

OCOEE CITY COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

May 20, 2025

MINUTES

6:15 PM

REGULAR CITY COMMISSION MEETING

• CALL TO ORDER 6:16 PM

Mayor Johnson called the regular session to order at 6:15 PM in the Commission Chambers of City Hall. The invocation was led by **Ages Hart**, *Ocoee Resident*, followed by the Pledge of Allegiance to the Flag led by **Brad Lomneck**, *Ocoee Resident*. **City Clerk Sibbitt** called the roll and declared a quorum present.

Present: Mayor Johnson, Commissioner Wilsen, Commissioner Firstner, Commissioner Oliver

Also Present: City Manager Shadrix, City Attorney Geller, and City Clerk Sibbitt

Absent: Commissioner Kennedy

• PRESENTATIONS AND PROCLAMATIONS 6:17 PM

2025 Family Abduction Awareness Day Proclamation – proclaimed by **Mayor Johnson**.

Chick-fil-A 5k Beneficiary Check Presentation - **Parks and Leisure Services Director Johnson** introduced Beth Otts with Chick-Fil-A, who provided a brief overview of the 2025 Annual Chick-fil-A 5K event and thanked City staff, sponsors, and the Community for their support. She then presented the check to Mark DeStefano, President of Blue Line Support, who briefly summarized the organization and their purpose.

Ocoee Youth Council (OYC) Program 2024/2025 Year in Review and Recognition of OYC High School Graduates - **OYC Members and Municipal Records Coordinator Justice** provided an overview of this year's many accomplishments, explained the Ocoee Youth Council Scholarship Program, and recognized their seven graduating seniors.

Florida League of Cities Presentation of the 2025 Youth Council Excellence Award to Ocoee Youth Council - **Eryn Russell**, Florida League of Cities Member Services Administrator, recognized and awarded a trophy to the Ocoee Youth Council (OYC) for being selected as a winner of the 2025 Youth Council Excellence Award. She advised that the OYC will also receive a check for \$500.

Presentation on Understanding Soil and Water Conservation Districts - Orange County Soil and Water Conservation District 2 Supervisor Moyer provided a PowerPoint presentation summarizing the history, purpose, and mission of the Soil & Water Conservation District Supervisors.

• **STAFF REPORTS AND AGENDA REVIEW 6:55 PM**

City Manager Shadrix stated that he has consulted the City Commission regarding their availability for the upcoming Budget Workshops and Hearings. This evening, the City Commission will need to choose between August 25th or August 27th for the first Budget Workshop. City staff will tentatively reserve September 3rd for a potential second Budget Workshop, if necessary. He also noted that the Tentative Budget Hearing is scheduled for September 10th, with the Final Budget Hearing set for September 17th. **Consensus of the City Commission was that they did not have any issues with either of the dates presented for the first Budget Workshop.** **City Manager Shadrix** stated that he would meet with the Finance staff to determine a date and will notify the City Commission once it is set. He also provided an update on the McCormick Road opening based on information received from Orange County. In addition, he clarified the operating hours of the Forest Lake Golf Course restaurant, which had been previously miscommunicated, and mentioned that the interim operator is currently seeking to hire a new cook. An update on the golf course from Down to Earth, Robert Utsey, and the Parks and Leisure Services Director will be provided at the next City Commission Meeting.

• **PUBLIC COMMENTS - None**

• **CONSENT AGENDA 7:00 PM**

Consent Agenda Motion

Motion: Move to adopt Consent Agenda Items #1-3; Moved by Commissioner Firstner, seconded by Commissioner Oliver; Motion carried 4-0 with Commissioner Kennedy absent.

1. Approval of Minutes from the Regular City Commission Meeting held May 6, 2025. **(City Clerk Sibbitt)**
2. Approval of a Two-Year Warranty Surety and Maintenance, Materials, and Workmanship Agreement for Wynwood PUD Phase 3 & 4. **(Development Engineer Keaton)**
3. Approval to Award Ocoee Neighborhood Matching Grant to Nine (9) Neighborhood Associations. **(Parks and Leisure Services Deputy Director Gaines)**

• **FIRST READING OF ORDINANCE - None**

• **SECOND READING OF ORDINANCE – PUBLIC HEARING 7:01 PM**

4. Second Reading of Ordinances for 283 10th Avenue - Cox Property Annexation & Rezoning from Orange County R-2 to City of Ocoee R-1; Project No. AX-02-25-01 & RZ-25-02-01. **(Planner I Belizaire)**

Planner I Belizaire presented a brief overview of the subject property. The property is considered logical and eligible for annexation, and the proposed rezoning aligns with the Joint Planning Area (JPA) and Future Land Use Map. The property owner is seeking annexation in order to connect to City water service.

City Attorney Geller read the titles of the ordinances.

The public hearing was opened. As no one wished to speak, the public hearing was closed.

Motion: Move to approve Ordinance 2025-06 for 283 10th Avenue - Cox Property Annexation; Project No. AX-02-25-01, as presented by staff; Moved by Commissioner Wilsen, seconded by Commissioner Firstner; Motion carried 4-0 with Commissioner Kennedy absent.

