

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
REGULAR MEETING  
CITY HALL COMMISSION CHAMBER  
JUNE 11, 2012 – 7:00 P.M.

The City Commission of the City of Wildwood Florida met in Regular Session, June 11, 2012 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, and Allen. Also present were: City Manager Cannon, City Clerk Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, 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 p.m. – Public Hearing – 2<sup>nd</sup> Final Reading – 2012 Comprehensive Plan Amendments for Final Adoption and Transmittal: Ordinance No. O2012-13, an ordinance modifying the Five-Year Capital Improvement Schedule of the Capital Improvements Element of the Comprehensive Plan (Attachments on file – Staff Recommends Approval)

DSD Peavy was sworn in.

Ordinance No. O2012-13 was read by title only and the floor opened for Public comments. No comments received.

Motion by Commissioner Bivins, second by Commissioner Allen to adopt Ordinance No. O2012-13: AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; MODIFYING THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN AS REQUIRED BY SECTION 163.3177(3)(b), FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE: on second final reading. Motion carried by unanimous vote.

b. 7:00 p.m. – Public Hearing – 2<sup>nd</sup> Final Reading – 2012 Comprehensive Plan Amendments for Final Adoption and Transmittal: Ordinance No. O2012-14, an ordinance proposing a Large Scale Future Land Use Map Amendment to the adopted Local Comprehensive Plan and Future Land Use Map in accordance with the Community Planning Act of 2011 (Attachments on file – Staff Recommends Approval)

Ordinance No. O2012-14 was read by title only and the floor opened for Public comments. No comments received.

Motion by Commissioner Allen, second by Commissioner Bivins to adopt Ordinance No. O2012-14: AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING A LARGE SCALE FUTURE LAND USE MAP 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: on second final reading. Motion carried by unanimous vote.

c. 7:00 p.m. – Public Hearing – 2<sup>nd</sup> Final Reading – 2012 Comprehensive Plan Amendments for Final Adoption and Transmittal: Ordinance No. O2012-15, an ordinance proposing text amendments to the Future Land Use, Transportation, Intergovernmental Coordination, Capital Improvements, and Public Schools Facilities Elements of the Adopted Local Comprehensive Plan in accordance with the Community Planning Act of 2011 (Attachments on file – Staff Recommends Approval)

Ordinance No. O2012-15 was read by title only and the floor opened for Public comments. No comments received.

DSD Peavy – under DCA the City had a Large Scale Comprehensive Plan amendment and was adopted with policies and restrictions as required, and these changes are in line with making Wildwood more development friendly. Under the new Department of Economic Opportunity (DOE) the changes were possible. Eliminated Concurrency to fall in line with the County and updated the Public School Facilities element. Additional major changes were the elimination of the 70% rule for development of property and changes to mixed use categories to encourage rather than require certain things of developers.

Motion by Commissioner Bivins, second by Commissioner Clark to adopt Ordinance No. 2012-15: AN ORDINANCE OF THE CITY OF WILDWOOD FLORIDA; PROPOSING TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND PUBLIC SCHOOLS FACILITIES ELEMENT OF THE ADOPTED LOCAL COMPREHENSIVE PLAN IN ACCORDANCE WITH THE COMMUNITY PLANNING ACT OF 2011, PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE: on second final reading. Motion carried by unanimous vote.

d. 7:00 p.m. – Public Hearing – First Reading – Ordinance No. O2012-18, an ordinance amending the adopted Interlocal Service Boundary and Joint Planning Agreement (ISB/JPA) Planning Services Sub-Agreement with Sumter County to reflect current planning conditions and to update the ISB Map and JPA Future Land Use Map to be consistent with the pending Comprehensive Plan Amendment (Attachments on file – Staff Recommends Approval)

DSD Peavy, no Public Hearing is required, but there is an agreement to amend the ISB and JPA with Sumter County and their Commission has already been approved. Mayor Wolf noted this is what the City has been waiting on for over a year which should make development easier in the area designated in the agreement. DSD Peavy noted this agreement has to be approved by the State and a joint Land Use Map has to be adopted. City will be able to annex areas to fill in the jagged areas of the City and properties in the agreement will be required to adhere to the Design Standards of the City. Does not expect any comments from the State review.

