

On Monday, April 13, 2020 at 6:00 p.m., the City of Wauchula Commission met for its regular meeting, virtually.

**Nadaskay called the meeting to order.**

Commissioners present were Mayor Pro-Tem Neda Cobb, Mayor Keith Nadaskay and Gary Smith. Commissioner Russell Smith lost connection and reconnected at 6:18pm.

Also present were City Manager Terry Atchley, Assistant City Manager Olivia Minshew, City Attorney Thomas Cloud, Finance Director Sandee Braxton, Community Redevelopment Agency Director Jessica Newman, Police Chief John Eason and City Clerk Holly Smith.

**Nadaskay declared a quorum.**

#### **Approval of Agenda with Add-on**

Cobb motioned to approve the agenda with the add-on, seconded by G. Smith.

With no discussion, Nadaskay asked for a roll call vote, all responded aye. R. Smith lost connection and did not vote. Motion carried.

#### **Approval of Minutes for the March 2, 2020 Workshop, the March 9, 2020 Meeting and the March 23<sup>rd</sup> Special Meeting**

G. Smith motioned to approve all minutes as presented, seconded by Cobb.

With no discussion, Nadaskay asked for a roll call vote, all responded aye. R. Smith lost connection and did not vote. Motion carried.

This April 13, 2020 meeting of the City Commission of the City of Wauchula is being held virtually pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020. We have a few reminders that will help our meeting run as smooth as possible:

- Please silence all cell phones or other noise-making devices and make sure you are in a quiet room.
- The material for each item on the agenda is available during business hours at the city clerk's office.
- If you wish to address the City Commission, the member of the public must first state his or her name and address.

All attendees will be muted upon entry to the meeting. If you wish to participate during public comment, please raise your hand and you will be unmuted.

- To raise your hand from a computer, select "Participants" then select "Raise Hand"
- To raise your hand from a smart device, select "Participants", then select yourself, then select "Raise Hand"

To raise your hand by phone press \* 9

#### **Appointment**

##### **Appointment and Swearing in of New Commissioner for Vacant District Seat 4**

Atchley addressed the Commission and read aloud the question sent to each applicant.

*"In reviewing your application and video, it was clear that you are a very busy person with many other demands on your time. If appointed, what strategies do you plan to implement in order to meet the time requirements necessary to fulfill the duties and responsibilities of a public servant?"*

Atchley stated responses were received by both applicants, one did meet the noon deadline and the other submitted the response at 4:26pm today.

Atchley read the response from Sherri Albritton aloud.

Atchley read the response from John Wintz Terrell aloud.

Atchley then explained the proceedings that needed to take place to seat one of the applicants.

Nadaskay stated he was impressed by both applicants and appreciate them showing interest in filling the vacancy. Nadaskay stated in such a unique time he would hate to put someone in a position that makes it unnecessarily difficult for them to succeed. Nadaskay stated he leaned towards Albritton's past experience and felt at this time she was the better applicant. Nadaskay noted the appointment was for a short time and the seat would be in the upcoming election and would be for two years and would have to run again after the two-year term.

Cobb motioned to appoint Sherri Albritton to fill the vacancy of district seat 4, seconded by G. Smith.

R. Smith stated he had spoken with both applicants and was impressed with them both. R. Smith and G.

Smith stated they felt Albritton had a slight edge over Terrell due to her past experience.

With no discussion, Nadaskay asked for a roll call vote, all responded aye. Motion carried.

Nadaskay thanked Terrell and encouraged him to continue to seek office.

### **Swearing in of New Commissioner**

Atchley, administered the Oath of Office to Commissioner Sherri Albritton.

### **Ordinances/Public Hearings**

#### **Ordinance 2020-05 – 1<sup>st</sup> Reading – Setting the Qualifying Dates for the 2020 Election**

Attorney Cloud read Ordinance 2020-05 by title only.

G. Smith motioned to approve Ordinance 2020-05, seconded by Albritton.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

#### **Ordinance 2020-06 – 1<sup>st</sup> Reading – Providing for Civil Emergencies Chapter 24**

Attorney Cloud read Ordinance 2020-06 by title only.

R. Smith motioned to approve Ordinance 2020-06, seconded by Cobb.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

### **City Manager/Non-Consent**

#### **\*\*\*Agenda Add-On – Approval to Consider an NDA with A-DAB, LLC and the City of Wauchula**

Atchley addressed the Commission and explained a party had contacted the City that was helping address the COVID-19 virus issue not only in our community but around the country. Atchley stated at this time it was a confidential subject matter and he had spoken with Cloud to start working on a potential Non-Disclosure Agreement (NDA) to find a mutual agreement between the City and the party that had requested the opportunity. Atchley explained once an NDA was in place individual meetings between the requesting party and each Commissioner would be scheduled so they could provide the details that could arise out of this opportunity. Atchley asked the Commission to consider approving allowing Cloud and himself to continue moving forward if an agreement is reached on the NDA to then start scheduling meetings with this party and each of you individually as Commissioners to find out more details to see if you would like to participate in as the City of Wauchula.

