

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
NOVEMBER 8, 2010 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session November 8, 2010 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, Allen and Strickland. Also present were: City Manager Smith, City Clerk Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, AVT Law, Development Services Director Peavy, CRA Analyst/Project Planner Grimm, Water Director Allen.

The meeting was called to order by Mayor Wolf with Commissioner Allen giving the invocation and the audience joining in the Pledge of Allegiance to the American Flag.

1. TIMED ITEMS

7:00 p.m.

(a) PUBLIC HEARING – 2nd FINAL READING Ordinance No. O2010-25, an ordinance designating the segment of CR142 from Wildwood Avenue to Powell Road as Broken Oak Drive and designating the segment from CR144 from Huey St. to Powell Road as Huey Street (Attachments – Staff Recommends Approval)

Ordinance No. O2010-25 was read by title only and the meeting opened for Public Hearing. No comments were received and Public Hearing was closed.

DSD Peavy was sworn in.

Motion by Commissioner Allen, second by Commissioner Strickland that Ordinance No. O2010-25: An Ordinance Of The City Of Wildwood, Florida, Designating The Segment Of County Road 142 From Wildwood Avenue To Powell Road As Broken Oak Drive; Designating The Segment Of County Road 144 From Huey Street To Powell Road As Huey Street; Providing For Conflict; Providing For An Effective Date: is adopted on second final reading. Motion carried by unanimous vote.

(b) PUBLIC HEARING Public Hearing regarding the proposed application for a CDBG-NR (Neighborhood Revitalization) to DCA (Attachments)

Meeting was opened for Public Hearing for proposed application of CDBG-NR.

CM Smith – this is second required Public Hearing with first one held on October 25, 2010. CDBG grant with the amount of about \$750,000 for three improvements. Storm water issue at Pitt & Stone and at Osceola Avenue, the third project is milling and resurface of County Road 232. CDBG required survey of the residents in the areas was completed. Staff recommends that the City proceed.

Andy Easton, Grant Consultant indicated the grant is \$700,000. This is the second of the two required Public Hearings. The public is welcome to comment on the application. CDBG is federal dollars and is a great program for the City to be involved in.

Hopefully this will be the first of several more to come.

CM Smith – application is due on the November 17. If approved the application will be forwarded to DCA, and we should have an award by April or May. Will RFQ for grant administration and get the bid documents ready to move forward on the projects.

No comments received from audience.

- (c) Resolution No. R2010-34, a resolution authorizing the Mayor to make application to the FL DCA Affairs for a CDBG-Neighborhood Revitalization category project (Attachment – Staff Recommends Approval)

Resolution No. R2010-34 was introduced and read by title only by Mayor Wolf.

Motion by Commissioner Bivins, second by Commissioner Clark that Resolution No. R2010-34: A Resolution Of The City Commission Of The City Of Wildwood, Florida, Authorizing The Mayor To Make Application To The Florida Department Of Community Affairs For Approval Of A Community Development Block Grant, Neighborhood Revitalization Category; Providing An Effective Date; And For Other Purposes: is adopted. Motion carried by unanimous vote.

2. REPORTS AND PUBLIC INPUT

a. City Manager

- 1) FYI – Letter from US Department of Justice re: the COPS Hiring Program Grant application – we were not among those selected (Attachment)
- 2) FYI – Quarterly Report from Ron Allen, Director, Water Department (Attachment)
- 3) FYI – Quarterly Report from Jason Hargrove, Coordinator, Parks & Recreation Department (Attachment)
- 4) FYI – Sumter County Tourism Plan Overview (Attachment)
- 5) City Hall HVAC RFQ - RFQ went out on Friday. Pre-bid meeting should be held by November 19. Responses by December 3. Once approval from Commission, the vendor will have 45 days to complete the survey and bid documents to have someone fix the HVAC issues.
- 6) Litigation Update (NO Attachment)
 - a) Champagne Farms – will brief City Attorney tomorrow on some of the issues that have come up. Filed claim with BFA. BFA joined Diversified Drilling Corp. Diversified Drilling Corp has responded but waiting for BFA response. Responses will be forwarded to the attorney and insurance company.

