

**MOORE HAVEN CITY COUNCIL REGULAR MEETING
APRIL 16, 2024, AT 7:00 P.M. AT CITY HALL
299 RIVERSIDE DRIVE, MOORE HAVEN, FLORIDA,33471.**

Council Members Present:

Wayne Browning, Mayor
Jacob Eighner, Vice Mayor, Financial Officer
Marcus "Marc" Decker
Alisha Beck
Bradley Smith

Others Present:

Ashley Wills, City Clerk
Larry Tibbs, City Manager
Brad Simmons, Public Works Director
Steve Ramunni, Attorney

ITEM :1 ROLL CALL:

Given by Browning.

ITEM 2: INVOCATION AND PLEDGE:

Invocation given by Beck. Pledge lead by Browning.

ITEM 3: ADDITIONS, DELETIONS, AND CORRECTIONS TO THE AGENDA:

None.

ITEM4 DISCUSS AND/OR APPROVE THE FOLLOWING MEETING MINUTES:

April 02, 2024, Regular Meeting Minutes.

MOTION: By Beck to approve April 02, 2024, Regular Meeting Minutes, seconded by Decker.
Motion carried.

**ITEM 5: DISCUSSION CONCERNING CONTINUATION OF THE WATER RATE
ADJUSTMENT AT THE GCDC:**

Tibbs states previously GCDC came to the meetings to discuss their ERCs on the water they have 270 ERC's which is billing them for the capacity to pump if they needed it. They have a larger meter and pipes that support that. The ERC charges do not affect what they actually consume, what they consume goes through the meter and is billed. They were originally in the 400 ERC range on the water, but they made an agreement with the City and GCDC and brought the ERCs down to 270 and it's been like that for a while. When they came before the Council

they originally wanted to bring the ERCs down to 20 but I believe we settled on 30 ERCs, but at that rate we are losing about \$7,700 a month. We did a 6-month extension from March-September 30, 2023, and the second extension was from October 2023, and it will end March 31st, 2024.

Ramunni states are they using the building for anything.

Beck states yes, they use it for their admin and to cook.

Eighner states I would like to remind the Council at this time 2 years ago Tibbs was notified we would have to adjust the budget and has been doing it steadily. But I'm hearing the same thing we heard 2 years ago about the building. So, we could extend this for another 6 months and I don't see where they would have any building plans or property acquired to begin the permitting process. I think we should revert back to the original ERC's and I'm all open ears if they want to come back and discuss it.

Decker states has anybody been in contact with anyone within the past 16 days.

Tibbs states I have sent an email to the County manager. Basically, stating this would be on the agenda tonight and I will be putting the sewer on the CCPWA agenda next week. I have not got a response back.

Beck states it's already been a year since we have made this agreement. If we extend it to another 6 months then we are getting into election year, and the board may change and then it will be another 6 months, that will be 2 years. We want to work hand in hand and help each other. But, I don't believe Glades Electric lowered their initial charges.

Ramunni states it expired on the 31st of March, so it would automatically go back to 270 ERC's.

Eighner states just to make it clear we are here to help and willing to negotiate.

Council agrees.

ITEM 6: REQUEST AWARD TO ULCS FOR REMOVAL AND REPLACEMENT OF 10 POLES IN THE AMOUNT OF \$68,300.00 TO BE PAID FOR FROM THE ELECTRIC UTILITY TAX BANK ACCOUNT:

Tibbs states we did send out quotes for the replacements of 10 poles. We did receive a quote back from SPE Group in the amount of \$67,960.80, ULCS in the amount of \$68,300 and Desoto Group in the amount of \$109,427.00, although SPE Group was about \$339 less, we would like to go with ULCS, because they have been working in the City for awhile now and are familiar with our system and we have had good performance from them.

MOTION: By Decker to award ULCS the removal and replacement of 10 poles in the amount of \$68,300.00 to be paid for from the Electric Utility Tax bank account, seconded by Smith. Motion carried.

ITEM 7: REPORT OF OFFICERS:

CITY MANAGER:

Tibbs states the Tourist Development Board are looking to get 9 members on the board, according to the statutes there is supposed to be one person from the County, 2 from the Cities although it reads one person should be from the larger City, I'm sure the statutes mean there is probably more than one City in the County and 6 members that are involved in the tourist industry. The attorney indicated that there could be a conflict of interest there or possibly a Sunshine Law issue if there were two members from the City Council sitting in that board. Our Vice Mayor is currently on the Tourist Development Board, they were still looking for a name I told them I would ask the question again to see if anyone wanted to be nominated to be on that board.

Ramunni states it can be done, but then that does put everything in the Sunshine Law.

Browning states does it have to be a council member? Why does the City have to have 2 people, but the County only requires one.

Tibbs states it states an elected official.

Ramunni states the way the statutes are written it implies there are multiple Cities within the County.

