

**CITY OF WEWAHITCHKA  
BOARD OF CITY COMMISSIONERS  
SENIOR CITIZEN BUILDING  
314 N 3<sup>rd</sup> STREET  
REGULAR MEETING  
November 29, 2022  
6:00 PM**

The City Commission met on this date, November 29, 2022, 2022 at 6:00 P.M. at the Senior Citizens/Community Building, 314 N. 3<sup>rd</sup> St, Wewahitchka, Florida. **Mayor Gaskin** called the meeting to order, asked **Bro Joey Smith** to lead a prayer and everyone said the Pledge of Allegiance.

**Attendance**

Mayor Gaskin  
Commissioner Cox  
Commissioner Paul  
Commissioner Fisher  
Commissioner Pettis

**Sheriff**

Sheriff Harrison

**City Attorney**

Michelle Jordan

**City Manager**

Michael Gortman

**City Clerk**

Rachel Jackson

**City Finance Director**

Brittney Proctor

**City Superintendent**

Chipper Wade

**City Parks & Rec Director**

David Paul

**City Finance Clerk**

Misty Robbins

**Public**

Ann Johnson  
Wendy Wietzel  
Tom Wynn  
Bro Derek Gerber  
Chuck Johnson  
Gene Hanlon  
Jodi Rustin  
Hunter Baumgardner  
Bro. Joey Smith  
Vernon Kemp Jr.  
Wanda Daniels  
Christopher Bryan  
David Brown

**Approval of Agenda** – **Commissioner Cox** made a motion to approve the agenda. **Commissioner Paul** seconded the motion. Motion carried 5-0.

**Approval of Minutes** – **Commissioner Paul** made a motion to approve Regular Commission Meeting 10/27/22 and Special Meeting Minutes 11/15/22. **Commissioner Pettis** seconded the motion. Motion carried 5-0.

**Public Recognition** – **Mayor Gaskin** asked if anyone from the public that was not on the agenda would like to speak. **Jodi Rustin**, 584 Old Panama Hwy, stated that has a utility road/easement between her property and Barbara Adkins property. **Ms. Rustin** requested that since it's not being used that it be given back to land owners in order to slow down foot traffic in the area. **City Manager Michael Gortman** stated it's an unplatted subdivision, the property appraiser is researching it. **City Attorney Michelle**

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Public Recognition cont'd....

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**Jordan** stated that if its un-platted and had not been publicly dedicated the city would not could not do anything about it. **Mayor Gaskin** stated we need to do some research to see what type of easement it is to determine if the city can take any action on it.

**David Brown** lives on Corn Griffin St. stated that he would like to see if any action had been taken from last meeting regarding there being funds to pave the road with county and to see if there was a way to crown the road. **Mr. Brown** said that the road was graded yesterday (11/28/22) but that they did not crown the road. **City Manager Michael Gortman** stated that he'll call Mark tomorrow again, he had talked to Mark and Chris about it and that was the specific complaint that he told them about.

**Commissioner Paul** asked if the county grades or if its contracted. **City Manager Michael Gortman** said its contracted.

**Mr. Brown** asked if any action had been taken about finding out if the county had any funds to help pave the roads. **Mayor Gaskin** said we are far out on getting the road paved. **City Manager Michael Gortman** stated that he spoke to the county and they do not have funding to pave the road.

### Agenda

**1. JR Kemp – Oakridge Village Development/Waiving Impact Fees – Jr. Kemp** introduced himself on behalf of Mammoth Factory Corporation. Stated they are breaking ground in Oakridge Village and described the homes that would built. They want to bring affordable and green housing to our area are planning to rent these homes at a discounted rate below market value. They are looking to add retaining walls and play ground and walking trails.

**Mr. Kemp** stated they are asking the City to consider waiving the impact fees to offset some of the costs to bring in affordable housing. **Mr. Kemp** stated in June 2019 Governor DeSantis signed House Bill 7103 which provides incentives to offset some costs to bring in affordable housing, one of the incentives cited in the bill is impact fees and he hopes that the city will side in favor of waiving the fees. **Mr. Kemp** also asked if the final decision could be put it in writing to satisfy the house bill.

**City Attorney Michelle Jordan** asked if the revenue from the impact fees were pledged for anything such as bonds. **Attorney Jordan** stated as long as the revenue from the fees were not pledged the impact fees could generally be waived for affordable housing projects. **Commissioner Fisher** explained that the City had not had positive results in the past when they waived fees for developers and had been left being owed.

