

MINUTES
OCOE CITY COMMISSION
MAY 16, 2023

REGULAR CITY COMMISSION MEETING

• **CALL TO ORDER 6:16 PM**

Mayor Johnson called the regular session to order at 6:16 PM in the Commission Chambers of City Hall. The invocation was led by **Commissioner Hart**, followed by the Pledge of Allegiance to the Flag led by **Commissioner Firstner**. **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**

Proclamation for May 2023 – Florida Emancipation Day read and proclaimed by Mayor Johnson.

Senator Geraldine Thompson briefly shared the history of emancipation and the reason behind celebrating on June 19th, known as Juneteenth, and requested a partnership with the City for the Juneteenth Event being held on June 17th at Bill Breeze Park. **Consensus of the City Commission was to approve waiving of the fees for the use of Bill Breeze Park on June 17th for the Juneteenth Event being hosted by Senator Thompson.**

Presentation on the Audit Results for Fiscal Year Ending September 30, 2022, and the GFOA Excellence in Financial Reporting Award - **Timothy Westgate, PurvisGray**, announced that the City's received the prestigious Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year ending September 30, 2021. He then presented an overview of the Auditor's Report which covered significant events, financial highlights, and other audit matters for the FY ending September 30, 2022.

Commissioner Kennedy inquired about GASB 96 and GASB 94 relating to Stormwater Waste Fund. **Mr. Westgate, PurvisGray** addressed his question.

Commissioner Firstner congratulated Finance Director Roberts and her Staff.

Commissioner Hart inquired about the retirement fund investments and any possible red flags within the City's finances. **Mr. Westgate, PurvisGray**, addressed his concerns. **Mayor Johnson** commented on the loss in value that the City has suffered. **Mr. Westgate, PurvisGray**, addressed his concerns.

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

• **PUBLIC COMMENTS 6:40 PM**

The following persons addressed the City Commission:

- **Ocoee HS Student Body President** and **Ocoee HS Student Life Vice President** stood before the Commission and requested permission to hold a Homecoming Parade on September 6, 2023. **Consensus of the City Commission was to approve Road Closure for the Ocoee High School Homecoming Parade on September 6, 2023.**
- **Jamie Douglas, Monierre Development**, shared that on Friday, May 12, 2023, they fulfilled the Memorandum of Understanding which was approved at the December 2, 2022, City Commission meeting, and requested a Special Session to finalize the agreements. He explained that this will allow his team to move forward with additional required closings for the project. **Consensus of the City Commission was to call a Special Session on Thursday, May 18th at 5:30 PM.**

• **CONSENT AGENDA 6:43 PM**

Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Items #1-5. Moved by Commissioner Hart, seconded by Commissioner Wilsen; Motion carried 5-0.

1. Approval of Minutes from the Regular City Commission Meeting held May 2, 2023.
(City Clerk Sibbitt)
2. Approval of Reappointment on the Code Enforcement Board (3-year term). **(City Clerk Sibbitt)**
3. Approval of Road Closure for the Ocoee High School Homecoming Parade on September 6, 2023. **(Development Services Director Rumer)**
4. Approval of a Road Closure for the 23rd Annual Downtown Ocoee Car Show. **(Development Services Director Rumer)**
5. Approval of a Two-Year Warranty Surety and Maintenance, Materials, and Workmanship Agreement for Wynwood Phase 1 and 2. **(Development Engineer Keaton)**

• **FIRST READING OF ORDINANCE 6:44 PM**

6. First Reading of Ordinance Ratifying Resolution 2023-06 to Rescind the City's Call for a Special Election for June 13, 2023, and Calling for the General City Election Date to Coincide with the Orange County Municipal Election Day and the Presidential Preference Primary Date of March 19, 2024. **(City Clerk Sibbitt)**

City Attorney Cookson read the title of the ordinance, and **Mayor Johnson** announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on June 6, 2023, at 6:15 PM or soon thereafter.

