

**CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING
AGENDA**

DATE: TUESDAY, AUGUST 18, 2020
TIME: 7:00 P.M.
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

Mayor Jerry Robinson
President Charles Goodman
Vice-President Justin Head
Councilmember Debra Jones
Councilmember Marguerite Robinson
Councilmember Elihu Ross

OTHERS:

Interim City Manager Dennis Strow
City Attorney Fred Koberlein
City Clerk Latricia Wright

OPENING PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ITEM – 1 – ADDITIONS, DELETIONS, CHANGES AND APPROVAL OF THE AGENDA

ITEM – 2 – PUBLIC PARTICIPATION

ITEM – 3 – CONSENT AGENDA

- A. MINUTES: AUGUST 4, 2020 REGULAR CITY COUNCIL MEETING (PP 5-9)
- B. RESOLUTION 2020-42: RATIFYING THE MAYOR’S EXTENSION OF THE STATE OF EMERGENCY ARISING FROM THE COVID-19 PUBLIC HEALTH EMERGENCY. (PP 10-13)
- C. RESOLUTION 2020-44: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA AMENDING THE HUMAN RESOURCE MANUAL; SPECIFICALLY SECTION 23-SICK LEAVE BANK, SUBSECTION 23.4 WITHDRAWAL OF SICK LEAVE DAYS, TO INCLUDE LANGUAGE ESTABLISHING RULES FOR ELIGIBILITY TO USE THE SICK LEAVE BANK; AND PROVIDING AN EFFECTIVE DATE.-(PP 14-19)
- D. RESOLUTION 2020-38; A RESOLUTION APPROVING THE LEASE TERM EXTENSION BETWEEN TOM SUMPTER AND SHERRY SUMPTER; AND THE CITY OF WILLISTON FOR PROPERTY AT THE AIRPORT AND IDENTIFIED AS HARDSTAND SIXTEEN; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE EXTENSION; AND APPROVING AN EFFECTIVE DATE.-
AIRPORT MANAGER BENTON STEGALL .(PP 20-24)
- E. RESOLUTION 2020-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT BETWEEN TOM SUMPTER AND SHERRY SUMPTER AND SHADOW TRAILERS; LLC; AUTHORIZING THE CITY COUNCIL

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- PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AN EFFECTIVE DATE. – AIRPORT MANAGER BENTON STEGALL. (PP 25-33)
- F. RESOLUTION 2020-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE LEASE TERM EXTENSION REQUEST OF TOM SUMPTER AND SHERRY SUMPTER FOR PROPERTY IDENTIFIED AS HARDSTAND FIVE AT THE WILLISTON MUNICIPAL AIRPORT; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AND EFFECTIVE DATE.- AIRPORT MANAGER BENTON STEGALL. (PP 34-38)

ITEM – 4 – OLD BUSINESS

- A. STAFF AND BOARD AND COUNCILOR UPDATES
- INTERIM CITY MANAGER DENNIS STROW
 - CODE ENFORCEMENT LIENS UPDATE: CITY PLANNER JACKIE GORMAN (PP 39-41)
- B. DISCUSSION WITH POSSIBLE ACTION: CODE ENFORCEMENT LIENS/FORECLOSURES VICE-PRESIDENT HEAD
- C. DISCUSSION WITH POSSIBLE ACTION: UPDATE ON RENEGOTIATION OF SERVICE AGREEMENT BETWEEN THE CITY OF WILLISTON AND WASTEPRO-DAYNA MILLER, MUNICIPAL MARKETER FOR WASTEPRO.
- D. RESOLUTION 2020-37: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, RECONCILING THE TERMS OF, AND APPOINTEES TO, THE BOARD OF ADJUSTMENT AND CODE ENFORCEMENT IN ACCORDANCE WITH THE CODE ORDINANCES, CITY OF WILLISTON, FLORIDA; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. –CITY PLANNER JACKIE GORMAN.(PP 42-43)

ITEM – 5 – NEW BUSINESS

- A. RESOLUTION 2020-43: A RESOLUTION OF THE CITY COUNCIL APPROVING STAFF TO COMPLETE A GRANT APPLICATION PACKAGE WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR THE JOHN HENRY PARK STORMWATER IMPROVEMENTS OPTIONS B PROJECT AND APPROVING THE ASSOCIATED 25% MATCH AS REQUIRED AS PART OF THE GRANT APPLICATION.- UTILITY DIRECTOR CJ ZIMOSKI AND DENNIS DAVIS WRIGHT-PIERCE. (PP 44-61)
- B. DISCUSSION WITH POSSIBLE ACTION: LEVY COUNTY FAIR DISSOLUTION-REQUESTING THE CITY OF WILLISTON DISTRIBUTE ANY REMAINING FUNDS FROM THE LEVY COUNTY FAIR ASSOCIATION: AMANDA HARVARD (PP 62-68)

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- C. ORDINANCE #685 FIRST READING: AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; AMENDING CHAPTER 38 TRAFFIC AND VEHICLES; SECTION 38-31 ESTABLISHMENT OF FIRE LANES AND NO-PARKING ZONES; PARKING PROHIBITED; ENFORCEMENT AND PENALTIES; TO INCLUDE TIME, LIMITS ON CERTAIN STREETS AND IN CERTAIN PUBLIC PARKING LOTS; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. – INTERIM CITY MANAGER DENNIS STROW.(PP 69-72)
- D. ORDINANCE #687; FIRST READING: AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; CHAPTER 6 ALCOHOLIC BEVERAGES; SECTION 6-2 DEFINITIONS AND SECTION 6-6; CLARIFYING THE SALE OF ALCOHOL WITHIN 300 FEET OF A CHURCH, SCHOOLS AND CHILDCARE FACILITY, PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. – INTERIM CITY MANAGER DENNIS STROW. (PP 73-76)
- E. DISCUSSION WITH POSSIBLE ACTION: HUMAN RESOURCE DIRECTOR POSITION- PRESIDENT GOODMAN

ITEM – 6 – PUBLIC PARTICIPATION

ITEM – 7 – ANNOUNCEMENTS

ITEM – 8 – ADJOURNMENT

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/CityOfWillistonFL>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (646) 749-3122
- One-touch: <tel:+16467493122,645230685#>

Access Code: 645-230-685

YouTube Link: <https://www.youtube.com/channel/UCKtI468kcNjBS2AYgOaBsRQ>
Clicking this link will enable you to see and hear the Council meeting.

**** Because this meeting is being held in person, Florida law requires that it be open to the physical presence of the public. To maintain proper health precautions, we will maintain 6' separations in the meeting room and we will offer additional seating in another area for the overflow if needed. Also, we encourage the use of face masks in the meeting room. (Limitation of 50 people)**

CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING

We invite you to continue participating in our council meetings via telephone or the Internet as we have been doing for the last several weeks. **

Council Meeting Procedures for members of the Public

1. All cell phones to be turned off when entering the Council Chambers;
2. Once the audience has taken their seat and the meeting begins, there will be no talking between audience members during the course of the Council meeting. If anyone continues to talk within the audience and is called down 3 times during the course of the meeting, on the third time that person will be escorted out of the Council meeting;
3. The audience must be recognized by the President before being allowed to address the Council;
4. The member of the audience that is recognized will proceed to the podium, state their name for the benefit of the City Clerk, prior to offering comments on a given matter;
5. The audience member will be limited to not more than 5 minutes to speak based on Resolution 2012-07;
6. There will be no personal attacks made by any member in the audience toward a sitting Council member and no personal attacks made by any Council member toward a member of the audience;
7. There will be no conversation between a member of the audience that has been recognized and any other member of the audience when speaking while at the podium;
8. If an audience member wants to speak more than the allotted 5 minutes allowed then that person should make a request to City Hall so that the item may be placed on the agenda.

Minutes of the City Council meeting may be obtained from the City Clerk's office. The minutes are recorded, but not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be borne by the requesting party.

In accordance with Section 286.0105, Florida Statutes, notice is given that if a person wishes to appeal a decision made by the City Council with respect to any matter considered at this meeting they will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Mayor through the City Clerk's office no later than 5:00 P.M. on the day prior to the meeting.

**CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING
MINUTES**

DATE: TUESDAY, AUGUST 4, 2020
TIME: 6:00 P.M.
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

Mayor Jerry Robinson
President Charles Goodman
Vice-President Justin Head
Councilmember Debra Jones
Councilmember Marguerite Robinson
Councilmember Elihu Ross

OTHERS:

Interim City Manager Dennis Strow
City Attorney Fred Koberlein
City Clerk Latricia Wright

OPENING PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

Opening prayer and Pledge of Allegiance to the flag led by Council President Goodman.

ITEM – 1 – ADDITIONS, DELETIONS, CHANGES AND APPROVAL OF THE AGENDA

Vice-President Head moved to accept agenda. Councilmember Jones seconded. Motion carried by saying “Aye”. 5-0.

ITEM – 2 – PUBLIC PARTICIPATION

None.

ITEM – 3 – CONSENT AGENDA – Councilmember Jones stated a correction to the minutes under New Business Item –C should state “Motion carried 3-1, not 3-0. Vice-President Head, Councilmember Jones and Councilmember Robinson voted “Aye” and President Goodman voted “Nay”. Councilmember Jones moved to accept consent agenda as amended. Councilmember Robinson seconded. Motion carried by saying “Aye” 5-0.

A. MINUTES: JULY 21, 2020 REGULAR CITY COUNCIL MEETING (pp 9-13)

ITEM – 4 – OLD BUSINESS

A. STAFF AND BOARD AND COUNCILOR UPDATES

- **INTERIM CITY MANAGER DENNIS STROW** – Interim City Manager Strow asked Council if the City could advertise the Human Resource position. Council agreed. Interim Strow informed Council that Saturday August 8th will be the Back to School Back Pack Drive-thru Bash from 4:00 p.m. until 7:00 p.m. at City Hall.

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- UPDATE ON WATER METER/SUPPLY TO WILLISTON AREA COMMUNITY RESOURCE ORGANIZATION, INC.: **UTILITY DIRECTOR CJ ZIMOSKI** – Utility Director Zimoski told the Council that Sunstate Meters donated a water meter, free of charge to the Williston Area Community Resource Organization, Inc., and the Water department would be installing the meter within the next several weeks.
 - UPDATED ON FORECLOSURES: **CITY PLANNER JACKIE GORMAN** - City Planner Gorman discussed with the Council the amount it would cost to do each foreclosure. Planner Gorman said it would be an estimate cost of \$2,300.00 per property. Mayor Robinson asked how one of the properties that has a lien were able to place a mobile home on it. Planner Gorman told the Mayor, there was not a system in place to flag properties with liens but that has been taken care of. After some discussion Vice-President Head stated he would like to have a workshop on foreclosure before the end of the year. Council agreed.
- B. DISCUSSION: FORECLOSURE OF THE OLD WINN DIXIE PROPERTY:
COUNCILMEMBER JONES – Councilmember Jones decided to forego this item since the City Planner is working on it.
- C. DISCUSSION WITH POSSIBLE ACTION: CONTINUED DISCUSSION ON CITY MANAGER SELECTION. **COUNCIL PRESIDENT**
Each Council member narrowed down the list of candidates to interview for the City Manager position. From each Councilor list Andrew Hyatt had 5 votes, Lyndon Bonner had 3 votes, James Woods had 3 votes and James McCroskey 3 votes. President Goodman instructed Interim Human Resource Director Brooke Willis to set up interviews with the 4 candidates.