**Mayor Gaskin** asked **Mr. Kemp** if his company was for profit, to which **Mr. Kemp** replied yes. **Mayor Gaskin** asked why he wanted the citizens to subsidize his for profit company. **Mr. Kemp** stated that it wouldn't be the citizens of Wewa subsidizing the impact fees, the funding would come through the government and through the county. **Mayor Gaskin** stated yes it would be coming from the citizens, it is on the city to maintain the water and sewer systems. **Mr. Kemp** said that the money would come back to the city in a different form through the government, just not from him. Following discussion, **Commissioner Fisher** motion to turn the request down to waive the impact fees, **Commissioner Pettis** seconded the motion. Motion carried 5-0.

Following the vote, **Mayor Gaskin** stated he would like to poll the Board regarding their votes. **Commissioner Paul** stated he voted no because he doesn't know where the money would back to the city from. **Commissioner Cox** voted no, stated he did not feel like a developer should have impact fees waived, because when you're bringing in 18-40 houses you're impacting our system. If we have to do upgrades due to the impacts, the users are the ones who are going to have to cover that expense if the fees were waived. **Commissioner Cox** stated that we did not waive the impact fees for the Hurricane Recovery housing and he did not feel that the fees should be waived for this development.

#### Approval of Bills

1. **Fisher's** – Following review, **Commissioner Cox** made a motion to approve Fisher's Building Supply bills (\$476.97), **Commissioner Paul** seconded the motion. Motion carried 4-0, with **Commissioner Fisher** abstaining due to conflict of interest.
2. **Charlie Pettis Pest Services** – **Commissioner Paul** made a motion to approve payment of Charlie Pettis Pest Services invoice (\$90.00) **Commissioner Fisher** seconded the motion. Motion carried 4-0, with **Commissioner Pettis** abstaining due to conflict of interest.
3. **Wewa Outdoors** – **Commissioner Cox** made a motion to approve payment of Wewa Outdoors bills (\$28.49), **Commissioner Pettis** seconded the motion. Motion carried 4-0, with **Commissioner Paul** abstaining due to conflict of interest.
4. **Regular Bills** – **Commissioner Cox** made a motion to approve the regular (\$78,649.53), recurring (\$50,207.50), and additional bills (\$23,730.66). **Commissioner Paul** seconded the motion. Motion carried 5-0.

#### Old Business/Open Items

##### 1. **Fire station/old City Hall**

(Original Substantial Completion Date 9/4/21, Original Work Completion Date 10/11/21)  
(Change Order #3-7/29/21-Changed Substantial Comp. Date 11/17/21, Work Completion Date 12/25/21)

**CHANGE ORDER #4-10/28/21 – SUBST. COMPLETION DATE 12/9/21, WORK COMPLETION DATE 1/15/22**

**City Attorney Michelle Jordan** stated there has been quite a bit of change since the last meeting and stated she would use the white board to help explain the changes. **Attorney Jordan** proceeded to write the different lawsuits on the white board and explained the status of each one. She said we have original case Winterfell filed against the City right now in Bay County and have a pending motion for a change of venue.

Since the last meeting Fairco (Bond Co) has filed against Winterfell and Tommy and Jamie Hamm, it is a federal court case.

Last week Fairco filed suit against the City, also a federal suit.

**Attorney Jordan** stated we've filed a counter suit against Winterfell, they're suing the City for breach and the City is suing them for breach.

After in depth review and discussion of each suit, **Attorney Jordan** stated that there would be a mediation, hopefully within 2 weeks, and try to find a resolution.

**Mayor Gaskin** asked if we should be coming to resolution within 30 days? **Attorney Jordan** stated yes, she hoped so.

2. **Delinquent Utility Bills – City Clerk Rachel Jackson**, stated that we are up a little on delinquent bills because we didn't do disconnects until after the holiday.
3. **Water Losses – City Superintendent Chipper Wade** said were working on it.
4. **SEWER INFILTRATION AND INFLOW – City Superintendent Chipper Wade** said were working on it.
5. **Ray Dickens Fish Fry for the Sr. Citizens (October 6, 2023) – None**
6. **Lift Stations – City Engineer Hunter Baumgardner** presented the final pay request from North Florida Construction on lift stations #5 & #11.

**Mayor Gaskin** asked **City Clerk Rachel Jackson** about the funding and reimbursement requests. **City Clerk Rachel Jackson** explained stated that we have just received reimbursement on pay requests #1 and #2 that were submitted in July and August.

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**City Finance Director Brittney Proctor** explained that we are paying the requests by transferring money from General Fund and then putting the funds back into general fund upon reimbursement. She spoke to the accountants about that to be sure that is alright.

**City Clerk Rachel Jackson** stated she has also contacted DEO regarding changing some verbiage in the Waterline and Waste Water projects that would allow the City to subject pay requests to DEO more quickly in order for the City to lessen the amount of time for carrying those costs.

Following discussion and review of the pay request, **Commissioner Fisher** made a motion to approval payment for the final pay request (#4) for lift stations #'s 5 & 11 for \$76,764.47. **Commissioner Cox** seconded the motion. Motion carried 5-0.

**Engineer Baumgardner** presented and discussed the Notice of Acceptability of Contractors Work for North Florida Construction on lift stations #'s 5 & 11. Following discussion and review **Commissioner Fisher** made a motion to approve the Notice of Acceptability **Commissioner Pettis** seconded the motion. Motion carried 5-0.

**Engineer Baumgardner** presented and reviewed North Florida Construction's pay request #2 for LS # 3. Following discussion, **Commissioner Cox** made a motion to approve payment of Pay Request #2 for Lift Station #3 (\$109,345.19). **Commissioner Paul**, seconded the motion. Motion carried 5-0.

7. **Overtime Report broken down by pay periods – None**
8. **County LDR – City Manager Michael Gortman stated that we need to schedule a Workshop on the LDR's. Mayor Gaskin** asked the board when they would like to hold a workshop. **Attorney Jordan** stated she would like to be in attendance for the workshop and also have a special meeting if they reach an agreement during mediation. Following discussion, the board agreed to schedule a workshop on the comp plan @ 9:00 am on 12/19/22 and a Special Meeting following the workshop.
9. **Employee Water/Sewer License Testing – City Manager Michael Gortman** stated that Kyle and Blake are working on the. David Paul's test is scheduled for after the holidays.
10. **Senior Building – City Manager Michael Gortman** stated that Millers came up and made sure there was freon in the freezer, and he got prices on the chest freezer Home Depot, prices were the best around \$1,098.00.

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**11. Cemetery Committee & Buckhorn Decorative Fencing – Mayor Gaskin** said they have been working hard on at the cemetery.

**Bro Derek Gerber**, asked if they could get some inmates to help cut trees and drag them out? **City Superintendent Chipper Wade** said they have been up there trimming and taking out the trees over the last couple of weeks.

**Commissioner Brian Cox** said they have the design style but are working on quotes.

**Other Comments**

**City Attorney Michelle Jordan** - asked if the city would like to consider purchasing Christmas decorations from City of Bonifay that they can't use because Florida Power and Light won't allow them to put Christmas lights up. After discussion, the board said they are interested. **Commissioner Cox** will follow up and coordinate purchase of the lights.

**City Manager Michael Gortman – None**

**City Superintendent Chipper Wade – None**

**City Parks & Rec Director David Paul – None**

**Sheriff Harrison –** Stated they donated a car to City of Bonifay, so maybe they will make the city a good deal on the Christmas lights.

**Engineer Hunter Baumgardner –** Gave an update on the Waterline project stating they have got one survey back and all fieldwork is done.

**Engineer Baumgardner** also presented a task order for the Citywide Wastewater Repair Project DEO project # M0118, SCE project # 21-706-09, he stated they have revised fees to 18% of grant and discussed the task order. Following discussion **Commissioner Cox** made a motion to approve SCE's task order for the Citywide Wastewater Repair Project DEO project # M0118, SCE project # 21-706-09. **Commissioner Paul** seconded the motion. Motion carried 5-0.

**City Finance Director Brittney Proctor – None**

**City Finance Clerk Misty Robbins – None**

**City Clerk Rachel Jackson – None**

**Mayor/Commissioner Comments**

**Commissioner Cox – None**

**Commissioner Paul-** stated he had a guy who wants to build something for people to come inside to pay water bills. Following discussion, the board requested that **Commissioner Fisher** to help **David Paul** lay out a plan for it.

**Commissioner Paul** asked how many roads besides Corn Griffin was not paved in the city? **City Manager Michael Gortman** stated there are a few, maybe 3. **Commissioner Paul** stated he wants to get with the county commissioners to see about getting some of these roads paved. The board directed him to go ahead and start working on it.

**Commissioner Pettis – None**

**Commissioner Fisher – None**

**Mayor Gaskin – None**

**Adjournment**

**Commissioner Pettis** made a motion to adjourn the meeting at 7:22 pm. **Commissioner Paul** seconded the motion. Motion carried 5-0.

**CITY OF WEWAHITCHKA**



**Phillip Gaskin, Mayor**

**ATTEST:**



**Rachel Jackson, City Clerk**

