

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
JULY 23, 2012 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood Florida met in Regular Session, July 23, 2012 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, Allen 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, Utility Director Phillips 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 – SECOND FINAL 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 – Staff Recommends Approval)

O2012-18 was introduced. DSD Peavy indicated there were questions at the last meeting so this was tabled and asked if the City Attorney needs to address some of those questions before action is taken. Commissioner Strickland indicated he had not gotten answers to all his questions. He and the City Attorney have corresponded through emails but didn't receive answers on questions he sent today. He wanted to know whether the City and the Villages are in compliance with the agreements to date and whether utility tax and annual payments are up to date. Noted the Annexation part was not a big issue. CA Blair indicated the annexation had nothing to do with the agreements, the only thing about annexation was the requirement for the Villages to annex 400 acres of commercial property into the City as a part of the consideration for the City not fighting with the Villages as to who would provide water and sewer in certain areas. Understands there are still 47 acres of non-residential to be annexed into in the City, and the Villages is working on a proposal to the City. Steve Roy indicated that it is being looked at and Jason and Melanie have been working on a proposal also. The Villages are not outside of a time frame on this issue. The Villages worked with the State legislature to have enacted a provision for the City to have authority to have a utility tax for outside the City limits areas.

Commissioner Strickland expressed concern that he has not seen all of the agreements and that the City approved the JPA only to have other agencies drag their feet and now want the City to approve changes quickly.

CA Blair explained that the Commission and staff took a long hard look at the agreements before they were approved because it was a big thing to give up. The five mile service area is only if you can get the services there. The City didn't have the ability to do that and the Commission felt it was in the best interest to approve the agreements

and give the Villages the right to serve in that area. On the question of annexation, the reason she didn't believe the Baker property was one that annexation could be forced on because of other issues such as the configuration of the property in that area. We would have to meet the consent portion of the Statute. The JPA doesn't give us any authority and is not an agreement with the people on that property or own that property. The City does need to look at the compliance issue for both the Villages and the City.

DSD Peavy noted that staff has reviewed the agreements and in the agreements there is an area that is defined by a legal description so UD Phillips has directed Kimley-Horn to map the area out. Have received that but haven't been able to review it or have the Villages review it. Mayor Wolf asked that Development Services be the ones who meet with Kimley-Horn. DSD Peavy indicated that CC Jacobs has provided the numbers that are coming in from the Villages. We will be monitoring the agreements. Moving forward with the JPA and modified map will not affect any of those other obligations. Delay of approving this will affect the ability to provide correct numbers for the 10 Year water supply plan due within next two years. Persons who annexed or wanted to can't until the JPA is adopted.

Meeting opened to the Public for public hearing. No comments were received.

Motion by Commissioner Allen, second by Commissioner Clark to adopt 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 on second final reading. Motion carried by unanimous vote.

b. 7:00 PM – PUBLIC HEARING – FIRST READING - Ordinance No. O2012-22; an ordinance amending the Comprehensive Plan Amendment to Implement the Interlocal Service Boundary and Joint Planning Area with Sumter County. *Staff is requesting approval for transmittal of Ordinance No. O2012-22 to the reviewing agency for comments (Attachments – Staff Recommends Approval)*

O2012-22 introduced and meeting opened to the Public for public hearing. No comments were received.

Mayor Wolf noted on page 17 the data and analysis regarding one or two wastewater treatment plants. DSD Peavy at this time we have an opinion from the City Engineer that probably there should be two plants. Not sure where the second plant will go whether at Landstone or somewhere else. Will need to enter into a new utility agreement with Landstone because there or some requirements in the original agreement that cannot be met by either the City or Landstone.

Motion by Commissioner Clark, second by Commissioner Bivins to approve transmittal of Ordinance No. O2012-22 to the reviewing agency for comments. Motion carried by unanimous vote.

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

a. City Manager

1) Tablets for Commission. The budget for these will run from \$3200 to \$4000. These would be used to provide the agendas to the Commission. Would like direction how to proceed. Noted there is money in this year's budget. Commissioner Allen noted that Apple products do not get viruses and android does. Would recommend Apple products.

Motion by Commissioner Allen, second by Commissioner Bivins to proceed toward goal of providing I Pads. Motion carried by unanimous vote.

2) Police Station – need a professional consultant to assist with this endeavor. Would like authorization to prepare and advertise for request for qualifications for this assistance. Wants to explore funding and PC Reeser made contact with Rural Development who will meet with the City.

Motion by Commissioner Clark, second by Commissioner Bivins to proceed to advertise Request for Qualifications. Motion carried by unanimous vote.

3.f. 3) Copier – defer until next meeting for further staff review of machines.

Motion by Commissioner Allen, second by Commissioner Strickland to table until next meeting. Motion carried by unanimous vote.

2.f.2) Budget Comparison for June 30, 2012. Information.

b. City Attorney

1) Request for direction as to whether or not the City wants to schedule a closed meeting to discuss potential settlement of Chambers and Harvey cases (NO Attachments)

Commissioner Allen asked if this had to come before the Commission for approval or can the insurance company settle without Commission approval.

