

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
SEPTEMBER 28, 2010 – 7:00 P.M.

The City Commission of the City of Wildwood, Florida met in Regular session September 28, 2010, at 7:00 p.m.

Present were: Mayor Pro tem Allen; Commissioners Bivins 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, Project Planner Grimm, Wastewater Director Bennett, and Public Works Director Kornegay.

1. TIMED ITEMS AND PUBLIC HEARINGS

7:00 PM

a. PUBLIC HEARING

- (1) (Review) STATE REQUIREMENTS reference the Hearing Procedures and the required Ad for the newspaper (Attachments)
- (2) OPEN MEETING for Public Hearing on the following:
- (3) Resolution No. R2010-29 – Adopting FINAL Millage Rate for the 2010-2011 Fiscal year (Attachment – Board Option)

No Public comments received. CM Smith – Millage is going from 4.175 to 4.2145 that is a slight increase of .0395, and is considered the adjusted rollback rate. CC Jacobs noted that final operating millage rate is 4.2145, which is greater than the roll back rate 4.1016 by a total of 2.75%.

Motion by Commissioner Strickland, Second by Commissioner Bivins that Resolution No. R2010-29: A Resolution Of The City Of Wildwood, Florida Adopting The Final Levying Of Ad Valorem Taxes For City Of Wildwood, Florida; Providing For An Effective Date be adopted. Motion carried by unanimous vote.

- (4) Resolution No. R2010-30 – Adopting FINAL Budget for the 2010-2011 Fiscal year (Attachment – Board Option)

No Public comments received. CM Smith – budget is 2.458 million less than last year, but that is due to consolidation and privatization of some departments to make sure we are maintaining the financial viability of the City and making sure the quality of life and level of services is maintained by the residents and customers.

Motion by Commissioner Bivins, second by Commissioner Strickland that Resolution No. R2010-30: A Resolution of the City of Wildwood, Florida adopting the final budget for Fiscal Year 2011; providing for an effective date be adopted. Motion carried by unanimous vote.

- c. SAC (Subdivision Advisory Committee) recommendation for Triumph South (Attachment – Staff Recommends Approval)

DSD Peavy, Greg Beliveau and Michael Mills were sworn in by Attorney Blair. Public Hearing opened. No comments received.

DSD Peavy – Triumph South is going through the Committee review process. Went through preliminary plat approval and has been through SAC approval of Step II. 70 single family residential lots and 40 condo units off 462. Plat has been reviewed by the City engineer and by staff. SAC recommended approval. CM Smith – the developer met with the property owners and amended their plans to hopefully accommodate their concerns. Michael Mills – indicated the property owners are good with changes the developer has made to the plat, still have concern about traffic that may be dealt with through other development.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the recommendation of the Subdivision Advisory Committee regarding Triumph South. Motion carried by unanimous vote.

3.e. 1) Review/approval of Triumph South Developer's Agreement (Attachment – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to accept the Developer's Agreement of Triumph South. Motion carried by unanimous vote.

b. Ordinance No. O2010-18, an ordinance providing the COW Police Department to the authority to act as code inspector for the COW (Attachments – Staff Recommends Approval)

Public Hearing opened. Jay Turner asked if this is one officer or are all officers going to be performing code enforcement while on their regular shift. CM Smith – noted this is one officer. No other comments received.

Motion by Commissioner Bivins, second by Commissioner Strickland that O2010-18: An Ordinance Of The City Of Wildwood Florida, Amending Section 2-121, City Of Wildwood Code; Providing The City Of Wildwood Police Department With The Authority To Act As Code Inspector; Providing For Conflict; Providing For An Effective Date

d. Request for a six month extension regarding the O'Dell PUD due to market conditions (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to grant extension. Motion carried by unanimous vote.

e. Review/final approval requested for the site plan of the Kangaroo Store/The Pantry, Inc. to be located at CR472/US301 (replaces current store at CR114/US301 disturbed by the US301 road widening) (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve SP2010-07-01 as recommended by the Planning & Zoning Board. Motion carried by unanimous vote.

2. REPORTS AND PUBLIC INPUT

▪ SPECIAL PRESENTATION: None at this time

a. City Manager

Working of Champagne Farms issue with insurance company.

Have talked with property owners along Osceola Avenue and bring back response for consideration.

