

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

DATE: TUESDAY, OCTOBER 20, 2020  
TIME: 6:00 P.M.  
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

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

OTHERS:

City Manager Jackie Gorman  
City Attorney Fred Koberlein  
City Clerk Latricia Wright  
Deputy City Manager CJ Zimoski

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

- Council minutes from October 6, 2020

ITEM – 4 – OLD BUSINESS

A. STAFF AND BOARD AND COUNCILOR UPDATES

- CITY MANAGER JACKIE GORMAN
- DEPUTY CITY MANAGER CJ ZIMOSKI
- CHIEF DENNIS STROW
- CRA- NICK WILLIAMS
- PLANNING AND ZONING – ALBERT FULLER

ITEM – 5 – NEW BUSINESS

- A. SPECIAL EXCEPTION SE 2020-03: APPLICATION BY MARC & MELANIE NUSSEL, TO ALLOW HORSES FOR NONCOMMERCIAL PURPOSES ON PARCELS OF 3 ACRES OR MORE IN ACCORDANCE WITH ARTICLE VI- RESIDENTIAL SINGLE-FAMILY DISTRICT; SECTION 60-213 OF THE CITY OF WILLISTON LAND DEVELOPMENT CODE-CITY MANAGER JACKIE GORMAN
- B. COTTAGE COVE NORTH, PHASE 3 – FINAL SUBDIVISION PLAT-CITY MANAGER JACKIE GORMAN

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- C. RESOLUTION 2020-67: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA AMENDING THE PURCHASE PRICE IN RESOLUTION 2020-19, AUTHORIZING THE PURCHASE OF TWO (2) POLICE VEHICLES WITH THE ASSISTANCE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (“USDA”) GRANT. CHIEF STROW

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/UCKt1468kcNjBS2AYgOaBsRQ>

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)**

**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. \*\***

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, OCTOBER 06, 2020  
TIME: 6:00 P.M.  
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

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

OTHERS:

Interim City Manager CJ Zimoski  
City Attorney Fred Koberlein  
City Clerk Latricia Wright

OPENING PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Robinson led the opening prayer and Pledge of Allegiance to the American Flag.

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

Councilmember Jones moved to accept the agenda as presented. Vice-President Robinson seconded. Motion carried by saying “Aye” 4-0.

ITEM – 2 – PUBLIC PARTICIPATION

None.

ITEM – 3 – CONSENT AGENDA – City Clerk told Council on Item#4 and Item#5 B. Matt Crandell name was spelled incorrectly, it should be “Crandell” not “Krandle. Vice-President Robinson moved to accept consent agenda as amended. Councilmember Jones seconded. Motion carried by saying “Aye” 4-0.

- Council minutes from September 22, 2020( pp 4-8)
- Surplus Fire Department 2004 Ford
- Resolution 2020-66: Resolution ratifying the Mayor’s Extension of the State of Emergency arising from the Covid-19 Public Health Emergency. ( pp 9-11)

ITEM – 4 – OLD BUSINESS

A. STAFF AND BOARD AND COUNCILOR UPDATES

- INTERIM CITY MANAGER CJ ZIMOSKI – Interim Manager Zimoski informed the Council that the Audit for the Utility Department has been completed and there was only one violation which was for the Natural gas, but everything else looks good.
- CITY PLANNER: Planner Gorman discussed with the Council about the Subdivisions coming. Planner Gorman said one has 44 homes planned and the other

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- has a replat for 4 lots. Planner Gorman also told the Council that Blueroc is moving forward with clearing the site and getting tenants.
- HUMAN RESOURCE DIRECTOR: BROOKE WILLIS, HOMECOMING PARADE UPDATE: Chief Strow told the Council that the school will be having their parade on Thursday October 8, 2020 starting at 6:00 p.m. Chief stated that the route had been modified this year and it would start at the High School and come down South Main and turn left on 5<sup>th</sup> St. ending that the football field.
  - Mayor Robinson told the Council that Tammy Jones Supervisor of Elections spoke with him and asked that the Council meeting scheduled for November 3<sup>rd</sup> be moved due to Elections on the same day. Council agreed to change the Council meeting to Wednesday November 4<sup>th</sup> at 6:00 p.m.

ITEM – 5 – NEW BUSINESS

- A. DISCUSSION WITH POSSIBLE ACTION: RESOLUTION 2020-56 APPOINTING RIC KAESTNER TO THE PLANNING AND ZONING COMMISSION-CITY PLANNER JACKIE GORMAN- Applicant Ric Kaestner not present. Vice-President Robinson moved to approve Resolution 2020-56, appointing Ric Kaestner to the Planning and Zoning Commission. Councilmember Jones seconded. Motion carried by saying “Aye” 4-0.
- B. DISCUSSION WITH POSSIBLE ACTION: RESOLUTION 2020-62: APPOINTING LISA CLARK TO THE BOARD OF ADJUSTMENTS/CODE ENFORCEMENT FOR A TERM ENDING MAY 7, 2023.CITY PLANNER JACKIE GORMAN- Applicant Lisa Clark was present. Councilmember Jones moved to approve Resolution 2020-62, appointing Lisa Clark to the Board of Adjustments/Code Enforcement for a term ending May 7, 2023. Vice-President Robinson seconded. Motion carried by saying “Aye” 4-0.
- C. DISCUSSION WITH POSSIBLE ACTION: RESOLUTION 2020-63: APPOINTING PERRY ADAM CLARK TO THE PLANNING AND ZONING COMMISSION FOR A TERM ENDING SEPTEMBER 30, 2023. CITY PLANNER JACKIE GORMAN. – Applicant Perry Adam Clark was present. Vice-President Robinson moved to approve Resolution 2020-63, appointing Perry Adam Clark to the Planning and Zoning Commission for a term ending September 30, 2023. Councilmember Jones seconded. Motion carried by saying “Aye” 4-0.
- D. DISCUSSION WITH POSSIBLE ACTION: VETERANS DAY CELEBRATION, STUDENT OF THE MONTH, OPENING COUNCIL MEETINGS 100% TO THE PUBLIC – COUNCIL PRESIDENT JUSTIN HEAD/MAYOR JERRY ROBINSON- Mayor Robinson asked the Council would they consider opening up the Council meetings 100% to the public since the Governor is allowing establishments to open up 100%. After some discussion the Council decided to keep the Council meeting at a maximum of 50 or less and keep the 6ft distancing. Council asked to bring this item back to the second meeting in November.