ITEM – 5 – NEW BUSINESS

- A. RESOLUTION 2020-37 REAPPOINTING MEMBERS FROM THE BOARD OF ADJUSTMENT/CODE ENFORCEMENT BOARD AND CRA. **CITY PLANNER JACKIE GORMAN**
Planner Gorman presented Resolution 2020-37 to the Council discussing the housekeeping she's doing to get everything in order for the different boards she has. Planner Gorman said some of the board members term had ended and this resolution is to get everyone back on track. Councilmember Jones noticed that Robert Schmidt address was incorrect on the spreadsheet and the terms needed to be staggered. Resolution died due to lack of motion.
- B. DISCUSSION WITH POSSIBLE ACTION: RENEGOTIATE SERVICE AGREEMENT WITH THE CITY OF WILLISTON AND WASTEPRO-**DAYNA MILLER, MUNICIPAL MARKETER FOR WASTEPRO.**

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Dayna Miller discussed with the Council the proposal for the new contract between the City of Williston and WastePro. Mrs. Miller told the Council the agreement calls for a 3% increase the first year and CPI the following two years. President Goodman stated that 3% is too high, especially with the cost of fuel being down. After much discussion Dayna told the Council she could extend the current contract for another 3 months so she can review the agreement with WastePro staff and come back with some changes to the agreement that the Council should be pleased with. Council decided to continue negotiations with WastePro.

C. DISCUSSION WITH POSSIBLE ACTION: RFP FOR THE COLLECTION OF SOLID WASTE, RECYCLABLE MATERIALS, AND YARD TRASH-UTILITY
DIRECTOR CJ ZIMOSKI

Councilmember Jones moved to table Item C. Vice-President Head seconded. Motion carried by saying "Aye". 5-0.

D. ORDINANCE NO#684 FIRST READING: AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA, PROVIDING FOR THE PERMANENT CLOSING OF ALL THAT PORTION OF AN EASEMENT AS RECORDED IN THE OFFICIAL RECORDS BOOK 312, PAGE 103 OF THE PUBLIC RECORDS OF LEVY COUNTY, FLORIDA; FINDING THAT THE CLOSING OF THE EASEMENT WILL NOT ADVERSELY AFFECT THE PUBLIC, HEALTH, SAFETY, OR WELFARE; FINDING THAT THE CLOSING OF EASEMENT IS IN THE BEST INTEREST OF THE CITY AND FOR THE GENERAL WELFARE OF ITS CITIZENS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE. CITY PLANNER JACKIE GORMAN

City Planner Gorman discussed with the Council the closing of the easement recorded in Book 312, page 103. Planner Gorman stated that the easement is not being used and it encroaches on the home located on the property. Stephen McMillian was present representing the homeowners, also told the Council that the 20 ft easement has never been used and the homeowners are willing to trade/swap another part of their property with the City to allow an easement. Vice-President Head moved to approve the first reading of Ordinance #684. Councilmember Robinson seconded. Motion carried by saying "Aye". 5-0.

E. RESOLUTION 2020-38; A RESOLUTION APPROVING THE LEASE TERM EXTENSION BETWEEN TOM SUMPTER AND SHERRY SUMPTER; AND THE CITY OF WILLISTON FOR PROPERTY AT THE AIRPORT AND IDENTIFIED AS HARDSTAND SIXTEEN; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE EXTENSION; AND APPROVING AN EFFECTIVE DATE.-AIRPORT MANAGER BENTON STEGALL .

Airport Manager Stegall discussed Resolution 2020-38 with Council. Manager Stegall stated the hanger is owned by Shadow Trailers, but with the passing of Shadow Trailers owner Mr. Pruitt it came to be known that the ownership had not

CITY OF WILLISTON, FLORIDA
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changed from Tom and Sherry Sumpter to Mr. Pruitt, and this resolution is to correct the issue. Councilmember Jones mentioned that on the lease it still had Mr. Tom Sumpter who passed two years ago. Attorney Koberlein stated he would amend the documents removing the deceased. Councilmember Robinson moved to approve Resolution 2020-38 contingent that the deceased owner is removed from the documents. Councilmember Jones seconded. Motion carried by saying "Aye". 5-0.

- F. RESOLUTION 2020-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT BETWEEN TOM SUMPTER AND SHERRY SUMPTER AND SHADOW TRAILERS; LLC; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AN EFFECTIVE DATE. – AIRPORT MANAGER BENTON STEGALL.

Councilmember Jones moved to approved Resolution 2020-39 contingent the deceased is removed. Vice-President Head seconded. Motion carried by saying "Aye". 5-0.

- G. RESOLUTION 2020-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE LEASE TERM EXTENSION REQUEST OF TOM SUMPTER AND SHERY SUMPTER FOR PROPERTY IDENTIFIED AS HARDSTAND FIVE AT THE WILLISTON MUNICIPAL AIRPORT; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AND EFFECTIVE DATE.- AIRPORT MANAGER BENTON STEGALL.

Airport Manager Stegall presented Resolution 2020-40 to Council and stated that Mrs. Sumpter is asking to extend her lease at the airport. Councilmember Ross moved to approved Resolution 2020-40. Councilmember Jones seconded. Motion carried by saying "Aye". 5-0.

- H. RESOLUTION 2020-41; A RESOLUTION OF THE CITY OF WILLISTON, FLORIDA APPROVING THE LEASE TERM EXTENSION BETWEEN DENNIS MOELLMAN, AND THE CITY OF WILLISTON FOR PROPERTY AT THE AIRPORT AND IDENTIFIED AS HARDSTAND TWO AND HARDSTAND THREE; AUTHORING THE CITY COUNCIL PRESIDENT TO EXECUTE THE EXTENSION; AND PROVIDING AN EFFECTIVE DATE.-AIRPORT MANAGER BENTON STEGALL.

Airport Manager Stegall presented Resolution 2020-41 to Council. Airport Manager Stegall stated Revolution Aviation if formerly known as Team Tango and are wanting to extend their lease. Vice-President Head moved to approve Resolution 2020-41. Seconded by Councilmember Ross and Jones. Motion carried by saying "Aye". 5-0.

ITEM – 6 – PUBLIC PARTICIPATION

None.

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ITEM – 7 – ANNOUNCEMENTS

City Clerk Wright reminded everyone about the Budget meeting on Tuesday August 11, 2020 at 5:00 p.m.

ITEM – 8 – ADJOURNMENT – with no further business meeting adjourned at 9:30 p.m.

CITY COUNCIL RESOLUTION NO. 2020-42

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILLISTON, FLORIDA, RATIFYING THE MAYOR'S
EXTENSION OF THE STATE OF EMERGENCY ARISING
FROM THE COVID-19 PUBLIC HEALTH EMERGENCY.**

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, on March 1, 2020, the Governor issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on April 3, 2020, the Governor issued Executive Order 20-91 and Executive Order 20-92 directing all persons in Florida to limit their movements and personal interactions outside of their home only to those necessary to obtain or provide essential services or conduct essential activities; and

WHEREAS, on April 29, 2020, the Governor issued Executive Order 20-112 initiating "Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery"; and

WHEREAS, on May 8, 2020, the Governor issued Executive Order 20-114 extending the statewide state of emergency until July 7, 2020; and

WHEREAS, on June 5, 2020, the Governor's Executive Order 20-139 initiated "Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery" and extended the exceptions provided for in Executive Order 20-69, relating to local government meetings, until June 30, 2020; and

WHEREAS, on July 7, 2020, the Governor issued Executive Order 20-166 extending the statewide state of emergency, as well as those exceptions provided for in Executive Order 20-69, until September 5, 2020; and

WHEREAS, on July 29, 2020, the Governor issued Executive Order 20-179 amending order 20-69 creating statutory exceptions related to budget hearings and extending the statewide state of emergency until September 1, 2020; and

WHEREAS, pursuant to Section 2.03, of the City Charter, the Mayor may extend the City’s state of emergency related to COVID-19, and the President shall assume all the powers and duties of the Mayor’s office in the temporary absence or disability of the Mayor; and

WHEREAS, the Mayor has issued his Proclamations extending the current state of emergency, copies of which are attached hereto as “Exhibit A”; and

WHEREAS, the City Council, in order to protect the welfare and safety of the citizens of the City and their property and out of an abundance of caution, finds that the Mayor’s declaration of a state of emergency should be ratified or confirmed by the City Council in an open meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

Section 2. The City Council ratifies and extends the state of emergency declared pursuant to the Mayor’s Proclamations as well the provisions included in City Council Resolution 2020-17.

Section 3. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED at a meeting of the City Council this ____ day of August, 2020.

(Remainder of page intentionally left blank)

CITY OF WILLISTON, FLORIDA

By: _____
Jerry Robinson, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Latricia Wright, City Clerk

By: _____
Frederick L. Koberlein, Jr.
City Attorney



PROCLAMATION

WHEREAS, COVID-19 continues to pose an imminent health hazard and an increased risk of infection to residents of the County and healthcare, first responders, and emergency medical service workers caring for patients with COVID-19; and

WHEREAS, COVID-19 is spread amongst the population by various means of exposure, including the propensity to spread person to person and the propensity to attach to surfaces for prolonged periods of time, thereby spreading from surface to person and causing increased infections to persons; and

WHEREAS, public health experts have consistently recommended avoiding close physical interaction between person in order to slow the spread of COVID-19, and the CDC has updated and further restricted its distancing guidelines; and

WHEREAS, in April 16, 2020, the White House and Centers for Disease Control and Prevention ("CDC") released Guidelines for Opening Up America Again, a three-phased approach based on the advice of public health experts; and

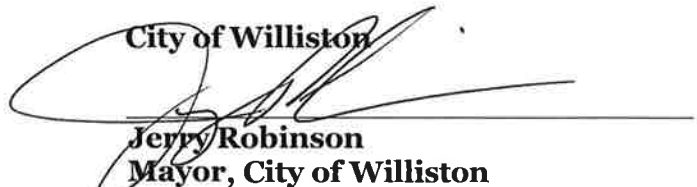
WHEREAS, data collected by the State Department of Health indicates a flattening of the curve of COVID-19 reported cases, including a downward trajectory of hospital visits for influenza-like illnesses and COVID-19 like syndromic cases, a decrease in percent-positive test results, and an increase in hospital capacity since March 1, 2020; and

WHEREAS, City Council Resolution 2020-017 extended the state of emergency and vested the authority to extend the state of emergency in the City Council President; and

WHEREAS, this Proclamation is issued to extend the state of emergency for seven (7) days effective Aug 12th, 2020.

NOW, THEREFORE, Be it Resolved, that I, Jerry Robinson, Mayor of the City of Williston, do hereby extend the State of Emergency due to the COVID-19 health concerns for an additional seven (7) days effective Aug 12th, 2020.

IN WITNESS WHEREOF, Signed Under My Hand and Seal in the Executive Chamber, City Hall On this 12th day of August, 2020.

