

OCOEE CITY COMMISSION

Ocoee Commission Chambers
1 N. Bluford Avenue
Ocoee, Florida

March 4, 2025

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**. **Deputy City Clerk Parks** called the roll and declared a quorum present.

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

Also Present: City Manager Shadrix, City Attorney Geller, City Clerk Sibbitt, Deputy City Clerk Parks

• PRESENTATIONS AND PROCLAMATIONS 6:17 PM

2025 National MS Awareness Week Proclamation read and proclaimed by **Mayor Johnson** and accepted by Therese "Tess" O' Hara, *Vice-Chair to the Orlando Community Council for the National MS Society*.

Black History Month Essay Contest Winners – **Community Event Aide Ochoa** recognized the first-place winners and the overall winner from the participating schools, and the overall winner read their essay. The City Commission each thanked the essay writers and City staff for this contest.

• STAFF REPORTS AND AGENDA REVIEW 6:44 PM

City Manager Shadrix mentioned the new monitors on the dais, stating that there is a 30-day return policy if the City Commission is not satisfied with them. He also provided an update on Fire Station 38, noting that the review committee is set to evaluate the new architectural designs in about a week and a half, with a report to follow for the City Commission. He gave an update on the Law Enforcement Training Center, announcing that the final contract will be presented at the March 18th City Commission Meeting, with the date and time for the groundbreaking to be confirmed afterward. Additionally, he updated the Commission on the Wholesale Reclaim Agreement with Orange County, highlighting new terms the City must meet before October 1st. Staff will present options to the City Commission at a later meeting.

• PUBLIC COMMENTS 6:57 PM

The following persons addressed the City Commission:

- **Dakara Murphy**, *Ocoee High School Girls Basketball Team Captain*, stated that this team made school history this year, by being the first Ocoee High School Girls Basketball Team to make it to the Basketball State Championship Tournament. The team requested funds from

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the City Commission to help with travel expenses for their game this Friday. **Mayor Johnson** asked for a motion to donate \$2,000 from Contingency Funds to the Ocoee Girls Basketball team, for their trip to compete in the State Championship Tournament.

Motion: Move to donate \$2,000 from the contingency fund to the Ocoee High School Girls Basketball Team for their trip to Lakeland to compete in the Basketball State Championship Tournament; Moved by Commissioner Kennedy, seconded by Commission Oliver; Motion carried unanimously.

- **Chris Adkins**, *Ocoee Resident*, addressed the reclaimed water update. He also spoke on the Ocoee Sports Complex and suggested that the developers take on the responsibility of compensating the first responders, due to the potentially significant increase in the need for police and fire. **Mr. Adkins** asked for an update on the golf course and the specific process moving forward. Lastly, he expressed his disappointment in Mayor Johnson's announcement to run for re-election at the end of the last Commission Meeting, stating that the dais is not a place for campaigning. **Mayor Johnson** addressed Mr. Adkin's comments and mentioned an article he read urging residents not to vote 'yes' on the charter amendments on the upcoming election ballot. He encouraged residents to research and get out and vote on the charter amendments.

- **Doug Gomber**, *Ocoee Resident*, expressed his happiness with the completion of Clarke Road. He also spoke on the golf course and urged the City Commission to think about the affordability for the citizens of Ocoee to play golf at Forest Lake Golf Course.

- **Jim Moyer**, *Ocoee Resident*, spoke on issues with the Arden Park HOA and asked the City to look into it.

• **CONSENT AGENDA 7:10 PM**

Consent Agenda Motion

Motion: Move to pull and discuss Consent Agenda Item #1 and adopt Consent Agenda Items #2-11; Moved by Commissioner Kennedy; seconded by Commissioner Wilsen; Motion carried unanimously.

Commissioner Kennedy addressed the Commissioner's comments portion of the minutes, stating that Commissioners have broken the rules and regulations regarding the length of time they are speaking. He requested that, moving forward, the minutes show the specific times each member of the City Commission speaks.

Commissioner Wilsen stated that she does not believe the minutes need to include the times, as the meetings are recorded and taped. She also mentioned that this item did not need to be pulled, as no corrections were necessary.

Motion: Move to include time stamps for each Commissioners' comments on the February 18, 2025, minutes and all City Commission Meeting minutes moving forward; Moved by Commissioner Kennedy; seconded by Commissioner Wilsen; Motion carried unanimously.

