

CITY OF MONTICELLO, FLORIDA

MEETING AGENDA

December 5, 2023

7:00 p.m.

LOCATION OF MEETING:

245 S. Mulberry Street
Monticello, FL 32344

1. Call to Order by Mayor Gloria Cox (Please turn off or mute noise-making devices)
2. Invocation
3. Pledge of Allegiance
4. Public Comment
5. CONSENT AGENDA:
 - *Approval of Council Minutes of November 7, 2023
 - *Approval of Parade Permit for Dr. Martin Luther King, Jr. Parade / Resolution 2023-14 Assuming Liability for Highway Closing
6. PUBLIC HEARING / COUNCIL ACTION:
 - *Application for Special Exception – R-1, Residential/Single-Family In B-2, Business Highway Zoning
1195 W. Washington Street – Bachman Homes, LLC, Owner
7. Consideration of Application for Re-zoning – R-1, Residential, Single-Family to R-1A, Residential, Single-Family/Mobile Homes Allowed -880 N. Railroad Street – Calvin and Yolanda Jones, Applicants

OPTIONAL FIRST READING:

ORDINANCE 2023 – 12 AN ORDINANCE REZONING PROPERTY LOCATED AT 880 N. RAILROAD STREET, COMPRISING .38 ACRES WITHIN THE CITY LIMITS OF THE CITY OF MONTICELLO, FLORIDA, FROM R-1, RESIDENTIAL, SINGLE-FAMILY TO R-1A, RESIDENTIAL, SINGLE-FAMILY/MOBILE HOMES ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE

8. Clayton Tolbert, in re: Paving of Jackson Street
9. Pastor Barry G Graham re: Annexation Presentation
10. Arbor Day Proclamation / Arbor Day Project
11. Approval of Memorandum of Agreement for Designation of Monticello Ecological Park as Part of the National Old Growth Forest Network
12. Old Business
13. New Business
 - *Approval of Use of Sewer System Charges for Sewer System Improvement
14. Reports from Committees and Departments
 - *Fred Mosley, Police Chief
 - *Seth Lawless, City Manager
 - *Emily Anderson, City Clerk
 - *Mitchell Herring, City Attorney
15. Council Member Reports
16. December Meetings/Workshops
17. 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 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 signup 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 Monticello City Hall on November 7, 2023 at 5:30 p.m.

The following members were present:

Gloria Cox
Julie Conley
John Jones
George Evans

Others present were:

Seth Lawless, City Manager
Emily Anderson, City Clerk
Fred Mosley, Police Chief
Mitchell Herring, City Attorney

Mayor Gloria Cox called the meeting to order. City Council Member Julie Conley offered an invocation, and Mayor Cox led the Pledge of Allegiance.

[NO PUBLIC COMMENT]

REQUEST FOR AGENDA AMENDMENT BY CITY MANAGER SETH

LAWLESS City Manager Seth Lawless requested an amendment to the agenda to add an item for approval of vacation leave payout to employee Jim Milicic. On motion of Council Member Julie Conley, seconded by Council Member John Jones, the Council voted unanimously to approve the agenda item addition.

APPROVAL OF COUNCIL MINUTES OF OCTOBER 3, 2023

On motion of Council Member John Jones, seconded by Council Member George Evans, the Council unanimously voted to approve the minutes of October 3, 2023.

PUBLIC HEARING / COUNCIL ACTION:

Application for Certificate of Appropriateness in Historic District –

*345 E. Washington Street – roof replacement

Clerk Anderson discussed the application and Historic Design Review Board recommendation. With no public comment and no Council comment, on motion of Council Member John Jones, seconded by Council Member Julie Conley, the Council voted unanimously to approve the Application for Certificate of Appropriateness.

CITY ATTORNEY MITCHELL HERRING IN RE: CROSS LANDINGS LIFT STATION PROPERTY ACQUISITION UPDATE / COUNCIL ACTION

City Attorney Mitchell Herring reported that discussions with the owner of the Cross Landings facility are at a standstill. The next step in the process to obtain the property needed for the new lift station is through an eminent domain proceeding. First, the city will issue an offer letter for purchase of the property at fair market value, so an appraisal will be needed. City Manager Lawless noted an appraiser has been hired. Since the process is

anticipated to be involved, Attorney Herring asked the Council to give approval to proceed with the offer as soon as the appraisal is available.

The Council asked for information regarding the possibility of moving the station to a different property. Council Member Conley noted that the Hamiltons own the property just south of the current facility. After discussion, Council Member Julie Conley made a motion to authorize the attorney to obtain the property appraisal and make the offer to the Cross Landings owners, and to also explore the option of locating alternative sites for the facility. City Manager Lawless noted he could ask the engineers if moving the proposed lift station location is a possibility. The motion was seconded by Council Member George Evans. City Attorney Mitchell Herring noted that he would like to approach the owner of the adjacent property first before moving forward with the eminent domain proceedings. The vote was as follows:

YES	NO
Julie Conley	John Jones
Gloria Cox	
George Evans	

[CLAYTON TOLBERT, IN RE: PAVING OF JACKSON STREET – DID NOT APPEAR]

[PASTOR BARRY G. GRAHAM RE: ANNEXATION PETITION – REQUESTED CONTINUANCE TO DECEMBER MEETING]

OLD BUSINESS

Council Member Julie Conley noted the Legislative request has been submitted. She asked that follow-up be made when that project is heard in committee.

NEW BUSINESS

***City Manager Seth Lawless** requested authority for pay-out to employee Jim Milicic for unused vacation time since he has not been able to take any vacation days due to several circumstances. On motion of Council Member George Evans, seconded by Council Member John Jones, the Council voted unanimously to authorize vacation pay to employee Milicic.

REPORTS FROM COMMITTEES AND DEPARTMENTS

***City Manager Seth Lawless** gave an update on the planned renovations at City Hall. An asbestos inspection report will be received. A modified scope of work for renovation will have to be developed which will include demo and then most likely a second bid for reconstruction.

COUNCIL MEMBER REPORTS

***Council Member George Evans** thanked the Chief for food giveaway support.

***Mayor Gloria Cox** noted the ongoing work on nuisance properties and the need to remove abandoned cars.

With no further business, the meeting was adjourned.

