

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
JANUARY 14, 2013 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood Florida met in Regular Session January 14, 2013 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, Strickland, and Green. Also present were: City Manager Cannon, City Clerk Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, Utility Director Phillips and AVT Law.

The meeting was called to Order followed by an invocation and Pledge of Allegiance to the American Flag.

- PRESENTATION: of Key to the City/Plaque to Commissioner Ronald B. Allen for 20 years of service (Attachment)

Commissioner Ronald B. Allen was recognized for 20 years of service and a Key to the City plaque. Mayor Wolf expressed the appreciation of the Commission and a personal thank you. Commissioner Allen left to a standing ovation from all present.

- OATH OF OFFICE to COMMISSIONERS JULIAN GREEN and ROBBY STRICKLAND by JUDGE THOMAS SKIDMORE

Judge Thomas Skidmore administered the Oath of Office to Julian Green as the newly elected Commissioner in Seat 5, and Commissioner Robby Strickland for his new term in Seat 3.

- SELECTION OF MAYOR PRO-TEM

The floor was opened for Mayor Pro-tem nominations.

Commissioner Green nominated Commissioner Bivins.

Motion by Commissioner Clark, second by Commissioner Green that nominations cease and nomination is approved. Motion carried by unanimous vote.

- (IMMEDIATELY) ADJOURN AS CITY COMMISSION – MOTION TO APPOINT CITY COMMISSION TO SERVE AS THE CITY'S LOCAL PLANNING AGENCY (LPA) FOR THE PURPOSE OF ACTION ON THE FOLLOWING:

The Commission Meeting was adjourned by Mayor Wolf, who then convened the meeting of the Local Planning Agency.

- A. Case CP 1211-01: The applicant seeks approval and a favorable recommendation from the Land Planning Agency for a Text Amendment to Policy 1.7.3 of the Future Land Use Element of the adopted Comprehensive Plan. Policy 1.7.3 is specific to The Villages of Wildwood Development of Regional Impact (DRI). LPA to review and make a recommendation to the City Commission (Attachments – Staff suggests approval and a favorable recommendation of Ordinance No. O2013-02 to be forwarded to the City Commission for further action)

DSD Peavy reported that CP 1211-01 was heard before the Special Magistrate on January 8. The Special Magistrate gave a recommendation that he cannot give a recommendation because he sits on one of the CDD Boards for the Villages. The applicant seeks approval to amend Policy 1.7.3 of the FLUE of the ACP to remove a cap of a maximum of 66 residential dwelling units, within the Villages of Wildwood, to increase the maximum residential area from 15% to 40%, and add clarifying language. Parcels include G08=096, G08=200, G08=200A, G16=007, G09=096, G08=060, G08=020, G04=054, G04=055. Noted the developer is the Villages of Lake-Sumter, Inc. and the Applicant is Darrin Taylor representing the Villages of Lake-Sumter. Staff is requesting approval and favorable recommendation of O2013-02 be forwarded to the Commission for final action.

Mayor Wolf noted this will be the area immediately around the Town Center.

Sitting as the LPA, motion by Commissioner Strickland, second by Commissioner Bivins to recommend approval. Motion carried by unanimous vote.

LPA meeting adjourned.

Commission meeting was reconvened.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 7:00 PM – PUBLIC HEARING – 2ND FINAL READING of Ordinance O2012-26: An Ordinance proposing a small scale land use map amendment, Sumter Retirement Residence, Oxford Cottages Retirement, Portion of Parcel #D08=005, Lot 5 (3.02± acres). Case was heard by Local Planning Agency 12-04-12 who recommended approval of the ordinance. (Attachments – Staff Recommends Approval)

Ordinance O2012-26 read by title only, and meeting opened for Public Hearing. No comments were received.

Motion by Commissioner Bivins, second by Commissioner Clark O2012-26 was adopted on second final reading. An Ordinance Of The City Of Wildwood Florida; Proposing A Small Scale Land Use Amendment To The Adopted Local Comprehensive Plan And Future Land Use Map In Accordance With The Community Planning Act Of 2011, As Amended; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

b. 7:00 PM – PUBLIC HEARING – 2ND FINAL READING of Ordinance O2012-27: An Ordinance proposing a zoning map amendment, Sumter Retirement Residence, Oxford Cottages Retirement, Portion of Parcel #D08=005, Lot 5 (3.02± acres). Case RZ 1210-01 was considered by the P&Z Board/Special Magistrate 12-04-12 who recommended approval of the ordinance. (Attachments – Staff Recommends Approval subject to approval of Ordinance O2012-26)

Ordinance O2012-27 read by title only, and meeting opened for Public Hearing. No comments were received.

