

MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON JUNE 6, 2017 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
 Jacob Eighner, Councilman

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

ITEM 1: ROLL CALL.

Whidden gave the roll call.

ITEM 2: INVOCATION AND PLEDGE OF ALLEGIANCE.

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

Whidden states I would like to make a statement before we continue this has come and goes in several meetings but when one of the City Councilman is making a statement, suggestion or asking a question they will be allowed to finish and not get interrupted anymore and you will hold your opinion until they are done. Also the Councilman will not be interrupted or talked to in an insubordination way by the audience or anybody in here whether you agree or not they will make their statement they were elected by the taxes payers.

ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA.

NONE

ITEM 4: DISCUSS AND/OR APPROVE THE FOLLOWING MINUTES.

May 16, 2017 Regular Meeting Minutes.

MOTION was made by McGee seconded by Eighner to approve May 16, 2017 Regular Meeting minutes. Motion carried

ITEM 5: JEFF BREWINGTON WITH GLADES ELECTRIC COOP TO ADDRESS THE COUNCIL.

Jeff Brewington with Glades Electric states the Glades Electric operates with nonprofit but we still get some profit that is called a margin and that is always returned to our member's based on

their purchases and as we are able to we will retire those capital credits and returned them to the members. We have retired the years of 1976 to 1982 and the City share is \$89,310.58.

ITEM 6: DISCUSS AND/OR APPROVE SIGNATURE FOR FIRST BANK LETTER OF CREDIT.

MOTION was made by Decker seconded by Lucas to approve First Bank Letter of Credit with Mayor Bret Whidden with signing. Motion carried

ITEM 7: DISCUSS AND/OR APPROVE FRDAP GRANT PLAYGROUND EQUIPMENT.

Ramunni states we have discussed the children's play area and there is a process where we can send them a letter and amend the grant to allow us to remove it and replace it with picnic tables.

ITEM 8: DISCUSS AND/OR APPROVE CHANGING JULY 4, 2017 MEETING.

MOTION was made by McGee seconded by Lucas to approve changing the meeting to July 3, 2017. Motion carried

ITEM 9: DISCUSS AND/OR APPROVE GE SETTLEMENT OFFER.

Ramunni states it's not approve I just wanted to keep you all updated. There was an offer made by GE for a resolution of the case Briefman and Gene discuss it and they don't agree on the settlement offer. Ramunni states the settlement offer was \$20,000 discount off of Florida Design general cost, \$20,000 off of further purchase of GE ultra-filter water treatment systems, \$31,000 discount off of purchase of in site per mounting services and quarterly site visits and a \$10,000 cash payment. Some of this is not really going to help the City per instants the mounting service we will not use so what we came up with was an offer for \$40,000 cash, twenty membranes with a value of \$60,000, \$31,000 in field service reps for three years for any purpose with a value of \$100,031. Whidden states have they responded? Ramunni states no their attorney was out of town last week but I will keep you posted.

ITEM 10: DICUSS AND/OR APPROVE VETERANS MEMORIAL. (EIGNER)

Eighner states we have discussed this and I have a couple of pictures. I would like it to go along the river; possible at the dead end where the old bridge was right now there is a wood barrier. This is something to keep in mind before it comes to the board. Lucas states I will be getting with the Veterans Association and talking to them and see where they would like it I think they should have a say in it.

ITEM 11: DICUSS AND/OR APPROVE DOCKMASTERS UTILITY BILL. (EIGNER)

Eighner states at the dock master there are three big glass windows there are no storms shutters like we have at City Hall. I went there the other day and you can see with the big windows the sun is starting to beat down the interior and the air conditioner runs, it need to run to keep the

building from getting moldy so I thought if we put storm shutters it will help the air conditioner and will help to keep the inside safe. Schlueter states I can get some bids on storm shutters.

ITEM 12: DISCUSS AND/OR APPROVE SKIRTING ORDINANCE.

Ramunni states you will need to give at least a year's notice. McGee states is it only for mobile homes? Eighner states is it for everything. Ramunni states it's only for mobile homes but if you want me to extend to home let me know and we can do another ordinance.

ITEM 13: REPORT OF OFFICER.

13A: Public Work Director

Schlueter states everyone should have a copy of my report. The only thing I have to add before we get into my report is to add the garbage cans and bins to the next meeting agenda so we can discuss it with Ramunni present.

