

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
REGULAR MEETING  
MARCH 12, 2012 – 7:00 P.M.  
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood Florida met in Regular Session March 12, 2012 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, Allen and Strickland. Also present were: Interim City Manager Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Senior Planner Grimm, Public Works Director Kornegay, Utility Director Phillips, Human Resource Coordinator Cox and AVT Law.

County Administrator Bradley Arnold was in attendance.

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

1. TIMED ITEMS AND PUBLIC HEARINGS  
None

2. REPORTS AND PUBLIC INPUT AND SPECIAL PRESENTATIONS

Update on the CSX S-Line rail expansion and City utility crossings (David Grimm)

SP Grimm – the soft digs are completed and only two of the seven crossings identified need any modifications. Preliminary estimate is \$35,000 to \$45,000 for construction costs. There will be additional costs such as the CSX flagmen at \$800 per man per day. A formal bid will be required, due to the estimated costs. Kimley-Horn will prepare the bid documents.

Motion by Commissioner Bivins, second by Commissioner Clark to amend the agenda to include consideration of Kimley-Horn to prepare documents for CSX utility crossings and to advertise for bid. Motion carried by unanimous vote.

Motion by Commissioner Allen, second by Commissioner Bivins to authorize Kimley-Horn to prepare bid documents for CSX utility crossing and to have advertised for bid. Motion carried by unanimous vote.

a. City Manager

ICM Jacobs reviewed items 1) through 5) and

1) FYI – FEMA Notifying us of two upcoming meetings, one for local officials and one for the public, on March 21 regarding the preliminary countywide Flood Insurance Study, flood risk in Sumter Co., and preliminary Flood Insurance Rate Maps (FIRM) for Wildwood/Sumter County (Attachments)

Noted the revisions will have impact on some residents. According to the notice FEMA or the County will be advertising for the public.

- 2) FYI – SWFWMD Modified Phase III Water Shortage Restrictions scheduled to begin March 10, 2012 and expire on June 30, 2012 (Attachment)
- 3) FYI – Wildwood Growers' Market Cash Mob on Saturday, March 17 (Attachment)
- 4) FYI – Easter Egg-stravaganza Event on Saturday, April 7, from 9:00-11:00 AM (Attachment)
- 5) FYI – Forfeiture of vehicles to the Wildwood PD by Court Order, which were seized in a felonious case (Attachments)

Additional: West Well – CA Blair has received correspondence from the attorney of the property owner where the west well is located, the old Lee. Both he and the City Attorney thought that steps had been taken to abandon the well, but it hasn't and is still in existence and the family has given a time frame to have the equipment removed and the well abandoned or there may be legal action.

CA Blair – reminded the Commission that the property was originally leased for three years and the lease expired in the early 2000's. The City has been there since then without a lease or owning the property. Noted that City has been told verbally from time to time that they can remain on the property, but there has been no written document giving the City a legal right to be on the property. She spoke with the attorney today and he was very reasonable. The main thing the client wants is for the City to show some progress toward moving off the property. Spoke with Bruce Phillips and he is reviewing a plan toward moving and whether that well is necessary to the City for water flow. May have to offer compensation to the property owner for remaining on the property until the well can be taken off line, cap the well and move off the property. This may take months.

ICM Jacobs – the Champagne Farms well was to be the alternative to the west well. Doesn't believe Champagne Farms was proceeding in the time frame the City thought it would. Planning to move forward on Champagne Farms in the next budget year, but may need to move forward as soon as possible to come into compliance with this property owners request.

UD Phillips – no authorization needed at this time. Moving forward as necessary and not concerned with the quantity of water, because we are talking about less than 250,000 gpd. What he has found is that when Champagne Farms came on the plan was to take the west well out of service. Will have to get permit modifications for both the WUP and Operating Permit to be able to take the well out of service.

CA Blair noted that since the lease expired the owner and Mr. Stevens had met several times and had discussed deals where the City would give some connection fees and different variations of exchange. The City had verbal

permission to continue on the property and then the owner would come back and ask that the City move. Champagne Farms was to be the answer for moving off the old Lee property.

Mayor Wolf asked, if the City moves the equipment before having Champagne Farms on line, what guarantees the interchange that they will have water if the line breaks between the City and the interchange.