Motion by Commissioner Clark, second by Commissioner Strickland that Ordinance No. O2012-27 is adopted on second final reading. An Ordinance Of The City Of Wildwood Florida; Proposing A Zoning Map Amendment To The Official Zoning Map In Accordance With Sections 3.2 And 3.3 Of The Land Development Regulations; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

c. 7:00 PM – PUBLIC HEARING – 2ND FINAL READING of Ordinance O2012-28: An Ordinance proposing a small scale land use map amendment, Sumter Retirement Residence, Oxford Assisted Living Facility and Memory Care, Portion of Parcel #D08=005, Lot 4 (4.15± acres). Case was heard before the Local Planning Agency 12-04-12 who recommended approval of the ordinance. (Attachments)

Ordinance O2012-28 read by title only, and meeting opened for Public Hearing. No comments were received.

Motion by Commissioner Bivins, second by Commissioner Strickland that Ordinance No. O2012-28 is adopted on second final reading. An Ordinance Of The City Of Wildwood Florida; Proposing A Small Scale Land Use Amendment To The Adopted Local Comprehensive Plan And Future Land Use Map In Accordance With The Community Planning Act Of 2011, As Amended; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

d. 7:00 PM – PUBLIC HEARING – 2ND FINAL READING of Ordinance O2012-29: An Ordinance proposing a zoning map amendment, Sumter Retirement Residence, Oxford Assisted Living Facility and Memory Care, Portion of Parcel #D08=005, Lot 4 (4.15± acres). Case was heard before the P&Z Board/Special Magistrate 12-04-12 who recommended approval of the ordinance. (Attachments)

Ordinance O2012-29 read by title only, and meeting opened for Public Hearing. No comments were received.

Motion by Commissioner Strickland, second by Commissioner Clark that Ordinance O2012-29 is adopted on second final reading. An Ordinance Of The City Of Wildwood Florida; Proposing A Zoning Map Amendment To The Official Zoning Map In Accordance With Sections 3.2 And 3.3 Of The Land Development Regulations; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

e. 7:00 PM – PUBLIC HEARING – 1st Reading on the transmittal of Ordinance O2013-01 to the Reviewing Agencies for review; and 1st Reading of Ordinance O2013-01 an ordinance adopting the 10-Year Water Supply Facilities Work Plan and the recommended text amendments to the Public Facilities, Conservation, Intergovernmental Coordination, and Capital Improvement Elements of the Comprehensive Plan. (Attachments – Staff Recommends Approval of the Transmittal)

O2013-01 was read by title only on first reading. Meeting was opened for Public Hearing. No comments were received.

DSD Peavy asked if there were any questions from the Commission. Mayor Wolf indicated the Commission would depend on staff to be sure all was in order. Commissioner Strickland indicated he had limited time to review the items on the agenda. CM Cannon noted the agenda delivery would be addressed later in meeting.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve transmittal of Ordinance O2013-01 to the reviewing agencies. Motion carried by unanimous vote.

f. 7:00 PM – PUBLIC HEARING – 1st Reading on the transmittal of Ordinance O2013-02 to the state Reviewing Agencies for review; and 1st Reading of Ordinance O2013-02, a Text Amendment to Policy 1.7.3 of the Future Land Use Element of the adopted Comprehensive Plan which is specific to The Villages of Wildwood Development of Regional Impact (DRI). (Attachments – Staff Recommends Approval of the Transmittal)

Ordinance O2013-02 was read by title only on first reading. Meeting opened for Public Hearing. Not comments received.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve transmittal of Ordinance O2013-02 to the State Reviewing Agencies. Motion carried by unanimous vote.