Working on CDBG grants for the Pitt and Stone, Osceola Avenue and CR 232. Will be brought back at a later date.

b. City Attorney - None

c. City Clerk - None

d. Commission Members - none

e. Public Forum (10 minute time limit)

Robert Hannah – Saddened and disappointed at the condition of MLK Park. Have brought to City many times and nothing has been done. Bothered by the debris being dumped on the park, poison ivy on the fence, wasp nests, mowing needed, type of fencing, land not cleared. Was told that rocks and asphalt have been moved but it is not gone. Instead of moving it they buried it. Serve with a non-nonsense committee that want to see the children excel and would like for them to have a decent place for them to go. Would like for the City Council to work with them, but it seems like that can't be done. If can't be done then the Council must deal with them because they are here to stay and improve their community.

CM Smith – was informed on Monday of debris. He is always accessible to Mr. Hannah and his organization. The water department had to fix the sidewalk on 466A and they were instructed to dump the concrete at MLK park, which was incorrect. Gene and Ron are in process of cleaning up. Will make sure it is not being buried. Regarding fencing – can only do what funds allow. When more FRDAP and Impact fees are available, can look are better fencing. Will have someone address the wasp nests and poison ivy right away. Tried to call Mr. Hannah today, and would be glad to meet with the group on a monthly basis.

Commissioner Allen requested that when the items are being done that Mr. Hannah be contacted.

Commissioner Strickland – would like to have Parks and Recreation Coordinator to look into covers for lights. Can replace bulbs only to have them knocked out within a few days.

Mr. Hannah – noted they are trying to spread the word that it is our park and as such they are taking steps to insure that everything is being done properly. Have a problem with the comment stated that the bulbs will be knocked out. In a sense you are depicting that our people don't care about their facility.

Commissioner Strickland – was not talking about just at MLK park but all over the City.

CM Smith – will need to rent a crane to fix the lights, and will be renting one in early November to put up the Christmas decorations.

Norvell Scott, President of Westside Community Corporation Organization. Thanked City Manager for updating group on things they are trying to do for the Westside community. Appreciate that, but feel more could be done at a greater pace. Will hold City accountable for date given to fix the lights. The group does not come to divide the community, but to unify, to work with the City Commission. Will not sit back and allow the Westside community to not be properly taken care of any longer. Committed to the committee, to the City and to the underprivileged. Challenged the Commission to work with them as they want to work with the Commission, and they will no longer sit back and be idle. Asked the Commission to join them during the MLK Celebration weekend to let the Westside community know they are working together for one common goal, and that is to insure that the City of Wildwood is for all the people.

Yvonne Jackson – can barbed wire on fence be removed. CM Smith to check.

Sam Saline, VP of Westside Community Corporation Organization. When City found out that they built a community park on top of a dump and there are issues relating to that fact, someone has to take responsibility. Why did it happen in the first place? Once the City understands someone has to take responsibility for it, please do what is right.

Commissioner Allen – If any way to get grant money will address the concerns.

CM Smith – have applied for FRDAP grant. Aware of the situation and are monitoring. Everything is based on funding.

Jay Turner – reference to lights and comments about lights will be knocked out again – don't be negative, come up with a solution to take care of the problem. As long as citizens paying tax dollars the parks or whatever in the City should be maintained not just for certain citizens but for all.

Commissioner Bivins – on the Parks & Recreation Committee and asked that next meeting City Manager has with group that Jason attend also. Many of these issues have been addressed in the Parks & Recreation meetings and undoubtedly the information is not getting back to the public. Noted that Mr. Hannah's name was submitted to be a part of the Parks & Recreation Committee and if he attends, he would have the information to take back to the Westside committee. He will be able to tell them what Jason Hargrove is looking into, including grants being applied for to be allocated to the park on the Westside. He is not looking to do more for one than the other, but MLK park is being addressed. First Tuesday of every month the meeting is held and he updates the P&R Committee on the status of grants and

funds. As soon as the funds are available, she can guarantee that Jason will be on top of it. He is looking for the betterment of the entire City – not for just one group or one area of the City. If you are a member of the P&R Committee attend and voice concerns in the meeting. Noted that developments have been pushed back which pushes back the funds coming in to the City. Asked that Mr. Scott and the committee give the City time.

- f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on September 14, 2010 (Attachments Staff recommends approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the minutes of September 14, 2010. Motion carried by unanimous vote.