UD Phillips indicated if there is a line break between the City and the interchange, the interchange will be without water until the line is repaired. One thing that will be tested is to turn off the west well through a major period, maybe lunch time, and make sure there is sufficient pressure with that well out of service.

Mayor Wolf – main function of the west well was that a major commercial hub would be without water if there is a break between the City and there. Commission needs a time frame on bringing the Champagne Farms well on line and a draft lease with the west well property owner until Champagne Farms is on line.

UD Phillips has asked Kimley-Horn to do two things and should bring back a scope of service and costs involved on (1) classifying the Champagne Farms wells as AWS, Alternate Water Supply wells, because they were drilled into the lower Floridian and have shown a complete separation from the upper Floridian and the water is really good, and (2) preliminary design of the well site.

CA Blair noted other demands that were in the letter and once discussed with the attorney it was understood that the dry line was in place as required in the original agreement with the Lee Family, and that the City did not need to provide the permit information. Feels she can resolve issues without going to court, but must show that the City is making progress to get off the property and be ready to make a fair market value for leasing the land for time we remain there.

ICM Jacobs, CA Blair and UD Phillips to proceed with what has been discussed.

Mayor Wolf – City needs to look at TIE fees and the way they are calculated and the time frame for payment. ICM Jacobs noted discussion of earlier meeting he attended and ways to finance projects, and reminded the Commission that general taxes cannot be used for the enterprise projects. UD Phillips noted that his experience has been to let the developer build the system back to the City according to City specifications and watched over by the City.

CA Blair updated Commission on working with the developer for a grant, indicating they have not responded with information requested by the City engineers. That may help with the lines to the Golden Corner. Mayor Wolf asked if Glassman is aware that the City is not getting the information from the engineers. UD Phillips indicated that he was the last time he was here. ICM

Jacobs indicated the information was received but no agreement has been reached.

UD Phillips noted that it will take two years to get Champagne Farms on line. Mayor Wolf noted the City may need to contact Farkus about water in the interim. ICM Jacobs noted that the entire well testing to completion was cost out over a number of years and was not planned to be done in one year.

b. City Attorney - None

c. City Clerk - None

d. Commission Members –

Mayor Wolf – We were going to see about the Wildwood Historical Society operating as a City Committee. Did the Commission approve for the Wildwood Historical Society to be a board of the City. CA Blair to review the past Committee and see what needs to be done to reactivate. If City Committee then the Commission would appoint the members. ICM Jacobs noted there needs to be a clear understanding of ownership of the items that have been donated to the City belongs to the City and is not privately owned.

e. Public Forum (10 minute time limit)

1) Hezi Gabai of the Hollywood Café and member of the Historical Association is concerned about what is happening to the businesses on the west side of Main Street. CSX has placed flags against the back of the buildings. The business owners have been meeting and all are concerned. Mayor Wolf indicated that CSX is the problem, not the City. CSX owns the property that the roadway behind the buildings is on. The City has had no favorable results with CSX in the past on different issues and it took five years of requests before they painted the depot. Mr. Gabai expressed concern that a treasure will be ruined and lost is something isn't done to stop CSX. There will be a meeting with a CSX representative on Tuesday at 5 p.m. CSX needs to be made aware of the concern of the loss the City will feel. Mayor Wolf noted that from the meeting CSX had with the City, the project is on a tight time frame and when the lines go commuter in Orlando they have to have this line complete because the freight trains are scheduled to come through Wildwood. Noted that the City has no control on the FDOT property up to the front of the buildings and the CSX property up to the back of the building. The City will fight along with the property owners up to spending money against CSX.

Hezi Gabai – If you want to move forward you must look at your history. It is the most important. Brownwood is going to be old Florida, but Wildwood is the real old Florida.

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

3. NEW BUSINESS – ACTION REQUIRED  
a. MINUTES

- 1) Minutes of Regular Meeting held on February 27, 2012 (Attachments – Staff Recommends Approval)
- 2) Minutes of Special Called Meeting held on March 7, 2012 (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland that the minutes of February 27 2012 and March 7 2012 be approved as typed. Motion carried by unanimous vote.

