

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
REGULAR MEETING  
JUNE 13, 2011 – 7:00 P.M.  
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session, June 13, 2011 at 7:00 p.m.

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

The meeting was called to order by Mayor Wolf with Commissioner Allen giving the invocation and the audience joining in the Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS  
None
2. REPORTS AND PUBLIC INPUT

SPECIAL PRESENTATIONS:           None at this time

a. City Manager

- Leadership Sumter is Thursday and Commissioner Strickland will be attending for Local Government Day. City Manager will be giving presentation.
- City Manager is voluntary for teen Court on Thursday evening.

- 1) FYI – City’s 2010-11 Employee Healthcare Plan(s) (Attachment on file)  
The Commission had requested all nine of the healthcare plans from PRM. Those have been provided and will be discussed at the first budget workshop on July 18. If Commissioners have any questions please contact City Manager. Mayor Wolf – requested background data of similar cities who began with PRM and what happened with rates over the next couple of years. Who will be the contact for enrollment or employee problems, because he is not aware of a Gallagher agent in the area? Some time a face to face is needed. City Manager will provide the information and Departmental quarterly meetings are this month and will be explaining that plan changes are coming.

- 2) FYI – Letter from FDOT regarding Emergency/Pedestrian Traffic Signal light at US301 and Rutland Street (Attachment on file)

Noted denial letter for Emergency signal. Can send out letters to local legislators. Will keep working on this. Commissioner Allen – does not feel someone should get hurt before a signal will be installed. CM Smith – they did move forward with the lights on 44 at Powell Road.

- 3) FYI – Sign ordinance updates and legal memorandum from Attorney Blair (Attachments on file)

At the last meeting had concerns from businesses in reference to the sign ordinance. Completed a comparison of other cities' sign ordinances and the City's. Legal memo from City Attorney is included. LDR's will be provided to the Commission for review and look for favorable recommendation to adopt.

- 4) FYI – Copy of letter from Attorney Blair to Florida Division of Library Services re: FRDAP Grant Agreement (Attachments)

Funds were received from DCA to refurbish the building for a library. Now that the City does not have a library trying to find out what we are required to use the building for. Different options are Community Center and extension of the water offices. Will be brought back to Commission once decision from agency is received.

- 5) FYI – Evaluation forms for City Manager (Included in your agenda packets) – PLEASE complete and turn them in to the City Clerk by June 23, so they can be presented at the June 27 meeting

Please fill out and turn in to Mr. Jacobs before next Commission meeting. If Commissioner would like to see the past evaluations they have done, contact City Manager.

- 6) FYI – FRS Information for elected officials (Attachments)  
If any questions please contact HRC Cox.

- 7) Logo – have been in discussion with three firms. Costs range to re-evaluate logo and meet with Commission runs between \$500 and \$10,000. Trying to make sure comparing “apples to apples”. Some require color studies: how will a color look on vehicles, what colors will look good on the vehicles, what colors look good on the letter head, and what colors will look good on employee uniforms. Some take it further than others.

- b. City Attorney – None.
- c. City Clerk – None.
- d. Commission Members – None.
- e. Public Forum (10 minute time limit)

- 1) Manny Pesco – hand out provided to Commission and City Manager. He noted that the banner for Wildwood Antique Mall is 120 sq ft. The previous sign space occupied by Beall's Outlet. Noted the 75 sq ft size that is being recommended in the new LDR and item J., To promote the overall economic well-being of the businesses. CM Smith – noted that Mr. Pesco plans to file for a variance he needs to follow the proper procedure. CA Blair – it should go through the proper procedure which would be the Development department and then the Special Master. Mr. Pesco noted that the new LDR is not in place at this time. Asked if there will be workshops regarding the LDR. CM Smith noted Mr. Pesco attended the workshop and provided comments. Mr. Pesco – what he is

talking about is how to come up with an adequate sign ordinance that addresses all the things set forth in paragraph J. One of the things lacking in the make up of the committee is a graphic artist, someone who understands the balance of color, size and description. Need to have signs that can be seen from 700 feet away. Too small a sign creates a safety hazard for people driving and looking for a business. CM Smith – some of Mr. Pesco's comments from the workshop were incorporated in the LDR to allow for temporary signs if the business applies for a permit. Asked Mr. Pesco to call Tuesday to status of his banner and sign permit.