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

- 1) Ordinance No. O2010-16 – an ordinance proposing a small scale land use amendment for Quadventure, LLC (Attachments – Staff Recommends Approval)
- 2) Ordinance No. O2010-17 – an ordinance proposing a small scale land use amendment for the COW future Police Station (Attachments – Staff Recommends Approval)
- 3) Ordinance No. O2010-19 – an ordinance providing for the voluntary annexation of certain real property contiguous to the city limits of Wildwood (Lenard Powell Prop, LLC) (see also Ord. O2010-20) (Attachments – Staff Recommends Approval)
- 4) Ordinance No. O2010-20 – an ordinance providing for the voluntary annexation of certain real property contiguous to the city limits of Wildwood (The Villages of Lake-Sumter, Inc.) (see also Ord. O2010-19) (Attachments – Staff Recommends Approval)

Commissioner Allen read O2010-16, O2010-17, O2010-19, and O2010-20 by title only on first reading.

c. RESOLUTIONS FOR APPROVAL:

- 1) Resolution No. R2010-31, a resolution amending the COW personnel policies (Section 7.3.D.1) (Attachments – Staff Recommends Approval)

Motion By Commissioner Strickland, Second By Commissioner Bivins That Resolution No. R2010-31: A Resolution Of The City Commission Of The City Of Wildwood, Florida Amending Section 7.3, D., 1, Of The City Of Wildwood Personnel Policies And Procedures; Providing For An Effective Date: be adopted. Motion carried by unanimous vote.

- 2) Resolution No. R2010-32, Wastewater Department – purchase and replacement of bearings to Oxidation Ditch - #1 (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins that Resolution No. R2010-32: A Resolution of the City Commission of the City of Wildwood, Florida, finding a sole source purchasing and replacement opportunity for the failed bearings in oxidation ditch #1 at the City's Wastewater Treatment Plant; providing that the existence of the sole source has been documented by the City; providing for an effective date: be adopted. Motion carried by unanimous vote.

3) Resolution No. R2010-33, Wastewater Department – purchase/repair and reinstallation of turbine in Oxidation Ditch - #4 (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland that Resolution No. R2010-33: A Resolution of the City Commission of the City of Wildwood, Florida, finding a sole source purchase and repair opportunity relative to the reinstallation of the turbine in oxidation ditch #4 at the City's Wastewater Treatment Plant; providing that the existence of the sole source has been documented by the City; providing for an effective date: be adopted. Motion carried by unanimous vote: be adopted. Motion carried by unanimous vote.

d. APPOINTMENTS
None

e. CONTRACTS AND AGREEMENTS
2) Review/approval of WRPC agreement for services, if needed, for FY2010-11 (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve WRPC agreement for services, if needed. Motion carried by unanimous vote.

f. FINANCIAL
1) Bills for Approval (Attachments – Staff Recommends Approval)
Motion by Commissioner Strickland, second by Commissioner Bivins to approve payment of bills. Motion carried by unanimous vote.
2) Selection/Approval of quote for the CR127 Reuse Line Bores – RE: Triumph South (Mizzi Project) (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to select and approve quote from Oxford Pipe. Motion carried by unanimous vote.

3) Approval requested from Public Works Director on the quotes for re-roofing of the Senior Services Center on 4th Street (Attachment – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve quote from Bowles accepting the architectural shingles. Motion carried by unanimous vote.

- 4) Selection of quote for repairs to AC unit within the WWT-Plant (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve quote from Sumter Air & Heat. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Approve the appointment of Poll Workers for the December 7, 2010 Special Referendum Election(Attachment - Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the list of Poll Workers. Motion carried by unanimous vote.

- 2) Review/approval of the U.F. Bureau of Business & Economic Research estimates for the population projection for the City of Wildwood (Attachments – Board Option)

Motion by Commissioner Strickland, second by Commissioner Bivins to accept the population projection of 5200 from the UF Bureau of Business & Economic Research. Motion carried by unanimous vote.

- 3) FY09-10 Budget Amendments (Attachments)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the final budget amendment for FY2009-2010. Motion carried by unanimous vote.

- 4) Review/consideration regarding FDEP's offer to purchase property owned by the agency on High Street (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve acquisition of lot from FDEP. Motion carried by unanimous vote.

4. ADJOURN:

Upon a motion by Commissioner Bivins, second by Commissioner Strickland the meeting adjourned.

SEAL

ATTEST:


Joseph Jacobs, City Clerk

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Ronald B. Allen, Mayor Pro Tem