

**MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON JULY 16, 2019 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA**

Council members present: Bret Whidden, Mayor  
Jacob Eighner, Councilman, Vice Mayor, Financial Officer  
Dave McGee, Councilman  
Marc Decker, Councilman  
Clay Browning, Councilman

Others Present: Maxine Brantley, City Clerk  
Steve Ramunni, City Attorney  
David Miller, City Manager  
Charles Hale, Water Plant Supervisor

**ITEM 1: ROLL CALL:**

Whidden does roll call.

**ITEM 2: INVOCATION AND PLEDGE:**

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

**ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA**

NONE

**ITEM 4: DISCUSS AND/OR APPROVE THE FINAL READING OF ORDINANCE 338 (PARKING OF CERTAIN VEHICLES) CONTINUED FROM LAST MEETING:**

Ramunni reads by title only. There are few typographical errors that need to be fixed.

Ramunni states section one, which you talked about last time and we amended. Also section 3 was the section we amended. Whidden states anyone have any questions or discrepancies with it. Eighner states I don't have any problems with it. McGee states I am ok with it.

**MOTION** was made by McGee, seconded by Decker to accept Ordinance #338 (Parking of Certain Vehicles) final reading as amended. Motion carried.

**ITEM 5: DISCUSS AND/OR APPROVE RULES AND REGULATIONS FOR THE RENTAL OF THE CHALO NITKA GROUNDS:**

Brantley states me, David and Jake worked on it. I didn't know if you all had time to go over it over the weekend. McGee states the only question I had is Glades County Sheriff's Department going to be able to accommodate an off duty deputy? Whidden states they have always supplied a deputy. So far that haven't had any issues, there is always an off duty deputy. Browning states is there to be so many per 100 people. Whidden states up to a certain amount there is one deputy then up to the next amount there would be 2 deputies and so on. Decker states aren't 3B and 3C basically the same, and 4E and 4F are the same as 3B and 3C? Miller states 3 is for non-profit Decker states but it say in rule 1 not for profit. Browning states it is very confusing. Ramunni states I have just seen this, I haven't read it in its whole context. Miller states I was trying to get it where it was rules and regulations for non-profit. Then I wanted to structure it if someone wanted charge and make a profit. I wanted rules and regulations for that. That should cover what we have going on there.

**MOTION** was made by Browning, seconded by McGee to continue Rules and Regulations for the rental of the Chalo Nitka Grounds to the next meeting. Motion carried.

**ITEM 6: DISCUSS AND/OR APPROVE THE MAYOR SIGNING THE LETTER OF CREDIT FOR FIRST BANK TO FPL:**

**MOTION** was made by Decker, seconded by Browning to approve the Mayor to sign the letter of credit for First Bank to FPL. Motion carried.

**ITEM 7: DISCUSS AND/OR APPROVE CREATIVE PLACEMAKING PROPOSAL DONATION:**

Whidden states this is the same thing we approved at the CAPFA meeting.

**MOTION** was made by Eighner, seconded by McGee for the City of Moore Haven to donate \$10,000.00 towards this project. Motion carried.

**ITEM 8: REPORT OF OFFICERS:**

**8A: CITY MANAGER**

Miller states US 27, the water relocation, has started. They have provided Brandon and me a work schedule. The Avenue O, N, S and 4<sup>th</sup> Street project there has been going good.

**8B: CITY ATTORNEY**

Ramunni states one thing that came up at the conference last week, which is something David and I had been talking about a few weeks ago, on the medical marijuana for employee's policy. Regardless of the current state of the law, medical marijuana is legal if a person has a prescription card for it; it is still considered zero tolerance in the work sector. So what was

suggested and I think what we are going to do is a simple memo to the employees, because there has been questions raised by the employees with regards to that. Whidden state what is the criteria if you are prescribed medical marijuana, what it the criteria for illness. To me if you are prescribed medical marijuana you probably need to be or fixing to be on disability. Somewhere these entities, electric companies, or contractors that are doing sewer and water, and they go to these doctors and get prescribed medical marijuana and we have to change our policy and they are going to get up there on a backhoe, they are wrong. There has got to be criteria where you cannot come to work legally and do a drug and run heavy equipment and endanger other employees. Ramunni states it is still a very gray area. Whidden states they need to fix all that before they start pushing it down our throats that it is legal. Ramunni states unfortunately they have already gone down the throat because it is legal. So the question becomes you have still laws that prohibit it and make it illegal and so as it applies to the work place it is still zero tolerance. You cannot come to work impaired; we do not make any accommodations for it. That may change when the legislature takes a look at things and starts tweaking this but for right now that is the policy.

**8C: CITY CLERK**

Noting to report.

