

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

The City Commission of the City of Wildwood Florida met in Regular Session, November 12, 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, 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. PUBLIC HEARING – 2<sup>ND</sup> FINAL READING - Ordinance No. O2012-25 Amending Chapter 3 of the City's Land Development Regulations to be consistent with the amendments to the Comprehensive Plan on September 25, 2012 through Ordinance O2012-22 (Attachments – Staff Recommends Approval)

\* Quasi-Judicial Hearing

Ordinance No. 2012-25 read by title only, second reading. Public Hearing opened. No comments received.

Motion by Commissioner Strickland, second by Commissioner Bivins that O2012-25 is adopted on second final reading. An Ordinance of the City of Wildwood Florida amending Chapter 3 Zoning of the Land Development Regulations of the City of Wildwood, Florida in conformance with the Local Comprehensive Plan and Joint Planning Area with Sumter County; providing for conflict; and providing for an effective date. Motion carried by unanimous vote.

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

- a. Special Presentations

- 1) The Quit Doc Foundation – T. J. Harrington, MA – Tobacco Prevention Grant support for Sumter County (Attachments)

Mayor Wolf reported receipt of phone call from Mr. Harrington asking the City to support a Tobacco Prevention Grant. Mayor Wolf noted he was driving at the time and suggested he get in touch with the County. Noted correspondence from the Health Department, which voiced concerns. He would like to know that this is a legitimate group and understand them more before supporting them. CM Cannon noted they had not been in touch with him. AVT Law indicated they had contacted her.

Motion by Commissioner Allen, second by Commissioner Strickland to table until further notice. Motion carried by unanimous vote.

- b. City Manager  
None at this time, but will address items later on the agenda.
- c. City Attorney – None
- d. City Clerk – None

e. Commission Members

- 1) Allen – congratulations to Jenny for lighting around the Recreation building.
- 2) Allen – requested that DSD Peavy provide status of house on Huey Street. Did the front cave in or is it being demolished by the County.
- 3) Request was made by Mayor Wolf that for the next meeting CM Cannon provides the Commission with information of how the part time person will be utilized by Parks & Recreation. CM Cannon – the person will be utilized to act in behalf of Jenny because there are people coming in all the time to rent the buildings, getting keys for the facilities, booking reservations. Complemented Jenny because today she was seen with a blower on her back assisting outside. She is short personnel. P&RC Hudson – the part time person will pick up the slack when she is out supervising, so that persons in the other departments don't have to take deposits, rental forms, and give out facility keys. Mayor Wolf asked if the person is for Parks & Recreation only. CM Cannon – Parks and Recreation department, and anybody else that can utilize in the office if short. Mayor Wolf requested that when utilized to be sure we are getting one hundred percent from the people the part time person is helping. Commissioner Allen noted he has talked with the Middle High School principal, and they want to help the City if there is part time work that seniors can do for 20 hours per week. The principal or Mr. Hampton, who is in charge of the program, similar to the DCT program, should be contacted. CM Cannon to check out.

f. Public Forum (10 minute time limit)

- 1) Robert Hannah – CSX plans to block off three roads and residents. Have a petition to CSX. Requesting the City to work with them on this. Residents have to walk to 44 to cross. The speeds that CSX plan to run are too dangerous. Is there anything the City can do to push CSX to remedy the problems they are fixing to cause?

Mayor Wolf – City had meeting with CSX last year about this, but all that was gotten from them was a sidewalk at 44A. Willing to argue with CSX, but has already been down that road. City was rejected to have Oxford opened or pedestrian arms placed at Oxford. City has been meeting with CSX representatives out of Jacksonville. Get all the names on the petition as possible, as they may listen to residents more than the City.

PC Reeser – spoke with CSX Rep last week about how information will be provided to residents about the sidewalk location and new train speeds. No time frame for new speeds.

Roxanne Stafford of Window Reflection – CSX wants local businesses to lease the property behind their businesses and they are requiring liability. Requesting the City to assist with this. The businesses cannot afford to lose the roadway and parking.