* Quasi Judicial Hearing

2. REPORTS AND PUBLIC INPUT / SPECIAL PRESENTATION(S)

a. City Manager

- 1) Letter from Wildwood Area Historical Association regarding Valentine Dinner at the Baker House on February 9, 6:00 p.m. Tickets \$100 per couple.
- 2) MLK Park needs to remulch the play area. Would like to use the rubber mulch that should last longer and is safer for children.
- 3) On Monday January 21, MLK Celebration in Wildwood.
- 4) FYI Budget – General fund at 25% expenditures and 36.28% revenues. Enterprise Fund at 22.56% revenues and 19.06% expenditures. Mayor Wolf requested this information be presented in writing at the next meeting.

Mayor Wolf noted additional FYI's below.

b. City Attorney

- 1) Noted letter she submitted to the Commission concerning current cases.

c. City Clerk

- 1) CC Jacobs referred to item 2.f.3), noting action needs to be taken on the item. Motion by Commissioner Bivins, second by Commissioner Green to approve the request from Patrick V. Kennedy. Motion carried by unanimous vote.

d. Commission Members

Commissioner Green – received information regarding an ERP and would like have one for each department and facility of the City.

Commissioner Strickland and Mayor Wolf – regarding the agenda delivery. CM Cannon noted the will be taken care of in a staff meeting this week. Mayor Wolf requested that Work time be addressed in the staff meeting. Commissioner Strickland requested that staff look into the possibility of the Commissioners keeping the iPads and uploading the agendas at home instead of having to run around to bring them back then pick them up when ready. CM Cannon indicated there is an item on the agenda that would allow for the uploading outside of City Hall.

- e. Public Forum (10 minute time limit)
Gene Baker – Congratulations to new Commissioner, Julian Green and thanks to the Commission for the upgrade of roads and sidewalks.

- f. Notes and Reports
 - 1) FYI – Results of Roadway Improvements through the City's CDBG Grant – Before & After Photos of Street Repaving (Attachments – No Action Required: Information Only)
 - 2) FYI – Development Services' new "*Information for Citizens and Businesses*" Brochure (Attachments – No Action Required; Informational Only)
 - 3) Proclamation Request from Patrick V. Kennedy, President of the Ancient Order of Hibernians in America to declare the month of March 2013 as Irish American Heritage Month in the City of Wildwood (Attachments – Board Option)
 - 4) FYI – Letter from Chief Reeser regarding the City and CSX addressing the speed of approaching trains to the public (Attachment)

- 3. NEW BUSINESS – ACTION REQUIRED
 - a. MINUTES
 - 1) Minutes of Special Called Workshop Meeting held on December 3, 2012 (Attachments – Staff Recommends Approval)
 - 2) Minutes of Regular Meeting held on December 10, 2012 (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the minutes of December 3 and December 10, 2012 as typed. Motion carried by unanimous vote.

- b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)
 - 1) Ordinance No. O2013-03 Amending Section 6.4(E) of the Land Development Regulations to eliminate the 12-inch minimum pipe size requirement for storm sewers located in grassed areas not subject to vehicular traffic (Attachments)

Ordinance No. O2013-03 was introduced and read by title only on first reading. No comments.

 - 2) Ordinance No. O2013-04: An Ordinance modifying the Five-Year Capital Improvement Schedule of the Capital Improvements Element of the Comprehensive Plan in the City of Wildwood. (First reading)

Ordinance No. O2013-04 was introduced and read by title only on first reading.

DSD Peavy reported there have been changes in the CIE requirements; therefore the transmittal is not necessary.

a) Approval requested for transmittal of Ordinance O2013-04 to the Department of Community Affairs for compliance determination in accordance with Section 163.3184, Florida Statutes (Attachments – Staff Recommends Approval)

c. RESOLUTIONS FOR APPROVAL

1) a) Request approval for forfeiture of currency seized as evidence to the Wildwood Police Department by deposit into the Law Enforcement Trust Fund under Section 705.105, Florida Statutes and other certain property be declared surplus (Attachments – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve request for forfeiture of currency seized as evidence to the Wildwood Police Department be deposited into the Law Enforcement Trust Fund. Motion carried by unanimous vote.

