

**MOORE HAVEN CITY COUNCIL REGULAR MEETING
JUNE 04, 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 OF ALLEGIANCE:

Invocation given by Smith. Pledge lead by Browning.

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

Tibbs states under item 4 we would like to add May 21,2024 Public Outreach Meeting Minutes. And, we would like to add approval for a grant application to FDEP for phase 2 Downtown.

MOTION: By Eighner to add item 4A May 21, 2024, Public Outreach Meeting Minutes, seconded by Beck. Motion carried.

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

MAY 07, 2024, Workshop Meeting Minutes.

MOTION: By Decker to approve May 07, 2024, Workshop Meeting Minutes seconded by Smith. Motion carried.

MAY 21, 2024, Regular Meeting Minutes.

MOTION: By Eighner to approve May 21, 2024, Regular Meeting Minutes, seconded by Beck. Motion carried.

ITEM 4A: MAY 21, 2024, PUBLIC OUTREACH MEETING MINUTES:

MOTION: By Decker to approve May 21, 2024, Public Outreach Meeting Minutes, seconded by Eighner. Motion carried.

ITEM 4B: REQUEST APPROVAL OF GRANT APPLICATION FOR PHASE 2 DOWNTOWN:

Tibbs states this is a request for a grant application for the Florida Department of Environmental Protection, for phase 2 of our downtown improvement project. It is basically extending from Ave K to Ave L for drainage, sidewalk, and road improvements.

Vanassche states this is a part of the FDEP water quality grant program that closes at end of the month. The one change if did for the project description was adding the public Library in there. But I can add the Marina and Doctors office in there as well.

MOTION: By Eighner to approve Mrs. Vanassche to move forward with the grant application for Phase 2 Downtown, seconded by Smith. Motion carried.

ITEM 5: FIRST READING OF ORDINANCE #357 RELATING TO GARBAGE RATES:

MOTION: By Eighner to approve the first reading of ordinance #357 relating to garbage rates, seconded by Beck. Motion carried.

ITEM 6: FIRST READING OF ORDINANCE #358 RELATING TO GARBAGE RULES:

MOTION: By Eighner to approve the first reading of ordinance #358 relating to garbage rules, seconded by Smith. Motion carried.

ITEM 7: REPORT OF OFFICERS:

CITY MANAGER:

Tibbs states I know before there was discussion on the medical marijuana facilities within the city. I think we may want to schedule a workshop to discuss this in further detail. Another issue is in the sale of fireworks Florida statutes basically states the City Council has the power to control the zoning and sales of fireworks within the jurisdiction. We have had two inquiries from individuals wanting to sale fireworks.

Browning states we can schedule it for July 16, 2024, at 6pm

Ramunni states my issues is that it is not a good president to throw something together to allow a use when the code does not call for it. The proper way to do it would be similar to medical marijuana, we could have a workshop/ public hearing then move from there. My other concern is

whether or not our insurance would have a consternation with doing that. Without consulting our insurance provider, I would not encourage adopting something tonight.

Eighner states the person who owns the property wants to set up a fireworks booth, why would that have anything to do with our insurance. If they are selling off private property and not City owned property.

Ramunni states anyone can be sued for anything if anything were to happen. I have an issue just from a policy perspective with no study to it or no public input.

Eighner states when do they want to set up.

Wills states one wants to set up June 27 – July 5th and December 15th – January 1st every year. So twice a year for two weeks.

Eighner states maybe we can look at it like Ramunni is suggesting and see what we can do to help their request and come up with an ordinance and tell them to check with us next year.

Beck states yes, I do not want to discourage anyone from coming in to bring something here, but I also do not want to rush approving something.

Ramunni states I can contact Mr. Larue and see when he is available and perhaps, he will be available for a workshop where we can address some different zoning issues that may come up.

Browning states if we set it for August that will give us about three meetings to get it advertised, we will not make a decision for July 4th, but we could possibly make the December.

Eighner states Wills when you respond to them can you let them know it does not fit into us, but we are working on trying to get them in here by December, hopefully they will still be interested.

CITY ATTORNEY:

NONE.

CITY CLERK:

Eighner states the dock fee when its collected what account does that money go to.

Wills states General fund for parks.

CRAIG A. SMITH

NONE.

