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

October 1, 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 **Commissioner Wilsen**. **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** 6:18 PM

Fire Prevention Month proclamation was read, and proclaimed by **Mayor Johnson**. The proclamation was accepted by Fire Chief Smothers and his staff.

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

- **PUBLIC COMMENTS** 6:22 PM

The following persons addressed the City Commission:

- **Gina Cappiello**, *Ocoee Resident*, read a letter written by Sleepy Harbour HOA Resident, Mike Smarrito, regarding his concerns on the water conditions of Lake Prima Vista and Starke Lake. **Public Works Director Krug** addressed concerns raised in the letter, elaborating on the future treatment plans of Lake Prima Vista and Starke Lake. **Acting City Manager Shadrix** commented on the decades of agricultural buildup, predating the Clean Water Act and the Environmental Protection Act, citing that to be the case in this situation. **Commissioner Wilsen** reiterated that this subject is Item #4 on tonight's agenda, and further noted that the letter read by Ms. Cappiello along with photos of the lakes were emailed to the Elected Officials, and are available for viewing upon request. **Commissioner Oliver** commented on the programs in place by the St. Johns Water Management District to help with these issues.

- **Jim Moyer**, *Ocoee Resident*, provided information regarding Hispanic Heritage Month.

- **Doug Gomber**, *Ocoee Resident*, asked for an update on the Golf Course negotiations and **City Attorney Gellar** stated that documents have not yet been received.

- **CONSENT AGENDA** 6:38 PM

Consent Agenda Motion

Motion: Move to adopt the Consent Agenda Item #1-4; Moved by Commissioner Wilsen, seconded by Commissioner Kennedy; Motion carried 5-0.

1. Approval of Minutes from the Regular City Commission Meeting held September 17, 2024, and the Final Budget Public Hearing held September 18, 2024. **(City Clerk Sibbitt)**
2. Approval of Reappointment to the Citizen Advisory Council for Ocoee Fire Department (CACOFD). **(City Clerk Sibbitt)**
3. Approval for Declaration of Surplus and Disposal of Assets from FY23/24 Annual Inventory. **(Finance Director Roberts)**
4. Approval for Monitoring, Treatment, and Lake Planting to Improve Water Quality in Starke Lake and Lake Prima Vista. **(Public Works Director Krug)**

- **FIRST READING OF ORDINANCE** 6:38 PM

5. First Reading of Ordinance Amending Section 5-3 of the Code of Ordinances for Qualification of Candidates. **(City Clerk Sibbitt)**

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 October 15, 2024, at 6:15 PM or soon thereafter.

6. First Reading of Ordinance Amending Section 11-1 of the Code of Ordinances for Regular City Commission Meetings. **(City Clerk Sibbitt)**

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 October 15, 2024, at 6:15 PM or soon thereafter.

- **SECOND READING OF ORDINANCE – PUBLIC HEARING** 6:40 PM

7. Second Reading of Ordinance Amending Article II, Chapter 51 of the Code of Ordinances Creating Local Technical Amendments to the Florida Building Code. **(Acting Assistant City Manager Rumer)**

Acting Assistant City Manager Rumer introduced the proposed ordinance for Amending Article II, Chapter 51 of the Code of Ordinances Creating Local Technical Amendments to the Florida Building Code. **Principal Urban Designer Parish** explained that the purpose of the ordinance is to promote construction practices that enhance the long-term durability of buildings. The use of high-quality materials and compliance with these building codes will help extend the life of the structures, minimizing future repair and maintenance costs. City staff has identified wood-framed multifamily buildings as particularly vulnerable to issues such as moisture damage, mold, mildew, wood rot, and infestations that can lead to structural damage caused by wood-destroying organisms.

Upon adoption, the City will submit the local amendment to the Florida Building Commission. The amendment will be valid until the next release of the Florida Building Code. At such time, the City will have to re-adopt per FS 553.73.

City Attorney Geller read the title of the ordinance.

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

Motion: Move to approve Ordinance No. 2024-29, Amending Article II, Chapter 51 of the Code of Ordinances Creating Local Technical Amendments to the Florida Building Code; moved by Commissioner Kennedy, seconded by Commissioner Firstner; Motion carried 5-0.

8. Second Reading of Ordinances for Shoppes on the Bluff Small-Scale Comprehensive Plan Future Land Use Map Amendment & Rezoning; Project No. CPA-2024-003 & RZ-24-03-05. **(Zoning Manager Whitfield)**

Zoning Manager Whitfield presented a brief overview of the Small-Scale Comprehensive Plan Future Land Use Map Amendment and Rezoning. The subject property is located on the north side of Clarcona Ocoee Road, beginning approximately 400 feet east of the intersection of North Clarke Road at Clarcona Ocoee Road, and consists of two (2) parcels totaling approximately 4.29 acres.