1. Approval of Minutes from the Regular City Commission Meeting held February 18, 2025. **(City Clerk Sibbitt)**
2. Approval of Resolution and the Florida Department of Transportation Highway Maintenance Memorandum of Agreement. **(City Engineer Womack)**
3. Approval of Renewal of Service Agreement for Software and Hardware Maintenance and Repair for the Fire Department's Fire Station Alerting System. **(Deputy Fire Chief Van Camp)**
4. Approval of TEAM Equipment Inc. as a Sole Source Provider for Paratech Technical Rescue Equipment. **(Deputy Fire Chief Van Camp)**
5. Approval of Reserve at Lake Meadows Plat; Project No. LS-2024-003. **(Development Engineer Keaton)**
6. Approval of the West Orange Narcotics Task Force Agreement for 2025-2026. **(Police Chief Ogburn)**
7. Approval of the Retirement of Police Canine "Reno". **(Police Chief Ogburn)**
8. Approval for Declaration of City Surplus Property. **(Procurement Manager Tolbert)**
9. Approval to Replace Fuel Dispensers City-Wide and Surplus of Old Equipment. **(Assistant Public Works Director Gajadhar)**
10. Approval of Rush Truck Centers of Florida, Inc., as Single Source Vendor. **(Public Works Director Krug)**
11. Approval of Resolution of Pending Legislation to Provide for New Governing Policy Framework and Land Development Regulations. **(Zoning Manager Whitfield)**

• **FIRST READING OF ORDINANCE** - None

• **SECOND READING OF ORDINANCE – PUBLIC HEARING 7:19 PM**

12. Second Reading of Ordinance Amending Chapter 51, Building Code, Code of Ordinances, Relative to Updated and New Permit Application and Inspection Fees. **(Concurrency & Commitment Coordinator McFarlane)**

Concurrency & Commitment Coordinator McFarlane presented an overview of the Ordinance Amending Chapter 51, Building Code, of the Code of Ordinances, regarding the updated and new permit application and inspection fees. In 2002, the City adopted an ordinance establishing Chapter 51 of the Code of Ordinances, which set the current fee schedule for building and inspection fees. Since then, there has been no significant update to these fees. He advised that the proposed fees have slightly decreased from the first to the second reading, based on information received from other municipalities. **Concurrency & Commitment Coordinator McFarlane** gave a brief overview of Item #13, a resolution to adopt an updated fee schedule for

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fire permits and related fees. He noted that this will ensure fire permitting fees are aligned with building permitting fees.

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 2025-04 for Amending Chapter 51, Building Code, Code of Ordinances, Relative to Updated and New Permit Application and Inspection Fees; Moved by Commissioner Wilsen, Seconded by Commissioner Kennedy; Motion carried unanimously.

• **PUBLIC HEARING - None**

• **REGULAR AGENDA 7:24 PM**

13. Approval of Resolution Adopting an Updated Fee Schedule for Fire Permits and Related Fees. **(Concurrency & Commitment Coordinator McFarlane)**

Concurrency & Commitment Coordinator McFarlane presented this item in conjunction with Item #12. **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.

Motion: Move to adopt Resolution 2025-03 for Adopting an Updated Fee Schedule for Fire Permits and Related Fees; Moved by Commissioner Kennedy, Seconded by Commissioner Firstner; Motion carried unanimously.

14. City Attorney Discussion Regarding the Contract for Purchase of 17.96 acres of City-Owned Property by GPK OET LLC

Mayor Johnson read a brief background summary of the GPK OET LLC contract and expressed his desire to either remove the apartment use from the contract or, if possible, cancel the contract entirely.

City Attorney Geller explained that this issue was initially presented in the summer of 2024, and he and City staff have been reviewing the funds received in relation to the contract. He shared that it appears that not all monies owed under the contract have been paid to the escrow agent. Additionally, GPK OET was required to provide evidence of insurance naming the City of Ocoee as an additional insured, but the City has no record of receiving any insurance certificates. According to the contract, the governmental approval deadline should not have extended beyond June 17, 2022. If the City Commission decides to terminate the contract, there is a 10-day cure period that must be given to GPK OET. Due to conflicting language regarding the deposit, if the contract is terminated, the City should anticipate a claim for the return of the deposit.

Assistant City Manager Rumer provided the history of the contract with GPK OET LLC, explaining that in 2019, the City released an RFP for the property, and GPK was selected. GPK initially proposed developing apartments, but City staff denied the request. They then presented the idea to the City Commission, which approved it. Since the original development plan, several changes have taken place. **Assistant City Manager Rumer** emphasized that staff never intended or anticipated an apartment community being developed on this property.

City Attorney Geller stated that one option is to declare the buyer in default and terminate the contract, allowing them 10-days to cure. Another option is to rescind the previously approved use of the property.

Commissioner Wilsen asked if GPK has walked away, as the financial responsibility has not been fulfilled, and inquired about the last contact the City had with them. **Assistant City Manager Rumer** responded that January 13th was the last communication with GPK, and that GPK is supposed to submit another preliminary site plan for approval any day now.

