

OCOEE CITY COMMISSION
Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

May 7, 2024

MINUTES

6:15 PM

REGULAR CITY COMMISSION MEETING

• **CALL TO ORDER 6:17 PM**

Mayor Johnson called the regular session to order at 6:17 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 **Commissioner Firstner**. **City Clerk Sibbitt** called the roll and declared a quorum present.

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

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

• **PRESENTATIONS AND PROCLAMATIONS 6:18 PM**

2024 Municipal Clerks Week Proclamation - proclaimed by **Mayor Johnson**.

2024 National Day of Prayer Proclamation – read and proclaimed by **Mayor Johnson**. Proclamation was accepted by Judy Chadwick with Orlando House of Prayer (OHOP).

2024 Asian American and Pacific Islander Heritage Month Proclamation – proclaimed by **Mayor Johnson**.

2024 National Peace Officer Memorial Day and National Police Week – read by **Commissioner Kennedy** and proclaimed by **Mayor Johnson**. Proclamation was accepted by Deputy Police Chief Nylander.

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

• **PUBLIC COMMENTS 6:27 PM**

The following person addressed the City Commission:

- **Jim Moyer**, *Ocoee Resident*, shared information about the HRDB Speaker Series Workshop on “Fostering a Sense of Belonging” that was conducted by Kavita Sawh from UCF's Ginsburg Center for Inclusion and Community Engagement in May, and announced their upcoming June series which is also open for public participation. He further announced additional observances recognized in the month of May.

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• **CONSENT AGENDA 6:30 PM**

Consent Agenda Motion

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

1. Approval of Minutes from the Regular City Commission Meeting held April 16, 2024. **(City Clerk Sibbitt)**
2. Approval to Award Ocoee Neighborhood Matching Grants. **(Community Relations Manager Wright)**
3. Approval of Magnolia Reserve Plat; Project No. LS-2023-005. **(Development Engineer Keaton)**
4. Approval to Award Invitation to Bid (ITB) #24-007 Job Order for Thornebrooke Drainage Ditch Improvements. **(Procurement Manager Tolbert)**
5. Approval of Change Order No. 1 for Ocoee Debris Monitoring and Grants Management Services - Hurricane Ian. **(Public Works Director Krug)**

• **FIRST READING OF ORDINANCE 6:32 PM**

6. First Reading of Ordinances for 789 Pine Street Small-Scale Comprehensive Plan Amendment from Low-Density Residential (LDR) to Light Industrial (LI) & Rezoning from Single-Family Dwelling (R-1A) to Restricted Manufacturing & Warehousing (I-1); Project No. CPA-2024-002 & RZ-24-02-01. **(Development Services Director Rumer)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

7. First Reading of Ordinance for 1 Taylor Street Small-Scale Comprehensive Plan FLU Amendment from Heavy Industrial (HI) to Commercial (COMM) & Rezoning from I-1 (Restricted Manufacturing and Warehousing) to C-2 (Community Commercial); Project Nos. CPA-2024-004 & RZ-24-03-02. **(Development Services Director Rumer)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

8. First Reading of Ordinance for 1102 & 1104 N. Lakewood Avenue - Lott Property Annexation; Project No. AX-03-24-01. **(Zoning Manager Whitfield)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

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9. First Reading of Ordinance for 1305 & 1113 Ocoee Apopka Road - MDTL Enterprise LLC Property Annexation; Project No. AX-03-24-02. **(Zoning Manager Whitfield)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

10. First Reading of Ordinance for 1059 Ocoee Apopka Road - Rodgers Property Annexation; Project No. AX-03-24-03. **(Zoning Manager Whitfield)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

11. First Reading of Ordinance for MDTL Enterprise LLC Property Annexation; Project No. AX-03-24-04. **(Zoning Manager Whitfield)**

City Attorney Geller read the title of the ordinance, and it was announced this will be presented as a second reading and public hearing at the next scheduled City Commission meeting on May 21, 2024, at 6:15 PM or soon thereafter.