Motion: Move to approve Ordinance 2025-07 for 283 10th Avenue - Cox Property Rezoning; Project No. RZ-25-02-01, as presented by staff; Moved by Commissioner Wilsen, seconded by Commissioner Firstner; Motion carried 4-0 with Commissioner Kennedy absent.

• **PUBLIC HEARING 7:06 PM**

5. Approval of Resolution for Partial Vacation of the 5-ft Utility Easements on Lots 1, 12, 13, 24, 25, 36, 37, and 48 of the Magnolia Reserve Townhome Subdivision; Project No. VAC-25-037. **(Concurrency & Commitment Coordinator McFarlane)**

Concurrency & Commitment Coordinator McFarlane summarized the request for partial vacation of the 5-ft utility easements on lots 1, 12, 13, 24, 25, 36, 37, and 48 of the Magnolia Reserve Townhome Subdivision. At the builder's request, the abandonment and vacation request is for the vacation of the front 34-foot portions of the 5-foot utility easements located on the side yards of eight (8) corner lots. The purpose of the partial vacation is to resolve an issue resulting from the construction of walkways and front porch columns for these 8 lots within the 5-foot utility easement area. As part of the review process, staff sent letters to the standard list of utility providers for their determination of whether they had any concerns and would release their interests in the utility easements. No concerns or objections from the applicable utility providers were received. **Concurrency & Commitment Coordinator McFarlane** noted that these easements are not shown on the stamped final subdivision plans (approved October 2023) but are shown on the recorded plat (approved May 2024).

City Attorney Geller read the title of the resolution.

The public hearing was opened. As no one wished to speak, the public hearing was closed.

Motion: Move to approve Resolution 2025-04 for Partial Vacation of the 5-ft Utility Easements on Lots 1, 12, 13, 24, 25, 36, 37, and 48 of the Magnolia Reserve Townhome Subdivision; Project No. VAC-25-037, as presented by staff; Moved by Commissioner Wilsen, seconded by Commissioner Oliver; Motion carried 4-0 with Commissioner Kennedy absent.

• **REGULAR AGENDA 7:10 PM**

6. Discussion on Issues Related to the Code Enforcement Board and Direction to Seek Alternatives to Include Using a Special Magistrate. **(Police Chief Ogburn)**

Police Chief Ogburn stated that the Police Department is requesting the City Commission to reconsider the use of the Code Enforcement Board and instead have all code-related cases, both residential and commercial, handled by a Special Magistrate. He explained that the Code Enforcement Board has been unable to meet since October 2024 due to a lack of quorum. As a result, and in accordance with Chapter 7 of the City Code, the City Manager temporarily reassigned all residential code enforcement cases to the Special Magistrate. The backlog of cases was addressed in April and May without incident. He further expressed concerns regarding the ongoing quorum issues and presented alternative options for the City Commission to consider.

Commissioner Wilsen expressed concern over the Board's continued inability to reach a quorum and voiced her support for the proposal to have all Code cases heard by a Special Magistrate. **Commissioner Firstner** also agreed with utilizing a Special Magistrate, noting that it is becoming increasingly challenging to recruit volunteers to serve on Boards. **Commissioner Oliver** recommended dissolving the current Board and restructuring it for future effectiveness. **Mayor Johnson** agreed with restructuring and maintaining a Board with citizens. **Commissioner Wilsen** suggested having the Special Magistrate continue to review cases for six months before transitioning back to a Code Enforcement Board. Brief discussion ensued.

The following persons addressed the City Commission:

- **Joe Bandur**, *Code Enforcement Board Chair*, gave insight into the Board's quorum issues. He also expressed his desire to keep the Board functioning and his willingness to help.
- **Brad Lomneck**, *Ocoee Resident*, opposed dissolving the Board and proposed reducing the number of members from seven (7) to five (5), suggesting this could help resolve quorum issues. He also recommended removing any members who miss more than two meetings.

City Attorney Gellar read the City Code concerning the Code Enforcement Board and noted that changing the quorum would require an amendment to the Code. He explained that, under this statute, the City Manager has the authority to delegate responsibility for processing cases.

Commissioner Wilsen expressed interest in utilizing a Special Magistrate for a three-month period and reorganizing the Board to avoid another backlog of Code cases. **Mayor Johnson** responded that he does not support this approach. **Commissioner Oliver** also voiced opposition to relying on a single Magistrate and suggested reopening the Board to accept new member applications. It was suggested that information about openings on the Code Enforcement Board be posted on the City's website. **City Clerk Sibbitt** noted that the website already lists the Boards with vacancies. The Code Enforcement Board currently has one regular member position and two alternate member positions vacant. She also stated that the City Clerk's Office has not received any applications to date. **City Manager Shadrix** asked for clarification on the City Commission's desire as he has heard several options for consideration.

Motion: Move to appoint a Special Magistrate for three months as City staff works to revamp the citizen-based Code Enforcement Board; Moved by Commissioner Wilsen.

seconded by Commissioner Firstner; Motion failed 2-2 with Mayor Johnson and Commissioner Oliver opposing and Commissioner Kennedy absent.

