

MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON AUGUST 20, 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; Browning led in the flag salute.

ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA

NONE

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

June 18, 2019 Regular Meeting

MOTION was made by McGee, seconded by Decker to approve June 18, 2019 Regular Meeting Minutes. Motion carried.

July 02, 2019 Regular Meeting

MOTION was made by McGee, seconded by Browning to approve July 02, 2019 Regular Meeting Minutes. Motion carried.

July 16, 2019 Regular Meeting

MOTION was made by McGee, seconded by Decker to approve July 16, 2019 Regular Meeting Minutes. Motion carried.

August 06, 2019 Regular Meeting

MOTION was made by McGee, seconded by Eighner to approve August 06, 2019 Regular Meeting Minutes. Motion carried.

ITEM 5: DISCUSS FAMILY MEDICAL LEAVE ACT AND DONATED SICK LEAVE:

Whidden states we were giving this during our work shop; you all have had time to go over it. I have went through it and read it. I should have asked for this but I failed too, I would like this to be put on the agenda for the next regular meeting and I would like a print out of all the employee's time, vacation and sick that they have as of now. I would like to look at what they have accrued, what they have saved, what they have or don't have. I would like to look at all that before we discuss this. Ramunni states I did do some inquiring from other agencies and how they handle it. They just do it hour for hour. Whidden states that is fine. Some don't have a lot to contribute and that means they have abused it or they are very sick.

MOTION was made by Browning, seconded by McGee to continue to the next regular meeting with a print out of employee vacation and sick leave. Motion carried.

Discussion: Miller states just some thoughts so you know where I am focusing on. I agree with you Bret, even if we add to that 80 hours so if somebody had a problem for 6 or 8 weeks maybe we could move that number up some, if they have over that then they would be allowed to do that. As far as doing an even better job of keeping track of the sick and vacation and how they use it. We have a calendar in Lax's office, all vacation or sick leave comes to Lax, it is approved by Brandon and put on the calendar, so that we can see who is off and make sure that I have enough people for a crew. I have taken it a step further; I have a file on the computer where we file the requests. I would like to put a calendar in each file so that we could color code them.

ITEM 6: DISCUSS AND/OR APPROVE RESOLUTION 2019-02 LAKE OKEECHOBEE.

MOTION was made by Decker, seconded by McGee to approve Resolution 2019-02 Lake Okeechobee. Motion carried.

ITEM 7: REPORT OF OFFICERS:

7A: CITY MANAGER

Miller states US 27 water line, we are still making connection points and testing. They changed the milling and paving to August 25th. Avenue O, N and 4th Street they have started with the grading. What they are having problem with is getting acceptable densities over the top of the sewer. I received an email this after-noon; they are corresponding with Craig A. Smith, saying that they are running into so much of the muck that they can't get the densities. I won't know how that meeting with Craig A. Smith went until in the morning, but I will be dealing with it in the morning just to let you know. FEMA, we finally got our money. The playground equipment should arrive September 1st. I do want to clarify something. Through our procurement I can

approve up to \$5,000.00, just for the auditors. The equipment cost \$9,473.31, and I am letting you know I consider that a sole source. For the reason being a certain company put that in there and I have to get the same parts to replace the old ones. I am asking if you would just approve that number. Brantley states ratify that number.

MOTION was made by McGee, seconded by Browning to ratify the purchase of the playground equipment in the amount of \$9,473.31. Motion carried.

Miller states the easement letters are starting to come in. We are making progress there. I gave you all a new fence permit application. Our old one addresses so many other things, the only ones that we do are for driveway culverts and fencing permits, I just wanted to simplify this. I am requiring a boundary survey and a site plan. Eighner states on Louis Alvarez, for what he is trying we shouldn't issue any permits or licensing for him to do something there until we have their survey and site plan. What he is doing over there now, if he would have brought us the site plan or a survey that would have had to be done before he went and stacked that junk on it, and we would have never issued him a permit. Whidden states there is a lot of work that has got to be done and Jim LaRue has to be involved with that and I think Steve will have some information on that here shortly.

MOTION was made by McGee, seconded by Browning to approve to use the new permit application. Motion carried.

Eighner states I have something on the ditch sloping in front of Wolff's Lawn Machines. It started because they can't mow the ditch, right? Miller states they want to be able to maintain it easier and better. Eighner states right in front of our shop where the welcome to Moore Haven sign is there is a berm there also, from there all the way up to the tire shop. We can't maintain it, I don't think we are supposed to maintain it, we are only supposed to go so far off the sidewalk with our contract. My point is they are coming all the way down the highway to make it easier for them to mow their ditch; I want my ditch mowed too, in front of my store. The hump is still there. Whidden states they own all the way up to that ditch, we had to get permission to put up the welcome to Moore Haven sign.

7B: CITY ATTORNEY

Ramunni states I started to try to get the golf cart ordinance finalized, but as I started doing research there is about a dozen different statutes that have different vehicles defined in them. I want to tell you what I found in the statutes and make sure it meshes with what you are looking to do. Ramunni reads definitions as defined in the State Statutes. I think what you were getting at is a utility vehicle; Ramunni reads definition for a utility vehicle. At the meeting you talked about side by sides and Polaris's, would you consider them utility vehicle? Whidden states yes. Eighner states the easiest thing to do is it has to have a steering wheel on it, that way you cut out all your 4-wheelers and all your dirt bikes. Ramunni states I am going to go ahead and do the first reading so that Maxine can go out for publication.

Ramunni reads ordinance #340 by title only.

