

MINUTES
OCOEE CITY COMMISSION
MAY 2, 2023

REGULAR CITY COMMISSION MEETING

• **CALL TO ORDER 6:15 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 **Brad Lomneck**, *Ocoee Resident*, followed by the Pledge of Allegiance to the Flag led by **Mayor Johnson**. **City Clerk Sibbitt** called the roll and declared a quorum present.

Present: Mayor Johnson, Commissioner Kennedy, Commissioner Wilsen, Commissioner Firstner, Commissioner Hart

Also Present: City Manager Frank, City Attorney Cookson, City Clerk Sibbitt

• **PRESENTATIONS AND PROCLAMATIONS 6:17 PM**

Proclamations for May 2023

- Municipal Clerks Week, April 30 - May 6th proclaimed by **Mayor Johnson**.
- National Day of Prayer, May 4th proclaimed by **Mayor Johnson**.
- National Peace Officer Memorial Day, May 15th & National Police Week, May 14th - 20th read and proclaimed by **Mayor Johnson**, and accepted by Deputy Chief Ogburn.
- Water Safety Month proclaimed by **Mayor Johnson**.

Judy Chedwick, *Orlando House of Prayer (OHO)*, announced the upcoming National Day of Prayer Event date, time, and location.

Vi Ma and **Yan Lu**, *Asian American Heritage Council of Central Florida (AAHC)*, presented a PowerPoint outlining their mission and many accomplishments. They concluded by requesting a waiver of the rental fees for the Lakeshore Center and Bill Breeze Park to host the 2023 AAHC Asian Cultural Festival.

Motion: Move to waive the Lakeshore Center and Bill Breeze Park rental fees to host the 2023 AAHC Asian Cultural Festival; Moved by Commissioner Wilsen, seconded by Commissioner Hart. Motion carried unanimously.

Ocoee Youth Council (OYC) Program 2022/2023 Year in Review

OYC Members along with **OYC Coordinator Dillard** provided an overview of this year's many accomplishments and recognized their six graduating seniors.

• **COMMENTS FROM CITIZENS / PUBLIC 6:46 PM**

The following person(s) addressed the City Commission:

- **Jim Moyer**, *Ocoee Resident*, presented a PowerPoint titled "*What do we know?*" and inquired about unfinished projects and increased costs.

• **STAFF REPORTS AND AGENDA REVIEW** – *None*

• **CONSENT AGENDA 6:49 PM**

Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Items #1- 3.

Moved by Commissioner Firstner, seconded by Commissioner Hart; Motion carried 5-0.

1. Approval of the Minutes for the Regular City Commission Meeting held April 18, 2023. **(City Clerk Sibbitt)**
2. Approval of the Third Amendment to Agreement for Purchase and Sale between Wire Development, LLC and the City of Ocoee for the purchase of City owned property at Crown Point. **(City Attorney Cookson)**
3. Approval to Award RFP #23-005 Continuing Owner's Representative for City Projects Including Federal Grant Funded ARPA Projects. **(Procurement Manager Tolbert)**

• **FIRST READING OF ORDINANCE 6:49 PM**

4. First Reading of Ordinance for Siri Office Building Market Street ROW - Annexation & Rezoning to PUD; Project No(s). AX-03-23-03 & RZ-23-03-03. **(Zoning Manager Whitfield)**

City Attorney Cookson read the titles of the ordinances, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 16, 2023, at 6:15 PM or soon thereafter.

• **SECOND READING OF ORDINANCE – PUBLIC HEARING** – *None*

• **PUBLIC HEARING 6:51 PM**

5. Heartland Dental, Colonial Drive Preventative & Comprehensive Dentistry - Sign Variance (VR-23-01). **(Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the subject property which is located on a corner lot at 1110 Blackwood Avenue. The applicant is requesting two (2) variances to Section 8-6A, Article VIII, as follows:

Variance #1: A sign height of six (6) feet, in lieu of the maximum three (3) feet, representing a 100% increase in sign height for the west elevation sign.

Variance #2: A sign size of 70 SF, in lieu of the maximum 36 SF, representing a 94% increase in sign size for the north elevation sign.