Mayor Wolf – noted that when the City worked with CSX to do plantings from the depot north, the liability insurance requirements were prohibitive. Thought they had assured that the area behind the businesses would not be lost. Ms. Stafford – they

are putting pressure on the businesses now, and not so much the lease but the liability insurance of \$5,000,000. Mayor Wolf – is that for each business or for all?

Hezi Gabai, Hollywood Cafe - Asked what will happen to road, parking, location for dumpsters and what happens to the years the City has been maintaining the road if the businesses don't sign?

CA Blair – in past CSX wanted the City to indemnify them for anything that happened including environmental spills. Another city signed a lease like that and ended up with a huge judgment against it, because you take away your sovereign immunity by signing a lease to this type. Recommended that City not sign a lease of this type. Would like to meet with staff and CSX about these issues. DSD Peavy – have met with the business owners a couple of times and have been working on the parking issue for some time. The road was built by the City and has been maintained by the City. City was offered a lease several years ago with outrageous terms for the City to hold liability insurance of the type they are asking the business owners to hold. This would have put the City at great risk and would do the same thing to the business owners. Have had staff working to set up a meeting with CSX, but are being shuffled around. The fact that the City built the road and maintained it for at least 28 years; the City does have some rights to that road. The property has been used for parking for a number of years and may fall under the same laws as the roads. Had Kimley-Horn look at the parking lot between Manny Pesco's building and the Southern Cotillion and without the Railroad road that parking lot is not in compliance. To fix the issue would require reducing the parking spaces and making two lanes. Property between Chow Hound and depot that CSX owns the City has rights to use that as public parking but is not the City's, we just lease it.

CA Blair – if the City has been maintaining the road, and if that was the City's would that solve the problem. DSD Peavy – no. It solves the problem of the parking lot that would not be in compliance, but not the dumpsters or the additional parking that is used. She and CA Blair have been working on this. CA Blair – need have a survey done of that area. DSD Peavy – staff has been conducting a parking survey of the City.

CM Cannon – need to have a meeting with Rep Smith of CSX and want to attend. Commissioner Strickland requested to be included in the meeting whenever held, if it is not set up as a workshop.

Sue Knowles – noted that without the road they cannot get their deliveries. Business owners will attend any meetings and workshops the City requests.

Mayor Wolf asked CM Cannon to contact Bradley Arnold concerning landscape on 466A west, requesting them not to allow the plants to die.

g. Notes and Reports – were referenced by Mayor Wolf.

1) FYI – Brighthouse Networks – Information on programming changes and channel relocations (Attachments)

2) FYI – Letter from James Presley, Principal of WMHS thanking the Mayor and Commission for allowing City Staff to assist with the WMHS Homecoming Parade

3) FYI - Letter from Florida Oceanographic Society thanking us for the donation of the Ozone Generator (Attachment)

4) Budget Comparison Report for Month Ending October 2012 (Attachments)

Mayor Wolf requested that every three months the Budget Comparison Report be on the regular agenda for discussion.

5) FYI - FDOT Letter informing of us of pending traffic regulation changes (speed limit) on portions of US 301 within our City Limits

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1) Minutes of Regular Meeting held on October 8, 2012 (Attachments – Staff recommends approval)

2) Minutes of Regular Meeting held on October 22, 2012 (Attachments – Staff recommends approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the Minutes of Regular Meetings held on October 8, 2012 and October 22, 2012 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 – None

f. FINANCIAL

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

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

2) Request from Bruce Phillips, Utilities Director for approval of Kimley-Horn and Associates IPO# 20 to perform the task of renewal of the City's WUP (Water Use Permit) that expires on July 29, 2013 (Attachments – Staff Recommends Approval)

WUP was amended last year, but the expiration date did not change. The WUP can be for 10 or 20 years.

Mayor Wolf recommended that the \$7,500 for Groundwater Impact Analysis be brought back if it becomes necessary. UD Phillips permit currently requires the GIA but we will try to get that taken out of the permit.

Motion by Commissioner Strickland, second by Commissioner Bivins to approve IPO #20 to perform the task of renewal of the City's WUP, with task 2 to be deleted and if required to be brought back to Commission for approval. Motion carried by unanimous vote.