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

• **PUBLIC HEARING 6:40 PM**

12. Ocoee Pickleball Complex - Vasant Sports LLC Special Exception; Project No. 03-24-SE-031. **(Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the Vasant Sports LLC Special Exception which is located on the west side of Jacob Nathan Boulevard at the terminus of Matthew Paris Boulevard, and is approximately 6 acres in size. She explained that per Table 5-1 in the Land Development Code, a Special Exception is required for outdoor commercial recreational uses on property with C-2 zoning. She conveyed that the proposed project meets the standards established by section 4-8B of Article IV, Land Development Code for the Special Exception to be granted. She explained that modifications to ingress/egress and circulation may be necessary at the time of site plan review and advised that staff has researched similar facilities because the Land Development Code does not set a parking standard for commercial recreational uses. There are concerns that the proposed parking ratio is insufficient; the Development Review Committee and staff recommend that the parking demand be evaluated at the time of site plan review and approval.

Mayor Johnson opened the public hearing.

Sravan Tummala, *Applicant and Project Manager*, provided a PowerPoint presentation which highlighted the popularity of the pickleball sport and courts that can be found in the surrounding areas. He explained the reason that Ocoee was chosen for their pickleball facility.

The following persons addressed the City Commission:

- **Kellee Walshee**, *Hammocks President HOA and Ocoee Resident*, expressed her opposition to the project due to the noise that will impact their neighboring community, and potential decline in their property value.
- **Lisa Stinson**, *Ocoee Resident*, expressed her opposition to the project due to the noise that will impact her neighboring community. She further recommended a sound impact study be conducted.
- **Eileen Staples**, *Ocoee Resident*, spoke in opposition to the pickleball courts, due to the location, stating that it will destroy the serenity of her property. She asked the Commission to find land elsewhere, more appropriate for this type of project.

Mayor Johnson inquired what the distance of the project was to the nearest residential property. **Development Services Director** addressed his question.

- **Lili Cordell**, *Ocoee Resident*, expressed that she does not object to bringing new development to the City; however, she objects to this particular rezoning due to the high noise level and the increased amount of traffic, the project will bring. She questioned if the developer could build an all indoor facility versus outdoor courts.
- **Daniel Stinson**, *Ocoee Resident*, expressed his opposition to the project and voiced concerns on declining property value, and disturbance of peace.
- **William Cordell**, *Ocoee Resident*, voiced support for the pickleball sport and the development of an indoor facility only. He inquired if FDOT studies have been conducted to accommodate this project. He also questioned the parking ratio and if there are adequate parking spaces for the number of proposed courts.
- **Catherine Carpenter**, *Ocoee Resident*, expressed her support for the pickleball sport but shared she agrees with her neighbors concerns regarding the noise. She recommended that the City Commission visit a pickleball court to better understand their concerns.

Mayor Johnson closed the public hearing.

Sravan Tummala, *Applicant and Project Manager*, shared that he has met with the residents and heard their concerns about the noise. He explained the barriers they will be installing to assist with the noise concerns, and shared that they agreed to consider moving the outdoor courts to

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the south of the property. Additionally, in their meeting with the residents, they spoke about reducing the hours of operation in the outdoor courts depending on the demand of the players.

Commissioner Wilsen shared she resides in the Hammocks and understands her neighbors' concerns but wanted to hear from the other Commissioners before sharing additional comments.

Commissioner Kennedy inquired if the applicant is Florida-based and if they own any other facility such as those shown in his presentation. **Mr. Tummala** addressed his questions. **Commissioner Kennedy** further inquired if alcohol would be sold on the property, and why is the applicant not considering just an indoor facility. **Mr. Tummala** addressed his questions. **Commissioner Kennedy** inquired on the number of tournaments that would be hosted and the parking ratio that is being requested. He further inquired if a sound and traffic study have been completed, and if they have done studies on impact of home values. **Mr. Tummala** addressed all his questions.

Commissioner Firstner expressed that it seems that more courts are being requested than the property can handle. He further commented that he is in favor of a reduced size indoor facility to address the concerns voiced this evening, and shared that one of the vacant anchor stores in the West Oaks Mall would have been a feasible location for this project. **Mr. Tummala** addressed his concerns.

Commissioner Oliver commented that he understands the noise concerns but has also read a lot of positive things about the pickleball sport. He feels that this project will enhance the City but feels there are some major concerns with parking and traffic. He further commented while this project seems like a great facility he agrees with previous comments that another location would be a better solution.

Mayor Johnson shared that the property is zoned Commercial and other developers may consider placing a project that may not be favorable to the residents. He voiced that the outdoor courts should have been placed on the south side to lessen the noise concerns, but feels the distance should be sufficient.

Development Services Director Rumer clarified that this is not a rezoning request from the applicant, as the property is zoned Commercial. He explained the request is for a Special Exception that borders a 6-lane arterial road; therefore, trips are also not an appropriate discussion point for this project as it is already considered under the Commercial subdivision. He provided explanation on the reason for the outdoor courts not being placed on the south side and shared that the Special Exception is for 24 outdoor courts not the 44 proposed courts which is the total amount of courts. He explained the criteria for the Special Exception and all the boxes that were checked to support this request.

Commissioner Wilsen explained what assurances and conditions she needed, when the applicant comes back with the site plan approval, to receive her approval on this Special Exception and assure her residents that they were heard.

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Development Services Director Rumer explained that the next step to the project is the preliminary site plan and will be conducted as a public hearing for input from the residents.

Mr. Tummala addressed Commissioner Wilsen's request and explained they can add any type of barrier that will assist with reducing the sound. He further advised that as long as the project cost does not increase he would be willing to consider changes. **Commissioner Wilsen** inquired if this item could be continued as she is not receiving the reassurance she was hoping for. **Assistant City Manager Shadrix** asked the City Attorney to advise the City Commission on their options on the project before them with regards to placing conditions or continuances. **City Attorney Geller** explained that tabling the item is allowed but if they were to approve the item he recommended that the approval be contingent on the standards that are listed in the Land Development Code.

Motion: Move to deny the Ocoee Pickleball Complex – Vasant Sports LLC Special Exception, Project Number 03-24-SE-031; Moved by Commissioner Kennedy, Seconded by Commissioner Oliver.

Commissioner Kennedy inquired when could the applicant come back before the City Commission. **Development Services Director Rumer** addressed his question.

Mayor Johnson opened the public hearing.

William Cordell, Ocoee Resident, inquired if the applicant could come back and propose all outdoor courts if it is not financially feasible for him to do all indoor courts. **Mayor Johnson** addressed his question.

Mayor Johnson closed the public hearing.

After discussion. Motion carried 5-0.

• **REGULAR AGENDA 8:01 PM**

13. Notification of Initial Three-Year Term Ending for One (1) Regular Member, Move Alternate Member to Regular Member, and Consideration of Appointment on the Planning and Zoning Commission. (**Development Services Director Rumer and City Clerk Sibbitt**)

City Clerk Sibbitt explained the terms of Members Crocker and Forges are set to expire in June 2024. Member Crocker has expressed no interest in being considered for reappointment, while Member Forges has expressed interest in being reappointed and is eligible for one more three-year term. Alternate Member Chacon desires to be appointed as a regular member. Furthermore, one (1) application has been on file since March 2023, and the applicant has indicated an interest in being considered for appointment, updating their application accordingly, and on May 6, 2024, another application was received. Both applications are before them for consideration.

Motion: Move to reappoint Member Forges to complete his final three-year term, move

alternate Member Chacon to a Regular Member seat, appoint Joaquin Galvan to a three-year term, and appoint Kelton Butler as an alternate member to complete a term; Moved by Mayor Johnson, Seconded by Commissioner Kennedy. Motion carried 5-0.

