

**MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON MARCH 1, 2016 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA**

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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; Lucas led in the flag salute.

**ITEM 3: DISCUSS AND/OR APPROVE THE FOLLOWING MINUTES.**

February 2, 2016 Regular Meeting Minutes.

**MOTION** was made by Decker seconded by Ogletree to approve February 2, 2016 Regular Meeting Minutes. Motion carried.

**ITEM 4: ADDITIONS OR DELETIONS TO THE AGENDA.**

NONE

**ITEM 5: DISCUSS ELECTRIC RECOMMENDATION FROM ED WISER (ELECTRIC ENGINEER).**

Ramunni states this is a carry-over from the last meeting some of the issues that were carried on from the RFPs in Mr. Wisers report. There is an updated recommendation from Fred Wilson & Associates. There were some questions on what happens with the Capital Credits; we had a conference call last week so I will try to explain. There are credits that are earned and they have been identified by are auditors each year for the years we participated. Glades Electric will determine whether or not they are going to refund Capital Credits. My understanding is they have not paid them in ten years; so when they start it will be from that period forward.

Ramunni states the other question was if the power was purchased through FPL will there be additional wheeling charges to the City's customers; according to Mr. Wisner that is already built into the figures that FPL has provided.

Ramunni states the other issues was on the generators in the event a storm comes and the City has power outages. I believe that it's still an available option but that is something that needs to be negotiated with Glades Electric and the City in the event that Glades Electric was not awarded the power contract. McGee states it's not part of the contract now? Ramunni states no.

Lucas states are we bound by taking the lowest bid? Ramunni states in Florida you generally are but there is a caveat to that; the lowest responsive and qualified bid is generally the standard. In order to deviate from the lowest or the best bidder there has to be something in regards to why you want to deviate from the lowest responsible bid. We have three bidders they all have been deemed responsible bidders by the City Engineers, so he has ranked them as he indicated to you last time; his recommendation is that FPL be the power supplier. You have to keep in mind this is an area that pro or con it's comes with litigations when the best provider is not selected or that there is another bidder that believes there is a problem with the process. Whatever the case may be, it can be litigated by a consumer who will also challenge if the lowest bidder was not selected.

Jeff Brewington states the generators are included in the current contract. Ramunni states they are included in your contract but if it's another provider that is something that needs to be negotiated. Brewington states regarding those generators should the City no longer be a member of Glades Electric then we have to deal with Seminole on the generators. McGee states are the generators owned by Seminole? Brewington states they are owned by Glades Electric but Seminole is in charge of all the power that is distributed by us. Lucas states my question is the generator has not been ran a lot anyway for the City so why could we just buy our own generator? Ramunni states that is something you would need to talk to the City Electrical Engineer about. Lucas states the after-hours calls cost us \$89,000 I think we can do this in house with our employees. Ramunni states those are all policy considerations that you may or may not determine in a later date and basically what you have on the agenda tonight is the RFPs, proposal and recommendations to rank as the City Engineers has provided in his two reports, everything else can be discuss at an appropriate time.

Lucas states so can we all vote tonight on this issue? Whidden states yes but I also have questions for both parties but I'm tied because of the conflict which there is no personal gain for me. It did not cost the City \$89,000 for the after-hours call. Lucas states it's built into the new contract. Whidden states no it's not provided. Brantley states the \$89,000 is not in the contract there was a question at the last meeting on how we are going to handle the after-hour calls so we have asked Mr. Brewington to give us an estimate, so that's the price he came up with if they continued to handle the after-hour calls. McGee states is that part of the proposal? Brantley states no. Ramunni states that is something that needs to be negotiated afterward or whether the City decides to go in that direction. Lucas states are there any negotiating going to be done? Ramunni states the prices are what the prices are but we have to come to a final contract in terms to ratify what the numbers of the RFP are verses the submittal are. McGee states our current contract ends on June 30<sup>th</sup> so we are going to need to make a decision on this tonight. I have always

appreciated working with Glades Electric and I don't see this as Glades Electric verses FPL I see it as Seminole Electric verses FPL because Glades Electric purchase there electric through Seminole.

Tammy Humphries states how much is the cost going to be for the consumer, because that is the most important factor. Lucas states FPL is most likely going to be 19% lower whole sale power cost than Glades Electric, we are thankful for Glades Electric but now everyone realized we need to have and get the best rates we can.

Lucas states the City of Clewiston is our backup if needed; Glades Electric has said they do not want to help on outages because they don't want the liability. Brewington states that is not what I have said. Randy Lucas states when we have called you all several times when we had major problems I was told by Jim that Glades Electric didn't want the liability. Ramunni states the issue is you got an RFP; I don't think it's appropriate to get into that type of a conversation at this point. Whidden states yes we have RFPs but it's not fair to make a decision and she has questions but can't ask them. Ramunni states but does she have questions on the RFPs and the numbers opposed to issues that may or may not be relevant.

**MOTION** was made by Lucas seconded by McGee to accept the recommendation of the ranking of the City Electric Engineers which FPL is number 1, Glades Electric is number 2 and FMPA was number 3. Motion carried. Whidden abstains.

Brewington states even if the contract gets delayed because I don't believe the new contract will be in place before the old contract ends but Glades Electric will not drop the City, we are still your neighbors we will figure out something going forward to insure the City still has power after this contract ends.