CA Blair gave an opinion that the City go with the recommendation of the Insurance Company on certain types of litigations. CA Blair to provide insurance issue updates to Commission quarterly.

c. City Clerk - None

d. Commission Members

Strickland – regarding I Pads. How will the agenda get out ahead of time for review and how much paper will be saved. AVT Law – one suggestion is that the I Pads be at City Hall for the agenda to be uploaded and then the Commissioners pick those up for reviewing and return after the Commission meeting. It was noted that they could not be delivered as the paper agendas are.

CM Cannon noted that a memo has gone out that the deadline for agenda items will be the Friday a week before the Commission meetings.

Wolf – With Brownwood being in the City of Wildwood, the other areas shouldn't be neglected and would like to push code enforcement. CM Cannon noted that a meeting is scheduled this week on that subject.

Allen – requested an update on the house that was to be demolished on Huey Street. DSD Peavy noted that the problem is ownership of the property, and the County is not delaying. The demolition process has begun by the County through the owner. Can't force the owner to pay if they don't have the money. Jason McHugh went through the City today to list properties that can be discussed at the meeting. Commissioner Bivins noted a house on 2nd Street that has a roof half gone. Commissioner Allen requested an update after the meeting.

e. Public Forum (10 minute time limit)

1) Larry Green – Care4Kids, a 501c3, non-profit organization which is all about helping people. Is a licensed ordained minister, but his ministry is in the community. When they have an event they serve a hot meal and give out grocery bags to take home as well give the children toys, candy, books, snow cones, etc. They are funded by businesses and individuals. An event is scheduled on this Saturday at Wells Fargo property from 12 to 3. Not present to ask for funds but to issue a public invitation to the Commission and all to attend the event. They work with the School board, the Sheriff's Department and Health Department all of which provide information as to those in need in the community. They also get calls from those agencies for assistance. They are working with Carolyn Ford on the annual Back to School Bash. Provided information packet for file.

Appreciation was expressed to Larry Green for his work and involvement in the community.

2) Norvel Scott – had the opportunity to work with Blue Moon Ranch while president of the Wildwood Community Development Center. A Program was set up to have kids go to the ranch and learn about horses. When discussed with the City Commission they expressed concern about faith verses religion so he went to the businesses to raise funds. Waste Management was one of those. Today 15 kids were to be at Blue Moon Ranch, but there was a bump in the road, there were no funds. Waste Management had talked with the City Attorney and they donated \$1000 to the City and he has an issue with that since he was the one who met with Waste Management concerning kids attending camp. Talked with the City Manager and he understands the City Manager is following the City Attorney. His question is why the money is going to the Parks & Recreation Department when it was not the P&R Department that went out and solicited the funding, it was him. Why can't the money go to the ranch for the children to attend camp?

Mayor Wolf indicated Mr. Scott's problem is with Waste Management, and the letter he read explained why Waste Management didn't want to get into donating to private groups. CA Blair noted she told Waste Management that it seemed most appropriate for them to make a donation directly to the organization and not through the City.

Mr. Scott – based on the email the \$1000 is to be set aside for future youth programs or events that serve the community. Wouldn't sending underprivileged children to camp serve the community?

Mayor Wolf suggested that the money be sent back to Waste Management or be put against the Martin Luther King Day or Christmas parade events, which would benefit anyone who chooses to go.

Mr. Scott expressed concern that the Mayor seems to close eyes on issues with Youth. In the budget hearing the Mayor stated lets provide a 24/7 service to Brownwood because we need to let the community know that the presence of the police department is in Brownwood and they are going to serve the people. We are the only part of the only City I know of that does not have a youth program, a community recreation center on the West side of town. I am an advocate for children. There are no summer programs for the youth to attend. So if you tell me you advocate for children why isn't there a City summer program, why isn't there a community recreation center on the West side of town, why do we not have a facility for the youth to play on. Stated the Mayor during the budget workshop talked about surplus money. Why some of the surplus can't be used for the youth. Stated he will get up at every meeting to challenge the City.

Mayor Wolf – if Blue Moon wants to provide this for underprivileged kids, let Blue Moon do it. If the kids like horses let them join the Girl Scouts when school starts because the Girl Scout camp has horses. There are more than 15 underprivileged kids and if this is going to be done the children should be selected lottery style. If he sponsored a child he would expect lottery style selection.

Mr. Scott ended by stating that he tried to do a good thing by soliciting donations for the kids and it seems like it failed and he will put that on the lap of the City.

f. Notes and Reports

- 1) FYI – Findings, conclusions and recommendations of inspections and cleaning of ground storage tanks, hydro-pneumatic tanks and elevated storage tanks required by Fla. Admin. Code every five years (Attachments)
- 2) Budget Comparison Report for month ending June 30, 2012 (9-months) (Attachments)
- 3) FYI – Appraisal on the Baker House (Attachments)

CA Blair reported that a title search has been ordered because the Villages search did not encompass the property with the Baker House. A Contract is ready.

