

MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON MAY 14, 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, Vice Mayor
 Marc Decker, Councilman
 Clay Browning, Councilman
 Dave McGee, 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 gave the roll call.

ITEM 2: INVOCATION AND PLEDGE OF ALLEGIANCE.

Miller gave the invocation; Browning led in the flag salute.

ITEM 3: ADDITIONS OR DELETIONS TO THE AGENDA.

NONE

ITEM 4: DISCUSS AND APPROVE APRIL 16, 2019 MEETING MINUTES.

April 16, 2019 meeting minutes

MOTION was made by McGee seconded by Browning to approve April 16, 2019 meeting minutes. Motion Carried

ITEM 5: DISCUSS AND/OR APPROVE FIRST READING OF ORDINANCE 339 CIE.

Ramunni reads first reading of ordinance 339 CIE out loud by title

MOTION was made by McGee seconded by Eighner to approve first rading of ordinance 339 CIE. Motion Carried

ITEM 6: DISCUSS AND/OR APPROVE REQUEST FROM PHIL BENNETT TO TERMINATE PROBATION.

Ramunni states I got a call from the State Attorney's Office the original attorneys for Phil Bennett; there was an agreement with the City on the grand theft in the amount of \$100,000. I believe Bennett served four years and then was placed on twenty years of probation; the City was paid some money at the time of the criminal case then the City settle for a lump sum. Now a request has been made via the State Attorney's that Bennett wants an early termination of his probation, the City would have to consent to it before the State Attorney's Office would consider it. Whidden states I am fine with cutting ties with it and letting it go. Decker states I think he knows right from wrong so I think he should remain on probation. McGee states I am not in favor of getting the easy way out he took a lot of money he should have not.

ITEM 7: DISCUSS MARINA OPTIONS.

Miller states the Marina is open and we have been doing business for a week, things have been moving smoothly and Brantley and I have been working on the funds. We are doing inventory once a week to keep track. Eighner states have you looked at the shiner tanks of Billy Joe Wiggins? Whidden states we talked about it, he is going to look at some of the Marinas in the area to get a size and prices. Miller states I went over to Becks and there's is a lot bigger then what we need. McGee states where are we going to put it at? Miller states we are going to build a covered screened in area outside.

ITEM 8: REPORT OF OFFICER.

8A: City Manager

Miller states I would like to talk about the electrical issues we are having behind the school Cairo from FPMA came last Friday and took a reading of the Elementary School so he could size the transformer for us. He is also working on finding a crew to help us when it's time to put the transformer in; once I get more information I will let you all know. Miller states the electrical crew worked on getting a map of the electrical grid and we gave it to Cairo. Probably the last week of May him and his crew will turn everything in and ride the City. So if we have another emergency we will have an accurate map of the electrical system free of charge.

Miller states we put the tree in the park and we rewired the electrical and put the sprinklers in. We did everything Donald asked for because he has given us a one year warranty.

Miller states the library steps have been installed and the handrail should be installed in about ten days.

Miller states we have repaired the docks and all the picnic tables down Riverside Dr.

Miller states the decorative street lights have been fixed also the ones by the Hotel.

McGee states how are we doing on hurricane preparedness? Miller states we had a meeting this morning about it and we are starting to get the materials we need. McGee states I would like for the Code Enforcement to start enforcing the garbage can ordinance.

8B: City Attorney.

Ramunni states I did follow up with Mr. Burleson about his question and I will continue to work with him on his issue.

8C: City Clerk.

NONE

8D: Craig A Smith.

NONE

8E: CAS Governmental Services

Connie states Eighner, Miller and I went to Tallahassee regarding the drainage project we did not get funded. We think next year's committee week starts in September and the delegation meeting will be prior to that so anything that we are going to do next year we need to have ready by August and go for the drainage project again.

8F: Water Department Supervisor

Hale states the radio's ordered that we talked about at the last meeting and the warranty for parts and labor is for a year.

Hale states we order the pump and the motor from GE which is going to be paid with the credit.

Hale states we had one of our chemical vault tanks ruptured on the side, it was self-contained but we need to replace it. We replaced one last year and it was \$31,000, I got some quotes and it was \$31,000 but I did talk to one of our vender that we purchase chemicals from and he offered to purchase a 65,000 gallon tank at no charge to the City and the only thing he is asking is to split the load for the City to purchase extra chemicals here and there from them. The only thing is we will need to rent a crane for the day of delivery and piping in we will do our self's. Ramunni states how many venders do you have? Hale states for that type of chemical we have two venders one of them is D2 Marine and the other one is ASI, ASI is the one that gave us the quote last year and we purchase the tank from them for \$31,000. Whidden states I didn't understand what you said on split the load? Hale states we have two venders that supply the same chemical product different names same price same everything, basically one vender is the backup guy; so spit it up between the two venders. This vender has not been getting as many orders as ASI, so the vender said if you split the orders. Ramunni states so if you even it out one order to one order? Hale states yes that's all he is asking he will just get more orders. McGee states it will be evened out in-between the two venders? Hale states yes and at no extra charge to the City also he has already ordered the tank. Decker states that sounds like a good deal. Whidden states we need to make sure its ok to do that. Ramunni states that's why I wanted to make sure if you are already doing one to one and then he gets more then it's not fair but it was not so yes its fine. Browning states if he buys the tank it's his tank if he comes back ten years down the line and says it is his tank what do we do? Hale states I have emails that say he is purchasing the tank for

the City. Browning states he is in a position where he can manipulate the situation like if we don't purchase chemicals from him I'm taking back the tank. Hale states do you want to get something in writing from them? Browning states yes I prefer it especially if that is the route we are taking. Ramunni states I agree we need to make sure who is the owner of the tank and we can discuss it at the next week. Hale states I will.