## **ITEM 6: REPORT OF OFFICERS.**

### **6A: Public Work Director**

Schlueter states for the drainage project behind the Goodwill and Shell Station they have the culvert and both drainage boxes in, the only thing they have to do is pave and clean up.

Schlueter states Ridgdill has started on the extra roads that we asked them to do, they have done Avenue K I am not sure when they are going to do Avenue R and the cul-de-sac on Avenue N. We have received the approval from DEP on the ones that need to tie in, I talked to Crayton today he is going to have some guys come in tomorrow afternoon to start the tie ins and they should be done by next Friday with the customers tie ins.

Schlueter states Billy Joe Wiggins has resigned it was very short notice so I would like to get him a plaque he is the longest employee that we have had here recently and maybe have the Council present it to him in a meeting. We have not discussed how we are going to fill his position because it's fairly new but I will keep you all up to date.

Lucas states my understanding is George passed his test in May of last year. Schlueter states yes. Lucas states aren't we obligated to sign off on his license? Schlueter states no we are not. Lucas states so he can get them signed off somewhere else? Briefman states absolutely he can. Schlueter states Bryant, Briefman and I had a meeting with George and at the time he completed his hours we did not feel that he was ready to take on Water Distribution and to be obligated to report to DEP and record keeping. Lucas states but wasn't it if he passed the class he would get a raise. Schlueter states no it was discussed with him that he needs to meet certain standards; Briefman would have to put his license on the line if he signs off on his hours saying George has completed his Water Distribution hours; which he has but we feel he is not ready. Briefman states he just needs more time to process what he needs to learn. Lucas states but he has not had anyone to work with him or help him and teach him how it's done. Schlueter states yes he has, he has had Lawayne and Billy Joe that has worked and showed him. George Alarcon states not to disagree with Schlueter or Briefman but I talked to DEP and they said for anyone to sign off on my Water Distribution license it doesn't affect their license it just proves that I have completed the two thousand eighty hours for DEP as of minimum requirement. Briefman states but I don't have to sign off on it and it will make me responsible for him. Alarcon states it will not affect Briefman's license if I make a mistake. Whidden states it will because it will be attached to his Water Plant license number. Ramunni states you are setting a dangerous precedency by allowing individual employees to go over there supervisors head and for the first time airing this issue out in a public meeting without going through the personnel policy. Alarcon states my question is if I get my Water Distribution hours signed off am I going to get paid what a Water Distribution operator gets paid? Whidden states that is up to your supervisor. Ramunni states you have your personnel policy you need to read it and go by the chain of command.

Decker states when they come back for our water hook ups do you all have a list for them to complete? Schlueter states yes we do.

McGee states on the median they used some kind of straw? Schlueter states yes they used pine straw. McGee states what are the chances of putting mulch there? Schlueter states the contract is done anything else will have to be done through the City.

**6B: City Attorney.**

Ramunni states we have talked about the mobile home skirting ordinance that was adopted in 1980 so anything that is 1980 to present needs to have skirting. Lucas states is it the age of the mobile home or when it was active? Ramunni states any mobile home that has been from 1980 forward. Lucas states can we amend it? Ramunni states you can amend any ordinance you like.

**6C: City Clerk.**

Brantley states the dead line for the Marina RFPs was yesterday and I did not get any proposals so I will be putting it on the next agenda

**6D: Craig A Smith.**

NONE

**6E: CAS Governmental Services**

NONE

**6F: Water Department Supervision Reports.**

Briefman states contractors were out today to install the additional membranes as in the CDBG Water project; the next project we will be installing and replacing the generator. Briefman states I'm requesting to attend two schools one is the backflow tester class in Fort Pierce in March the class is \$375.00 plus \$795.00 for lodging and the other one FRWA conference in Daytona in August the class is \$225.00 plus \$334.14 for lodging. Whidden states I don't have a problem with it. McGee states I also don't have a problem with it.

McGee states the problem with the rats has it been fix? Briefman states it's been resolved.

**ITEM 7: APPROVAL OF BILLS IN THE AMOUNT OF \$27,949.09.**

**MOTION** was made by McGee seconded by Ogletree to approve the bill submitted list in the amount of \$27,949.09. Motion carried.

**ITEM 8: CITIZENS COMMENTS / GENERAL CONCERNS.**

Tammie Humphries states why is that big tin in the tree at the Moore Haven Restaurant and isn't it a hazardous if a storm comes? Whidden states the last time I talked to the owner they wanted it there because that's where they take their breaks. Humphries states even if it's a hazard it can stay there? Whidden states yes. Humphries states Briefman I would like to know why I am still losing water pressure. Briefman states I can't answer your question. Schlueter states have you reported it? Humphries states I'm reporting it now. Whidden states whenever it happens you need to call City Hall and report it so they can send someone out.

**ITEM 9: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.**

Ogletree states on Alarcon he has finished his hour's right? Schlueter states yes. Ogletree states he didn't get a raise? Schlueter states he did get a raise when he original passed the exam.

Decker states how is everything going on preparing for Chalo-Nitka? Schlueter states they will be calling you on what spot the Council will be.

**ITEM 10: DISCUSS FINANCIAL REPORTS IF NEEDED.**

NONE

**ITEM 11: ADJOURNMENT**

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

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Maxine Brantley, City Clerk

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Bret Whidden, Mayor

Meeting adjourned at 8:15 pm

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