City of Williston

Jerry Robinson
Mayor, City of Williston

Date: August 18, 2020

COUNCIL AGENDA ITEM

RESOLUTION 2020 -44: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE HUMAN RESOURCE MANUAL; SPECIFICALLY SECTION 23 – SICK LEAVE BANK, SUBSECTION 23.4 WITHDRAWAL OF SICK LEAVE DAYS, TO INCLUDE LANGUAGE ESTABLISHING RULES FOR ELIGIBILITY TO USE THE SICK LEAVE BANK; AND PROVIDING AN EFFECTIVE DATE.

REQUESTED BY: SICK LEAVE BANK COMMITTEE

PREPARED BY: C.J. ZIMOSKI, PUBLIC WORKS DIRECTOR

BACKGROUND / DESCRIPTION: The Sick Leave Bank Committee met and found the need to amend the Human Resource Manual, specifically Section 23, Sick Leave Bank. The attached Resolution reflects changes to the rules concerning contributions and language for the withdrawal of sick leave days.

LEGAL REVIEW: None

FISCAL IMPACTS: None

RECOMMENDED ACTION: Sick Leave Committee recommends approval.

ATTACHMENTS:

CONTRACT RESOLUTION 2020-44 MAP
 LEASE OTHER DOCUMENTS /

CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION:

APPROVED

DENIED

RESOLUTION NUMBER 2020-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AMENDING THE HUMAN RESOURCE MANUAL; SPECIFICALLY SECTION 23 SICK LEAVE BANK, SUBSECTION 23.03 CHANGING THE LANGUAGE FOR HOURLY CONTRIBUTION; SUBSECTION 23.04 CHANGING THE LANGUAGE FOR WITHDRAWAL OF SICK LEAVE DAYS; AND, INCLUDING LANGUAGE ESTABLISHING RULES FOR ELIGIBILITY TO USE THE SICK LEAVE BANK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston, Florida, a Florida Municipal Corporation, (“City”), adopted the Human Resource Manual for the purpose of establishing personnel rules and regulations that will serve as a guide to the City’s personnel; and

WHEREAS, a Sick Leave Bank Committee meets regularly to discuss employees that may need to utilize this sick leave bank.

WHEREAS, the Sick Leave Bank Committee, by majority vote, shall determine the Rules and Procedures of the Sick Leave Bank and shall have the authority to amend them when necessary; and

WHEREAS, the Sick Leave Bank Committee did meet and by majority vote determined that the Rules and Procedures of the Sick Leave Bank needed to be amended to include language that would better define requirements for eligibility to use the Sick Leave Bank.

NOW, THEREFORE, BE IT RESOLVED by the City of Williston, Levy County, Florida, that:

SECTION 1. Remove 23.03 CONTRIBUTIONS in its entirety and replace with the following language:

During initial enrollment period, new participating members shall contribute forty (40) hours of sick leave during the enrollment period. All participating members shall contribute eight (8) hours each time the bank reaches twenty-five percent (25%) of the initial enrollment days. Said contributions shall be made one (1) month following the depletion occurrence, at which time members will be notified of the need for an additional day and be given the option to contribute eight (8) ~~day~~ hours immediately when a sick leave day is earned. The Sick Leave Bank Committee shall not grant days in excess of the balance of days in the bank. Sick leave days donated to the bank by an employee will not be returned to the employee except as provided for in this Section.

SECTION 2. Remove 23.04 WITHDRAWAL OF SICK LEAVE DAYS in its entirety and replace with the following language:

Any sick leave days withdrawn from the bank by a participating employee must be used for said employee’s personal illness, accident, or injury. The employee must make application to the Sick

Leave Bank in order to receive sick leave benefits.

Employees shall be required to have used forty (40) hours of accumulated sick leave for said illness or injury prior to the request for additional time being withdrawn from the Sick Leave Bank.

No employee shall be eligible to draw more than two hundred forty (240) days hours from the bank for any one illness, injury or complications thereof. The number of hours will be equal to the hours that make up an employee's workday. Fragmentary sick leave days in excess of sick leave will not be honored by the Sick Leave Bank Committee unless the request is for the same illness, accident or injury. After an employee's accumulated sick leave has been exhausted and any special leave also has been exhausted; the employee will be eligible to draw from the bank only for approved absences of eighty (80) continuous scheduled hours.

Any employee withdrawing sick leave days from the bank shall not be required to replace those days except as a regular contributing member of the pool.

A participating employee who chooses to no longer participate in the Sick Leave Bank shall not be eligible to withdraw any sick leave already contributed to the bank.

All requests for withdrawal of days from the Sick Leave Bank shall be addressed to the Sick Leave Bank Committee on an official form provided for this purpose. The decision of the committee shall be final.

SECTION 3. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Council.

PASSED AND ADOPTED at a meeting of the City Council this 18 day of August 2020.

CITY OF WILLISTON, FLORIDA

BY: _____
Charles Goodman, City Council President

ATTEST:

Laticia Wright, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Frederick L. Koberlein, Jr., City Attorney

SECTION 23

SICK LEAVE BANK

23.1 OBJECTIVE

In order to provide employees emergency sick leave for illness or injury beyond that available under provisions governing sick leave, the SICK LEAVE BANK has been established with 16 initial qualifying members.

23.2 ELIGIBILITY

Any fulltime employee shall be eligible for voluntary participation in the Sick Leave Bank after one and a half (1 1/2) years from the date of initial employment with the City of Williston, provided that such employee has accrued a minimum of 120 hours. Open enrollment in the sick leave pool program will be accepted from September 15th through September 30th of each year, as long as the above requirements have been met, except new employees who can enroll at the time the above requirements are met. Employees must wait ninety (90) days after initial enrollment before being eligible to withdraw days from the Sick Leave Bank.

A notification letter will be sent to applicants informing them of their acceptance or rejection into the sick leave pool. Participating members will also be notified when they are no longer a member of the pool.

23.3 CONTRIBUTIONS

During initial enrollment period, new participating members shall contribute forty (40) hours of sick leave during the enrollment period. All participating members shall contribute eight (8) hours each time the bank reaches twenty-five percent (25%) of the initial enrollment days. Said contributions shall be made one (1) month following the depletion occurrence, at which time members will be notified of the need for an additional day and be given the option to contribute eight (8) hours immediately when a sick leave day is earned. The Sick Leave Bank Committee shall not grant days in excess of the balance of days in the bank. Sick leave days donated to the bank by an employee will not be returned to the employee except as provided for in this Section.

Should the membership in the bank fall below fifty percent (50%) of initial membership enrollment, the Sick Leave Bank shall be automatically dissolved. Such days remaining shall be equally proportioned to the remaining members, provided that no member may receive more than the days contributed.

The Business Office shall establish procedures for identifying and recording contributions to the pool and for complying with applicable governmental regulations and/or associated record keeping.

23.4 WITHDRAWAL OF SICKLEAVE DAYS

Any sick leave days withdrawn from the bank by a participating employee must be used for said employee's personal illness, accident, or injury. The employee must make application to the Sick Leave Bank in order to receive sick leave benefits.

Employees shall be required to have used forty (40) hours of accumulated sick leave for said illness or injury prior to the request for additional time being withdrawn from the Sick Leave Bank.

No employee shall be eligible to draw more than two hundred forty (240) hours from the bank for any one illness, injury or complications thereof. The number of hours will be equal to the hours that make up an employee's workday. Fragmentary sick leave days in excess of sick leave will not be honored by the Sick Leave Bank Committee unless the request is for the same illness, accident or injury. After an employee's accumulated sick leave has been exhausted and any special leave also has been exhausted; the employee will be eligible to draw from the bank only for approved absences of eighty (80) continuous scheduled hours.

Any employee withdrawing sick leave days from the bank shall not be required to replace those days except as a regular contributing member of the pool.

A participating employee who chooses to no longer participate in the Sick Leave Bank shall not be eligible to withdraw any sick leave already contributed to the bank.

All requests for withdrawal of days from the Sick Leave Bank shall be addressed to the Sick Leave Bank Committee on an official form provided for this purpose. The decision of the committee shall be final.

Pregnancy or complications thereof shall not qualify for Sick Leave Bank benefits unless it is determined by a Medical Professional that the complication is life threatening to the member.

23.5 SICKLEAVE COMMITTEE

- A. The Sick Leave Bank Committee shall consist of three (3) members. The employees shall elect these three (3) members; one each from the Police Department, Utility Department and the Business Office. The members shall be elected to two (2) year terms. Members can be re-elected at the end of their term. Vacancies on the Sick Leave Bank Committee shall be elected by the department for whom the vacancy

exists. Term of office runs from July 1" to June 30th_

- B. The Sick Leave Bank Committee, by majority vote, shall determine the Rules and Procedures of the Sick Leave Bank and shall have the authority to amend them when necessary.
- C. The Sick Leave Bank Committee shall review all withdrawal applications. It will approve or deny each request.
- D. Denials will be fully explained in writing.
- E. A minimum of two (2) committee members' signatures will be required for all approvals or denials.

- F. The Sick Leave Bank Committee shall assist the Human Resource Director in any investigation of alleged abuse of this Sick Leave Bank. Any finding or wrongdoing shall result in the employee being required to repay all sick leave credits from the bank. Refusal on the part of the employee to repay said credit shall be grounds for termination. Other appropriate disciplinary action may be recommended by the Committee if the employee provides repayment to the pool.

Effective September 9, 2020

Date: August 18, 2020

COUNCIL AGENDA ITEM

TOPIC: RESOLUTION 2020-38; A RESOLUTION APPROVING THE LEASE TERM EXTENSION BETWEEN TOM SUMPTER AND SHERRY SUMPTER; AND THE CITY OF WILLISTON FOR PROPERTY AT THE AIRPORT AND IDENTIFIED AS HARDSTAND SIXTEEN; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE EXTENSION; AND APPROVING AN EFFECTIVE DATE.

**REQUESTED BY: BENTON STEGALL
CITY ATTORNEY**

PREPARED BY: FRED KOBERLEIN,

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION: Approve

ATTACHMENTS:

COMMISSION ACTION:

 APPROVED

 DISAPPROVED

CITY COUNCIL RESOLUTION NO. 2020-038

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE LEASE TERM EXTENSION BETWEEN SHERRY SUMPTER AND THE CITY OF WILLISTON FOR PROPERTY AT THE AIRPORT AND IDENTIFIED AS HARDSTAND SIXTEEN; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE EXTENSION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston, Florida, ("City"), and Sherry Sumpter, have mutually agreed to a lease term extension of property located at the airport and referred to as "Hardstand 16"; and

WHEREAS, Sherry Sumpter has requested an extension of the lease term by executing the *Lease Term Extension*, a copy of which is attached hereto, for the property identified as Hardstand Sixteen (16);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The City Council hereby approves the *Lease Term Extension* between Sherry Sumpter and the Williston Municipal Airport and authorizes the City Council President to execute the *Lease Term Extension* on behalf of the City.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED a meeting of the City Council this ____ day of August, 2020.

