

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA
REGULAR MEETING
MARCH 11, 2013 – 7:00 P.M.
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session March 11, 2013 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Green, Clark 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.

The meeting was called to order with an invocation and Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS

DSD Peavy was sworn in along with developers/representatives.

a. 7:00 PM – PUBLIC HEARING – 2nd FINAL READING on the adoption of Ordinance O2013-01; an ordinance adopting the 10-Year Water Supply Facilities Work Plan and the recommended text amendments to the Public Facilities, Conservation, Intergovernmental Coordination, and Capital Improvement Elements of the Comprehensive Plan. (Attachments on file – Staff Recommends Approval)

Ordinance No. O2013-01 was read by title only on second final reading. Meeting opened for Public Hearing. No comments received. DSD Peavey noted there were minimal comments from agencies.

Motion by Commissioner Green, second by Commissioner Bivins that Ordinance No. O2012-01 be adopted on second final reading. An Ordinance Of The City Of Wildwood, Florida; Adopting The 10-Year Water Supply Facilities Work Plan; Providing For Text Amendments To The Public Facilities Element, Conservation Element, Intergovernmental Coordination Element, And Capital Improvements Element Of The Adopted Local Comprehensive Plan; In Accordance With Section 163.3177(6)(C), Florida Statutes And The Community Planning Act Of 2011; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

b. 7:00 PM – PUBLIC HEARING – 2nd FINAL READING on the adoption of Ordinance O2013-02, a Text Amendment to Policy 1.7.3 of the Future Land Use Element of the adopted Comprehensive Plan which is specific to The Villages of Wildwood Development of Regional Impact (DRI). (Attachments on file – Staff Recommends Approval)

Ordinance No. O2013-02 was read by title only on second final reading. Meeting opened for Public Hearing. No comments received.

Motion by Commissioner Clark, second by Commissioner Bivins that Ordinance No. O2013-02 be adopted on second final reading. An Ordinance Of The City Of Wildwood, Florida; Providing For Text Amendments To Policy 1.7.3 Of The Future Land Use Element Of The Adopted Local Comprehensive Plan; Pertaining To The Villages Of Wildwood Development Of Regional Impact; In Accordance With The Community Planning Act Of 2011; Providing For Codification; Providing For Conflict; And Providing For An Effective Date. Motion carried by unanimous vote.

c. PUBLIC HEARING – 2ND FINAL READING of Ordinance O2013-06; An ordinance voluntarily annexing 2.67± acres of property owned by Hughes Brothers, LLC located just north of the intersection of CR 213/Walker Road and SR 44. The property to be annexed is a portion of Parcel G07=133 and is intended to be utilized as an office for a construction company (Attachments on file – Staff Recommends Approval)

Ordinance No. O2013-06 was read by title only on second final reading. Meeting was opened for Public Hearing. No comments were received.

Motion by Commissioner Bivins, second by Commissioner Green that Ordinance No. O2013-06 be adopted on second final reading. An Ordinance Of The City Of Wildwood, Florida, Providing For The Voluntary Annexation Of Certain Real Property Consisting Of Approximately 2.67 Acres Being Generally Located On The East Side Of CR 213 And North Of SR 44; In Section 7, Township 19 South, Range 23 East; Which is Contiguous To The City Limits Of The City Of Wildwood, Florida; Providing That Section 1-14 Of The City Of Wildwood Code Of Ordinances is Amended To Include The Annexed Property; And Providing For An Effective Date. Motion carried by unanimous vote.

d. PUBLIC HEARING – 2ND FINAL READING of Ordinance No. O2013-07 – An Ordinance voluntarily annexing an approximate 1-acre piece of property located along CR 466 east of CR 209 owned by Gary Williams. The property to be annexed is a portion of Parcel D18=038 and is intended to be utilized for service and sales of lawn mowers (Attachments on file – Staff Recommends Approval)

Ordinance No. O2013-07 was read by title only on second final reading. Meeting was opened for Public Hearing. No comments were received.

Motion by Commissioner Clark, second by Commissioner Bivins that Ordinance No. O2013-07 be adopted on second final reading. An Ordinance Of The City Of Wildwood, Florida, Providing For The Voluntary Annexation Of Certain Real Property Consisting Of Approximately 0.98 Acres Being Generally Located On The South Side Of CR 466 And East Of CR 209; In Section 18, Township 18 South, Range 23 East; Which Is Contiguous To The City Limits Of The City Of Wildwood, Florida; Providing That Section 1-14 Of The City Of Wildwood Code Of Ordinances Is Amended To Include The Annexed Property; And Providing For An Effective Date. Motion carried by unanimous vote.

e. PUBLIC HEARING – 2ND FINAL READING of Ordinance No. O2013-08 – An Ordinance voluntarily annexing the north 100' of Parcel D30=003, Villages of Legacy Park Subdivision, located along CR 222 west of US 301, omitted from the original annexation because it would have created an enclave (Attachments on file – Staff Recommends Approval)

Ordinance No. O2013-08 was read by title only on second final reading. Meeting was opened for Public Hearing. No comments were received.