4) FYI – NOTICE OF PUBLIC HEARINGS – The Villages of Lake Sumter Large Scale Land Use Amendment Transmittal and Rezoning (Attachment)

5) FYI – Second Quarter 2012 work accomplished by the Public Works Department (Attachments)

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1) Minutes of Regular Meeting held on July 9, 2012 (Attachments – Staff recommends approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the minutes as typed. Motion carried by unanimous vote.

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

c. RESOLUTIONS FOR APPROVAL – NONE

d. APPOINTMENTS–NONE

e. CONTRACTS AND AGREEMENTS

1) Agreement between the Villages Operating Company to provide a Police sub-station at Brownwood and the City of Wildwood to provide Police presence at Brownwood for a term of twenty-five (25) years (Attachments – Staff Recommends Approval)

CA Blair indicated that changes requested were made.

In response to questions from Commission Strickland, PC Reeser indicated that the HVAC maintenance is only for the one office.

Motion by Commissioner Allen, second by Commission Strickland to approve Agreement between the Villages Operating Company to provide a Police sub-station at Brownwood and the City of Wildwood to provide Police presence at Brownwood for a term of twenty-five (25) years. Motion carried by unanimous vote.

f. FINANCIAL

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

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

2) Request approval to make repairs on pond liners at the RIB site to remain in compliance with the FDEP operating permit for the WWTP. Staff received two

proposals to complete the work and recommends awarding the project to Erosion Control Systems of Florida in the amount of \$3,500 (Attachments – Staff Recommends Approval)

Motion by Commissioner All, second by Commissioner Clark to approve the request to make repairs on liners at the RIB site and award the project to Erosion Control Systems of Florida with the low quote of \$3,500. Motion carried by unanimous vote.

3) Request for approval to purchase new Color Digital Imaging System with monthly maintenance contract to replace aging City Hall administration B & W copier (Attachments – Staff Recommends Approval)

CM Cannon covered under Reports from City Manager.

g. GENERAL ITEMS FOR CONSIDERATION

1) Pilot Club of Sumter County, Inc.'s request to use City sidewalks for their 19th Annual Pilot Brain Power Walk to benefit Alzheimer and other brain related disorders on Saturday, October 6, 2012. Commission has approved this event in prior years. (Attachments – Board Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to approve the Pilot Club of Sumter County, Inc.'s request to use City sidewalks for their 19th Annual Pilot Brain Power Walk to benefit Alzheimer and other brain related disorders on Saturday, October 6, 2012. Motion carried by unanimous vote.

2) Providence One Partners seeks approval of the revised Site Plan for Providence ILF at Turkey Run which incorporates street names into the development and omitted in version approved by Commission Dec. 12, 2011 (Attachments – Staff Recommends Approval)

Mayor Wolf asked for update on the back road connection since there are so many churches planned for the road. DSD Peavy indicated the City would have to do it on their own. All property owners were contacted several times, but one wanted compensation. Mayor Wolf noted traffic lights will be needed along the road if all the churches planned are built. Turkey Run agreed to right of way in the original DA, but could not get it from other property owners. Once the improvements are made to 462 it should relieve some of the traffic back up. They are correcting the intersection of 462 and 121.

Motion by Commissioner Allen, second by Commissioner Bivins approve the revised Site Plan for Providence ILF at Turkey Run which incorporates street names into the development and omitted in version approved by Commission Dec. 12, 2011. Motion carried by unanimous vote.

3) Request from Carolyn Ford with God's Glory Ministries for permission to use the City's parking lot located behind the Gazebo for their 4th Annual Back to

School Bash on Saturday, August 4th, from 1 to 5 PM (Attachments – Board Option)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the Request from Carolyn Ford with God's Glory Ministries for permission to use the City's parking lot located behind the Gazebo for their 4th Annual Back to School Bash on Saturday, August 4, from 1 to 5 PM. Motion carried by unanimous vote.

4) Request for Commission input on the definition/procedure that constitutes a "Change of Use" in order to be able to draft an ordinance which will add the language to the City's Code (Attachments – Board Option)

DSD Peavy – there are many scenarios that come up with this. There is currently no definition. Using the water usage as the base is seems the best way to determine "Change of Use". There is a problem when ERU's are not needed by the new business and there is a credit. Mayor Wolf noted this may need a workshop. UD Phillips explained that if a business had paid for 10 ERU's and then sold the property and another business came in and needed 15 ERU's, the new business would have to pay for the additional 5 ERU's because they need more the plant's capacity. DSD Peavy indicated this would be the most fair and is consistent with other cities.

No action necessary.

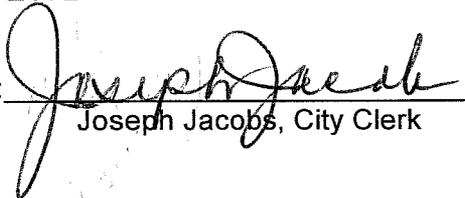
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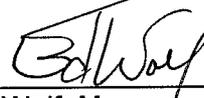
Upon a motion by Commissioner Allen and second by Commissioner Bivins the meeting was adjourned.

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SEAL

ATTEST:


Joseph Jacobs, City Clerk


Ed Wolf, Mayor