CITY OF WILLISTON, FLORIDA

By: _____
Charles Goodman, President

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Latricia Wright, City Clerk

By: _____
Frederick L. Koberlein, Jr.
City Attorney

SUMPTER AIRPORT LEASE TERM EXTENSION

WHEREAS, on January 16, 2008, the City of Williston ("Lessor"), and Tom Sumpter and Sherry Sumpter ("Lessees"), agreed to the assignment assumption of rights and obligations by the Lessees of that initial lease agreement previously executed by the Lessor and World Aircraft Connection, Inc. (the "Initial Lease"); and

WHEREAS, the Lessees and Lessors executed a *Lease Term Extension and Amendment* of the Initial Lease (aka: Hardstand #16) owned by Lessor for the period of February 9, 2008 to February 8, 2013; and

WHEREAS, the Lessees and Lessor executed a *Lease Term Extension* for the period of February 9, 2013, to February 8, 2018; and

WHEREAS, Tom Sumpter is now deceased and the wife, Sherry Sumpter remains the sole Lessee; and

WHEREAS, Lessee now requests to use a lease term extension of five (5) years and acknowledges that one (1) additional term of five (5) years and one additional term of two (2) years thereafter, for a total of seven (7) available years from this date, remain available; and

WHEREAS, Lessee and Lessor agree that Lessee has not vacated the premises since the aforementioned date of February 8, 2018, and that Lessee has remained legally obligated to Lessor for the current period, and both the Lessee and Lessor agree that any possible assertions related to a breach of the lease agreement have been waived.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Lessor and the Lessee agree as follows:

1. The lease term is hereby extended for five years, retroactive to February 9, 2018 and continuing to February 8, 2023.

2. The rent has been \$2,065.80, annually, since February 9, 2018 through the present and shall be adjusted pursuant to paragraph three (3) of the Initial Lease effective February 9, 2021, exclusive of any applicable tax. Rent for each additional year shall be adjusted as provided in paragraph three (3) of the initial lease.

[Remainder of this page intentionally left blank]

3. Except for the provisions contained herein, all original terms, conditions, and covenants of the Original Lease shall remain in full force and effect.

Signed this ____ day of August, 2020.

LESSEE:
SHERRY SUMPTER

LESSOR:
CITY OF WILLISTON

BY: _____
SHERRY SUMPTER

BY: _____
CHARLES GOODMAN,
PRESIDENT, CITY COUNCIL

ATTEST:

By: _____
LATRICIA WRIGHT,
CITY CLERK

**STATE OF FLORIDA
COUNTY OF LEVY**

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this ___ day of _____, 2020, by Charles Goodman, the President of the City Council of the City of Williston, and Latricia Wright the City Clerk, on behalf of the City. They are personally known to me and did not take an oath.

Notary Public

**STATE OF FLORIDA
COUNTY OF LEVY**

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization this _____ day of _____, 2020, by Sherry Sumpter, who is personally known to me or produced _____ as identification and did not take an oath.

Notary Public

Date: August 18, 2020

COUNCIL AGENDA ITEM

TOPIC: RESOLUTION 2020-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT BETWEEN TOM SUMPTER AND SHERRY SUMPTER AND SHADOW TRAILERS; LLC; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AN EFFECTIVE DATE

**REQUESTED BY: BENTON STEGALL
CITY ATTORNEY**

PREPARED BY: FRED KOBERLEIN,

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION: Approve

ATTACHMENTS:

COMMISSION ACTION:

_____ **APPROVED**

_____ **DISAPPROVED**

CITY COUNCIL RESOLUTION NO. 2020-039

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE ASSIGNMENT AND ASSUMPTION OF THE LEASE AGREEMENT BETWEEN SHERRY SUMPTER AND SHADOW TRAILERS, LLC; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston, Florida ("City"), and Sherry Sumpter ("Sumpter") entered into a lease agreement for the leasing of property located at the Williston Municipal Airport and referred to as Hardstand 16; and

WHEREAS, Sumpter's lease of the said property has been extended through February 8, 2023; and

WHEREAS, Sumpter has requested of the City that the City agree to an *Assignment and Assumption of Lease Agreement*, wherein Sumpter assigned all rights and obligations to Shadow Trailers, LLC; and

WHEREAS, the City Council finds that consenting to the assignment and assumption of the lease from Sumpter to Shadow Trailers, LLC, is in the best interests of the City and the Williston Municipal Airport.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The City Council hereby approves the *Assignment and*

Assumption of Lease Agreement between Sherry Sumpter and Shadow Trailers, LLC, and authorizes the City Council President to execute the instrument on behalf of the City as part of said agreement.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED a meeting of the City Council this ____ day of August, 2020.

CITY OF WILLISTON, FLORIDA

By: _____
Charles Goodman, President

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Latricia Wright, City Clerk

By: _____
Frederick L. Koberlein, Jr.
City Attorney

Return to:
City of Williston, Florida
Attn: City Clerk
50 NW Main Street
Williston, Florida 32696

This instrument prepared by:
Koberlein Law Offices
855 SW Baya Drive
Lake City, FL 32025

ASSIGNMENT OF LEASE

WHEREAS, the undersigned SHERRY SUMPTER (“ASSIGNOR”), in consideration of the sum of _____ (\$_____), in hand paid by SHADOW TRAILER, LLC, a Florida Limited Liability Company (“ASSIGNEE”), the receipt whereof is hereby acknowledged, has granted, bargained, assigned transferred and set over unto SHADOW TRAILER, LLC, that certain land lease dated February 9, 2004, wherein the CITY OF WILLISTON is the LESSOR and WORLD AIRCRAFT CONNECTION, INC., is the LESSEE, and that subsequent assignment and assumption of lease dated January 16, 2008, wherein WORLD AIRCRAFT CONNECTION, INC., was the ASSIGNOR and SHERRY SUMPTER, was the ASSIGNEE; said land lease being subsequently extended to February 8, 2023, which land lease covers the premises located in Levy County, Florida and described more specifically in the attached *Assignment & Assumption of Lease*, attached hereto as “Exhibit A”. :

ASSIGNEE hereby accepts this assignment and agrees to assume all obligations under the said lease and prior assignments and amendments.

IN WITNESS WHEREOF, the parties have executed this assignment of land lease and such is effective on the date executed by the last signing party.

ASSIGNOR:

By: _____
SHERRY SUMPTER

By: _____
WITNESS

PRINTED NAME

By: _____
WITNESS

PRINTED NAME

**STATE OF FLORIDA
COUNTY OF LEVY**

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization this _____ day of _____, 2020, Sherry Sumpter, who is personally known to me or produced _____ as identification and did not take an oath.

Notary Public

(Remainder of page intentionally left blank)

ACCEPTANCE OF ASSIGNMENT

SHADOW TRAILERS, LLC, a Florida Limited Liability Company, by and through its undersigned agent, does hereby accept the foregoing Assignment and by the execution hereof does hereby agree to be bound by the terms and obligations set forth herein and the land lease executed between Lessor and Lessee.

DATED this ____ day of August, 2020.

SHADOW TRAILERS, LLC

By: _____
WITNESS

PRINTED NAME

By: _____
Debra Brindley, Authorized Agent
of Shadow Trailers, LLC, and
Trustee of the Larry R. Pruitt,
Revocable Trust

By: _____
WITNESS

PRINTED NAME

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization this _____ day of _____, 2020, by Debra Brindley, Authorized Agent of Shadow Trailers, LLC, and Trustee of the Larry R. Pruitt, Revocable Trust, who is personally known to me or produced _____ as identification and did not take an oath.

Notary Public

(Remainder of page intentionally left blank)

CONSENT OF LESSOR

CITY OF WILLISTON, pursuant to Paragraph 18 of the hereinabove referenced lease, does hereby consent to the foregoing Assignment and by the execution hereof does hereby agree to be bound by the terms and obligations set forth therein.

DATED this ____ day of August, 2020.

CITY OF WILLISTON

By: _____
WITNESS

PRINTED NAME

By: _____
CHARLES GOODMAN,

PRESIDENT, CITY COUNCIL

By: _____
WITNESS

PRINTED NAME

ATTEST:
By: _____
LATRICIA WRIGHT,
CITY CLERK

Prepared by and return to:

Norm D. Fugate, Esquire
Norm D. Fugate, P.A.
248 N.W. Main Street
Post Office Box 98
Williston, Florida 32696

Assignment & Assumption of Lease

Know all men by these presents, that Andrea P. Bauman, as Disbursing Agent for World Aircraft Connection, Inc ("ASSIGNOR"), in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration paid to ASSIGNOR by Tom Sumpter and Sherry Sumpter, husband and wife ("ASSIGNEE"), the receipt and sufficiency of which is hereby acknowledged, hereby sets over, conveys, assigns and transfers forever to ASSIGNEE that certain Land Lease Agreement with the City of Williston, Florida dated February 9, 2004, as same may have been amended from time to time regarding the following described land, situate, lying and being in Levy County, Florida to-wit:

PARCEL 2, REVETMENT 16:

Commence at the point of intersection of the centerline of revetment 16 and the East pavement edge of Taxiway F, then go Northeasterly along the said centerline 20 feet to the Point of Beginning; thence go in a Northwesterly direction, parallel to Taxiway F, 105 feet; thence go in a Northeasterly direction, perpendicular to Taxiway F, 210 feet; thence go in a Southeasterly direction, parallel to Taxiway F, 210 feet; thence go in a Southwesterly direction, perpendicular to Taxiway F, 210 feet; thence go in a Northwesterly direction, parallel to Taxiway F, 105 feet, to the Point of Beginning.

ASSIGNEE hereby accepts this assignment and agrees to assume all obligations under the said lease.

"ASSIGNOR" and "ASSIGNEE" shall be used for singular or plural, natural or artificial, which terms shall include the heirs, legal representatives, successors and assigns of ASSIGNOR and ASSIGNEE whenever the context so requires or admits.

Signed, sealed and delivered in our presence:

Michelle Pearce
Witness Name: Michelle Pearce

Catrina West
Witness Name: Catrina West

ASSIGNOR:
Andrea P. Bauman
Andrea P. Bauman
Disbursing Agent for World Aircraft Connection, Inc.
Date: 1/16/2008

Verda Foy
Witness Name: VERDA FOY
Tracie O'Steen
Witness Name: TRACIE O'STEEN

Verda Foy
Witness Name: VERDA FOY
Tracie O'Steen
Witness Name: TRACIE O'STEEN

ASSIGNEE:
Tom Sumpter
Tom Sumpter

Date: 1-17-08

Sherry Sumpter
Sherry Sumpter
Date: 1-17-08

This assignment and assumption is consented to by the undersigned lessor:

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this 16 day of January, 2008, by Andrea P. Bauman, as Disbursing Agent for World Aircraft Connection, Inc., ASSIGNOR. She is personally known to me or has produced a driver's license as identification.

[Notary Seal]



Michelle Pearce
Notary Public

State of Florida
County of Levy

The foregoing instrument was acknowledged before me this 17 day of January, 2008, by Tom Sumpter and Sherry Sumpter, ASSIGNEE. They are personally known to me or have produced driver's licenses as identification.

