

MINUTES
OCOEE CITY COMMISSION
JUNE 20, 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 Commissioner Hart, followed by the Pledge of Allegiance to the Flag led by Commissioner Kennedy. **Acting City Clerk Heard** called the roll and declared a quorum present.

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

Absent: Commissioner Firstner

Also Present: City Manager Frank, City Attorney Cookson, Acting City Clerk Heard

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

Update from the Orange County Tax Collector's Office Florida Highway Safety and Motor Vehicles - **Landra Wormack** congratulated the newly-elected and re-elected members of the City Commission. She shared the importance of updating a new address within 30 days; and further, advised updating an address and printing a title can be done through the Florida Highway Safety and Motor Vehicles website at www.flhsmv.gov.

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

• **PUBLIC COMMENTS 6:19 PM**

The following persons addressed the City Commission:

- **Jim Moyer**, *Ocoee Resident*, introduced himself and provided a PowerPoint, regarding the military which outlined ways to show your appreciation, statistics on recent military recruitment, and membership challenges veteran service organizations face.

• **CONSENT AGENDA 6:23 PM**

Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Item #1-8.

Moved by Commissioner Kennedy, seconded by Commissioner Hart; Motion carried 4-0 with Commissioner Firstner absent.

1. Approval of Minutes from the Regular City Commission Meeting held June 6, 2023. **(City Clerk Sibbitt)**
2. Approval of Development Agreement and Road Transportation Impact Fee Credit Agreement for Ocoee Crown Point Mixed Use Project (Wire Development). **(Development Services Director Rumer)**

3. Approval to Renew the School Resource Officer Agreement with Renaissance Charter School. **(Police Chief Plasencia)**
4. Approval for Fire Station 25 Roof Resealing. **(Public Works Director Krug)**
5. Approval to Piggyback Sourcewell Cooperative Purchasing Contract to Replace the Generator at the Forest Oaks Water Treatment Plant. **(Utilities Director Croteau)**
6. Approval to Rehabilitate Lift Stations 27, 52, 53 and 55 with Spray Wall Polyurethane Protective Lining System. **(Utilities Director Croteau)**
7. Approval to Piggyback Sourcewell Cooperative Purchasing Contract to Replace the Generator at Lift Station 16 (Lake Olympia Club). **(Utilities Director Croteau)**
8. Approval to Piggyback off of City of West Palm Beach Contract to Repair Tank #1 and Tank #2 at the Forest Oaks Water Plant. **(Utilities Director Croteau)**

(Taken out of Agenda Order)

Mayor Johnson announced the Grand Opening of the new Ocoee Action Sports Park tomorrow at 10:00 am at Vandergrift Central Park.

• **FIRST READING OF ORDINANCE** - *None*

• **SECOND READING OF ORDINANCE – PUBLIC HEARING 6:24 PM**

9. Second Reading of Ordinance for LDC Update - Articles II, V, & VI Relative to Kennels/Pet Care, Clarification on Impervious Surface Materials, and Correction of Scrivener's Errors. **(Zoning Manager Whitfield)**

Zoning Manager Whitfield presented the proposed Land Development Code (LDC) Amendments of Section 2-4, Article II, Section 5-4 and Table 5-1, Article V, and Section 6-4H, Article VI, relative to the definition and use of impervious surface materials and regulatory provisions for pet care service, and Table 5-1, Article V, to correct Scrivener's Errors relating to the agriculture and agricultural processing use categories.

Issue 1: Impervious Surface Materials & Areas

Zoning Manager Whitfield presented a brief overview of the proposed Land Development Code (LDC) amendments of Article II, Section 2-4 (Definitions), Article V, Section 5 (Open Space Regs), and Article VI, Section 6-4H (Parking Regs) and Table 5-1. She explained the differences between impervious and pervious land on residential lots. She outlined the proposed amendments are as follows:

1. Section 2-4: Clarify and clearly define the definition of "Impervious surface materials", and
2. Modify Sections 5-4K and 6-4H (Parking and Open Space Regs): Clearly state that impervious materials are not permitted within two (2) feet of side & rear property lines in order to preserve required open space & maintain drainage flows/patterns, and

3. Modify these regulations to clarify that natural mulch (such as pine straws/needles, pine bark, etc.) shall be considered “pervious” materials and shall be allowed in the 2-foot side and rear yard setback areas and in open space areas when they are used for landscaping, but shall be considered as “impervious” materials and shall not be allowed in the 2-foot side and rear setback areas and open space areas when they are used for parking.

