

City of Bowling Green

Minutes of Regular Meeting

August 14, 2018

Present: Mayor Fite, Vice-Mayor Spinks, Commissioner Durastanti, Commissioner Lunn, Commissioner Tucker, City Manager Conerly, Police Chief Scheel, City Clerk Silva, Attorney Buhr, Public Works Supervisor Prine, and members of the audience.

Absent: None

1. **Call to order** – The meeting was called to order by Mayor Fite.
2. **Prayer** – Commissioner Tucker
Flag Salute – Mayor Fite
3. **Old Business**
 - a. **Approval of Minutes**
 - 1) Regular Meeting 07/10/2018
A motion to approve was made by Vice-Mayor Spinks and was seconded by Commissioner Durastanti. All in favor, motion carried.
4. **New Business**
 - a. **Ordinance No. 2018-05**

AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOWLING GREEN FOR ONE PARCEL OF LAND CONSISTING OF APPROXIMATELY 2.2 ACRES FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTIPLE FAMILY RESIDENTIAL) LOCATED AT 4219 CHURCH AVENUE (PARCEL NUMBER 0433-25-0010-00040-0007); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. 1st Reading

Attorney Buhr read Ordinance 2018-05. Marissa of the Central Florida Regional Planning Council introduced Ramon Ramos, their newest planner. She stated that this was the 1st reading of a re-zoning application. The intended re-zone is from an R-1 (single family residential) to an R-3 (multi-family residential). This is one parcel split by a Right-of-Way. Marissa went over the zoning map and subject property. 2nd reading and public hearing will be on September 11th. Vice-Mayor Spinks asked if there were utilities located in the right-of-way. There are none. Don Chancey of Chancey Design Group, 225 S. Florida Avenue in Wauchula, stated that he is currently dealing with the fire department. Commissioner Durastanti made a motion to approve. Motion was seconded by Vice-Mayor Spinks. Roll call vote, all in favor, motion carried.
 - b. **Ordinance No. 2018-06**

AN ORDINANCE VACATING AND CLOSING AN UNDEVELOPED ALLEY RIGHT OF WAY IN THE CITY OF BOWLING GREEN, FLORIDA DESCRIBED AS THAT PLATTED ALLEY RUNNING N & S THROUGH BLOCK 40 OF BOWLING GREEN RR SURVEY 04 33S 25E 547P620 591P491 629P298 IN THE PUBLIC RECORDS OF HARDEE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. 1st Reading

Attorney Buhr read over Ordinance 2018-06. City Manager Conerly stated that Mr. DeLaTorre is requesting that the alley be closed to utilize the property to the maximum.

Vice-Mayor Spinks made a motion to adopt. Commissioner Tucker seconded the motion. Roll call vote, all in favor, motion carried.

c. Bids for the Demolition of the Thrift Store Building, 4709 Central Avenue

City Manager Conerly mentioned that no bids were received during the bid period. He stated that he received a quote through e-mail today for \$4,850.00 from Moore's Dirt Masters. He stated that he needed to get with David Moore to see if the quote includes the concrete slab under the building. Mayor Fite made a motion to accept with confirmation of whether or not the concrete slab is included. Vice-Mayor Spinks seconded the motion. Roll call vote, all in favor, motion carried.

d. Bowling Green Recreation Committee – Proposal for the City of Bowling Green to sponsor a Family Fun Day at the Centanino property

Jean Kelly, Co-Chair of the Recreation Committee, stated that they wanted to incorporate a Family Fun Day on the same day as their Fall Festival. She stated that Mr. Gerald Knight would be coordinating the event which is to be held that morning to end around noon. The Fall Festival would then take place around 4pm that same day, Saturday, October 20th. The morning event will include a canoe floatilla along with a bicycle rodeo and a golf cart rally. Canoes and golf carts will be available for rent. Mrs. Kelly also mentioned that Mr. Joles of the YMCA attended their meeting and will be helping them bring soccer to Bowling Green. Gerald Knight of 205 Lake Branch Road discussed the different activities that will be taking place that morning and the fees involved. There is a \$5 entry fee for the canoe race. Golf carts are available for \$15/hr. for a 2-seater and \$20/hr. for a 4-seater. He stated that there will also be drawings and prizes. You must be present to win. He also stated that there will be no music. Mayor Fite made a motion to allow and waive the noise ordinance if needed. Vice-Mayor Spinks seconded the motion. Roll call vote, all in favor, motion carried.

e. Consider Adopting Rules and Procedures to Provide for Members of the Public to be Heard at Public Meeting in Compliance with s.286.0114, f.s.