[Notary Seal]

Verda Fox
Notary Public



Date: August 18, 2020

COUNCIL AGENDA ITEM

TOPIC: RESOLUTION 2020-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE LEASE TERM EXTENSION REQUEST OF TOM SUMPTER AND SHERRY SUMPTER FOR PROPERTY IDENTIFIED AS HARDSTAND FIVE AT THE WILLISTON MUNICIPAL AIRPORT; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AND EFFECTIVE DATE

**REQUESTED BY: BENTON STEGALL
CITY ATTORNEY**

PREPARED BY: FRED KOBERLEIN,

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION: Approve

ATTACHMENTS:

COMMISSION ACTION:

_____ APPROVED

_____ DISAPPROVED

CITY COUNCIL RESOLUTION NO. 2020-040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING THE LEASE TERM EXTENSION REQUEST OF SHERRY SUMPTER FOR PROPERTY IDENTIFIED AS HARDSTAND FIVE AT THE WILLISTON MUNICIPAL AIRPORT; AUTHORIZING THE CITY COUNCIL PRESIDENT TO EXECUTE THE INSTRUMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston, Florida ("City"), and Sherry Sumpter ("Sumpter") entered into a lease agreement for the leasing of property located at the Williston Municipal Airport and referred to as Hardstand 5; and

WHEREAS, Sumpter has requested an extension of the lease agreement with the City and an extension is contemplated within the lease agreement.

WHEREAS, the City Council finds that extending the lease term of the lease with Sumpter for Hardstand 5 at the Williston Municipal Airport is in the best interests of the City and the Williston Municipal Airport.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The City Council hereby approves the *Lease Term Extension* with Sherry Sumpter of Hardstand 5 at the Williston Municipal Airport and authorizes the City Council President to execute the *Lease Term Extension*, a copy of which is attached hereto, on behalf of the City.

FLK/bm
07/29/20

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED a meeting of the City Council this ____ day of August, 2020.

CITY OF WILLISTON, FLORIDA

By: _____
Charles Goodman, President

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Latricia Wright, City Clerk

By: _____
Frederick L. Koberlein, Jr.
City Attorney

SUMPTER AIRPORT LEASE TERM EXTENSION

WHEREAS, the City of Williston ("Lessor"), and Tom Sumpter and Sherry Sumpter ("Lessees"), on May 19, 2008, did enter into a Lease Renewal & Extension for real property (aka: Hardstand #5) owned by Lessor for the period of June 1, 2008 to May 31, 2013; and

WHEREAS, an initial lease agreement was entered into for the period of January 1, 1999 through May 31, 2003, (the "Initial Lease"); and

WHEREAS, Lessees requested and Lessor granted a lease term renewal for the period from June 1, 2008 through May 31, 2013; and

WHEREAS, Lessee requested and Lessor granted a lease term extension for two (2) additional five (5) year terms, beginning June 1, 2018; and

WHEREAS, Tom Sumpter is now deceased and the wife, Sherry Sumpter remains the sole Lessee; and

WHEREAS, Lessee now requests to use one (1) of the two (2) additional five (5) year term extensions and acknowledge that one (1) additional term of five (5) years remains available;

WHEREAS, Lessee and Lessor agree that Lessee has not vacated the premises since the aforementioned date of June 1, 2018, and the Lessee has remained legally obligated to Lessor for the current period, and both the Lessee and Lessor agree that any possible assertions related to a breach of the lease agreement have been waived.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Lessor and the Lessee agree as follows:

1. The lease term is hereby extended for five years, retroactive to from June 1, 2018 and continuing to May 31, 2023.

2. The rent shall be increased, pursuant to paragraph three (3) of the Initial Lease, to \$782.39 annually, exclusive of any applicable tax. Rent for each additional year shall be adjusted as provided in paragraph three (3) of the initial lease.

3. Except for the provisions contained herein, all original terms, conditions, and covenants of the Original Lease shall remain in full force and effect.

Signed this ____ day of _____, 2020.

LESSEE:
SHERRY SUMPTER

LESSOR:
CITY OF WILLISTON

BY: _____
SHERRY SUMPTER

BY: _____
CHARLES GOODMAN,
PRESIDENT, CITY COUNCIL

ATTEST: _____
LATRICIA WRIGHT
CITY CLERK

STATE OF FLORIDA
COUNTY OF LEVY

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this ___ day of _____, 2020, by Charles Goodman, the President of the City Council of the City of Williston, and Latricia Wright the City Clerk, on behalf of the City. They are personally known to me and did not take an oath.

Notary Public

STATE OF FLORIDA
COUNTY OF LEVY

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization this ___ day of _____, 2020, by Sherry Sumpter, who is personally known to me or produced _____ as identification and did not take an oath.

Notary Public

Research conducted by Mayor Jerry Robinson

412 SE 4th Dr. - City Owned

has been owned by the City since March 2019. The PA Value, \$6400. A couple of things. First, after I visited this location on May 6, 2020, I saw heavy growth of trees and shrubs and found there was a mobile home located on this lot. By appearance sake it appears the City is violation on its on code. Also, since the City has owned this property has any action been taken to sell the property. If no action has been taken by the City Administration to rid the City of this property, why not? The lien amount before foreclosure was \$60,900 by the way.

8/18/2020 - This property has been through foreclosure. City Clerk Latricia Wright has indicated she wants to continue working on this case. It is my understanding that she is getting bids for cleanup and removal of the mobile home.

CV 14-53: Richardson - 1050 NE 6th Blvd. (Old Winn-Dixie)

The PA Value is \$218,406 and the lien as of the above date was \$84,150. It was stated the owner has not decided what to do with the property. Well, she has owned it since December 10, 2012 and it is high time that she needs to decide. The City, in my opinion, needs to take the offensive on this property immediately. It has been discussed for years with anything being done. If, and this is a big if, a lien has been filed on this property it is my recommendation that the City foreclose on this property immediately and without delay.

Lien filed 2015

8/18/2020 – This file has been turned over to the City Attorney to begin foreclosure proceedings.

CV 15-16: Zamora - 319 SE 5th St.

PA Value-\$18,000; fine amount per the above date, \$43,300. This is another property that should be foreclosed on that is if a lien has been filed.

Lien filed 2016

Not Homesteaded

8/18/2020 – This file has been turned over to the City Attorney to begin foreclosure proceedings.

CV 15-35: Roswell - 51 NE 10th St. – CLOSE THIS FILE & OPEN NEW CASE (Incorrect Legal Description)

PA Value-\$6,025; fine amount per the above date, \$45,400. This is another property that should be foreclosed on that is if a lien has been filed.

Lien filed 2016

Not Homesteaded

August 18, 2020 UPDATE

8/18/2020 – While reviewing the file it was discovered that the legal description that was listed from the first notification of violation was incorrect. The legal stated, “...correct the violation(s) located at (vacant lot) corner of NE 10th & 11th Street.”

There are actually 3 separate lots between NE 10th Street & NE 11th Street, no corner lot. Only 1 of three parcel Identification numbers were put on the notices.

Conclusion: Staff will need to start over with a new case with proper legal descriptions.

CV 14-22: Est. Venable - 18 SE 2nd Ave. – COMPLETE

PA Value-\$19,250: fine amount per the above date, \$53,050. Now this is an interesting one because on February 18, 2020 this property was sold to Nicola Powell for \$5,700. Was there a lien filed? What if anything was done about the fine?

8/18/2020 – Satisfaction of Lien was filed 7/27/2020

CV 16-13: Flourndy - 4091 NE 11th St.

PA Value-\$4,768: fine amount per the above date, \$51,950. This is another property that should be foreclosed on that is if a lien has been filed.

Lien filed 2016

Not Homesteaded

8/18/2020 – This file has been turned over to the City Attorney to begin foreclosure proceedings.

CV 17-23: Days - 118 NE 9th St.

PA Value-\$9,186: fine amount per the above date, \$35,400. Lien filed? Foreclosure?

Lien filed 2018

Not Homesteaded

8/18/2020 – Property sold to Palomibo on 7/20/2020. Staff contacted utilities and the building permit division and asked the files to be flagged so that there are no utility connections or permits without contacting Code Enforcement. This file has been turned over to the City Attorney to begin foreclosure proceedings.

CV 17-24 James – CLOSE THIS FILE & OPEN NEW CASE (Incorrect address)

Address listed was 20319 NE 2nd PL with a fine amount of \$42,950 but I could not locate the address or the name of the owner. Correct Address: 20949 NE 2nd Pl.

Lien filed 2018

Not Homesteaded

8/18/2020 – After reviewing this file it was determined that the location address being used for notifications as well as the recorded lien was incorrect (20349 NE 2nd Place). The correct address according to the Property Appraiser is 20349 NE 41st Place. Staff will need to close this case and start over.

CV 18-13 Falisi - 415 SE 4th Dr.

PA Value-\$8,495; fine amount per the above date, \$36,000. Now this is another interesting case because this property was sold to Chico Carol on May 30, 2018 for \$8,495. Was there a lien filed? What if anything was done about the fines?

Lien filed 2018 Not Homesteaded

Upon review this file staff discovered that the property was sold to Chico Carrol in 2018 and a permit for a Mobile Home was issued. We are moving forward with foreclosure and the information has been submitted to the City Attorney.

Meanwhile since the permit has not received a CO so the file is in the Building Official's office where we have requested a review and recommendation for enforcement to also send to the City Attorney.

Again, we have flagged the file for utilities and permitting so that nothing takes place without Code Enforcement being notified.

8/12/2020 – Chico Carroll came to City Hall to inquire about the lien. We suggested he attend the Code Enforcement Board meeting on 8/24.

CV 19-05 Simmons - 301 SE 7th Ave.

PA Value-\$16,318. Fine amount per the above date, \$5,900. This is a case of current connection because no lien had been filed.

Lien filed 2020 (5/12/2020) Not Homesteaded

8/18/2020 – Staff will make the request of the Code Board to proceed with Foreclosure.

Pesso – 5 NE Main St. – In Compliance

There is one other property or properties where I am requesting additional information and that is Pesso's property in block 12. Did Code Enforcement levy any fines for his property? If so, when were the levied? If so, was a lien filed but if not, why not? If fines are accruing on the property or properties what is the current amount of the fines?

No liens found for Pesso properties

RESOLUTION 2020-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, RECONCILING THE TERMS OF, AND APPOINTEES TO, THE BOARD OF ADJUSTMENT AND CODE ENFORCEMENT IN ACCORDANCE WITH THE CODE OF ORDINANCES, CITY OF WILLISTON, FLORIDA; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Williston, Florida (hereinafter the "City") passed Ordinance 434 effective May 8, 2002 and thereby created section 46-61, Williston Code; and

WHEREAS, section 46-61, Williston Code, established and provides for the term of office of each of the seven (7) seats that comprise the board of adjustment and code enforcement (hereinafter the "Board"); and

WHEREAS, the terms of the seven (7) seats of the Board are to be staggered so as to provide a quorum at all times when the seven (7) seats of the Board are filled by appointments; and

WHEREAS, it is necessary from time to time to reconcile the terms of the various seats of any board and the seven (7) seats of the Board are to be reconciled as set forth herein; and

WHEREAS, the designated individuals have expressed a desire to serve the City on the Board; and

WHEREAS, the City Council finds that it is in the best interests of the City to reconcile the terms of, and the appointees to, the seven (7) seats of the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The terms of, and appointees to, the seven (7) seats of the Board of Adjustment and Code Enforcement are reconciled as follows:

Seat	Expiration Date	Appointee
Seat 1 –	May 7, 2021	Sharon Brannon
Seat 2 –	May 7, 2021	Marc Pompeo

- Seat 3 – May 7, 2022 Paul Missall
- Seat 4 – May 7, 2022 Pam Myhree
- Seat 5 – May 7, 2023 David Ragland
- Seat 6 – May 7, 2023 Colette Roth
- Seat 7 – May 7, 2023 Vacant

The term of each of the seven (7) seats shall expire at Midnight on the expiration date designated and each appointee to the Board shall serve in accordance with section 46-61, Williston Code, and until their successor is appointed.