**8D: CRAIG A SMITH**

Nothing to report.

**8E: CAS GOVERNMENTAL SERVICES**

Nothing to report.

**8F: WATER DEPARTMENT SUPERVISOR**

Hale states we purchased a new scada computer. It will be able to handle any new programing if we do the expansion. It will be installed Friday at the water plant. We will put the old one in storage for backup because it still has all programing and everything on it. We received a new water meter for the downtown pump station. Contractor should be here next week to complete the bulk connections for the new tank we got. We would like to purchase a new lawn mower for the water treatment plant. The one we have is a 2002, we have been sinking money into it with new parts and repairs and now it is to the point of overheating after the first 15 minutes. We have 3 quotes and out of the 3 quotes the best one was Wolff here in town.

**MOTION** was made by Decker, seconded by McGee to purchase lawn mower from Wolff for the water plant. Motion carried. Eighner abstains.

Hale states we had to replace the raw water valve that feeds the plant.

**ITEM 9: APPROVAL OF BILL IN THE AMOUNT OF \$78,135.32:**

**MOTION** was made by McGee, seconded by Browning to approve bills in the amount of \$78,135.32. Motion carried.

**ITEM 10: CITIZENS COMMENTS/GERNAL CONCERNS:**

Jeff Patterson states I would just like to thank the City for helping us with our 4<sup>th</sup> of July we had on the 6<sup>th</sup> bar-b-que. We were able to make a donation to the Sheriff's Office explorer program for \$510.00.

**ITEM 11: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS:**

McGee has nothing to report.

Decker has nothing to report.

Browning has nothing to report.

Eighner states in 2011 Mr. Bjordahl signed over the Lundy Building to us, we did not want the liability of that building and we signed it back over to him. We spent \$116,000.00 to tear that building down, not to mention all the code enforcement violations. I am going to relate this story to the story on the empty lot on Avenue K, the home burned down, the owner gave us the property if we tore it down. The paperwork did not get filed and now a gentleman has bought a tax deed, so we are done there, we cannot get back in on that. It has been brought to my attention there is \$33,000.00 back taxes owed on the Lundy property. We didn't file anything against the \$116,000.00 to try to recoup our money. Now someone has purchased a tax deed for it and it is on Sandra's desk. We are out a piece of property within walking distance because we didn't follow up, I don't know who didn't follow it up. Ramunni states we had this conversation a few months ago that there was a lot of money owed and the consciences was let it go for the taxes, I had a law suit, but you all said let it go because it was not worth putting another \$30,000.00 into the property, and let someone put it on the tax roll at least. Eighner states that is right, but if we, through the code enforcement from tearing the building down, we would have taken them to court. Ramunni states you would still have to pay the taxes. Eighner states I would have much rather pay \$32,000.00 to pay the taxes, I am out \$116,000.00. Ramunni states we went through code enforcement, we tore the building down and there decision to tear the building down was because of the liability. That was going to be incurred regardless, so the question was at the time do you pay another \$30,000.00 on top of the \$116,000.00 for this particular piece of property or let it go and at least someone would put it on the tax roll. Eighner states I remember us talking about tearing it down. We were going to pay the \$116,000.00 to tear it down because we were going to end up with the property through code enforcement. Ramunni states right but that is subject to the taxes. So then the question was, because I specifically asked you all a few months ago, do you want me to continue because if so you will have to pay this money and the consciences was no, let it go. Eighner states no one has bought

the certificate yet, it on Sandra's desk. Ramunni states is it a tax deed or a tax certificate. My understanding was it was about to go because it had like 7 years owed. Eighner states I would like for you to call Sandra tomorrow, I will be in her office first thing, and this is a very, very, very important piece of property to us. Whatever you have to do to get that piece of paper off of Sandra's desk that is what I want. McGee states didn't we file a lien on it. Ramunni states yes, but you still have to pay the taxes. Has it gone for a tax deed sale? Eighner states no it has not. Ramunni states then you can go pay the money and step into it, but you are putting another \$30,000.00 into it. There is a current lien foreclosure case. Whidden states Steve check into this tomorrow and see where it stands. Brantley states can I get a motion that if this is to be paid that I can pay it out of the water revenue and maintenance account. Then have a CAPFA meeting and CAPFA will pay water revenue maintenance account back.

**MOTION** was made by McGee, seconded by Browning to approve to pay the back taxes out of water revenue and maintenance account to be reimbursed by CAPFA. Motion carried.

Whidden has nothing to report.

**ITEM 11: DISCUSS FINANCIAL STATEMENTS IF NEEDED:**

Nothing to discuss.

**ITEM 12: ADJOURNMENT**

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

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Maxine Brantley, City Clerk

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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.