

On Monday, August 12, 2019 at 6:00 p.m., the City of Wauchula Commission met for its regular meeting in the Commission Chambers at 225 East Main Street, Suite 105, Wauchula.

**Nadaskay called the workshop to order.**

Commissioners present were Mayor Pro-Tem Neda Cobb, Russell Smith, Kenneth Lambert, Mayor Keith Nadaskay, and Gary Smith.

Also present were City Manager Terry Atchley, Assistant City Manager Olivia Minshew, City Attorney Thomas Cloud, Director of Support Services & Internal Auditing James Braddock, Community Development Coordinator Kyle Long, Police Chief John Eason, Finance Director Sandee Braxton, Community Redevelopment Agency Director Jessica Newman and City Clerk Holly Smith.

**Nadaskay declared a quorum.**

**Approval of Agenda**

Lambert motioned to approve the proposed agenda changes, seconded by Cobb. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Approval of Minutes for the July 8, 2019 Workshop and the July 15, 2019 Meeting**

Cobb motioned to approve the minutes for the July 8, 2019 Workshop and the July 15, 2019 Meeting, seconded by G. Smith. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**AWARDS/PRESENTATIONS**

**Electric Rate Study Presentation**

Atchley asked to move to Tab 2 and explained that Bill Herrington was running late due to a prior meeting.

**ORDINANCES/PUBLIC HEARINGS**

**Approval of Ordinance 2019-09 - Public Hearing – 2<sup>nd</sup> Reading – Vacation of Right of Ways**

Nadaskay announced the Public Hearing and asked anyone who wished to speak to identify themselves for the record and address the Commission. Hearing no comment from the public, Nadaskay closed the Public Hearing. Cloud read Ordinance 2019-09 by title only. Cobb motioned to approve Ordinance 2019-09, seconded by R. Smith. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Approval of Ordinance 2019-10 - Public Hearing – 2<sup>nd</sup> Reading – 2018/2019 Budget Adjustments**

Nadaskay announced the Public Hearing and asked anyone who wished to speak to identify themselves for the record and address the Commission. Hearing no comment from the public, Nadaskay closed the Public Hearing. Cloud read Ordinance 2019-10 by title only. Lambert motioned to approve Ordinance 2019-10, seconded by G. Smith. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**City Manager/Non-Consent**

**Announce Power Cost Adjustment**

Atchley announced the PCA for August should be \$0.0110, a decrease from the prior month. The tax-exempt portion should be \$0.0180, a decrease from the prior month.

### **Discuss Animal Control Interlocal Agreement**

Eason presented the lease agreement to the Commission and explained the interlocal agreement. Eason stated the interlocal agreement allows the City to pay Hardee County \$15,000 for the personnel cost associated with the daily and weekend cleaning of the kennels and will continue with the current contract paying one-third of the operating and maintenance cost for the kennels. Eason explained if an animal was impounded by the City, we would incur any veterinarian bills associated with it. Atchley asked if the agreement had been reviewed and approved by Hardee County yet. Eason replied it was being reviewed at this time and had not heard back from their attorney. Nadaskay asked if there was a motion for or against the interlocal as presented. Lambert referred to Cloud for guidance on whether to pull the agreement from the agenda. Cloud advised the agreement did not have to be approved tonight. Nadaskay asked Eason when the agreement would become effective. Eason replied October 1, 2019. After further discussion, the Commission chose not to take any action on the interlocal agreement at this time.

### **Approval of Resolution 2019-04 – Vacation of Rights of Ways**

Cloud explained the history on how vacations of rights of ways were closed. Cloud informed the Commission a public hearing had to take place in order to approve the resolution because it was a platted subdivision. Cloud asked Long if the meeting had been properly noticed. Long replied yes. Cloud advised Nadaskay to open a public hearing.

Nadaskay announced the Public Hearing and asked anyone who wished to speak to identify themselves for the record and address the Commission. Cloud read Resolution 2019-04 by title only.