Section 3. All resolutions or parts of resolutions in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED a meeting of the City Council this ____ day of August, 2020.

CITY OF WILLISTON, FLORIDA

By: _____
Charles Goodman, President

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By: _____
Latricia Wright, City Clerk

By: _____
Frederick L. Koberlein, Jr.
City Attorney

Date: August 18, 2020

COUNCIL AGENDA ITEM

TOPIC: John Henry Park Stormwater Project Funding

REQUESTED BY: CJ ZIMOSKI

PREPARED BY: CJ ZIMOSKI

BACKGROUND / DESCRIPTION: The City completed a comprehensive study of stormwater flooding issues in March of 2019. This multi-year project was funded by the SWFWMD through their Cooperative Funding Initiative (CFI) Project No. N590 which was approved in FY2015.

The final report from this effort identified eight projects to relieve flooding throughout the City including two alternative projects to relieve funding around John Henry Park. The City submitted a second CFI grant funding application to the SWFWMD in October of 2019 to provide funding for John Henry Park Option B stormwater project. The project required a 25% match from the City which was originally contemplated to be in-kind services to construct a portion of the project. The SWFWMD recently notified City staff that in-kind services are not allowed as part of the CFI grant program and that the City will be required to put up a cash match for the project instead of in-kind services.

This agenda item request that the City Council approve: the required match in FY21(\$100,000) and FY22 (\$140,750) in order to implement this project; and completion of the CFI application process with this 25% match.

An agenda item will be brought before the Council at a later date to request approval of an engineering services contract with Wright-Pierce for the design of said improvements.

LEGAL REVIEW:

FISCAL IMPACTS: \$100,000 (FY21) and \$140,750 (FY22)

RECOMMENDED ACTION: Approve

ATTACHMENTS:

1. Resolution
2. Presentation

COMMISSION ACTION:

_____ **APPROVED**

_____ **DISAPPROVED**

John Henry Park Stormwater Improvements

SWFWMD Cooperative Funding Initiative

August 2020

Dennis Davis, PE



Watershed Management Plan – Timeline

2014

SWFWMD approves Project N590 with City of Williston for Watershed Management Plan

2015

Project begins. City appropriates \$87,500 with match from SWFWMD of \$262,500.

2017

Flood Plain Analysis Report completed.

2018

Surface Water Assessment Report and Level-of-Service Analysis Report Completed.

2019

Best Management Practices Alternatives Analysis completed. Submitted grant applications for funding first project.

Best Management Practices Alternatives Analysis – Results



CITY OF WILLISTON WATERSHED (N590) BEST MANAGEMENT PRACTICES ALTERNATIVES ANALYSIS

Southwest Florida Water Management District and City of Williston |
March 2019

- Report identifies total of eight projects that can be implemented to reduce flooding, three of which also improve water quality.
- The cost of the eight projects is between \$3,061,000 and \$3,947,000.
- Plan presented two options for dealing with flooding around John Henry Park. Costs were \$963,000 and \$981,000. Option B was selected for \$963,000.
- Submitted grant applications through FDOT which was denied and then through SWFWMD which was approved.

John Henry Park – Option A



- **John Henry Park Option A**
 - Two new dry ponds
 - New drainage swale
 - New culverts
 - Stormwater discharged to old rock pit
 - Estimated project cost \$981,000
 - Required property purchase

John Henry Park – Option B



- **John Henry Park Option A**
 - One new dry ponds
 - New drainage swale
 - New culverts
 - Stormwater discharged to old rock pit
 - Estimated project cost \$963,000
 - No property purchase required

SWFWMD Cooperative Funding Initiative Grant Application



- Submitted application in October 2019 to fund John Henry Park Option B.
- CFI program requires 25% match by City – planned to be in-kind services (construction of portions of project)
- Final approval of application in June 2020.
- Began contracting process in July 2020. SWFWMD notified us that 25% match could not include in-kind services.
- Request City Council approve 25% match for project in FY 2021 and FY 2022.
 - FY21 \$100,000
 - FY22 \$140,750

Request With Action

APPROVE MOVING FORWARD WITH THE GRANT FUNDING APPLICATION PROCESS WITH THE CITY PROVIDING 25% FUNDING IN FY21 (\$100,000) AND FY22 (\$140,750).

THANK YOU

John Henry Park Stormwater Improvements

SWFWMD Cooperative Funding Initiative

August 2020

Dennis Davis, PE



Watershed Management Plan – Timeline

2014

SWFWMD approves Project N590 with City of Williston for Watershed Management Plan

2015

Project begins. City appropriates \$87,500 with match from SWFWMD of \$262,500.

2017

Flood Plain Analysis Report completed.

2018

Surface Water Assessment Report and Level-of-Service Analysis Report Completed.

2019

Best Management Practices Alternatives Analysis completed. Submitted grant applications for funding first project.

Best Management Practices Alternatives Analysis – Results



CITY OF WILLISTON WATERSHED (N590) BEST MANAGEMENT PRACTICES ALTERNATIVES ANALYSIS

Southwest Florida Water Management District and City of Williston |
March 2019

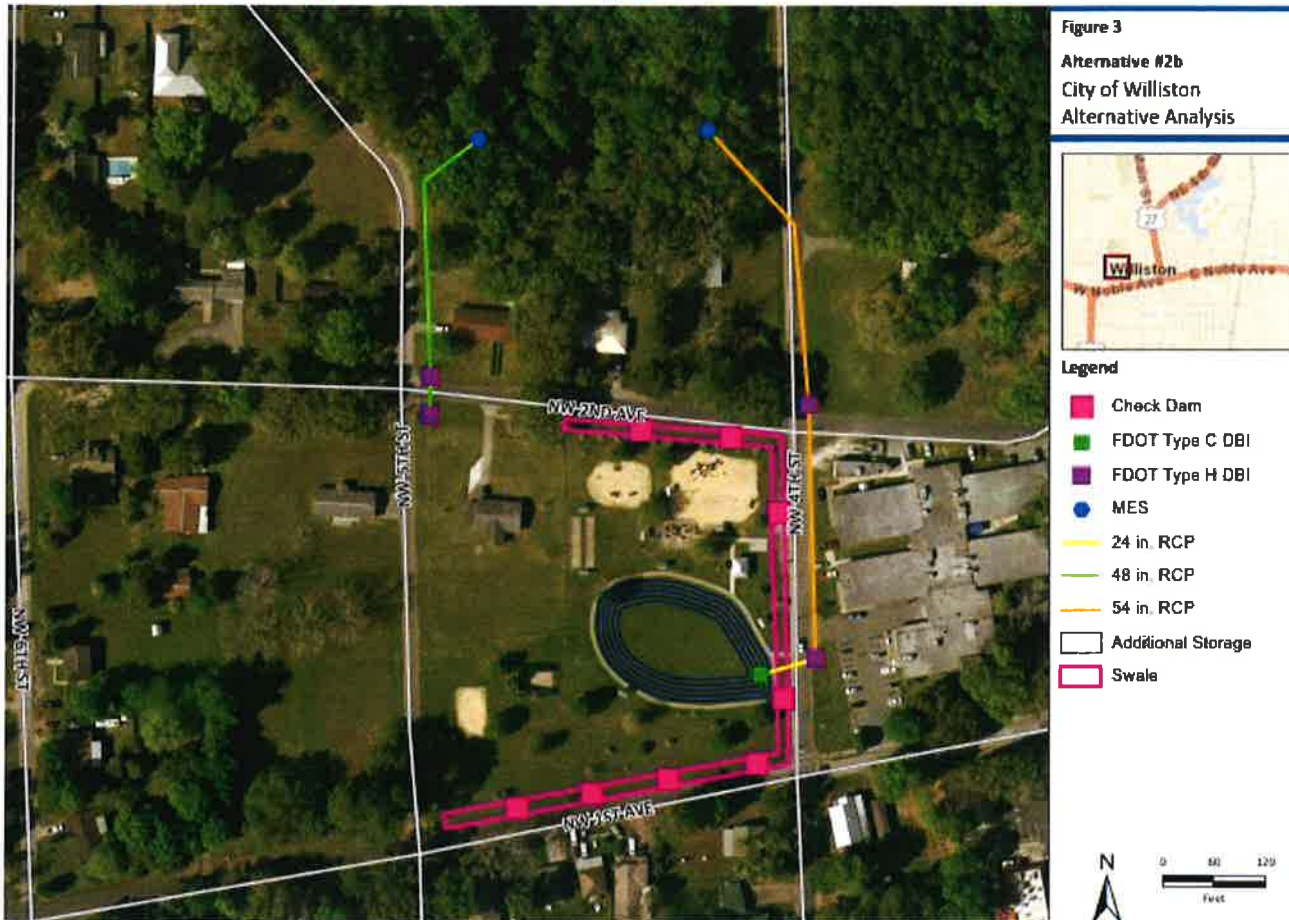
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- The cost of the eight projects is between \$3,061,000 and \$3,947,000.
- Plan presented two options for dealing with flooding around John Henry Park. Costs were \$963,000 and \$981,000. Option B was selected for \$963,000.
- Submitted grant applications through FDOT which was denied and then through SWFWMD which was approved.

John Henry Park – Option A



- **John Henry Park Option A**
 - Two new dry ponds
 - New drainage swale
 - New culverts
 - Stormwater discharged to old rock pit
 - Estimated project cost **\$981,000**
 - Required property purchase

John Henry Park – Option B



- **John Henry Park Option A**
 - One new dry ponds
 - New drainage swale
 - New culverts
 - Stormwater discharged to old rock pit
 - Estimated project cost **\$963,000**
 - No property purchase required

SWFWMD Cooperative Funding Initiative Grant Application



- Submitted application in October 2019 to fund John Henry Park Option B.
- CFI program requires 25% match by City – planned to be in-kind services (construction of portions of project)
- Final approval of application in June 2020.
- Began contracting process in July 2020. SWFWMD notified us that 25% match could not include in-kind services.
- Request City Council approve 25% match for project in FY 2021 and FY 2022.
 - FY21 \$100,000
 - FY22 \$140,750

Request With Action

APPROVE MOVING FORWARD WITH THE GRANT FUNDING APPLICATION PROCESS WITH THE CITY PROVIDING 25% FUNDING IN FY21 (\$100,000) AND FY22 (\$140,750).

THANK YOU

RESOLUTION 2020-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, APPROVING STAFF TO COMPLETE A GRANT APPLICATION PACKAGE WITH THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR THE JOHN HENRY PARK STORMWATER IMPROVEMENTS OPTION B PROJECT AND APPROVING THE ASSOCIATED 25% MATCH AS REQUIRED AS PART OF THE GRANT APPLICATION.