Respectfully submitted,

Emily Anderson
City Clerk/Treasurer

Mayor

RESOLUTION NO. 2023 - 14

WHEREAS the Martin Luther King, Jr. Community Center, Inc., will hold its annual Martin Luther King, Jr. Parade on January 15, 2024, and

WHEREAS, it is necessary that the City of Monticello obtain permission from the State of Florida Department of Transportation to alter, modify and re-route traffic through and over State Road 57 and State Road 10; and

WHEREAS the said Department of Transportation has requested as a condition to issuance of said permit the resolution of this City Council assuming liability for same,

NOW, THEREFORE, BE IT RESOLVED by the City of Monticello, Florida as follows:

The City of Monticello, through the resolution herein enacted, herewith indemnifies, absolves and holds harmless the Department of Transportation, and fully assumes liability for the re-routing of traffic and changing of traffic signs, if necessary, on Monday, January 15, 2023 at 10:00 a.m. for the purpose of staging the Martin Luther King, Jr. Parade.

This Resolution presented and passed in open session this ____ day of December, 2023.

GLORIA COX
Mayor

ATTEST:

EMILY ANDERSON
City Clerk/Treasurer

CITY OF MONTICELLO
APPLICATION FOR PARADE OR PROCESSION

(Revised 3/2/2010)

Must be reviewed by City Manager, City Police Chief and approved by City Council

****Application must be submitted no later than 60 days prior to parade
for parades on federal highways**

1/15/2024 Date of Parade/Procession DR MLK PARADE Parade/Procession Name
CHARLES J PARRISH Name of Requestor/Representative 850 997-3766 Phone
Presidents President Address
DR MLK Title of Requestor/Representative Po Box 171 850 997-3766
11:00 AM Name of Organization Address Phone
 Start Time of Parade/Procession End Time of Parade/Procession

Give a brief description of the parade/procession and explain how this event will benefit the residents and/or improve the quality of life in the City of Monticello:

SAME AS LAST YEAR

Anticipated Number of Entrants:

1 - 25 51 - 100
 26 - 50 Over 100

Route of Parade or Procession (including starting point and ending point):

SAME AS LAST YEAR

Are road closures requested for parade? Yes No

If road closure is desired, list specific road sections:

SAME AS LAST YEAR

A map or sketch of the parade route must be attached to the application. (City staff will provide assistance in producing the map)

FEES CHARGED

Maintenance and police charges are charged as follows:

- *For parades requiring closure of federal highways-no longer than 1 ½ hours: \$ 400.00
- *For parades Involving Only Closure of Local Streets: \$ 100.00
- *For parades involving closure of federal highways in excess of 1 ½ hours: To be Set by City Council

By signing this Application, the sponsoring organization agrees to:
(Please Initial)

- CP Conduct the event in an orderly manner;
- CP To obey all laws of the City of Monticello and lawful orders of the Monticello Police Department;
- CP Distribute copies of the accompanying City of Monticello Parade/Procession Regulations to all parade/procession entrants.

Liability Disclaimer: The City of Monticello does not provide liability insurance for the protection of participants, spectators, merchants, or others who participate in permitted parade/processional events. In consideration of being permitted to conduct such activities, the sponsoring organization, by filing a permit application, does hereby release and forever hold harmless and discharge the City of Monticello, its Officers, Officials, Employees, and agents, jointly and severally, from any and all damages arising out of any loss or injury resulting from the Dr. MKC Parade
_____ (name/year of event) and for any and all losses or injury to persons attending this event.

By signing this application, I certify the following:

- *I have read and understand the foregoing liability disclaimer;
- *I certify that the event will be open to all citizens, and that individuals will not be barred from participation due to race, creed, color, national origin, sex, age, or physical impairment.

Authorized Signature of Requestor/Representative
(must be 21 years of age or older and an officially designated spokesperson for the sponsoring Organization)

Charles J Parish

Title

11/8/2023

Date

For City Use:

Date Application Received: 11/8/23

Received By: eja

Fees Paid - Ck. No./Rec. No. _____

To Be Completed by City Staff:

Police Department:

Application Approved Denied: [Signature] Date: 11-28-23
Signature

Comments: All STAFF WORKING

Public Works:

Application Approved Denied: [Signature] Date: 11-28-23
Signature

Comments: _____

City Council:

