

On Monday, September 10, 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 Russell Smith, Mayor Pro-Tem Neda Cobb, Mayor Keith Nadaskay, Kenneth Lambert and Gary Smith.

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

Nadaskay declared a quorum.

Approval of Agenda

G. Smith motioned to approve the agenda as presented, 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 August 6th Workshop, August 13th Meeting and the August 27th Special Meeting

Lambert motioned to approve the minutes of the August 6th Workshop, August 13th Meeting and the August 27th Special 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 2018-08 - Public Hearing – 1st Reading – Adoption of the 2018/2019 Fiscal Year Budget

Attorney Cloud read Ordinance 2018-08 by title only.

Lambert motioned to approve Ordinance 2018-08, 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.

NADASKAY RECESSED THE COMMISSION MEETING AND CALLED TO ORDER THE GENERAL PENSION BOARD MEETING

Approval of June 11, 2018 minutes

G. Smith motioned to approve the minutes of June 11, 2018, 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.

Approve General Pension Financial and OPEB Report/ Earnings of the 4th QTR

Braxton presented the Financial Report for the 3rd Quarter earnings for the Board's consideration. Braxton stated the General Employee Pension Fund had contributions of \$115,000, earnings of \$90,000, distributions of \$208,000 and fees of \$21,000; with a net loss of approximately \$25,000. Braxton stated the OPEB contributions were a little less than \$20,000 and earned a little under \$300. Braxton explained she has seen a slight gain at the beginning of the 4th Quarter. Lambert motioned to approve General Pension and OPEB Financial Reports of the 4th Quarter as presented, seconded by Cobb. With no other discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

Discuss the One Time 5% Cost-of-Living Increase for Retirees

Braxton stated this has been discussed several times during meetings and had approved the 5% cost-of-living increase but we did have to get a letter from our Actuary stating the impact that this will have on our plan. They did advise that we would have to increase our required contribution by 1.15% from 3.23 to 4.38%. We have already budgeted to do 10%. Braxton stated the 4.38% will go to the General Pension contribution and the remainder will go to the OPEB. Braxton stated we need the Board's approval before we can make the 5% effective October 1st. Lambert motioned to approve the one-time 5% cost-of-living increase for Retirees, 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 Paying the OPEB from the OPEB Trust Account

Braxton stated all we need is a letter signed by the Mayor to give the Florida Municipal Trust Advisory so they can authorize the funds to be paid from the OPEB Trust Account. Braxton added we have already started budgeting for the OPEB to start paying the funds for the Retirees that get the health insurance premium and the utility supplement every month, effective October 1st. Cobb motioned to approve paying the OPEB from the OPEB Trust Account, 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

NADASKAY ADJOURNED THE GENERAL PENSION BOARD MEETING AND RECONVENED THE COMMISSION MEETING

Approval of the General Pension Board's actions

Lambert motioned to approve the actions of the General Pension Board, 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

Atchley announced the PCA for September should be \$0.0110 the same as the prior month. The tax-exempt portion should be \$0.02200, the same as the prior month.

Discuss the Agreement between the City of Wauchula and the Hardee County School Board regarding the School Resource Officer Position at Wauchula Elementary School

Eason presented the agreement between the City of Wauchula and the School Board. Eason stated we have been providing a School Resource Officer to the school since August of 2013 and we have not previously been paid for those services. This agreement started August 10, 2018 and will continue until September 30, 2019. The \$24,577 the School Board has agreed to pay is 40% of the cost of one officer at that school for their salary and benefits.

Lambert motioned to approve the agreement between the City of Wauchula and the Hardee County School Board, seconded by G. Smith. Lambert stated he did have a question. Lambert asked so in effect we are paying half for one officer. Eason replied we are paying for 60% of one. Lambert asked what the other municipalities were paying. Eason replied he could not answer that. Atchley stated all we do know for sure Commissioner is that there are SRO's at all schools and the School Board is paying some fee for all SRO's.

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

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

Discuss the Forbearance Agreement for 710 N. Florida Avenue

Minshew addressed the Commission and explained this item had come before them at the August workshop.

Minshew stated Mr. Flores is here and has a purchaser for the property. She stated it does have existing code enforcement violations against it and a lien has been recorded and the City has the right to demolish the structure on the property. They are asking that we forgo proceeding with any other code enforcement actions at this time and give the proposed buyer a chance to purchase the property, demolish the structure and is then asking for us to waive the liens and any other cost that we may have. Minshew stated the agreement only gives them until March 31, 2019 to get this done. Lambert asked if the property changes names does that mean we start over. Minshew replied no sir; the property has changed names even since we have had the liens. The lien still stands. Lambert stated so \$10,000. Minshew replied \$4,000 is the hard cost. Atchley stated it is spelled out in this agreement that if they have not completed the demo and clean up by March 31, 2019 then the City can continue with the lien. G. Smith asked if the proposed buyer had seen the contract. Noey Flores, buyer's agent, 311 N. Ohio Avenue. Flores stated the buyer did come in and was aware of the contract. G. Smith asked did he read the contract. Flores replied he did not read it because he cannot, however we did discuss it. Flores stated he would also send the agreement to the seller. Lambert had concerns on the buyer not being able to read the agreement. Flores stated he was going to translate to the buyer what the contract stated. Cloud stated if the signature will be knowing and consensual then yes you can agree conditioned on those two items. Cloud stated I think you can proceed. Lambert motioned to approve the Forbearance Agreement for 710 N. Florida Avenue

contingent upon the signature will be knowing and consensual, 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 the YMCA Special Event Application

Jonathan Joles, representing the YMCA, 610 W. Orange Street.

Joles stated the event is planned for November 10th and will be a social event with a barbeque competition and a corn hole tournament and we plan on displaying the college games that are going on that evening. Joles stated beer would be present and he is requesting consent to serve beer at the event. Drug Free Hardee will be manning the beer and asking for people's identification and giving out wrist bands to the proper people. Joles stated the drinks will all be in clear containers. Lambert motioned to approve the YMCA Special Event Application, seconded by Cobb. G. Smith asked when the hours of the event. Joles replied it will start around 4. With no further discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried

CITY ATTORNEY

Updated the Commission on the lawsuit and stated the other side had attempted to dismiss and was denied by the Administrative Law Judge. He stated mediation is set for October 8th and the hearing is set for February 2019.

COMMENTS FROM COMMISSIONERS, OTHER ELECTED OFFICIALS, CITIZENS

Cobb asked how the garbage pick-up had been going because she had a concerned citizen contact her regarding the number of cans given out. The citizen felt that one garbage can was not enough and was upset if they had to pay for a second can. Atchley replied it has gone exceptionally well and there are some challenges but we are still training. Atchley stated we are tracking collection in the amount of cans we have given out so we can get a better feel if one can will work. We do not have enough cans to give everyone two cans. Atchley stated you have not approved changes to the Ordinance yet and we are working on amendment to the Ordinance and it will also address yard debris. More discussion was had on the new garbage pick-up. Atchley stated we are encouraging people to be patient with us.

Cobb informed the Commission that she had an upset citizen contact her over the weekend about poor living conditions and the citizen is a renter. Cobb asked what the proper procedure was for someone who is unhappy, where do they start first. Atchley stated if the complaint comes into the office our Code Enforcement will handle the areas we can address which is the exterior of a residence. Once we have addressed all we can the Hardee County Building Department will get involved.

Cobb gave updates on the Ridge League of Cities.

Smith addressed the Commission and asked them to complete, sign and return Mr. Atchley's evaluation form to her no later than September 24th.

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 August 6th Workshop and the August 13th Meeting

G. Smith motioned to approve the CRA minutes as presented, 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 Cobb Project Update and Agreement Extension

Newman addressed the Board and stated that Clay Cobb was present to give an update on his project and ask for an extension on his project.

Clay Cobb, 1231 Kelly Court

Cobb addressed the Board and stated permitting issues have caused the project to be a few months behind. He stated everything has been worked out and we are starting to put more man power on the project now. A new crew will be starting next week to finish all the decking and bar joist and all the structural stuff for the second and third floor which will take several weeks and then it will be rocking and rolling inside. Lambert asked Cobb how long he needed on the extension. Cobb replied we have an end right now set for April or May 2019. Nadaskay asked when the current contract expires. Newman replied October. Lambert motioned to extend the date of

occupancy to May 31, 2019, seconded by G. Smith. G. Smith asked Cobb if that was enough time. Cobb replied yes. Newman informed Cobb of the Boards request to have monthly updates on the current projects. With no further discussion, Nadaskay called for all in favor, all responded aye. For those opposed like sign, no response. Motion carried.

Approval of the CRA Resolution 18-01 – CRA Budget for Fiscal Year 2018/2019

Lambert motioned to approve CRA Resolution 18-01, 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.

Project Updates

- **Palmetto 8**

Newman addressed the Board and stated that Dr. Curci could not attend the meeting. Newman stated the Building Department had requested a new set of plans for the commercial part of the building and those plans are being prepared at this time. Newman stated the residential part did restart on Friday and Curci will be here next with photos of the progress.

- **Utilitech**

Newman stated Brent Stephens from Utilitech would give the update.

Brent Stephens – Utilitech, 130 W. Main Street

Stephens began by stating the good news is we have heard back from the Building Department and the list of issues has been sent off to the general contractor. He stated he hoped to have the feedback and updates on the plans that are going to be required this week at the latest next week. Once we receive them they will be submitted and hopefully we will get the notice of commencement and we will start. Stephens explained the hurdles he has been facing.

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

G. 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 informed the Commission a presentation would be before them at the October Workshop which will cover the past seven years.

REMINDERS:

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

October 1, 2018 @ 5:00PM – City Commission Workshop

October 8, 2018 @ 6:00PM – City Commission Meeting

WITH NO FURTHER BUSINESS TO DISCUSS, NADASKAY ADJOURNED THE COMMISSION MEETING AT 6:53 P.M.

Mayor Richard K. Nadaskay, Jr.

City Clerk Holly Smith, CMC