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

- 1) Ordinance No. O2012-16, a proposed Ordinance providing for the extension of the permitted hours of sale of alcoholic beverages in the City of Wildwood to 2:00 a.m. daily (Attachments – Board Option)

CA Blair indicated she took the language from the State Statutes. PC Reeser noted discussion with the City Attorney and some clarification he requested in number 3 regarding full course meal. CA Blair to make change prior to second reading. Mayor Wolf requested that a copy of the Resolution be sent to Steve Roy.

c. RESOLUTIONS FOR APPROVAL:

- 1) Discussion/Approval of Resolution No. O2012-03, a resolution determining that certain real property is surplus and should be used in a manner to further the public interest – this is the property on Powell Road adjacent to Lenard Powell's property (Attachments – Staff Recommends Approval)

It was noted that a survey would be needed for the legal description.

Motion by Commissioner Strickland, second by Commissioner Clark authorizing survey of property. Motion carried by unanimous vote.

Motion by Commissioner Allen, second by Commissioner Clark that Resolution No. R2012-03: A Resolution Of The City Commission Of The City Of Wildwood, Florida Determining That Certain Real Property Is Surplus; Determining That Said Real Property Should Be Used In A Manner To Further The Public Interest; Providing For An Effective Date: be adopted contingent upon receipt of legal description. Motion carried by unanimous vote.

d. APPOINTMENTS

None

e. CONTRACTS AND AGREEMENTS

- 1) Discussion/Approval of Amendment To The Interlocal Agreement Between Sumter County And The City Of Wildwood, Florida, Regarding Placement Of Digital Public Safety Radio Communications System (Attachments – Staff Recommends Approval) (Bradley Arnold, County Administrator to address)

Bradley Arnold, Sumter County Administrator noted that County does intend to finance the changes and equipment. Noted the FCC has set a deadline for change to narrow banding, but the County has decided to replace the entire system. Have worked with Chief Reeser, Mr. Jacobs and CA Blair to simplify an amendment to the existing agreement.

Motion by Commissioner Clark, second by Commissioner Strickland to approve Amendment To The Interlocal Agreement Between Sumter County And The City Of Wildwood, Florida, Regarding Placement Of Digital Public Safety Radio Communications System. Motion carried by unanimous vote.

2) Discussion/Approval of Agreement between the City of Wildwood and Lenard Powell authorizing Powell to show the City's property when showing his adjoining property with no payment expected by Powell; City to make decision whether to accept any offer (Attachments – Staff Recommends Approval)

CA Blair noted the agreement tells Mr. Powell that he can tell people that the City of Wildwood is selling adjacent property. It does not provide for any fee so that he is not acting as a broker or realtor, and doesn't give him power to make any decision. The City would have the final authority.

Motion by Commissioner Allen, second by Commission Bivins to approve the agreement between the City of Wildwood and Lenard Powell with legal description exhibit to be provided after survey completed. Motion carried by unanimous vote.

f. FINANCIAL

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

Motion by Commissioner Bivins, second by Commissioner Strickland to approve payment of bills. Motion carried by unanimous vote.

2) Discussion/Approval of proposed change order to the CDBG CR 232 Resurfacing Project in the amount of \$12,250 for additional pavement reflective striping on CR 232 (Attachments – Staff Recommends Approval) (David Grimm)

Motion by Commissioner Allen, second by Commissioner Bivins to approve proposed change order to the CDBG CR 232 Resurfacing Project in the amount of \$12,250 for additional pavement reflective striping on CR 232. Motion carried by unanimous vote.

3) Discussion/Board Option – Request for tuition reimbursement by Shayla Lawson, Dispatcher at PD (Attachments – Board Option)

Motion by Commissioner Clark, second by Commissioner Bivins to approve Request for tuition reimbursement by Shayla Lawson, Dispatcher at PD. Motion carried by unanimous vote.

4) Authorization/Approval to move forward with road maintenance/repair on four roads approved for repair in this year's budget for an estimated amount of \$115,775 (Attachments – Staff Recommends Approval) (Gene Kornegay)

PWD Kornegay indicated that CW Roberts is holding their price they bid on CR 232 repaving. ICM Jacobs noted the budget will handle this amount.

Motion by Commissioner Bivins, second by Commissioner Allen to approve to move forward with road maintenance/repair on four roads approved for repair in this year's budget for an estimated amount of \$115,775. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

1) Discussion on whether to repair or replace the Siemens Fire Alarm System at the Wildwood Community Center in order to pass the Fire Marshal's inspection and State Elevator inspection to place the elevator into service to allow for rental of the President's Hall (Attachments – Board Option)

PWD Kornegay noted the elevator was never inspected and a CO was not received for the building. Quotes he received to repair or replace the system, and stated it would need to be bid. ICM Jacobs suggested this be turned over to the new Parks & Recreation Coordinator to proceed.

Bradley Arnold, Sumter County Administrator reported that the County is in a contract for elevator work and suggested the City get in touch with the contractor and ask to piggyback.

Motion by Commissioner Strickland, second by Commissioner Allen to authorize Parks & Recreation staff to check into the County's alternatives and pursue the CO for the Wildwood Community Center. Motion carried by unanimous vote.

2) Discussion of the cost estimated by Progress Energy to re-locate the power lines underground on 466-A/Cleveland Avenue when widening is done (Attachments – Board Option) (David Grimm & Jerri Blair to address)

SP Grimm noted that he was involved in most of the 466A preliminary design meetings with the County and Kimley-Horn. His charge was per the Interlocal agreement, which included the decorative lighting, irrigation, landscaping, old library building for stormwater, and 209. The underground utilities were not a discussion item during those meetings. Has talked with Rick Busche and he has provided an email of a meeting with Progress Energy and Bright House. This meeting was held after the Interlocal agreement. They discussed the overhead distribution lines and relocating. The discussion was that the cost for Progress Energy to take that line from overhead to underground would be in excess of one million dollars, complicated by the fact that Bright House also shares that line and if Progress Energy goes underground, Bright House would have to do the same. CA Blair noted conversation with Robert Smith prior to the Interlocal agreement

approval in which he noted discussions with the County regarding Underground utilities. The County had stated they would not have the money to fund such a project. Mayor Wolf questioned why this project would not require underground utilities when the Ordinance requires underground utilities on all new development. He might have to agree if it would put a burden on the taxpayers to put the line underground from the main line to the houses. Mayor Wolf expressed that years from now people will come from Highway 27 with no poles in sight until they get to the city limits. It was noted that the Villages is paying for the costs of overhead lines that is above the costs of underground. Bradley Arnold noted that the right-of-way would have to be adjusted to accommodate underground power lines, and notices have gone out to the property owners where right-of-way is needed. Mayor Wolf noted that maybe when the three lane goes to four lane underground can be done.

3) Request from Chief Reeser to add two additional officers to current fiscal budget with projected hire date in June 2012 to provide for staffing needed when The Villages Brownwood Town Center opens in September 2012; impact to this year's budget will be presented at the next regular meeting (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Clark to approve request from Chief Reeser to add two additional officers to current fiscal budget with projected hire date in June 2012 to provide for staffing needed when The Villages Brownwood Town Center opens in September 2012. Motion carried by unanimous vote.

Commissioner Allen complemented the Police Department on what was being done on Powell Road to slow the traffic.

Mayor Wolf asked Bradley Arnold to check out intersection on Powell road where there is low "clearance". Mr. Arnold noted the signage is a temporary fix and the County has been in touch with DOT regarding the "dragging" of vehicles at the intersection.

Mayor Wolf requested a lead in question for each of the City Manager candidates be asked such as, what interested you in the City of Wildwood, why did you want to come to Wildwood. In what order will questions be asked. Just go down the line?

CA Blair noted her understanding was that each would be requested to give a brief introduction, and that question might be asked at that time by the Mayor, who runs the meeting. Once the introduction is completed, start with Commissioner Strickland and come down the line asking the questions. She tried to include comments that the Commission had made at the last meeting while completing the question lists. If they want to change the questions, she would need to know to make the changes. Questions need to be consistent to each candidate.

ICM Jacobs noted that one candidate has dropped out, so there is four. Commissioner Allen stated that only Monday and Tuesday would be needed.

Minutes  
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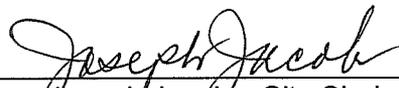
4. ADJOURN:

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

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST:

  
\_\_\_\_\_  
Joseph Jacobs, City Clerk

  
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Ed Wolf, Mayor