3) Request from Chief Reeser for approval to order five (5) new Patrol Cars which are included in the FY 2012/2013 Budget to be purchased with a five-year loan (Attachments – Board Option)

Mayor Wolf requested that as the five new vehicles come in that the oldest vehicles be taken out of service and declared surplus for disposal, not left sitting around. PC Reeser noted there are some 1999 and 2000 vehicles that may be disposed of, but there are also new police officer positions. CC Jacobs to check with USDA and other financing options.

Motion by Commissioner Clark, second by Commissioner Bivins to approve a Lease Purchase of five (5) new police vehicles. Motion carried by unanimous vote.

4) Request for approval to purchase and install wall panels on Parks & Recreation Barn at a cost of \$2,700 (Attachments – Staff Recommends Approval)

Mayor Wolf noted this is the result of a burglary. CM Cannon indicated the replacement cost is below the deductible, but City has staff that can replace the panels after purchasing the material and could save \$1500. DSD Peavy – don't forget about permits and liability. CM Cannon noted he doesn't see an issue, but the City will have to go with the building manufacturer to get the same panels. Mayor Wolf suggested checking with local contractors for the panels.

Motion by Commissioner Allen, second by Commissioner Clark to check with Leonard Powell to see if he has panels available and if not, proceed with quote for quote with the City providing labor. Motion carried by unanimous vote.

Commissioner Allen that alarms are needed on City Buildings that contain any equipment. Mayor Wolf noted a motion detector with siren would work.

g. GENERAL ITEMS FOR CONSIDERATION

1) Request from San Pedro Maldonado Mission for permission to temporarily close Wonders Street between US 301 (or the Annex?) and Gamble Street for their fourth annual Our Lady of Guadalupe Celebration on Sunday, December 9, 2012 from 8:00 a.m. to 8:00 p.m. (Attachment)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the Request from San Pedro Maldonado Mission for permission to temporarily close Wonders Street between US 301 (or the Annex?) and Gamble Street for their fourth annual Our Lady of Guadalupe Celebration on Sunday, December 9, 2012 from 8:00 a.m. to 8:00 p.m. Motion carried by unanimous vote.

2) Set dates for two workshops: 1) "Angie Brewer Funding Analysis" and 2) "Champaign Farms Preliminary Design Report". Calendars are provided for determining the dates. (Attachments – Board Option)

By common consent schedule workshop date for December 3 at 6:00 p.m. and January 7 at 6:00 p.m.

3) Request by Andy Easton to recruit and appoint volunteers to the City's Citizens Advisory Task Force (CATF) required by Florida Administrative Code to provide input on all phases of CDBG grant applications and amendments. (Attachments)

CM Cannon requested the Commission to bring back recommendations for appointment, and noted they must live inside the City.

4) Request by Steve Watson, Fleet Services Coordinator for approval to dispose of and donate 9 vehicles no longer being utilized to be donated to the Sumter Correctional Institute (Attachment)

CC Jacobs noted that Robert Smith put a program for disposal before he left.

Motion by Commissioner Allen, second by Commissioner Clark to assign next consecutive Resolution number and declare surplus nine vehicles for donation to Sumter Correctional Institute and the large digital TV from the Commission Chamber for donation to a non-profit. Motion carried. Yea – Allen, Clark, Bivins, Wolf. Nay – Strickland.

5) BW City Ministries requests permission to use the City Gazebo and parking lot for their Annual Holiday Turkey Drive Give Away on Saturday, December 17, 2012 beginning at 8:00 a.m. (Attachment)

Motion by Commissioner Strickland, second by Commissioner Clark to approve BW City Ministries requests permission to use the City Gazebo and parking lot for their Annual Holiday Turkey Drive Give Away on Saturday, November 17, 2012 beginning at 8:00 a.m. Motion carried by unanimous vote.

4. ADJOURN

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

SEAL

ATTEST:

  
Joseph Jacobs, City Clerk

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Ed Wolf, Mayor