- 2) Chuck Piper of Landstone requested that at the time an item is addressed on the agenda, that he be allowed to speak in lieu of speaking at this time. Mayor Wolf indicated that with the consent of the Commission it would be allowed.

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

### 3. NEW BUSINESS – ACTION REQUIRED

#### a. MINUTES

- 1) Motion by Commissioner Allen, second by Commissioner Bivins to approve the Minutes of Special Meeting held on May 16, 2011 as typed. Motion carried by unanimous vote. (Attachments on file)

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

- 1) Ordinance No. O2011-05, an ordinance providing for advertising requirements for notice of PH concerning rezoning of property (Attachments – Staff Recommends Approval)

Ordinance No. O2011-05 was introduced and read by title only. CA Blair indicated this would allow the City to follow the State Statute. Mayor Wolf requested the Ordinance be advertised in every media available due to the far reaching effects on the entire City.

#### c. RESOLUTIONS FOR APPROVAL:

- 1) Resolution No. R2011-06, a resolution amending specific personnel policies and procedures (Attachments – Staff Recommends Approval)

Resolution No. R2011-06 introduced and read by title only. CM Smith – this eliminates the Holiday Bank previously approved, which has become a problem, and go back to paying 2 ½ times the hourly rate for those who work on the holiday.

Motion by Commissioner Bivins, second by Commissioner Allen that Resolution No. R2011-06: A Resolution Of The City Commission Of The City Of Wildwood, Florida Amending Personnel Policies And Procedures Section 6.6 Holiday Pay; 6.7 Time Sheets/Preparation Of Payroll; 6.9 Pay Periods; 6.10 Garnishment; 6.12 Retirement System; 6.16 Continuance Of Medical Coverage; Section 7.1 Holiday Leave; 7.2 Vacation Leave Providing For An Effective Date is adopted. Motion carried by unanimous vote.

d. APPOINTMENTS

None

e. CONTRACTS AND AGREEMENTS

- 1) Settlement Agreement with Benny Strickland – (Attachments – Board Option)

CM Smith – There was a P&Z issue as far as outdoor storage. It was brought to Mr. Lowry as an appeal and Mr. Lowry found in favor of the City. Mr. Strickland appeared at the last Commission Meeting and asked for a settlement agreement. The agreement is in the agenda packet. There was a hold harmless clause in the agreement but the language was changed at the request of Mr. Strickland's attorney. CA Blair – the change they requested was made in Section 7. If the granite remains upon the expiration of the agreement, a lien will be placed against the granite and property. Randall Thornton, Attorney for Benny Strickland expressed appreciation to the City for working with Mr. Strickland.

Motion by Commissioner Clark, second by Commissioner Bivins to approve the Settlement Agreement between the City of Wildwood, Benny Strickland and Ultimate Granite. Motion carried by unanimous vote.

f. FINANCIAL

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

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

- 2) Emergency repair – US 301 Widening Project (Attachments – Staff Approved-Emergency)

Information only. SP Grimm reported there was a utility conflict with the widening project on 301. The conflict had not been identified by the engineer for the project or by the City. The conflict involved the City's water main and two force mains. The City Manager was made aware of the situation. The conflict had to be resolved quickly so Rainey was called in to provide the man power and equipment with the City providing the materials.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Continued discussion/decision relative to Barnes, Ferland & Associates Environmental Engineering Services Contract (Attachments – Board Option)

CM Smith – reason and intent to consolidate is based upon duplication of service. Mr. Barnes was at the last meeting. Kimley Horn was ranked second through the RFQ process for environmental. Swaying issue that

ranked BFA first was that Ron Ferland continued to be with BFA and continued to be the contact for the City on environmental services. Since the RFQ's, Ron has retired and there have been some miscommunication and some disagreement with some of the studies that have been completed by BFA. Staff recommends consolidation of environmental engineering with Civil engineering to Kimley Horn and a letter terminating the contract be sent to BFA. Rates are provided in the agenda. BFA would complete current projects. In response to question from Commissioner Allen, City Manager indicated the BFA contract will terminate in February 2012. Mayor Wolf questioned if there are any projects that could come up in the next six months that would require BFA, and City Manager Smith indicated the next phase of Connection and TIE fees re-evaluation based on the study that is being presented tonight. This has impact on Landstone and Wildwood Springs. Commissioner Allen asked if it would be too much to just let their contract expire in February. CM Smith for reduction of cost, miscommunication and time, would like to proceed to consolidate at this time. Commissioner Clark questioned if BFA charges for travel time from and to Orlando. CM Smith indicated they typically charged for the time here.

Mayor Wolf relinquished the gavel to Mayor Pro Tem Allen.

Motion by Commissioner Clark, second by Mayor-Commissioner Wolf that the environmental engineering contract with BFA be terminated and consolidate environmental with civil engineering through Kimley Horn. Motion failed. Yea – Clark, Wolf. Nay – Strickland, Allen, Bivins.

Gavel relinquished to Mayor Wolf.

CM Smith – for next budget does the Commission desire to RFQ for one engineering service or keep it separate. Need direction as the contracts are up in February and if RFQ it will take time. Commissioner Allen – We can be discussed at budget workshop.

- 2) Final Approval sought for Site Plan 1103-01 South Wildwood Industrial Park, Parcel 10 Block C (Attachments – Staff Recommends Approval)

DSD Peavy – item went before the P&Z on June 7. Recommended approval of site plan. If approved tonight, permit issuance can begin tomorrow through the County. The developer may have a tenant for one of the buildings already.

Motion by Commissioner Strickland, second by Commissioner Bivins to give final approval for Site Plan 1103-01. Motion carried by unanimous vote.

- 3) Villages of Wildwood DRI – 3<sup>rd</sup> NOPC to the Development Order – Request to set public hearing date of July 11, 2011 (Attachments – Staff Recommends Approval)

DSD Peavy – Villages of Wildwood DRI will be doing a third NOPC to the DO and have requested public hearing on July 11 to keep on track.

Motion by Commissioner Bivins, second by Commissioner Clark to approve the public hearing date of July 11 for the Villages of Wildwood DRI – 3<sup>rd</sup> NOPC to the Development Order. Motion carried by unanimous vote.

- 4) Selection of representative as voting delegate at the Florida League of Cities Annual Conference (Attachments – Board Option)

Motion by Commissioner Strickland, second by Commissioner Bivins to appoint Commissioner Allen as the Voting Delegate. Motion carried by unanimous vote.

- 5) Amended Water, Wastewater and Reclaimed Water Transmission System Update from BFA (Attachments)

CM Smith explained the study that was done. Started as the utility master plan, revamped and turned into a transmission system update. BFA looked at GPA, maximum build out per our GPA to see what utilities would be required of the City to provide and the size of the lines to provide those services to the areas which has approval through the DCA. They determined the line sizes and the amount of money that would be associated with those lines. They also looked at whether it would be in the best interest of the City to construct one or two wastewater treatment plants. The study came back that it is preferable to have one wastewater treatment plant, not only for construction cost but also for operational and maintenance costs. The reason for bringing back to the Commission is that the first report that was submitted needed amendments and on the major things that needed to be amended was the actual cost of the wastewater treatment facility. They had quoted in the first study for a 4.5 million gallon plant the costs of \$19.1 million. That was based on construction costs when the first report was completed, which would have been 2001 – 2004 numbers. They were off from the amended amount in today's study by \$6.1 million. In his estimates the 6.1 is still low, because in order to construct a wastewater treatment plant the median costs now

is about \$8 per gallon and they have quoted at \$5.25 per gallon. During conversations with BFA it was found they excluded costs for permitting, design, engineering and costs for effluent disposal even though that is a permitting requirement of a wastewater treatment facility. Have asked for an amended finalized document and based on their representation this is the finalized document based upon the study they did.