Attorney Buhr stated that he sent a draft a while back to adopt Rules of Order for the Commission meetings. City Manager Conerly stated that he only recalls a reference. Attorney Buhr stated that he would put something together and send it to the City.

f. Chuck Dixon – Resignation Requests

Chuck Dixon, 5123 Epps Avenue, stated that he believes there have been unnecessary traffic stops by the City's police department. He described some incidents and stated that he met with the Police Chief. He had no badge number or name for the officer and there are no police reports for the incidents. He then asked for the resignation of the Police Chief based on claims of harassment. The commission asked Police Chief Scheel if he had anything to say. Chief Scheel stated that he never met with or talked to Mr. Dixon. He stated that if Mr. Dixon would have been stopped by any of his officers that he would either get a ticket or a written warning. He stated that everything is videoed. He also stated that Mr. Dixon has not lived at the Epps address for a while now, about two years ago. With no reports or activity log the commission did not take any action on this item.

g. Utility Easement Obstructions in Branch Park, MHP

City Manager Conerly mentioned that the meter readers have been having problems in the Branch Park area. Over the years people have encroached into the 15 ft. utility easement and it is creating a serious problem. He produced some pictures of the area. He also provided the Commission with a copy of Ordinance 2007-07, which is the utilities ordinance, which states the meter reader's right to have access. It also states that if an obstruction is brought to the owner's attention and the owner doesn't do something about it, then the City has the right to do something about it and costs can be redirected to property owners. He asked if the Commission would like to pursue clearing the right-of-way being that it also contains manholes and a truck wouldn't be able to get through there if there were ever to be a sewer problem. Vice-Mayor Spinks asked if there would need to be a survey of the area. City Manager Conerly responded that yes, if they wished to pursue then there would have to be a survey to have definite proof of encroachment. Attorney Buhr asked City Manager Conerly to get with him to discuss this matter. Mayor Fite suggested addressing this all over town. City Manager Conerly agreed but recommends to do it in phases. Attorney Buhr agreed that the City should first address the problem area and then move on to the other areas in the City. Vice-Mayor Spinks asked City Manager Conerly to get with Attorney Buhr and come back to the Commission with a plan.

5. Mayor Fite

Mayor Fite asked for an update on the paving. City Manager Conerly responded that there will be a preconstruction meeting next week or so. Mayor Fite mentioned the FLC Annual Conference which will take place this week. He also stated that he is looking forward to the Recreation's activities. He asked about the budget. City Manager Conerly stated that he would like to plan a budget workshop for August the 28th at 6:00pm. Attorney Buhr mentioned that the 28th was Election Day. The date was set for August 27th at 6:00pm.

6. Commissioners

Commissioner Durastanti stated that he was thankful for the quality of the City employees. Vice-Mayor Spinks stated that Hardee County resident Jane Long passed away. He also mentioned that he had the unpleasant task this month to investigate an anonymous letter that was brought to the commission with several allegations against some of the City employees. He read a summation of his findings and provided all commissioners with a copy. In his letter he mentioned that the Herald Advocate violated their own policy by publishing parts of the anonymous letter and did not contact him, although they knew he was investigating the matter, to see if there was any truth to those allegations. Upon completion of his investigation and as mentioned in his summation, Vice-Mayor Spinks stated that the inquiry finds that there was no wrongdoing on the part of any of the City's employees and suggested that in the future citizens bringing the allegations take the matter to an investigative agency. There was no further discussion. Commissioner Lunn stated that the City is looking really good and he enjoys seeing the construction.

7. City Attorney

Nothing to discuss.

8. City Manager

City Manager Conerly discussed the disposition of the Methodist Church property. They have a contract with Thomas Trevino to use it as a daycare. The cemetery is excluded

from the contract. They paid for the maintenance of the cemetery. They asked if the City Commissioners would consider a lump sum of \$40,000 to maintain the cemetery. He stated that it would only cover 10 years. He then read his letter of resignation to the City Commissioners. His last day with the City will be on May 29th, 2019 or until a new City Manager is hired. Mayor Fite asked for an update on the generators. Commissioner Tucker thanked City Manager Conerly for everything he has done.

9. Police Chief

Nothing to discuss.

10. City Clerk

Mayor Fite stated that he would be sending a link to be added to the website for Duke Energy.

11. Public

Jim Kelly thanked Jerry for everything. He stated that good City Managers are hard to come by.

Mayor Fite adjourned the meeting.

Robert S. Fite Jr., Mayor

Maria Carmen Silva, City Clerk