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- E. DISCUSSION WITH POSSIBLE ACTION: RESOLUTION 2020-61 DELEGATION OF AUTHORITY TO THE MANAGER OF THE AIRPORT TO EXECUTE EXTENSIONS OF PREVIOUSLY NEGOTIATED LEASES AT THE AIRPORT- AIRPORT MANAGER BENTON STEGALL. –this item was brought to Council before by Airport Manager Stegall and he was asked to bring it in a form of a Resolution. Councilmember Jones moved to approve Resolution 2020-61 Delegation of Authority to the Manager of the Airport to execute extensions of previously negotiated leases at the airport. Vice-President Robinson seconded. Motion carried by saying “Aye” 4-0.
- F. RESOLUTION 2020-64: AUTHORIZING THE APPOINTMENT OF JACKIE GORMAN AS CITY MANAGER OF THE CITY OF WILLISTON, FLORIDA AND AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH JACKIE GORMAN. –COUNCIL PRESIDENT – Council President Head stated this item was discussed with the Council at the Special Meeting held on September 29, 2020 and the Council had chosen to appoint Jackie Gorman as the new City Manager. Councilmember Jones had some concerns about the wording in Section 3.3 of the new City Manager Agreement. Councilmember Jones stated she would like for it to say “City Manager is hereby granted three weeks of vacation. Attorney Fred Koberlein told Council he would get that corrected and send revised agreement to Council on Wednesday. Councilmember Jones moved to approve Resolution 2020-64 appointment of Jackie Gorman as City Manager of the City of Williston, Florida and Authorizing the execution of an Employment Agreement with Jackie Gorman. Councilmember Ross seconded. Motion carried by saying “Aye”. 4-0.
- G. RESOLUTION 2020-65: ESTABLISHING THE POSITION AND DUTIES OF A DEPUTY CITY MANAGER AND ESTABLISHING AN EFFECTIVE DATE- COUNCIL PRESIDENT – New City Manager Jackie Gorman presented Resolution 2020-65 to the Council. City Manager Gorman discussed the duties that the Deputy Manager would perform. Councilmember Jones said under Expected Salary Range she would like for it to say “Pay Grade 20”. Council President Head explained to Councilmember Jones that the Council does not write the job description, which is left up to the City Manager. After some discussion Vice-President Robinson moved to approve Resolution 2020-65 Establishing the position and duties of a Deputy City Manager (CJ Zimoski) and establishing an effective date. Councilmember Jones seconded. Motion carried by saying “Aye” 4-0.
- H. DISCUSSION WITH POSSIBLE ACTION: DEPUTY CITY MANAGER JOB DESCRIPTION-CITY MANAGER – City Manager Gorman asked the Council did they have a chance to review the job description for Deputy City Manager and if they had any input. Councilmember Ross said no. Councilmember Jones said she would like the “Expected Salary” to say “Pay Grade”. Mayor Robinson wanted to know if the Deputy City Manager decided to go back to being Utility Director only, what would happen. City Manager Gorman stated she would have to amend the job description.

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ITEM – 6 – PUBLIC PARTICIPATION-

None

ITEM – 7 – ANNOUNCEMENTS

Councilmember Ross and Vice-President Robinson both stated they had not received their Utility bill and was wondering why it was taking so long. New Deputy City Manager Zimoski explained to the Council the company that does our billing did not mail them out until the 29<sup>th</sup> of September due to the glitch in the system, but he would check on it and give them an answer in the morning. City Clerk Wright announced the Pension Board 185 meeting is scheduled for Wednesday October 7, 2020 at 6:00 p.m.

ITEM – 8 – ADJOURNMENT

With no further business Councilmember Jones moved to adjourn the meeting at 6:44 p.m. Vice-President Robinson seconded. Motion carried by saying “Aye” 4-0.

**Date: October 20, 2020**

**COUNCIL AGENDA ITEM**

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**TOPIC: QUASI-JUDICIAL HEARING** – Special Exception SE 2020-03 - An application by Marc & Melanie Nussel, 270 NE 6th Blvd., for a Special Exception to allow horses for noncommercial purposes on parcels of 3 acres or more in accordance with Article VI – Residential Single-Family District; Section 60-213 of the City of Williston Land Development Code.

**REQUESTED BY:** Marc & Melanie Nussel

**PREPARED BY:** Jackie Gorman, City Manager

**BACKGROUND / DESCRIPTION:** Marc & Melanie Nussel are the applicants and owners of the subject property located at 270 NE 6th Blvd. The Applicant is requesting a special exception to allow horses on their residential property.

