

**CITY OF CLEWISTON**  
**Regular Commission Meeting**  
**July 17, 2023**

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The Clewiston City Commission held its Regular Meeting in the City Hall Commission Chambers Monday, July 17, 2023. The meeting was called to order at 5:00 p.m. by Mayor James Pittman. Pastor Greg Ramey of the Evangel Assembly of God offered an invocation. The audience then joined Mayor Pittman in reciting the Pledge of Allegiance.

**Commissioners Present:** Mayor James Pittman, Vice Mayor Greg Thompson, Commissioner Barbara Edmonds, Commissioner Mali Gardner and Commissioner Hillary Hyslope.

**Personnel Present:** City Manager Randy Martin, Finance Director Shari Howell, Director of Operations Danny Williams, Police Commander Dan Brophy, Police Officers Rebecca Wood, James Estiverne and Eric Williams, Code Enforcement Officer Debbie Clay, IT Administrator JD Lucas, Ashley Smith, Norma Espino, Consulting Engineer Andy Tilton and City Attorney Dylan Brandenburg.

**Visitors Present:** Paula Pittman, Russhale Lee, Antonio Perez,

**Additions/Deletions/Changes and Approval of the Agenda** – Manager Martin stated that there were no additions, deletions or changes to the agenda.

**Public Comments** – Mayor Pittman adjusted the agenda to move public comments after the presentations.

**1. Consent Agenda**

- A. *City Commission Meeting Minutes – May 15, 2023*
- B. *Special City Commission Meeting Minutes – May 22, 2023*
- C. *City Commission Meeting Minutes – June 26, 2023*

**Commissioner Gardner made a motion, seconded by Commissioner Edmonds to approve the Consent Agenda. Vote 5 yeas, 0 nays**

**2. PRESENTATION – Florida League of Cities 2023 Mayor John Land Years of Service Award** – Mayor James Pittman for achieving 20 years of service

Eryn Russell, Membership Programs Specialist of the Florida League of Cities, presented Mayor Pittman with the 2023 Mayor John Land Years of Service Award on behalf of the Florida League of Cities in recognition of his 20 years of service to the City of Clewiston.

**3. PRESENTATION – Clewiston Police Department Life Saving Awards** – Detective Charles Williams, Officer Rebecca Wood, Officer James Estiverne and Officer Eric Williams

The City Commission recognized Detective Charles Williams and Officers Rebecca Wood, James Estiverne and Eric Williams for their prompt and alert actions that resulted in saving a life. Commander Dan Brophy presented the award to Officers Wood, Estiverne and Eric Williams. He stated that Detective Charles Williams would receive his award at a private ceremony since he was not present.

**Public Comments** – Mrs. Russhale Lee of 337 E. Pasadena Avenue, expressed her concern with the parking of semis and boat trailers behind the Hampton Inn on Pasadena Avenue. She provided pictures of semis parked in the road in the dark. She also asked if anyone had ever been cited for parking in the road and if so, how many times. She then provided suggestions for a solution. Commissioner Hyslope stated that she feels Mrs. Lee is not being unreasonable. Commissioner Gardner stated that it was her understanding that there should not be any parking behind the hotel. She was surprised that the parking on the roadway was not being addressed. Manager Martin stated that he has already discussed this issue with Police Commander Brophy. Vice Mayor Thompson stated that the solution is to tow them away and cite them. Mayor Pittman stated that

signs on both ends of the road should prohibit semi traffic. Commissioner Gardner stated that she feels there should also be a permanent sign to indicate that no parking is allowed. Code Enforcement Officer Clay mentioned that Mr. Patel, the owner of the hotel property, put up a temporary sign immediately when she spoke to him about the semis parking on the grass and he is now seeking permission from the hotel brand for a permanent sign. Mayor Pittman asked Manager Martin to keep the board informed on what is being done to solve this issue.

#### **PUBLIC HEARINGS**

4. **Resolution No. 2023-060 – PUBLIC HEARING – 5:05 P.M.** - Resolution No. 2023-060 approves the variance request by Michael Atkinson to build a single family home on a 50 foot parcel located at 332 W. Ventura Avenue with a two-year sunset clause expiring on June 28, 2025.

