

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
DECEMBER 10, 2012 - 7:00 p.m.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood Florida met in Regular Session December 10, 2012 at 7:00 p.m.

Present were: Mayor Pro tem Allen, Commissioners Bivins 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, AVT Law and Utility Director Phillips. Richard Busche of Kimley-Horn Associates.

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 – Notice of Proposed Change - Request for approval of a minor amendment to the Villages of Wildwood DRI Development Order to remove the build-out date limitation for the provision of solid waste service (Board Option) (Attachments)

Mayor Pro tem Allen opened Public Hearing. DSD Peavy was sworn in by the City Attorney.

In response to a question from Commissioner Strickland, CA Blair indicated the Waste Management has no objection to the Resolution and the agreement with Waste Management will not have to be amended.

No comments were received from the audience.

- 1) RESOLUTION NO. R2012-30 to adopt a fourth amendment to the Development Order for the Villages of Wildwood Development of Regional Impact (Board Option) (Attachments)

Resolution No. R2012-30 was introduced and read by title only.

Motion by Commissioner Bivins, second by Commissioner Strickland to adopt Resolution No. R2012-30: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, ADOPTING A FOURTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE VILLAGES OF WILDWOOD DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE. Motion carried by unanimous vote.

- b. APPROVAL SOUGHT by Lamars A & K Properties, LLP for Site Plan Approval (SP 1210-03) to construct a total of 4,300 sq. ft. of additional buildings with paved parking and driveway for a bus maintenance facility on Parcel F12=032C in the Willard Peebles Industrial Park; subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction. (Staff Recommends Approval) (Attachments)

DSD Peavy noted that the square footage of the building is not correct, that it is actually 12,452 sq. ft.

Motion by Commissioner Strickland, second by Commissioner Bivins to approve SP1210-03 as recommended by the Special Magistrate. Motion carried by unanimous vote.

c. APPROVAL SOUGHT by Sumter Retirement Residence, LLC for SP1211-01 Oxford Greens – Preliminary Plat Plan, to subdivide parcel D08=005 into five lots with shared infrastructure. Heard by P&Z Board/Special Magistrate 12-04-12. (Staff Recommends Approval, subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction) (Attachments)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve SP1211-01 Preliminary Plan as recommended by Special Magistrate. Motion carried unanimously.

d. APPROVAL SOUGHT by Sumter Retirement Residence, LLC for SP1211-02 Oxford Assisted Living Facility and Memory Care Site Plan, to construct a three-story building for a 103 suite Assisted Living and Memory Care facility. Heard by P&Z Board/Special Magistrate 12-04-12. (Staff Recommends Approval, subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction) (Attachments)

DSD Peavy asked that this item be pulled from the agenda because the zoning ordinance will not be adopted until January.

* Quasi-Judicial Hearing

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

a. Special Presentations

1) None

b. City Manager

1) Request Commission consideration: Lease purchase of six (6) police vehicles in place of the five (5) budgeted, due to recent accident and vehicle totaled. (Board Option)(No attachments)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve lease purchase of six (6) vehicles instead of five. Motion carried by unanimous vote.

2) Request for Police Department to follow Christmas Eve ½ day holiday and New Year's Eve ½ day holiday as stated in the Personnel Rules and Regulations, and that PD be made an "Exception to" the recent approved Christmas Eve/New Year's Eve change for this year. (Staff Recommends Approval by motion or common consent.)(No attachments)

By Common Consent the Commission approve the request for PD to follow the PR&R regarding Christmas Eve and New Year's Eve.

3) Request Commission consideration: Discard the practice (not written policy) of holding back 1% of an employee's pay to be paid out as a lump sum in late November. Effective starting 2013, with employees notified within 10 days of approval to allow them to make other arrangements, such as savings account for the holidays in 2013. Of 84 employees, 41 requested the Lump Sum this year. (Staff Recommends Approval) (No attachments)

No objections from the Commission, and employees to be notified as soon as possible.

4) As requested by the Commission: Update on status of City buildings. Report attached.

CM Cannon referred to the information provided. No questions from the Commission.

5) CM Cannon reported that the Mayor had talked with him about the majority of the employees not receiving an increase in October. After review of the budget and a calculation of what it would cost the City for a "rounded" off 2% COLA one-time pay out. This reflects what the Mayor had requested him to do. The Mayor asked that he bring to the Commission since he would not be at the meeting and this would be the only meeting before the holidays. This would be one time pay out and would not be a part of the annual rate with next budget year.