31-12-19 TRACT IN SE 1. / 4 OF NE 1/4 OR BOOK 232 PAGE 195 & OR BOOK 1484 PAGE 114 & OR BOOK 1425 PAGE 184- 3.640 Acres

Parcel ID 0408-002-00

Future Land Use Designation: Residential

Zoning: Single Family Residential (R1)

Current use(s): Residential

Adjacent Zoning and Land Uses: Residential

Mr. & Mrs. Nussel came to the City in 2019 requesting and land use and zoning change from residential to agriculture so that they could have horses on their property for their children. After much discussion the request was denied for the land use/zoning change; however, staff recommended amending the code to allow horses on residential property provided certain requirements were put in place ensuring a safe environment for the horse(s).

Ordinance 673 was approved by the Council with a recommendation from Planning Commission on June 18, 2019.

**LEGAL REVIEW:** Yes

**FISCAL IMPACTS:** No

**RECOMMENDED ACTION:** Prior to the adoption of Ordinance 673, horses were not allowed in residential zoning districts. Mr. & Mrs. Nussel were denied a land use and

**Date: October 20, 2020**

zoning change due to certain uses under Agriculture that would not be compatible in this location. Staff recognized the opportunity for having horses in residential districts and worked with the P & Z Board to have Ordinance 673 approved. Once the Ordinance was in place, certain criteria (as mentioned above) had to be met in order to get the Special Exception to ensure the animals were properly accommodated. Staff does not have information demonstrating compliance with one (1) horse per 1.5 acres of open improved pasture. The other requirements for a Special Exception would only be required upon request if there was a complaint. Attached is the application and letter from Mrs. Nussel for your consideration.

P&Z Commission recommended APPROVAL 4-0 on October 5, 2020 with the contingency that the applicant prove to City Council they have the required acreage of open and improved pasture.

**ATTACHMENTS: Yes**

**-Staff Report**

**COMMISSION ACTION:**

\_\_\_\_\_ **APPROVED** \_\_\_\_\_ **DISAPPROVED**



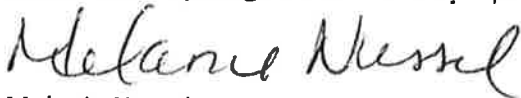
Re: Letter explaining requirements are met for the Special Exception

First of I wanted to say when we left the last meeting, we were told we were all good that the Special Exception would be taken care of. And the rules were if we were to pull off our horses for a period of time then we would lose our rights to have the horses and have to do this process over again. So honestly never thought anything about this issue again. When I received letter, we had to submit all the forms again yes, I was little put out as to why and why didn't you have them on file. And why was I needing to pay more money since we paid to get a rezone of over 700.00 that was never going to fly in the first place with the city. So, I'm over the fact I have to send the 360 honestly at this point I'm over it all. Obviously, you all need the \$360.00 more than I.

As for being in compliance we have our horses vetted by a local vet name Dave Sausville. As for the pastures they have full irrigation for the fields to maintain the horses on. We seeded the pasture twice and sodded it before they came on there is so much thick grass, we could put 5 horses on it. We compost the manure into soil for our yard. We pick the fields and the stalls daily haven't yet heard a complaint from our neighbors of the horses. We use fly spray around the barn and as well on the horses daily we have fly traps placed around the farm. We placed a 6' panel fence to ensure that the horses wouldn't be a bother to anyone on that side of the yard. The horse's water trough are automatic refill as they drink so no standing water for mosquitoes. We have ensured the quality as much as possible for our neighbors, as well as for our quality. Our horses are for our daughter's personnel use and for her friends as they come over to ride with her.

Our farm in my opinion is a nice thing to see coming into our little town shows our rural roots and what Levy County stands for. I hope this matter can be resolved soon and we can move on and worry about more important matters in today's world.

If you need anything else in the matter please let me know.



Melanie Nussel

352-538-3639



City of Williston

### Community Development Department

50 NW Main Street  
Williston, FL 32696

Phone: (352) 528-3060 Fax: (352) 528-0390

Email : [City.Planner@Willistonfl.org](mailto:City.Planner@Willistonfl.org)

Website: [www.willistonfl.org](http://www.willistonfl.org)

#### SPECIAL EXCEPTION REQUEST

(\$750.00 - Commercial \$360 - Residential)

1. Name of Petitioner(s) : Marc & Melanie Nunnel

Address of Petitioner(s) : 270 NE 6th Blvd

City Williston State FL Zip 32696 Phone # 352-538-3639

2. Parcel Number (from tax roll): 04808 00200

Size of property: 3.728 Legal Description: (Please attach)

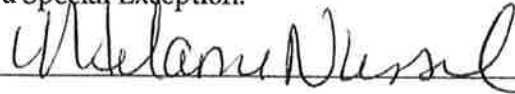
3. Description of Request: Northwood est Area  
31-12-19 0003.64 Arces tract in se 1/4 of NE 1/4  
OR Book 232 Page 195 + or Book 1484 page 114 or Book  
1425 Page 184  
House our 2 horses

4. A special exception shall not be granted by the Board of Adjustment unless and until:
- a. A written application for a special exception is submitted indicating the section of this article under which the special exception is sought and stating the grounds on which it is requested. The application shall include a site plan or sketch of the subject property drawn to scale. Refer to the City of Williston Land Development Code for specific criteria for the proposed Special Exception.
  - b. Notice of public hearing (provided by staff) on the special exception shall be given in the manner prescribed in the City's Land Development Code and any party may appear in person or by agent or attorney;
  - c. The board of adjustment shall make findings that it is empowered under the section of this article described in the application to grant the special exception and that the granting of the special exception, with any appropriate conditions and safeguards that the board may deem necessary, will not adversely affect the public interest;

- d. In granting any special exception, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this article. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this article. In making a grant of a special exception, the board of adjustment shall prescribe a time limit within which the action for which the special exception is granted shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit shall void the special exception.

