

CITY OF CLEWISTON
Regular Commission Meeting
October 16, 2023

The Clewiston City Commission held its Regular Commission meeting in the City Hall Commission Chambers Monday, October 16, 2023. The meeting was called to order at 5:00 p.m. by Mayor James Pittman. Mayor Pittman gave the invocation and the audience joined 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, Police Chief Thomas Lewis, Community Development Director/Fire Chief Travis Reese, Director of Operations Danny Williams, IT Administrator Justin Lucas, Consulting Engineer Dave Trouteaud and City Attorney Dylan Brandenburg.

Visitors Present: Stephanie Busin, Dusty McDuffie and Jerry Cochrane.

Additions/Deletions/Changes and Approval of the Agenda – Manager Martin stated that Consent Agenda Item D is recommended to be deleted for further review and mentioned that two handouts will be added as 9A and 9B under the City Manager’s comments. One is the Golf Course Irrigation Project financing recommendation memo and the other is for the Finance Director to present the required renewal of the Letter of Credit for the Florida Department of Transportation (FDOT) related to welcome sign considerations. He then stated that he had prepared and shared a potential proclamation with the Commission in advance for consideration to add to the agenda. Commissioner Gardner recommended adding the proclamation to the Consent Agenda. Mayor Pittman then read the proclamation title condemning the October 7, 2023 terrorist attack on the state of Israel.

1. Consent Agenda

- A. *City Commission Meeting Minutes – August 21, 2023*
- B. *Resolution No. 2023-092 – approves Axon agreement for Taser purchase*
- C. *Resolution No. 2023-093 – approves the Crown Castle Agreement for internet service*
- ~~D. *Resolution No. 2023-094 – approves the Service Agreement with the Chamber of Commerce*~~
- E. *Resolution No. 2023-095 – approves the Service Agreement with the Clewiston Museum*
- F. *Resolution No. 2023-096 – approves the renewal of the Clewiston Sikes Building Lease with Little Disciples Learning Center, Inc.*
- G. *Resolution No. 2023-097 – approves the renewal of the Lease with Hope Hospice and Community Services, Inc.*
- H. *Resolution No. 2023-098 – approves the renewal of the continuing agreement for professional services with Johnson Engineering, Inc.*
- I. *Resolution No. 2023-099 – approves the renewal of the continuing agreement for professional services with Stantec Consulting Services, Inc.*

- J. Resolution No. 2023-100 – approves the renewal of the continuing agreement for professional services with Tetra Tech, Inc.*
- K. Resolution No. 2023-101 – approves the renewal of the 2022 Ground Mosquito Control Contract with Vector Disease Control International*
- L. Resolution No. 2023-102 – approves the renewal of the 2022 Aerial Mosquito Control Contract with Vector Disease Control International*
- M. Resolution No. 2023-103 – approves the JAG ILA with Hendry County - \$6,093.50*
- N. Resolution No. 2023-104 – recognizes Florida City Government Week – October 16-22, 2023*
- O. Resolution No. 2023-105 – approves contract with Interactive Data, LLC for unlimited database access*
- P. Event Application – CHS Cross Country Meet – October 21, 2023*
- Q. Event Application – CHS Homecoming Parade – November 3, 2023*
- R. Event Application – The Market on Bond – November 11, 2023, December 9, 2023, January 13, 2024, February 10, 2024, March 9, 2024 and April 13, 2024*
- S. Proclamation - condemning the October 7, 2023 terrorist attack on the state of Israel*

Commissioner Gardner made a motion, seconded by Commissioner Hyslope, to approve the Consent Agenda with the deletion of Consent Agenda Item D and the addition of Consent Agenda Item S. Vote 5 yeas, 0 nays

Public Comments – Resident Stephanie Busin of 429 Royal Palm Avenue came forward to talk about her concerns with the homeless population and the effect it has on the private property owners of Clewiston. She asked the Commission to consider what could be done to mitigate the negative impacts in her neighborhood. Attorney Brandenburg commented to the Commission that responding to this concern is a delicate situation as homelessness is not a crime. Commissioner Gardner said the situation definitely needed to be addressed, preferably before it gets worse. Attorney Brandenburg agreed to research how other communities similar to Clewiston are implementing programs to address the concern.

ORDINANCE

- 2. Ordinance No. 2023-08 – First Reading** – Ordinance No. 2023-08 amends Chapter 70 Article V. Operation of Golf Carts on City Streets of the Clewiston Code of Ordinances.

Mayor Pittman read Ordinance No. 2023-08 by title and asked for discussion. Attorney Brandenburg stated that the amendment is necessary to comply with state law changes resulting from SB170 regarding the regulation of golf carts on city streets.

Commissioner Gardner made a motion, seconded by Commissioner Edmonds, to approve Ordinance No. 2023-08 on first reading and set the public hearing for November 20, 2023. Vote 5 yeas, 0 nays

RESOLUTIONS

3. **Resolution No. 2023-106** – Resolution No. 2023-106 approves School Concurrency ILA between Hendry County, the Hendry County School Board, the City of LaBelle and the City of Clewiston.

Mayor Pittman read Resolution No. 2023-106 by title. Manager Martin stated that the interlocal agreement was adopted in 2003 and updated in 2006 and it's time to update it again to reflect changes in legislation.

Commissioner Hyslope made a motion, seconded by Vice Mayor Thompson, to approve Resolution No. 2023-106. Vote 5 yeas, 0 nays

4. **Resolution No. 2023-107** – Resolution No. 2023-107 approves the Johnson Engineering, Inc. Change Order No. 6 to Work Order No. 4 in the total amount of \$26,000 for the C-21 Bridge Project.