Mayor Pro tem Allen expressed the opinion that this should be approved. Commissioner Bivins expressed approval based on the City Manager and Chief Financial Officer indicating it can be done, and with the understanding that it will not be added to the employee annual rate for next budget year. Commissioner Strickland asked how it could be a COLA and not adjust and annual rate, that it sounds like a bonus. CA Blair noted a bonus cannot be given but a Cost of Living Adjustment for this fiscal year in a lump sum could be given. Commissioner Strickland noted that the funds could be used for other things the City needs and would prefer not to vote for it.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the request the COLA one time pay out that would not be added into the annual rate for those employees who did not receive an increase in October. Motion carried by unanimous vote.

c. City Attorney

1)

d. City Clerk

1)

e. Commission Members

1)

f. Public Forum (10 minute time limit)

1) Sam Saleem, Wildwood Community Development Center Inc. Read a letter he sent to CM Cannon on December 4. "Dear Mr. Cannon, We are collaborating with the equity and diversity committee and the MLK Committee of Lake-Sumter State College together with various other community groups in connection with generating scholarships to Sumter County Students. The enclosed article regarding this matter appeared in the November 22, 2012 issue of the Sumter County Times. We're hoping that the City of Wildwood will consider participating as a sponsor to support the MLK Literary competition for Sumter Students and ask that this request be placed on the agenda for approval by the City Commission at the regularly scheduled meeting on Monday December 10, 2012. You may recall that a few months ago Waste Management provided the City of Wildwood with a donation of \$1000. Could a portion of that donation be used to offset the costs related to the Sumter County program that can provide scholarships to deserving Wildwood students. A Sponsorship letter will be forwarded to you directly from the appropriate party at Lake-Sumter State College. If you have any questions or require additional information please feel free to contact me at 352-748-7770 or email peacemaker1@earthlink.net. Thank you kindly. Sincerely, Sam Saleem, Vice President.

Introduced Beverly Steele to provide a related presentation. Ms. Steele provided a handout (copy on file) to the Commission. CEO of The Steele Organization LLC and founder of Young Performing Artist Inc. a 501(c)(3) not for profit State corporation. Requested support for the MLK Literary contest, which will include Middle and High School Students.

CM Cannon reported he had talked with Mr. Saleem and was in the process of writing a letter to him. CM Cannon referred to and read a portion of Resolution No. 1027 adopted October 13, 2008 which created a policy regarding charitable contributions and establishing that the City would not provide financial support to any charity.

Mayor Pro tem suggested that the policy be readdressed after the first of the year as the economy gets better. Commissioners and City Attorney indicated they would make donations to the project.

Mr. Saleem invited the Commission and Staff to the MLK Day event and festivities.

2) Desiree Everett, owner of Lebanon Family Day Care. Requested use of the Jackson Street building. Mayor Pro tem Allen indicated that building has been committed.

CM Cannon indicated the meeting with PR&C Hudson, Chloe and himself has been delayed due to illness in Jenny's family. Mayor Pro tem Allen indicated that if the meeting is not successful with the first party, Ms. Everett is welcome to come back.

3) a) Robert Hannah, Sam Saleem, Larry Jett of Wildwood Community Development Center, Inc. presented a petition with over 400 signatures requested CSX to building a crosswalk for the Railroad Track. They would like the City to send the petition to CSX and let them know it is not fair for CSX to limit access to town from the west side. Would like the City to get behind the group.

Mayor Pro tem Allen indicated the City would be in support, but the City has been talking to CSX for a long time.

Larry Jett asked if this is something the City Commission will follow up on. Mayor Pro tem Allen noted the City is in constant contact with CSX through the attorney. CA Blair noted that the City does not have the authority to tell CSX to put in a crosswalk. CSX has gone through several years of hearings and presenting information and at every step the City has taken the position that there needs to be crosswalks or whatever is needed. The City is not the governmental agency with the power. CSX has the go ahead to do things from the State and the Department of Transportation, but the City will forward the petitions indicating the City supports what the group is asking for. Mr. Jett asked what is the next step. CA Blair indicated a meeting with CSX. It was noted CSX has not been talking with the residents, only the business owners. CA Blair – maybe a meeting can be scheduled with CSX Community Relations Rep and the residents.

Robert Hannah stated the west side residents are being penalized and will be prosecuted for crossing the tracks where they have been crossing for years, and it is not fair.

4) Gidget Gibson reported that the Christmas Parade had 38 entries this year which was up from last year. Thanked Commissioner Strickland for being a judge and noted that Commissioner Bivins also came out. Reported on the Baker house tours with over 700 visitors in the two days. Many more have said they want to know when the next tour will be.

g. Notes and Reports

Mayor Pro tem Allen referred the Commission to the Notes, Reports and Important Dates.

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on November 26, 2012 (Attachments – Staff recommends approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the minutes of November 26 as typed. Motion carried by unanimous vote.

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

- 1) Ordinance O2012-26: An Ordinance proposing a small scale land use map amendment, Sumter Retirement Residence, Oxford Cottages Retirement, Portion of Parcel #D08=005, Lot 5. Case was heard by Local Planning Agency 12-04-12. (Attachments)

Ordinance O2012-26 was introduced and read by title only.