- b) WWTP oxidation ditch #4 – sent out letter to Krueger and Indian River. Received response from Indian River today and will be reviewed with attorney on Tuesday. Have not received Krueger response.
- 7) HR Hire Introduction: Deanna Cox (NO Attachment) Introduction of new Human Resource Coordinator, Deanna Cox by CM Smith. Ms. Cox explained that when she first moved to the area seven years earlier while looking for her parents home in The Villages she passed through Wildwood and told her husband that one day she would work in “that” building, which she found later to be Wildwood City Hall. Has worked with Town of Lady Lake for four years as HR Manager and has been in HR for 15 to 20 years.
- 7) Online Bill Pay (NO Attachment)
Have quotes ready, just a question of how IMS will integrate with online bill pay. Have to get a cost from them.
- 8) IT Interconnectivity (NO Attachment)
Received quote from The Villages IT Solutions Group. Have had to mix and match fiber and wireless to all facilities. Checking if other entities want to share the cost.
- 9) City Brochure Progress (NO Attachment)
Met with E5 Solutions regarding the brochure. Advised them that the City was unhappy with the catch phrase. Felt the selling points could have been tuned up to residential as well as commercial groups. Should be fine tuned by the second brochure.
- 10) Wildwood Winter Wonderland (NO Attachment)
Met with Board and there were disagreements on how the accounting should be done. They have agreed to what he recommended, because it is a City of Wildwood sponsored event. Next meeting Tuesday at 6:00 p.m. They ask that some of the Commissioners in attendance to the parade on Saturday morning.
- 11) Nomination for Leadership Sumter (NO Attachment)
No nominations have been received. Have nominated Melanie Peavy, feels she would be the best staff member to participate because it is tailored to learning about the community and County and how to better inter-coordinate with those agencies.
- b. City Attorney –
- 1) Received opinion from AO on whether impact fees could be refunded. AO has opined that we may not. The funds can be used in an equitable manner for refuse related issues. Believe the funds can be used for the compactor. CM Smith – we get a letter stating that the fees cannot be

paid back but they have to be used for a program that you no longer have. Doesn't make sense. We will use the funds to pay off the debt for the equipment and the balance of funds received from Waste Management will transfer to the General Fund.

- c. City Clerk – Nothing at this time.
- d. Commission Members – Nothing at this time.
- e. Public Forum (10 minute time limit)
 - 1) Robert Hannah expressed gratitude to the City Commission from the Wildwood Development Community Organization for stepping up to try to do the best for the westside of town. The development of all of Wildwood is their aim, and they don't want to leave one citizen behind.
- f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Motion by Commissioner Allen, second by Commissioner Strickland to accept the minutes of October 25 as typed. Motion carried by unanimous vote.

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

- 1) None

c. RESOLUTIONS FOR APPROVAL:

- 1) Resolution No. 35, a resolution appointing the City Clerk as Acting City Manager during the period of November 19 through November 27, 2010 while the City Manager is out of the country (Attachment-Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins that Resolution No. R2010-35: A Resolution Of The City Commission Of The City Of Wildwood, Florida, Designating The City Clerk As The Acting City Manager For The Period Of Time From November 19, 2010 Through November 27, 2010; Providing For An Effective Date: is adopted. Motion carried by unanimous vote.

d. APPOINTMENTS

- 1) None

e. CONTRACTS AND AGREEMENTS

- 1) Review/approval requested for Fire Alarm Monthly Monitoring contract for a 36-month period (Attachment – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Allen to approve the extension of the fire alarm monthly monitoring contract with Safety Systems. Motion carried by unanimous vote.

f. FINANCIAL

1) Bills for Approval (Attachments – Staff Recommends Approval)

CM Smith noted that Line item for Executive Payroll is not correct and should be \$14,000+/-.

Motion by Commissioner Allen, second by Commissioner Bivins to pay the bills. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

1) Review/discussion of letter from Atty. Randall Thornton representing the Oxford Pine Level Cemetery Association and their desire to have the Oxford Community Center deeded to back them (Attachments – Staff Does Not Recommend Approval)

CM Smith – spoke by phone with Randall Thornton and met with members of the Oxford Pine Level Cemetery Association. Had respectfully disagreed to turning the Oxford Community Center over to the OPLCA. Met with members of the OPLCA Board. They indicated that the Oxford Pine Level Cemetery Association were the ones who funded and constructed the Oxford Community Center. It was then transitioned to the County and then transitioned to the City of Wildwood by way of the JPA. Two reasons they wanted it back is (1) to maintain some of the identity, history and culture area and (2) they wanted to insure that the Community Center would always be opened to the Community for reservation rental. He replied to the members that he was accomplishing both with the City in control of the facility. The City has not mentioned changing the name of the Oxford Community Center and have made it a point to incorporate the Oxford Community with new development. In addition, having it under the City's control will assure that it will remain open to the public. As the copy of the schedule shows, the facility is utilized a lot. The OPLCA would be able to utilize the facility by following the process for rental. The recommendation from staff is to deny the request based upon the fact that we have not moved to rename the facility and the best way to insure that it remains open to the public is to keep it with the City of Wildwood.

