

On Monday, July 11, 2022 at 6:00 p.m., the City of Wauchula Commission met for its regular meeting.

**Nadaskay called the meeting to order.**

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

Also, present were City Manager Terry Atchley, Deputy City Manager Olivia Minshew, Assistant City Manager/Finance Director Sandee Braxton, Assistant City Manager/Police Chief John Eason, Director of Project Management and Procurement Ward Grimes, Community Development Director Kyle Long, Communications Coordinator Katie Wheeler and City Clerk Holly Smith. City Attorney Kristie Hatcher-Bolin attended the meeting virtually.

**Nadaskay declared a quorum.**

**Approval of Agenda**

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

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

Motion carried.

**Approval of Minutes from the June 6, 2022 Workshop and the June 13, 2022 Meeting**

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

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

Motion carried.

This meeting is also being held virtually.

All virtual 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

**PUBLIC COMMENT**

Roy Brown – 1521 Lisa Drive, Wauchula

Brown addressed the Commission and his property at 208 Louisiana Street was compliant and asked the amount of the fine. Atchley advised the Commission the lien was for \$20,000 and the cost that had been incurred was \$564.66 and the property was compliant. Albritton asked if past precedence were liens/fines waived. Atchley replied they have been reduced. Nadaskay asked had liens been forgiven in the past on other properties. Albritton stated she did not mind giving grace, however this seemed like a habit. Albritton added she also had an issue with the length of time it took to become compliant.

Nadaskay stated if \$20,000 was not a reasonable amount, then Brown interrupted and stated the house only cost him \$18,000 ten years ago. Nadaskay asked Brown what he felt was a reasonable amount.

Brown replied zero. Nadaskay stated no. Brown responded with he did everything he was supposed to do and improved the house. Cobb stated she wanted the fees incurred by the City collected along with a portion of the lien amount. Albritton and Nadaskay agreed with Cobb. Nadaskay asked staff to research prior lien and bring back how they were handled in the past. Albritton asked for staff to also bring back previous cases. Brown continued to argue he only had ten days. Staff confirmed he had way more time

then ten days. Nadaskay asked the Commission and staff if they had an amount, they felt was reasonable. Atchley stated staff could do some research but the City had never forgiven a lien to zero. Cobb stated if Brown could come up with a reasonable amount tonight, we can settle this tonight, but we cannot do zero. Albritton asked the amount of the daily fine. Nadaskay stated he thought it was \$250. Albritton asked how long was this for. Nadaskay replied about eighty days. Atchley stated Brown was found guilty in August of 2021. Nadaskay stated this has been going on for fifteen months. Brown continued arguing about not receiving notice about the violation. Long stated the violations were posted on the residence and the certified mail was returned. Cobb suggested the fine be reduced to \$2,000 plus the administrative fees. Nadaskay stated his number was around the same as Cobb suggested. Nadaskay that would be only 10% of the fine. Hatcher-Bolin stated it was within the discretion of the City Commission on reducing the fine as long as the property was compliant.

Cobb motioned to reduce the \$20,000 fine to \$2,000 plus the \$564.66 administrative fees (\$2,564.66) and upon payment the City would file a satisfaction, seconded by Albritton.

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

Motion carried.

### **Electric Bulk Power Contract Extension**

Minshew addressed the Commission and explained the City purchases its bulk power from FPL and the contract expires in December 2023. Minshew stated FPL had reached out to the City to extend the contract to 2026. Minshew noted in the past the City reached out to Bill Herrington for his assist with the bulk power contract but the City had reached out to Jerry Warren due to Herrington being under contract with FMPA. Herrington stated if the City wanted to go out for bid for bulk power FMPA would possibly submit a bid and this would eliminate any conflict.

