

**MINUTES OF THE CITY OF MOORE HAVEN CITY COUNCIL REGULAR MEETING ON MAY 16, 2017 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA**

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Council members present:           Bret Whidden, Mayor  
  Dave McGee, Vice Mayor, Financial Director (ABSENT)  
  Marc Decker, Councilman  
  Patricia Lucas, Councilwoman  
  Jacob Eighner, Councilman

Others Present:                       Maxine Brantley, City Clerk (ABSENT)  
  Melissa Arnold, Deputy City Clerk  
  Steve Ramunni, City Attorney (ABSENT)  
  Jerri Lynn Schlueter, Public Works Director  
  Sam Briefman, Water Plant Supervisor

**ITEM 1: ROLL CALL.**

Whidden gave the roll call.

**ITEM 2: INVOCATION AND PLEDGE OF ALLEGIANCE.**

Lucas gave the invocation; Briefman led in the flag salute.

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

NONE

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

May 02, 2017 Regular Meeting Minutes

**MOTION** was made by Lucas seconded by Eighner to approve the May 02, 2017 Regular Meeting Minutes with correction. Motion carried.

**ITEM 5: DISCUSS AND/OR APPROVE SIGNATURE FOR FIRST BANK LETTER OF CREDIT:**

Whidden states did you all receive the email. Eighner states I have to go down and sign tomorrow.

**ITEM 6: DISCUSS AND/OR APPROVE FRDAP GRANT PLAYGROUND EQUIPMENT:**

Schlueter states I brought a sketch that I have worked up on how I envisioned how we were going to do the FRDAP down there. Arnold states there is a form letter asking to not put the

playground equipment in, and Steve is wanting know if you want him to do the letter asking to not put the playground equipment at the marina as long as it does not affect the grant. Whidden states Steve kind of touched on this a few meetings ago. Schlueter states he asked us to look up to see what DEP defines playground equipment. We have not found anything. Whidden states leave this on the agenda.

**ITEM 7: REPORT OF OFFICERS.**

**7A: Public Work Director**

Schlueter states Thornton trees will be here Friday, May 12<sup>th</sup> to plant the two trees. Lucas states have you figured out how to fix the water park so that it doesn't run when no one is there. Schlueter states we have to change out the valves. Right now it is being used most of the time and we have not had the opportunity to go down there.

**7B: City Attorney.**

ABSENT

Whidden states he is working on the trailers about the skirting, which will be our decision. He is putting together something that we can approve or disapprove, but he is looking at something like doing away with that date, and when we approve that ordinance everything would have to have skirting within a 24 month period. Schlueter states that is not only for trailers, it would include a single family dwelling. Whidden states yes, that is up on stilts. I told him to go ahead with that and if the board feels we need to change it, then so be it, we can change it. Whidden states we need to put this on the next agenda.

**7C: City Clerk.**

Arnold states just a reminder please go by First Bank and sign the signature card for the GDBG account.

**7D: Craig A Smith.**

NONE

**7E: CAS Governmental Services**

NONE

**7F: Water Department Supervision Reports**

Briefman states the flows are down since we repaired the two leaks. Lucas states how is the security system working? Briefman states it is working fine. Decker states what can we do to help you with this number 4 you have on your report. Briefman states I spoke to Steve tonight about that. They are still waiting to receive the contract documents. I thought Maxine had sent them to them, they are saying that is what the holdup is. I don't have those.

**ITEM 8: APPROVAL OF BILLS IN THE AMOUNT OF \$126,627.21.**

**MOTION** was made by Lucas seconded by Eighner to approve the bill submitted list in the amount of \$126,627.21. Motion carried.

Decker states the LED lights that are on the back page from Gresco, are those for the highway. Schlueter states yes.

**ITEM 9: CITIZENS COMMENTS / GENERAL CONCERNS.**

Terry Moorhouse states I have two things I want to talk about. One is I want to thank Sam for the water. The water is really nice now. Briefman states it is not me, it is these people up here. Moorhouse states it is your work and I just wanted you to know that I appreciate it. The other thing I wanted to talk about was, at the old bank building property, I suggest putting in a pickle ball court. It is a game that the northerners play and do tournaments.

Austin Moorhouse states has everyone else seen these. Whidden states I picked one up in my yard the other day. Moorhouse states we have picked them up in fields, I have picked them up in the highway and I have picked them up in my front yard. This is unsolicited advertisement and as far as I am concerned it is pure litter. I wanted to bring it to your attention. Terry Moorhouse states do they have to have a permit to distribute those. Whidden states no ma'am, they just ride by and throw them out of the window. Moorehouse states well there address is right on it. If they have to have a permit and the address on here why can't the code enforcement cite them. Bryant states I will be glad to give them a call and see what I can do. Whidden states there is nothing you can do to them. Schlueter states if there is an address you need to send them a letter. Bryant states ok.

Ahern states I just wanted to give an update on things happening in the County. We have advertised on the property where the motel was, we did not receive any bids on it. We are regrouping on that, we have the attorney working on it to see what our options are. I have talked with Best Western, Choice Hotels and Intercontinental, I believe they do the Holiday Inn Express. On the Moore Haven Canal, we have met with one of Congressman Rooney's aids, we took him on the canal Friday and showed him the work that had been done. We took him all the way out to Monkey Box and showed him what needs to be done, and let him know we are looking for funding on that. He had some ideas, he couldn't promise anything, but he was interested in the project and what had been done. On the campground at the Locks, about a month ago we met with the Army Corp of Engineers, the County is interested in leasing it if we can work out an agreement on that. I did talk to talk to the Congressman's aid and let him know we might need some assistance on a lease. We are just trying to jump start our community.

**ITEM 10: MAYOR AND COUNCIL MEMBERS TO GIVE REPORTS.**

Decker states John brought up the boaters getting off their boats and coming in through town, I have noticed the sidewalk down here, and I would like all of us to pay a little attention to it. There is a bad heaving, it might be 100 feet from the Cypress tree, but someone is going to trip over it. Bryant states we have a few places on that thing that have swelled. Decker states I don't know how the rest of the lumber is, but there is a lot of time between now and Easter to get it repaired. Schlueter states we have already done our count and got our list together as to what we need to go ahead and replace. It is just a matter of budget, we don't have the funds in the budget. So when we set the budget we are going to include lumber to go ahead and replace all the wood there. Decker states the other thing I have is the culverts on 10<sup>th</sup> Street, you need to take a minute to look at those. There are about 8 or 9 inches of dirt in a 10 inch culvert. I think that is going to be a pretty good project but we need to be able to drain that water. Schlueter states are you talking about the north or south side of 10<sup>th</sup> Street. Decker states the north. Schlueter states ok. Decker states I have one more thing, well I have two more things, and some of the hydrants need to be weed eated around. I have seen one with weeds around it that are as high as the fire hydrant itself. So if you could pay a little attention to what these guys are doing, do they carry their weed eaters with them or do they leave them at the shop. Schlueter states they don't carry them with them when they mow, but they are supposed to go back after they mow and weed eat. Bryant states they are supposed to be on a herbicide program too. That is what I have got to do, is put it back in place. Whidden states this will keep chaos down in these meetings, and in the work load, that is something you all are going to have to check on. If they are not being weed eated or sprayed around, nobody should have to tell you all that. Bryant states no, but it is not 25 or 30 hydrants. Eighner states it should be 1. Whidden states you have people that have been on the mowing crew long enough to know. If they have a hydrant that has weeds around it, they need to go weed eat it or need to spray it. They need to be held accountable. Bryant states no doubt, you are exactly right. Decker states also the cars with no plates on them, Avenue S, Avenue N, and a couple on Avenue M.

