

On Monday, January 14, 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 meeting to order.

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

Also, present were City Manager Terry Atchley, Assistant City Manager Olivia Minshew, City Attorney Thomas Cloud, Finance Director Sandee Braxton, Lt. Matthew Whatley, Community Development Coordinator Kyle Long and City Clerk Holly Smith.

Nadaskay declared a quorum.

Approval of Agenda

Cobb motioned to approve the agenda as presented, 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.

Approval of Minutes for the December 3rd Workshop and the December 10th Meeting

G. Smith motioned to approve the minutes of the December 3rd Workshop and the December 10th 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.

ORDINANCES/PUBLIC HEARINGS

Approval of Ordinance 2019-01 – Annexation of 1685 Louisiana Street – 1st Reading

Atchley read Ordinance 2019-01 by title only.

R. Smith motioned to approve Ordinance 2019-01 on 1st Reading, seconded by Cobb.

Long addressed the Commission and explained the annexation request. Long stated water and sewer are not currently available at this address; however, we do have water lines that are a few hundred feet away and will give the property owner an opportunity to connect. Long added sewer lines are not close to the property and it would be a big project to get them run out there. Long informed the Commission he had received a call from a concerned neighbor. Long stated part of this annexation will have a companion Future Land Use Map Amendment and Re-zone which will be heard before the Planning and Zoning Board next week; it will come before you in February. Cobb asked what the concern from the neighbor was. Long replied the concern was the City limits encroaching into their neighborhood and the potential for the property owner to sell and build more houses on the property. Cobb asked Long where the current City limits are and Long answered. R. Smith had a few questions regarding the City limits and enclaves. Discussion was had on R. Smith's questions. Long stated this annexation was property owner initiated. Cloud stated, Commissioners, there are two things I will point out: firstly, in a voluntary annexation preceding, the only three entities that have standing under F.S. Chapter 171 are the City, the County, and the property owner. Secondly, the only analysis that you look at for purposes of enclaves is the geometry of the point of connection of this lot to the City limits. Cloud stated anything that may have happened in the past is not the test; the test is the adjoining geometry of the piece that is annexing now. Nadaskay asked what that means if any part touches. Cloud replied it is not just any part, this is fifty percent. Nadaskay asked if it had to be fifty percent. Cloud stated it does not have to be. I am saying looking at it, fifty percent is touching. Cloud explained to the Commission a case from the 1970's regarding a similar annexation was found to be valid.

With no further 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

Atchley announced the PCA for December should be \$0.0110 the same as the prior month. The tax-exempt portion should be \$0.0200, the same as the prior month.

Request Approval of Resolution 2019-01 – FDOT Maintenance Agreement BE680

Minshew addressed the Commission and stated this was our renewal maintenance agreement for mowing on Highway 17 from Will Duke Road to K.D. Revell Road and on Main Street between Florida Avenue and Griffin Road. This is an initial three-year contract with a potential for a three-year renewal.

G. Smith motioned to approve Resolution 2019-01, seconded by Cobb.

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

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

Request Approval of the Proposed Amendment to the Mosaic/City of Bowling Green Agreement

Cloud addressed the Commission and explained that we were notified that Bowling Green was negotiating directly with Mosaic, which is fine, for the right to send reclaimed water to the Mosaic properties. Cloud stated the problem with the approach, besides the fact that it was out of kilter with what our original agreement contemplated would be, the method of obtaining that right, the contract they were negotiating ignored the fact that the City of Wauchula owns the pipeline on the downstream end from where Bowling Green connects and they were giving themselves the right to continue to flow if we terminated. Cloud added that is fine but Bowling Green has to recognize that we continue to have the right to charge them for the utilization of a pipeline that we own. Cloud stated Bowling Green and their attorney have reviewed and agreed to the agreement and that is what you have before you tonight.

R. Smith motioned to approve the proposed amendment, seconded by Cobb.

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

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

Request Approval of Staff's Recommendation for RFP 18-04 Solid Waste Rate Study

Minshew addressed the Commission and explained the letter of recommendation from the Selection Committee. Minshew stated we did advertise both in the Lakeland Ledger and on the City's website and received four proposals. Minshew stated the Selection Committee is recommending to enter into a contract with Geosyntec, they were the highest ranked by the Selection Committee and their bid was for \$24,089.

Cobb motioned to approve staff's recommendation for RFP 18-04, 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.