By signing below, the property owner acknowledges that the information provided to the City on this application is true and correct to the best of their knowledge, that they have read this form in its entirety and that the applicant listed above is authorized to submit any and all information required by the City for the purposes of this application for a Special Exception.

Signature of Property Owner: \_\_\_\_\_



ATTACHMENTS:

Site Plan (to scale)

Legal Description

Letter authorizing Agent to act on behalf of property owner (if required)

Letter explaining that all requirements of the Special Exception have been met in accordance with the City's Land Development Code. For livestock, please include in the letter how Section 60-215 has been met (see Ordinance 673 Attached).



**Summary**

**Parcel ID** 0480800200  
**Location Address** 270 NE 6 BLVD  
 WILLISTON 32696-  
**Neighborhood** NORTHWOOD EST AREA (715)  
**Legal Description\*** 31-12-19 0003.64 ACRES TRACT IN SE1/4 OF NE1/4 OR BOOK 232 PAGE 195 & OR BOOK 1484 PAGE 114 & OR BOOK 1425 PAGE 184  
\*The legal description shown here may be condensed, a full legal description should be obtained from a recorded deed for legal purposes.  
**Property Use Code** SINGLE FAMILY R (D100)  
**Subdivision** N/A  
**Sec/Twp/Rng** 31-12-19  
**Tax District** WILLISTON (District WI)  
**Millage Rate** 21.8725  
**Acresage** 3.640  
**Homestead** Y  
**Ag Classification** No

[View Map](#)

**Owner**

**Owner Name** Nussel Marc A 100%  
 Nussel Melanie 100%  
**Mailing Address** 270 NE 6TH BLVD,  
 WILLISTON, FL 32696

**Valuation**

	2020 Preliminary Value
	<b>Summary</b>
Building Value	\$99,995
Extra Features Value	\$29,767
Market Land Value	\$26,250
Ag Land Value	\$26,250
Just (Market) Value	<b>\$156,012</b>
Assessed Value	<b>\$132,270</b>
Exempt Value	\$50,000
Taxable Value	<b>\$82,270</b>
Cap Differential	\$23,742
Previous Year Value	\$154,965

**Exemptions**

<b>Homestead</b> ⚙	<b>2nd Homestead</b> ⚙	<b>Widow/er</b> ⚙	<b>Disability</b> ⚙	<b>Seniors</b> ⚙	<b>Veterans</b> ⚙	<b>Other</b> ⚙
25000	25000					

**Building Information**

<b>Building</b> 1	<b>Roof Cover</b> ASPHALT/COMP SHG
<b>Actual Area</b> 2980	<b>Interior Flooring</b> CARPET
<b>Conditioned Area</b> 2218	<b>Interior Wall</b> PLYWOOD PANELING
<b>Actual Year Built</b> 1956	<b>Heating Type</b> FORCED AIR DUCTED
<b>Use</b> SINGLE FAMILY	<b>Air Conditioning</b> CENTRAL
<b>Exterior Wall</b> PREFAB BOARD/PANEL	<b>Baths</b> 2
<b>Roof Structure</b> GABLE OR HIP	

Description	Conditioned Area	Actual Area
BASE	1632	1632
FINISHED OPEN PORCH	0	126
ADDITION BASE	460	460
FINISHED CARPORT	0	540
FINISHED OPEN PORCH	0	96
ADDITION BASE	126	126
<b>Total SqFt</b>	<b>2218</b>	<b>2980</b>

**ORDINANCE NO. 673**

**AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; AMENDING CHAPTER 10 ANIMALS; SECTION 10-19 LIVESTOCK; CHAPTER 60 ZONING, ARTICLE VI RESIDENTIAL SINGLE-FAMILY (RSF) DISTRICT, SECTION 60-213 PERMITTED ACCESSORY USES AND STRUCTURES AND SECTION 60-215 SPECIAL EXCEPTIONS TO CONSIDER ALLOWING EQUINE (HORSES) IN RESIDENTIAL SINGLE FAMILY (RSF) ZONING DISTRICTS BY SPECIAL EXCEPTION; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Williston currently allows horses in single family residential (SFR) zoning districts that are eight (8) acres or greater; and

**WHEREAS**, the City of Williston Planning and Zoning Board has considered a request from citizens to allow the keeping of equine (horses) in single family residential (RSF) zoning districts greater than three (3) acres for personal use ; and,

**WHEREAS**, the Planning and Zoning Board did hold a public hearing on the matter; and

**WHEREAS**, the Planning and Zoning Board has recommended to the Williston City Council to amend the zoning codes of the City of Williston allowing equine in residential single family zoning districts only by special exception taking into consideration criteria that protects adjacent property owners from activities that produce noise, dust and odors that may cross property boundaries along with criteria that restricts the number of horses permitted per acre; 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 10 of the City's Code of Ordinances and Article VI of the City's Land Development Code, is hereby amended and restated in its entirety, and shall read as follows:

## CHAPTER 10 - ANIMALS

Section 10-19 Livestock is amended as follows:

No person shall harbor any livestock in any zoning district not zoned for agricultural use. Excepting that livestock (for noncommercial purposes) may be permitted in a residential, single-family (RSF) district provided that the minimum lot size is eight acres or more. Livestock head-count shall be limited to one per acre of land. Horses may be allowed on properties three acres or more (but less than eight acres) with an approved Special Exception identified in Article VI of the Land Development Code.

### ARTICLE VI. - RESIDENTIAL SINGLE-FAMILY (RSF) DISTRICT

Section 60-213 - Permitted accessory uses and structures is amended by adding the following language:

(2)(f) Horses may be allowed for noncommercial purposes on parcels of 3 acres or more (but less than eight acres) with a Special Exception (see 60-215).

