

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
CITY HALL COMMISSION CHAMBER
MARCH 26, 2012 – 7:00 P.M.

The City Commission of the City of Wildwood Florida met in Regular Session March 26, 2012 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Clark, Allen and Strickland. Also present were: Interim City Manager Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, Senior Planner Grimm, 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 – 7:00 p.m.

- a. PUBLIC HEARING - 1ST READING - Ordinance No. O2012-13, an ordinance modifying the Five-Year Capital Improvement Schedule of the Capital Improvements Element of the Comprehensive Plan in the City of Wildwood (Attachments)

DSD Peavy reported that although this is the first reading for Ordinance O2012-13 through O2012-15, Public Hearings are required as part of the transmittal to the State. Noted a sign in sheet is available at the entrance for those wishing to speak.

O2012-13 is for the year 2011 through 2015. Referred to table listing improvement projects and whether funded or unfunded.

O2012-14 amends the future land use on property owned by 301/466 LLC. Request is to amend from Oxford Neighborhood mixed use to low density residential. The applicant filed proper application and demonstrated in the application that the impact on City's public facilities will decrease with the new land use.

O2012-15 – have been working a long time on this. Since the adoption of the 2035 Comp Plan, staff has been faced with a lot of problems where developers have problems meeting the requirements. There are 50 or so changes addressed in this ordinance. Eliminating the mix of housing types, the vertical mix requirement, trying to eliminate the 70% rule where it reduces every developable property by 30%. Trying to eliminate concurrency on transportation, parks and recreation and schools. Developments would still have to turn in a traffic study and City will review for operational and safety improvements and establishing congestion management system. City will follow the Interlocal agreement with Sumter County for public schools. Changed a lot of requirements to encourage in the Comp Plan. Will modify the LDR to add benefits or incentives for developers to meet the minimum densities. Those are the major changes being requested.

The City will have 10 days to have transmitted to the State. The State will have 30 days to review and respond. They are limited to what they can comment on

under the new regulations. After comments received from the State this will be brought for the second final reading.

Ordinance NO. O2012-13 read by title only.

Public Hearing opened for O2012-13. No comments received.

Motion by Commissioner Bivins, second by Commissioner Clark to transmit Ordinance O2012-13 to the State of Florida. Motion carried by unanimous vote.

- b. PUBLIC HEARING - on the transmittal of Ordinance No. O2012-14 to the state land planning agency for review; and 1st READING of 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)

Ordinance No. O2012-14 read by title only.

Public Hearing opened for O2012-14. No comments received.

Motion by Commissioner Allen, second by Commissioner Strickland to transmit Ordinance O2012-14 to the State of Florida. Motion carried by unanimous vote.

- c. PUBLIC HEARING - on the transmittal of Ordinance No. O2012-15 to the state land planning agency for review; and 1st READING of 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)

Ordinance No. O2012-15 read by title only.

Public Hearing opened for O2012-15. No comments received.

Motion by Commissioner Clark, second by Commissioner Bivins to transmit Ordinance No. O2012-15 to the State of Florida. Motion carried by unanimous vote.

- d. PUBLIC HEARING – 2nd FINAL READING - Ordinance No. O2012-16, an Ordinance providing for the extension of the permitted hours of sale of alcoholic beverages in full service restaurants as defined in Section 4.8(c) of the City of Wildwood Code (Attachments – Staff Recommends Approval)

Ordinance O2012-16 read by title only.

Public Hearing opened for O2012-16. No comments received.

Motion by Commissioner Allen, second by Commissioner Bivins that Ordinance No. 2012-16: An Ordinance Of The City Of Wildwood, Florida, Amending Section 4-8 Of The City Of Wildwood Code; Providing For Hours Alcoholic Beverages May Be Sold; Providing For Conflict; Providing For An Effective Date: be adopted on second final reading. Motion carried. Yea – Allen, Bivins, Clark, Wolf. Nay – Strickland.

2. REPORTS AND PUBLIC INPUT

SPECIAL PRESENTATION:

- ❖ Proclamation declaring the month of April 2012 as Water Conservation Month in the City of Wildwood

Motion by Commissioner Bivins, second by Commissioner Allen to approve the Proclamation declaring the month of April 2012 as Water Conservation Month in the City of Wildwood. Motion carried by unanimous vote.

a. City Manager

- 1) FYI – Budget Comparison Report for February 2012 (Attachments)
ICM Jacobs reported the Expenditures for the General and Enterprise funds are lower that the Revenues collected through February. Will provide March report in April.
- 2) FYI – Contaminated Soil Assessment City of Wildwood Property Parcel D32=050 (Attachment – David Grimm to address)

ICM Jacobs requested Dave Grimm to address.