b) Request from Chief Reeser to amend the LETF (Law Enforcement Trust Fund) to add unanticipated revenue in the amount of \$11,903.00 (Attachment – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve the request from Chief Reeser to amend the LETF (Law Enforcement Trust Fund) to add unanticipated revenue in the amount of \$11,903.00. Motion carried by unanimous vote.

c) Request approval of Resolution No. R2013-01 declaring certain property seized as evidence as surplus and determining the manner of disposal (Attachment - Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins that Resolution R2013-01 is adopted. A Resolution Of The City Commission Of The City Of Wildwood, Florida Declaring Certain Property Surplus; Determining The Manner Of Disposal Of Said Property; Providing For An Effective Date. Motion carried by unanimous vote.

d. APPOINTMENTS

1) Request from Sumter County Administrator Bradley Arnold to appoint a Wildwood elected official to serve the next four year term on the Sumter County Tourist Development Council to fill the expired seat of Commissioner Strickland (Attachments – Board Option)

Motion by Commissioner Clark, second by Commissioner Green to appoint Commissioner Strickland to serve the next four year term on the Sumter County Tourist Development Council. Motion carried by unanimous vote.

e. CONTRACTS AND AGREEMENTS

- 1) Request Approval to execute a Developer's Agreement Between the City of Wildwood, Florida and the Word Family, LLC for the provision of utilities and other municipal services from the City for development of the Word property (Attachments – Staff Recommends Approval)

DSD Peavy – the developer has agreed to pay to get the lines there under a Pioneer Agreement. The developer made a change today and those changes were handed out.

CA Blair noted she has not yet seen the agreement therefore any approval should be subject to review and approval by the City Attorney and approval of changes by staff as long as they are within the scope of what the Commission approves. Mayor Wolf requested that if something was found that needed Commission approval that a special meeting be called.

Motion by Commissioner Clark, second by Commissioner Green to approve subject to City Attorney review and approval and Staff approval and recommendation. Motion carried by unanimous vote.

f. FINANCIAL

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

Mayor Wolf asked if staff is watching the KHA invoices carefully. CC Jacobs noted that the invoice includes amount of project, amount already paid and balance.

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

- 2) Recommendation to accept construction of the CR 462 Phase I Utility Extension and approval of final pay request to Rainey Construction Co. Invoice No. 2-3708 in the amount of \$18,081.89 (Attachments - Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve final payment request from Rainey Construction Co. Motion carried by unanimous vote.

- 3) Request for approval to purchase a pump impeller from Barney's Pumps in the amount of \$1,900.00 and purchase a new 60 HP motor from TAW Orlando Services Center, Inc. in the amount of \$3,211.62 for a total cost of \$5,111.62 to repair the reclaimed water pump on the Lake Miona property. (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve purchase of pump impeller from Barney's Pumps in the amount of \$1900. Motion carried by unanimous vote.

- 4) Request for approval to repair the failed Wastewater Treatment Plant Digester Blower No. 4 at a cost of \$2,450.00 (Attachments – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Strickland to approve to repair the failed Wastewater Treatment Plant Digester Blower No. 4 at a cost of \$2,450.00. Motion carried by unanimous vote.

- 5) Request by Joseph Jacobs, City Clerk for approval of financing for 6 (six) Dodge Police vehicles (previously approved) by awarding the bid to the apparent low bidder, BB&T Bank at the rate of 1.45% with annual payments of \$49,381.86 for a term of 5-years (Attachments – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve financing for 6 (six) Dodge Police vehicles (previously approved) by awarding the bid to the apparent low bidder, BB&T Bank at the rate of 1.45% with annual payments of \$49,381.86 for a term of 5-years. Motion carried by unanimous vote.

- 6) Request by Chief Reeser for approval to purchase and have installed an automatic gate system at the south entrance to the Police Department for security from Campbell's Gate Service in the amount of \$7,119.45 utilizing Impact Fees to pay for it (Attachments – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve purchase and have installed an automatic gate system at the south entrance to the Police Department for security from Campbell's Gate Service in the amount of \$7,119.45 utilizing Impact Fees to pay for it. Motion carried by unanimous vote.