Lucas states when I was outside, I was talking to Mr. Fielder. He mentioned to me we don't have anything to represent the veterans in the City. Maybe we could do something in the park, that would make them feel good, something to look at and maybe put their hands on it and say a little prayer. I would like for it to be done and done as soon as possible. Whidden states get with Mr. Fielder and decide what you want and bring it to the Council and we will see if we can put something together and do it. Lucas states we were talking about the bank property earlier, I was wondering if anyone had any ideas or were thinking about it, but I would like to see something that would be good for our City, not just the northern people, but for all the people.

Eighner states I have a couple of things, the first thing I would like to talk about is we have talked about the trash bins for a long time. Clint is the superintendent over the Sanitation Department. Schlueter states he is the supervisor, yes. Eighner states in our code 55-4 (he reads section 55-4). You started with the garbage cans, and I still think the garbage cans in Moore Haven are a good idea, but before we can get to the garbage cans we need to get rid of the bins. (he reads definition of trash bin from code book). There of none of those in the City limits of Moore Haven that I can find. Schlueter states I think in that ordinance, when they refer to bin, they are referring to the garbage can itself not the wooden container. (Eighner reads definition of

garbage can from code book). Eighner states that is totally different from the bins. Schlueter states does it have a definition of a bin. Eighner states no it does not, it talks about 3 things in here. It talks about the garbage can and a trash container. The trash container is a plastic bag that has been approved by the society of plastic bag engineers. The trash bins are a very, very big eye sore in our community. We have talked about the dogs being in them, the rodents, just everything. I had said before I wanted to start in a certain section that was bad, remove the trash bins, and then possibly see if we couldn't purchase that section the garbage cans to see how it works out, and that is the direction we were moving in. Then the trash bins started coming back out. When I asked about it you had told me you had sent some more letters out to have them removed. Schlueter states my letters were not to have them removed. My letters were your trash can has to be off of the City's easement or we would come and remove it. They had 30 days to comply. Decker states is there anything about the shape it was in. Schlueter state no. Eighner states it says in this code book, (reads definition again of trash bin). Schlueter states you want me to pick up every trash bin. Eighner states no you are not code enforcement. Bryant states wait a minute here, we are the City, we are not individualized here. Schlueter states I don't have a problem with that, if you want us to go pick everyone of them up, but when the angry customers start coming in here and saying. Whidden interrupts with gavel. I entertain a motion to follow that ordinance and let the angry customers deal with our attorney. Eighner, made a motion to eliminate all the trash bins in the city limits of Moore Haven that are not up to code. Fails for lack of a second.

Lucas states how are they supposed to know what the code is. Whidden states someone is going to have to educate them. Lucas states we have to educate them first before we start picking them up. Whidden states if it is on City property we can remove it. Schlueter states those are not on City property they are off the easement. Eighner states ok, now it says, trash shall be 10 feet clearance between trash containers all obstacles, such as guide wires, signs and fire hydrants. That one right there is right up against the guide wire. If they want to take them and put them back on the inside of their property then there isn't anything I can do about it unless it falls under junk. All these people are liable to be upset. Schlueter states I am just saying as far as backing, we will go remove them all but this Council has to back us when the customer comes up and says "hey they took my trash can holder". We have an ordinance to show them and we have a motion made by the City Council that says remove all the trash can holders that don't abide by the code. Whidden states the ones that are illegal should already be taken care of. Schlueter states none of these are illegal except the one against the guide wire. Eighner states there are 70 of them. Schlueter states then we need to take a ride because I want you to show me. Bryant states in the easement? Eighner states yes. Whidden states if there is a motion and a second and it passes then they can deal with Steve. Lucas states I agree they need to be taken away, but I am not going to second a motion without giving the customer a warning. Decker states I don't have a problem with resident having a container in his yard as long as it is presentable and not on our right of way where it looks terrible.

Whidden states do you want to retract that motion and see if you all are going to handle this with the letters on the ones that he has the pictures of or do you want to leave the motion on the floor.