ITEM 9: APPROVAL OF BILLS IN THE AMOUNT OF \$100,757.74.

MOTION was made by McGee seconded by Decker to approve the bill submitted list in the amount of \$100,757.74.

ITEM 10: CITIZENS COMMENTS / GENERAL CONCERNS.

Tony Patrick states I want to rent the chalo nitka grounds for a dance, we just had one a few weeks ago it was profitable. I was not aware that there was a deferent process for a dance I did speak to Arnold and she explained it was something she forgot to mention. I have used it about four times in the last year, the first two times it was mention to me but the last times it was mention to the guy I was working with that it is a different process that we have to do; the last thing that I want to be is a problem in the community. Whidden states when it's a profitable event it's a different rate. The last event you had there I got a lot of complaints about like the loudness of the music and vulgarness of the music and the extended time. Patrick states I did talk to the two houses that are next to the chalo nitka grounds and explained what we were going to do and gave them my number just in case they had an issue, but there was not an issue with the first two events that we had. But the last two I dropped the ball in going to talk to them again, at the end of the day I know the music we listen to is a little more aggressive and explicit. Whidden states there were people that could hear it six to eight blocks away. Patrick states what we had was a concert which has a lot more speakers the guy that was doing the music didn't know how many speakers he was going to need so he had more speakers then we needed. Whidden states the City is only one square mile we are not setup for a concert. Ramunni states what are you proposing? We are trying to have another concert July 6th but it is not defined. Ramunni states what time did the last one end at? Patrick states it ended at 2am. Eighner states one of the problems is the noise ordinance ends at 11pm and the other was the explicit music. I would like for you to use the area as long as it cleaned and taken care of and I don't have any issues with him playing the music as long as it according to the ordinance, if there is alcohol involved you need to have deputies. Ramunni states is there an issue at capping the time for the music? Eighner states there is no issue in playing the music as long as it in the guidance of the ordinance. Patrick states the noise ordinance stops at 10pm and if there is no complaints we can extend the time. Whidden states if this event is profitable your look at a different category you would need to get liability insurances you would need a certain amount of deputies per certain amount of people attending Brantley can explain it into more detail at City Hall. Ramunni states you also need a permit from the division of alcohol to serve alcohol. Patrick states this is the first time we served alcohol. Ramunni states you need to look into it I think its call a special event permit for alcohol. Brantley states how many people are you expecting? Patrick states I don't know it's based on ticket sales. Brantley states how many was at the last concert? Patrick states in-between 300 and 400 people. Eighner states we are going to have to go over the ordinance because it's been a long time since we looked at it; we need to put it on the next meeting agenda.

ITEM 11: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.

Eighner states the Roger Tayler house that burned down on Avenue K, we tore it down and he was going to give it to us and the paperwork never got filed now someone has purchase a tax certificate on it the only thing we are going to get out of it is a utility customer which we could of put a habitat home on it. This brings me to the Jason Whidden property he has already been adjudicated by the court he didn't show up, I think the next step is that we can foreclose on that property and I would like for us to foreclose on it because he we are back into summer and he gets code valuations ever month. I think its four lots there and the taxes are paid I don't want to lose it like we did on the other property can we foreclose on it? Ramunni states I did speak to her but I need the paperwork on the other property was how the code enforcement was handled. Miller states she mentioned it to me today and she said you would have to make it and she was going to call you. Eighner states I want to thank the Mayor for taking the lead on the water quality issues, and from what I heard we are going to setup a meeting with Brain Bass.

Browning states where are we at with the baseball field? Miller states with everything that has been going on I was busy so I don't have time to look into it but I know that there was no ball season this year. Browning states you are going to run out of time. Eighner states we might need to hire a parks and recreation person to help. Miller states we have done everything we needed to do and then there was not a ball season.

Decker states is everyone aware of the light issue on 6th Street and US 27? Miller states we have done everything we can we have had American Infrastructure and FDOT come and look at it and no one can figure out what is going on. FDOT called me a week ago and they made a decision that they are going to give us a new box to replace it but it's going to take up to ten weeks to get it delivered. Eighner states if we can get out of the maintenance contract with FDOT we need to. Ramunni states the problem is the contract was just renewed and it doesn't expire until 2020 but I will look into it. Eighner states we need to put it on the next agenda. Decker states we still don't have a report from Littles about the cars that are parked with no license plats on them? Miller states there was a mistake done in the advertisement. Ramunni states not by the City. Miller states not by the City but the newspaper. Ramunni states it was for last week but last week meeting got canceled so Brantley reran it but he didn't change the date of the meeting so he reran it twice with the wrong date so that puts it back to June meeting. Brantley states that ad needs to be in the newspaper for a least 14th days. Decker states then we can do something about it? Ramunni states that is correct.

ITEM 12: DISCUSS FINANCIAL STATEMENTS IF NEEDED.

NONE

ITEM 13: ADJOURNMENT

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

Maxine Brantley, City Clerk
Meeting adjourned at 8:18 pm

Bret Whidden, Mayor

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