Landstone group and their engineering group have reviewed this and they disagree document and with the costs also. BFA's representation is that the connection fees would have to increase but the TIE fees would have to be re-adjustment. His response to BFA is the connection fees would

have to change because the number presented in the study to build a 4.5 million gallon plant is about \$25 million. The money that would be assessed to Landstone for a 2.1 million gallon expansion would be about \$11,000,000 and their connection fees would be about \$17,000,000 which does not add up. Would ask that BFA re-evaluate the connection and TIE based upon the determination of the Commission tonight unless the Commission would like to have Kimley Horn to review the document as well, or we can accept BFA's report as being accurate and have them move into Phase II.

Commissioner Allen – contact needs to be made with Pat Barnes and state inaccuracies, and notify him that the Commission did vote to keep his contract through February. CM Smith – did communicate with Mr. Barnes and this report was turned in to the City after that conversation. Will restate to him and ask that he check the report as opposed to Dan Allen checking the report. Commissioner Allen – concerned about the way he voted earlier to keep BFA contract until February based on this information received.

CA Blair – recommend not adopting the report until these issues are resolved.

CM Smith – this is the issue Mr. Piper wanted to comment on. Landstone's major argument is the one vs. two wastewater treatment plants, because that has a huge impact on the potential for the utility agreement that the City is currently negotiating with Landstone. There is a memorandum of understanding between the City and the developer to where this Commission held it in abeyance for certain amount of time and delayed the payment until we entered into that agreement. Landstone is stating that they want TetriTech to re-evaluate this report and it was provided.

CM Smith - Initially Landstone was to offer land for a second wastewater treatment plant which would significantly decrease TIE fees. We were looking at Comp Plan amendments for everything south of the Turnpike, which would probably have justified a wastewater treatment plant being constructed on their property. A MOU was drafted to list out certain things that we would need to move forward with based upon the understanding of the large development impact south of the Turnpike. Landstone and the City knew some of the things would have to change based upon what was approved by DCA. Landstone has taken the stance that now that everything has been approved they saw a significant cash value in having the wastewater treatment plant located on their property. With the consolidation of refuse services the City has acquired more property around the current wastewater treatment for expansion. This lowers the construction costs and reduces the operation and maintenance costs. Landstone is still trying to review and made the comment that whatever is justified they are going to want two wastewater treatment plants to reduce their costs. That is something for the City to negotiate and look at.

Landstone – Chuck Piper – agree there are inconsistencies in the first report. Have not completed review of the second report. Based on CM Smith observations of the second report there seems to be continued inconsistencies. Landstone's conclusions may be different from the City's conclusions but want to have continued dialog and opportunity to review future report to be sure Landstone's issues are addressed.

CM Smith – would like to have another firm to review the report.

Mayor Wolf suggested that the City Manager speak to each Commissioner individually and explain any issues and concerns with BFA.

- 6) Discussion/decision regarding cost and strategy to repair City Hall HVAC system and building exterior (Attachments – Board Option)

SP Grimm – items on the report presented to the Commission at a previous meeting were reviewed. The items were prioritized and grouped together based on the items that would work together for more efficiency of the system.

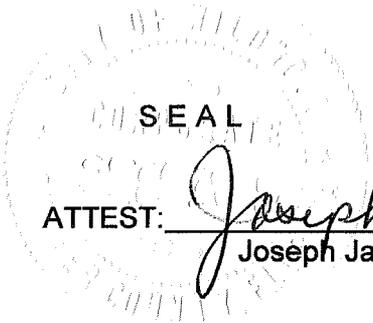
Motion by Commissioner Allen, second by Commissioner Strickland to approve HVAC and City Hall repairs. Motion carried by unanimous vote.

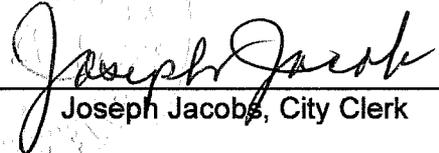
4. ADJOURN:

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

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

  
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Ed Wolf, Mayor



ATTEST:   
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Joseph Jacobs, City Clerk