

OCOEE CITY COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

August 20, 2024

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. The invocation was led by **Ages Hart**, *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 Oliver

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

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

West Orange Healthy Selfie Day Proclamation read by **Commissioner Wilsen** and proclaimed by **Mayor Johnson**, accepted by a Representative from Healthy West Orange.

9/11 Remembrance Day Proclamation read by **Commissioner Firstner** and proclaimed by **Mayor Johnson**, accepted by Police Chief Ogburn and Fire Chief Smothers.

Recognition of TNXL Academy 2024 NAA Premier Division Championship - Coach Brian Martinez acknowledged the achievements of TNXL and recognized the players present at the event. He also expressed his gratitude to the City of Ocoee for their ongoing support.

• **STAFF REPORTS AND AGENDA REVIEW 6:27 PM**

Acting City Manager Shadrix announced that he has three items to bring before the City Commission. He introduced and explained an Emergency Item for the Purchase of Water Meters, MXU's, and Backflows per Emergency Notification - Section 21.6, Chapter 21, City of Ocoee Code of Ordinances.

Motion: Move to approve Emergency Item for the Purchase of Water Meters, MXU's, and Backflows per Emergency Notification - Section 21.6, Chapter 21, City of Ocoee Code of Ordinances; Moved by Commissioner Kennedy, seconded by Commissioner Oliver; Motion carried 5-0.

Acting City Manager Shadrix notified the City Commission that the updated scope of work for Item #6, provided by the marketing firm BeatCreative, has been uploaded to the agenda, and a copy has been placed before them.

Acting City Manager Shadrix noted that City Attorney Geller will brief the City Commission on the situation regarding the Forest Lake Golf Course. **City Attorney Geller** briefed the City Commission on their motion from August 6th and the City's efforts to work out a solution. He summarized the proposed Seventh Amendment to the Ground Lease, recommending that the

City Commission deny, without prejudice, the request to assign the ground lease agreement from Forest Lake Golf Course to JA Hospitality, while allowing Forest Lake Golf Course the opportunity to return with the requested information.

Logan Opshal, Attorney with Lowndes Law Firm, addressed the City Commission to support the 60-day extension of the right-of-first refusal, as requested at the August 6th City Commission Meeting. He explained that they disagree with the Seventh Amendment to the Ground Lease, which is why they requested a meeting with staff before the current deadline of August 26th. He also clarified the 60-day right-of-first refusal and the terms of the purchase and sale agreement that were provided to them.

Commissioner Kennedy inquired about the issue with the setting of a meeting date and the timing of the execution of the Seventh Amendment to the Ground Lease Agreement. **Mr. Opshal** expressed his concerns regarding the amendment. In response, **City Attorney Geller** explained the Seventh Amendment to the Ground Lease Agreement and stated that he is not aware of any issues with it. Further discussion ensued on the request for a date to meet, and the request for the financials.

Motion: Move to deny the request to assign the Ground Lease Agreement from Forest Lake LLP to J.A. Hospitality dated June 26, 2024, without prejudice, due to multiple reasons, including but not limited to Forest Lake LLP's failure to provide complete financial and other information requested on multiple occasions by the City in order to make a determination; Moved by Commissioner Kennedy, seconded by Commissioner Firstner;

Commissioner Oliver inquired how much longer is left on the current lease. **Mr. Opshal** addressed his question. **Commissioner Oliver** further commented on protecting the interest of the City, and the need for the financial data in order to properly evaluate.

Motion carried 5-0.

• **PUBLIC COMMENTS 7:07 PM**

The following persons addressed the City Commission:

- **Jim Moyer, Ocoee Resident**, expressed congratulations to Dr. Lori Hart and soon-to-be Dr. Van Camp. He announced the upcoming national recognitions for the months of August and September, and updated the City Commission on the disbursement of CACOPD funds. He also provided an overview of upcoming events sponsored by the Police Department.
- **Dave Sargent, American Legion Post 109**, presented a proposal to expand the Veterans Memorial Recognition in the City. **Commissioner Wilsen** shared the City Commission has already spoken about memorial bricks being placed at the current Veteran's Memorial site, and requested a meeting with Mr. Sargent to determine the best location.
- **Brad Lomneck, Ocoee Resident**, apologized to Commissioner Wilsen for an outburst made last meeting. He also thanked the Mayor and Commissioner Kennedy for directing staff to initiate Item 4 on the Consent Agenda, and additionally requested that staff discuss the possibility of adding a turn lane. **Public Works Director Krug** addressed his comments on the turn lane.

• **CONSENT AGENDA 7:21 PM**

Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Item #1-15; Moved by Commissioner Wilsen, seconded by Commissioner Kennedy;

Commissioner Wilsen asked that, in regards to item #4, staff create a smooth transition when they proceed with the stop signs. **Public Works Director Krug** addressed her concern.

Commissioner Kennedy commented on items #4 and #15 and thanked staff for the work on these items.

Motion carried 5-0.