Issue 2: Animal-Related Uses

Zoning Manager Whitfield explained the current definitions of Animal-Related Uses in Section 2-4 and outlined the proposed amendments as follows:

1. Revise definition of “Kennel, Pet” to read as follows: “A place where dogs and other house pets are kept, sheltered, or boarded for compensation and facilities for protection training. For activities related to the retail sale of dogs, cats and rabbits, refer to Section 43-3 of Article I, Chapter 43, Code of Ordinances.”
2. Add a new definition for “Pet Care Services” to be defined as follows: “Services identified in the North American Industry Classification System (NAICS) for pet care services, including, but not limited to, pet grooming, pet-sitting/walking, and basic obedience training services, include non-medical activities and services which improve the appearance, obedience and hygiene of dogs, cats and other small animals or household pets. Pet care services do not include and forbid protection training services, pet kennels, or the kenneling or over-night boarding or sheltering of dogs and other pets.”
3. Modify Table 5-1 to add a new use category for “Pet Care Services when Confined within Structure” and to allow this use in the A-1, A-2, C-2, C-3 and I-1 zoning districts.

Issue 3: Scrivener’s Errors – Relative to Table 5-1

Zoning Manager Whitfield explained LDC Amendment with regard to a scrivener’s error relative to the terms “Agriculture” and “Agricultural Processing” within the Code. She explained that “Agriculture” is the less intense use category whereas “Agricultural Processing” is the more intense use category, and it was found that somewhere in and around 2014 these terms within the Code were swapped in Table 5-1 without their corresponding use regulations following them, which created the scrivener’s error in Table 5-1. This error created a situation where the more intense industrial “Agricultural Processing” use became a permitted use in all of the agriculture and residential zoning districts and the less intense “Agriculture” use became a prohibited use in these same zoning districts.

City Attorney Cookson read the title of the ordinance.

The public hearing was opened.

The following person(s) addressed the City Commission:

Matt Smith, owner of *Sit Means Sit Dog Training, Longwood*, stated if this ordinance is approved, they will be able to operate their business within the city, which since their inception in 2011 has grown up to 25 trainers. Last year alone they signed up 942 dogs for training from all over the state, and he further asked the City Commission to pass this ordinance in order for them to finalize their location within the city, and open up a second location.

The public hearing was closed.

The floor was opened for each member of the City Commission to ask questions and voice concerns. **Zoning Manager Whitfield** addressed all issues shared.

Mayor Johnson inquired if this conflicts with Orange County in any fashion, and **Zoning Manager Whitfield** replied it does not.

6:51PM

Motion: Move to adopt Ordinance No. 2023-13 with the following Land Development Code (LDC) Amendments updating Section 2-4, Article II, Subsections 5-4 and Table 5-1, Article V, and Subsections 6-4H, Article VI, relative to the definitions and use of Impervious Surface Materials, and regulatory provisions for animal kennels and pet care services; and further, updating Table 5-1, Article V, to correct Scrivener's Errors relating to the agriculture and agricultural processing use categories, as recommended by Staff; Moved by Commissioner Kennedy, seconded by Commissioner Hart; Motion carried 4-0 with Commissioner Firstner absent.