13B: City Attorney.

Ramunni states Loretta King was the lady that made an offer on a piece of property the City owns I explained to her per policy she needs to offer at least fifty percent of the assessed value, she has responded and offered \$6,240 plus the closing cost. But I was a little bit confused because she wants the property line identified and marked at the time of purchase. We only sell the property ASIS and we do not do a survey so I recommend that we don't do that. Lucas states can she do it? Ramunni states yes I will write a letter that the property is ASIS and we are not going to do a survey.

Ramunni states on the Lundy Building I had a hearing with Judge Lundy about putting a lien for the amount of the demo. I did speak to the property owner and he said he will sign the quick claim deed for \$1,000. If I do a lien foreclosure case will cost a lot more but it will be up to the Council.

13C: City Clerk.

Brantley states I will be taking my vacation the next two weeks.

13D: Craig A Smith.

NONE

13E: CAS Governmental Services

Connie states I want to bring you up to date on the DEP grant for the Avenue R storm water project the next deliverable date for the quarterly report is for the period ending in June we will be working that and get it to them on a timely bases. I have a hand out for the 2017 legislative report it's pretty lengthy you can go over it and we can come back and discuss it at the next meeting.

13F: Water Department Supervision Reports

Briefman states does anybody have anything on the diesel fuel cleaning? Eighner states how long? Briefman states it been three years. Eighner states how many gallons is it? Briefman states it's a thirty two gallon hundred tank and a five hundred gallon tank underneath the generator. Eighner states is the big fuel tank under a cover? Briefman states no it's out in the open but it is in a containment area next the building. Eighner states do we exercise the generator? Briefman states we run it one hour a week under load. McGee states what is the longevity on the tank? Briefman states I don't know and I don't think the company exist any more. McGee states I was wondering if we are going to have to put one in our budget soon. Briefman states we could.

Briefman states a couple a weeks ago I came to the Council about an expansion project on the Water Plant after that meeting we were to get with John McKune also I think we have been holding off because the GE issue. Ramunni states not necessary we still need the feasibility study. Briefman states I understand that but everybody needs to say some kind of word to start moving forward and checking into things. Ramunni states the first step is the feasibility study before we jump into the next step. Briefman states I just want to bring it up to the Council because we are over seventy five percent capacity if something was to happen to the UF and we are in the summer time right now or during the season we will be in trouble. Gene states what Briefman need is twenty cassettes and he can't get any response from GE. Ramunni states they are not going to respond to you there attorney was out of town. Gene states as far as the feasibility study I don't think you need one the only thing you would need is a PER if we want to get USDA funding. I am meeting with Mike Patillo on Thursday it appears that the Federal Government is trying to get rid of money they are offering up grants to do what Briefman wants to do it will be up to \$750,000. Ramunni states I think what you need to do since it's been a few years, we have phase one and phase two so if we could blend some sort of synopsis as to what it encompass in phase two will it be sufficient. Perhaps we may need to go beyond that, but that may be something you need to address in you engineering report. Gene states right now you are at 500,000 gallons of capacity in the Zenon process you have room and ready for the second module. What we would put in however you are going to have to some type iron removal prior to the process.

ITEM 14: APPROVAL OF BILLS IN THE AMOUNT OF \$102,137.36.

MOTION was made by McGee seconded by Eighner to approve the bill submitted list in the amount of \$102,137.36. Motion carried.

ITEM 15: CITIZENS COMMENTS / GENERAL CONCERNS.

Tomas Gil states I was here on May 2nd I had an incident with Mr. Decker. I picked up May 2nd meeting minutes and my understanding is that these meeting minutes are correct. Whidden states yes they are correct but they are not verbatim. Gil states the issue I'm having is that on the record Mr. Decker states that he went to the police and that the police told him I was being rude or mean. The issue I'm having, this is public record and is there permanently right? Whidden states yes. Gil states this makes it look like I'm a rude person and don't have respect to authority and that I had a problem with a police officer and anybody can use it against me. Lucas states are you

saying you were not rude? Gil states I will get to that in a minute. Ramunni states the statement is what the statement is, if you're saying that statement was not said at the meeting and the minutes are incorrect that is one thing but if you have a dispute as the characterization of you at the meeting it is what it is and it is in the minutes; there is nothing we can do about that. Just because you disagree of a statement about you is not material tonight because if it was made it was made so the record is what that the record is. Gil states I did talked to Officer Ryan and he said at no time was I rude to him and it is on record with Officer Ryan so I don't know where Mr. Decker got this from so I want to put that on the record.