Mayor Pittman read Resolution No. 2023-107 by title and asked for discussion. Manager Martin stated that this change provided for additional engineering services to review the parking lots and develop a plan to maximize the parking after the loss of some parking in the grassed overflow lot and other impactful changes resulting from the new bridge crossing location and necessary resulting modifications to walkway and roadway connectivity. There are remaining grant funding that can be utilized to do the plan and modify conditions. This planning effort has been reviewed with marina representatives to solicit input.

Commissioner Hyslope made a motion, seconded by Commissioner Edmonds, to approve Resolution No. 2023-107. Vote 5 yeas, 0 nays

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

5. **Appointments to the Planning & Zoning Board** - Mayor Pittman stated that due to the resignations of Lowell Hughes and Mickey McGahee, there are currently 2 vacancies on the P&Z Board. Manager Martin stated that the board has 3 eligible applicants, Renaldy Tapia, Chinh “Andy” Van and Hector Guardia. A 4th applicant, Javier E. Gonzalez, lives outside the city limits as required; therefore, he is not eligible.

Commissioner Gardner made a motion, seconded by Commissioner Edmonds, to appoint Renaldy Tapia and Dr. Chinh “Andy” Van to fill the vacancies on the Planning & Zoning Board. Vote 5 yeas, 0 nays

6. **Golf Course Financing Proposals** – Manager Martin passed out a memo regarding the only proposal received for the financing for the balance of the golf course irrigation project funding scheduled to commence in November. He recommended awarding the financing to First Bank with the stated terms.

Commissioner Hyslope made a motion, Mayor Pittman passed the gavel to Vice Mayor Thompson and seconded the motion, to award the financing for

the balance of the golf course irrigation project to First Bank. Vote 5 yeas, 0 nays

- 6. a. Memo from Finance Director Shari Howell to Manager Martin regarding a Letter of Credit required to have on file with FDOT** – Director Howell stated that the letter of credit pertains to the welcome signs placed on the east and west ends of town. Because one of the signs is located on the FDOT right-of-way, the City is required by FDOT to have a letter of credit on file to enable the site to be restored to its original state should anything happen to the sign. The City has had the letter of credit, unsecured for \$125/year, with First Bank since 2019. First Bank submitted a quote for \$125/year and Seacoast Bank’s quote was for \$450/year. She noted that Seacoast Bank’s quote would also require a CD for the estimated amount of money to restore the site which is \$28,236 at an interest rate of 4.5%. Management recommends the Commission approve renewal of the letter of credit with First Bank based upon the stated terms.

Vice Mayor Thompson made a motion, seconded by Commissioner Hyslope, to renew the letter of credit with First Bank. Vote 5 yeas, 0 nays

- 7. Old Business** - Commissioner Gardner asked where the status of notification letters to lien holders stood. Manager Martin stated that the process has started and is ongoing. Commissioner Gardner also inquired about the discussion at the last workshop regarding enforcement of Ordinance 110-528 and the status of four adult gaming/arcade establishments operating within the City. Manager Martin stated that staff are further researching options and next steps in the process of inspecting the properties.
- 8. Departmental Monthly Activity Reports** - Commissioner Gardner asked about permits being issued to properties where ownership had changed. Director Reese stated that the permits are now being issued to the entity or homeowner that is submitting the application and monthly reports are reflecting the change.
- 9. Comments from City Manager** – Manager Martin had no further comments.
- 10. Comments from the City Attorney** – City Attorney Brandenburg reviewed Legislative Bill 250 regarding the proposed changes to City Code 110-528 concerning gaming establishments and voiced his opinion. He did not feel that a moratorium would be allowed until SB 250 which in terms of this matter expires on October 1, 2024. Mayor Pittman stated for now, the City will enforce the current ordinance.
- 11. Comments from the City Commission** – Commissioner Edmonds spoke to the enforcement of the ordinances pertaining to the homeless population, and she expressed her disappointment that the City cannot move forward at this time in modifying the gaming ordinance. Vice Mayor Thompson thanked Mrs. Busin for her input regarding the homeless population. He also asked about the water at the top of the bridge with only drainage at the bottom. Director of Operation Williams stated this issue has been addressed by the engineer and contractor. Manager Martin said he will provide the legislative dates in Tallahassee to the Commission as requested by Vice Mayor Thompson. Vice Mayor Thompson stated that

he would also like to see all of the Directors attend the monthly meetings. Manager Martin stated that currently staff attendance is required if there is an agenda item for their department. He would like to further consider the request before responding to Vice Mayor Thompson. Commissioner Hyslope echoed the concerns about the homeless population and thanked the Police Department for the rapid response to recent complaints. She expressed her appreciation to the new recreation advisory board. Commissioner Gardner brought up the prior discussion about the parking behind the Hampton Inn and wondered if the new signs had been installed. Manager Martin said the owner put up a temporary sign but need permission from Hilton for a permanent sign placement. The City staff will consider placing city signage on the right-of-way. Commissioner Gardner feels we should show support for Israel as that is our biblical foundation as Christians and commended the City Commission for approving the Proclamation. Mayor Pittman had no comments but expressed that he agreed with all the other comments made tonight.

Adjournment

Commissioner Gardner made a motion, seconded by Commissioner Edmonds, to adjourn the meeting at 6:26 p.m. Vote 5 yeas, 0 nays

James Pittman, Mayor

Mary K. Combass, City Clerk