Mayor Pittman read Resolution No. 2023-060 by title and opened the public hearing. Manager Martin confirmed that public advertising of this hearing was done. He also confirmed that he was not aware of any adjacent property owners with concerns. Attorney Brandenburg stated that this item and agenda item 5 are both quasi-judicial hearings so that anyone wishing to give testimony should be sworn in. He then swore in Antonio Perez. He then stated that any ex-parte communications or site visits regarding this agenda item 4 would need to be disclosed by any commissioner at this time. No disclosures of any ex-parte communications were made. There were no comments from the public. Commissioner Gardner stated that she feels this request is reasonable because it is desirable to allow rebuilding on these 50-foot lots. Manager Martin stated that the recommendation is to give the applicant two additional years to accomplish it. After hearing no further comments, Mayor Pittman closed the public hearing.

**Vice Mayor Thompson made a motion, seconded by Commissioner Edmonds, to approve Resolution No. 2023-060. Vote 5 yeas, 0 nays**

5. **Resolution No. 2023-061 – PUBLIC HEARING – 5:05 P.M.** - Resolution No. 2023-061 approves the special exception request by Hitendra Patel, individually and as President of Dylan Motel, Inc. and Indira Patel, individually, to build a hotel to the height of 65 feet on the property located at 335 W. Sugarland Highway and 340, 334, 328 and 322 W. Pasadena Avenue.

Mayor Pittman read Resolution No. 2023-061 by title and opened the public hearing. Attorney Brandenburg asked that any ex-parte communications or site visits from any of the commissioners regarding this agenda item be disclosed at this time. Commissioner Gardner disclosed that she did call Mr. Patel about the landscaping for this property and was advised that there is going to be continued landscaping for this property even though it is not shown on the drawing that was provided. Antonio Perez stated that he would answer any questions on behalf of the applicant. Manager Martin stated for the record that the Technical Review Committee (TRC) will review the actual site plan; tonight the action before the Commission is dealing solely with the height special exception request. The Commission will see the final plan as the process goes forward. Vice Mayor Thompson asked for clarification of language in the resolution and who will decide if there are any negative impacts. Manager Martin stated that the TRC would be tasked to determine if there are any negative impacts. He noted that the TRC has not identified any such impacts thus far. He then stated the Fire Chief confirmed that the City's emergency services are able to handle emergency response to a 65 foot facility height. He also stated that the water and sewer improvements that were completed to serve the recently completed Hampton Inn next door will be equally beneficial for serving this site. The developer will have to meet sprinkler requirements in the facility and pass all the appropriate tests for adequate water pressure. Mr. Perez stated that this is also a Hilton hotel so it will have the same requirements. He noted the purpose of the drawing that was provided was to give perspective of what the height of the proposed hotel will look like compared to the existing Hampton Inn hotel. Mayor Pittman asked Manager Martin to ensure the TRC addresses signage specifically regarding parking and using Pasadena Avenue. Manager Martin stated that the City will want to apply the same standards for the existing hotel and the new proposed hotel. After hearing no further questions or comments, Mayor Pittman closed the public hearing.

**Vice Mayor Thompson made a motion, seconded by Commissioner Hyslope, to approve Resolution No. 2023-061. Vote 5 yeas, 0 nays**

## **ORDINANCES**

- 6. Ordinance Nos. 2023-05, 2023-06 and 2023-07 – First Readings** – Ordinance Nos. 2023-05, 2023-06 and 2023-07 rezone certain property owned by Brian Sullivan Contractor, Inc. in Blocks 423 and 424 of the General Plan of Clewiston from Mobile Home and Recreational Vehicle Park District (RM-1) to Multiple-Family Residential (R-3).

**A. Ordinance No. 2023-05** rezones 573 Comercio St., Parcel ID #3-34-43-01-010-0424-002.0, Block 424, Lots 4-44, of the General Plan of Clewiston, Plat Book 2, pages 71-78 of Hendry County, Florida, from Mobile Home and Recreational Vehicle Park District (RM-1) to Multiple-Family Residential (R-3).

**B. Ordinance No. 2023-06** rezones 51 Comercio St., Parcel ID #3-34-43-01-010-0423-009.0, Block 423, Lots 19-22, of the General Plan of Clewiston, Plat Book 2, pages 71-78 of Hendry County, Florida, from Mobile Home and Recreational Vehicle Park District (RM-1) to Multiple-Family Residential (R-3).

**C. Ordinance No. 2023-07** rezones Parcel ID #3-34-43-01-010-0423-001.0, Block 423, Lots 1-2, of the General Plan of Clewiston, Plat Book 2, pages 71-78 of Hendry County, Florida, from Mobile Home and Recreational Vehicle Park District (RM-1) to Multiple-Family Residential (R-3).