Paul Matusiak states I have lived and work in the bigger City for the last thirty to forty years and after the last years in Orlando I had enough and moved back to Moore Haven the only thing I want to do tonight is thank you guys and ladies for the great job you are doing running the City and Mrs. Schlueter at the public works and her crew are doing a awesome job around the City.

Lawayne Taylor states you all know why I'm here, I want to know why I am losing my job for some dirt that was given to me. Ramunni states I'm going to have to cut you off because at this point its a matter of Mrs. Schlueter position with the City and your rights as an employee and under the personnel policy if you feel you have been improperly treated with regard to your work and your rights you have the right to come back to this board at a grievance hearing. Taylor states I don't have time for that. Ramunni states unfortunately that is the procedure. Taylor states I have been working here for nineteen years I gave my life to this place. Ramunni states you are free to make your comments like you're doing but in terms of the City Council responding or interceding on his behalf that's not how the personnel policy works. There is a procedure in place and you have to go through it whether you like it or not or right or wrong. Ultimately there are rights that he would have to come back to the City Council and the Council will be like the final decision maker, but tonight is not the appropriate form for that because nothing has happened yet. If something was to happen I will encourage you to file a grievance. Taylor states what do you mean nothing has been done? Ramunni states have you been fired? Taylor states I have to make that decision in the morning. Ramunni states what I'm trying to say is tonight is not the right time so if something happens in the morning and your rights have been violated then you can file a grievance under the personnel policy then the City Council can give you a hearing.

ITEM 16: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.

Eighner states on Sharon Smith there is a citation for court appearance noncompliance on the 5th who issued it? Schlueter states we issued the citation we have a court date for Code Enforcement from the Judge which is August 14th but I don't know the procedure? Ramunni states Bryant you can serve it in person and keep record of it.

Eighner states I see that you are sending Wolfenbarger her bill, are you sending it to the address I gave you? Schlueter states yes.

Eighner states 501 5th Street trailer is in disrepair I want to start a paper trail on it. Schlueter states this one we are going to have to find a mailing address because the only address we have is a local one and it keeps getting returned.

Eighner states on Schlueter report we met with the people at the Youth Little league fields I would like to do some research on when was the last time we have put money into our fields and building. The roof is rusted out and it has serious drainage issues I will remind you it is a City Park and it should be maintain. Whidden states get some prices on fixing it.

Lucas states I want to talk about the Water Plant and the employee that left. Ramunni states I know a little about it ultimately it goes back to is there going to be a grievance. Lucas states I have one more question does the Council or the Mayor tell the supervisors whether to hire or fire? Ramunni states my understanding is the supervisor's call that's the power you have gave them.

Lucas states on the 29 acres everybody tells me that I can't do anything about it, but I called the owners and asked why are they not cleaning and mowing it and his response is we don't have to and he told me that he was told by April. Whidden states who is he? Lucas states CHL holdings he said it's fifty percent trees. Ramunni states does that it say we are precluded. Lucas states yes. Ramunni states there is nothing that says we are precluded, I would rather take it to the court and lose but at least you are trying to enforce the code, and there is a technicality or a loophole that you don't know then you'll know. Eighner states send CHL holding a letter and start the procedure.

Decker states Schlueter can you relay the message to Code Enforcements on Avenue S, Avenue N and M to tags some cars without plates.

McGee states I want to thank everyone for the flowers also out front along the cypress tree I guess we are looking into getting some lumber. I would like everyone to look around as pertaining to the streets around City Hall maybe looking into fixing them up putting some pavers in, maybe work with the veteran's memorial. I want to give it a facelift around the City Hall, docks and cypress tree.

Whidden states I just want to let Ramunni and the rest of the council and staffs know we are going to have an executive meeting not open to the public with a court reporter.

ITEM 17: DISCUSS FINANCIAL REPORTS IF NEEDED.

NONE

ITEM 18: ADJOURNMENT

MOTION was made by Eighner, seconded by McGee to adjourn. Motion carried.

Maxine Brantley, City Clerk
Meeting adjourned at 8:35 pm

Bret Whidden, Mayor

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