Mayor Johnson handed the gavel to Mayor Pro Tem Wilsen.

Motion: Motion to retain the seven (7) member Code Enforcement Board and begin accepting applications from interested citizens to fill vacancies and help ensure a quorum; Moved by Commissioner Oliver, seconded by Mayor Johnson; Motion carried 3-1 with Mayor Pro Tem Wilsen opposing and Commissioner Kennedy absent.

Joe Bandur, *Code Enforcement Board Chair*, briefly spoke about helping to achieve a quorum and was asked to coordinate with the City Clerk. **City Clerk Sibbitt** advised him not to contact Board members directly to avoid any potential Sunshine Law violations, and noted that City staff would handle all communications with Board members

7. Adoption of the Amended and Restated Initial Assessment Resolution for the FY 25-26 Fire Protection Assessments (**Assistant City Manager Rumer**)

Assistant City Manager Rumer provided a summary of the Fire Assessment Services Program and the Resolution proposing a new initial assessment. His presentation included an overview of the different fire assessment types, the total cost to operate under the current rate, and the projected cost under the proposed rate. He outlined the next steps, which include sending mailers to residents, holding a Public Hearing on July 15th, and certifying the final assessment for inclusion on the TRIM notices. He briefly introduced the consultants assisting with the program.

City Attorney Geller read the title of the resolution.

Commissioner Oliver commented on the proposed 100% increase to the assessment and asked what impact this increase would have on a household budget from a homeowner's perspective. **Assistant City Manager Rumer** addressed his question and explained the rate units for each level. It was explained that the bulk of the residents in Ocoee would be in tier 2 and 3 and would pay \$205-\$274 in fire assessment fees for single-family residence.

Commissioner Firstner asked whether it would be accurate to say that the fire assessment fee has never been increased since it was first implemented, and if the operational costs of the fire department have declined. **Assistant City Manager Rumer** addressed his questions. **Commissioner Firstner** also asked how many fire engines are due to be replaced in the next three years, and what the average costs for a new fire engine are. **City Manager Shadrix** addressed his question and explained the need for this proposed assessment. He also addressed a question related to the ladder truck. **Commissioner Firstner** shared his support of the fire assessment fee which helps provide services to the citizens.

Commissioner Wilsen expressed agreement with the remarks made by Commissioner Firstner. **Mayor Johnson** also concurred, adding that the proposed action is necessary to

prevent a loss of funding. Brief discussion ensued.

The following persons addressed the City Commission:

- **Chris Chambers**, *Ocoee Resident*, asked how the City plans to operate the ladder truck with one additional person per shift. **Fire Chief Smothers** addressed his question.
- **Norine Dworkin**, *Editor In Chief - VoxPopuli*, asked about cost coverage for the portion not covered by the Fire Department and if there was a plan to cover police services. **City Manager Shadrix** addressed her questions.

Motion: Move to approve Resolution 2025-05 adopting the Amended and Restated Initial Assessment Resolution for the FY 25-26 Fire Protection Assessments; Moved by Commissioner Firstner, seconded by Commissioner Wilsen; Motion carried 4-0 with Commissioner Kennedy absent.

8. Appointment of Members to the Human Relations Diversity Board (HRDB). (**City Clerk Sibbitt**)

City Clerk Sibbitt explained that an application from a District 4 resident was received and forwarded to Commissioner Oliver for review and consideration. The District 3 seat is expected to become vacant at the end of May and will remain unfilled until a new application is submitted. The City Clerk's Office reached out to the current District 3 member regarding reappointment, but he expressed uncertainty about continuing in the position.

Motion: Move to appoint Robert Henderson to represent District 4 and fill the current vacant seat with a term ending in May 2026; Moved by Commissioner Oliver, seconded by Commissioner Wilsen; Motion carried 4-0 with Commissioner Kennedy absent.

Mayor Johnson announced the upcoming City events for the month of May and June 2025.
8:05 PM

• **COMMENTS FROM COMMISSIONERS 8:07 PM**

Commissioner Wilsen – Commented on the following: 8:07 PM

- 1) Confirmed that the Comprehensive Plan Meeting will be a noticed meeting.
- 2) Wished everyone a Happy Memorial Day.

Commissioner Firstner – None

Commissioner Oliver– Commented on the following: 8:07 PM - 8:11 PM

- 1) Gave kudos to The Backyard on their amazing food and urged everyone to be on the lookout for their grand opening.
- 2) Announced summer safety tips for seniors.
- 3) Urged all citizens to drive safely.

- 4) Read an inspirational quote.

Mayor Johnson – Commented on the following: 8:12 PM - 8:17 PM

- 1) Questioned how much the City is owed in Code Enforcement violations and expressed that he would like to work on more options to get residents to cease violating.
- 2) Announced that this was the 5th year for the Asian American History event and expressed that it was a great event.
- 3) Announced that the Centennial and Time Capsule events were both great events. He stated that there will be a celebration on July 4th from 6:00 PM – 9:00 PM.

• ADJOURNMENT 8:17 PM

APPROVED:

Attest:

City of Ocoee



Melanie Sibbitt, City Clerk



Rusty Johnson, Mayor