The applicants would like to rezone the property from R-1AA (Single-Family Dwelling District) to PUD (Planned Unit Development District). The proposal is to construct two buildings totaling 23,052 SF of commercial space that would comprise uses within C-2 zoning, with primarily retail and restaurant. The applicant is requesting a waiver to reduce the required 10-foot building perimeter landscaping to 5-feet in certain areas to allow for increased pedestrian access and improve the aesthetics of the building. Staff recommends that the Honorable Mayor and City Commission approve the proposed ordinances subject to the conditions that the Land Use Plan be revised to add "Tattoo Establishments" and "Smoke/Vape and Tobacco Shops and Other Like Establishments" to the list of not included uses.

City Attorney Geller read the titles of the ordinances.

The public hearing was opened.

The following person(s) addressed the City Commission:

- **John Bass**, *Ocoee Resident*, voiced his opposition to the project and shared his concerns with traffic accidents at the intersection of Clarcona Ocoee Road and Clarke Road.

The public hearing was closed.

Motion: Move to approve Ordinance No. 2024-30, for Shoppes on the Bluff Small-Scale Comprehensive Plan Future Land Use Map Amendment; Project No. CPA-2024-003, subject to staff's recommendation; moved by Commissioner Oliver, seconded by Commissioner Firstner; Motion carried 5-0.

Mayor Johnson stated that he believes Mr. Bass's main concerns are related to the road's design, which falls under the County's responsibility. He mentioned that he has spoken with Orange County Commissioner Christine Moore multiple times, but no action has been taken so far.

Commissioner Kennedy stated that the motion should include the conditions, as recommended by staff to not include tattoo establishments, tobacco shops, and other like establishments.

Motion: Move to approve Ordinance No. 2024-31, for Shoppes on the Bluff Rezoning; RZ- 24-03-05, subject to staff's recommendation that the Land Use Plan be revised to add "Tattoo Establishments" and "Smoke/Vape and Tobacco Shops and Other Like Establishments" to the list of not included uses; moved by Commissioner Oliver, seconded by Commissioner Wilsen; Motion carried 5-0.

- **PUBLIC HEARING** 6:51 PM

9. Approval of 1 Taylor Street Right of Way Vacation; Project No. VAC-24-36. (Concurrency & Commitment Coordinator McFarlane)

Concurrency & Commitment Coordinator McFarlene summarized the 1 Taylor Street right of way vacation. The request is to vacate and abandon approximately 5,000 square feet of unimproved public ROW. The City does not have plans to use this portion of ROW as a public street.

No objections were received from all applicable utility companies. The Orange County Property Appraiser's Office reviewed the area to be vacated along with the legal description and has no objections. It has stated that no other entities are entitled to the proposed area to be vacated.

City Attorney Geller read the title of the resolution.

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

Commissioner Oliver asked what would be the future use of the property and **Acting Assistant City Manager Rumer** and **Acting City Manager Shadrix** addressed his question.

Motion: Move to approve Resolution No. 2024-11, for 1 Taylor Street Right of Way Vacation; Project No. VAC-24-36, subject to staff's recommendation; moved by Commissioner Wilsen, seconded by Commissioner Firstner; Motion carried 5-0.

10. Approval of HomeTowne Studios Special Exception; Project No. 5-24-SE-032. **(Concurrency & Commitment Coordinator McFarlane)**

Concurrency & Commitment Coordinator McFarlane summarized the HomeTowne Studios special exception, which encompasses a hotel on a 3.71-acre parcel that is part of the Ladybird Academy PUD, to include C-2 zoning uses. In accordance with Permitted Use Regulations Table 5-1, Section 5-8A of Article V, a Special Exception approval is required to place a hotel on property zoned C-2. He summarized the Special Exception criteria reviewed by staff and noted that the applicant is available to answer any questions from the City Commission. **Concurrency & Commitment Coordinator McFarlane** mentioned that the applicant informed City staff of their intention to rebrand the Special Exception from HomeTowne Studios to either Holiday Inn Express or a Holiday Inn Express/Candlewood Studio combination. He further briefed the City Commission on the recommendation from the Planning and Zoning Commission which resulted in a denial of the proposed Special Exception, by a 4 to 1 vote.

Concurrency & Commitment Coordinator McFarlane outlined three options for the Special Exception regarding hotel use on a property zoned C-2, as follows:

Option #1: Approve the Special Exception with conditions. Conditions would be consistent but not limited to maximum duration of stay, minimum rate structure, amenities, etc.;

Option #2: Deny the Special Exception;

Option #3 Continue the item to a future date with or without a date certain.

Russell Maynard, *Central Florida Engineering Consultants*, stated that the change of brand to an IHG Hotel will result in a decrease of rooms; there will be 110 rooms as opposed to 124.

The public hearing was opened.

The following person(s) addressed the City Commission:

- **Kellie Beck**, *Ocoee Resident*, encouraged the Commission to choose option two and deny this special exception, based on the compatibility with nearby properties and the safety and welfare of the surrounding community.