Application Approved Denied: Date: _____

*Approved - just wanted
11-28-23*

CITY OF MONTICELLO

November 27, 2023

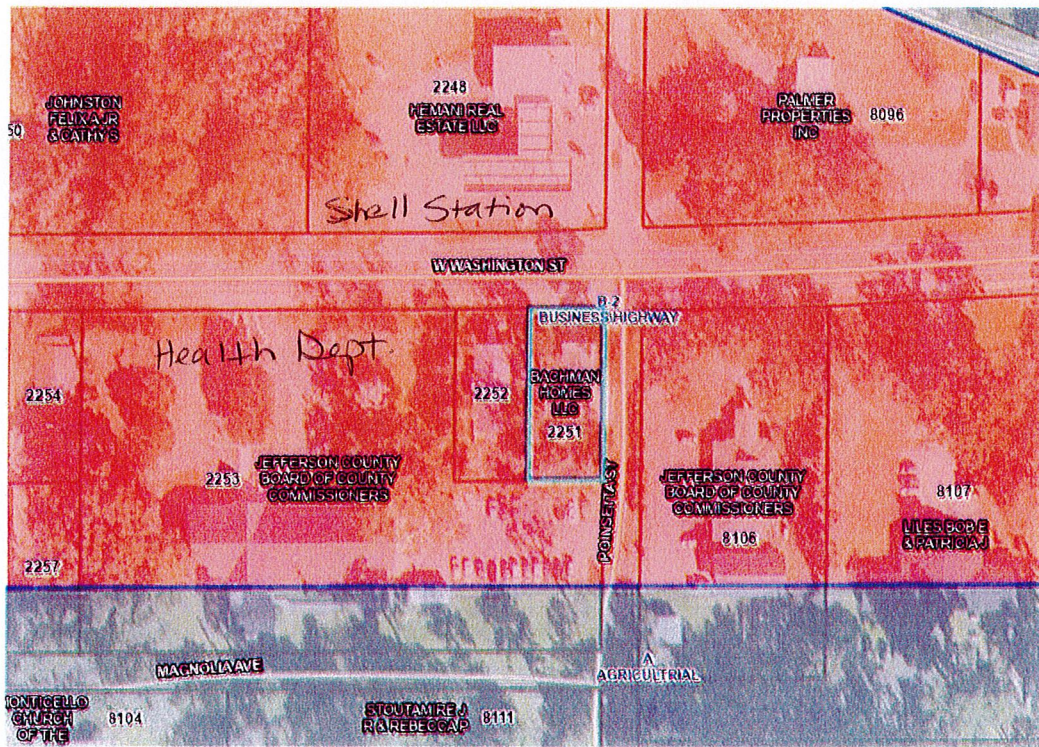
MEMORANDUM

FROM: Emily Anderson

TO: City Council Members

IN RE: Application for Special Exception Use
Residence in B-2/Business-Highway

The City received an Application for Special Exception Use from Applicant Brian Bachman of Bachman Homes, owner of 1195 W. Washington Street.



The current zoning of the property is B-2/Business-Highway, and the special exception request is for approval for use as a single-family residence, which is an allowable special exception use under Sec. 54-156, as outlined below.

Sec. 54-156. - B-2 business, highway district.

(c) Special exception uses:

(1) Single-family residential dwelling units, subject to the following requirements:

a. All single-family residential dwelling units proposed for the B-2 zoning district shall be submitted for review to the city's local planning agency, which shall make a recommendation regarding approval to the city council.

b. In addition to local planning agency review, all proposed single-family dwelling units in the B-2 zoning district which lie in the designated historic district must comply with the provisions and review requirements in [chapter 54](#), article VII of the Monticello City Code.

c. Proposed residential single-family units must meet the dimensional regulation requirements of single-family residential lots contained in [section 54-160](#) of the Monticello City Code.

d. Proposed residential lots subject to approval under this section shall comply with the buffer standards found in [section 54-194\(b\)](#) of the Monticello Code.

Special Exception allowances are subject to the following determinations under Sec. 54-197:

Sec. 54-197. - Special exception uses.

Special exception uses, as enumerated in article III of this chapter, shall be permitted only upon authorization by the city council subsequent to a review and written advisory opinions by the development administrator, provided that such uses shall be found by the city council to comply with the following requirements and other applicable requirements as set forth in this chapter:

(1) That the use is a permitted special use as set forth in article III of this chapter.

(2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

(3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

(4) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

(5) That adequate landscaping and screening is provided as required herein, or otherwise required.

(6) That adequate off-street parking and loading is provided, that ingress and egress are so designed as to cause minimum interference with traffic on abutting streets and that the use has adequate frontage on a public or approved private street.

(7) That the use conforms with all applicable regulations governing the district where it is located.

Staff Review:

Under Sec. 54-40 of the City Code, the processing of special exception use requests requires review and recommendation by the Development Administrator (which in the city has typically been the City Manager) and the City Attorney.

Comments of City Manager Lawless are below:

Single Family Residential is an allowable special exception, granted by the LPA, in the B-2 Zoning District. If the applicant wants to move the request forward it should be placed on a future LPA agenda. Thanks.

Comments of City Attorney Herring are below:

Based upon my review of the applicable ordinances and the stated plan for the residence, I see no inherent legal issues with granting this special exception. This of course is with the caveat that the property owner remains in compliance with the applicable construction ordinances and restrictions.

Local Planning Agency Review:

On November 14, the Local Planning Agency reviewed the Application at an advertised public hearing. After public hearing, Board Members voted unanimously to recommend approval of the special exception use, suggesting input of the city attorney regarding buffering requirements which may apply in the future. The minutes of the meeting are below:

**Application for Special Exception Use – 1195 W. Washington Street
-Single-Family Residence in B-2 Zoning District
Bachman Homes, LLC, Applicant*

Brian Bachman presented the request to re-purpose 1195 W. Washington Street in B-2 zoning as a residential use. He noted he is not changing the footprint of the building and parking availability in the front and in the rear is sufficient for a residence.

Board Member Bob Canter noted that, generally, he would not prefer a business property to be used as a residence, and noted that, under Sec. 54-197(4), the use should be compatible with adjoining development. Board Member Michele Arceneaux noted that the proposed residential use is compatible with the residence next door (which is also in B-2), but expressed concern that, should a business locate next door, that business may be forced to provide a buffer between the properties since they are uncomplimentary uses, per the code. She suggested the solution to the issue is to ensure that, should the

special exception use be granted, the owner of that parcel will not put a burden of buffering to the adjacent landowner should a business locate there.

Board Member Todd McGee suggested that the improvement plans include recessed windows and the door to eliminate the "flat look" of the building frontage. Other planned aesthetic improvements were noted. Mr. Bachman noted that an updated survey actually shows the property includes some additional footage.

Chair Lester noted that business use of the property would be problematic due to lack of sufficient parking, so residential use makes sense and will improve the aesthetics of the area. She also noted that if the repurposed building is used as a short-term rental property, it is already in a business zone.

Board Member Michele Arceneaux made a motion to recommend approval of the special exception use, so long as the burden of buffering, should the adjacent home be used as a business, not fall on that adjacent property owner. Since the attorney was not present, it was suggested that he advise on that issue during Council consideration. The motion was seconded by Merry Ann Frisby, and the roll call vote was as follows:

YES

Todd McGee

Michele Arceneaux

Tami Lester

Bob Canter

Merry Ann Frisby

Attached is the Application for Special Exception Use.

CITY OF MONTICELLO, FLORIDA

APPLICATION FOR SPECIAL EXCEPTION

1. Your Name: BRIAN BACHMAN
Address: 195. W. WASHINGTON
~~810 W. WASHINGTON~~ St. Mont, FL. 32344
Telephone: 850 509 7645

2. Property Owner's Name: BACHMAN HOMES, LLC
Address: 810 W. WASHINGTON
~~SAME AS ABOVE~~
Telephone: " " "

3. If you are not the owner of the property, or his/her attorney, please attach a copy of authorization (power of attorney, etc.) from owner to seek re-zoning/special exception/variance.