- 7) Request by Chief Reeser for approval to purchase a new server to handle the capacity of the in-car video system installed in patrol vehicles, from L3 Mobile-Vision, Inc., a sole-source provider (R2011-16) in the amount of \$15,749 utilizing Impact Fees for the purchase (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins second by Commissioner Green to approve to purchase a new server to handle the capacity of the in-car video system installed in patrol vehicles, from L3 Mobile-Vision, Inc., a sole-source provider (R2011-16) in the amount of \$15,749 utilizing Impact Fees for the purchase. Motion carried by unanimous vote.

- 8) Request for approval to upgrade technical services throughout City Hall, Water/Wastewater, Public Works/Fleet Services, Annex and the Wildwood Community Center with high speed Internet Access, enhanced e-mail, Wi Fi, Hot Spots, Backups and Internet Phone (Bundled Services). Lowest quote provided by and staff would recommend Bright House Networks. (Attachments – Board Option)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve upgrade technical services throughout City Hall, Water/Wastewater, Public Works/Fleet Services, Annex and the Wildwood Community Center with high speed Internet Access, enhanced e-mail, Wi Fi, Hot Spots, Backups and Internet Phone (Bundled Services) as recommended by staff. Motion carried by unanimous vote.

The Commission Meeting was adjourned and the Commission reconvened as the CRA.

B. ADJOURN AS CITY COMMISSION – RECONVENE AS MEMBERS OF THE CRA (Community Redevelopment Agency) FOR THE PURPOSE OF ACTION ON THE FOLLOWING:

1. Request for the CRA to make a recommendation to the City Commission to authorize the use of CRA funding for a survey within the City's CRA district along the CSX right-of-way extending from the north boundary of parcel G06=069 (SNJ Discount Beverages) to the south boundary of parcel G06C001 (Seaboard Systems RR), enabling the City to enter into a long-term lease with CSX for that portion of property. (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland and second by Commissioner Green to make recommendation to the City Commission to approve the survey. Motion carried by unanimous vote.

The meeting of the CRA adjourned.

RECONVENE AS CITY COMMISSION AND CONTINUE WITH REGULARLY SCHEDULED CITY COMMISSION MEETING:

Mayor Wolf reconvened the City Commission meeting.

- 9) Request Commission approval of a \$4,800 expenditure for a survey along the CSX right of way enabling the City to enter into a long-term lease with CSX for that portion of property to ensure businesses on the west side of US 301 in the downtown area maintain adequate access to their facilities and for public parking. (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to authorize the survey as recommended by the CRA. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Request for approval to send the attached letter to the Department of Economic Opportunity – Division of Community Development regarding the Evaluation and Appraisal of the City's Comprehensive Plan (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Clark to authorize execution of letter by Mayor Wolf to the Department of Economic Opportunity – Division of Community Development regarding the Evaluation and Appraisal of the City's Comprehensive Plan. Motion carried by unanimous vote.

- 2) Request from CSX to schedule a date for a Commission Workshop Meeting in January to include City department heads and County Fire and Ambulance Services affected by the planned changes to CSX rail operations so necessary officials are fully informed and so that a public meeting can be held in February (Attachments – Board Option)

By Common Consent Workshop was scheduled for February 4, 2013 at 6:00 p.m.

3) Request for Site Plan approval (SP 1211-02) to construct a three-story 54,128 sq. ft. (162,384 GFA) building for a 103 suite Assisted Living and Memory Care facility; subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction; and subject to approval of the land use change (case CP 1210-02, O2012-28) and rezoning (case RZ 1210-02, O2012-29) ordinances heard earlier in meeting (A portion of parcel D08=005, Lot 4 of the Oxford Greens Plat) (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve SP 1211-02 upon recommendation of staff. Motion carried by unanimous vote.

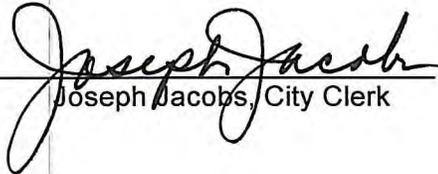
4. ADJOURN

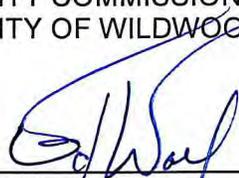
Upon a motion by Commissioner Bivins and second by Commissioner Strickland the meeting was adjourned.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST:


Joseph Jacobs, City Clerk


Ed Wolf, Mayor