WHEREAS, the City of Williston completed a Watershed Management Plan funded by the SWFWMD through its Cooperative Funding Initiative (CFI) Project N590 in March of 2019, and

WHEREAS, Project N590 identified the John Henry Park Option B Project as one of the projects that will alleviate flooding in a portion of the City; and

WHEREAS, the SWFWMD has agreed to providing 75% funding for the construction of the John Henry Park Option B project given that the City will provide a 25% match.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Williston, Florida, that:

SECTION 1. The above recitals are true and accurate and are made a part of this resolution.

SECTION 2. The City Council hereby approves City staff to move forward with the completion of the grant application process for the John Henry Park Stormwater Project (SWFWMD Project No. Q197) and approves a 25% match for the project in FY21 and FY22 budgets.

SECTION 3. This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED at a meeting of the City Council this 18th day of August, 2020.

CITY OF WILLISTON, FLORIDA

ATTEST:

Charles Goodman, Council President

Latricia Wright, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Frederick L. Koberlein, Jr., City Attorney

Date: August 18, 2020

COUNCIL AGENDA ITEM

TOPIC: DISTRUBING LEVY COUNTY FAIR FUNDS

REQUESTED BY: AMANDA CUOMO

PREPARED BY:

**BACKGROUND / DESCRIPTION: REQUEST TO HAVE THE CITY OF WILLISTON
DISTRIBUTE LEVY COUNTY FAIR FUNDS**

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION:

ATTACHMENTS:

COMMISSION ACTION:

APPROVED

DISAPPROVED

From: **Williams, Kim** <Kim.Williams@fdacs.gov>

Date: Thu, Jun 11, 2020 at 9:12 AM

Subject: Levy County Fair Dissolution

To: Ms. Debra Jones (president@levycountyfair.com) <president@levycountyfair.com>, Amanda Cuomo <amandalcuomo@gmail.com>

CC: O'Neal, Chris <Chris.ONeal@fdacs.gov>, Mccarty, Lauren

<Lauren.McCarty@fdacs.gov>, Gardner, Jared <Jared.Gardner@fdacs.gov>

Good morning Debra/Amanda:

Thank you for submitting your proposal for dissolution pursuant to s. 616.051, F.S. After reviewing the documents provided, we do have concerns about whether the proposal is consistent with the requirements of Section 616.07(3), F.S., which provides:

Upon order of the circuit judge, any public funds or property remaining in a fair association when the association is dissolved shall be distributed by resolution of the board of directors *to any county or any municipality within the county*. The board may designate in the distribution resolution the public project that will benefit from the funds or the manner in which the property will be used. If property has been contributed by a municipality or county, the property shall be reconveyed to the municipality or county that gave the property to the association.

A review of your proposal indicates that leftover funds are to be distributed to organizations other than Levy County or a municipality within the county. Please feel free to submit a revised dissolution proposal that is consistent with Chapter 616, Part I, F.S., and the terms of your charter and by-laws. Please note that regardless of the language in your charter or by-laws, the dissolution must comply with the provisions of Florida law. It may be advisable for you to retain an attorney to assist in this process.

Thank you

Kim Williams

Fair Program Administrator

Bureau of State Farmers Markets

Division of Marketing and Development

Florida Department of Agriculture and Consumer Services

(850) 617-7382

(850) 617-7381 Fax

Kim.Williams@FDACS.gov

The Mayo Building, MS 9

[407 South Calhoun Street](#)

[Tallahassee, Florida 32399-0800](#)

www.FDACS.gov

Please note that Florida has a broad public records law (Chapter 119, Florida Statutes). Most written communications to or from state employees are public records obtainable by the public upon request. Emails sent to me at this email address may be considered public and will only be withheld from disclosure if deemed confidential pursuant to the laws of the State of Florida.

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Grades
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616.07 Members not personally liable; property of association held in trust; exempt from taxation.—

(1) A member, officer, director, or trustee of a fair association is not personally liable for any of the debts of the association, and money or property of a fair association may not be distributed as profits or dividends among its members, officers, directors, or trustees.

(2) All money and property of the association, except that necessary for the payment of its just debts and liabilities, are public property, shall be administered by the association as trustee, and shall be used exclusively for the legitimate purpose of the association. So long as they are used for that purpose, all money and property of the association are exempt from all forms of taxation, including special assessments, and any projects, activities, events, programs, and uses authorized by this part serve an essential governmental purpose and, therefore, are not taxable and are not subject to assessments. This subsection does not apply to chapter 212.

(3) Upon order of the circuit judge, any public funds or property remaining in a fair association when the association is dissolved shall be distributed by resolution of the board of directors to any county or any municipality within the county. The board may designate in the distribution resolution the public project that will benefit from the funds or the manner in which the property will be used. If property has been contributed by a municipality or county, the property shall be reconveyed to the municipality or county that gave the property to the association.

History.—s. 5, ch. 7388, 1917; RGS 4523; CGL 6522; s. 2, ch. 29914, 1955; s. 1, ch. 57-745; s. 2, ch. 81-318; ss. 25, 26, ch. 83-239; ss. 9, 44, ch. 93-168; s. 18, ch. 99-391; s. 7, ch. 2012-204.



RESOLUTION NUMBER 2020-01
Dissolution of the Levy County Fair Association

WHEREAS, the Levy County Fair Association held a properly noticed public meeting on February 19th, 2020, relating to the dissolution of the association.

WHEREAS, the total balance between the associations three bank accounts totaled \$54,789.75 pending distribution of assets and incoming credits.

Amount to be Updated

Now, **THEREFORE, BE IT RESOLVED** by the Levy County Fair Association, that:

SECTION 1. APPROVAL TO DISSOLVE ASSOCIATION. It was voted on and approved by the Levy County Fair Associations Board to dissolve the association and distribute funds and assets according to the association’s dissolution plan.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect immediately.

DULY PASSED and approved by the Levy County Fair Association on this 19th day of February 2020.

Levy County Fair Association

_____ Thomas Wolfe, President	_____ Date
_____ Amanda Cuomo, Sr Vice President	_____ Date
_____ James Stills, Vice President	_____ Date
_____ Debra Jones, Treasurer	_____ Date



PLAN OF DISSOLUTION FOR THE LEVY COUNTY FAIR ASSOCIATION

1. The Association shall terminate all active business, wind up affairs and dissolve completely per this Plan of Dissolution which has been voted on by the Board of Directors for the Levy County Fair Association.
2. The Association shall not hereafter engage in any business activities except for the purpose of winding up its business affairs and distributing assets in accordance with the Plan.
3. After resolving all financial responsibilities, an executive officer of the association shall distribute and transfer all of the remaining funds as listed:

a.	Beauty's Haven Farm & Equine Rescue Inc EIN:20-4783950	\$2,000.00
b.	Tri Co Pregnancy Center EIN:59-3333443	\$6,000.00
c.	Levy Co FFA's	
	C1. Future Farmers of America State Associations & Local Chapters Williston FFA Alumni	
	EIN:81-5239029	\$2,500.00
	C2. Future Farmers of America State Association & Local Chapters Bronson FFA Alumni	
	EIN:59-2999520	\$2,500.00
	(written to Levy County Public Schools Foundation Inc & presented in meeting)	
	C3. Future Farmers of America State Association & Local Chapters Chiefland FFA Alumni	
	EIN:59-2999520	\$2,500.00
	(written to Levy County Public Schools Foundation Inc & presented in meeting)	
	C4. Future Farmers of America State Association & Local Chapters Cedar Key FFA Alumni	
	EIN:59-6000715	\$2,500.00
d.	Levy Co 4H Clubs	
	EIN:59-0974739	
	(written to University of Florida Levy County Extension Office)	
	D1.Outdoor Adventures	\$2,000.05
	D2. Animal Adventures	\$846.15
	D3. Bit Of Both	\$846.15
	D4. Creekside Christian	\$846.15
	D5. Kountry Bumpkins	\$846.15
	D6. Kountry Kids	\$846.15
	D7. Levy Renegades	\$846.15
	D8. Shooting Stars	\$846.15
	D9. Short-term and Summer Spin	\$846.15
	D10.Wekiva Run	\$846.15
	D11.Whispering Winds	66 \$846.15
	D12.Williston Central	\$846.15

D13. Williston Wranglers	\$846.15
D14. Yankeetown Sand Gnats	\$846.15
e. Suwannee River Fair & Livestock Association Inc EIN:59-2030098	\$6,000.00
f. Williston Animal Group EIN:20-08025870	\$6,000.00
g. Tomorrows Equestrian Center Inc EIN:01-0670216	\$2,000.00
h. Levy Association for Retarded Citizens EIN:59-1688393	\$1,000.00
i. Williston Community Animal Shelter Inc EIN:84-4984372	\$6,000.00
j. Williston JROTC EIN:59-2999520 (written to Levy County Public Schools Foundation Inc & presented in meeting)	\$2,000.00
k. Any remaining funds after all funds have been distributed and all expenses have been addressed will go to: Williston Community Food Bank (First United Methodist Church of Williston) EIN: 59-0949340	

aa. Tri County Pregnancy Center, Levy County FFA, Levy County 4H, WAG (Williston Animal Group) and Williston JROTC:

These 501C3's were recommended by the Levy County Fair Associations Board as a result of their dedication on an annual basis. These organizations went above and beyond, year after year, to guarantee that the Levy County Fair was a success. They contributed regularly in many ways, including but not limited to, putting in long hours daily and by offering more than their share of volunteers.

bb. Beauty Haven was suggested by the Levy County Fair Associations Board because it is a local agricultural 501C3 that works to rehabilitate horses.

cc. Suwannee River Fair was suggested by the Levy County Fair Associations Board because it is a local 501C3 agricultural fair.

dd. Tomorrow Equestrian Center was suggested by the Levy County Fair Associations Board because it is a local agricultural 501C3 that works with the handicap to rehabilitate.

ee. LARC was suggested by the Levy County Fair Associations Board because it is a local 501C3 focused on developmentally disabled centers and services including an annual canoe race.

ff. WACS was suggested by the Levy County Fair Associations Board because it is a local 501C3 in the City of Williston with a dedication to pet rescue and placement.

gg. Williston Community Food Bank (FUMC Williston) was suggested by the Levy County Fair Associations Board because it is a local 501C3 that works with many local churches to provide food and clothing to those in need.

4. An executive officer of the organization is hereby authorized to execute and file any and all forms, documents, reports, and/or returns required to process and finalize this dissolution plan.

Thomas Wolfe, President

Date

Amanda Cuomo, Sr Vice President

Date

James Stills, Vice President

Date

Debra Jones, Treasurer

Date

Date: August 18, 2018

COUNCIL AGENDA ITEM

ORDINANCE NO. 685: AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; AMENDING CHAPTER 38 TRAFFIC AND VEHICLES; SECTION 38-31 ESTABLISHMENT OF FIRE LANES AND NO-PARKING ZONES; PARKING PROHIBITED; ENFORCEMENT AND PENALTIES; TO INCLUDE TIME LIMITS ON CERTAIN STREETS AND IN CERTAIN PUBLIC PARKING LOTS; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

REQUESTED BY: DENNIS, STROW, INTERIM CITY MANAGER

PREPARED BY: JACKIE GORMAN, CITY PLANNER

BACKGROUND / DESCRIPTION: The City is getting complaints from residents who visit the Post Office as well as other establishments in the downtown for lack of parking. It appears that some employees are taking up parking spaces that need to be reserved for customer parking.