Jerry Warren

Warren addressed the Commission and explained the unsolicited proposal from FPL received March 7, 2022. Warren advised the Commission of the two options available. 1. To accept the FPL offer, or 2. To reject the FPL offer and seek competitive proposals from suppliers for wholesale service to begin January 1, 2024. Warren presented to the Commission his analysis of the financial advantages of FPL's offer, compared the competitiveness of FPL's offer to the recent marketplace in Florida and evaluated whether the City should seek competitive proposals now or extend the FPL contract and see competitive proposals in January 1, 2027. Warren stated his analysis suggested that significant wholesale power cost savings may be available in the open market, but reserve margins of the most aggressive players are tightening. The City would enjoy significant savings by purchasing power from a utility directly connected to Duke's transmission system, this would avoid FPL transmission charges. In the current tightening market place, being a smaller utility may offer competitive advantages. FPL does not offer its best rates without competitive pressure. Warren's analysis suggested a near term competitive process was the best course of action. Nadaskay stated he was surprised with the pricing. The Commission felt it would be best to go out to bid. Staff concurred with the solicitation process.

G. Smith motioned to not accept the solicitation from FPL and to start moving forward with bulk power solicitation, seconded by Albritton. 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**

#### **Announce Power Cost Adjustment**

Atchley informed the Commission the price of natural gas has only increase slightly. Atchley announced the PCA for July should be \$0.044, an increase from the prior month. The tax-exempt portion should be \$0.035, a decrease from the prior month.

#### **Resolution 2022-20 – FAA Grant Agreement - AWOS**

Eason addressed the Commission and explained Resolution 2022-20. Eason stated the grant award was for \$286,000. Eason explained 90% was from FAA and 10% from FDOT.

Albritton motioned to approve Resolution 2022-20, seconded by Cobb.

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

Motion carried.

#### **Resolution 2022-21– Bid Award to Trinity Electrical Services, Inc. - AWOS**

Eason addressed the Commission and explained Resolution 2022-21. Eason stated only one bid was received.

G. Smith motioned to approve Resolution 2022-21, seconded by Cobb.

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

Motion carried.

#### **RFQ 22-01 – Engineering Services**

Minshew addressed the Commission and explained RFQ 22-01. Minshew stated the City currently had engineering agreements with Chastain-Skillman and Kimley-Horn.

Cobb motioned to approve and authorized to advertise RFQ 22-01, seconded by Albritton.

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

Motion carried.

#### **ITB 22-02 – Train Depot Roof Repair**

Grimes addressed the Commission and explained ITB 22-02.

Albritton motioned to approve and authorized to advertise ITB 22-02, seconded by Cobb.

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

Motion carried.

#### **Interlocal Agreement with Hardee County for Disposal of Leachate**

Minshew addressed the Commission and the interlocal agreement. Minshew noted both the City Attorney and County Attorney had reviewed the agreement and did not have any objections.

G. Smith motioned to approve the Interlocal Agreement with Hardee County for Disposal of Leachate, seconded by Albritton.

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

Motion carried.

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

Carl Adkins – 301 East Main St.

Adkins asked the City to allow him to put a car wash at 301 E. Main Street. Long addressed the Commission and stated at one time there was a car wash there, however they did not have utility.

Braxton noted they had a transient license. Long stated the property was zoned HC1 and a car wash would classify as a service station and it was not allowed in that zoning district. Long stated the only way to allow this was to amend the code and take it before the P&Z Board and the Commission. Nadaskay advised Adkins to work with Long on what is approved and what is not.

Atchley addressed the Commission and asked they consider canceling the August and September workshop. The consensus of the Commission was to cancel the workshop in August and September.

Atchley introduced Katie Wheeler as the new Communication Coordinator. Wheeler addressed the Commission and briefly introduced herself.

Braxton addressed the Commission and explained the millage rate the budget was prepared on the existing rate of 5.5532. Braxton noted the roll-back rate was 5.3781. Braxton stated this would create a tax increase and we have to advertise the increase. Braxton stated we can decrease the millage rate if needed.

Cobb gave RLC update.

**With no further business to discuss, Nadaskay adjourned the Commission Workshop at 7:26 p.m.**

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Mayor Richard K. Nadaskay, Jr.

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City Clerk Holly Smith