Sec. 60-214. - Prohibited uses and structures.

Trade or service establishments or storage in connection with such establishments, storage or overnight parking of commercial or industrial vehicles in excess of 10,000 pounds, storage of building materials (except in connection with active construction activities on the premises), signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry (other than chickens as provided in Section 60-66; and except for horses on parcels of three acres or more), and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

Sec. 60-215. - Special exceptions is amended by adding the following language:

(11) Horses may be allowed in single-family residential zoning districts (RSF) over three (3) acres, provided:

- a) One (1) horse per 1.5 acres of open improved pasture;
- b) Permitted Activities: Horse(s) permitted in this section shall be for personal use only;
- c) The keeping of a horse(s) on parcels shall be done in such a manner as to control noxious odors and breeding of rodents, flies or other insects, so as not to create a nuisance of any kind. Horse vaccination documents shall be produced upon request by the City to ensure the health and safety of the horse from tetanus and other diseases.

- d) Efforts shall be made to minimize nonpoint source pollution and protect Florida's water resources by adhering to the lasted edition of Best Management Practices (BMP's) established by the Florida Department of Environmental Protection and the Institute of Food and Agricultural Sciences (UF/IFAS).

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.

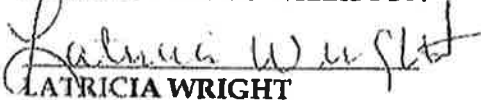
Section 3. Codification. It is the intention of the City Council of the City, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"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


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

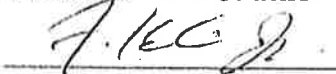
**PASSED ON FIRST READING, THIS DAY OF JUNE 4, 2019.**

**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 JUNE 18, 2019.**

**ATTEST: CITY OF WILLISTON**

  
**LATRICIA WRIGHT**  
**INTERIM CITY CLERK**

  
**NANCY WININGER**  
**PRESIDENT, CITY COUNCIL**

  
**FRED L. KOBERLEIN, JR.**  
**CITY ATTORNEY**



C. ORDINANCE 672 (SECOND READING): AMENDING SECTIONS OF ARTICLE IV OF THE WILLISTON CODE CONCERNING PARADES

Council President Winger opened the Public hearing. City Attorney Koberlein read title of Ordinance 672 into the record. President Winger offered the attendees an opportunity to comment. No comments were given. Councilman Head moved to approve Ordinance 672. Councilman Goodman seconded. On vote, the motion carried, 4-0. President Winger closed the public hearing.

D. RESOLUTION 2019-25 ADOPTING A PARADE POLICY AND PROVIDING FOR PERMITTING AND APPEALS

City Attorney Koberlein read Resolution 2019-25. Councilman Head asked if the term "Homecoming Parade" mean the Williston Middle High School Homecoming Parade or if the term would serve to permit other organizations to have a homecoming parade. City Attorney Koberlein advised that the Resolution could be limited to Williston Middle High School and the members could rely on historical discussion which illustrated the intention to include only Williston Middle High School. Councilman Head moved to approve Resolution 2019-25. Councilman Goodman seconded. On roll call vote, the motion carried, 4-0.

ITEM – 5 – NEW BUSINESS

A. RESOLUTION 2019-26: APPOINTING DAVID RAGLAND AS A BOARD MEMBER FOR BOARD OF ADJUSTMENTS

President Winger asked resident David Ragland, why he wanted to serve on the Board of Adjustments. Mr. Raglan stated his desire to help the City of Williston to provide a safe environment, to the residents. He stated he has been a citizen of Williston all his life, and he would like to step forward and help out. Councilman Ross moved to accept Resolution 2019-26 appointing David Ragland to the Board of Adjustment and Code Enforcement. Councilman Head seconded. On vote, the motion carried, 4-0.

B. ORDINANCE 673: AMENDING LAND DEVELOPMENT CODE CHAPTER 10 ALLOWING HORSES ON PROPERTIES GREATER THAN 3 ACRES

City Attorney read the title of Ordinance 673 and announced the first reading. President Winger opened the public hearing. Councilman Goodman verified that the language for the ordinance came, in part, from IFAS. Councilman Goodman questioned the potential for residents to own 2 horses on a 3-acre lot with a house. City Planner Gorman advised that 2 horses on 3 acres, has potential but is very hard to do. It will be addressed on a case by case basis. Councilman Goodman confirmed that permission will be obtained only via special exception. President Winger provided the opportunity for public comment/questions. None was offered. Councilman Goodman moved to pass Ordinance 673 Section 10, 19 livestock, 60-213 and 62-15 allowing equine horses in single family zoning, with Special Exception. Councilman Head seconded. On vote, the motion carried and was passed on first reading.

C. RESOLUTION 2019-27: AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH SAFEUILT, LLC

City Planner Gorman advised that Safeuilt, LLC met all of the requirements that the



6/18/2019

CITY OF WILLISTON, FLORIDA  
CITY COUNCIL MEETING

C. ORDINANCE 673 (SECOND READING): AMENDING LAND DEVELOPMENT CODE CHAPTER 10 ALLOWING HORSES ON PROPERTIES GREATER THAN 3 ACRES (PP 19-23)

City Attorney Koberlein read the second reading of Ordinance 673. Councilman Ross moved to approve Ordinance 673. Councilman Goodman seconded. On vote, motion carried 5-0.

