

On Monday, July 15, 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 Jason Searle, 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

Atchley asked the Commission to move tab 6 behind tab 2 which would allow Searle to leave the meeting.

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 June 3, 2019 Workshop and the June 10, 2019 Meeting

Cobb motioned to approve the minutes for the June 3, 2019 Workshop and the June 10, 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.

ORDINANCES/PUBLIC HEARINGS

Approval of Ordinance 2019-09 – 1st Reading – Vacation of City Rights of Way

Long addressed the Commission and discussed what had prompted Ordinance 2019-09. Long stated the City had received a request from a property owner asking to vacate a right of way that runs through the middle of their house. Long noted the house was built in the 70's and the house had remained in the family's name and now they are trying to sell it and had discovered the right of way runs through the middle of the property. Long explained when City staff researched how to vacate right of way, staff discovered the Land Development Code was not up to date and slightly inconsistent with what Florida State Statutes require and consulted with Mr. Cloud. Long advised that Cloud did recommend a change to the code and he proposed the language within Ordinance 2019-09. Long explained the current process for vacating a right of way was to go before Planning & Zoning with an ordinance and then the City Commission for 2 readings of that ordinance. Long added to be more consistent with State Statute this ordinance would do away with vacation of rights of way being done by ordinance and with staff's recommendation a resolution before City Commission. Long explained the proposed ordinance would make the process much quicker. Nadaskay asked if it would speed up the process. Long replied yes it would.

Searle read Ordinance 2019-09 by title only.

R. Smith motioned to approve Ordinance 2019-09, 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 Ordinance 2019-10 – 1st Reading – 2018/2019 Budget Adjustments

Braxton addressed the Commission and explained the budget adjustments were due to grant funds.

Searle read Ordinance 2019-10 by title only.

Lambert motioned to approve Ordinance 2019-10, seconded by Cobb.

With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

Discuss Advent Health Lease Agreement

Atchley presented the lease agreement to the Commission and explained Advent Health had asked that several changes be made within the agreement. Searle stated the one section that he and Mr. Cloud had discussed was section 9. Seale noted Advent Health wanted to add a provision that would allow them to sublet or assign to an

entity that was related to them or under their common control without consent from the City, providing they give prior notice. Pursuant to this provision, which Advent Health is requesting be added, the tenant would be relieved of all obligations here under, essentially allowing them to assign or sublet the lease to any party who may not be known to the City at this time. Searle stated after further discussion with Mr. Cloud, if this provision of transfer of building gives the City any concerns, there was an opportunity for the City to return some standard language that states consent was hereby granted but the underlying tenant would remain liable under the lease. Searle added that would give the City some element of comfort that the original tenant with which this deal was struck still remains liable notwithstanding the fact they transferred to some related entity. Searle noted if the City wanted to control who the entity was, verbiage could be added. Lambert stated what it sounded like was they want to be allowed to sublet within their own organization. Searle replied that was correct. Lambert asked if that was the case, then why the need for the secondary language. Atchley stated he had spoken with the Administrator Denise Grimsley and informed her of the concern and the simple solution and her words were we can make that happen. Atchley explained staff was seeking guidance regarding the additions or corrections which had been identified by the attorney tonight along with asking to approve the agreement subject to approval of the changes by the City Manager and Attorney.

Lambert motioned to approve the lease agreement with Advent Health with the stipulated changes as addressed by the City Attorney, seconded by Cobb.

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

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

Presentations:

Tobacco Free Hardee – not present

EDA Grant Applications

- **Hardee Fresh**

Tyler Jacoby, Halton Peters, and Clint Honeycutt presented the application for Hardee Fresh.
Job Creation – 22 positions

- **City of Wauchula**

Olivia Minshew presented the application for the City of Wauchula.
Infrastructure – Water Mainline Connections

- **IDA**

Sarah Pelham presented three applications for the EDA.
Infrastructure - Spec Building 10 Commerce Park
Infrastructure - Spec Building 9 Commerce Park
Infrastructure - Commerce Park Expansion

- **EDC**

Sarah Pelham presented the application for the EDA.
Economic Development - Operational

- **Hardee County BCC**

Park Winters presented the application for the Hardee County BCC.
Infrastructure - Phase 5/6 Project

- **Hardee County Chamber**

No one was present.

- **R. Riveter LLC**

Erica Scheipsmeier presented the application for R. Riveter LLC.
Economic Development – 21 jobs/ Manufacturing Facility

Recreation Grants:

- **Hardee County School District**

Donna Parks presented the application for the Hardee County School District
Infrastructure – Varsity Tennis Courts

- **Carlton Recreation Complex**

No one was present; however Donna Parks attempted to answer any questions the Commission had.

Discussion was had on the application process for Recreational Grants, when the grant cycle opened for them and if there was current funding available.

City Manager/Non-Consent

Announce Power Cost Adjustment

Atchley announced the PCA for July should be \$0.0120, the same as the prior month. The tax-exempt portion should be \$0.0190, an increase from the prior month.

Discuss Hardee Youth Center, Inc. Lease Agreement

Atchley presented the lease agreement to the Commission and explained the lease agreement was identical to the Advent Health lease. Atchley stated he spoke with the owner of Hardee Youth Center and he was in total agreement with the lease.

Lambert motioned to approve the lease agreement with Hardee Youth Center, Inc., 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 Resolution 2019-05 – Setting the Proposed Millage Rate

Atchley addressed the Commission and stated as presented at last week's budget workshop presentation staff had recommended setting the proposed millage rate was 5.6354 which was the same as the current year. Atchley noted that would require an advertisement for a tax increase only because the taxable values had increased.

R. Smith motioned to approve Resolution 2019-05 keeping the current millage rate of 5.6354, 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 Resolution 2019-06 – SRF Drinking Water Loan Application

Minshew addressed the Commission and noted that Mark Brewer with Angie Brewer & Associates was available if they had any questions. Minshew stated in February we went before DEP and now are on the pre-funded list for loan funds. Minshew explained submitting the application starts official motion for the planning process for a water facilities plan. Minshew noted if approved a loan agreement would be sent back with an effective date of February 2019. Minshew stated the loan application was 50% principal forgiveness, which we are asking for \$100,000 making 50% free to the City. Minshew explained the loan repayment was for 10 years with semi-annual payments resulting in a payment around \$8,500 with an interest rate less than 2%.

Mark Brewer stated the highlights were the loan was 50% principal forgiveness and it identifies the projects that are environmentally cleared and to become eligible for SRF funding.

Cobb motioned to approve Resolution 2019-06, 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 Task Order from Chastain Skillman, Inc.

Minshew addressed the Commission and explained the task order was directly related to the SRF drinking water loan application. Minshew stated the task order with Chastain Skillman, Inc. would develop the water facilities plan and handle the funding and loan administration side with Angie Brewer & Associates.

Lambert motioned to approve the task order from Chastain Skillman, Inc., seconded by Cobb. With no discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

Cobb gave an update on recent and upcoming meetings.

G. Smith asked a few questions regarding car lot sales on vacant property.

Ranking of EDA Grant Applications

Nadaskay and Lambert stated they struggled with ranking the Recreational Grant applications. Minor discussion was held on the applications. Atchley announced the results of the rankings. (1) City of Wauchula (2) Hardee Fresh (3) IDA Spec Building 10 (4) IDA Spec Building 9 (4) IDA Commerce Park Expansion (4) Hardee County BCC Phase 5/6 Project (5) EDA Operational (6) Hardee County Chamber Train Depot Community Center (7) R. Riveter LLC

Recreational Grants: (1) Hardee County School Varsity Tennis Courts (2) Carlton Recreation Complex Renovation

With no further business to discuss, Nadaskay adjourned the Commission Workshop at 8:03 p.m.

Mayor Richard K. Nadaskay

City Clerk Holly Smith, CMC