4. What is the size (in acres) of the property which is the subject of this application?
.18

5. Attach the property description and plat map.

6. How is the property currently zoned? B-2 BUSINESS HWY DISTRICT

7. What is the comprehensive plan future land use designation for the property? PI - THIS SEEMS LIKELY INCORRECT.

8. Why are you requesting a special exception?

WE WOULD LIKE TO CONVERT THIS BUILDING TO A RESIDENTIAL LIVING SPACE

(please refer to Monticello Code of Ordinances Sec. 54, Land Development Code, for requirements regarding special exceptions)

9. Is the special exception you are requesting authorized in the zoning district where the property is located? YES, UNDER SECTION 54-156 (C) SPECIAL EXCEPTION USES.

10. Please provide the following information about the property:

- a. What is the current use? VACANT - FORMERLY USED AS A
PET KENNEL AND GROOMING BUSINESS.
- b. What improvements (structures and/or buildings) are located on the property?
BUILDING ONLY. FENCES AND OUTBUILDINGS TO BE REMOVED.
- c. What kind of vegetation is on the property (for example: lawn, trees, etc.)?
TREES, BRUSH
- d. Are any parts of the property below the 100 year flood elevation? ___ Yes No
- e. Is any part of the property contaminated? ___ Yes No
- f. Are there any potential hazards above or below ground which need to be removed (for example, an abandoned septic tank)? ___ Yes No

(Please provide a drawing or aerial photograph of the site showing the locations of all of the items identified in response to question 10)

11. If your request is granted will there be a conflict between the use of your property and the use of any of your neighbors' properties? ___ Yes No

If the answer is yes, explain what you will do to minimize the conflict (for example, putting up a privacy fence): _____

12. Will the granting of a special exception have any impact on a historical resource?
___ Yes No

NOTE: If the property is located within a historic district, approval of the Historic Design Review Board may be required.

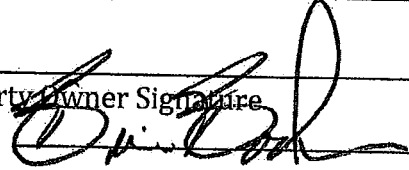
13. Is there a special condition or circumstance which makes your land, structure or building different from all of the other land, structure or buildings in the same zoning district? Check one: ___ Yes No

B-2 ALREADY CONTAINS A MIX OF SINGLE FAMILY
RESIDENCES AND BUSINESSES.

If you answered yes to Question 13, please explain what makes your land, structure or building different:

If you answered yes to Question 13, did you create any of the special conditions of circumstances?

Property Owner Signature
DATE: 10-8-23

Property Owner Signature
DATE: 

After you have filled out this form, please return it to:

City of Monticello
Attn: City Clerk
245 S Mulberry Street
Monticello, FL 32344

CITY OF MONTICELLO

November 27, 2023

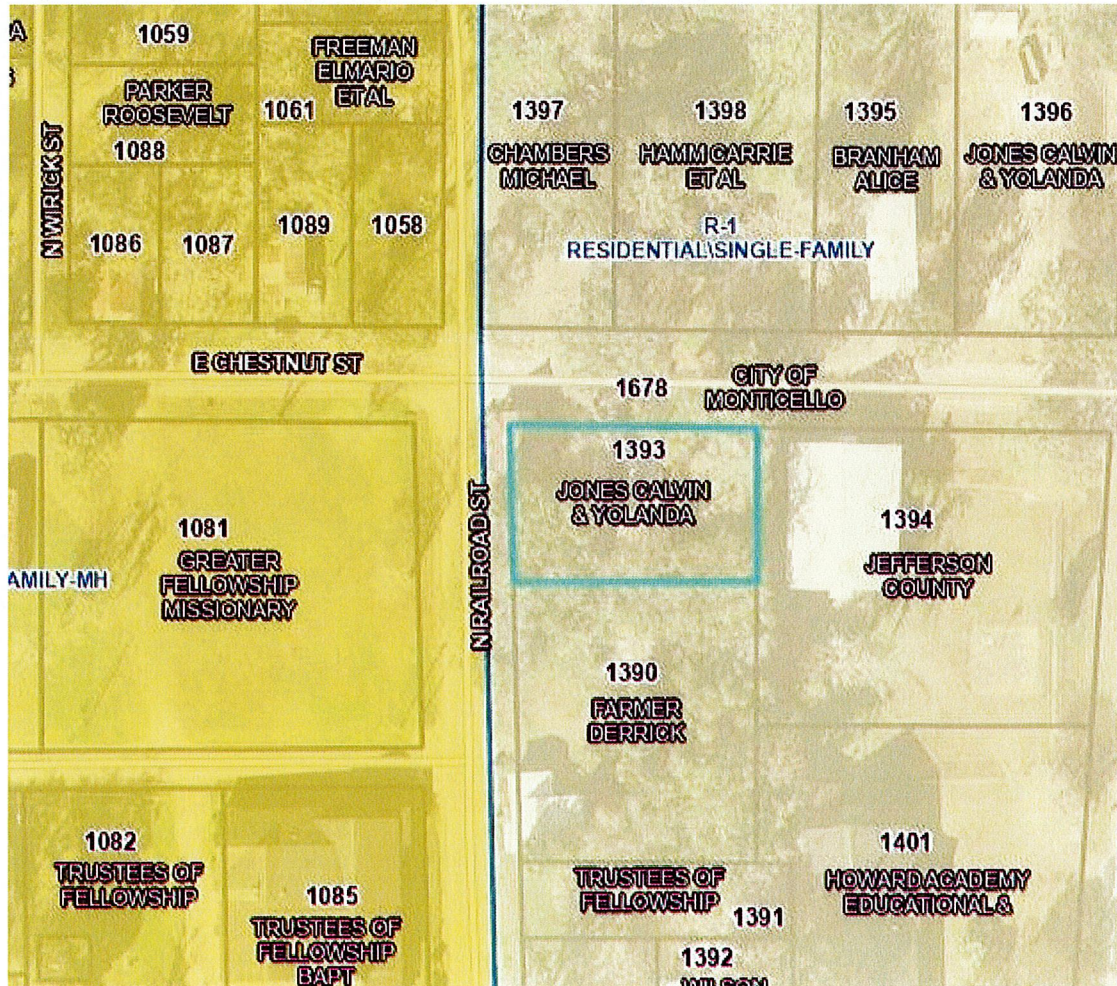
MEMORANDUM

FROM: Emily Anderson

TO: City Council Members

Re: Application for Rezoning – R-1/Residential, Single-Family to R-1A/Residential, Single-Family (Mobile Homes Allowed)

Calvin Jones and Yolanda Jones have filed an Application for Rezoning for a .38 acre parcel located at 880 N. Railroad Street and shown on the map below:



The Application for Rezoning is attached.

The property is currently zoned R-1/Residential Single-Family and is currently vacant. The petitioner is seeking to change the zoning to R-1A/Residential Single-Family (Mobile Homes Allowed). The Future Land Use Map designation of the subject parcel is Residential, Low Density.

Zoning for the surrounding properties is as follows:

East – R-1
South – R-1
West – R-1A
North – R-1 and R-1A

The property is not within the City Historic District, and does meet minimum lot size requirement for R-1A/Single-Family (Mobile Homes Allowed). Placement of the mobile home would have to comply with setback requirements.

Local Planning Agency Review

The Local Planning Agency considered the rezoning application an advertised public hearing on November 14, 2023, after notice to surrounding property owners and signage installed at the property as required by code. After public hearing, the Board voted unanimously to recommend Council approval of the rezoning. Minutes of the meeting are below:

PUBLIC HEARINGS;

****Application for Re-Zoning – 880 N. Railroad Street***
-R-1, Single-Family to R-1A, Single-Family/Mobile Homes Allowed
Calvin and Yolanda Jones, Applicants

Calvin Jones addressed the Board and presented his request to re-zone the property to allow the installation of a mobile home. He noted he removed a dilapidated home and has cleared the parcel. He noted his property is surrounded by other mobile homes.

Board Members Michele Arceneaux and Merry Ann Frisby noted the re-zoning would be appropriate for the area, and Ms. Frisby noted there was a previous rezoning to R-1A in the same area. Ms. Arceneaux noted that no member of the public has offered public comment in opposition to the project. Chair Lester noted that it is usually not desirable to downzone, but it appears the proposed development will provide an improvement to the area. Board Member Todd McGee noted that the area is a mix of homes and mobile homes, so the proposal will fit for the area and the lot is of sufficient size to meet setbacks.

Michele Arceneaux made a motion to approve recommendation for the re-zoning. The motion was seconded by Merry Ann Frisby. The roll-call vote was as follows:

YES
Todd McGee
Michele Arceneaux
Tami Lester
Bob Canter
Merry Ann Frisby

Should the City Council determine the rezoning is acceptable, an ordinance of rezoning has been provided for first reading.

CITY OF MONTICELLO, FLORIDA

APPLICATION FOR RE-ZONING

1. Your Name: Calvin Jones + Yolanda Jones

Address: P.O. BOX 861 Monticello, FL 32344

Telephone: 850 342-4264

Address of Property to be Re-zoned:

880 N Railroad St.

2. Property Owner's Name: Calvin Jones Yolanda Jones

Address: P.O. BOX 861 Monticello, FL 32344

Telephone: 850 342-4264

3. If you are not the owner of the property, or his/her attorney, please attach a copy of authorization (power of attorney, etc.) from owner to seek re-zoning.

4. What is the size (in acres) of the property which is the subject of this application?

5. Attach the property description and plat map and survey, if any.

6. How is the property currently zoned? R-1 Residential, Single Family

7. What is the comprehensive plan future land use designation for the property? _____

Residential Low Density

8. What is the new zoning designation which you are requesting?

R-1A, Mobile Homes Allowed

9. Why are you requesting re-zoning? To place a mobile home

on the lot

10. Please provide the following information about the property:

- a. What is the current use? Vacant
- b. What improvements (structures and/or buildings) are located on the property?
None - Nuisance house demolished and lot cleaned
- c. What kind of vegetation is on the property (for example: lawn, trees, etc.)?
Cleared
- d. Are any parts of the property below the 100 year flood elevation? ___ Yes No
- e. Is any part of the property contaminated? ___ Yes No
- f. Are there any potential hazards above or below ground which need to be removed (for example, an abandoned septic tank)? ___ Yes No

11. Please provide a drawing or aerial photograph of the site showing the locations of all of the items identified in response to question 10.

12. Please explain how a re-zoning will be consistent with the comprehensive plan.

R-1A zoning is allowed under the comprehensive plan

13. a. If your request is granted will there be a conflict between the use of your property and the use of any of your neighbors' properties? ___ Yes No

b. If the answer is yes, explain what you will do to minimize the conflict (for example, putting up a privacy fence): _____

14. Will the rezoning have any impact on a historical resource? ___ Yes No

NOTE: If the property is located within a historic district, approval of the Historic Design Review Board may be required. N/A

15. Attach a list of the names and addresses of everyone who owns property within 500 feet of the property which is the subject of this application (Certified List may be obtained from the Property Appraiser's Office - 850-997-3356)

16. a. Have you requested re-zoning of this property within the past 12 months?

___ Yes No

b. If yes, has there been a change in the characteristics of conditions of the property or the surrounding property? ___ Yes ___ No

c. If you answered yes to question 18.b. please describe the change: _____

Calvin Jones
Property Owner Signature

[Signature]
Property Owner Signature

The fee for an Application for Rezoning is \$310.00. (The City accepts cash, check, money order or credit card for fee payment). Required signage posted on the property shall be at the owner's expense.