D. DISCUSSION WITH POSSIBLE ACTION: POSSIBLE CHANGE IN THE HUMAN RESOURCE MANUAL

Mayor Robinson stated he has some concerns about how the HR policy states that a Police Officer appeal should be conducted by the City Manager or City Mayor. Mayor Robinson said he believes it should state that appeals should go through the City Mayor because the Mayor is over the Police and Fire Department. Mayor Robinson would like this sorted out before HR manual is re-edified. After much discussion, item tabled until next meeting.

ITEM – 5 – NEW BUSINESS

A. RESOLUTION 2019-31: APPROVING A PURCHASE ORDER FOR PAYMENT TO MANLEY STEEL BUILDINGS FOR ROOF REPAIR (PP24-28)

City Manager advised Resolution 2019-31 was brought before the Council. Payment was just a little over spending approval and Chief Strow explained that the, work has been completed under good faith with Manley Steel Building. Chief Strow stated that the leaks were caused by the sinkhole that was located at the Police Department several years ago. After some discussion, Councilman Goodman moved to approve Resolution 2019-31 approving a Purchase Order for Payment to Manley Steel Building. Councilman Head seconded. On vote, motion carried 5-0.

B. RESOLUTION 2019-32: APPROVING A PURCHASE ORDER FOR PAYMENT TO PUROCLEAN FOR MOLD REMEDIATION (PP29-58)

Councilman Head moved to approve Resolution 2019-32 approving Purchase Order for Payment to Puroclean for Mold Remediation. Vice President Robinson seconded. On vote, motion carried 5-0.



**CITY OF WILLISTON  
PLANNING & ZONING COMMISSION  
MINUTES**

June 25, 2019, 6:00 PM

CITY COUNCIL COMMUNITY CENTER

<b>BOARDMEMBERS:</b>	
Debra Jones, Chair	Albert Fuller Sr., Vice Chair
VACANT	Avis Seabrook
Robert Schmidt	Sharon Hardaway Washington
VACANT	

**Staff:** Jackie Gorman, Community Development & Grants Manager  
JoAnne Nelson, Planning and Zoning Administrative Assistant

**CALL TO ORDER 6:05 PM**

**ROLL CALL**

**Present:** Debra Jones  
Robert Schmidt  
Albert Fuller  
Sharon Hardaway Washington

**Absent:** Avis Seabrook

**ITEM 1- APPROVAL OF MINUTES**

Mr. Fuller made a motion to approve minutes. Ms. Washington seconded. Motion carried 4-0.

**ITEM 2- NEW BUSINESS**

**1. Stadium View Acres - Minor Subdivision approval**

Ms. Gorman referred board members to the Stadium View Acres minor plat approval request at 104 SW 9<sup>th</sup> Street. She indicated that Steve McMillen was in attendance for McCoy Holdings LLC. Ms. Gorman stated that the parcel is zoned R2 with utilities available for each lot. She indicated that sidewalks could be installed. Ms. Gorman stated that she recommended approval of the minor subdivision.

Ms. Gorman asked if there are any recommendations from the board members. Mr. Fuller stated that he would like sidewalks installed due to the number of children in the area after school. Chair Jones stated the sidewalks on the South side of 5<sup>th</sup> Street only would be her recommendation and asked other members for agreement. Mr. McMillen stated that he would like to check with his client before the City Council hearing so he can give the client pricing for the concrete. Mr. McMillen indicated that he would assume the client could add it into the lot cost. Mr. McMillen wanted to know if it needed to be on the final plat or when it is permitted. He asked if it needed to be on the City Side. Ms. Jones said that it would need to be where it abuts the city property. Ms. Gorman stated that he would need to get a right of way permit. Mr. Fuller moved to recommend approval with sidewalks. Mr. Schmidt seconded. Motion carried 4-0.

Ms. Washington asked who was responsible for the upkeep of the middle school in East Williston. Ms. Gorman said that she should contact the school board to find out who is responsible. Mr. McMillen checked on the property appraiser's website to see who owns the property. He stated that it was Levy County School Foundation. Mr. Fuller stated that they are trying to sell it to raise money for the stadium. Mr. Fuller said that Ms. Gorman could contact the Levy County School Board because the foundation has an office there.

### **ITEM 3- OLD BUSINESS**

#### **1. LDR Amendment allowing horses on 3 acres or more - Approved by City Council on June 18, 2019**

Ms. Gorman said that she sent the special exception application to Mr. Nussel so they are aware that they can apply now. Ms. Jones asked if the fee can be waived. Ms. Gorman stated that the city council would need to approve that. Chair Jones stated that he already paid a fee. Ms. Gorman said that the issue was originally brought to the board's attention due to a code enforcement action regarding a fence. Mr. Fuller said that Mr. Nussel had asked what the fee was going to be to apply for the special exception and that indicates Mr. Nussel was aware of it.

#### **2. Set a date for the joint meeting with CRA concerning Historic Plaque program**

Ms. Gorman asked when they wanted to meet with CRA again. Mr. Fuller asked if they could come to the planning and zoning meeting. Ms. Gorman suggested July 30<sup>th</sup> at 6:30 pm. Chair Jones asked when CRA would meet next. Ms. Gorman said August 12<sup>th</sup>. All agreed to meet July 30<sup>th</sup>.

#### **3. Request by Council for Board Chairman (or designee) to attend 2<sup>nd</sup> Council meeting of each month for Board update**

Ms. Gorman said that the next City Council meeting is July 16<sup>th</sup>. Ms. Gorman stated that she would like to work on the land development code. Ms. Gorman said that there are issues with the comp plan. She indicated that the map is missing the density and the comp plan was not based on the data and analysis. Ms. Gorman stated that she would bring an ordinance one at a time to address the land development code. Chair Jones and Mr. Fuller agreed that it would work best that way.