To accommodate our citizens we are presenting an ordinance establishing 2-hour parking on certain streets and parking lots in the City. To begin, staff will be placing 2-hour limits along streets and parking areas as follows:

- NW 1st Street between Noble and NW 1st Avenue (E side of Post Office)
- NW 1st Avenue from NW 1st Street to NW Main Street (N side of Post Office & City Hall)
- NW Main Street from NW 4th Avenue to NW 1st Avenue

LEGAL REVIEW: Submitted to City Attorney for review on 8/11/2020

FISCAL IMPACTS: None

RECOMMENDED ACTION: Staff recommends approval of First Reading subject to any corrections prior to Final Reading.

ATTACHMENTS:

CONTRACT **ORDINANCE 685** MAP

LEASE **OTHER DOCUMENTS**

XX CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED

COUNCIL ACTION: APPROVED DENIED

ORDINANCE NO. 685

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; AMENDING CHAPTER 38 TRAFFIC AND VEHICLES; SECTION 38-31 ESTABLISHMENT OF FIRE LANES AND NO-PARKING ZONES; PARKING PROHIBITED; ENFORCEMENT AND PENALTIES; TO INCLUDE TIME LIMITS ON CERTAIN STREETS AND IN CERTAIN PUBLIC PARKING LOTS; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston currently has regulations for the establishment of no-parking areas; and

WHEREAS, in order to enable parking for all citizens in the downtown area the City has found it necessary to limit parking to 2-hours on certain streets and in certain parking zones; and,

WHEREAS, the City of Williston City Council did hold a public hearing on the matter; and

WHEREAS, the City of Williston City Council has agreed that it is in the best interest of the Citizens to amend the Code of Ordinances of the City of Williston establishing time limits on certain streets and in certain public parking lots; and

WHEREAS, the City Council did hold the required public hearings, under the provisions of the adoption procedures established in Chapter 166, Florida Statutes,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. Chapter 38, Section 38-1 of the City's Code of Ordinances is hereby amended and restated in its entirety, and shall read as follows:

(Language underlined is added)

Section 38-31 Establishment of fire lanes and no-parking zones; parking prohibited; enforcement and penalties.

- (a) The fire chief is hereby authorized to establish fire lanes on public property or on private property devoted to public use, where the stopping, standing or parking of motor vehicles may interfere with the ingress and egress of fire department vehicles, equipment or personnel, such as at

shopping centers, stores, theaters, hospitals, churches, private alleys and similar locations.

- (b) The chief of police is hereby authorized to establish other no-parking zones on public property or on private property devoted to public use, where the stopping, standing or parking of motor vehicles may pose a danger to the health, safety and welfare of persons or property within the city.
- (c) The purchase and installation of signs and the placement of markings designating fire lanes established by the fire chief or no-parking zones established by the chief of police shall be the responsibility of the owner or lessee of the private property. Fire lane and no-parking zone signs and markings shall conform to the standards provided in the most recent manual and specifications of the state department of transportation. All signs and markings so installed or made shall be considered official traffic control devices as defined in F.S. § 316.003(23) and shall carry the presumption of proper placement as provided in F.S. § 316.074(4).
- (d) The stopping, standing or parking of motor vehicles in, or otherwise obstructing fire lanes or no-parking zones is prohibited and shall be deemed a violation, as appropriate, of F.S. § 316.1945(1)(a)10., (1)(b)7. or (1)(c)2.
- (e) A law enforcement officer who discovers any vehicle stopping, standing or parking in, or otherwise obstructing fire lanes or no-parking zones shall have the option of issuing a ticket form as used by the city, or a uniform traffic citation prepared pursuant to F.S. § 316.650.
- (f) Violations of regulations regarding the stopping, standing or parking of motor vehicles in, or otherwise obstructing fire lanes or no parking zones, when cited using a uniform traffic citation form, shall be punishable as a violation of F.S. Ch. 316 with penalties as provided in F.S. §§ 318.14 and 318.18.

(g) **Time limits on certain streets and in certain public parking lots.** When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle for longer than the time designated by such signs at any time between those hours so stated by such signs, on any day except Saturdays and Sundays and full legal holidays.

(h) It shall be unlawful for any operator of a motor vehicle to move such vehicle or allow or permit others to move such vehicle within a municipal parking lot or within the same block on either side of the street or roadway so that a vehicle is parked in the restricted area defined in subsection (b) above in one or more parking spaces for a cumulative time longer than the time designated by the signs or otherwise in excess of the established time limits. In establishing parking time limits, it is the intention and purpose of the city council to provide short-term parking for customers and business visitors

and to prohibit the use of such parking spaces to persons desiring to park in excess of posted time limits. The changing of the parked position of a vehicle from one parking space within the same parking lot or the same block on either side of the street or roadway shall be deemed one continuous time period for a 12-hour time frame from the time that the vehicle is first chalked and within the time limits designated by such signs specified in subsection (a) of this section. This subsection (b) shall apply only to the downtown parking exempt zone.

(i) It shall be unlawful to remove a chalk mark from the car's tire while it is parked in a designated time-limited parking space and for purposes of evading the enforcement of said time limits.

(j) Violations of regulations regarding the stopping, standing or parking of motor vehicles in, or otherwise obstructing fire lanes or no parking zones, when cited using a local parking citation form, shall be punishable in accordance with the provisions of section 38-37 of this Code.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Codification. It is the intention of the City Council of the City, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or other word or phrase in order to accomplish such intention.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED ON FIRST READING, THIS DAY OF _____, 2020.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Williston, Florida, after properly dispensing with the second reading, on final reading this day of _____ 2020.

ATTEST:

CITY OF WILLISTON

LATRICIA WRIGHT,
CITY CLERK

CHARLES GOODMAN,
PRESIDENT, CITY COUNCIL

FRED L. KOBERLEIN, JR., CITY ATTORNEY

Date: August 18, 2018

COUNCIL AGENDA ITEM

ORDINANCE NO. 687: AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; CHAPTER 6 ALCOHOLIC BEVERAGES; SECTION 6-2 DEFINITIONS AND SECTION 6-6; CLARIFYING THE SALE OF ALCOHOL WITHIN 300 FEET OF A CHURCH, SCHOOLS AND CHILDCARE FACILITY, PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

REQUESTED BY: COMMUNITY DEVELOPMENT DEPARTMENT
PREPARED BY: JACKIE GORMAN, CITY PLANNER

BACKGROUND / DESCRIPTION: In reviewing the minutes from the last time the alcohol ordinance was approved it appears that it was the will of Council to allow beer/wine sales within 300' of a church and childcare facility provided it was part of a restaurant. However, the Ordinance does not accurately reflect this intent, so staff has prepared an Ordinance that says beer/wine sales is allowed provided:

1. The business owner has an SRX (currently referred to as an SFS license) alcoholic beverage license. This license requires 2,500 sq. ft of service area; is equipped to serve meals to 150 persons at one time; and derives 51 percent of its gross food and beverage revenue from food and nonalcoholic beverage; or
2. Obtains another state license (typically a 2-COP license) but must maintain a greater than 50% ratio of food and nonalcoholic beverage gross sales and has the restaurant listed on the Business Tax Receipt as the primary use on the premises.

We did speak with representatives from the State Beverage Department and was told we could adopt an Ordinance that would be more restrictive than State Law. Since most buildings are under the required 2,500 SF of service area, we could allow a 2-COP license as long as it meets the new criteria.

LEGAL REVIEW: Submitted to City Attorney for review on 8/11/2020

FISCAL IMPACTS: None

RECOMMENDED ACTION: Staff recommends approval of First Reading subject to any corrections prior to Final Reading.

ATTACHMENTS:

CONTRACT **ORDINANCE 687** MAP
 LEASE **OTHER DOCUMENTS**

CONSULTANT OR PARTY TO ACTION HAS BEEN NOTIFIED
COUNCIL ACTION: APPROVED DENIED

ORDINANCE NO. 687

AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; CHAPTER 6 ALCOHOLIC BEVERAGES; SECTION 6-2 DEFINITIONS AND SECTION 6-6; CLARIFYING THE SALE OF ALCOHOL WITHIN 300 FEET OF A CHURCH, SCHOOLS AND CHILDCARE FACILITY, PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston currently has regulations concerning the sale of alcohol; and

WHEREAS, in order to clarify the sale of alcohol within 300 feet of a church, school or childcare facility, it is necessary to amend language restricting the on-premise sale of alcohol associated with a restaurant; and,

WHEREAS, the City of Williston City Council did hold a public hearing on the matter; and

WHEREAS, the City of Williston City Council has agreed that it is in the best interest of the Citizens to amend the Code of Ordinances of the City of Williston regulating alcohol sales within 300' of a church; and

WHEREAS, the City Council did hold the required public hearings, under the provisions of the adoption procedures established in Chapter 166, Florida Statutes,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AS FOLLOWS:

Section 1. Chapter 6, Section 6-2 Definitions is hereby amended and restated in its entirety, and shall read as follows:

Sec. 6-2 Definitions.

Restaurant means an eating and drinking establishment serving alcoholic beverages that is governed by either:

- (1) A State series SRX alcoholic beverage license; or
- (2) By another state consumption on premises license with the stipulation that the establishment must ~~and which~~ maintains a greater than 50 percent ratio of food and nonalcoholic beverage gross sales relative to total food and beverage gross sales as measured on an annual basis and the main use must remain as a restaurant.

Sec. 6-6. - Consumption, possession, distribution, sales, prohibitions.

(a) *Churches.* It shall be unlawful for any person or entity to sell, distribute, serve, or otherwise allow to be consumed, any alcoholic beverage, within 300 feet of any parcel on which a church is located, except for those persons or entities permitted and licensed by the State and identified in any of the following subsections:

- (1) vendors of malt beverages or wine intended only for off-premises consumption;
- (2) entities permitted as to wine for religious or sacramental purposes;
- (3) restaurants, as defined herein, selling or serving malt beverages or wine intended only for on-premises consumption.

The 300-foot distance shall be measured from the nearest points located on the respective parcels of land.

(b) *Schools and childcare facility.* It shall be unlawful for any person or entity to sell, distribute, serve, or otherwise allow to be consumed e, any alcoholic beverage, located within 300 feet of any parcel on which a child care facility as defined in F.S. § 402.302 or a public or private elementary, middle, or secondary school is located, except for those persons or entities permitted and licensed by the state and identified in any of the following subsections:

- (1) vendors of malt beverages or wine intended only for off-premises consumption;
- (2) entities permitted as to wine for religious or sacramental purposes;
- (3) restaurants, as defined herein, selling or serving malt beverages or wine intended only for on-premises consumption.

The 300-foot distance shall be measured from the nearest points located on the respective parcels of land.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Codification. It is the intention of the City Council of the City, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or other word or phrase in order to accomplish such intention.

Section 4. Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED ON FIRST READING, THIS DAY OF _____, 2020.

PASSED AND DULY ADOPTED, with a quorum present and voting by the City Council of the City of Williston, Florida, after properly dispensing with the second reading, on final reading this day of _____ 2020.

ATTEST:

CITY OF WILLISTON

LATRICIA WRIGHT,
CITY CLERK

CHARLES GOODMAN,
PRESIDENT, CITY COUNCIL

FRED L. KOBERLEIN, JR.,
CITY ATTORNEY