

On Monday, March 23, 2020 at 5:00 p.m., the City of Wauchula Commission met for a Special Emergency Meeting in the Commission Chambers at 225 East Main Street, Suite 105, Wauchula.

**Nadaskay called the special meeting to order.**

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

Also present were City Manager Terry Atchley, Assistant City Manager Olivia Minshew, Police Chief John Eason, Finance Director Sandee Braxton 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.

**ORDINANCES/PUBLIC HEARINGS**

**Approval of Emergency Ordinance 2020-03 – Public Hearing – Civil Emergencies Adding Chapter 24**

Nadaskay announced the Public Hearing and asked for anyone who wished to speak to address the Commission.

With no comments from the public, Nadaskay closed the Public Hearing.

Atchley read Ordinance 2020-03 by title only.

Minshew addressed the Commission and explained Ordinance 2020-03. Minshew stated chapter 24 would be added into the Code of Ordinances and enacts the City's Home Rule power to declare their own local state of emergency for civil emergencies. The ordinance outlines a list of powers the City could authorize. Minshew stated this would allow us to do this through Home Rule instead of Florida Statute Chapter 252. This ordinance would allow for a state of emergency to continue daily until it is redacted or terminated and in the ordinance it states how it would be done. R. Smith asked if the ordinance violates the seven day rule. Minshew replied no this route was suggested by Cloud. R. Smith asked if the Governor rescinded the order would we have to the same day. Minshew replied not according to the ordinance, we would rescind it when we decide there was no longer a state of emergency.

Minshew pointed out there would be only one reading due to it being an emergency ordinance and there was an expiration date of August 31<sup>st</sup> and they will have to ratify their decision at a later date with two public hearings.

Cobb motioned to approve Ordinance 2020-03, 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.

**Approval of Emergency Ordinance 2020-04 – Public Hearing – Electronic Attendance by Elected and Appointed Officials during Periods of a Declared Health Emergency**

Nadaskay announced the Public Hearing and asked for anyone who wished to speak to address the Commission.

With no comments from the public, Nadaskay closed the Public Hearing.

Atchley read Ordinance 2020-04 by title only.

R. Smith asked was the process for electronic meetings. Minshew noted there was a termination date and would terminate in-line with Executive Order 20-52. Atchley stated the order waives quorums for virtual meetings during a declared emergency. Minshew stated the meetings still have to meet Sunshine requirements. Braxton explained the virtual website Zoom. Braxton stated Smith would schedule the

meeting and send them the link along with the meeting information and the link will be shared with the newspaper and online. Atchley stated there would be a test run April 3<sup>rd</sup> at 2:30pm.

G. Smith motioned to approve Ordinance 2020-04, 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.

### **City Manager/Non-Consent**

#### **Approval of Resolution 2020-05 – Declaring a State of Emergency for COVID-19**

Atchley addressed the Commission and stated staff would be presenting preparations that have taken place and plans for the future activities that would need to take place in a state of emergency.

Eason explained in light of COVID-19 the Police Department was currently having officers answer all possible calls via telephone unless it was life-threatening or damage to property. This limits the officer's contact with the general public to reduce exposure. Eason stated if an officer responds to a business or residence they will be asking the complainant, victim or whomever to step outside so the officer will not be in an enclosed space and can maintain the six-foot distance. Eason noted officer's had been asked to limit the amount of traffic due to not knowing where some of the motorists are coming from or where they had been. Eason added if the offense is an egregious violation action will be taken. Eason stated the Sheriff's Office had a new booking process and explained the process. Eason stated he was constantly getting updates and advisories from state offices. Nadaskay asked Eason if the Police Department had enough PPE's. Eason stated he had enough to get through the next couple of weeks. Eason noted he had reached out to the Emergency Operations Center for additional PPE, mask, gloves, hand sanitizer and gowns. Eason stated he had been in contact with a private vendor if we cannot get the supplies from the state.

Braxton explained it has been business as usual in customer service and the utility department.

Braxton stated under a state of emergency these are the things we would like to do:

1. Cash payments only in the lobby behind old glass payment window and close the other windows
2. Checks be placed in drop box outside
3. Credit Card payments can be made over the phone or online with the fee waived
4. New service applications will be done over the phone, fax or through email
5. Disconnect can be done over the phone
6. Suspend all garage sale permits
7. Cemetery would be for immediate need only
8. Suspended deposit reassessments
9. Suspended sending delinquent accounts to online collections
10. Discourage the use of shared equipment in the City parks
11. Waive all late fees beginning March 30<sup>th</sup>
12. All cuts/disconnects will be on a case by case basis if the customer calls and instead of a 2 week extension giving a 30 day extension

Minshew stated most all of Planning and Zoning can be handled electronically or use the drop box. Code Enforcement, we expect to start moving back to a more reactive stance instead of a proactive stance and stepping back a little but not totally. Minshew stated the Temporary Sick policy would allow employees to go negative into their sick time. Minshew noted sick time was accrued at 8 hours a month or 10 hours for police officers. Minshew noted the time would be paid back in the future accrual. R. Smith asked if the temporary sick policy would remain in effect as long as the emergency was. Minshew stated staff would like it to be in effect for 60 days from when the state of emergency was declared and extend it if

necessary. Minshew discussed the Families First Coronavirus Response Act and the Emergency Sick Leave Act.

Atchley noted it was staff's recommendation for them to approve Resolution 2020-05.

Cobb motioned to approve Resolution 2020-05, seconded by R. Smith.

R. Smith noted an error in letter K section 3 and asked about animal control. Eason stated animal control was still being operated as normal.

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

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

#### **City Commission District Seat 4 Vacancy**

Atchley addressed the Commission and explained the last time a vacancy was filled was 2013. Atchley stated the Commission had not met since the passing of Commission Lambert and explained the process to fill the vacancy. The vacancy was posted online and in the newspaper. Atchley stated the Charter states a vacancy must be filled within 30 days or other actions will be taken. Atchley added we are asking that applications /board appointment forms be submitted by April 3<sup>rd</sup> at noon. Atchley stated the selection process will be done virtually. Atchley asked the Commission how they would like to do the interview process. Atchley suggested asking the applicants three questions: 1. Tell us about yourself 2. Special experiences and/or skill sets that make them qualified to do the job 3. Why do you want to be a Commissioner for the City of Wauchula? Nadaskay asked if the questions were on the application. Atchley replied they are not. Nadaskay asked if there was only one applicant, does that applicant automatically get the seat. Atchley replied the Commission still has to appoint them and if you choose not to appoint that person we would do something different, this is not like an election. Nadaskay suggested asking the applicants to submit a five minute video answering the questions that were mentioned. Nadaskay mentioned informing the applicants due to the current circumstance this would be the selection process. Atchley asked the Commission if they wanted any other involvement from the applicants at the workshop or do you want to use the applications and the videos. Atchley stated the following Monday would be your meeting and will need to appoint someone to fall within the 30 day timeframe. Nadaskay suggested starting with the applications and the videos because the meeting is the following week, April 13<sup>th</sup>, and if we decide we still need more information we have the chance. R. Smith asked when Seat 4 was up for election. Atchley stated it was in 2018 therefore whomever was appointed will only serve until November 2020 and the seat has to qualify in June 2020 and it will for a two-year term. The consensus of the Commission was the application along with the five minute video answering the three questions.

Atchley asked about the time for the virtual meetings. R. Smith asked to keep the meeting times the same. Atchley noted this was the last meeting in the Commission Chambers until further notice.

**With no further business to discuss, Nadaskay adjourned the Commission Workshop at 6:01 p.m.**

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Mayor Richard K. Nadaskay

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City Clerk Holly Smith