

# OCOEE CITY COMMISSION

Ocoee Commission  
Chambers 1 N. Bluford  
Avenue  
Ocoee, Florida

October 3, 2023

## MINUTES

6:15 PM

### 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. A moment of silence was observed as a tribute, to the late Jean Grafton, who faithfully served as City Clerk for more than thirty years. The invocation was led by **Commissioner Hart**, followed by the Pledge of Allegiance to the Flag led by **Commissioner Kennedy**. **Recording Clerk Landry** 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 Geller, Recording Clerk Landry

#### • PRESENTATIONS AND PROCLAMATIONS - None

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

#### • PUBLIC COMMENTS 6:17 PM

The following persons addressed the City Commission:

- **Larry Johnson**, *Ocoee Resident*, expressed concerns about the lift station located at the corner of Security Circle & Lakewood Ave. **City Manager Frank** addressed his concerns and offered to follow up on the matter.
- **Jim Moyer**, *Ocoee Resident*, shared his enthusiasm about being appointed Chair to the Human Relations Diversity Board (HRDB). He then gave a brief overview of the board's historical background and shared the Board's mission statement.
- **Shaunte Jemison**, *President & CEO of Re-Imagine Communities*, presented a flyer highlighting their program to promote student literacy by encouraging adults to participate in reading to children regularly.

#### • CONSENT AGENDA 6:25 PM

##### Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Item #1-9 with Items #3 and #9 being pulled for discussion and separate consideration.

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

1. Approval of Minutes from the Tentative Budget Hearing held September 13, 2023, Regular City Commission Meeting held September 19, 2023, and Final Budget Hearing held September 20, 2023. **(City Clerk Sibbitt)**

2. Approval of New Appointment to the General Employees' Pension Board of Trustees. **(City Clerk Sibbitt)**
3. Approval of Resolution Relating to City Commission Non-Local Travel Reimbursement Policy. **(City Manager Frank)**

**Commissioner Hart** voiced his stance and elaborated on his support for reimbursing non-local travel expenses for spouses. **Commissioner Wilsen** conveyed her viewpoint and explained that she does not believe taxpayers should bear the cost of spouse travel.

**Motion: Move to adopt the Consent Agenda Item #3. Moved by Commissioner Kennedy, seconded by Commissioner Firstner; Motion carried 4-1 with Commissioner Wilsen opposing.**

4. Approval of Road Closure for the Crossing Guard's Christmas Party - Sleepy Harbour Drive. **(Development Services Director Rumer)**
5. Approval of Ocoee Village Center Non-Substantial Amendment to PUD. **(Development Services Director Rumer)**
6. Approval of Grant Funding for the Pedestrian and Bicycle Safety High Visibility Enforcement and Support Program. **(Police Chief Plasencia)**
7. Approval of Change Order No. 3 for Contract ITB #21-008 Downtown Master Stormwater Pond & Park. **(Public Works Director Krug)**
8. Approval to Surplus and Replace Stand-by Generator for Ocoee Police Station. **(Public Works Director Krug)**
9. Approval of Magnolia Reserve Townhome Large Scale Final Subdivision Plan (LS-2022-016). **(Zoning Manager Whitfield)** **Caroline spoke on behalf of the applicant.**

**Motion: Move for denial of Consent Agenda Item # 9. Moved by Commission Kennedy. After discussion, motion withdrawn.**

**Carolyn Haslam, Ackerman LLP**, expressed gratitude to the staff for their diligent work with her client since the last meeting. Shared details of the standard review process and conveyed her client's legal position, emphasizing that they meet all the necessary requirements while alluding to potential repercussions should the plan not receive approval.

**Commissioner Kennedy** raised questions regarding the Staff comments, pointing out some inconsistencies. **Carolyn Haslam** responded to his inquiries. **Development Services Director Rumer** provided a more in-depth response concerning the Staff comments in question.

**Commissioner Kennedy** read a section of the Staff Report and voiced his disagreement, underlining the fact that numerous community members have expressed opposition to this development. Furthermore, he called for a change in the process, specifically

requesting staff's recommendations on improving community involvement, notice distribution, and community engagement moving forward. **Development Services Director Rumer** clarified the current process for noticing projects and provided a full background for the comments that were read.