Cobb motioned to approve Cloud and Atchley to pursue and execute the NDA with A-DAB, LLC on behalf of the City of Wauchula, seconded by Albritton.

Albritton asked when would the one on one telephone meeting take place. Atchley stated quickly explained a red-lined version of the NDA had been sent to A-DAB for review.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

### **Announce Power Cost Adjustment**

Atchley announced the PCA for April should be \$0.010, an increase from the prior month.  
The tax-exempt portion should be \$0.0160, a decrease from the prior month.

### **Approval of Resolution 2020-06 – Highway Lighting Maintenance Agreement with FDOT**

Minshew addressed the Commission and explained the lighting agreement with FDOT for Highway 17 and a small portion of East Main Street. Minshew stated it was for 142 lights and \$38,352.78 annual payments for seven years. Staff's recommendation was for City Commission to reject the one bid received.

G. Smith motioned to approve Resolution 2020-06, seconded by Cobb.

Albritton asked questions about the agreement and if the annual payment covered all of the expenses with a year. Braxton replied no and we have had a maintenance agreement with FDOT since 2002.

Minshew stated the annual payment increases 3% yearly.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

### **Approval of Resolution 2020-07 – Waiving of Rents (All or Portion) of City Leases that Demonstrate a Need Due to COVID-19**

Minshew addressed the Commission and explained Resolution 2020-07 would offer additional assistance to any tenants that are affected by COVID-19. This applies to City or CRA leases (CRA Resolution 2020-01 which is later on the agenda).

Cobb motioned to approve Resolution 2020-07, seconded by Albritton.

Albritton asked how waiving all or portion of leases would affect the City's budget. Minshew stated if lease payments were waived for everyone that has a lease with the City it would a little under \$15,000.

Albritton's second part of her original question was does this change any scope of work that had been planned or budgeted for. Minshew replied none that came to mind by reviewing the list of tenants.

Minshew noted it would on a case by case basis, based on requests from the tenants and it would come back before the Commission for approval. Minshew stated this would not affect day to day operations. R. Smith asked who the tenants were. Minshew named the tenants.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

### **Approval of the Engineering Agreement for the Electric Substation Project**

Minshew addressed the Commission and explained the scope of work with Patterson & Dewar on behalf of FMPA. Minshew noted the agreement had been reviewed by Cloud.

G. Smith motioned to approve the Engineering Agreement for the Electric Substation Project with Patterson & Dewar, seconded by Cobb.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

### **COMMENTS FROM CITY ATTORNEY, COMMISSIONERS, OTHER ELECTED OFFICIALS AND CITIZENS**

Cloud and all Commissioners welcomed back Commissioner Albritton.

If you wish to participate during public comment, please raise your hand and you will be unmuted.

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No public comment.

**Nadaskay then recessed the Commission Meeting and called to order the meeting of the CRA Board of Directors**

**Approval of CRA Minutes from the March 2, 2020 Workshop and March 9, 2020 Meeting**

Cobb motioned to approve all minutes as presented, seconded by R. Smith.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

**Approval to Allow the CRA Board to Meet Virtually**

G. Smith motioned to approve the CRA Board to meet virtually, seconded by Cobb.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

**Approval of CRA Resolution 2020-01 – Waiving of Rents (All or Portion) of the CRA that Demonstrates a Need to COVID-19**

Cobb motioned to approve CRA Resolution 2020-01, seconded by R. Smith.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

**Project Updates**

Newman presented the CRA project updates to the Board. Albritton asked Newman if she had any concerns. Newman stated she did but was being told they are still on schedule.

Newman noted the in-fill housing project was starting. Albritton asked would the City profit off the project. Newman replied the intent was not to go into the hole but to take an empty lot and put a house on it.

**With no further business to discuss, Nadaskay adjourned the meeting of the CRA Board of Directors and reconvened the Commission Meeting**

**Approval of the CRA Board's Actions**

Cobb motioned to approve the actions of the CRA Board, seconded Albritton.

With no discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

G. Smith asked if any other Boards were having virtual meetings. Atchley stated they would if needed.

**Public Comment:**

County Manager Lawrence McNaul – 219 S. 10<sup>th</sup> Avenue, Wauchula

Thanked City Staff and Mayor in assisting the County with virtual meetings.

**With no further business to discuss, Nadaskay adjourned the Commission Workshop at 6:55 p.m.**

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Mayor Richard K. Nadaskay Jr.

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City Clerk Holly Smith