Zoning Manager Whitfield explained Article IV, Section 4-9A, requires the applicant to demonstrate compliance with four (4) criteria in order to be granted a variance approval; and further, stated the applicant's and staff's responses to the four (4) criteria. She displayed the proposed plans for the signs and explained staff's recommendations are the following:

Variance #1: APPROVAL of the variance request to Section 8-6A(1) and (2), Article VIII, for the west elevation wall sign in order to allow the 28.26 SF sign at a height of six (6) feet in lieu of three (3) feet, representing a 100% height increase, and

Variance #2: DENIAL of the variance request to Section 8-6A(1) and (2), Article VIII, for the north elevation wall sign and NOT allow a sign size of 70 SF in lieu of 36 SF, representing a 94% increase in sign size, for the north elevation wall sign.

The public hearing was opened.

Christie Wheeler, Representative for Hilton Displays, provided a presentation on the sign variance requests with a new proposed reduced sign size variance request of 52 SF which represented a 44.44% increase in sign size, for the north elevation wall sign.

The public hearing was closed.

The floor was opened for members of the City Commission to ask questions. **Ms. Wheeler** and **Zoning Manager Whitfield** addressed questions related to the proposed changes and sign variance criteria.

Motion: Move to Deny the Variance Requests for Heartland Dental, Colonial Drive Preventative & Comprehensive Dentistry Sign Variance (VR-23-01); Moved by Commissioner Kennedy, seconded by Commissioner Wilsen; Motion carried unanimously.

6. Second Reading and Public Hearing of a Resolution Creating the Ocoee Northwest Brownfield Area. (**Development Services Director Rumer**)

At the Request of Staff, this Item is being Rescheduled to a Future Date.

• **REGULAR AGENDA 7:14 PM**

7. Discussion and Direction Regarding the Human Relations Diversity Board (HRDB). (**City Clerk Sibbitt**)

City Clerk Sibbitt explained the City Commission discussed the HRDB Board at their last meeting on April 18th and staff is seeking direction on whether they would like to proceed with appointing members to the HRDB or does the Commission wish to consider Commissioner Kennedy's request to create a more modernized board and revise it with a new name, structure and mission. **Commissioner Kennedy** shared an overview of his proposal for renaming the HRDB to the IDEA Board (Inclusion, Diversity, Equity, and

Access Board), modifying the objectives and mission, and appointing a committee to review and suggest modifications to the bylaws.

Commissioner Hart shared his support on a modernized board.

City Attorney Cookson explained that if the City Commission is seeking to make the proposed changes, then they should vote to direct City staff to meet with Commissioner Kennedy to discuss the concepts of modernizing the board, to bring back to a future meeting for approval.

Commissioner Wilsen voiced her support in restoring the HRDB, appointing members, and allowing the members to determine their mission.

Commissioner Kennedy expressed concerns with the lack of clear direction from the City Commission with regards to the former HRDB, and explained he would like to consider a mentor for the newly revised board.

Motion: Move to appoint Bill Maxwell, Hermraj (Vinny) Singh, Michelle Cummings, and Josh Cease to the Board (aka HRDB). Moved by Commissioner Kennedy, seconded by Commissioner Wilsen; Motion carried unanimously.

Motion: Move to rename the HRDB to the IDEA Board and bring back a more modernized structure, mission, and bylaws for the board. Moved by Commissioner Kennedy, seconded by Commissioner Firstner; Motion failed 3-2 with Mayor Johnson, Commissioner Wilsen, and Commissioner Hart opposing.

8. Approval of Commission Liaisons to Various Boards. **(City Clerk Sibbitt)**

City Clerk Sibbitt explained liaisons are appointed annually to various boards, and staff is requesting the City Commission appoint liaisons as they deem appropriate.

Motion: Move to approve the Board Appointments as listed below. Moved by Commissioner Wilsen, seconded by Commissioner Hart; Motion carried unanimously.

Parks and Recreation Board – Commissioner Wilsen

Citizens Advisory Board for the Police Department – Commissioner Kennedy

Citizens Advisory Board for the Fire Department - Commissioner Firstner

Human Relations Diversity Board – Commissioner Hart

Personnel Board – Mayor Johnson

Tri-County League of Cities – Commissioner Wilsen

West Orange Airport Authority – Mayor Johnson

W.O. Chamber of Commerce – City Manager Frank

Education Incentive Board – Mayor Johnson

MetroPlan Orlando Municipal Advisory Committee (MAC) - Commissioner Firstner and City Manager Frank as Alternate Member

9. Appointment of a Charter Review Commission, in accordance with the City of Ocoee Charter, Article X, Section C-59. **(City Clerk Sibbitt)**

City Clerk Sibbitt explained at their last meeting on April 18th, the City Commission voted unanimously to proceed with establishing a Charter Review Commission. Staff recommends the City Commission provide applications from interested residents to the City Clerk by Friday, May 12th to be placed on the next agenda. Additionally, City staff will be providing the credentials for qualified individuals to select as a Charter Review Commission facilitator, for consideration and approval at the same meeting.

