourn. Motion carried.

Maxine Brantley, City Clerk

Bret Whidden, Mayor

Meeting adjourned at 8:20 pm

THESE MINUTES ARE NOT VERBATIM. IF ANYONE WISHES TO LISTEN TO THE MEETING IN ITS ENTIRETY, TAPES ARE AVAILABLE.