- **PUBLIC HEARING** - *None*
- **REGULAR AGENDA** - *None*
- **COMMENTS FROM COMMISSIONERS** 6:52 PM

Commissioner Hart – Commented on the following:

- 1) Spoke about the need to add a parking garage in the downtown area.
- 2) Shared that he was able to attend the Juneteenth Event at Bill Breeze Park where he received positive feedback, and thanked everyone involved for providing a wonderful event.
- 3) Noted ongoing speeding concerns and asked residents to slow down.
- 4) Asked residents to leave wildlife alone.
- 5) Thanked everyone for the opportunity to serve.

Commissioner Wilsen – Commented on the following:

- 1) Provided information on the 2024 Ocoee Calendar Photo Contest.
- 2) Spoke about Commissioner Hart's appointment as interim District 4 Commissioner and noted the requirement set at the time was to not appoint an individual as interim who intended to run for the seat. She asked if that requirement can be released because of the changes that were made. **Mayor Johnson** commented that he did not believe legally they could stop anyone from running. **City Attorney Cookson** agreed with the Mayor and stated the Commission cannot prevent anyone from running for election; and further, when the interim appointment was made, it was a policy of the Commission, and the Commission has every right to change a policy.
- 3) Shared the July 4th meeting was canceled, and that the next scheduled meeting is on Tuesday, July 18th.
- 4) Asked residents to slow down.
- 5) Wished everyone a safe and happy 4th of July.

Commissioner Kennedy – Commented on the following:

- 1) Stated he is filing his Commissioner Report which will be available to the public.
- 2) Announced that he graduated from Ocoee's Public Safety Academy, thanked High Point Church and Texas Roadhouse for providing a graduation celebration.
- 3) Provided information on the upcoming Teen Citizen Police Academy.
- 4) Shared several City project updates that are listed in his Commissioner's Report.
- 5) Disclosed that he has done research on Parent Heart Watch and he reached out to City Staff about creating a program to install outdoor SaveStation Towers and AEDs in our City parks and asked if that would come out of his discretionary funds. **Mayor Johnson** recommended he bring it up at the Budget Workshop.

Mayor Johnson – Commented on the following:

- 1) The Florida League of Cities' Annual Conference will be held at the Hilton Orlando Bonnet Creek in Orlando, Florida on August 10-12, 2023. Each year Cities are asked to appoint a Voting Delegate for the Annual Business Session at the conference. **Consensus was to appoint Mayor Johnson as the Voting Delegate for the Annual Business Session at the 2023 Florida League of Cities Annual Conference.**
- 2) Announced City Hall is closed on Tuesday, July 4th. The next City Commission meeting is scheduled for Tuesday, July 18th.
- 3) Inquired about the Downtown Revitalization Work Sessions. **City Manager Frank** addressed his question.
- 4) Inquired about funding for the Unity Park Monument and encouraged Staff to work with both William Maxwell and Brad Lomneck on the project. **City Manager Frank** addressed his concerns. **Motion: Move to allocate \$10,000 out of Contingency Funds for the Unity Park Monument if the funds are not already set aside by the HRDB/Community Relations Department; Moved by Commissioner Kennedy, seconded by Commissioner Wilsen. Motion carried 4-0 with Commissioner Firstner absent.**

- 5) Expressed an urgent need for a parking garage or lot in the downtown area.
- 6) Inquired about the status of Oakland Avenue. **City Manager Frank** addressed his concern.
- 7) Inquired about sidewalk repairs. **City Manager Frank** addressed his concern. Requested a public announcement of the upcoming asphalt repaving projects through the end of the year. **City Manager Frank** addressed his request. **Commissioner Kennedy** requested a similar list be posted for sidewalk repairs.
- 8) Stressed an urgent need to repave Bowness Road as soon as possible.

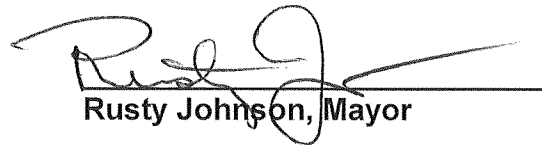
• **ADJOURNMENT 7:10PM**

APPROVED:

Attest:



Melanie Sibbitt, City Clerk

City of Ocoee


Rusty Johnson, Mayor