**Mayor Johnson** turned to the City Attorney for legal direction. **City Attorney Geller** addressed his concern and explained that legal action could be forthcoming should the Commission deny this development as all legal requirements have been satisfied.

Following the guidance provided by the City Attorney, Commissioner Kennedy withdrew his motion.

**Mayor Johnson** opened the floor for public comments, as no speaker forms were received he brought it back to the dais.

**Mayor Johnson** expressed understanding for those who opposed the new development and urged the developer to collaborate with the neighboring community to address any concerns. Additionally, he emphasized the City's legal obligations in this matter.

**Motion: Move to adopt Consent Agenda Item #9. Moved by Commissioner Firstner, seconded by Commissioner Hart; Motion carried 4-1 with Commissioner Kennedy opposing.**

• **FIRST READING OF ORDINANCE 6:43 PM**

10. First Reading of Ordinance for The Backyard Annexation & Rezoning from County A-1 to City C-2 - AX-07-28-06 & RZ-23-07-06. **(Zoning Manager Whitfield)**

**City Attorney Geller** read the title 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 October 17, 2023, at 6:15 PM or soon thereafter.

11. First Reading of Ordinance for FY 2024 Budget Amendment. **(Finance Director Roberts)**

**City Attorney Geller** read the title 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 October 17, 2023, at 6:15 PM or soon thereafter.

12. First Reading of Ordinance Approving of Proposed Amendments to the City Charter to be Placed on the 2024 General Election Ballot. **(City Attorney Geller)**

**City Attorney Geller** read the title 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 October 17, 2023, at 6:15 PM or soon thereafter

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

• **PUBLIC HEARING 6:50 PM**

**13. 2493 Sweet Oaks Street - Crawford Variance - VR-23-02. (Zoning Manager Whitfield)**

**Zoning Manager Whitfield** provided a brief overview of the requested variance for improvements on the subject property located at 2493 Sweet Oak Street, zoned R-1A (Single Family Dwelling District). She explained that according to Section 5-14A and Table 5-2 (Minimum Zoning Descriptions on Permitted Uses) in Article V of the Land Development Code, the maximum allowable impervious surface area (ISA) for residential lots is 50% of the lot area. Furthermore, the applicant's request involves a 19.8% variance from Table 5-2 to exceed the ISA limit by 9.9%, resulting in a total ISA of 59.9%. This variance is sought to facilitate the construction of a pergola with a paver patio at the rear of the house and the installation of sidewalks and other impervious materials along the north side yard and rear of the house.

*The public hearing was opened.*

The following person(s) addressed the City Commission:

**Amanda Crawford**, *Applicant, 2493 Sweet Oak Street, Ocoee* introduced herself and offered an overview of the issues raised from her perspective. She then proposed a new idea of using permeable pavers to contain the stormwater on her property.

**Mayor Johnson** asked whether the permeable pavers would address the issue. **Zoning Manager Whitfield** indicated that they would not. **Development Services Director Rumer** then provided a more detailed explanation for why the permeable pavers would not resolve the concern.

**Commissioner Kennedy** pointed out that on multiple occasions, applicants have introduced new ideas or changes to their variance requests during the meeting. He clarified that the variance being considered is the original plan presented in the Staff Report, and encouraged the applicant to formally submit any changes and collaborate with staff to find an acceptable solution. **Commissioner Wilsen** expressed the same sentiments and complimented the efforts made by the homeowner, conveying that she hopes a solution can be found that aligns with code requirements. **Commissioner Kennedy** inquired about keeping the pergola. **Zoning Manager Whitfield** addressed his inquiry. **Commissioner Firstner** praised the applicant for the beautiful home and encouraged her to keep working with the staff to find a solution.

**Commissioner Hart** suggested reaching out to Homeowners' Associations (HOAs) within the City to raise awareness about permitting requirements.