Ms. Gorman stated that the building permit software would be operational July 1<sup>st</sup>. She said that she would like to discuss with the members in upcoming meetings zoning and revisit the discussion about mobile homes that had occurred in a prior meeting.

### **ITEM 4- PUBLIC COMMENT**

N/A

### **ITEM 5- COMMITTEE MEMBER ANNOUNCEMENTS -**

N/A

### **ITEM 6- NEXT MEETING DATE -**

July 30<sup>th</sup>, 2019

### **ITEM 7- ADJOURNMENT**

Meeting adjourned at 6:35 p.m.



**CITY OF WILLISTON**  
**PLANNING & ZONING COMMISSION**  
**MINUTES**

May 28, 2019, 6:00 PM

CITY COUNCIL COMMUNITY CENTER

<b>BOARDMEMBERS:</b>	
Debra Jones, Chair	Albert Fuller Sr., Vice Chair
VACANT	Avis Seabrook
Robert Schmidt	Sharon Hardaway Washington
VACANT	

**Staff:** Jackie Gorman, Community Development & Grants Manager  
JoAnne Nelson, Administrative Assistant

**CALL TO ORDER**

**ROLL CALL**

<b>Present:</b> Debra Jones Robert Schmidt Albert Fuller Avis Seabrook Sharon Hardaway Washington Jackie Gorman JoAnne Nelson	<b>Absent:</b> None
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**ITEM 1- APPROVAL OF MINUTES**

Chair Jones stated that UFI Extension needs to be replaced with IFAS in the minutes of the last meeting and the last partial sentence must be struck from the record. Mr. Fuller made a motion to approve with revisions. Mr. Schmidt seconded. Motion carried 5-0.

**ITEM 2- OLD BUSINESS**

CPA 2019-02 - Nussel - 207 NE 6th Blvd - Application denied by City Council. Special exception will be considered at Planning and Zoning Commission meeting of May 28, 2019.

**ITEM 3- NEW BUSINESS**

1. AN ORDINANCE OF THE CITY OF WILLISTON, FLORIDA; AMENDING CHAPTER 10 ANIMALS; SECTION 10-19 LIVESTOCK; CHAPTER 60 ZONING, ARTICLE VI RESIDENTIAL SINGLE-FAMILY (RSF) DISTRICT, SECTION 60-213 PERMITTED ACCESSORY USES AND STRUCTURES AND SECTION 60-215 SPECIAL EXCEPTIONS TO CONSIDER ALLOWING EQUINE (HORSES) IN

RESIDENTIAL SINGLE FAMILY (RSF) ZONING DISTRICTS BY SPECIAL EXCEPTION; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Planner Gorman stated that she would be presenting an amendment to the land development code as a special exception for single family residential properties (SFR) to allow a horse on 3 acres or more. Ms. Gorman said that she had spoken to IFAS when attempting to research appropriate horse density per parcel. Planner Gorman stated that the professor at IFAS she spoke with said 1 to 1/2 acres of open pasture per horse would be appropriate. She continued that if it did not meet this pasture requirement then it would be 1 horse per 2 acres. Ms. Gorman said four special exception criteria to be considered had been included in the agenda packet. Ms. Gorman continued with the four criteria which would be one horse per 1.5 acres of open pasture, horses only for personal use except youth projects such as 4H or FFA, the horse shall be kept to prevent noxious orders, pests and nuisances of any kind and efforts shall be made to protect Florida's water resources by adhering to best management practices of DEP.

Ms. Gorman stated that staff recommends approval after consideration of criteria. Vice Chair Fuller stated that IFAS should provide the best management practices. Mr. Fuller stated that the criteria need to be referring to some type of best management practices from an agency. He continued that the last criteria is too arbitrary and all other agencies statewide use best management practices. Ms. Gorman said she could not reach anyone at the Bronson IFAS office to provide best management practices. Mr. Fuller said that the water management district requires that the best management practices are spelled out and he would like to see the criteria defined by an agency. Mr. Fuller continued that he is not sure if water quality resources are an issue within the Williston area.

Mr. Fuller speaking to Ms. Nussel continued that if you are composting you are handling a good portion of the problem with the horse. Ms. Nussel replied that they are composting. Chair Jones stated that she would prefer one horse per two acres versus one horse per 1.5 acres. Ms. Nussel stated that she would like two horses because horses need a companion and her daughter has outgrown the current horse. Mr. Fuller and Chair Jones indicated that they would like the 4H and FFA portion of the special exception criteria to be struck since this type of horse is not kept temporarily. Mr. Fuller stated that the special exception needs to address community concerns including encephalitis and that goes back to taking good care of animals including vaccination. Mr. Fuller continued that disease could be carried by flies in addition to mosquitos. Ms. Gorman stated that she would add the requirement that the horse is vaccinated. Ms. Jones requested that the IFAS Best Management Practices information is obtained and added to the amendment. Mr. Fuller stated that the special exception may potentially encompass more properties due to possible future annexation.

Mr. Fuller asked if the land owned by Mr. and Mrs. Nussel is zoned residential and agricultural. Ms. Gorman stated that it was not agricultural but it had a small segment of commercial. Ms. Jones stated that she believed the segment with a commercial designation was a scribner error and should be addressed as such. Mr. Fuller stated that the special exception should include the language open improved pasture not just open pasture. Chair Jones recommended that the special exception fees are waived for the Nussels since they were already charged for the zoning change fees. Ms. Gorman stated that she would check if it can be waived but she does not have the authority to make that decision. Mr. Fuller made a motion to approve the special exception recommendation to council with requested corrections. Mr. Schmidt and Ms. Washington seconded. Motion carried 5-0.