• **SECOND READING OF ORDINANCE – PUBLIC HEARING 6:46 PM**

7. Second 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)**

Development Services Director Rumer presented a brief overview of the subject property which is approximately .372 acres in size. The subject site is adjacent to and has been included as part of the design for the Siri Office Building PUD Land Use Plan (LUP), fka 3872 Old Winter Garden Road PUD LUP. The applicant has submitted this request for annexation and classification of the vacated ROW site to PUD. This application does not propose any new development, but rather, per the approved Amended Siri Office Building LUP, the vacated ROWs will be developed with parking spaces and landscaped buffers.

City Attorney Cookson read the titles of the ordinances.

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

Second Reading of Annexation Ordinance

Motion: Move to adopt Ordinance No. 2023-10, Siri Office Building Market Street ROW Annexation; Project No. AX-03-23-03; Moved by Commissioner Wilsen, seconded by Commissioner Hart; Motion carried 5-0.

Second Reading of Rezoning Ordinance

Motion: Move to adopt Ordinance No. 2023-11, Siri Office Building Market Street ROW Rezoning to PUD; Project No. RZ-23-03-03; Moved by Commissioner Wilsen, seconded by Commissioner Kennedy; Motion carried 5-0.

• **PUBLIC HEARING - None**

• **REGULAR AGENDA 6:49 PM**

8. Appointment of Five (5) Members, Two (2) Alternate Members and a Facilitator to the Charter Review Commission. **(City Clerk Sibbitt)**

City Clerk Sibbitt explained at the May 2nd meeting city staff requested the City Commission provide applications to her, which were provided in the agenda packet. She announced the names of any applicants received after the publication of the agenda. Staff requested the City Commission appoint five (5) members and two (2)

alternates and appoint Attorney Richard Geller with Fishback Dominick to be the facilitator/board attorney.

Motion: Move to appoint Lou Forges, Thomas Lowrie, Adam Lovejoy, Derrick Chacon, Jim Sills, Fannie McTavish (1st Alternate), and Kelton Butler (2nd Alternate); and further, appoint Attorney Richard Geller with Fishback Dominick to be the facilitator/board attorney; Moved by Commissioner Wilsen, seconded by Commissioner Kennedy; Motion carried unanimously.

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

City Clerk Sibbitt explained at the May 2nd meeting the City Commission appointed four (4) residents to the HRDB. City staff is requesting Commissioner Hart to recommend one (1) resident from District 4 and the Commission to appoint two (2) at large members.

Motion: Move to appoint Johnny Milien as the at-large member to the HRDB; Moved by Commissioner Firstner, seconded by Commissioner Kennedy; Motion carried unanimously.

Motion: Move to appoint Jason Mellen as the at-large member to the HRDB; Moved by Commissioner Kennedy, seconded by Commissioner Firstner; Motion carried unanimously.

Motion: Move to appoint Jim Moyer as District 4 selected member; Moved by Commissioner Hart, seconded by Commissioner Kennedy; Motion carried unanimously.

10. Notification of Initial Three-Year Term Ending for Two (2) Regular Members and One (1) Alternate Member on the Planning and Zoning Commission.
(Development Services Director Rumer and City Clerk Sibbitt)

Mayor Johnson briefly commented on past practices of the alternate member moving up to a regular member position. City Manager Frank addressed his concern, and advised that is not currently stated in the ordinance, but they can consider revising the ordinance.

Development Services Director Rumer advised two (2) are eligible to serve one (1) more term. He further explained that the first members to complete their two (2) full terms will occur in June 2024. Any member who has served two full terms is not eligible to serve another term until three years have passed. Commissioner Wilsen inquired about the term limits. Development Services Director Rumer addressed her question. Commissioner Kennedy shared his recollection of the discussion at the March meeting in which the alternate position was discussed.

Motion: Move to reappoint Brad Lomneck; Moved by Commissioner Kennedy, seconded by Commissioner Wilsen; Motion carried unanimously.

Motion: Move to reappoint Jason Mellen; Moved by Commissioner Kennedy, seconded by Commissioner Wilsen; Motion carried unanimously.

Motion: Move to appoint Joel Keller as Alternate Member with the condition that Mr. Keller is not precluded from becoming a regular member should a regular member seat become available; Moved by Commissioner Wilsen, seconded by Commissioner Firstner; Motion carried unanimously.