- 2) Ordinance O2012-27: An Ordinance proposing a zoning map amendment, Sumter Retirement Residence, Oxford Cottages Retirement, Portion of Parcel #D08=005, Lot 5. Case RZ 1210-01 was considered by the P&Z Board/Special Magistrate 12-04-12. (Attachments)

Ordinance O2012-27 was introduced and read by title only.

- 3) Ordinance O2012-28: An Ordinance proposing a small scale land use map amendment, Sumter Retirement Residence, Oxford Assisted Living Facility and Memory Care, Portion of Parcel #D08-005, Lot 4. Case was heard before the Local Planning Agency 12-04-12. (Attachments)

Ordinance O2012-28 was introduced and read by title only.

- 4) Ordinance O2012-29: An Ordinance proposing a zoning map amendment, Sumter Retirement Residence, Oxford Assisted Living Facility and Memory Care, Portion of Parcel #D08-005, Lot 4. Case was heard before the P&Z Board/Special Magistrate 12-04-12. (Attachments)

Ordinance O2012-29 was introduced and read by title only.

c. RESOLUTIONS FOR APPROVAL

- 1)

d. APPOINTMENTS

- 1)

e. CONTRACTS AND AGREEMENTS

- 1) Report regarding CR 501 Water Treatment Plant and Request. (Staff Recommends Approval)(Attachments)

UD Phillips explained this is related to security at the plants and other City facilities.

Motion by Commissioner Bivins, second by Commissioner Strickland to approve Amendment No. 1 of KHA IPO #15. Motion carried by unanimous vote.

f. FINANCIAL

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

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

g. GENERAL ITEMS FOR CONSIDERATION

1) Sam Saleem with the Wildwood Community Development Center, Inc. requests permission to have a Martin Luther King Day Parade along C-44A, High Street, CR-242 and CR-213 on January 21, 2013 starting at 9:00 a.m. followed by a Martin Luther King celebration at MLK Park and Pavilion until 7:00 p.m. (Attachments – Board Option)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve permission to have a Martin Luther King Day Parade along C-44A, High Street, CR-242 and CR-213 on January 21, 2013 starting at 9:00 a.m. followed by a Martin Luther King celebration at MLK Park and Pavilion until 7:00 p.m. Motion carried by unanimous vote.

2) Letter from Wildwood Community Development Center, Inc. requesting donation of \$2000 from the City for MLK Day events. City Attorney Blair to address with Options and Resolution R2012-31 for consideration.

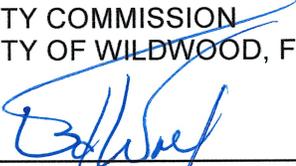
CA Blair reported that the group is Chartered by the State as a 501(c) (3), but they do not have the designation through the IRS. If the Commission is satisfied with what the group did last year, and they feel the group is providing a public purpose she sees no reason not to donate the \$2000. The Commission could make the group a Committee of the City and provided two resolutions for consideration. Also contacted the City auditor and he agreed with her opinion.

Motion by Commissioner Strickland, second by Commissioner Bivins to provide the donation of \$2000 as in the past and to waive (refund) the fee for the special event. Motion carried by unanimous vote.

4. ADJOURN

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

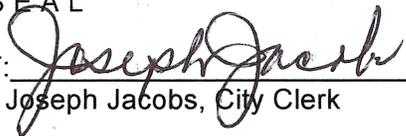
CITY COMMISSION
CITY OF WILDWOOD, FLORIDA



Ed Wolf, Mayor

SEAL

ATTEST:



Joseph Jacobs, City Clerk

IMPORTANT DATES (No Attachments)

a. December 10, 2012– (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber

b. December 11, 2012 – (Tuesday) - Wildwood Area Historical Association Meeting – 6:30 p.m. City Hall Conference Room #124.

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- b. December 14, 2012 – (Friday) – **ANNUAL EMPLOYEE & VOLUNTEER APPRECIATION BANQUET** – 6:00 PM – Wildwood Community Center
- c. December 24, 2012 – (Monday) – City Offices CLOSED for CHRISTMAS EVE HOLIDAY (Except Police Dept.)
- d. December 24, 2012– (Monday) – **(CANCELLED)** City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- e. December 25, 2012 – (Tuesday) – City Offices CLOSED FOR CHRISTMAS HOLIDAY (Except Police Dept.)
- f. January 1, 2013 – (Tuesday) – City Offices CLOSED FOR NEW YEAR’S HOLIDAY (Except Police Dept.)
- g. January 7, 2013, 6:00 p.m. – (Monday) – Called Commission Workshop
- h. January 8, 2013 - (Tuesday) – Parks & Recreation Board Meeting – 6:00 PM – City Hall Conference Room #124
- i. January 14, 2013 – (Monday) First Regular Commission Meeting of 2013 – Swearing in Seat 3 and 5
- i. January 21, 2013 (Monday) – City Offices CLOSED FOR MARTIN LUTHER KING JR HOLIDAY (Except for Police Department)