14. Discussion and Direction on Holiday Lighting. (Public Works Director Krug)

Public Works Director Krug explained the Commission expressed an interest in reviewing the future holiday pole-mounted lighting throughout the City. Public Works has explored what is commercially available and is presenting options to the Commission for approval to move forward with incorporating the recommendations into future budgets. **Mayor Johnson** voiced the need to go out to bid as they have had issues in the past. **Commissioner Wilsen** shared the City Commission appointed her to meet with City staff and she assisted on the selection being presented. After the presentation, **Public Works Director Krug** asked for consensus on how to proceed. Discussion ensued. Consensus of the City Commission was to have City staff proceed with the options presented in the staff report.

• **COMMENTS FROM COMMISSIONERS 8:15 PM**

Commissioner Kennedy – None

Commissioner Wilsen – Commented on the following:

- 1) Thanked Mayor Johnson for this work on the Ocoee Music Festival and shared this has been an iconic event for the City over the past 30 years.
- 2) Reminded the Neighborhood Grant recipients to get with the permitting department to facilitate the permitting requirements for the grants.
- 3) Addressed Commissioner Oliver and stated that she has a problem with him attending an HOA meeting within her district, without notice, because it could violate the Sunshine Law.
- 4) Urged her neighborhood to come together as a group to meet, in preparation of the pickleball special exception returning.

Commissioner Oliver – Commented on the following:

- 1) Apologized to Commissioner Wilsen stating that he was not aware that he could not attend an HOA meeting in another district. He stated that had she been there, he would have left; he attends a lot of HOA meetings to take notes and get ideas on how to handle certain issues in other HOA's.
- 2) Discussed traffic accidents, between bicyclists and motorists, that have been happening along the West Orange Trail and stated that he has reached out to the County in hopes to have a solution to the issue, within the next few months.
- 3) Acknowledged that there are several foster care facilities within the city and announced that any person who has aged out of foster care or has been a ward of the state is eligible for free college. He suggested to add some information on the City's website for those interested or needing the information.
- 4) Finished with a Biblical scripture reading.

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Commissioner Firstner – Commented on the following:

- 1) Announced that today is Teacher Appreciation Day.
- 2) Announced that Hurricane Preparedness Week is May 5th – May 11 and Hurricane Season begins June 1st.
- 3) Announced the City Aquatic Center opens May 11th.
- 4) Announced the Memorial Day Ceremony being held on May 23rd.

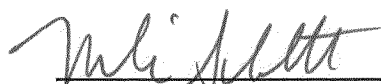
Mayor Johnson – Commented on the following:

- 1) Thanked Commissioner Wilsen for speaking on the Ocoee Music Festival. He further commented on the success of the free concert to the Community.
- 2) Stated that if he is going to any meeting, he makes sure it is noticed and posted. He urged that everyone pay attention and be more careful, when it comes to Sunshine Law.
- 3) Stated he received a request to have a speed table in a neighborhood in District 2, he will give the information to Assistant City Manager Shadrix and Commissioner Wilsen.
- 4) Announced that the Ocoee Music Festival was a great event with only a few complaints concerning the fireworks.
- 5) Expressed that they do not give enough credit to the Parks and Recreation Department; there are a lot of events and programs that are free for children to attend.
- 6) Reiterated that he wants to get a plan together with the Pickleball Complex Developer, so that he can develop his property.
- 7) Expressed that there needs to be a Code Enforcement Officer on duty on Saturdays; and further shared his discontent with code violations out at the West Oaks Mall. He also expressed the need for personnel to be hired to oversee the picnic area by Starke Lake during the Summer weekends.

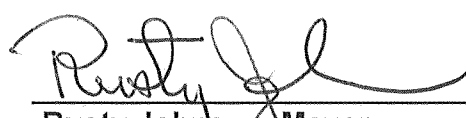
• ADJOURNMENT 8:35 PM

APPROVED:

Attest:



Melanie Sibbitt, City Clerk

City of Ocoee


Rusty Johnson, Mayor