SP Grimm reported that last summer a company was desilting some storm water lines and without City permission the company deposited the silt on a City property. PWD Kornegay became aware of it and contacted FDOT who contacted the contractor to remove the silt. There was concern by him and PWD Kornegay as to whether the silt could have contaminated the property leaving the City with a liability. Ed Petersen with FDOT was contacted and requested that a soils assessment be done on the site by an independent lab to verify and confirm to the City that there is no contamination. Test was completed and all contaminated soils were removed and there is no longer any issue at the site. Only cost to the City was the phone call to FDOT.

- 3) FYI – Assignment of Land Lease Agreement between the City of Wildwood and New Cingular Wireless PCS, LLC dated Aug. 30, 2011 to Tower Development Corp. who has appointed Crown Castle USE, Inc. as its exclusive development & site management for the Turtle Mount GC Cell Phone tower being constructed near the City's rib-site at Miona Lake (Attachments)

ICM Jacobs reported that the lease has been assigned and was assignable. CA Blair noted that utilities to the tower will be above ground. UD Phillips noted that underground could create problems for the berm around the RIBs. CA Blair suggested that the underground utility requirement be in the LDR as well as the Design Standard.

- b. City Attorney – Need to discuss CM contract. Mayor Wolf requested to hold until end of meeting.
- c. City Clerk - none
- d. Commission Members
Allen – introduced his visiting grandson, Sean who is serving in the Air Force and stationed in Anchorage Alaska.

Bivins – acknowledged striping that has been completed and to the job that David Grimm did staying on top of the projects. All have been completed and look good.

- e. Public Forum (10 minute time limit)
Jay Turner – (1) Thanks for the improvements on Clark Street and storm water retention. (2) Other issues to address. He is the president of the new founded non-profit organization called Kingdom Purpose Community Development Organization where they are re-shaping their community one block at a time. Been speaking with PWD Kornegay and presenting for Commission consideration some redeveloping and beautification on Jackson Street, Mills Street and Pitt Street. Main concern at this time is Jackson Street but biggest concern is Mills Street. Provided pictures of area to the Commission for review. Noted trees that were planted along the 301 side of the railroad but not on the Mills Street side. Noted sketches presented. Would like to have sidewalk and trees along Mills Street. Sketch of beautification they would like to see at the intersection. Jackson Street project would be maintained by the residents and asking that the Mills Street project be maintained by the City in reference to irrigation and trimming. This would be a project to be completed over a period of time. PWD Kornegay indicated that sidewalks along Jackson Street will be resurfaced, but did not give a date, and that new sod will be installed. (3) Came to Commission several years ago with a crosswalk on 301, but nothing has been done. City provides a parking lot but no crosswalk for 301 to City Hall.

Commissioner Allen noted that the State has done studies for crosswalks and they refuse to put in a crosswalk other than at 44A. Mayor Wolf noted a traffic light may be necessary for the crosswalk. Mr. Turner indicated he has been in several cities where crosswalks did not have lights, such as Apopka and Ocala and Ocala's is on 301. Mayor Wolf noted the State will have to be asked, but the City could pursue. Mr. Turner asked if he has the support of the Commission for him to go forward with the finalized proposal for the reshaping and beautification. Mayor Wolf recommended that the Commission approve for City directors such as the Public

Works Director and Police Chief to meet with Mr. Turner, work out a recommendation and bring it back to the Commission. Commission needs to know who will be responsible for the different aspects of the projects.

ICM Jacobs reported that PWD Kornegay spoke with him and had told Mr. Turner that everything needed to be in writing even down to the type of plants being proposed. Mr. Turner indicated that his take is to go forward and provide at a future Commission meeting all the information, including grant information. Commissioner Allen we are all for improvements. Commissioner Bivins had asked about beautification going up Jackson and there was some problem about irrigation, but if the residents and non-profit are will to be responsible for that, we need to encourage the project.