**MOTION** was made by Eighner, seconded by Decker that all the trash bins that are not in compliance be removed. Motion carried.

Decker states by remove you mean from the city's right of way, but a guy can keep it in his back yard. Eighner states if it is inside their property there isn't anything we can do about it.

Eighner states this one is about the code enforcement list. Kevin what is, obviously it is a typo, because there is nothing on there. We have not received a code enforcement report in 3 meetings. You were gone, so I expected this one to have more than 7 things on it and at least more than the 5 things that I had put on here in December. I might be coming across to you, Kevin, like I am trying to be mean to you, but I am not. What I am trying to put into your head, and you may know this, you are the first line of defense in the appearance of the City. You are the code enforcement officer, you have a huge responsibility. There is a lot of code enforcement in town that needs to be taken care of. I didn't go all over town, I didn't spend 40 hours, I spent about an hour, and some of the things that are not on this list that should have been are grass and junk. I am just going to read some of them off, some of them have been taken care of already since I made my list. One of them that is really getting to me is Mark Williams' house that is falling down. Has he ever been issued a cut your grass notice? Bryant state certainly. He has a sticker on the front of the house that says he is up for demolition/court in June, but luckily there is someone buying it. Eighner state ok, but you know what you should update me on this piece of paper, I know you told me, but they don't know. Bryant states I just found out today that they bought the place. I spoke to Mark Langdale today and he said you will see a significant change within the next 2 days on that property right there. Eighner states well I would have like to of known that. Bryant states I couldn't, I have to have this to you all on Fridays. Eighner states that is the other thing, if you want something on the agenda or in the folder it is supposed to be at City Hall, Melissa. Arnold states noon. Eighner states I want this to start being in the packet. I don't want to have to come up here and get it out of my mail box. Bryant states sorry, that must be very inconvenient for you, sorry. Eighner states well it is very inconvenient for me, because I like to sit down, like with these other reports and read through here. We have beat up animal control up over a report, we have asked for where is our fire truck at report, we have asked for mileage log report, but we don't ever question not a whole lot ever happening with this. And you have sat there and listened to how we went back and forth over the animal control report, which is taken care of fine now. Bryant states so are you telling me the last two weeks, three weeks or the last 3 meetings you haven't had a report. Eighner states I haven't had one in my folder. I haven't seen it. Bryant states well I'm sorry, I made a mistake. I have hand delivered to you a couple of times, it is my fault, but I made sure you got it. Eighner states what I am trying to get at Kevin, is we are putting the screws to Bob Jones and everyone else on filling out these reports, and I have a report right here that I don't know what it is, there is no heading on it, it doesn't say that is it from Kevin Bryant, it doesn't say this is my report. I want a code enforcement report and I want more than the 5 things that are on it that I put on there in December. Kevin states thank you very much. Eighner states there is no follow up on the cypress tree, the city dock, City Hall. Bryant states what do those have to do with code enforcement. Eighner states none but this has to do with the employees that have to come and clock in everyday, that you send in their direction. You are supposed to, I would think, you are suppose to hold a job briefing in the morning and tell people where they are supposed to go, instead of letting them clock and getting on a mule or a mower and taking off. We have all seen this happen as City Councilmen and working in the City and you know it. This doesn't fall under code enforcement, but it does fall under the job that you convinced members of this Council and past Council that they didn't need