10. Discussion and Direction on the Special Election. **(City Manager Frank)**

City Manager Frank explained at their last meeting on April 18th, the City Commission directed him to enlist the services of a board-certified municipal attorney to review the City Charter and offer an independent opinion on when an election needs to be called to fill the District 4 Commission seat. He briefly introduced Mr. Richard Geller and shared that he will be presenting his findings before the City Commission.

Richard Geller, Esquire, Special Counsel, introduced himself and provided a detailed PowerPoint that summarized his independent analysis on whether the District 4 election could be postponed from June 13, 2023, until March 19, 2024. He further provided explanation on the resolution provided in their packets.

Commissioner Hart inquired if there would be any conflicts with him voting on the issue before them. **Mr. Geller** addressed his question, and advised as there is no special private gain, he is required to vote.

The floor was opened for members of the City Commission to ask questions. **Mr. Geller** addressed questions related to his findings, defined wording in the Charter, and disclosed he has not met or spoken to any members of the City Commission prior to this meeting.

The following person(s) addressed the City Commission about the Special Election:

- **Timothy Ayers, Ocoee Resident**, questioned the legal analysis. **Mr. Geller** addressed his questions.
- **Chris Adkins, Ocoee Resident**, voiced opposition on the rescinding of the June special election.
- **Vivian Lyte-Johnson, Ocoee Resident**, voiced opposition on the rescinding of the June special election.
- **Larry Brinson, Ocoee Resident**, voiced opposition on the rescinding of the June special election.
- **Stephen Tilton, Ocoee Resident**, voiced opposition on the rescinding of the June special election.

- **Patti LeRoy**, *The Woman's Club of Ocoee*, requested approval for The Woman's Club of Ocoee to host a political forum for the upcoming special election whether it is held in June or March, as a televised event in City Hall.
- **Norine Dworkin**, *VoxPopuli*, questioned the legal analysis. **Mr. Geller** addressed her questions.

The floor was opened for members of the City Commission to ask follow-up questions and provide their comments. **Mr. Geller** addressed questions related to the Charter Review Commission, defined the terms municipal and city election, and explained the City Commission's role as the judge of the election.

Motion: Move to adopt Resolution 2023-06 rescinding the June 13, 2023, special election for the District 4 Commission seat, and calling instead for a general city election on March 19, 2024. Moved by Commissioner Kennedy, seconded by Commissioner Firstner; Motion carried 4-1 with Commissioner Wilsen opposing.

City Attorney read the title of the resolution.

• **COMMENTS FROM COMMISSIONERS 8:37 PM**

Commissioner Kennedy – *No comments*

Commissioner Wilsen - Commented on the following:

- 1) Announced the upcoming Tri-County League of Cities Ethics Training date, time, and location.
- 2) Shared the pride she has for the City and noted several accomplishments the City has achieved over the past few years.

Commissioner Firstner – Commented on the following:

- 1) Announced the Cinco de Mayo Block Party date, time, and location.
- 2) Announced the Community Picnic hosted by OPD date, time, and location.
- 3) Announced the Asian Cultural Festival hosted by AAHC date, time, and location.

Commissioner Hart – Commented on the following:

- 1) Thanked City staff for a warm welcome.
- 2) Shared that he recently visited Ocoee High School and commended Ocoee's parents for raising outstanding children.
- 3) Wished all moms a Happy Mother's Day.

Mayor Johnson – Commented on the following:

- 1) Commented on the Wesmere HOA meeting he and Development Services Director Rumer recently attended and requested approval from the City Commission to rescind the Arbor Permit issued by the Building Department until the Wesmere HOA, Wesmere Residents, and City Staff can come to an agreeable resolution.

Consensus of the City Commission was to rescind the Arbor Permit.

- 2) Announced vacancies on the Planning and Zoning Commission, and directed interested parties to apply.
- 3) Responded to recent inquiries received from residents, and noted that no contact information was provided. He encouraged anyone reaching out to him to kindly provide a callback number and he would contact them directly.
- 4) Inquired about sidewalk maintenance, and having the required funds reallocated. **City Manager Frank** addressed his concerns.
- 5) Thanked citizens for attending and participating in tonight's meeting.

• ADJOURNMENT 8:46 PM

APPROVED:

Attest:

City of Ocoee



Melanie Sibbitt, City Clerk



Rusty Johnson, Mayor