Ordinance No. O2012-18 was read by title only. No action necessary.

e. 7:00 p.m. – Public Hearing – Final Plat Approval of Parcel D08-046, the Leatherman Subdivision containing three (3) lots without shared infrastructure based upon the favorable recommendation by the Special Magistrate subject to approval, exemption, or permitting by all agencies of competent jurisdiction (Attachments on file – Staff Recommends Approval)

DSD Peavy indicated this does not require a public hearing. It is a simple plat splitting parcel into three lots.

Motion by Commissioner Allen, second by Commissioner Clark to approve the Final Plat Approval of Parcel D08-046, the Leatherman Subdivision containing three (3) lots without shared infrastructure based upon the favorable recommendation by the Special Magistrate subject to approval, exemption, or permitting by all agencies of competent jurisdiction. Motion carried by unanimous vote.

\*Ouasi Judicial Hearing

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

a. Proclamation – Request from Florida Water & Pollution Control Operators Association to proclaim the Week of August 13 – 17, 2012, as *Florida Water Professionals Week* (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Clark to adopt the Proclamation, Proclaiming the Week of August 13 – 17, 2012, as *Florida Water Professionals Week*. Motion carried by unanimous vote.

b. City Manager

(1) Budget Comparison Report for the month of May, 2012 (8<sup>th</sup> month of FY\ 11/12 (Attachment)

Data from CC Jacobs indicates that we should be at 67% of the budget the General Fund Revenues are 67.18% and Expenditures are 57.86%. Enterprise Fund Revenues are 66.15% and Expenditures are 56.87%.

Would like to schedule first budget workshop in July 16 and second budget workshop on August 20 with beginning time of 9:00 a.m. for each.

Mayor Wolf requested the information be sent to each Commissioner.

c. City Attorney

(1) Proposed Progress Energy Easement on RIB site. CA Blair noted that the Commission previously approved an Easement which she drafted after receiving a draft from Progress Energy. Theirs was not clear in some sections. After Commission approval the Easement was sent to Progress Energy. A response was received by the City Attorney indicating they did not approve of the Commission approved easement. Progress Energy again sent an Easement

agreement and the City Attorney made a change and returned it to them for review. The response was that they would not accept anything other than the easement they had sent the City. CA Blair noted the problem is that AT&T has a lease on the property but has no power to the tower. Discussion included route of easement and whether line would be underground or overhead. It was determined the route shown would be the best and the lines would be overhead to prevent disturbance of the RIB berm.

Motion by Commissioner Allen, second by Commissioner Clark to accept the Progress Energy drafted Easement Agreement. Motion carried by unanimous vote.

- d. City Clerk – passed out Qualifying information from the Supervisor of Election. City election candidates: Seat #3 Robby Strickland and Jay Turner. Seat #5 Julian A. Green.
- e. Commission Members – None
- f. Public Forum (10 minute time limit) – None
- g. Notes and Reports
  - (1) FYI – Wildwood Springs Community Development District – Proposed Budget for Fiscal Year 2013 & Public Hearing scheduled for 8/16/12 @1PM at the Wildwood Community Center (Attachment)
  - (2) FYI – Growers’ Market Summer Hours (Attachment)
  - (3) FYI – Letter and photos to WMHS regarding this year’s Prom to address damages, alterations and other issues at the Wildwood Community Center building and surrounding grounds (Attachments-Jenny Hudson)
  - (4) FYI – Florida Dept. of Corrections (invitation to) series of Town Hall meetings: “Partnering for Fewer Crimes, Less Victims and Safer Communities” (Attachments)
  - (5) FYI – Status Update on what constitutes a “Change of Use” (from May 14, 2012 Agenda) under the Code of Ordinances of the City of Wildwood; Staff is still researching definitions and procedures used by neighboring jurisdictions in order to bring back a recommendation for a definition and procedure for the Commission’s consideration at the next regular meeting (Attachment)

3. NEW BUSINESS – ACTION REQUIRED

- a. MINUTES
  - (1) Minutes of Regular Meeting held on May 14, 2012 (Attachments – Staff recommends approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the Minutes of Regular Meeting held on May 14, 2012. Motion carried by unanimous vote.