R. Smith motioned to approve Resolution 2019-04, seconded by Cobb.

An individual from the audience asked if the property belonged to someone and was action being taken, they were unaware of. Lambert replied the property owner was aware.

Nadaskay closed the public hearing.

With no further discussion, Nadaskay called for all in favor, all responded aye except Lambert, who abstained and filed Form 8B. For those opposed like sign, no response. Motion carried.

### **Approval of Resolution 2019-08 – Amending Resolution 2019-05**

Braxton explained a typo was made in Resolution 2019-05 and it was not with the millage rate but with the roll-back rate and the percentage. Cloud added the resolution was a document correcting a scrivener's error.

Lambert motioned to approve Resolution 2019-08, seconded by Cobb. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

Clerk Smith addressed the Commission and explained the instructions for Atchley's yearly evaluation forms.

Cobb gave a brief update on the CFRPC meeting and the FLC annual conference.

### **Nadaskay recessed the City Commission Meeting and convened the Meeting of the Wauchula Community Redevelopment Agency's Board of Directors**

#### **Approval of CRA minutes from the May 6<sup>th</sup> Workshop and the May 13<sup>th</sup> Meeting**

G. Smith motioned to approve the CRA minutes from the May 6<sup>th</sup> Workshop and the May 13<sup>th</sup> meeting, seconded by Cobb.

With no discussion, Nadaskay called for all in favor, all responded aye.

For those opposed like sign, no response. Motion carried.

#### **Master Redevelopment Plan Update Plan**

Newman asked if the Board had any questions regarding the plan. Newman noted a change of the extension on the life of the CRA for another 30 years which was currently allowed by statute however things are always changing and it would extend the CRA until 2057. Brief discussion was had on the extension.

Newman addressed the Board and explained all the grant extensions expire September 1, 2019 except for Mustard Seed.

### **Palmetto 8 Grant Extension Request**

Juan Cursi addressed the Board and explained the project was delayed due to unexpected expenses and difficulties with financing.

Lambert commented we know we are going to have to grant extensions but the question becomes how do we know how long everyone wants so we are consistent with everyone. Atchley stated that was what was done with the last extension, resulting in all of them expiring September 1<sup>st</sup>. Nadaskay stated the issue becomes we want to extend the projects but not extend them and they never get finished. Nadaskay added we want to extend them until they are all finished timely. Nadaskay commented what do we do, we want the projects to be finished and we want to do the extensions. Lambert stated one stated he needed to the end of the year and Cursi indicated he needed at least to the end of the year and maybe plus a month. The Mustard Seed needed a couple of months; however, Utilitech indicated six to ten months. Lambert commented ten months was a really long time. Atchley suggested giving time frames for extensions and not giving long term extensions. Lambert stated he was more inclined to a six-month extension. Lambert suggested changing the requirements on project updates and the amount of information.

Lambert motioned to approve the grant extension through January 31, 2020, seconded by G. Smith.

With no further discussion, Nadaskay called for all in favor, all responded aye.

For those opposed like sign, no response. Motion carried.

### **Main Street Plaza & Living**

Clay Cobb – 1231 Kelly Court, Wauchula.

Cobb addressed the Board and explained the reason for the delay was related to roofing and design. Cobb noted the projected completion date was the end of 2019.

Lambert motioned to approve the grant extension through January 31, 2020, seconded by G. Smith.

With no further discussion, Nadaskay called for all in favor, all responded aye.

For those opposed like sign, no response. Motion carried.

### **Utilitech Grant Extension**

Kurt Thompson – 2684 Clifton Bryant Road, Zolfo Springs

Thompson addressed the Board and explained the reason for the delay was due to permitting as well as funding.

Lambert motioned to approve the grant extension through January 31, 2020, seconded by G. Smith.

With no further discussion, Nadaskay called for all in favor, all responded aye.

For those opposed like sign, no response. Motion carried.

### **Mustard Seed Grant Extension**

Dee Dee White – 3404 Acorn Drive, Zolfo Springs

White addressed the Board and explained the reason for the delay was due to the rain for the paving project.

White asked for a two-month extension.

Lambert motioned to approve the grant extension through January 31, 2020, seconded by G. Smith.

With no further discussion, Nadaskay called for all in favor, all responded aye.

For those opposed like sign, no response. Motion carried.

Nadaskay asked the Commission what changes they would like to see made to the monthly project reports.

Newman stated the grant recipients have four questions to answer each month: 1. Notable progress. 2. Notable issues and how they will be resolved. 3. Projected milestone dates. 4. Projected project completion date.

Newman stated she gets varied responses; and sometimes she gets the full answers and sometimes she does not. Newman explained if those are the questions you want, then those are the questions being asked; it was just a matter of getting a response. Nadaskay stated what we do not want to hear every month was yes everything was on schedule and ask for a six-month extension. Lambert commented the questions are reasonable but at the end

of the day the only question that came to mind that we are not asking was are there any known obstacles that would prevent you from meeting the deadline. Nadaskay asked Lambert do you want to hear one light stitch was moved from this wall to another. Lambert replied no and Nadaskay agreed. Nadaskay stated all he wanted to hear was yes, we still plan on making the deadline or no we cannot and this was why. Newman mentioned when receiving the updates and the completion date was one date and by the looks of the building it will not be completed; then what does she do. Nadaskay asked Newman what did the Commission need to do. Newman

replied for the Commission to let the applicants know they needed to be realistic in the responses. Cloud commented wasn't the object of the game to make sure the money was timely spent and not tied up on a project that will never get financing. Lambert replied yes. Clay Cobb stated a construction schedule and a monthly update would help him with his project manager. Atchley suggested if the construction schedules were not being met then the Commission could consider a claw-back. Lambert commented that was an interesting concept. Cloud replied the claw-back was the ultimate key because it prevents being strung along when a developer cannot get financing. Lambert stated what was fair with a claw-back standpoint. R. Smith suggested before a grant was approved asking for credit worthiness and were, they able to secure financing. Lambert stated then we begin to manage people's business and that has never been the goal. More discussion was had on this matter. Nadaskay informed Newman the project updates should include the existing questions minus the notable progress question and to add updated schedule and whether there are any schedule issues and how they will be resolved. Nadaskay added the reports are due the last Monday of each month to Newman. Atchley reminded all the developers that January 31, 2020 was their new completion date.

**Nadaskay adjourned the Meeting of the Wauchula Community Redevelopment Agency's Board of Directors and reconvened the City Commission Meeting**

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

Lambert motioned to approve the actions of the CRA Board of Directors, seconded by Cobb. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Electric Rate Study Presentation**

Bill Herrington addressed the Commission and apologized for being late. Herrington presented his presentation to the Commission. Herrington stated when talking about electric rates 55% was bulk power cost adjustment and he was there tonight to discuss the other 45% of the electric rates. Herrington noted the 45% of electric rates was allocated to: 1. Electric System O&M Expenses 2. Capital Expenses 3. Allocation of Meter Reader Expenses 4. Customer Service Expenses 5. Utility Fund A&G 6. City A&G 7. General Fund Transfer. Herrington then discussed peer group comparison, determining revenue requirements, estimating revenues under current rates, assessing revenue adequacy and proposed rate adjustments if necessary. Herrington noted the identity of Peer Group was based on: 1. Geographical proximity 2. Florida market considerations 3. Organizational type. Herrington stated the Peer Group Selection was: 1. PRECO 2. Duke Energy Florida 3. City of Bartow 4. Florida Power & Light. Herrington and Lambert had extensive discussion over market growth and electric rates. Herrington presented a proposed electric rate increase which would happen in a step increase over the next three years. No action required until the September 9<sup>th</sup> meeting.

**With no further business to discuss, Nadaskay adjourned the Commission Workshop at 7:38 p.m.**

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Mayor Richard K. Nadaskay

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City Clerk Holly Smith, CMC