11. Discussion and Direction from the City Commission about the Procurement of a City Attorney. (City Manager Frank)

City Manager Frank explained with the recent resignation of City Attorney Scott Cookson staff is requesting authorization to proceed with the procurement process for selecting a law firm or attorney to fulfil the role of City Attorney. Brief discussion ensued regarding past procurement process.

Motion: Move to proceed with a procurement process for selecting a law firm or attorney to fulfil the role of City Attorney; Moved by Commissioner Wilsen, seconded by Commissioner Kennedy; Motion carried unanimously.

• COMMENTS FROM COMMISSIONERS 7:13 PM

Commissioner Kennedy – Commented on the following:

- 1) Spoke about his experience attending the Citizens Public Safety Academy.
- 2) Shared which departments he met with this month.
- 3) Spoke about traffic and congestion concerns and provided an update on Lakewood Ave and the Clarke Road Widening Project.
- 4) Proposed widening Ocoee Apopka Road from McCormick to Franklin, and requested for Staff to explore transferring the road to the City and investigating Orange County transportation spending in Ocoee. **Consensus of the City Commission was to have Staff explore transferring Ocoee Apopka to the City and investigate Orange County transportation spending in Ocoee.**
- 5) Noted that the City has \$5 million in ARPA funding and spoke about the temporary Fire Station on Adair Street. He inquired about finding a permanent location on Clarcona-Ocoee and moving forward with finding a Private Public Partnership to construct the new facility. **Consensus of the City Commission was to have Staff find a permanent location on Clarcona Ocoee and move forward with finding a Private Public Partnership to construct the new facility.**
- 6) Highlighted the City events that he recently attended.
- 7) Announced the date, time, and location of the Ocoee PD Community Picnic.
- 8) Disclosed that he made a \$100 donation from his discretionary funds to the Ocoee High School for Senior Awards Knight.

Commissioner Wilsen – Commented on the following:

- 1) Announced the date, time, and location of the Memorial Day Event.
- 2) Announced that the Orange County Clerk of Courts located on Story Road will be open and offering services on the third Saturday of each month starting on June 17th.

Commissioner Firstner – Commented on the following:

- 1) Announced his scholarship contribution to the OYC in the amount of \$500 from his discretionary funds.

Commissioner Hart – Commented on the following:

- 1) Announced his scholarship contribution to the OYC in the amount of \$300 from his discretionary funds.
- 2) Congratulated the 2023 Ocoee High School Seniors and encouraged them to celebrate responsibly. Commended parents on a job well done!
- 3) Shared that May is Mental Health Month and spoke about the mental health concerns in our country. He encouraged everyone to participate in self-evaluations and to ask for help if needed.
- 4) Shared that he and his wife attended the Cinco de Mayo Block party and encouraged more events like this.
- 5) Encouraged residents to appreciate the elderly, our teachers, and our veterans.
- 6) Thanked everyone for the opportunity to serve.

Mayor Johnson – Commented on the following:

- 1) Asked for the Christmas Parade discussion to come back before the City Commission on June 6th. **Commissioner Wilsen** requested the attendance of Parks and Recreation Director Johnson.
- 2) Announced that he will be attending the Ocoee PD Community Picnic.
- 3) Shared that he will be out of town for Memorial Day and is unable to attend the Memorial Day event.
- 4) Announced his scholarship contribution to the OYC in the amount of \$1200 from his discretionary funds.
- 5) Proposed closing the street for a monthly music street party, and recommended a July 4th Street Party on Friday, June 30th or Saturday, July 1st. **Consensus of the City Commission was to have Staff move forward with a July 4th Street Party.**
- 6) Inquired about a start date for the HRDB and Charter Review Commission. **City Clerk Sibbitt** addressed his question.
- 7) Announced that the next City Commission is on June 6th.

City Attorney Cookson shared that there will be a Special Session this Thursday, May 18th.

ADJOURNMENT 7:26 PM

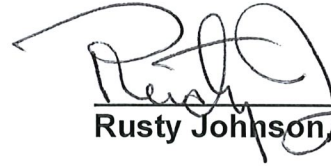
APPROVED:

Attest:



Melanie Sibbitt, City Clerk

City of Ocoee



Rusty Johnson, Mayor