Motion by Commissioner Green, second by Commissioner Bivins that Ordinance No. O2013-08 be adopted on second final reading. An Ordinance Of The City Of Wildwood, Florida, Providing For The Voluntary Annexation Of Certain Real Property Consisting Of Approximately 1.5 Acres Being Generally Located On The South Side Of CR 222 And West Of Us 301; In Section 30, Township 18 South, Range 23 East; Which Is Contiguous To The City Limits Of The City Of Wildwood, Florida; Providing That Section 1-14 Of The City Of Wildwood



Code Of Ordinances Is Amended To Include The Annexed Property; And Providing For An Effective Date. Motion carried by unanimous vote.

*quasi-judicial

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

a. Special Presentations – None

b. City Manager

1) Request to reschedule the Special Called Workshop Meeting to discuss the Champagne Farms Water Treatment Plant originally scheduled for March 4. (Calendars attached on file)

Mayor Wolf expressed appreciation that the meeting was postponed.

By Common Consent the Commission re-scheduled the Workshop/Meeting regarding Champagne Farms for March 18 at 6 p.m.

c. City Attorney – None

d. City Clerk

1) Discussion and/or Action on The Communications Services Tax Agreement for Access to Confidential State Tax Information between the City of Wildwood and the Florida Department of Revenue (only an update for names of authorized personnel; the only change is updating the City Manager's Name) (Attachments on file - Staff recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Clark to approve the update of authorized personnel for Access to Confidential State Tax information between the City and the FDOR. Motion carried by unanimous vote.

e. Commission Members

1) Commissioner Bivins commented that the Friday night Food Truck Event was very good, even though it was cold out.

f. Public Forum (10 minute time limit)

1) Sam Saleem – expressed gratitude to Captain Valentino for assisting Ms. Harrison to find a Parking Place at the CSX Safety Meeting.

2) Dr. Zelnick of the Sumter County Health Department provided handouts to the Commission regarding a Summer Swimming Program that will take place in Bushnell and in Wildwood during the Summer. (Handout on file)

Motion by Commissioner Clark, second by Commissioner Green to amend the agenda to include Development Services issues. Motion carried.

Requested that PRC be allowed to approve certain Non-controversial replatting since the platting process has at least three reviews in the process. DSD Peavy noted that an Ordinance would be required to amend the LDR.



Also requested a change in the sub-division process – to combine first two steps, then it would only come before the Commission on the final Plat approval.

Motion by Commissioner Clark, second by Commissioner Bivins to authorize an Ordinance be drafted to amend the LDR as requested to include both issues. Motion carried by unanimous vote.

g. Notes and Reports

Mayor Wolf noted the attached letter from Robert Hannah.

1) FYI – Letter of Appreciation from Robert Hannah, President of Wildwood Community Development Center, Inc.

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1) Minutes of Regular Meeting held on February 25, 2013 (Attachments on file – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to approve the minutes of February 25, 2013 as presented. 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) Discussion/Request for Approval of the First Addendum “Pioneer Agreement” to the Developer’s Agreement Between the City of Wildwood and the Word Family, LLC (Attachments on file – Staff Recommends Approval)

UD Phillips noted the original Developer’s Agreement was approved in January. Since then staff has been working with the Developer on the Pioneer agreement. They will pay for the extension of the water main along 466A and Powell east to their property, from approximately the church a few hundred feet to the southeast corner of the Beaumont property. They are also going to pay for the force main from their property all the way to the WWTP. For that they will receive TIE Fee credits. This is a way the City can get a force main in that can be used at a later time. The force main goes out 462 to the north and west on 462 under the railroad, under 301, across to 209, south on 209 to the WWTP. It will be able to be used for future development to tie into when the O’Dell PUD takes place and any others along that route. CA Blair noted that she has been working with Attorney Gray on the Agreement.

Mayor Wolf expressed that he has no problem with Bruce doing this but this needs to go through the Development Services Department with involvement from Bruce. Make sure the steps are followed. That is the way the Commission set up Development Services.

UD Phillips noted the Developer will be paid back up to ten years and after that it belongs to the City. They cannot be paid back more than they put in.

Motion by Commissioner Green, second by Commissioner Clark to approve the First Addendum "Pioneer Agreement" to the Developer's Agreement Between the City of Wildwood and the Word Family, LLC. Motion carried by unanimous vote.

f. FINANCIAL

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

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

g. GENERAL ITEMS FOR CONSIDERATION

- 1) Discussion/Board Option – Request from multiple buyers for the City to sell a certain portion of Millennium Park to facilitate the development of adjacent properties (stormwater retention); requesting board direction to set price and authorize sale of the property, decline the sale, or obtain a professional appraisal that accurately reflects current market conditions prior to sale; directing the proceeds from any sale be deposited back into the Parks and Recreation Dept. as required under the conditions of the Millennium Park FRDAP Grant (Melanie Peavy) (Attachments on file – Board Option)

DSD Peavy reported a couple of inquiries have been received asking if the City would consider selling some property on the Northeast corner of Millennium Park. Developer cannot develop without retention and does not have the area on property being developed. The three parcels being considered would square the corner of the City's property. Mayor Wolf indicated it appears it would be difficult to develop the property into recreation because of private property on the South. According to FRDAP grant requirements sell of any of the property has to be put back into parks and recreation.