CITY ATTORNEY:

Ramunni states we have had a few inquiries for medical marijuana dispensary, and we currently have an ordinance against that, but that ordinance was drafted several years ago before these dispensaries became more mainstream. I don't know if the Council would want to revisit whether you should or shouldn't provide for that in a commercial setting.

Browning states what does the ordinance read now.

Ramunni states it prohibits all the way across the board. If you'll want to revisit it, I can refresh myself on it and then we can set up a workshop.

Eighner states the County revisited this last week at their meeting. They are in the same guidelines as Ramunni right now.

Ramunni states my suggestion would be we start the process if you'll are looking to entertain the discussion weather the Council decides to make a change or not.

Eighner states I think it was in 2017 when we did this, and the states had not figured out their rules and regulations. We went with the County and put a moratorium on it for so many years but that expired. I think we should have a workshop and revisit it.

Council agrees.

Ramunni states I had a conversation with Pringle last week and I told him I have been directed to assist him and Glades County with whatever way we can with challenging the Water Management plan with the flooding. He is going to investigate what we can do.

Browning states do we need to write something ourselves as the City.

Ramunni states can you forward me the information on this, and I can put something together to form a resolution.

MOTION: By Eighner to form a resolution to FLC that CMH supporting not opposing conversion of acreage into a shallow reservoir, seconded by Beck. Motion carried.

CITY CLERK:

NONE.

CRAIG A. SMITH

NONE.

CAS GOVERNMENT SERVICES:

NONE.

PUBLIC WORKS DIRECTOR:

Simmons states at the Ave H lift station, Go Underground is having some brackets made to put guiderails on some pumps, they should be done tomorrow and hopefully by Monday we will have our pumps installed. They are also working on getting me a quote for the cleaning and de-ragging for the other lift stations. We had to come in and cap some of the sprinklers off due to the expansion of the sidewalks, afterwards we may need a sprinkler company to come in and map out the lines to see where the lines are and what all runs where. Another thing we discussed was stuccoing the piling at the Veterans Memorial the quote on that is \$150.00 a piling that does not include the sealer and paint.

Eighner states Wills or Tibbs do you remember when we talked about the stucco work did we make a motion to approve it once Simmons got a contractor or do we need a motion?

Wills states was the stuccoing work coming out of CaPFA.

Eighner states yes.

Tibbs states the County is borrowing the old bucket truck, since it is still on our books and they are using it, it's still on our insurance. Do you just want to think about just donating that truck to them so they can take responsibility for it.

Simmons states they had to put new tires and rebuild the cylinder in it just to use it. They do help us out with mowing, spraying, and moving dirt when I ask them to.

MOTION: By Decker to donate the Ford Electric bucket truck to the County, seconded by Smith. Motion carried.

ITEM 8: APPROVAL OF THE BILLS IN THE AMOUNT OF \$74,074.30:

MOTION: By Eighner to approve the bills in the amount of \$74,074.30, seconded by Decker. Motion carried.

ITEM 9: APPROVAL OF PAY REQUEST #7 TO RIDGDILL & SONS FOR THE DOWNTOWN PROJECT IN THE AMOUNT OF \$267,384.06.

MOTION: By Eighner to approve pay request #7 to Ridgdill & Sons in the amount of \$267,384.06, seconded by Beck. Motion carried.

Tibbs states the other contractor is supposed to be here Monday to start the sidewalks.

ITEM 10: CITIZENS COMMENTS/GENERAL CONCERNS, SPEAKERS ARE LIMITED TO 3 MINUTES:

Deputy Murray states we had an issue with a citizen crossing Hwy 27 on a golf cart. So, there are concerned citizens wondering why they can walk or ride a bike across Hwy 27, but they can't drive a golf cart across, and they are wondering why. I explained it's a state law. And I have tried to tell them to come here for future references. I try to keep copies of the ordinance in my car to give them.

Council states its against the ordinance and it's a state law.

ITEM 11: MAYOR AND COUNCIL TO GIVE REPORTS:

Eighner states I had a question on the garbage can rates, we have asked Tibbs to get information on it but that might be something we may want to add that to our workshop as well. But the City of Clewiston just raised their rates as well. The garbage can holders are in the ordinance where they are not supposed to be allowed, so we might want to start notifying the ones who have them and let them know they can't have them and give the homeowner a chance to remove it. In the past we had food trucks request to set up around the park or over in the empty City lot here, and the Council kind of frowned on it, so when the streets are done I'm going to ask the Council to not frown upon the food trucks like we have in the past because we have to try and get some type of activity here to help with the economic plan/development.

Browning states where do we stand with Mr. Baez.

Ramunni states he goes to court in 2 days for the eviction, I'm kind of waiting on that.

ITEM 12: DISCUSS FINANCIAL STATEMENTS IF NEEDED:

NONE.

ITEM 13: ADJOURNMENT:

MOTION: By Eighner to adjourn the meeting, seconded by Smith. Motion carried.

Ashley Wills, City Clerk
Meeting adjourned at 7:53 P.M.

Wayne Browning, Mayor

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