

CITY HALL, SEBRING, FLORIDA, June 5, 2018

Minutes of regular meeting of Council held this date.

PRESENT: John Shoop, Mayor; Charlie Lowrance, President Tom Dettman, Pro-tempore; Lenard Carlisle, Scott Stanley and Mark Stewart, Councilmembers; Bob Swaine, City Attorney; Scott Noethlich, City Administrator and Kathy Haley, City Clerk.

The invocation was given by Mayor Shoop followed by the Pledge of Allegiance.

Mayor Shoop reported that the City has received a proposal from Pyro Display Company to do a \$20,000.00 firework show. The show will be almost the same as they did last year.

Moved by Carlisle, seconded by Stanley and the unanimous vote of Council to authorize Mayor Shoop to enter into a contract with Pyro Display and if contributions exceed expectations to adjust contract for a larger show.

Mayor Shoop reported CRA Executive Director, Kristie Vasquez, would like a workgroup put together to discuss downtown economic development and revitalization. Mayor Shoop stated that CRA Chairman David Leidel has already agreed to serve on the workgroup and the Mayor is suggesting that Scott Noethlich, Bob Hoffman, Kathy Haley and himself sit in on these discussions and highlight different items to bring back to a joint workshop with the Council and the CRA Board. The Council agreed with this concept.

Mayor Shoop stated that the Harder Hall group was in town recently and went before the County Commissioners to discuss a \$45 million dollar bond. Mr. Shoop stated this is investor driven and neither the City nor County would be held responsible for this bond. The County Commission approved for the group to move forward in pursuing the

bond.

Councilman Carlisle commended all of our department heads for the great job they do.

President Lowrance presented the consent agenda items. Councilman Stanley asked that agenda item 8D be pulled for discussion. The remaining items presented for approval were: minutes from Council's regular meeting on May 15, 2018 and special meeting on May 24, 2018; announcement of upcoming meetings from June 8 – June 19, 2018; approve abandoned accessory structure at 1805 Roseland Avenue for demolition, accept low bid as presented and instruct the City Attorney to place a special assessment and/or lien on the property for demolition cost; approve the Police Department's request to declare Lt. Bruce Crum's duty weapon as surplus and present it to him as a retirement gift; approve Resolution 2018-09 for the fireworks show contributions as presented; designate Councilman Carlisle as Sebring's voting delegate to the annual Florida League of Cities Conference; approve Nut N' Fancy Grillin as a food vendor at the July 4th event as presented and authorize staff to approve other vendors as appropriate upon providing Certificate of Liability Insurance; approve extension of sick time for Randy Swain through August 10, 2018.

Moved by Carlisle, seconded by Stanley and with the unanimous vote of Council the consent items were passed.

Councilman Stanley asked for discussion on Agenda Item 8D – having to do with the wavier of Civic Center fees and use of parking lot for the Chamber of Commerce Business Expo. Mr. Stanley asked Ms. Liz Barber, CEO of the Chamber of Commerce, if the Chamber was receiving money from the vendors to setup a space in the Civic Center.

Ms. Barber stated yes and explained this event is a fundraiser for the Chamber. Mr. Stanley stated this is a cost to the City for them to use the building when the Chamber is receiving money.

Moved by Stanley to approve as presented but not to waive the fees. The motion died for lack of second. Council further discussed this issue. Ms. Barber was asked if she looked at other facilities. Ms. Barber stated she had looked at the Agri-Civic Center but wanted to keep the event downtown. Ms. Barber stated she also looked at the Highlands News Sun Center but the fees were too high. Mr. Carlisle stated he would like the event to remain downtown. Mr. Dettman agreed. Ms. Barber stated she was trying to get the fees waived or lowered to use the Highlands News Sun Center for perhaps next time.

Moved by Dettman, seconded by Stewart and with Dettman, Stewart and Lowrance voting aye and Carlisle and Stanley voting nay, the motion passed to approve request as presented.

Mr. Noethlich reported that over the years, rain and groundwater have created significant drainage problems in the Chloe Terrace development that have contributed to the degradation of the swales, driveways and the City street. The drainage ditches have filled in naturally over time or have been altered by homeowners creating water conveyance issues. Also, the galvanized steel culverts beneath the driveways have deteriorated to a point where the driveways have begun to collapse at several of the properties. Staff asked Cool and Cobb Engineering to produce a drainage report that would give a brief history of the area and help develop a solution to the problem. Mr. Carl Cool came before Council to explain the history of the subdivision. Mr. Cool stated

this is a City maintained road. Mr. Cool gave four options with an associated cost. Mr. Dettman asked about the culverts. Mr. Cool stated he recommends a solid black plastic “end 12” with a minimum of 12 inches if that meets City standards. Mr. Carlisle asked if we still need the swales if we use drain tiles. Mr. Cool stated yes and explained. Mr. Lowrance stated he has seen the black plastic and has found roots get in it. Mr. Cool stated he has seen that also but feels if the pipes are deep enough the life expectancy is much longer. Mr. Cool stated he has seen this type working for 20 years without getting stopped up and should last 100 years. Mr. Lowrance stated he would like to do the underground option. Mr. Cool stated if you do this option you will not have to get a permit and may not need an engineering report if it is put back like it was. Mr. Scott Fisher of 1331 Chloe Terrace, stated he supports Mr. Cool’s suggestions and stated if swales are fixed and you don’t underdrain it won’t be controlled. Mr. Fisher stated he is worried in the long run if the underdrain is not done the road is going to collapse and suggested maybe cleanouts could be added along with regular maintenance. Ms. Gail Gillotti of 1326 Chloe Terrace, stated the road has been fixed three times and it will start sinking again. Ms. Gillotti stated they have put French drains in twice and that they get a lot of drainage off of U.S. 27. Mr. Phil Gilroy, 1327 Chloe Terrace, stated each time the pipes has been dug up they were full of sand. Mr. Gilroy also discussed the manholes in his and Ms. Gillotti’s yard. Mr. Cool stated he believes those manholes are for sewer. Mr. Dettman asked if either of the manholes have anything to do with the drainage situation. Mr. Cool stated a little but not much. Mr. Cool stated if you do not want water getting into your stormwater then all utilities will have to be located. Mr. Stewart asked if the cleanouts are viable. Mr. Cool stated yes and that can be done and the City’s

sanitary sewer pipe may be able to do that. Mr. Stewart asked Mr. Noethlich if it is the City's responsibility to keep the swales clean. Mr. Noethlich stated the City made a commitment years ago to clean the swales. Mr. Lowrance asked how far would the underground pipes be. Mr. Cool stated approximately four feet deep to get away from the grass roots and to drain better. Mr. Dettman stated he would like the homeowners to sign a legal agreement that they will do their driveways as recommended. Mr. Cool stated he would prefer one contractor to do the work so it would all be done the same and the homeowner could pay the contractor directly. Mr. Cool stated about six driveways will be affected. Council further discussed. Mr. Stewart felt that the City should be more on the hook for the cost since we were responsible for keeping the swales clean. Mr. Stanley stated this could cost around \$60,000.00. It was asked to the homeowners if the City paid for the work would they pay for the portion of pipe at the culvert. The homeowners in the audience stated yes they would be agreeable to that and were very appreciative.

Moved by Dettman, seconded by Carlisle and with Carlisle, Dettman, Stewart and Lowrance voting aye, and Stanley voting nay, the motion passed to do the swales with the recommended cleanouts, the homeowner agreeing to pay for the plastic culvert pipe going under their driveway, paying up to \$10,000.00 for Cool & Cobb to do the engineering and a single contractor be hired to do all of the work with money coming from infrastructure.

Mr. Bob Funk of 3322 Golfview Road came before Council to discuss Golf Course Hole #13. Mr. Funk stated that trees that used to protect their house from flying golf balls were damaged in the hurricane and now they have golf balls coming in their

yard and he is concerned for the safety of he and his wife. Mr. Funk stated he has met with City staff and the City Attorney and feels he has not gotten anywhere. Mr. Funk stated he feels the City is liable by not addressing this issue. Mr. Funk presented pictures of the issue and stated he would like bushes planted at the t-box on the 13th tee. Mr. Noethlich stated he and the Golf Course Consultant met with Mr. Funk and thought about narrowing the t-box on the left hand side. Mr. Noethlich reported that in discussing this with Golf Course Superintendent Mark Hopkins and Golf Pro Kim Darrow they did not feel this would resolve the issue. Mr. Lowrance stated we need to look more into this and see if there is a reasonable solution. Attorney Swaine stated that the law is clear that it is not the responsibility of the land owner (the City) since Mr. Funk moved there with the golf course already being there and the course has not changed. Mr. Funk stated these are not errant shots and feels the golfers are deliberately shooting the golf balls in his yard. Mr. Dettman stated we need to look at narrowing the tee or planting bushes. Mr. Noethlich stated he doesn't know if this will resolve the issue if the golfer is still trying to make a difficult shot. Mr. Dettman stated he would like to try the bushes to see if it helps. Mr. Lowrance stated he would like to talk further to the golf personnel to hear their side.

Ms. Cindy Rodriguez, representing Southwest Florida Water Management District, came before Council to introduce herself. Ms. Rodriguez gave an update on the lakes and aquifers and stated we still have a lot of rain coming and expect to have a rainy Winter and Spring. Ms. Rodriguez stated that the cooperative funding initiative applications are due in October.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF STONERIDGE SUBDIVISION LYING IN SECTION 19, TOWNSHIP 34 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA TO REDUCE THE SIDE SETBACK REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE was read.

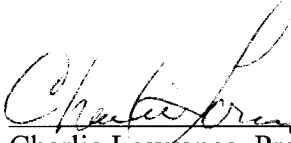
Moved by Carlisle, seconded by Stewart and the unanimous vote of Council to approve Ordinance #1429 on 1st reading; refer to the City's Planning & Zoning Board for Public Hearing and recommendation and schedule 2nd and final reading for June 19, 2018.

The City bills were presented for payment as follows:

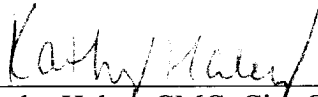
General Fund	\$ 64,499.17
CRA	\$ 4,356.00
Infrastructure	\$ 73,782.10
Water & Wastewater	\$580,270.98
Solid Waste	\$ 11,894.39
Golf Course	\$ 53,557.77
P-Card	\$ 76,513.10

Moved by Carlisle, seconded by Dettman and with the unanimous vote of Council, the motion passed to approve the paying of the bills as presented.

There being no further business, the meeting was adjourned.


 Charlie Lowrance, President

ATTEST:


 Kathy Haley, CMC, City Clerk