*The public hearing was closed.*

**Motion: Move for denial of the 2493 Sweet Oaks Street - Crawford Variance Request, based on factual interpretation of the code requirements, as presented by staff, and public testimony related; Moved by Commissioner Wilsen, Seconded by Commissioner Firstner; Motion carried unanimously.**

• **REGULAR AGENDA 7:10 PM**

14. Authorization to proceed with a Request for Letters of Interest (RLI) for a Master Downtown Developer. **(Development Services Director Rumer)**

**Assistant City Manager Shadrix** provided a brief history and sought the Commission's approval to proceed with the process of soliciting letters of interest from downtown developers to design a space that aligns with the City's downtown revitalization goals. **Mayor Johnson** inquired about the selection process. **Assistant City Manager Shadrix** outlined the various phases.

*A brief discussion ensued.*

**Motion: Move to authorize staff to utilize a two-step process for securing a Master Downtown Developer; Moved by Commissioner Kennedy, seconded by Commissioner Hart; Motion carried 5-0.**

**COMMENTS FROM COMMISSIONERS 7:15 PM**

**Commissioner Hart – Commented on the following:**

- 1) Announced World Teacher Appreciation Day and encouraged citizens to take a moment to recognize and express gratitude to all educators for their tireless efforts and commitment.
- 2) Reminded the community that October is National Hispanic Heritage Month, and noted their vibrant culture and the numerous contributions they bring to our City.
- 3) Highlighted the significance of October being Breast Cancer Awareness month, shared a personal experience, and urged everyone to stand together in the ongoing battle against this devastating disease.
- 4) Thanked the community for the opportunity to serve.
- 5) Expressed gratitude to the Police for their service and dedication in protecting the community, and encouraging residents to attend the National Night Out Event this evening.

**Commissioner Firstner – Commented on the following:**

- 1) Expressed condolences for the loss of Mattie Jean Grafton, shared personal anecdotes, and conveyed appreciation for the significant impact she had on the community.
- 2) Announced the date, time, and location for the Unity Park Grand opening.
- 3) Reiterated feelings about Breast Cancer Awareness, shared a personal experience of losing his mother to breast cancer, and encouraged everyone to actively support the fight against the disease by donating to research to help eradicate this terrible disease.

**Commissioner Wilsen – Commented on the following:**

- 1) Expressed a heartfelt condolence on the passing of Jean Grafton.
- 2) Encouraged citizens to participate in the National Night Out Event hosted by the Ocoee Police Department.

- 3) Noted the various volunteer boards and urged interested individuals to reach out to the City for further information and involvement opportunities.
- 4) Announced the return of Family Movie Night and provide the date, time, and location.

**Commissioner Kennedy – Commented on the following:**

- 1) Shared that he is the Commission Liaison to the Citizens Advisory Council for Ocoee Police Department (CACOPD) and expressed his intention to attend the National Night Out Event after the meeting to thank the volunteers for their participation.
- 2) Explained that the City organizes a yearly Volunteer Appreciation Dinner to honor volunteer board members and urged them to participate, emphasizing the City's appreciation for their commitment to serving the community.
- 3) Recalled Mr. Moyer's comments and agreed that the City needs to ensure that each board's Mission Statement is being fulfilled.
- 4) Shared a significant and personal upcoming event, his wedding anniversary, and expressed gratitude to his wife for her unwavering support.

**Mayor Johnson – Commented on the following:**

- 1) Expressed condolences upon the passing of Mattie Jean Grafton, shared personal stories, and expressed gratitude for the substantial influence she had on the community. He provided the memorial service date, time, and location.
- 2) Discussed a grievance he had received regarding school traffic, elaborating on the issues caused by the student car rider line that stretches from Lafayette Street onto Bluford Ave, resulting in traffic congestion. **City Manager Frank** addressed his concern.
- 3) Asked for a status update on the downtown traffic sign. **City Manager Frank** addressed his inquiry and confirmed that it had been ordered.
- 4) Inquired about the current status of the traffic light installation at the intersection of Ingram Road & Clarcona-Ocoee Road. **City Manager Frank** offered to provide an update by email.
- 5) Shared that the Clarke Rd widening project has commenced.
- 6) Inquired about the trees out front.
- 7) Announced the next City Commission meeting is scheduled for October 17, 2023.

**• ADJOURNMENT 7:31 PM**

**APPROVED:**

**Attest:**

  
Amber Landry, Recording Clerk

**City of Ocoee**

  
Rusty Johnson, Mayor