Discuss Hardee County Youth Sports Commitment Letter

Atchley addressed the Commission and discussed the history with Hardee County Youth Sports League. Atchley stated there is a new group of people who are involved with the organization now and are ready to fix up the Farr Field and work with the City of Wauchula if you so chose. Atchley stated he had been contacted by their new President and met with her and some of the Board members at Farr Field. Atchley informed the Commission the City of Wauchula had done very little out there over the last few years because we had been unsuccessful in contacting someone with the organization. The Hardee County Youth Sports Softball League under their new direction and leadership would like to become engaged with the City. They have submitted a letter with their thoughts and commitments. Atchley asked the Commission to consider allowing staff to move forward in developing a partnership with Hardee Youth Sports. Atchley stated they are ready and willing to start repairs at the field at their own expense with our blessing and guidance. Atchley added if you were to choose that tonight, I would also like to ask for you to consider approving up to \$10,000 from contingency. Atchley stated they have already committed to \$15,000 from their funds to start repairs and renovations to the concession building and bathrooms and if we could apply a little bit of money to go with that along with personnel and equipment to assist them, I think we could go a long way in getting these fields reestablished. Atchley stated tonight I am asking you to consider allowing us to enter into a partnership with Hardee Youth Sports, to move forward in revitalizing and refurbishing Farr Field for the girls' softball. Nadaskay asked if it was for all three fields. Atchley stated what we would like to do and we have had some discussions looking at the master plan at the park as a whole, my vision is to have a splash pad there someday. They do not need the big field but they do need a third field. Atchley explained the proposed changes to the fields. Cobb stated she is excited about the plans. R. Smith asked if the \$10,000 was for this budget year or is it for next year. Atchley stated he would want it for this year because there are a lot of things we need to get started on, if you approve this, to get it ready before the season starts at the end of February. Atchley added I am asking for the \$10,000 to come from contingency until we can see if we can find it somewhere else in the budget but if not, I want you to be clear we would need to take it from contingency.

Nadaskay asked Atchley for clarification on what the Commission needed to approve. Atchley stated I would like to have the consensus and official action to allow me to move forward developing a formal contract between the City of Wauchula and Hardee County Youth Sports. Nadaskay commented so I think the motion should be, support from us, approval of the concept, a written contract that will come back before us, and allowing \$10,000 to be used out of contingency. R. Smith asked if Farr Field was part of the CRA. Minshew replied yes. Cobb motioned to move forward to try and find the \$10,000 and to prepare and bring back an agreement, seconded by R. Smith.

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

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

Request Approval of the Final Peace River Cooperative Settlement Agreement

Cloud addressed the Commission and explained the settlement agreement. Cloud stated originally the Peace River Manasota Regional Water Supply Authority sought a fifty-year permit for what appeared to be the rest of the water in the Peace River and a number of local governments filed suit to stop that in-part because the Water Management District staff failed to provide notice to affected parties regarding the impacts and candidly did a less than thorough job of review. Cloud stated I am happy to report that the settlement only temporarily allows them to move forward with the permit they have, commits them to reduce their withdrawals by forty-eight million gallons a day. Cloud added this frees up additional water that can be utilized by Central Florida communities including the City of Wauchula and other local governments within Hardee County. Cloud stated the agreement also protects your investment in the park down by the river. Cloud added I would recommend to you approving the settlement agreement and there is a second part to this I want to share with you that does not require your action. Cloud stated Atchley, Minshew and I visited with the Peace River Water Cooperative, which is made up of all but two local governments in Polk County. They originally projected a surface water usage on Peace River in the Fort Meade area; they have shared with us that it would be better to move the withdrawal point south within the confines of the City of Wauchula and have inquired as to whether or not we would be interested in joining the Cooperative. There are a number of issues that would have to be addressed before your staff would bring you a recommendation to join that group and it is not cheap. The river will probably be your alternative and the suggestion that has been made by the staff of the cooperative would be an alternative that you should consider. It is not part of this agreement but it has been discussed and I wanted to make sure you were aware of it. Cloud stated for tonight we ask that you adopt a motion approving the settlement of the lawsuit.

R. Smith motioned to approve the settlement 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.

Request Approval to Advertise RFP 19-02 – Professional Cleaning Services

Minshew addressed the Commission and explained the RFP. This agreement is for weekly cleaning of 6 different facilities and would be for one year and then would renew each month after that. The proposals will be due February 15th and a recommendation will be brought back before you in March. Nadaskay asked if weekly cleaning was enough. Minshew stated that is what we currently have. Cobb motioned to approve RFP 19-02, seconded by G. Smith. R. Smith asked how long we have had a cleaning service. Atchley replied as long as I have been here. R. Smith questioned an in-house cleaning person.

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

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

Request Approval to Deem Certain Vehicles/Equipment as Surplus

Atchley addressed the Commission and discussed the request. The request was for 2 garbage trucks, 3 patrol vehicles, 2 lawn mowers, 1 pickup truck, and an air compressor. G. Smith motioned to deem the vehicles/equipment as surplus, seconded by R. Smith.

COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS, CITIZENS

Cobb gave updates on the Central Florida Regional Planning Council and the Ridge League of Cities meetings.

REMINDERS:

January 21, 2019 – City Closed in Observance of Martin Luther King Day

February 4, 2019 @ 5:00pm – City Commission Workshop

February 11, 2019 @ 6:00pm – City Commission Meeting

WITH NO FURTHER BUSINESS TO DISCUSS, NADASKAY ADJOURNED THE COMMISSION MEETING AT 6:38 P.M.

Mayor Richard K. Nadaskay, Jr.

City Clerk Holly Smith, CMC