On Monday, August 13, 2018 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 meeting to order.**

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

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

Atchley informed the Commission that City Attorney Thomas Cloud was ill and would not be present.

**Nadaskay declared a quorum.**

**Approval of Agenda**

Cobb motioned to approve the agenda as presented, seconded by Lambert.

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 2nd Budget Workshop and July 9th Meeting**

G. Smith motioned to approve the minutes of the July 2nd Budget Workshop and the July 9th 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.

**CITY MANAGER, NON-CONSENT AGENDA**

**Announce**[**Power Cost Adjustment**](http://cityofwauchula.com/Pages/WauchulaFL_CommissionAgendas/2018/05142018/Tab%208)

Atchley announced the PCA for August was $0.0110 a decrease of $0.001 from the prior month. The tax-exempt portion should be $0.02200, the same from the prior month.

**Discuss 710 N. Florida Avenue**

Noey Flores – 311 N. Ohio Avenue

Flores addressed the Commission and stated he was there representing Sabas Candelario of 602 N. 7th Avenue on behalf of Flores and Flores Realty. Flores stated Candelario was inquiring on purchasing 710 N. Florida Avenue but wanted to know if the fines imposed on the property could be waived upon completion of the clean-up. Lambert asked how much was the current fees. Minshew replied there is currently a lien against the property that has been recorded in the amount of $4,500. The lien was recorded in 2013. Minshew stated those are fines and not actual abatement cost. There have been multiple cases that have been brought against the property. We have received several bids for the demolition of the property. Minshew stated we have had others wanting to buy this property in the past and also asked if the fines could be forgiven. Minshew added this Commission in the past has waived fines and liens once the property became compliant. Minshew stated we did talk to Mr. Cloud today to get his input and he suggested that without something in writing that the Commission could actually consider but take no action other than giving your general feeling for the thought of what you may decide at such time that compliance is actually reached. Lambert commented our desire has always been how do we get these properties cleaned up. Flores discussed all the issues and concerns Candelario had with purchasing the property and the City not waiving the fees. Flores stated Candelario wants to buy the property because he owns the property behind 710 and wants to clean it up. Lambert stated what we are looking for is how do we validate the assurance that it is going to be cleaned up. Lambert commented that is our goal. Atchley asked the Commission to consider allowing Flores and his client to bring back to them at their next meeting a simple agreement saying that if the client is successful in purchasing the property and guarantee in a certain amount of time the property is cleaned up, for you to waive all or part of the fees. Atchley stated it is up to you whether you waive part or all the fees. Atchley added staff will work with Flores and his client to draft a simple agreement to bring back for your consideration. Lambert stated that is okay with him but he felt they should know the real cost. Atchley stated that amount would be included in the agreement. Flores stated Candelario’s goal was to clean up the property. R. Smith asked how long before Candelario buys the house. Flores replied it could take a few weeks. R. Smith asked the timeframe for demolishing the house and cleaning up the lot. Flores translated for Candelario and Candelario said a month if all the equipment is available. Atchley stated the City has already had an asbestos abatement on the building so that has been taken care of. Atchley continued the City needs something in writing in case Candelario does not meet the criteria that are agreed upon then the liens stay in place and we continue the process.

**Approval of Staff’s Recommendation for RFP 18-03 – Auditing Services**

Minshew presented staff’s recommendation to enter into an agreement with CS& L for Auditing Services.

Lambert motioned to approve staff’s recommendation for RFP 18-03, seconded by G. Smith. Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS, CITIZENS**

Charles Dixon – 306 Peace Drive

Dixon addressed the Commission and explained in 2012 a trespass bar was placed against him, falsely, and asked if the Commission could do anything about it. Dixon stated it was not signed by anyone; Lex Albritton placed the bar on me and had it where I could not go near the County building. Dixon continued explaining the sequence of events that had taken place. Dixon stated he is requesting the bar be lifted and stated all of his reasons why he felt it should be removed. Nadaskay asked Chief Eason if this was something for a court and not “us”. Eason replied you are correct and stated he had not read the entire file and explained all the information he did know. Nadaskay informed Dixon the City Commission could not help him. Dixon thanked the Commission for hearing him.

**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 July 9th Meeting**](http://cityofwauchula.com/Pages/WauchulaFL_CommissionAgendas/2018/02122018/Tab%208)

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

**Discuss Biovation Termination Agreement**

Newman addressed the Board and stated this agreement was presented at last week’s workshop and nothing had changed. Lambert motioned to approve Biovation Termination Agreement subject to the attorney’s final review. Newman stated it was reviewed by Jason Zimmerman and he attended last week’s meeting. R. Smith seconded the motion. With no further discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Discuss Crews Park Bid**

Newman addressed the Board and stated this bid document was presented at last week’s workshop. Newman stated the pre-bid meeting would be August 30th and the bids are due September 20th and this information has been updated in the document. G. Smith motioned to approve the Crews Park Bid document, seconded by Cobb. With no further discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Discuss Utilitech Agreement Extension Request**

Newman addressed the Board and stated the Utilitech contract will expire prior to them completing the project. Newman informed the Board she had included some building department notes. Newman stated a representative from Utilitech was unable to be present tonight. Newman explained we do need to extend the contract and length of time of the contract, if that is the pleasure of the Board. Lambert motioned for some form of extension for the Utilitech Agreement Extension Request, seconded by G. Smith. Lambert stated in reading the additional notes they are not necessarily what we heard last week. He stated I recognize that things change with projects and additional time needs to be grated but I still think we need to figure out what our process is and our time interval for review. Lambert continued by stating he does not want to sit in judgment between who is right and who is wrong, I just want to know the facts. Lambert stated I am not sure we know all the facts at this time. Lambert added beyond that I will want to amend my motion. Nadaskay stated let’s talk time, the agreement expires September 30th. Newman replied correct. Nadaskay stated there is one more meeting before the contract expires. Lambert stated here is what continues to be my concern; while this is grant money we have an interest in the completion of these projects the way in which we need that to manifest in my opinion is a specific timeframe and a template for the way in which we receive updates. It has been okay with all of us up until now to get them when we thought we needed them. Nadaskay stated we discussed this at the workshop and I think a standing agenda item fixes most of that. Lambert commented I agree with that. Newman asked if the recipient needed to be present for every update. Nadaskay stated no not for every update but there are times they should be here. Lambert commented when we get to this stage in these projects they really need to be here for the updates. Lambert stated they do need to be limited to shorter timeframes until we understand where we are. Lambert amended his motion to grant the extension for a maximum of a 2 month period timeframe for now with a report submitted that is acceptable to this Board until such time as we get genuine forward movement on this project. Newman stated you are already guaranteed to have to extend additional time because the amount that will be done in 2 months. Lambert replied that is true but the problem is the process and that is what I am trying to address. Atchley commented as I recall a few years ago this was addressed and since the City does not have the disciplines to be involved in construction/renovations and those types of things and we have a relationship with the County to deal with all of those things that is the reason the grant process was set up. This was done to stay out of the middle of all of these challenges. Atchley stated most of the issues we have seen are with these old buildings and once you open those buildings up the bigger the problem gets and the developer has to fight to get them worked out. What I don’t want to do is for us to put any more baggage on the process that is going to cause the developers that are willing to get involved in these things cause them more heartburn than they are already going through. Nadaskay replied I do not think having them come in once a month is going to make or break any deal. Atchley stated I agree on that, but when you start saying we are only going to give you so much time, it puts concerns on the developer. R. Smith stated we don’t want to see these projects last forever but we need to give them a reasonable timeframe. R. Smith stated I am willing to say can you get it done in 6 months and if you can’t then revisit it. Nadaskay asked Newman how much time did she think they needed. Newman replied when Kurt Thompson was here he said 3 months, however he emailed me today and said 6 months. Newman stated I would say 6 months would be more realistic and hope it gets done sooner. Nadaskay stated 6 months puts it mid February 2019, why don’t we say they have until March 1, 2019 and we expect a monthly update during the CRA meeting. Lambert stated he amends his motion to reflect such, 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.

**Discuss Palmetto 8 Agreement Extension Request**

Newman addressed the Board and stated Palmetto 8 extension request was on last week’s agenda also. Newman stated you do have a similar report from the building department; they actually have 3 permit numbers for the overall project. The permit numbers are for the residential area, the dentist office and the other commercial spaces. Newman stated theirs is a little more complicated when reviewing and I met with Jorge their contractor today and he presented some information that is not in the notes you have. Lambert replied I think the discussion becomes the same as the last one. Lambert thanked Newman for being so involved. Nadaskay asked what was the timeframe, the same as the last one. Jorge explained briefly his issues with the building department. Nadaskay stated he felt the timeframe should be March 1, 2019. Lambert commented he concurred and makes a motion to that affect including the monthly reports, 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.

**Discuss Voluntary Cleanup Tax Credits Purchase Agreement**

Newman addressed the Board and stated a while back she had presented and approval was given to sell our Brownfield Tax Credits which are the Voluntary Cleanup Tax Credits on cleaning up 226 West Main Street. Newman stated the certificate is for the credits for 2016 which total $54,000.84. Newman stated the Board had previously given approval to the firm Clock Tower to sell those tax credits. As soon as we received the certificate a couple of weeks ago they had a buyer and this is the actual contract to sell the tax credits and they are selling them for $.91 on the dollar. Our contract with Clock Tower is that we will receive $.88 on the dollar and the difference is their payment. R. Smith motioned to approve the voluntary cleanup tax credits purchase agreement, seconded by Cobb. With no further discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

**Main Street Wauchula Update**

Newman presented the Main Street Wauchula updates. Newman stated downtown Wauchula is now listed on the National Register of Historic Places and I will be looking into getting a bronze marker that says we are an official National Registered Historic District.

**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**

R. Smith 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.

Atchley addressed the Commission and stated September 3rd would be your regularly scheduled workshop and that is Labor Day and typically we would push that to the following Tuesday and September is also the month you will have your public hearings for budget approval. We had anticipated some land use issues that would have needed to come before you in the workshop, but has not materialized as we thought. At this time staff would ask you to consider possibly canceling your September workshop because you will be having 2 meetings anyway, one on the 10th and the 24th for budget hearings. I wanted to put this before you and get your opinion. Nadaskay asked Atchley if he needed a motion. Atchley replied yes, not to have a September workshop. Lambert made a motion to not have a September workshop, seconded by Cobb. With no discussion, Nadaskay called for all in favor, all responded aye.

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

**REMINDERS:**

**September 2, 2018 – City Closed in Observance of Labor Day**

**September 10, 2018 @ 6:00PM – City Commission Meeting**

**September 24, 2018 @ 5:05PM – City Commission 2018/2019 Final Budget Hearing**

**WITH NO FURTHER BUSINESS TO DISCUSS, NADASKAY ADJOURNED THE COMMISSION MEETING AT 6:52 P.M.**

Mayor Richard K. Nadaskay, Jr. City Clerk Holly Smith, CMC