Mayor Pittman summarized Ordinance Nos. 2023-05, 2023-06 and 2023-07. Manager Martin stated that there were no comments or questions regarding this request from any residents at the Planning & Zoning Board Meeting and he is not aware of any since then. He stated that there are five adjacent lots that are surrounded on three sides by this property. The consensus of the TRC is for the City to pursue rezoning of those lots in a subsequent action so that everything in the block will be in the same zone. He then mentioned that it is believed that the grant funded improvements on Comercio support the development of this property in terms of providing sufficient water pressure to the site; Mr. Sullivan's intent is to build something similar to the two-story townhouse type apartments that were built further down W.C. Owen from this property.

**Vice Mayor Thompson made a motion, seconded by Commissioner Gardner, to approve Ordinance No. 2023-05 on first reading and set the public hearing for August 21, 2023. Vote 5 yeas, 0 nays**

**Commissioner Hyslope made a motion, seconded by Vice Mayor Thompson, to approve Ordinance No. 2023-06 on first reading and set the public hearing for August 21, 2023. Vote 5 yeas, 0 nays**

**Commissioner Hyslope made a motion, seconded by Vice Mayor Thompson, to approve Ordinance No. 2023-07 on first reading and set the public hearing for August 21, 2023. Vote 5 yeas, 0 nays**

Manager Martin reported that Mr. Sullivan's intent is to move quickly on the development of this property once the rezoning request is approved. He then commented on the positive impact of the development of this project and the redevelopment of the site on U.S. 27 for the new proposed Homes to Suite hotel. He believes the Homes to Suite development is estimated to be a \$17 million investment for the city in a positive way and this project for approximately 60 multi-family units will produce a substantial investment amount as well.

## **RESOLUTIONS**

- 7. Resolution No. 2023-062** – Resolution No. 2023-062 approves FY 2023 Community Project Funding Grant Agreement No. B-23-CP-FL-0388 between the Department of Housing and Urban Development and the City of Clewiston in the amount of \$3,000,000 for the Wastewater Treatment Plant Improvements & Expansion Project.

Mayor Pittman read Resolution No. 2023-062 by title. Manager Martin reviewed the terms of the grant and mentioned that this grant was championed at the federal level by the City's former congressional representative, Mario Diaz-Balart. He stated that this grant combined with the recently approved \$11,000,000 legislative appropriation from the State of Florida will provide funding for what has been projected as necessary to upgrade and expand the City's aged wastewater treatment plant facilities. He also stated that management and staff are pursuing options for additional funding to extend lines from the plant for reuse quality effluent to be distributed for irrigation purposes within the city.

**Commissioner Gardner made a motion, seconded by Commissioner Hyslope, to approve Resolution No. 2023-062. Vote 5 yeas, 0 nays**

8. **Resolution No. 2023-063** – Resolution No. 2023-063 approves FY 2022 Community Project Funding Grant Agreement No. B-22-CP-FL-0234 between the Department of Housing and Urban Development and the City of Clewiston in the amount of \$999,858 for the Clewiston Ventura Avenue Street Repair Project.

Mayor Pittman read Resolution No. 2023-063 by title. Manager Martin stated that this funding combined with the FDOT SCOP funding that was recently approved for improvements to this section of Ventura Avenue will allow for streetscape and other improvements beyond repaving. The City is ready to proceed with accepting this federal appropriation that was also championed on the federal level by the City's former representative, Congressman Mario Diaz-Balart.

**Commissioner Edmonds made a motion, seconded by Commissioner Gardner, to approve Resolution No. 2023-063. Vote 5 yeas, 0 nays**

9. **Resolution No. 2023-064** – Resolution No. 2023-064 approves the Johnson Engineering, Inc. Continuing Agreement for Professional Services Work Order No. 2020-018 in the total amount of \$106,300 for the Ventura Avenue Streetscape Project.

Mayor Pittman read Resolution No. 2023-064 by title. Manager Martin stated that this work order is related to the HUD grant agreement just approved and mentioned that another future workshop will likely be necessary to present and review proposed options for the design. Consulting Engineer Andy Tilton confirmed that landscaping was not included in this work order and clarified that the work order included all of the elements along the roadway except the road resurfacing and the drainage. He stated that the effort will evaluate different configurations for the roadway and asked the Commission to pass along any ideas they may have. Manager Martin mentioned that some of the major considerations will be landscaping, median controls, street lighting and appropriate crosswalk designations. After further discussion on how parking will be impacted and potential crosswalk issues, Manager Martin stated that the good news is the City should have enough money with the funding from both the approved FDOT SCOP grant and the federal appropriation that was just approved to do a great and comprehensive job. Mayor Pittman reminded everyone that parades would potentially need to be rerouted if medians were put in as an option on this section.