- **Brad Lomneck**, *Ocoee Resident*, suggested including conditions in case the project is revised again, should it be approved.

The public hearing was closed.

Russell Maynard expressed that the applicant is proposing a hotel/studio combo; however, if the extended stay of the Candlewood Studio is truly an issue, then it would solely be a Holiday Inn Express.

Commissioner Kennedy voiced his disapproval of the last-minute revision to the plans and stated that he intends to vote against the special exception request.

Commissioner Wilsen echoed the comments of Commissioner Kennedy.

Commissioner Firstner questioned the definition of extended stay and **Acting Assistant City Manager Rumer** stated that by code, they do not have a definition to provide. **Commissioner Firstner** also echoed the comments of Commissioner Kennedy and suggested denial.

Commissioner Oliver expressed support for the rebranding but agreed with the rest of the City Commission that an extended stay does not align with the area's aesthetics.

Mayor Johnson concurred with previous remarks in denying the request.

Motion: Move to deny HomeTowne Studios Special Exception; Project No. 5-24-SE-032; moved by Commissioner Kennedy, seconded by Commissioner Wilsen; Motion carried 5-0.

- **REGULAR AGENDA** 7:17 PM

11. Centennial Planning Update and Direction. **(Acting Assistant City Manager Rumer)**

Acting Assistant City Manager Rumer summarized the City Commission's July 16th approval to waive the procurement policy, allowing staff to work with the selected marketing and graphic design firms. He noted that three action items will be presented by City staff this evening.

Community Relations Manager Wright presented and summarized the two (2) Centennial Logo concept options for the City Commission to consider. The City Commission briefly discussed the options presented.

Motion: Move to approve logo 'Option B'; moved by Commissioner Wilsen, seconded by Commissioner Kennedy; Motion carried 4-1 with Commissioner Oliver opposing.

Acting Development Services Director/CRA Administrator Corless presented and summarized the proposed time capsule idea. She shared some possible time capsule items, marker inscription options, and the proposed marker location.

Consensus of the City Commission was that they support the time capsule location proposed by staff. Further discussion took place regarding the time capsule contents and inscription options, and the Commission agreed that their names were not necessary on the marker as items such as a proclamation placed in the capsule would include their names.

Principal Urban Designer Parish briefed the City Commission on the downtown mural purpose and proposed location. The mural should consist of vibrant imagery that reflects historic, community-life, natural or environmental elements significant to the City. Selection of an artist will be brought back before the City Commission at a future meeting.

Acting Development Services Director/CRA Administrator Corless summarized the planned centennial events for the upcoming 2025 year, and noted a change she made to the date for the Spring into Conservation event.

• **COMMENTS FROM COMMISSIONERS** 7:44 PM

Commissioner Kennedy – Commented on the following:

1) Suggested that as staff reviews the Land Development Code, they consider enhancing the process, particularly in terms of communication and engagement with the citizens in our City.

Commissioner Wilsen – Commented on the following:

1) Announced that effective tomorrow, Craig Shadrix will be the City Manager.

Commissioner Firstner – No further comments.

Commissioner Oliver – Commented on the following:

1) Shared that he researched an app called "See it, Click it, Fix it", and would like to bring it forward for discussion at a future meeting.

2) Shared that there was a fatality at the intersection of Clarcona Ocoee Road, which has deeply impacted him emotionally. He then asked if staff could draft a letter to the County requesting the installation of a turn signal at this intersection. **Mayor Johnson** advised that he has sent emails to Orange County Commissioner Moore about the issues at this intersection, and a letter can be sent through the City Manager's Office.

3) Shared an inspirational quote.

Mayor Johnson – Commented on the following:

1) Announced the Halloween Howl Night event date, time, and location.

2) Announced the Jolly Jamboree event date, time, and location. He further asked that the Golf Cart Parade be included in the flyer.

3) Expressed concerns about the mowing of City property and semi-trucks parking on City property, noting that the City Manager has informed him that the issue will be addressed.

4) Expressed concern for the families in North Carolina affected by the hurricane and reminded residents that natural disasters can occur at any time.

Acting City Manager Shadrix briefly updated the City Commission on upcoming items for a future meeting, including the Golf Cart Ordinance and the Downtown Master Development Contract. He also mentioned that an appeal regarding staff's denial of the Live Local project on Clarke Road, a quasi-judicial proceeding, will come before the City Commission on November 5th. **City Attorney Geller** advised the Commission not to pre-judge the case until all evidence is presented on November 5th and encouraged them to avoid any ex parte communications related to the project.

Acting City Manager Shadrix announced that, Michael Rumer will be Assistant City Manager effective tomorrow.

5) Announced that a four-way stop is being designed for White Road and Montgomery Road, and will be installed soon.

- **ADJOURNMENT** 7:57 PM

APPROVED:

Attest:

City of Ocoee

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor