

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
APRIL 8, 2013 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session April 8, 2013 at 7:00 p.m.

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

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

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 7:00 PM – PUBLIC HEARING – 2ND FINAL READING - ORDINANCE NO. O2013-09 – An ordinance amending sections 1.6, 1.14, 4.2, and 5.2 of the Land Development Regulations, modifying the development review process to reduce processing time for development approval (Attachments – Second Reading)

Ordinance O2013-09 was introduced and read by title only on second final reading. Meeting opened for Public Hearing.

DSD Peavy reviewed the changes: Grant the Project Review Committee to approve the preliminary plans and not come before the Commission and noted the Code already allows for the preliminary plan and improvement plan to be combined; provide a process for replatting; grant the Project Review Committee the authority to approve minor modification to previously approved site plans.

Motion by Commissioner Clark, second by Commissioner Bivins to adopt O2013-09 on second final reading. An Ordinance Of The City Of Wildwood Florida; Amending Sections 1.6, 1.14, 4.3, And 5.2 Of The Land Development Regulations Of The City Of Wildwood, Florida; Modifying The Development Review Process For Subdivisions And Site Plans; 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 - ORDINANCE No. O2013-10 An ordinance to prohibit the possession, sale, offer for sale or display of synthetic drugs or synthetic stimulants and certain legal presumptions concerning the same within the City of Wildwood (Attachments – Second Reading)

Ordinance O2013-10 introduced and read by title only and meeting opened for Public Hearing.

Mayor Wolf noted that Chief Reeser has asked to further review the ordinance with the City Attorney before adopted.

Motion by Commissioner Clark, second by Commissioner Strickland to continue Public Hearing on second final reading of O2013-09 until the next regular meeting to provide for further review by staff and the City Attorney. Motion carried by unanimous vote.

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

a. Special Presentations – None

b. City Manager

1) Discussion of possible fund raisers requested for the Baker House (Attachment)

CM Cannon – noted the Wildwood Area Historical Association would like to have some fund raisers, including reverse drawings. He and the City Attorney have discussed how to set the Association up in order to have fund raisers that currently Cities cannot have. CA Blair noted that if directed by the Commission she would review what, if anything can be done to set up the Association as a charitable association even though it is an arm of the City. Or she can request an Attorney General's Opinion, since the last AGO on the subject is old.

Commissioner Clark asked if the Rotary could hold the fund raisers. Mayor Wolf noted that the Rotary does this type of fund raisers and possibly they could hold a fund raiser with the proceeds going to the Association.

Commissioner Strickland asked if this was for a specific project or for upkeep.

By Common Consent the Commission authorized City Attorney to further review what can be done.

2) CM Cannon noted that there is a possibility that he could be out from time to time and he is planning to take some time off, and requested the Commission to appoint Joseph Jacobs as Acting City Manager during his absences.

Motion by Commissioner Bivins, second by Commissioner Clark that during periods when the City Manager is absent and on vacation that Joseph Jacobs, City Clerk/Chief Financial Officer will be acting City Manager. Motion carried by unanimous vote.

c. City Attorney – None

d. City Clerk – None

e. Commission Members

1) Commissioner Strickland reported the Carriage House grand opening went well on Sunday. They reported they were over 50% reserved. Mayor Wolf noted they are starting construction on two additional facilities.

f. Public Forum (10 minute time limit)

1) Robert Hannah, Wildwood Community Development Center Inc., haven't heard anything from CSX even though he has called and left messages. DSD Peavy indicated she spoke with Peggy who is still working to contact all CSX people who make decisions. Robert Hannah asked what the community could do to move forward with this dilemma. DSD Peavy recommended they allow it to play out and give it a couple more weeks and she will email Peggy again. She will provide Mr. Hannah with contact information we have so their group can send

their information. Sam Saleem noted that major TV Stations in Florida have been contacted and waiting to a response.

Commissioner Strickland not sure what dilemma Mr. Hannah is talking about because CSX has a lot of dilemmas, but they are moving forward with the new line construction. They have also staked out where they plan for a barrier and don't understand why they are not communicating with the City, but they act independently.

Mr. Hannah indicated that will be a great disappointment because what they are doing is shutting out the west side of town and saying their main concern is safety. Why can't they provide a crosswalk? The residents of the west side should be included in the process of what is happening. Is there any way the City can assist. Told the representative during the community meeting not to base their decision of not providing a crosswalk on what has happened other places.

Mayor Wolf noted that the City told CSX it didn't agree with what they were doing. They have the DOT and federal government on their side.

g. Notes and Reports – None

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES – None

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE) – None

c. RESOLUTIONS FOR APPROVAL

1) Request Approval for Resolution No. 2013-04 - Adopting the Personnel Policies and Procedures to include personal vehicle usage while conducting City business (Attachment – Staff Recommends Approval)

CA Blair noted this is a Resolution the Commission asked for. Mayor Wolf indicated he is not for employees to use their own vehicle on City business. If a personal vehicle is being used it should have to carry the same amount of insurance as the City. Is not in favor of an old Crown Vic for City Hall employees to run errands.

HRC Cox noted if a vehicle is provided then the question would come up whether it could be used to go to conferences and if so then what happens back at City Hall.

Commissioner Strickland asked if an employee who runs down the road and back logs that for reimbursement. It was noted that some don't but some do.

CA Blair indicated that if the employee is acting as an agent of the City then the City's insurance would be involved. HRC Cox noted that is covered in the policy.

Motion by Commissioner Strickland, second by Commissioner Bivins that R2013-04 is adopted. A Resolution Of The City Commission Of The City Of Wildwood, Florida Adopting The Personnel Policies And Procedures; Providing For An Effective Date. Motion carried by unanimous vote.

d. APPOINTMENTS – None

e. CONTRACTS AND AGREEMENTS

- 1) Final contract with Bright House Networks, Inc. to enhance and upgrade technical and phone services throughout all City departments (Attachments – staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve Final contract with Bright House Networks, Inc. to enhance and upgrade technical and phone services throughout all City departments. Motion carried by unanimous vote.

- 2) Authorization for Mayor to execute Engagement letter for Bond Attorney Services to coincide with the Financial Advisor Agreement previously approved with Gollahon Financial Services. (The two parties need to interact)

Motion by Commissioner Strickland, second by Commissioner Clark to authorize execution of the Engagement letter for Bond Attorney Services. Motion carried by unanimous vote.

f. FINANCIAL

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

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

- 2) Request for approval of Data Flow Systems. Inc. Order No. 34195-RA dated 2/17/13 in the amount of \$5,123.25 for the purchase of a new Telemetry control Unit (TCU) Radio.

UD Phillips reported this is necessary for the control unit to work with the upgraded radios required by FCC.

Motion by Commissioner Clark, second by Commissioner Bivins to approve Data Flow Systems. Inc. Order No. 34195-RA dated 2/17/13 in the amount of \$5,123.25 for the purchase of a new Telemetry control Unit (TCU) Radio. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Prohibition of Off-Site Signage (Board Option - Attachments)

DSD Peavy noted a recent request for an offsite sign. She is bringing an option to the Commission to change the design standards.

Mayor Wolf – if approved, the property where the sign is to be located should be leased and not in right-of-way. The sign should follow the design standards and sign requirements and it should be for developments and not for commercial.

Feels it should be a closed base. Noted this would be for one year with two six months extension available.

CA Blair reported that a variance denied by the Special Magistrate would then go to Circuit Court not to the Commission.

DSD Peavy noted the change would not be for one development, but would be for any future developments.

Commissioner Strickland asked if this would be a conflict with the billboard ordinance. What is the maximum of an offsite sign? Would not want anyone who was turned down for a billboard come back because a sign was constructed and they felt it was a billboard.

DSD Peavy stated the sign would be limited to size allowed along the highway commercial district. This is not a billboard. Signs are based on store frontage. Maximum sign size now is 200 sq. ft. This would be an expensive sign to have up for a year to two years.

Commissioner Strickland would like to have specific restrictions on the size. A 10x20 is the size of a billboard.

CA Blair recommended a clause be added that the sign had to be removed by the last day of the approval or a lien would be placed against the property of the developer.

DSD Peavy noted the design standard amendments don't have to come to the Commission unless they want to see it and she would research what would be a good maximum size to be included.

Motion by Commissioner Clark, second by Commissioner Bivins to allow DSD Peavy to develop an amendment to design standards to allow offsite signs on property leased, to include landscaping, to be a monument sign and to contain size restrictions. Motion carried by unanimous vote.

2) Extension of O'Dell PUD due to market conditions (Staff recommends approval)

DSD Peavy noted that Code has been changed to include restrictions on extensions and if this PUD came to the City now it would not meet the Code. Noted if these extensions were not requested, then when the developer was ready to progress forward they would have to go through the process again.