City Manager Shadrix stated that there have been complications that the City has worked with the developer to address; however, there should be controls in place to prevent developers from proceeding past certain points. He reiterated that this was commercial property, and the multi-family use should be dealt with. **City Attorney Geller** asked if the proper procedures took place with respect to approval of uses in a planned development, first reading of an ordinance, and second reading of an ordinance. **Assistant City Manager Rumer** responded that at the time there was room in the planned development without adding new usages or density, so it was not required. **City Attorney Geller** stated that there are clear instances of non-compliance with the contract and expressed that termination is the best option to consider. **Commissioner Kennedy** noted that at the time, approval for the use was not required, but questioned whether that would change if the project were proposed today. **Assistant City Manager Rumer** responded, explaining that the total density would be assessed.

Motion: Move to declare default of the GPK OET LLC Purchase and Sale Agreement with 10 days to cure the defaults; Moved by Commissioner Kennedy, Seconded by Commissioner Firstner; Motion carried unanimously.

Mayor Johnson announced the upcoming City events for March and April. 7:46 PM

• **COMMENTS FROM COMMISSIONERS 7:48 PM**

Commissioner Oliver – Commented on the following: 7:48 PM – 7:52 PM

- 1) Announced that Clarke Road is complete and open.
- 2) Commented on the Civility Code and addressed a remark that was made by the Mayor toward his spouse that he felt warranted an apology as misinformation was shared.

7:52 PM – 7:53 PM **Mayor Johnson** addressed the request for an apology and shared information he received from a member of the Ocoee Woman's Club. He also commented on

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the defamatory remarks directed at the City Commission as published in a local article. **Clock was stopped for one minute at 7:54 PM at the Mayor's request**

Commissioner Wilsen – Commented on the following: 7:55 PM – 7:57 PM

- 1) Announced the Shred to Protect event being hosted by the Ocoee Police Department, Ocoee Lions Club, and Ocoee Woman's Club.
- 2) Commented on the success of the Spring into Conservation event that was held this past weekend.
- 3) Asked to defer her remaining time to the City Attorney to explain the three Charter Amendment questions on the current ballot.

7:57 PM Mayor Johnson announced a request from the American Asian Heritage Council to waive rental fees to host their Annual Asian Cultural Festival at the Ocoee Lakeshore Center.

Motion: Move to approve waiving the Ocoee Lakeshore Center rental fees for the American Asian Heritage Council's 2025 Annual Asian Cultural Festival; Moved by Commissioner Wilsen, Seconded by Commissioner Kennedy; motion carried unanimously.

7:58 PM - 8:03 PM City Attorney Geller read and clarified the three City Charter Amendments that will appear on the upcoming election ballot.

Commissioner Kennedy – Commented on the following: 8:03 PM – 8:08 PM

- 1) Commented on the adoption of the City Commission Rules and Regulations, noting that they are not being properly followed. He thanked the City Attorney for providing the Charter section that states the City Commission is responsible for determining the eligibility of its members. He mentioned that when the Mayor stated during last month's comments that the Charter had changed and that he had been informed he could run for a fourth term, the Mayor initially said this information came from the City Clerk and City Manager but later clarified it was from the City Attorney. He emphasized that this matter should have been brought before the City Commission. He also referenced a memorandum from the City Attorney and an article announcing the Mayor's intention to run again in 2027. He further explained that he had requested the charter amendments as a purpose to clarify the rules so that any questions are addressed in a public forum before the City Commission, rather than through staff.

Mayor Johnson – Commented on the following: 8:08 PM – 8:13 PM

- 1) Asked the City Manager to explain how he was made aware of the Charter section regarding term limits. **City Manager Shadrix** shared that he did not make any determination on election law but did inform the Mayor of the discussion that was had with the City Attorney on the request from another Commissioner about their final term. He voiced that neither himself nor the City Clerk ever made an interpretation regarding the Charter. **City Attorney Geller** read the language from C-26 of the Charter which allows him to make an opinion on any question of law affecting the City and he was asked to interpret C-11 of the Charter. **Commissioner Kennedy** asked for a point of order and asked the City Attorney if C-26 is to advise the City Commission. **City Attorney Geller** answered in the affirmative and explained that he can

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advise the City Commission by way of public forum or by way of memorandum which he did. **Commissioner Wilsen** affirmed that any member of the City Commission can approach him privately for interpretation. She further voiced the unprofessionalism of the City Commission this evening and apologized to the members of the public.

Commissioner Firstner – No further comments. 8:14 PM

• **ADJOURNMENT 8:14 PM**

APPROVED:

Attest:

City of Ocoee



Melanie Sibbitt, City Clerk



Rusty Johnson, Mayor