- b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)
  - (1) Ordinance No. O2012-19; an ordinance approving the rezoning of Parcel G07A001 from C-1 (Commercial) to CIPD (Commercial/Industrial Planned

Development) for the Police Communications Tower Site to bring the use of the property into compliance with the current Land Development Regulations based upon a favorable recommendation by the P&Z Board/Special Magistrate (Attachments)

Ordinance O2012-19 was introduced and read by title only on first reading.

(2) Ordinance No. O2012-20; Establishing the Brownwood Community Development District, the legal description of its boundaries and the initial five members of the board and the grant of special powers requested, which includes recreational powers, security powers and mosquito control powers. The CDD is comprised of approximately 239.8± acres within the City of Wildwood (Attachments)

Ordinance O2012-20 was introduced and read by title only on first reading.

(3) Ordinance No. O2012-21; an ordinance rezoning 301/466 LLC Property; Parcel Numbers D18=069, D18=040, D18=064, D18=041, D18=067 and D18=068 containing 222 acres ± generally located to the NW of US 301 and CR 214, from Neighborhood Mixed Use-7 (NMU-7) to Low Density Residential (R-1) to bring the property into compliance with the Future Land Use Map of the Comprehensive Plan and based upon a favorable recommendation by the P&Z Board/Special Magistrate (Attachments)

Ordinance O2012-21 was introduced and read by title only on first reading.

c. RESOLUTIONS FOR APPROVAL

(1) Resolution No. R2012-07 (*TABLED 5/14/12 FOR FULL COMMISSION*) a Resolution Amending Chapters 4.3 and 5.1 of the City of Wildwood Personnel Rules (Attachments – Staff Recommends Approval)

CM Cannon noted the 10% in Section 5.1 was to be “up to 10%).

Motion by Commissioner Clark, second by Commissioner Bivins that Resolution No. R2012-07 be tabled until correction is made. Motion carried by unanimous vote.

d. APPOINTMENTS  
None

e. CONTRACTS AND AGREEMENTS

(1) Review/approval requested of the FDOT State Highway Lighting, Maintenance, and Compensation Agreement Work Order for FY2012-13 (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the FDOT State Highway Lighting, Maintenance, and Compensation Agreement Work Order for FY2012-13. Motion carried by unanimous vote.

(2) Review Carr, Riggs & Ingram, CPAs and Advisors proposal to continue providing audit services for the basic financial statements of the City for the years ending September 30, 2012, 2013 and 2014 (Attachments – Board Option)

Mayor Wolf noted it may be a good idea to change auditors occasionally.

Motion by Commissioner Bivins, second by Commissioner Allen to approve the Carr, Riggs & Ingram, CPAs and Advisors proposal to continue providing audit services for the basic financial statements of the City for the years ending September 30, 2012, 2013 and 2014. Motion carried by unanimous vote.

(3) Contract for Grant Feasibility Services between the City of Wildwood and Andy Easton & Associates to study the feasibility of using state/federal grants to fund public infrastructure that will serve a proposed ALF site to be located on the Word Family Trust Property; fee shall be a lump sum of \$2,500 (Attachments – Staff Recommends Approval)

Mayor Wolf noted that Jerry Glassman is the contact for the LLC, and someone needs to be sure he is aware he will be paying the \$2,500. CA Blair noted the Contract has already been approved and needs no action.

(4) Review/approval of Settlement Agreement Between the COW and Parkwood-Sumter Properties, Inc. and requiring execution of an Addendum to Developer's Agreement (Attachments – Staff Recommends Approval)

Mayor Wolf reminded this was the development that had designed for a number of connections and then changed to larger lots which gave them credits. It needs to be watched to be sure it is not changed again.

Motion by Commissioner Clark, second by Commissioner Bivins to approve the Settlement Agreement Between the COW and Parkwood-Sumter Properties, Inc. Motion carried by unanimous vote.

(5) Review/approval of Addendum to Developer's Agreement Between the COW and Parkwood Sumter Properties, Inc. (Attachments – Staff Recommends Approval)

CA Blair indicated this is the addendum to the DA of Parkwood Sumter Properties which changes the number of lots and requires a check in the amount of \$19,125 for refund.

Motion by Commissioner Clark, second by Commissioner Allen to execute Addendum to Developer's Agreement Between the COW and Parkwood Sumter Properties, Inc. and process check. Motion carried by unanimous vote.

f. FINANCIAL

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

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

(2) Request approval to purchase training equipment for the police department (Chief Reeser to Address) (Attachments – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve purchase out of Law Enforcement Trust Fund. Motion carried by unanimous vote.

(3) Request approval to purchase budgeted Capital Improvement Items for the police department (Chief Reeser to Address) (Attachment – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve purchase of the budgeted Capital Improvement Items for the police department as outlined. Motion carried by unanimous vote.

(4) Request approval to purchase two new 2013 Ford Interceptor packaged patrol cars for the police department (Chief Reeser to Address) (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Clark to approve purchase of two new 2013 Ford Interceptor packaged patrol cars for the police department from Police Impact fees. Motion carried by unanimous vote.

(5) Request approval of CSX Utility Relocation Change Order No. 2, a decrease of \$1,490 to the contract amount (Dave Grimm to Address) (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Allen to approve CSX Utility Relocation Change Order No. 2, a decrease of \$1,490 to the contract amount. Motion approve by unanimous vote.

(6) Request approval of the low quote received from Don Ellis Painting and Pressure Cleaning in the amount of \$2,379 for City Hall Annex Improvements – Exterior Painting & Repair (Dave Grimm to Address) (Attachments – Staff Recommends Approval)

(7) Request approval of the low quote received from Ro-Mac Supply in the amount of \$3,883.91 for City Hall Annex Improvements to remove and replace the rear steel security doors (Dave Grimm to Address) (Attachments – Staff Recommends Approval)

(8) Request approval of the low quote received from Lake Glass and Mirror in the amount of \$3,375 for City Hall Annex Improvements to replace the front entrance (Dave Grimm to Address) (Attachments – Staff Recommends Approval)

SP Grimm noted that the above three items were budgeted together as improvements to the Annex exterior. Also noted there was the possibility of an additional \$600 charge on the front entrance if an engineering plan was required. Worked with Bradley Arnold and the County will not require the plan.

Motion by Commissioner Clark, second by Commissioner Bivins to accept the low quotes for item (6), (7), and (8) as recommended. Motion carried by unanimous vote.

(9) Request acceptance of the quote from BB&T Bank for a three-year financing term at 1.79% for the purchase of four (4) Ford pickup trucks for the Water and Wastewater Departments and authorization to proceed with the closing process (Attachments – Staff Recommends Approval)

Mayor Wolf questioned if these should take priority over the things reviewed at the June 5 meeting, some of which could be a liability to the City. UD Phillips indicated the vehicles are budgeted items. Those critical items will be in next year's budget and one of the trucks being replaced has had five transmissions and four rear-ends put in it. Mayor Wolf noted that at this interest rate the City should borrow more money. UD Phillips noted item 11 will address that, and Florida Rural Water will provide GAP money at less than 1%. If the City got an SRF Loan but needed to pay the bills and then ask for payment from SRF, the FRW would provide that GAP money.

Motion by Commissioner Bivins, second by Commissioner Clark to accept the low quote from BB&T Bank for a three-year financing term at 1.79% for the purchase of four (4) Ford pickup trucks for the Water and Wastewater Departments and authorization to proceed with the closing process. Motion carried by unanimous vote.

(10) Request approval of Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 15 in the amount of \$47,500 for architectural, electrical, and civil engineering services required to make repairs at the City's CR 501 (Prison) Water Treatment Plant necessitated by flooding which occurred on Oct. 24, 2010. Funding will be from the insurance settlement (Attachments – Staff Recommends Approval)

UD Phillips noted that the construction may be in next year's budget. May be part of the funding being sought.

Motion by Commissioner Allen, second by Commissioner Clark to approve the Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 15 in the amount of \$47,500 for architectural, electrical, and civil engineering services required to make repairs at the City's CR 501. Motion carried by unanimous vote.

(11) Request approval of Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 17 to provide a Funding Analysis to identify funding resources (grants, loans, etc.) that will provide Mechanisms to fund needed capital improvement projects within the City limits; and as an Associate Consultant, Angie Brewer & Associates, Inc. will provide and submit a funding analysis described in the Scope of Services. Compensation shall be at an hourly fee not to exceed \$10,000 (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Allen to approve IPO No. 17 to provide a Funding Analysis to identify funding resources (grants, loans, etc.) that will provide Mechanisms to fund needed capital improvement projects within the City limits; and as an Associate Consultant, Angie Brewer & Associates, Inc. will provide and submit a funding analysis described in the Scope of Services. Motion carried by unanimous vote.