Mayor Wolf asked if the developer could be required to bring the PUD up to current Code when they request an extension. CA Blair indicated there could be negotiations.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the Extension of O'Dell PUD due to market conditions. Motion carried by unanimous vote.

3) SP 1212-02 – Trailwinds Village (Word Property) Improvement Plan approval for the Trailwinds Village Plat to subdivide parcels G03=004, G04=004, and G04=021 into six (6) commercial pods, four (4) office pods, and one (1) Assisted Living Facility (ALF) pod with shared infrastructure. This subdivision project covers the entire Trailwinds Village Planned Development (PD). (Staff recommends approval)

Commissioner Strickland noted not on this property so much but that more of the historic trees need to be preserved and not mitigated. DSD Peavy noted that tree farms are exempt from the tree ordinance and they are harvesting the pine trees.

Motion by Commissioner Clark, second by Commissioner Strickland to accept the recommendation of the Special Magistrate for SP 1212-02. Motion carried by unanimous vote.

4) SP 1303-03 – Windward at Lakeside Landings – Final Plat. Final Plat approval for the Windward at Lakeside Landings Plat to subdivide a portion of parcel D21=003 into twenty-five lots with shared infrastructure. This subdivision is a continuation of the Lakeside Landings Planned Development (PD) and reduces the number of living units on the conceptual plan from 32 duplexes to 25 single family homes. (Staff recommends approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to accept the recommendation of the Special Magistrate for SP 1303-03. Motion carried by unanimous vote.

5) Proclamation declaring “National Service Recognition Day (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to adopt the Proclamation declaring “National Service Recognition Day”. Motion carried by unanimous vote.

6) Proclamation declaring Friday, April 26, 2013 as Arbor Day in the City of Wildwood (Attachments – Staff Recommends Approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to adopt Proclamation declaring Friday, April 26, 2013 as Arbor Day in the City of Wildwood. Motion carried by unanimous vote.

7) Proclamation requested by Governor Rick Scott to declare the month of April as “Safe Digging Month in the State of Florida” (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to adopt Proclamation requested by Governor Rick Scott to declare the month of April as “Safe Digging Month in the State of Florida”. Motion carried by unanimous vote.

8) Reschedule or Cancel May 27, 2013 Commission Meeting which falls on Memorial Day; a holiday observed by the City and all offices are closed (except

the Police Dept.) If not rescheduled, it leaves three (3) weeks between meetings.
(Attachments – Board Option)

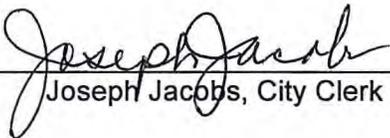
By Common Consent the Commission postponed decision until the first meeting in May.

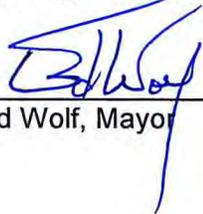
4. ADJOURN

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

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: 
Joseph Jacobs, City Clerk


Ed Wolf, Mayor

IMPORTANT DATES (No Attachments)

- a. April 15, 2013 – (Monday) – LAST Day for AARP Tax Aide – 8:30 AM to 3:30 PM – Wildwood Community Center
- b. April 22, 2013 – (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- c. April 26, 2013 – (Friday) – Tree City USA Commemoration Ceremony – 23 years/Arbor Day – 9:00 AM – City Hall Front Steps
- d. May 2, 2013 – (Thursday) - Grand Opening & Open House for Providence Independence at Wildwood – 4:00 PM to 8:00 PM - 7676 Rio Grande Blvd, Wildwood (Off of 466-A)
- e. May 6, 2013 – (Tuesday) – Parks & Recreation Board Meeting – 6:00 PM – City Hall Conference Room #124
- f. May 13, 2013 – (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- g. May 14, 2013 – (Tuesday) – Wildwood Historical Association Board Meeting – 6:00 PM - City Hall Conference Room #124
- h. May 14, 2013 – (Tuesday) - Wildwood Area Historical Association Meeting – 6:30 PM – City Hall Conference Room #124
- i. May 27, 2013 – (Monday) – MEMORIAL DAY HOLIDAY – All City Offices Closed except Police Department
- j. June 10, 2013 – (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- k. June 11, 2013 – (Tuesday) – Wildwood Historical Association Board Meeting – 6:00 PM - City Hall Conference Room #124
- l. June 11, 2013 – (Tuesday) - Wildwood Area Historical Association Meeting – 6:30 PM – City Hall Conference Room #124
- m. June 24, 2013 – (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber