

On Monday, August 9, 2021 at 6:00 p.m., the City of Wauchula Commission met for its regular meeting.

Nadaskay called the meeting to order.

Commissioner's present were Mayor Pro-Tem Neda Cobb, Russell Smith, Mayor Keith Nadaskay, Sherri Albritton and Gary Smith.

Also, present were City Manager Terry Atchley, Deputy City Manager Olivia Minshew, Assistant City Manager/Police Chief John Eason, Code Enforcement Officer Raina Bergens, Community Development Director Kyle Long, Director, Director of Project Management and Procurement Ward Grimes, City Attorney Kristie Hatcher-Bolin and City Clerk Holly Smith.

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 for the July 12, 2021 Budget Workshop and July 19, 2021 Meeting

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

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

PRESENTATION

Code Enforcement Update

Bergens addressed the Commission and gave a code enforcement update from January 1, 2021 - August 9, 2021. Bergens noted 95 cases had been opened, 65 had been closed and 30 remained open. Minor discussion was had.

ORDINANCES/PUBLIC HEARINGS

Ordinance 2021-08 – 1st Reading – Annexation for 305 Riverside Drive

Bolin read Ordinance 2021-08 by title only.

G. Smith motioned to Ordinance 2021-08, seconded by R. Smith.

Long addressed the Commission and explained Ordinance 2021-08. Long stated the house being built would be a single-family home and the property owner had requested to annex into the City in order to connect to City utilities. Long stated an ordinance changing the future land use and zoning would accompany this ordinance. Cobb asked how far did the city limits extend in that area. Long explained the

city boundaries. Long stated the property was contiguous. More discussion was had on future annexation of surrounding properties.

With no further discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried.

Ordinance 2021-09 – 1st Reading – Future Land Use Map Amendment for 305 Riverside Drive

Bolin read Ordinance 2021-09 by title only.

Albritton motioned to Ordinance 2021-09, seconded by G. Smith.

Marisa Barmby – Central Florida Regional Planning Council

Barmby addressed the Commission and explained Ordinance 2021-09. Barmby stated the future land use classification would change from county agriculture (AGR) to city low density residential (LDR) for approximately 0.29 acres.

With no further discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried

Ordinance 2021-10 – 1st Reading – Rezone for 305 Riverside Drive

Bolin read Ordinance 2021-10 by title only.

R. Smith motioned to Ordinance 2021-10, seconded by Cobb.

Marisa Barmby – Central Florida Regional Planning Council

Barmby addressed the Commission and explained Ordinance 2021-10. Barmby stated the zoning classification would change from county single-family residential (R-1) to city single-family residential (R-1A) for approximately 0.29 acres.

With no further discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried

Ordinance 2021-11 – 1st Reading – Comprehensive Plan Text Amendment – Property Rights Element

Bolin read Ordinance 2021-11 by title only.

G. Smith motioned to Ordinance 2021-11, seconded by Albritton.

Marisa Barmby – Central Florida Regional Planning Council

Barmby addressed the Commission and explained Ordinance 2021-11. Barmby stated the text amendment would be adding the property rights element to the Comprehensive Plan. Barmby stated the change resulted from House Bill 59 effective July 1, 2021. Barmby noted all jurisdictions were required to adopt a property rights element into their comprehensive plan. Barmby stated the change was intended to protect and provide property rights and to ensure they are considered in local decision-making.

With no further discussion, Nadaskay asked for a roll call vote, all responded aye.

Motion carried

Ordinance 2021-12 – 1st Reading – ULDC Text Amendment – Mobile Food Truck

Bolin read Ordinance 2021-12 by title only.

Albritton motioned to Ordinance 2021-12, seconded by R. Smith.

Long addressed the Commission and explained the proposed changes to Ordinance 2021-12. Long stated he had worked with the City's attorneys for review and they brought up a preemption that had been adopted in July 1, 2020 regarding licenses, registrations, permits and fees (F.S. 509.102). Discussion was had on the 175 feet from main entrance of another restaurant or a notarized waiver of this prohibition from the owner or authorized agent of the restaurant. Commission requested Long change the "authorized agent of the restaurant" to "authorized agent of the owner." Long noted the clear visibility triangle at intersections was added. Long stated the mobile food trucks would be allowed to stay overnight and four outdoor tables would be allowed. More discussion was had on the regulations.

With no further discussion, Nadaskay asked for a roll call vote, all responded aye.
Motion carried

Public Comment – Non-Agenda Items

No public comment

City Manager/Non-Consent

Announce Power Cost Adjustment

Atchley announced the PCA for August should be \$0.017, the same from the prior month.
The tax-exempt portion should be \$0.017, the same as the prior month.

Resolution 2021-07 – Variance for 529 W. Main Street

Long addressed the Commission and explained Resolution 2021-07. Long stated Ms. Robarts had submitted a request to put up a 6' X 8' sign at the corner of Florida Avenue and Main Street. Long noted since the last meeting he reached out to CFRPC for some assistance. Long stated he had originally stated Florida and Main were collector roads but after discussion with CFRPC we concluded they were considered local road due to traffic count and speed limit. With this finding the clear visibility triangle was reduced from 80 feet to 50 feet. Long noted this did make it a little easier on the property owner. Long stated he did speak with the property owner and she wanted to continue with the variance. Summer Robarts and Brett Dowden of 529 W. Main Street. Robarts stated she helped Long measure and described where she would like the new sign to be placed. Robarts and Dowden stated they felt the sign would not be an obstruction. After much discussion on where the sign could be constructed, Long recommended approval of the Resolution which requested denial of the variance. Albritton motioned to approve Resolution 2021-07, seconded by Cobb.
With no further discussion, Nadaskay asked for all in favor, all responded aye.
Motion carried.

Park Patio Lease

Atchley addressed the Commission and explained the new owners of Giovanni's had approached him about leasing the patio space that adjoins the restaurant. Atchley presented the Commission with the proposed renderings for the patio.
Brent Stephens – Owner of Giovanni's on Main Street
Stephens addressed the Commission and explained his thoughts and plans for the patio area outside of Giovanni's. Stephens noted challenges were drainage and electrical. Stephens stated he did not know how much the patio was utilized during downtown events but wanted to be a part of it and open up the area. Stephens stated he would like to buy the building at a later date if the Commission would entertain the idea. Atchley stated it would be his recommendation for the City to sell the building in the future. Discussion was had on the layout of the patio along with the material used.
The Commission directed staff to move forward with a proposed lease amendment for the park patio and bring back before them in September.

Quarterly Financial Report

Braxton was unable to attend the meeting.

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

Cobb gave meeting updates with CFRPC.

Cobb discussed several complaints she had received regarding when FDOT would be fixing the pothole at 1st Avenue and Main Street. Albritton stated she had received the same call. Cobb also stated the same individual made complaints about no trash cans and trash being on the ground at Crews Park, along with the port-a-potty and permit board by the entrance into Riverview Subdivision.

With no further business to discuss, Nadaskay adjourned the Commission Workshop at 8:07 p.m.

Mayor Richard K. Nadaskay, Jr.

City Clerk Holly Smith