

CITY OF MONTICELLO, FLORIDA
City Council Regular Meeting

LOCATION OF MEETING:
Jefferson County Courthouse Annex
435 W Walnut Street
Monticello, FL 32344

NOTE: This public meeting will be conducted as an in-person only meeting. Per Monticello City Council Resolution 2020-08, all meeting participants shall wear a face covering over their nose and mouth at all times while they are in the building and are asked to abide by social distancing guidelines as recommended by the CDC.

AGENDA
January 5, 2021 7:00 p.m.

1. Call to Order by Mayor John Jones (Please turn off or mute noise-making devices)
2. Invocation
3. Pledge of Allegiance
4. Public Comment
5. Approval of Council Minutes of 11/10/2020
6. SHOW CAUSE HEARING -
RESOLUTION 2020-15 A RESOLUTION DECLARING A PUBLIC
NUISANCE AT 345 N. OLIVE STREET WITHIN THE CITY OF
MONTICELLO, FLORIDA AFTER A SHOW CAUSE HEARING;
REQUIRING ABATEMENT OF THE NUISANCE WITHIN A CERTAIN
TIME; AUTHORIZING ABATEMENT BY CITY FORCES; PROVIDING FOR
THE RECOVERY OF ABATEMENT COSTS AS A SPECIAL ASSESSMENT
AGAINST THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE
7. City Attorney Reports
*Suggested Modifications to the City Procurement Code
*Possibility of Issuance of a Continuing Paving Contract

8. Old Business
9. New Business
10. Reports from Committees and Departments
 - *Bruce Leinback, City Attorney
 - *Fred Mosley, Police Chief
 - *Raymond Clark, City Manager
 - *Emily Anderson, City Clerk
 - Arbor Day Proclamation
11. Council Member Reports
12. Election of 2021 Mayor and Vice-Mayor
13. Appointment of City Representatives –
 - *Chamber of Commerce Board
 - *Community Traffic Safety Team
14. January Meetings/Workshops
15. Adjournment

Minutes of the City Council meetings may be obtained from the City Clerk's Office or online at www.cityofmonticello.us. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be borne by the requesting party.

Persons who wish to appeal any decision made by the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Mayor through the City Clerk's office no later than 5:00 P.M. on the day prior to the meeting

**PROTOCOL FOR ADDRESSING THE COUNCIL
(Resolution 2020 – 07)**

Members of the public shall be given a reasonable opportunity to be heard on each agenda item, and other matters coming before the City Council, except as provided for below. This right does not apply to:

- A. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Council to act;
- B. An official act involving no more than a ministerial act, including, but not limited to, approval of Minutes and ceremonial proclamations;
- C. A meeting that is exempt from Sec. 286.011, Florida Statutes; or
- D. A meeting during which the Council is acting in a quasi-judicial capacity.

REQUESTS TO ADDRESS THE CITY COUNCIL

Any person or group desiring to be placed on the agenda, any individual desiring to make a comment at a City Council meeting on an agenda item or other matter coming before the City council, and any individual who wishes to address the Council on any other matter may do so.

- A. **Placement on the Agenda.** Any person or group desiring to be placed on the agenda for a City Council meeting shall deliver a written request to the City Clerk by 4:00 p.m. at least eight (8) days prior to the meeting. The request shall include:
1. the name and address of the person making the request;
 2. the organization or group, if any represented;
 3. the information to be presented. If written material is to be passed out at the meeting, a copy of such material shall accompany the request;
 4. an estimate of the time necessary for such presentation and discussion and discussion and action thereon;
 5. the specific action which the individual or group wants the Council to take
- B. **Agenda Item.** Any individual desiring to be heard on an agenda item may do so at the time the Council addresses that matter.
- C. **Public Comment on Non-Agenda Item.** Any interested person may, upon signing the sign-up sheet in the room prior to the commencement of any City Council meeting, address the Council during the Public Comment portion of the meeting on any matter which is not on the agenda. The Council will not be obligated to act on any matter which is not on the agenda.

ADDRESSING THE COUNCIL

Each person addressing the council shall give his/her name and address in an audible tone of voice for the record.

Each speaker shall limit his/her address to three (3) minutes, with the presiding officer having the right to extend the time for one (1) minute. Additional time may be granted by majority vote of the Council. A speaker may not give up all or any portion of his or her time in order to allow another speaker to exceed three (3) minutes.

If four (4) or more individuals of a group or faction wish to be heard on a matter before the Council, a representative may address the Council rather than all of the members. In such instances, the representative shall limit their address to ten (10) minutes.

All remarks shall be addressed to the Council as a body, and not to any member thereof. No remarks shall be directed to any other individual City official or employee.

No person, other than members of the Council, and the person having the floor shall be permitted to enter into any discussion, either directly or through the members of the Council. When requested by any member of the City Council, the City Clerk-Treasurer, City Manager, City Police Chief, City Attorney, as well as staff members may enter into any discussion.

No questions shall be asked of the members of the City Council, except through the presiding officer. The City Clerk-Treasurer, City Manager, City Police Chief and the City Attorney may as the presiding officer for permission to speak at any time.

DECORUM

All participants, speakers and any other persons present at a meeting shall refrain from belittling anyone or making insulting remarks or personal attacks on any individual present or absent. Any person disrupting a meeting by making personal, impertinent or slanderous remarks, or who interrupts a person speaking, or becomes boisterous or uses profanity or other offensive language while addressing the Council, may be requested to leave the meeting and may be forthwith barred by the presiding officer from returning to the meeting. Any person who refuses to leave the meeting after being requested to do so by the presiding officer, shall be removed from the meeting by law enforcement.

Any personal charges to be made against an individual council member or city employee shall be in affidavit form. If any information is to be presented that is in the form of a statement or charges that might be considered derogatory or of a serious nature, such shall be presented in writing and shall specifically state the charges in the form of an affidavit, with copies sufficient in number so that one copy may, and it shall, be sent at once to each such member or employee. Neither this rule nor any other shall preclude the right of any citizen to address the Council; however, the Council will not be obligated to act on any proposal not on the agenda.

The City Council of the City of Monticello, Florida, met in regular session at the Jefferson County Courthouse Annex on November 10, 2020 at 7:00 p.m.

The following members were present:

John Jones, Mayor
Troy Avera
Gloria Cox
Julie Conley
George Evans

Others present were:

Raymond Clark, City Manager
Fred Mosley, Police Chief
Emily Anderson City Clerk
Bruce Leinback, City Attorney

Mayor John Jones called the meeting to order and noted attendee participation instructions established by Resolution 2020-08 due to the COVID-19 health emergency. City Attorney Bruce Leinback offered an invocation, and Mayor Jones led the Pledge of Allegiance.

RECOGNITION OF JOHN JONES FOR 20 YEARS OF SERVICE AS ELECTED MUNICIPAL OFFICIAL Vice-Mayor Troy Avera presented Mayor Jones with a framed Resolution from the Florida League of Cities recognizing his 20 years of service as an elected legislative official.

Vice-Mayor Avera also noted a 2020 Community Excellence Award and a 2020 Community Resilience Award presented to the City from the Northwest Florida League of Cities.

PUBLIC COMMENT

***Michelle Arceneaux** discussed the upcoming Downtown Christmas Event sponsored by Main Street Monticello and special COVID-19 public safety considerations to be instituted.

CONSENT AGENDA

***Approval of Council Minutes of 10/6/2020**

***Approval of Temporary Street Closures for Downtown Christmas Procession**

On motion of Troy Avera, seconded by Julie Conley, the Council voted unanimously to approve the Consent Agenda items.

SUNCOAST CONNECTOR TOLL ROAD UPDATES

***Updates from Project Representatives**

Project Representative Greg Garrett reported that the Task Force has completed its report, adopting 13 guiding principles. The report will be submitted to the Governor and Cabinet. Mr. Garrett noted that the next phase of the project will include corridor planning, environmental evaluations, and traffic studies. There will be additional public meetings as project planning progresses. Maps should be developed by the end of 2021.

RESOLUTION 2020-14 A RESOLUTION IDENTIFYING CERTAIN PROPERTY WITHIN THE CITY OF MONTICELLO AS A THREAT TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY PURSUANT TO CHAPTER 38 OF THE MONTICELLO CITY CODE; PROVIDING FOR A HEARING DATE TO DETERMINE WHETHER THE AFFECTED PROPERTY SHOULD BE FOUND TO BE A PUBLIC NUISANCE; PROVIDING NOTICE TO THE OWNER AND MORTGAGEE(S) OF THE PROPERTY OF SAID HEARING DATE; PROVIDING FOR AN EFFECTIVE DATE

-345 N. Olive Street

The Clerk read the title of the Resolution. City Attorney Leinback took testimony of the City Manager of property conditions and the inspection reports of the City and the Jefferson County Building Inspector. City Manager Clark testified that the nuisance conditions of the property requires abatement under Section 38 of the Code of Ordinances. On motion of Julie Conley, seconded by George Evans, the Council voted unanimously to adopt Resolution 2020-14.

APPOINTMENT OF LOCAL PLANNING AGENCY MEMBER

On motion of Julie Conley, seconded by Troy Avera, the Council voted unanimously to appoint Bob Canter to fill the vacancy on the Local Planning Agency.

TERM EXTENSIONS FOR HISTORIC DESIGN REVIEW BOARD On motion of Troy Avera, seconded by George Evans, the City Council voted unanimously to re-appoint Tom Isphording, Donna Skelton, Susan Rissman, and W. D. Merritt to additional four-year terms on the Historic Design Review Board.

COUNCIL MEMBER REPORTS

***Council Member George Evans** thanked Chief Mosley for department assistance during food drives.

Council Member Evans also noted issues reported by the public on the bump-outs on U.S. 90. City Manager Clark reported there has been a meeting with some citizens and DOT officials.

Council Member Cox reported she would like to revive the community improvement committee.

Council Member Avera reported on Florida League of Cities Legislative Committee discussions and priorities.

Council Member Avera also asked if the City could do an RFP for ongoing paving services so that would be a vendor in place for paving project opportunities when contractors are already working within the city. City Attorney Leinback agreed to review the state statutes and procurement policy.

Mr. Avera also reported on the Veterans Day events and noted that there are several problem areas with the new bump-outs.

NOVEMBER MEETINGS / WORKSHOPS

The budget committee will meet on December 1st at 10:00 a.m.

With no further business, on motion of Troy Avera, the meeting was adjourned.

Respectfully submitted,

Emily Anderson
City Clerk/Treasurer

Mayor

NOTE: These proceedings were digitally recorded.

RESOLUTION 2020-15

A RESOLUTION DECLARING A PUBLIC NUISANCE AT 345 N. OLIVE STREET WITHIN THE CITY OF MONTICELLO, FLORIDA AFTER A SHOW CAUSE HEARING; REQUIRING ABATEMENT OF THE NUISANCE WITHIN A CERTAIN TIME; AUTHORIZING ABATEMENT BY CITY FORCES; PROVIDING FOR THE RECOVERY OF ABATEMENT COSTS AS A SPECIAL ASSESSMENT AGAINST THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on November 10, 2020, pursuant to Resolution 2020-14, the City Council of the City of Monticello identified and declared a threat to the health, safety, and general welfare of the community due to conditions located at 345 N Olive Street, Monticello, Florida, said property being more specifically described as

345 N Olive Street, Monticello, Florida
Parcel I.D. #00-00-00-0360-0000-0830

WHEREAS, the apparent title holders/owners of such property, specifically, Victoria A and James M Crockett, 6402 Chimney Creek Circle, Unit A, Austin, TX 78723 were served notice of Resolution 2020-14 by publication in the Monticello News / Jefferson Journal on December 2, December 9, December 16 and December 23, 2020; and

WHEREAS, a show cause hearing was held on January 5, 2021 at which time the property owner was given an opportunity to present all evidence and argument as to why such condition(s) should not be declared a public nuisance; and

WHEREAS, on January 5, 2021, the property owners failed to appear and show cause why the condition should not be designated a public nuisance; and

WHEREAS, pursuant to Chapter 38, Monticello City Code, the City Council shall set a reasonable time for the condition to be abated; and

WHEREAS, should the property owners fail to abate the nuisance within the time set forth herein, the City, without further action of the City Council, is hereby authorized to abate the nuisance with City forces or an independent contractor and record the costs of abatement as a special assessment against the property;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTICELLO THAT:

Section 1. Conditions exist on the subject property, which violate Monticello City Code Section(s) 38-35(1), 38-35(2), 38-35(3), 38-35(4) and 38-35(5), and 38-35(12) more fully described as a lot containing debris, trash, overgrown grass and weeds, dead plant life, and underbrush, and buildings in unrepairable condition, all of which are a hazard for children and the community.

Section 2. A reasonable time to abate said nuisance by **clearing the underbrush, cutting the grass and weeds and removing the trash and dead plant life from the property and removing and properly disposing of the two dilapidated structures is not later than February 5, 2021.** When or if the property owners abate the nuisance as directed herein, in order to prevent further action by the City, **it is the responsibility of the property owners to contact the City of Monticello in writing and request a re-inspection of the property.** If it is found upon re-inspection that the nuisance has been abated as directed herein, no further action will be taken by the City and this matter will be dismissed.

Section 3. In the event the property owners have not abated the nuisance and not requested a re-inspection by the date set forth herein, the City may abate the nuisance and the cost of abatement shall be charged against the subject property described herein. Further, pursuant to Chapter 38, Monticello City Code and all other applicable law, such costs shall

constitute a special assessment against the real property. Such special assessment lien shall be coequal with the lien of all state, county, district, and municipal taxes and superior to mortgages and all other liens, irrespective of the date of recording. A failure to pay said assessment, even upon homestead property, may be collected pursuant to any manner specified by law and may result in a loss of title to the property.

Section 4. In the event any specific provision of this Resolution is found invalid, it shall not affect the validity of the remaining provisions.

Section 5. This Resolution becomes effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Monticello, Florida, this 5th day of January, 2021.

CITY COUNCIL
CITY OF MONTICELLO

ATTEST:

By: _____

Mayor

Emily Anderson
City Clerk/Treasurer

APPROVED AS TO FORM: _____
Bruce A. Leinback
City Attorney

PROCLAMATION

WHEREAS, ARBOR DAY is symbolic of the Early Conservation Movement and has been observed in the United States in various ways for over a hundred years, and

WHEREAS, THE CITIZENS OF MONTICELLO have shown an increased interest in planting trees because of the tremendous role that such trees play in furthering and improving the environment; and

WHEREAS, TREES are responsible for producing oxygen, for controlling floods, and for providing wildlife habitat; and

WHEREAS, THE CITY OF MONTICELLO takes great pride in its variety and number of trees, and concern that Arbor Day should be commemorated by the planting of trees;

NOW, THEREFORE, I, Mayor of the City of Monticello, do hereby proclaim January 15, 2021 as ARBOR DAY in the City of Monticello, with the sincere conviction that the enhancement of the beauty of the City's landscape by the planting of trees furnishes not only an economic value, but also human value that is priceless and benefits all.

DATED THIS 5th DAY OF JANUARY, 2021.

MAYOR

ATTEST:

CITY CLERK