to advertise it in the newspaper, that they could do it in house, that you were the guy. So these things fall under your job. It is something simple, I want paid attention to detail, like the caution tape that is still stuck to Mrs. Geek's building, the landscaping across the bridge, the oak trees I don't know if they have ever been cleaned or touched. Bryant states what oak trees. Eighner states well all of them that are across the bridge where we mow. We take care of that don't we Jerri Lynn. Schlueter states yes. A lot of these things that the board brings before you, a lot of these things are your job and you are provided with employees to make sure that these things are getting done for the tax payers in the City of Moore Haven. Bryant state well I thought they were. Eighner state I have quite a few things here that I don't think they are, half of them are from people calling me or walking up to me on the street saying when are we going to cut down that 5 foot rag weed in front of the cypress tree. Every meeting I have to bring up something about the cypress tree. It is time to be done with it. I want that cypress tree and the City Park to start having the appearance of the entrance to the Court House. I want the sidewalks blown off, I want the sidewalks edged, I want the trees across the river to be pruned. We are just about into the rainy season and we are going to mowing. We talked about all these things as winter came upon us and I was told we were about to get all this taken care of. Well the rainy season is on and I just haven't seen this happen. We have to improve our appearance of our City. Bryant states I think the City looks the best it has in a long time. We have done, done and done and done everyday a little something to fix this place back up. Eighner states give me an example. Bryant states we took the trees out of the park, taking the Lundy's building down. Eighner states lower your voice. Bryant states can you hear me. Eighner states yes, I can hear you. Bryant states but Anne-tiques building, I got that all done. Got the trees taken out over there where it was all dead. The trees off the river that were dead, we took them down. There is not a rag weed up there at the cypress tree. Eighner states everything you are telling me has happened in the last month. I am not going to go back and forth over it. I am trying to convince you. Bryant states you have already convinced me of what I need to do. Eighner states what is that? Bryant states don't worry about it. I have a job to do and I do my best to do it and if I can't do it you all just do something about it. Eighner states I want you to explain to your employees, you always say that as code enforcement you cannot enter a locked gate to go do code enforcement, I want you to instruct your employees if you haven't already that when they go to read the meters, to help you, if they see back yard chickens or if they see a car with no tag on it or if they see something that you tell them is a code violation, make a note of it in the meter book or bring it to your attention. Schlueter states at meter reading time they have been told they need to concentrate on getting the meter read and getting the books turned into City Hall. It is not their job to look for code violations. Decker states how long does it take to right down chicken pen. Bryant states they have been brow beaten to get these meters read and get them turned in, and that has come from me. Eighner states well that would be more eyes covering the City than just yours. They can make a mental note at least, bring it to your attention to help you do your job, to make it easier to help the City more forward and clean up. I feel like there is no consistent follow up on any job. When it comes down to it I want you to concentrate on everything I just said. Bryant states I don't thing code enforcement is stopping a grocery store. Eighner states I don't think getting rid of the trash bins is either but we have to start somewhere. I would like you to do the job and do the job you sat in this room and convinced us you could do. Bryant states I thought I had been doing it. I have got to be completely wrong. I don't think you understand what I do every day, and that is perfectly understandable. My objective right now is, I need to go back to strictly doing code enforcement and do away with the superintendent part of

it, because I don't have time to do it all. I try my best and I think I work very good with Jerri Lynn on what we get done every single day. It is getting to be knit picky on me on what I do every minute of the day. Decker states for you to ride up and down the streets and tag a few cars, doesn't take all day. Bryant states that's not what I do all day, if I did that I would be code enforcement all day long riding up and down the streets. Decker states not all day, it doesn't take all day. Bryant states that is why I took on this other job, I do connects, disconnects, I read meters. Decker states yes, I know you do. Bryant states I do everything that needs to be done, I try to get done. I take care of the mowing crew, I take care of the shop, and I order all the parts and stuff. Eighner states I am not saying you don't do your job. Bryant states but I didn't take the tape off the building over there. Eighner states I have got so much more, look at all this paper I have over here and it is a lot more than just that tape on that building. Bryant states I understand and I agree with you. Eighner states Jerri Lynn, Kevin is your employee and all people underneath him are your employees, if you are not satisfied with the results of what they are supposed to be doing I want you to start making somebody accountable for it.

**ITEM 11: DISCUSS FINANCIAL REPORTS IF NEEDED.**

NONE

**ITEM 12: ADJOURNMENT**

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

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Melissa Arnold, Deputy City Clerk

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Bret Whidden, Mayor

Meeting adjourned at 8:30 pm

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