**Please submit this completed application, required documentation, and the fee to:

City of Monticello
Attn: Rezoning/Variance/Special Exception Application
245 S Mulberry Street
Monticello, FL 32344

Date Received at City Hall: 10/10/23

QUIT CLAIM DEED

Property Appraiser's Parcel Identification No. 00-00-00-0320-0000-0030

This Quit Claim Deed, Executed this 10th day of November, 2022,

By (first party) Owen Hardy

To (second party) Calvin B Jones - Yolanda Jones

Whose post office address is 770 Chestnut Street, Monticello FL 32344
(wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of \$ 5,000.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel land, situate, lying and being in the County of Jefferson, State of Florida To Wit:

See Exhibit 'A' - Parcel ID 00-00-00-0320-0000-0030

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered in the presence of :

Signature of First Party

Owen Hardy
Owen Hardy

Printed Name

3116 Eagle Crest Ln, Fayetteville, NC 28306

Post Office Address

Calvin Jones 12-2-22

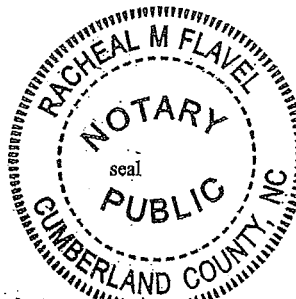
Calvin Jones
Y JONES

Signature of Co-First Party (if any)

Yolanda Jones 12-2-22
Printed Name

770 E Chestnut St
Post Office Address

Monticello, FL 32344

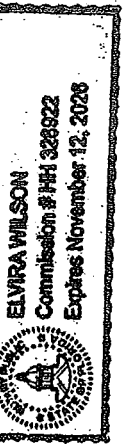


The foregoing instrument was acknowledged before me this 10 day of November, 2022, by Owen Hardy, who is personally known to me or has produced NC Drivers License as identification.

Rachel M. Flavel
Signature of Notary

Rachel M. Flavel
Printed Name 17 Mar 2024

Notary December 2, 2022



→ Exhibit A

250.0 feet to a point on the East right-of-way line of the aforementioned State Road, thence Northerly along a curve concave to the East, a chord bearing of North 15 degrees 06 minutes East 436.4 feet along said road to a point, thence East 573.3 feet to a point, thence South 667.8 feet to a point, thence West 718.6 feet to the Point of Beginning. Containing 9.1 acres more or less and being a part of the SW 1/4 of Section 8 and a part of the SE 1/4 of Section 7, Township 2 North, Range 5 East, Jefferson County, Florida, all according to survey dated January 20, 1975, by Thomas B. Howard, Florida Registered Land Surveyor #1266, which is attached hereto and made a part hereof.

AND ALSO:

Parcel 4 (from Inventory):

The Northwest Quarter of Lot No. 3 of the Letchworth Addition to the Town of Monticello (see Deed Book G Folio 1) containing about one-fourth of an acre. The above described lot is located in the Town of Monticello, Florida (see deed to J. D. Cole, Book N Folio 623) and is bounded on the North by lot of Walker-Garrett, on the East by lot of Amy Parker, on the South by lot of Anthony Dallas, and on the West by a lot known as the school house lot.

This being the same property conveyed unto Mary Frances Brown, also known as Mary Frances Daniels, by deed dated October 24, 1904, from J. H. Girardeau and Agnes D. Girardeau, and recorded in Deed Book "BB", Page 388, Public Records, Jefferson County, Florida, and by reference made a part hereof. The said Mary Frances Brown later married a Mr. Daniels. Mary Frances Daniels died intestate in Jefferson County, Florida on January 13, 1971, leaving as her sole surviving heirs at law the above grantors. Evidence of inheritance is set forth in the County Judge's Probate Court through an Order of Administration Unnecessary.

DESCRIPTION FURNISHED AND VERIFIED BY GRANTOR. THE PREPARER OF THIS INSTRUMENT HAS NOT EXAMINED TITLE, ANY SURVEY, OR ACCURACY OF DESCRIPTION, MAKES NO REPRESENTATIONS CONCERNING THE SAME, AND ASSUMES NO RESPONSIBILITIES THEREFOR.

TO HAVE AND TO HOLD the same, together with all the singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim.

LAW OFFICES OF

Davis, Schnitker, Reeves
& Browning, P.A.
P.O. Drawer 652
Madison, Florida
32341

(850) 973-4186

ORDINANCE NO. 2023 - 12

AN ORDINANCE REZONING PROPERTY LOCATED AT 880 N. RAILROAD STREET, COMPRISING .38 ACRES WITHIN THE CITY LIMITS OF THE CITY OF MONTICELLO, FLORIDA, FROM R-1, RESIDENTIAL, SINGLE-FAMILY TO R-1A/RESIDENTIAL, SINGLE-FAMILY/MOBILE HOMES ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Council of the City of Monticello, Florida has considered in full the application of Calvin and Yolanda Jones, Petitioners/Owners of the land more specifically identified as Parcel I.D. No. 00-00-00-0320-0000-0030, described in Exhibit A, to rezone the property from R-1, Residential, Single-Family to R-1A/Residential, Single-Family/Mobile Homes Allowed.

The following events have occurred in reference to the zoning application for this property:

1. On October 10, 2023, Petitioners applied for a rezoning of the property.
2. Petitioners' rezoning application was considered at public hearing, after notice, before the City's Local Planning Agency on November 14, 2023, at which hearing the Planning Agency voted unanimously to recommend that the Council approve the rezoning application.
3. The City Council considered the matter on December 5, 2023, at which time, a determination was made to approve the application and proceed to ordinance adoption. A first reading of the proposed ordinance was held on December 5, 2023, and a public hearing was held at the regular meeting of the City Council on January 2, 2024, after notice.
4. The City Council has considered the amendment criteria in Section 54-126 of the Land Development Regulations of the Code of Ordinances of the City of Monticello. The Council finds that the property lends itself to R-1A, Residential, Single-Family/Mobile Homes Allowed zoning because said requested land use change would be consistent with the Land Development Regulations and the Comprehensive Plan Future Land Use Map designation of the property, and will further the purposes of the Comprehensive Plan, as amended.

NOW THEREFORE, in keeping with the requirements of the Code of Ordinances of the City of Monticello, Florida, it is hereby ordained and decreed that:

- 1. The property described in Exhibit A is herewith rezoned from R-1, Residential, Single Family to R-1A, Residential, Single-Family/Mobile Homes Allowed.
2. The zoning map and ordinances of the City of Monticello now in existence shall forthwith be amended to reflect this rezoning.

PASSED AND APPROVED IN OPEN SESSION THIS 2ND DAY OF JANUARY, 2024.

GLORIA COX
MAYOR

ATTEST:

APPROVED AS TO FORM:

EMILY ANDERSON
CITY CLERK/TREASURER

MITCHELL HERRING
CITY ATTORNEY

EXHIBIT A

COMMENCE AT an iron rod marking the Northeast corner of Lot 65, Nobles Addition to the Town of Monticello, a subdivision as per the map of plat thereof, recorded in Plat Book "B", Page 19, Public Records of Jefferson County, Florida, and run South 00 degrees 03 minutes 52 seconds West, 199.00 feet to the Southeast corner of said Lot 65, thence South 06 degrees 47 minutes 16 seconds East, 343.26 feet to an iron rod on the Westerly maintained right-of-way of Mamie Scott Drive, thence South 01 degree 35 minutes 35 seconds East, along said maintained right-of-way, 182.73 feet to an iron rod marking the intersection of the Westerly maintained right-of-way of Mamie Scott Drive with the Northerly maintained right-of-way of East Chestnut Street, thence run along said Northerly maintained right-of-way of East Chestnut Street as follows: South 80 degrees 43 minutes 06 seconds West, 31.14 feet to an iron rod, thence North 87 degrees 37 minutes 21 seconds West, 46.21 feet to an iron rod, thence leaving the North maintained right-of-way run South 00 degrees 56 minutes 45 seconds East, 27.57 feet to a point on the South maintained right-of-way of East Chestnut Street, thence North 88 degrees 31 minutes 51 seconds West, along the Southerly maintained right-of-way of East Chestnut Street, 100.34 feet to an iron rod for the POINT OF BEGINNING, thence from said POINT OF BEGINNING continue North 88 degrees 31 minutes 51 seconds West, along the southerly maintained right-of-way of East Chestnut Street, 127.07 feet to an iron rod, thence South 44 degrees 09 minutes 45 seconds West, 19.16 feet to an iron rod on the East maintained right-of-way of Railroad Street, thence South 01 degree 10 minutes 14 seconds East, along the East maintained right-of-way of Railroad Street, 105.72 feet to an iron rod, thence leaving the East maintained right-of-way of Railroad Street, run South 89 degrees 30 minutes 18 seconds East, 141.95 feet to an iron rod, thence North 01 degree 49 minutes 09 seconds West, 117.47 feet to the Point of Beginning.

Emily Anderson

From: Clayton Tolbert <cgroupflorida@gmail.com>
Sent: Saturday, October 7, 2023 4:38 PM
To: Emily Anderson
Cc: gloriacoxbiz@gmail.com; GEVANS@mymonticello.net; KatrinaRichardson5@gmail.com <KatrinaRichardson5@gmail.com>; julieonpearl@hotmail.com; seth.lawless@mymonticello.net
Subject: Agenda Request

1. Requesting to be added to the November 2023 Agenda - RE: Jackson Street
2. Requesting to be added to the December 2023 Agenda - RE: Jackson Street
3. Requesting to be added to the January 2024 Agenda - RE: Jackson Street
4. Requesting to be added to the February 2024 Agenda - RE: Jackson Street
5. Requesting to be added to the March 2024 Agenda - RE: Jackson Street
6. Requesting to be added to the April 2024 Agenda - RE: Jackson Street
7. Requesting to be added to the May 2024 Agenda - RE: Jackson Street

Regards

W. Clayton Tolbert
Tele: 850.408.9882
Email: cgroupflorida@gmail.com

REQUEST TO BE PLACED ON CITY COUNCIL AGENDA

DATE: 11/1/2023

I/We request the City Clerk to place on the Council agenda for the 7th day of November, 2023 the following matter/matters for discussion and/or appropriate action:

(Below is a summary of the presentation and the action requested)

Annexation Presentation

Name and address of individual or group requesting time:

Jefferson County Minister's Conference
857 Piney Woods Rd.
Monticello, FL 32344

Phone No. (850) 545-6437

E-Mail barry.graham@gmail.com

Expected length of presentation: 20 minutes

Return Completed Form to:

City Clerk
245 S. Mulberry St.
Monticello, FL 32344
FAX 850/997-2217
E-MAIL eanderson@mymonticello.net

DATE RECEIVED AT CITY HALL: _____

RECEIVED BY: _____

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 19, 2024 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 DECEMBER, 2023.

MAYOR

ATTEST:

CITY CLERK



OLD-GROWTH FOREST NETWORK

MEMORANDUM OF AGREEMENT

To include a forest in the Old-Growth Forest Network

Recognizing that less than 1% of the eastern US forests, and less than 5% of the western US forests, have remained undisturbed long enough to develop old-growth characteristics.

Recognizing that many species of plants, animals, and fungi are most successful in older forests.

Recognizing that the older forests are best at purifying the air and the water, and creating fertile soil.

Recognizing that most humans consider older forests to be the most beautiful forests, and will travel to see them.

Recognizing that ecotourism is economically beneficial for nearby communities.

Recognizing that all people, but especially the younger generations, need contact with natural areas.

Therefore

The *Old-Growth Forest Network* shall be established. Every county where forests can grow will be invited to include a forest to be recognized in the network. These forests shall serve as examples of baseline conditions. They shall remain unlogged for all time, allowing old-growth characteristics to develop naturally. These forests will be open to visitation by all ages. Exceptions to the 'no logging' requirement are allowed for situations of visitor safety, trail maintenance, non-native tree species, or non-native insect infestations.

For Jefferson County in the State of Florida, the forest to be recognized as part of the network shall be Monticello Ecological Park which is owned by the City of Monticello, Florida.

(Signature of landowner's representative)

(Signature of OGFN representative)

(Date)

(Date)

Seth Lawless
(Printed name of landowner representative)

(Printed name of OGFN representative)

City Manager
(Title of landowner representative)

(Title of OGFN representative)

Mailing Address for Landowner: 245 S. Mulberry St., Monticello, FL
32344



Congratulations! We are excited that your forest may soon be recognized as part of the national Old-Growth Forest Network.

The Old-Growth Forest Network is the first national organization working specifically to preserve ancient forests for the enjoyment of present and future generations. In counties capable of supporting forest growth we identify at least one forest that will be forever protected from logging and open to the public. Then we help families connect with these forests. The result will be a national network of treasured forests where all generations can experience native biodiversity and the beauty of nature. Visit the Old-Growth Forest Network at www.oldgrowthforest.net.

The categories marked with * will be included on our website. Please fill out as much of the form as possible and answer with complete statements. We will work with the forest manager to collect any missing information.

State* (Spelled out please)	Florida
County*	Jefferson
Forest* (Name of forest area as you would like it to appear on the website. Specific area first then hyphen and name of general area, if applicable.)	Monticello Ecological Park
Description* (Please give a brief description of the forest, including: Total acreage, and how much, if any, is old-growth? Age of oldest trees [known or approximate]? Dominant tree species or forest type? What, if anything, makes this forest special?)	Plus or minus 28 acres of upland old-growth forest (mixed hardwoods and pine) with a spring-fed stream and wetlands. A short trail loops through the park; the portion of this trail that leads over the stream and wetlands is an elevated boardwalk. No official record of tree age, but it is believed that the forest has never been cut. The understory is somewhat choked with invasives and efforts are needed to control them, but the rarity of a protected old-growth forest within city limits in rural Florida makes this park unique.
Protection (Describe how this forest is specifically protected from commercial logging. Please include the name of the written document that states what protections are in place for this forest (e.g. XYZ Management Plan), as well as the actual language quoted from the document. Alternatively, you can simply send us the document itself.)	See Notice of Limitation / Site Use Description in Drive. Dedicated as a limited-use "... outdoor recreational site for the use and benefit of the public." No language regarding logging or a prohibition thereof; seeking MOA.

<p>Acres of Protected Forest (Approx. total acres of forest land where documented plans or restrictions specifically prevent commercial logging from occurring. Please include a map of the protected forest with boundaries drawn, if available.)</p>	<p>28; see Drive for map.</p>
<p>Preservation History (If known, give a brief history of how this forest became protected. Do you know the name of the person who first sought to preserve the area? Any notable naturalists that studied the forest? Historical or other info that helped secure protection of the forest?)</p>	<p>The tract was part of acreage acquired by the Jefferson County School Board. The land was not used by the school board, so the city then acquired the parcel for the development of a city park.</p>
<p>Land Acknowledgement* (This recognizes the indigenous groups who once occupied or currently steward the land on which this forest stands. Tribes are identified by the guide: https://native-land.ca/; We welcome any further detail you may have on this history), as well as the original forest name (native and/or translated).</p>	<p>This forest is located on land traditionally occupied by the Apalachee, Seminole, Mvskoke (Muscogee), Hitchiti, Timicua, and Miccosukee tribes.</p> <p>This area (in the vicinity of Tallahassee) was traditionally a meeting point for various tribes.</p>
<p>Tribal Co-Managers or Tribal Stakeholder Groups (If known, please provide the names of local tribes and contact information. Co-managers and/or tribal stakeholders may be identified in the forest management plan, if applicable.)</p>	<p>None known.</p>
<p>Other Key Stakeholders (If known, please provide the names and contact information of groups consistently engaged in the stewardship of the forest. Eg. "Friends of XYZ Forest")</p>	<p>Boy Scout group? Has the Magnolia Chapter of Florida NPS ever volunteered here? Does anyone lead tours or hikes?</p>
<p>Navigation* Please give a Physical Address that could get one to</p>	<p>1075 South Water Street Monticello, FL 32344</p>

the general area by GPS. Then include specific directions to the trailhead.)	
Coordinates* (Of suggested trailhead. Coordinates should be in this form: 42.4941667 - 72.9364167. Just leave blank if you would like us to fill this in.)	30.537860, -83.872967
Parking & Admission* (Recommended parking area? Is parking ample or limited? Is there an admission charge? If so, how much?)	There are two parking areas for Monticello Ecological Park. Parking is sufficient for the property. Admission is totally free of cost.
Trails* (Length of recommended trail, if any. Total distance of all trails in the park.)	0.75 – three quarters of a mile.
Trail Accessibility* (Please indicate if the recommended trail is wheelchair accessible or offers other ADA accessibility)	The trail is not paved, but the ground it runs upon is hard-packed and might be accessible for those with limited mobility.
Hours & Camping* (Open year round? Open only certain hours? Is there camping available? If so, please give a brief description of how many and what type of sites.)	Open year-round from dawn 'til dusk. No camping available, though a Scout group uses an adjacent property.
Hunting* (Is hunting allowed?)	Hunting is not allowed.
Website* (best website for general public)	http://www.cityofmonticello.us/city-parks
Phone Number* (best phone number for general public)	850-342-0292
Contact (Name, position, address, email, and phone number for the person at the forest who will be OGFN's contact.)	Seth Lawless City Manager 850-342-0292 seth.lawless@mymonticello.net
Administrative Mailing Address for the Forest: where mail should be sent.	245 South Mulberry Street Monticello, FL 32344

City of Monticello

MEMO TO: Mayor Cox and City Council
FROM: Seth Lawless
DATE: 11-30-23
RE: Use of Sewer System Charges

The City of Monticello (The City) collects water and sewer system charges on new development that are placed in a reserve account. By statute, they are to be expended only for the expansion of the water and sewer system, providing service to new customers. At the meeting on December 5th, I am requesting \$22,000 out of the Sewer System Charge Reserve Fund to pay for work described below.

The City wastewater collection system has a significant infiltration and inflow problem (I&I). Stormwater finds its way into the wastewater collection lines and runs to the plant where it is treated, costing money for treatment and plant depreciation. It is also a violation of the City's NPDES permit, overseen by FL DEP.

The area of obvious infiltration is west of the City near Crooked Creek. In order to better determine the location of infiltration and any damage to the pipes, I hired a camera company to come in and inspect the system. First, the City had to locate two manholes in the woods near Mahan Drive to provide access. The company spent 4 days here and was able to identify several areas where the pipes were pulled apart or broken.

This work was done in anticipation of connecting the Montivilla neighborhood to City utilities, which is under design. The thinking was that not only does the existing system have to be in proper condition to accept the new flow, but that any repairs needed could be incorporated into the Montivilla project.

In summary, I'm requesting use of \$22,000 from the Wastewater System Charge Reserve for inspection of the wastewater collection lines that will be receiving flow from the new service area in Montivilla.