

**MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON SEPTEMBER 5, 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; Ramunni led in the flag salute.

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

NONE

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

July 10, 2017 Taylor Grievance Hearing.

Lucas states I have a couple of question before they get approved but I don't want to asked them right know. Ramunni states I have not got a chance to proof read them. Whidden states Eighner do you withdraw you motion? Eighner states yes. Whidden states we will withdraw the motion on Taylor Grievance Hearing until Ramunni has a chance to review it.

August 15, 2017 Regular Meeting Minutes

Schlueter states are the meeting minutes August 1<sup>st</sup> or August 15<sup>th</sup> the agenda says August 15<sup>th</sup> and the meeting minutes say August 1<sup>st</sup>. Brantley states I think they are the 15<sup>th</sup> but I will look into it.

**ITEM 5: DISCUSS AND/OR APPROVE MARINA OPERATION WITH ROBERT POWER.**

Robert Power states I don't know if everyone got a chance to go over the paper work I sent in Monday. But I don't know what else to put in there and say but I do look forward to working with the City of Moore Haven. Whidden states my understanding was the docks would go under the Marina agreement. In the past the last person that ran the Marina collected the dockage and split it with the City. Ramunni states the other issue is the City has liability insurance but we would still require you to have liability insurance. Powers states for are LLC? Ramunni states yes. McGee states the only issue I have is should we go with a percent or a flat fee rate on the lease? Whidden states I think the half on the dockage plan and simple. If we want it open I think we need to lease the building to the person and all the sales go to them so I want a flat rate monthly lease plus half the dockage that's all we need. Schlueter states how about the utilities are they going to stay the same? Whidden states I like the idea it's the City's and we are getting a rental agreement a month and half the dockage so I would like to leave that a City account, like we pay the utilities at the library that way he can get the business open he is going to have to put out the money and he probably won't see a profit for the first two years. I would like to make it as painless as possible. Eighner states I would like to get it evaluated after a year to see what kind of money he will be bringing in then he can be responsible for his utilities because it won't be a lot of electricity. He is going to put everything into it to benefit not just himself but the entire City. Whidden states what you are saying is not to have a lease agreement a month but he has to pay the utilities? Eighner states and get it evaluated in a year. Ramunni states how about the dockage? Eighner states all of it goes back to him to put back in the City Marina. Ramunni states your lease will require the tenant to pay utilities. You need to identify what areas are income producing weather or not you chose to forgo in terms of no rental from the store or forgo income from the docks or forgo any parts of the guide services this are all category that normally you could say on a percentage or pay us a flat fee. The issue you run into with what you are saying Eighner is what happens in a year it's not profitable and then they walk away and they got the benefit for a year. Whidden states if he has to walk away in a year he is going to lose money regardless. Ramunni states but there should be some parameters. Eighner states there have been a lot of people that have wanted to open the Marina up; they just didn't have the income. Also he will have a lot of people watching him and are going to say they would have done it differently; so if he walks away we will have others. Whidden states on the contract as far as the five year renewal and the ten year renewal which one should we go with, I don't want it less than five because the first two years he is not going to see a profit and I don't want to get something started and then he is up for renewal, and someone has been watching him comes in and under cuts him so I think we need to be fair to whoever we lease it to. Ramunni states you normally will do another five year renewal after that. Whidden states that would be not opening up bids for other people right? Ramunni states no but you can leave it open after that, that way it is mutually agreed on that way if there is an issue. Whidden states why don't we do a five year with an option in the fourth to renewal negotiations with him, and then we can look at it and discuss rent and fees. Eighner states with free rent for a year and a year evaluation. Ramunni states I agree with the terms but giving a year without rent I think that is too much but if you are willing to do a dollar for the first year so to speak so that there is something and then ninety days before the dead line you can start to negotiate a rental fee with mutually agreed. Lucas states it is a business and I think we need to look at it like a business and we are doing business with Mr. Power so he is getting a lot and the City is getting nothing and I don't think it was meant to be that way I think if you want to reevaluate we need to do it in the second or third year but five years no. On the utilities I think he should pay it we don't give out free electric. Also who is going to maintain

the building and docks? Ramunni states regular maintenance is up to the tenant in a commercial lease; the landlord is responsible for the wall and the roof and tenant, everything else including the AC.

**ITEM 6: DISCUSS PROOF OF CUSTOMER CONNECTS. (BRET WHIDDEN).**

Whidden states we have discussed this at several meetings and I was surprised we didn't have one. I was concern that the only thing we asked for is an ID I think when we turn on and turn off customer we need to have ID, deposit, rental agreement, and a deed and mortgage agreement before we turn them on. Ramunni states I just did a revision of Lake Port waters bylaws and rules and regulations I can send that over so you can go over it.