**Commissioner Gardner made a motion, seconded by Commissioner Hyslope, to approve Resolution No. 2023-064. Vote 5 yeas, 0 nays**

10. **Resolution No. 2023-065** – Resolution No. 2023-065 approves the Tetra Tech, Inc. Continuing Agreement for Professional Services Work Order No. 2 in the total amount of \$63,535 for the Ventura Avenue Road Resurfacing Design Project.

Mayor Pittman read Resolution No. 2023-065 by title. Manager Martin reminded the Commission that the Florida Department of Transportation (FDOT) does not allow the City to use the same engineering firm for both design and CEI under construction when state FDOT funding is utilized. It is planned to use Tetra Tech for the SCOP grant project design and use Johnson Engineering for the CEI services. Engineer Tilton clarified that the previous Work Order No. 2020-018 in the amount of \$106,300 for the Ventura Avenue Streetscape Project included design and CEI because this allows the multi-funding source project to be done under one contract. By contrast, this work order for Tetra Tech is limited to the design portion related to the SCOP elements. Vice Mayor Thompson stated that he feels for the

future, if we're spending money, the resolution should be more specific regarding such details. Attorney Brandenburg stated that a verbal modification could be made to the resolution. Vice Mayor Thompson stated that he is comfortable since the discussion is on record. Commissioner Hyslope and Commissioner Gardner both expressed they were comfortable with the motion for the approval of Resolution No. 2023-064 for Work Order No. 2020-018 for the Ventura Avenue Streetscape Project.

**Commissioner Hyslope made a motion, seconded by Commissioner Edmonds, to approve Resolution No. 2023-065. Vote 5 yeas, 0 nays**

### **MISCELLANEOUS ACTION AND DISCUSSION ITEMS**

11. **2023 Legislative Session Summary** – City Attorney Dylan Brandenburg reviewed the summary which he had prepared for the City. Manager Martin stated that he has forwarded the summary to each of the department heads and with the attorney's input, staff will be reviewing the items that the City will need to begin addressing. Mayor Pittman mentioned that he sees a lot of people under the age of 18 driving golf carts. Manager Martin commented that based upon the related legislative changes, this item is certainly one requiring the need to update the City's ordinance to be consistent with the new legislation. It was confirmed that the new state law supersedes the City's ordinance.
12. **Old Business** – Mayor Pittman stated that if there are any urgent items, they could always be added to a budget workshop. Manager Martin stated that staff will be adding some items including further discussions about the Ventura Avenue Streetscape Project as the design efforts proceeds.
13. **Departmental Monthly Activity Reports** - Presented for information only.
14. **Comments from City Manager** – Manager Martin stated that he had no further comments.
15. **Comments from City Attorney** – Attorney Brandenburg stated that he had no further comments.
16. **Comments from the City Commission** – Commissioner Edmonds congratulated and thanked Mayor Pittman for his 20 years of service to the City. She then commented on an issue with semis parking in her neighborhood and congratulated the officers that were presented with lifesaving awards tonight.

Commissioner Gardner asked if there is a difference between semi parking for commercial and residential property. Manager Martin stated that these vehicles cannot be parked on private property in a residential area. Code Enforcement Officer Debbie Clay concurred and described the enforcement process and confirmed that she works at least one weekend each month in an attempt to identify such violations.

Commenting on the actions at this meeting, Vice Mayor Thompson stated that there has been more positive change for the city; it is a good time to be a commissioner. He is excited to see what the future holds. Commissioner Hyslope agreed.

Commissioner Gardner thanked Congressman Mario Diaz-Balart and his staff for working closely with city staff to get those grant funds for the city. She stated that she knows Congressman Scott Franklin will work on our behalf but it's great to have those federal partnerships and it is nice when the federal and state have funds to give back to the local level. She then encouraged everyone to attend the property appraiser's presentation for the community scheduled for July 25<sup>th</sup> at 5:30 p.m. here at City Hall.

Manager Martin stated that he is planning to present his recommendation to the Commission for this year's legislative request sometime in August or September. He mentioned that one of the recommended requests will be for funding a ladder type truck for the fire department.

### **Adjournment**

**Commissioner Hyslope made a motion, seconded by Commissioner Gardner, to adjourn the meeting at 6:21 p.m. Vote 5 yeas, 0 nays.**

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James Pittman, Mayor

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Mary K. Combass, City Clerk