Mayor Wolf noted a letter requesting the City to shine blue lights on the water fountain the last week of April in recognition of Child Abuse Prevention. May be just a matter of changing the bulbs. ICM Jacobs noted that the water restrictions allow only four hours per day to run the fountain. An alternative would be to place blue lights around City Hall.

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

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on March 12, 2012 (Attachments – Staff recommends approval)

Motion by Commissioner Strickland, second by Commissioner Bivins to approve the minutes of March 12, 2012. Motion carried by unanimous vote.

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

- 1) Ordinance No. O2012-17; an Ordinance creating a Wildwood Area Historical Board for the preservation of historical artifacts, pictures and documents to preserve the history of the City of Wildwood (Attachments)

Commissioner Strickland questioned section regarding items belonging to the City. CA Blair indicated language could be included to cover loans for display.

Commissioner Allen asked if the Beautification Board could be resurrected.

c. RESOLUTIONS FOR APPROVAL:

- 1) None

d. APPOINTMENTS

- 1) None

e. CONTRACTS AND AGREEMENTS

- 1) Lift Station Maintenance and Service Agreement with Florida Citrus Center, Inc. and MARBEC, Inc. dba McDonald's (Attachments – Staff Recommends Approval)

UD Phillips indicated the agreement is the same as in the past.

Motion by Commissioner Strickland, second by Commissioner Clark to approve the Lift Station Maintenance and Service Agreement with Florida Citrus Center, Inc. and MARBEC, Inc. dba McDonald's. 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 for approval of Change Order No. 3 by Utility Systems Construction, Inc. in the amount of \$19,817.67 for additional work on the Pitt/Stone Drainage CDBG Grant Project (Attachments – Staff Recommends Approval)

SP Grimm – closing out Pitt and Stone project. These items made it a better project. There was additional paving, a second pump to run alternately, and additional driveway aprons. This is the final Change Order on the three projects. Should have additional \$140,000 remaining and will bring back a recommendation on use of money.

Motion by Commissioner Bivins, second by Commissioner Allen to approve Change Order No. 3. Motion carried by unanimous vote.

- 3) Request for approval for Kimley-Horn Individual Project Order No. 14 in the amount of \$93,300 to prepare a Preliminary Design Report for the Champagne Farms Water Treatment Facility (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to move forward to have approved by SWFWMD as alternative source wells and approve to have designed as quickly as possible. Motion carried by unanimous vote.

- 4) Request approval to expend \$10,074.50 from the L.E.T.F. to purchase Driver License Scanners, mobile printers, one laptop computer, and Nimh battery chargers for the Police Department (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Clark to approve request. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Request from the Lake Sumter Children's Advocacy Center to recognize April as Child Abuse Prevention Month and consider shining blue lights on the fountain in front of City Hall during the last week of April to promote the "Get Out Your Blues" campaign to raise awareness of child abuse in our area (Attachments – Staff Recommends Approval)
- 2) Notice of Special Called Meeting on Monday, April 2, 2012 at 7:00 p.m. for a Public Hearing to receive public comment on the proposal to make a grant application with USDA Rural Development for Police vehicles (Attachment)

Motion by Commissioner Clark, second by Commissioner Bivins to amend the agenda to include City Manager contract. Motion carried by unanimous vote.

Mayor Wolf – talked with Mr. Cannon after the last meeting. Mr. Cannon feels Covington will not hold him to the \$15,000. Talked with him again today and Mr. Cannon has talked with CA Blair. Is it possible to provide two optional contracts. One based on the \$15,000 having to be paid and a second with lower costs. CA Blair reported discussion with Mr. Cannon and he really wants to come.

Two options were suggested and Commission concurred.

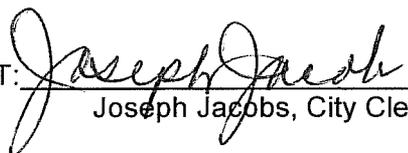
- (1) \$80,000 with \$15,000 to Covington and actual cost to lease moving van and fuel.
- (2) \$87,750 with minimum moving expense and car allowance of \$500 per month. It was noted that a 1099 would have to be provided for the car allowance.

4. ADJOURN:

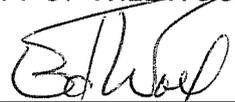
Upon a motion by Commissioner Allen, second by Commissioner Bivins the meeting was adjourned.

SEAL

ATTEST:


Joseph Jacobs, City Clerk

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Ed Wolf, Mayor