CAS GOVERNMENT SERVICES:

Vanassche states just a legislative update the governor was in Ft. Myers today kicking off the hurricane preparedness tax sale, and he did say the budget was coming soon. I am working on quarterly reports for the grants they are due for the period end in June. We are still waiting for the time extension from the Florida Commerce, we know the extension has been done, But the project manager for our project cannot access it, it has to be sent to her.

PUBLIC WORKS SUPERINTENDENT:

Simmons states I did get contacted by the electrical engineers that will be working on the new Elementary School. We have something set up for Friday that will be more formal. As I get more information, I will keep you updated. We did have some work going on at the ball field lift station that is going to be tied into some of the Elementary School stuff. We did have an emergency situation there, both of the pumps had quit and kicked out at the bottom are replacing the feet on the rails. We have it on bypass pump right now, we are waiting on Go Underground to get into the hole to replace the feet on both rails.

ITEM 8: APPROVAL OF THE BILLS IN THE AMOUNT OF \$85,981.96:

MOTION: By Eighner to approve the bills in the amount of \$85,981.96, seconded by Beck. Motion carried.

ITEM 9: CITIZENS COMMENTS/GENERAL CONCERNS, SPEAKERS ARE LIMITED TO 3 MINUTES:

Citizen Perez States we have had to call the police like three times already due to dogs around our property. We have two dogs and two small children that play in the backyard. So, we have decided to put up a fence around the property. I have tried to pull the permits here at the City and the inspector stopped by our property and mentioned that the only materials allowed per the ordinance are chain link or wood. We have found that an aluminum fence is a less expensive solution compared to a chain link fence. So, we wanted to make a request to the Council to see if it is possible to allow us to put up an aluminum fence.

Eighner states have you reviewed this Tibbs.

Tibbs states I have not, but I know we have discussed several times about updating our ordinance on the fences.

Browning states do you have a picture.

Citizen Perez states no, I do have it on my laptop I can show you from there.

Browning states we need to update the ordinance.

Council agrees to move forward with the permit allowing the aluminum fence at 484 Ave R.

Citizen states I live in the Moore Haven Yacht Club, but we used to get a once a week pick up and all of a sudden, they stopped it. But my complaint is they stopped the pickup without us calling it in and during hurricane season people are putting things out onto others property so is there anyway we can get a one-time bulk pick up a week.

Eighner states did we send a letter there.

Wills states we did not.

Eighner states that letter you are seeing at the Yacht Club did not come from this board, it can from your internal board.

ITEM 10: MAYOR AND COUNCIL TO GIVE REPORTS:

Eighner states where we are including Washington Park into the Fiber study.

Tibbs states I have contacted the representative of Conexon and what they want for this first phase is we have to identify all of our poles. We can only install the fiber optic on our poles. From there they will identify what areas we can serve with that system.

Eighner states okay, Wills did you make it to the Court House to record the Church?

Wills states yes.

Eighner states has Mr. Larue said anything about the insurance for a skate park.

Ramunni states the skate park itself would not be a Larue issue on the insurance side. But I will make a note of it.

Eighner states was there any discussion on the sea wall. We have spoken about classifying it into three different categories.

Ramunni states we are working on the ordinance.

Wills states we spoke about wanting to do a workshop on it as well.

Eighner states when the community came and gave a proposal about the ball fields, at that time we told them 'We were not sure where they were going to build the new Elementary school.' Now the school has been identified where it is going to be built. As I speak of this, there is not a ratio between County or City kids in my mind that use the ball fields, they are all Glades County kids regardless of where they go to school. When we got moved to those ball fields the County's agreement in the documentation was to help monetarily. What I am proposing is for us to produce an interlocal agreement with the County and send it to them. I have asked Wills to speak with Simmons to get the number of hours a week it takes for maintenance and just the general upkeep of it.

Beck states, does anyone know where the new Bus barn is going to be officially.

Simmons states the electric bus stuff is going into that back parking lot right behind the admin office.

Beck states I am just concerned it's going to end up on our fields. I think we need to redo all the fields at once, they have been the same since I played.

Browning states we already looked into that; we cannot afford to do them all at once.

Ramunni states if there is something we would want to approach the County with, what I would do is get on their agenda with the topic.

ITEM 11: DISCUSS FINANCIAL STATEMENTS IF NEEDED:

NONE.

ITEM 12: ADJOURNMENT:

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

Ashley Wills, City Clerk
Meeting adjourned at 7:45 P.M.

Wayne Browning, Mayor