MOTION was made by Decker, seconded by Browning to approve first reading Ordinance #340 Golf Carts. Motion carried.

Ramunni state just a brief update on the liens. I have been trying to reach the Judges office to get a date for court. I will keep trying to reach them.

7C: CITY CLERK

Noting to report.

7D: CRAIG A SMITH

Nothing to report.

7E: CAS GOVERNMENTAL SERVICES

Nothing to report.

7F: WATER DEPARTMENT SUPERVISOR

Nothing to report.

ITEM 8: APPROVAL OF BILL IN THE AMOUNT OF \$25,900.97:

MOTION was made by McGee, seconded by Browning to approve bills in the amount of \$25,900.97. Motion carried.

ITEM 09: CITIZENS COMMENTS/GERNAL CONCERNS:

Burleson states I have not contacted an attorney. This has to do with block 164 and possibly vacating Avenue D. If we could get this vacated and the part that comes to me that would normally come to me that is all I want. Ramunni states is there a property owner to the east of where you are talking about? Burleson states yes. Ramunni states would they have access from a different road? Burleson states that is the only access to that property in the south east corner. There are 4 lots and one lot on the corner which does have access now off of 4th Street. Ramunni states if it cuts off that other property to the east of there. The problem with vacating Avenue D is it will cut off these people from any access. That solution I do not think is going to work.

Harvey states I am here about the property located on 6th Street and Tobias Avenue. I do not know if I have giving you enough time to consider if I can obtain that piece of land. Eighner states we are going to put sewer in Washington Park and they have to put in a pump. They do not know which side of the road it will need to go on. In my opinion we cannot sale the property until we know which side the pump will need to go on.

ITEM 10: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS:

Eighner states I know we have talked about this with Mr. Miller, about the guys coming in in the afternoons and locking up the bathrooms. I don't want no more come in and lock up the bathrooms, I want them to come in and close up the City. What that means is, we started a program once we put the new bathrooms in, when they would come in to lock up the bathrooms they were to go down the river and make sure the garbage was collected and the tables were not on fire. I have observed when the employee comes in on the weekends and the afternoons sometimes they run up here in their own personal vehicle and lock the bathrooms, but for the most part they go to the City barn, unlock the gates, get a City vehicle and go do the rounds, so it leaves the City open for an hour or so with no one there. I want them to be told that if you are going to get that hour you are going to every single night I want the gate at the barn locked, I want the basketball courts checked, I want the Chalo Nitka grounds checked, the park closed, the docks taken care of and that is going to be told to them that we are locking the City up for the night until we come back the next morning.

Eighner states we are putting in sewer to better the quality of water. We have houses that will not be hooked during this phase. I have asked Mike Jones to see if he could shoot the elevation to that manhole cover right there at that stop sign, because the County is going to come through and repave from here all the way down the river. Whidden states I thought they were going to hook in on the Avenue S side. Miller states I will look into it.

Eighner states Louis Alvarez, what are we going to do with him putting that stuff over there. Ramunni states the problem is this, you have industrial zone property. There may be something we could work on to perhaps rezone, but I would prefer not to address it too much at the meeting. Eighner states when do we address it, because I have spent a whole year cleaning that property up over there? And in less than 25 minutes he drug 3 semitrailers down the middle of the highway, tore my streets and my sidewalk up and parked them right back in there after we paid Felicia a whole year to clean that property up. Ramunni states he has a license; it is industrial property and had been issued a business license. I even call LaRue about it, and we are trying to work on an overall fix. I got started on it because I was talking to him about the easements and the power line that runs down the middle of the property. Within the industrial zoning to me there seems to be some vagueness between permitted and special exceptions, what you can do automatic verses what the Council might have to approve. What he has been given a license for is a permitted use. Eighner states I want to revoke his permit and not give him any license. Ramunni states we are going to work on a solution without it getting into anything big. You have industrial zoning, which allows for that use. That zoning has been in position for years.

Browning states Saturday I had a little issue the bar-b-que guy showed back up and I called Felicia. David I have to apologize, I am a stickler for following the chain of command, I should have called you first, but I called Felicia. I was made aware that Felicia, when she comes out to our calls on Saturdays she is not getting paid for that. Decker states why doesn't she turn in her time. Miller states she hasn't been punching in or out and a lot of times I am not aware of when you guys call her. Browning states we have come up with some ideas. She needs to be

compensated. Whidden states if she is going to be called out then we need to go through David unless he has another solution. Miller states I have already talked to Felicia, we are going to schedule her to work at least one Saturday a month, maybe two. Also possibly have her come in at noon and work until 8 p.m. one evening. She is okay with this.

Decker states just a suggestion that you assign a vehicle instead of one guy taking one mule and the other guy taking another mule. Might be a good idea to say this is the truck we are going to use in the evening.

McGee states in respect of the flag that is out in front of the warehouse. Miller states I know Dave I just haven't got to that yet. McGee states if you want to take it down until we can get a light. Miller states I am going to take it down.

Whidden has nothing to report.

ITEM 11: DISCUSS FINANCIAL STATEMENTS IF NEEDED:

Nothing to discuss.

ITEM 12: DISCUSS 2019-2020 BUDGET:

Whidden states the only thing we have left is the water plant. Miller states if you don't mind I would like to make some minor changes that Maxine and I are working through, so can we just go over it Friday. Whidden states yes.

ITEM 13: ADJOURNMENT

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

Maxine Brantley, City Clerk

Bret Whidden, Mayor

Meeting adjourned at 8:17 pm

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