1. Approval of Minutes from the Regular City Commission Meeting held August 6, 2024, and Budget Workshop Meeting held August 12, 2024. **(City Clerk Sibbitt)**
2. Approval of the 2025 Holiday Schedule and Canceling Five (5) Scheduled Meeting Dates. **(City Clerk Sibbitt)**
3. Approval of Ocoee High School Homecoming Parade and Pep Rally on September 25, 2024. **(Acting Assistant City Manager Rumer)**
4. Approval of All-Way Stop Control (AWSC) Warrants and Conclusion Reports for Adair/Wurst and White/Montgomery Roads. **(Acting Assistant City Manager Rumer)**
5. Approval of 606 Ocoee Apopka Sports Training Center Large Scale Final Site Plan & Development Agreement - LS-2024-0002. **(Acting Assistant City Manager Rumer)**
6. Approval of the Scope of Services for the Marketing and Graphics Firms for the City of Ocoee's 100-Year Anniversary. **(Acting Support Services Director Gaines)**
7. Approval to Replace Electrical Panels at City of Ocoee Lift Stations 14, 15, 46, 47. **(Acting Utility Director Bolling)**
8. Approval of an Escrow Agreement with Lamberts Cable Splicing Company, LLC for Replacement of City's Force Main. **(Acting Utility Director Bolling)**
9. Approval of the First Amendment to the Development Agreement with GS Crown Point Owner, LLC. **(Concurrency & Commitment Coordinator McFarlane)**
10. Approval of Interlocal Agreement Between Orange County and City of Ocoee for Fire Dispatch Services. **(Deputy Fire Chief Van Camp)**
11. Approval of Wynwood Phase 1 & 2A Replat; Project No. LS-2024-004. **(Development Engineer Keaton)**
12. Approval of a Two-Year Warranty Surety and Maintenance, Materials, and Workmanship Agreement for SYM Capital Partners, LLC for the Hampton Inn Ocoee. **(Development Engineer Keaton)**
13. Approval of Piggyback Uniform Vendor Contract. **(Police Lieutenant Olson)**
14. Approval of Stormwater Improvement Projects for 2024-2025 with Inliner Solutions. **(Public Works Director Krug)**

15. Approval of a Resolution Adopting the Vision Zero Philosophy and Action Plan.
(Redevelopment Program Manager Vaca)

• **FIRST READING OF ORDINANCE 7:28 PM**

16. First Reading of Ordinance for a Temporary Six (6) Month Moratorium on the Processing and Consideration of Development Approvals. (Acting Assistant City Manager 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 September 17, 2024, at 6:15 PM or soon thereafter.

• **SECOND READING OF ORDINANCE – PUBLIC HEARING**

• **PUBLIC HEARING 7:30 PM**

17. Approval of a Resolution to Opt Out of the Live Local Act Property Tax Exemption.
(Concurrency & Commitment Coordinator McFarlane)

Acting Assistant City Manager Rumer provided a brief overview of the proposed resolution to opt out of the Live Local Act Property Tax Exemption. He explained the provisions that establish a new ad valorem tax exemption for newly constructed multifamily developments that offer affordable housing within specific income thresholds.

City Attorney Geller read the title of the resolution.

The public hearing was opened.

The following person addressed the City Commission:

- **Doug Gomer**, *Ocoee Resident*, inquired about the time period for the tax exemption. Acting Assistant City Manager Rumer addressed his question.

The public hearing was closed.

Motion: Move to approve Resolution No. 2024-10, to Opt Out of the Live Local Act Property Tax Exemption; moved by Commissioner Oliver, seconded by Commissioner Wilsen; Motion carried 5-0.

• **REGULAR AGENDA**

• **COMMENTS FROM COMMISSIONERS 7:34 PM**

Commissioner Oliver – Commented on the following:

- 1) Announced the commencement of the Clarke Road Project, which began as promised by the Acting City Manager.

Regular City Commission
August 20, 2024

- 2) Announced that he recently attended the Florida League of Cities Conference and discussed the sessions and how they provided good information and tools to help keep the city moving forward.
- 3) Reminded everyone that school is now back in session and urged drivers to be mindful of children walking and new drivers.
- 4) Read an inspirational quote.

Commissioner Firstner – Commented on the following:

- 1) Announced the Disaster Preparedness Sales Tax Holiday, which runs from August 21st through September 26th and reminded residents to stock up on supplies.

Commissioner Wilsen – Commented on the following:

- 1) Announced the Shred-It Event, taking place on September 14th, hosted by the Ocoee Police Department.
- 2) Announced that she received an email regarding school traffic, and urged residents to be mindful of safe driving practices.

Commissioner Kennedy – None

Mayor Johnson – Commented on the following:

- 1) Commented on the speed bumps in Village Greens and questioned if the City could afford to place similar speed bumps in areas of the City. **Acting City Manager Shadrix** addressed his comment.
- 2) Questioned a lawsuit over the road construction on Oakland Avenue. **Acting City Manager Shadrix** and **City Attorney Geller** informed him that they have no knowledge of said lawsuit.

• **ADJOURNMENT 7:42 PM**

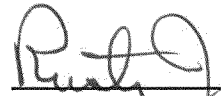
APPROVED:

Attest:



Melanie Sibbitt, City Clerk

City of Ocoee



Rusty Johnson, Mayor