(12) Request approval of Kimley-Horn and Associates, Inc. Individual Project Order (IPO) No. 18 to provide a Preliminary Engineering Report addressing needed off-site utility system improvements to the Word Property. Compensation shall be at an hourly fee not to exceed \$3,500 (Attachments – Staff Recommends Approval)

Per CA Blair this item was previously approved along with other Documents from Andy Easton.

g. GENERAL ITEMS FOR CONSIDERATION

(1) Adoption of the City of Wildwood Section 504 Compliance Policy, Evaluation Plan, Transition Plan and Grievance/Complaint Procedures as required by DEO for the CDBG programs and projects. (Attachments – Dave Grimm to present - Staff Recommends Adoption)

Motion by Commissioner Clark, second by Commissioner Bivins to adopt the City of Wildwood Section 504 Compliance Policy, Evaluation Plan, Transition Plan and Grievance/Complaint Procedures as required by DEO for the CDBG programs and projects. Motion carried by unanimous vote.

(2) Discussion regarding recent vandalism and damages at MLK Park and request for direction on any actions to be taken by staff (Attachments – Jenny Hudson to Address)

P&R Coordinator Hudson – since coming on staff vandalism at MLK Park seems to have increased. Doesn't know the past history. Memorial Day weekend the dead bolt lock was ripped out of the Women's Restroom. Staff saw two individuals running from the restroom and Wildwood PD was called and a police report generated. There was a water fountain between the two restrooms but it was removed by previous P&R Coordinator because it was being ripped out quite frequently. Pipes coming from buildings are now being damaged and water sprays out, and could continue to run if staff didn't notice it. Does not feel the water fountain should be replaced at this time. A hasp and lock was placed on the Women's restroom the Memorial weekend and that has also been ripped from the building. Graffiti on the walls is done frequently and has to be repainted and it is obscene images. Toilet paper was strewn over the restrooms and outside. A Parks and Recreation Board meeting was held last week and this was brought to their attention and Board member Joe Foster was shocked and has taken upon himself to notify Pastors Tony Jones and Curtis Carter to speak with their congregations and ask that they come together as a Community to stop the problems at the park. He asked for a one month notice if any action will be taken place at the park. Joe Foster to report back. Recommends facility be kept locked. Possibly Camera.

Mayor Wolf noted that P&RC Hudson has taken the right steps in notifying the Board Members because there are members that are concerned about that park. Probably two or three children doing this.

Commissioner Allen noted that the County has a person living at the parks and this may have to be considered for the City Parks.

Commissioner Bivins noted that while school was in there were kids playing basketball every evening and that probably deterred the vandalism.

P&RC Hudson noted that the door will probably have to be replaced because the deadbolt purchased is too small. Commissioner Clark suggested Romac's in Leesburg for the larger deadbolt and it be a double key deadbolt.

PR&C Hudson noted that letter was sent to the Wildwood Middle High School regarding damage and changes they made in the Community Center. Mayor Wolf asked that the letter be sent to the School Board and that Ms. Ebey not be allowed to be involved with the Prom in the future.

PR&C Hudson stated that their deposit had to be refunded because when she received email from Ms. Ebey it stated that the kids had a great time. PR&C Hudson responded that is great but I don't know how much if any money will be reimbursed to the school because of the severity of the damages and what happened. Ms. Ebey replied then why did I sign off that the building was fine, and that is what the paperwork indicated. City error was that the damage was not documented by the facility person on hand. There may be changes to the rules needed to address the time that the staff person must be present.

Mayor Wolf suggested not rent to them again. Commissioner Bivins pointed out this is one class. Mayor Wolf noted that the City should not deal with Ms. Ebey again.

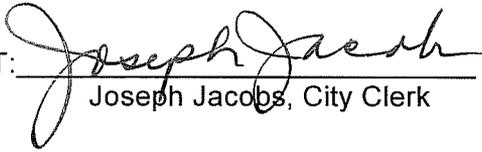
4. ADJOURN:

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

  
\_\_\_\_\_  
Ed Wolf, Mayor