Mayor Wolf – was in the meeting with the City Manager and as indicated the Commission is on record and unanimous that the City has no intention of taking away the identity of the Oxford community. Expressed concern that the next generation might not manage and maintain as the City would. Fully understand why they want to maintain that history.

Randall Thornton, Attorney representing OPLCA – the issue is not scheduling conflicts or losing the name. The issue is that the people of Oxford came together as a group of citizens to provide community center,

fire department, and a lot of other things because there was no government to do it. From an Oxford resident donated to the County and Oxford residents built it and for about 40 years Oxford residents managed and maintained it. There was a centralization of the Community building in the County in the last 20 years, where the County took over the managing and maintenance. Now it has come to the City. The request has more to do with history and tradition. The City of Wildwood is doing a great job managing it and the citizens would do a great job of managing it. Concern about future generations is a valid concern, but the persons on the City Commission will not be here forever either. Have a lot of residents of all ages who are all very active in the organization that is a Florida Corporation, 501(c)3. This group through its fund raisers, volunteers and donations will maintain the building and the City would not have to spend the money. The group would take on the headaches of scheduling, coordinating. Will agree to keep open to all public. Will provide the insurance. Have provided a draft agreement just to get the conversation started. Do not feel it would be setting a precedent, because of the history of the building. The people are hard workers with a sense of pride in their community. They commend the City for maintaining the identity of Oxford as much as it can be. If conveyed to the Association, there would be reverter clause back to the City if the Association ceases to exist, if they try to sell it to someone, or if they try to use it for criminal reasons. Could have clause that if there was a conflict or the City felt they were doing something incorrectly, given notice the Association would have 30 days to cure the problem. Requested due consideration of the request.

Commissioner Allen – rentals – can the association give assurance there would be no problems.

Randall Thornton – No, but can assure that everyone will be treated fairly and in the same way and scheduling would be on first come, first serve basis.

Commissioner Allen – in the event of conflict that the Association can't solve, can the City step in and resolve or take back control of the building. City has had problems with buildings in the past.

Randall Thornton – will need to have a process to work out problems or conflicts.

Mayor Wolf – could language be included that if the City finds that the building is not being maintained, the City could step in and take over.

Randal Thornton – if that happened then it would mean this organization has become dysfunctional and there would be no revenue to get the building back into shape.

Mayor Wolf – the group has made a great case. Sees where the City Manager, who is new to the area, based on his thoughts. Don't want the group to feel ill toward him. Would be good to have for the archives the history with all the families that were a part of building Oxford. Tried to preserve a little Wildwood history with the County. Need to preserve as much of the history as possible of Wildwood and communities as possible. Not to put down the Villages because they have done a lot for Wildwood, but the "histories" of the town centers are fictitious, and ours are real. It is awfully important to this area.

Commissioner Allen – if the Commission were to go along with the conveyance, the history would need to be made a part of the documents.

Randall Thornton – fan of history and wish had taken more pictures.

John DeHart, resident, Past President – a lot of people were involved in the construction of the Oxford Community Center. Some raised money, some supplied blocks and some laid block.

Rick Williams – 7th generation in Oxford. All the young people are on board with this.

Brenda Shrewsberry – whatever the vote, there is no ill feelings, but the community has always come together to help each other and the community. Oxford is just about gone, but would like to have the Oxford building back. Just had one of the best Fall Festivals.

Commissioner Strickland – received information on Friday and wanted to hear from Randall Thornton and Community. There is a lot to be said about tradition and history. Staff recommendation has a lot weight with him. Concern is that other associations or non-profits will come wanting the same thing. Doesn't feel there are others with the traditions as Oxford Community Center, but would like to be sure. Inclined to agree with conveyance but would prefer to table at this time.

Commissioner Allen – need to have background history of building so Commission doesn't set a precedent.

CA Blair – basic problem she sees is how to give public property to a private entity. Will have to work on that with Randall Thornton if the Commission is inclined to convey the property. Could possibly lease.

Commissioner Bivins – would like more information to review that Commissioner Allen has asked for. Would like to have it tabled.

Dean Warnock – Asked if the City paid any money to the Perry family.

Has heard that signs will be placed along the highway indicating identity of Oxford instead of the Villages.

CM Smith – the property was legally transferred to the City. If the Commission desires will look at the lease and contract options and bring back to the Commission. The City is trying to keep the identity of Oxford in place by putting Oxford on the water storage tank, incorporate the name in different developments occurring in the Oxford area, and by creating signage in the Oxford area that states Oxford area. Looking to maintain identity of Oxford.

Dean Warnock – if cost of signs was made available, possibly the community could pay for it. CA Blair – there is a process for recognizing a community within a community by signage.

Michael Georgini – want to ease Commissioner Allens mind. Have been trying to get buildings from the City for eight years. Run a huge 501(c)3 corporation and haven't gotten a building yet. Don't think there will be a precedent of people coming before the Commission.

Yvonne Jackson – Father worked in Oxford for years, and worked as a kid in Oxford in the fields. Requested the Commission to really look at giving the building to this group.

Reggie Caruthers – land donated by the Perry family. The Community people built it. There were no county or city funds. Local people did all the work and maintained it for years since some time in the 1950's. The Cemetery goes back to 1865 and the Association is about 100 years old. Have the capital to maintain. Can provide additional historical information.

Mayor Wolf – possibly the Association can get together with the Wildwood Historical Association and bring the history together.

Motion by Commissioner Clark, second by Commissioner Bivins to table and authorize City Manager, City Attorney and Attorney Thornton to seek further information to address the concerns of the City Commission for review and to include history of building by first meeting in December. Motion carried by unanimous vote.

- 2) Discussion/approval of the reimbursement of refuse impact fees for Peppertree Apartments due to compactor situation (Attachment – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Strickland to reimburse the cost of the compactor to Peppertree Apartments. Motion carried by unanimous vote.

- 3) Review/approval requested to transfer 21 ERU's from CFUS (Central FL Urology Specialists) back to Maricamp, LLC and approval for a refund of overpayment of ERU's by CFUS (Attachment – Staff Recommends Approval)

DSD Peavy – if refund is approved, the 21 ERU's will be paid for when the other portion of property develops.

Motion by Commissioner Strickland, second by Commissioner Allen to approve as requested. Motion carried by unanimous vote.

- 4) Review/approval requested for the setting of a filing fee for Community Development Districts of \$15,000 (Attachment – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to accept staff recommendation and approve setting of a filing fee. Motion carried by unanimous vote.

- 5) Review/discussion of letter from FDOT regarding speed limit on SR44 in the vicinity of the intersections of Buena Vista and Powell Roads (Attachment)

Motion by Commissioner Clark, second by Commissioner Strickland authorizing City Manager to send letter of support. Motion carried by unanimous vote.

- 6) Review/approval of parade and parade route for the Winter Wonderland Festival (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Strickland to approve the parade and route for the Winter Wonderland Festival. Motion carried by unanimous vote.

- 7) Review/discussion on preliminary findings regarding the Coleman WTP line separation (Attachments)

Lewis Bryant of Kimley-Horn explained problem and solution.

Motion by Commissioner Strickland, second by Commissioner Bivins to approve expenditure. Motion carried by unanimous vote.

4. ADJOURN:

Upon a motion by Commissioner Bivins, second by Commissioner Allen meeting adjourned.

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- 5. RECONVENE AS MEMBERS OF THE CRA (Community Redevelopment Agency)
  - a. Concept plan for the Gamble/Oxford Streets "proposed improvements" (Attachment – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the proposed improvements for Gamble/Oxford Streets. Motion carried by unanimous vote.

- 6. ADJOURN  
Upon a motion by Commissioner Allen, second by Commissioner Bivins the CRA meeting adjourned.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL  
ATTEST: Joseph Jacobs  
Joseph Jacobs, City Clerk

Ed Wolf  
Ed Wolf, Mayor  
BY: Ronald B. Allen, Mayor Protem