**ITEM 7: DISCUSS AMENDING ORDINANCE #291 ALCOHOLIC BEVERAGES ON CITY PROPERTY.**

Ramunni states what you have now is an ordinance that prohibits consumption on property that is owned by the City except the Chalo-nitka grounds so what you can do is cut out more property's or repeal the ordinances. Whidden states I don't think they are going to sell beer at a ball park and I don't think we need to consume beer at a ball park but however you have to word it where you can consume beer at the park and at the Marina. Lucas states but you have kids at the park also but you can't consume beer at the ball field but you can at the park. Ramunni states if you're telling me that it doesn't matter either you enforce it or you eliminate.

**MOTION** was made by Eighner seconded by Decker to repeal ordinance #291 alcoholic beverages on City property. Motion carried

**ITEM 8: DISCUSS CITY MANAGER POSITION.**

Ramunni states I don't have anything on this right now.

**ITEM 9: REPORT OF OFFICER.**

**9A: Public Work Director**

Schlueter states just a quick update because I have to leave here by 8pm because I have a conference call with FMPA and the Governor office. Everyone should have my report I don't have anything to add do you all have any questions for me? Whidden states at the last meeting I asked you if Jon left and you said yes that Friday was his last day and I asked you if we were short any employees how many employees are we short now? Schlueter states we are not short any now we only have one that is on medical leave. Whidden states who is that? Schlueter states Edwin Perkins. Whidden states I don't know how you want to handle this or who wants to handle this but someone has to, but the last storm we had I made a call and some councilman didn't like it. But when you get down to the storm someone is going to have to make decisions and you can second guess them later not during the storm. All employees get off at 4pm they have all week it don't get dark till after 8pm they need to get there personal stuff done. People can evacuate I am not going to ask people to stay but as soon as it clears up they need to get back

we will have a lot of work to do. Schlueter states we have had this discussion with our employees. Whidden states I don't know who wants to change that or be in charge of it. Bryant states in that time we need to have open communication I need to be able to call any one of you. Schlueter states as of right now we are working Thursday and Friday but the Governor has declared a State of emergency. Whidden states have you been in contact with any Utility company for after the storm? Schlueter states we are on FMIPA aid list.

**9B: City Attorney.**

NONE

**9C: City Clerk.**

Brantley states I have one thing to ask you all know that Melissa has been out sick most of the summer and I; Melissa and Vicki have not been able to get our vacation days in all three of us have about four days. Whidden states Briefman has the same issue but I think under the circumstances we can wave that until everything gets back to normal.

**MOTION** was made by McGee seconded by Decker to wave the requirements temporarily of the vacation hours. Motion carried

**9D: Craig A Smith.**

NONE

**9E: CAS Governmental Services**

NONE

**9F: Water Department Supervision Reports**

Briefman states what I am requesting from the Council for an additional \$4,971.20 to be put back in the salary budget for my maintenance man. Lucas states does he work full time? Briefman states yes in October he will be here one year and he is a hard worker. Lucas states is this a raise? Briefman states yes. Lucas states how much is the raise? Eighner states \$2.39. Decker states I think that's a good raise. Whidden states I don't have a problem with it.

Briefman states I was worried about the elevated tower because of the storm some of the council might not know but it's been off line because several weeks ago we had a surge come in through the telephone line and it shorted the electronic box out, we have finally contained a new computer board it was installed today and we filled the tank halfway and will fill the rest of it tomorrow. I contacted Utility Services which is the company that services the tank and they recommended the tank to be fill and take it off line during the storm and I also recommend that the down town station to be off also because if we do have a water leak in the storm it will run it out. We will continue to feed the City through the water plant during the storm. Whidden states do whatever you have to do.

**ITEM 10: APPROVAL OF BILLS IN THE AMOUNT OF \$50,604.37.**

MOTION was made by McGee seconded by Decker to approve the bill submitted list in the amount of \$50,604.37. Motion carried.

**ITEM 11: CITIZENS COMMENTS / GENERAL CONCERNS.**

NONE

**ITEM 12: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.**

Eighner states Bryant you might have it already in the plans but the picnic tables that are around and check around before the storm. Also the drainage basins I would like to see someone over there tomorrow just to make sure they are cleared.

Decker states Bryant are you aware of the two guys that where on the back of the garbage truck today? Bryant states Lewis and Jay and Greene was driving. Decker states it was not Jay but he has a garbage can in one hand and a cell phone in the other that's a good way to get hurt. Bryant states I will check on to it.

Whidden states I had something for Schlueter but she had to leave Ramunni you might be aware of it but on the water samples. Ramunni states yes Schlueter emailed me the other day and said she is working on it.

**ITEM 13: DISCUSS FINANCIAL REPORTS IF NEEDED.**

NONE

**ITEM 14: ADJOURNMENT**

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

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Maxine Brantley, City Clerk  
Meeting adjourned at 8:00 pm

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Bret Whidden, Mayor

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