Commissioner Strickland hasn't seen Master Plan for Millennium Park but would this property be needed for softball field parking.

CA Blair indicated because of the FRDAP connection an appraisal will probably be needed. She noted the property can be sold for more than but not less than the appraisal. Commissioner Green indicated he would like to see the Master Plan for Millennium Park. It was stated the area is probably where the dog park was to go. It was indicated the total acreage is .45. Commissioner Strickland questioned if that was correct. DSD Peavy to check.

Motion by Commissioner Clark, second by Commissioner Strickland to have the property appraised. Motion carried by unanimous vote.

- 2) Request for Approval of SP 1301-02 – An Improvement Plan for the Windward at Lakeside Landings Plat to subdivide a portion of parcel D21=003 into twenty-five lots with shared infrastructure. This subdivision is a continuation of the Lakeside Landings Planned Development (PD) and reduces the number of living units from the conceptual plan from 32 duplexes to 25 single family homes. The Special Magistrate recommends approval and favorable recommendation of the Improvement Plan to the City

Commission subject to approval, exemption, or permitting by all agencies of competent jurisdiction. (Attachments on file – Staff Recommends Approval)

Motion by Commissioner Clark, second by Commissioner Bivins to accept the Recommendation of the Special Magistrate for Approval of SP 1301-02 subject to approval, exemption, or permitting by all agencies of competent jurisdiction. Motion carried by unanimous vote.

3) Request for Approval of SP 1301-03 – Site Plan approval sought by Harry Harmer to construct a 4,200 sq. ft. warehouse building on Lot 4 Block A in the South Wildwood Industrial Park with paved parking and driveway. The building will be used for commercial / industrial warehouse space. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation to the City Commission subject to approval, exemption, or permitting by all agencies of competent jurisdiction. (Attachments on file – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Clark to approve the recommendation of the Planning & Zoning Board/Special Magistrate for Approval of SP 1301-03 subject to approval, exemption, or permitting by all agencies of competent jurisdiction. Motion carried by unanimous vote.

4) SP 1302-03 – Villages of Legacy Park – Preliminary Plan - Preliminary Plan approval for the Villages of Legacy Park Plat to subdivide parcels D30=003, D30=004, and D30=006 into 112 lots with shared infrastructure for single-family detached residences. The Planning & Zoning Board/Special Magistrate gave a favorable recommendation to the City Commission subject to approval, exemption, or permitting by all agencies of competent jurisdiction. (Attachments on file – Staff Recommends Approval)

Motion by Commissioner Green, second by Commissioner Bivins to approve the recommendation of the Planning & Zoning Board/Special Magistrate for Approval of SP 1302-03 subject to approval, exemption, or permitting by all agencies of competent jurisdiction. Motion carried by unanimous vote.

The Commission meeting was recessed for 10 minutes then reconvened for the announcement of the Executive Session and attendees to include only the City Manager, City Attorney, Commissioners, Mayor and Court Reporter. All others were requested to exit the room.

- CLOSE PUBLIC MEETING FOR AN EXECUTIVE SESSION:
- City Attorney, Jerri Blair – To discuss pending litigation (NO Attachments)
- REOPEN PUBLIC MEETING

The Executive session closed at approximately 9:00 p.m. and the Regular Meeting was reconvened.

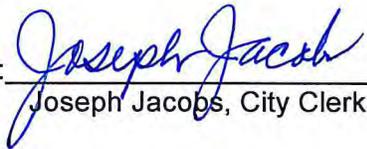
4. ADJOURN

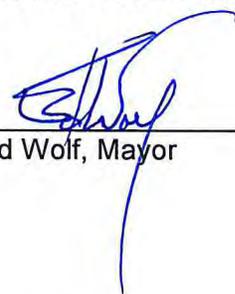
Upon a motion by Commissioner Bivins, and second by Commissioner Green the meeting was adjourned.

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S E A L

ATTEST:


Joseph Jacobs, City Clerk


Ed Wolf, Mayor

IMPORTANT DATES (No Attachments)

- a. March 16, 2013 – (Saturday) – Wildwood Rotary’s Ides of March...Madness 5k run/walk – 8:00 AM – Starts & ends at City Hall
- b. March 23, 2013 – (Saturday) – Opening Ceremonies for Wildwood Dixie Youth – 10:00 AM – Millennium Park Ball Fields
- c. March 25, 2013 – (Monday) – City Commission Meeting – 7:00 PM – City Hall Commission Chamber
- d. March 30, 2013 – (Saturday) – 4th Annual Easter Eggstravaganza – 9:00 AM – Millennium Park Baseball Fields
- e. April 5 & 6, 2013 – (Friday & Saturday) – Relay for Life – Starts at 6:00 PM April 5th – Ends at 12:00 Noon on April 6th – Wildwood Community Center
- f. April 26, 2013 – (Friday) – Tree City USA Commemoration Ceremony – 23 years/Arbor Day – 9:00 AM – City Hall Front Steps