**2. LDC Article II, Section 60-52 Special Right-of-way Requirements - Discussion (conflict with setback requirements)**

Ms. Gorman requested that the language in the Special Right of Way Requirements be struck due to the 50 foot setback requirement conflicting with the setback requirements that already exist within the ordinances for each district. Chair Jones stated that she would like to review the entire Chapter 60

to understand the context of the requirement. Ms. Gorman stated that she would provide this at the next meeting.

Ms. Nelson stated that at the previous meeting there had been a discussion about reducing the number of members from 7 to 5 members. Ms. Nelson continued that she had researched and found that Adam Hall had previously requested the reduction which was rejected by council at the first reading. Mr. Fuller stated that he is concerned about reducing the number of people who can approve decisions. Chair Jones agreed that there need to be a number of opinions.

Ms. Gorman stated that as an update Planning and Zoning had received three new SFR applications, a meeting is being planned for a new gas station across from Green Shutters, Blue Rock has been in contact regarding the new commercial center at the old high school site and work is proceeding with the CRA on Block 12. Ms. Gorman continued that the new building permit software is expected to be functional on July 1, 2019.

**ITEM 4- PUBLIC COMMENT**

N/A

**ITEM 5- COMMITTEE MEMBER ANNOUNCEMENTS -**

N/A

**ITEM 6- NEXT MEETING DATE -**

June 25, 2019

**ITEM 7- ADJOURNMENT**

Meeting adjourned at 7:00 p.m.



**CITY OF WILLISTON  
PLANNING & ZONING COMMISSION  
MINUTES**

APRIL 30, 2019, 6:00 PM

CITY COUNCIL COMMUNITY CENTER

<b>BOARDMEMBERS:</b>	
Debra Jones, Chair	Albert Fuller Sr., Vice Chair
VACANT	Avis Seabrook
Robert Schmidt	Sharon Hardaway Washington
VACANT	

**Staff:** Jackie Gorman, Community Development & Grants Manager  
JoAnne Nelson, Administrative Assistant

**CALL TO ORDER**

Chair Debra Jones called the meeting to order at 6:10 p.m.

**ROLL CALL**

**Present:**

Debra Jones  
Robert Schmidt  
Albert Fuller  
Avis Seabrook  
Jackie Gorman  
JoAnne Nelson

**Absent:**

Sharon Hardaway Washington

**ITEM 1- APPROVAL OF MINUTES - None**

(Note: 3/26/19 P & Z meeting was cancelled. The Historical and Beautification Committee met with the CRA in a Joint Workshop on 3/26/19 and those minutes will be included with the next Workshop agenda)

**ITEM 2- OLD BUSINESS**

**ITEM 3- NEW BUSINESS**

**Ordinance - CPA 19-02 - Request by Marc and Melanie Nussel for a Small Scale Comprehensive Plan amendment to the Future Land Use Map changing the land use from Commercial/Residential to Agriculture.**

Ms. Debra Jones stated the Commission was entertaining a Small Scale Comp Plan Amendment to the Future Land Use Map and zoning change application from Marc and Melanie Nussel. Chair Debra Jones identified the property to be discussed as 3.728 acres (MOL) and identified as Parcel ID 0480800200 on the official records of the Levy County Property Appraiser. Chair Debra Jones asked the Commission if they have had any ex parte communications with either of the applicants. Ms. Avis Seabrook answered No and no other commission members indicated that they had ex parte communication. Chair Debra Jones asked City staff if they had ex parte communications with either of the applicants. Chair Debra Jones acknowledged that Ms. Gorman had ex parte communications with the applicants but no other City



staff stated that they had ex parte communication. Witnesses Ms. Gorman and Mr. Marc Nussel were sworn in. Chair Debra Jones requested that any evidence including pictures, diagrams or physical evidence be submitted and will be held by the clerk's office for 30 days until time of appeal had expired.

Ms. Gorman entered the staff report as evidence. Ms. Gorman indicated the address of the property to be discussed as 270 NE 6<sup>th</sup> Blvd and the application number as CPA 2019-02. Ms. Gorman stated that the hearing had been properly noticed. Ms. Gorman explained that the applicants are requesting the amendment to have a horse for their daughter on the premises and possibly for future non-commercial fruit trees. She stated that the key issue to be resolved is if the property should be allowed to change to agriculture understanding the different types of agricultural uses that are allowed by code that may not be compatible with the surrounding residential land uses. She indicated that staff is recommending denial of the land use change. She explained that the basis of the recommendation is that the City must be in compliance with the comp plan and the basis for consideration of the request is not what the applicant wishes to do but the highest most intense use allowed under that land use category.

Ms. Gorman stated that the applicants have 3.728 acres and the code indicates that you must have 8 acres to have livestock. She continued that to the North of the property is all R-1 residential uses, to the South is residential R-2, to the West is residential R-1 and to the East is residential R-2. Ms. Gorman referred to the current land use map and indicated that one of the lots is showing on the map as commercial. She stated that staff does not understand how the commercial designation was put on the map and it was the opinion of some staff members that it was potentially a scribner error due to the commercial designation of the property adjacent to the lot. Ms. Gorman stated that for future reference this lot cannot be changed without the owner's consent based on the entitlements due to Commercial property. Ms. Gorman stated that the land use now has two different requirements of residential and commercial on a property that is being used for residential. She further indicated that the zoning is residential only but the land use is split. Mr. Albert Fuller asked how much acreage is in the Commercial element. Ms. Gorman looked for this information and Chair Debra Jones posed a question to Mr. Nussel.

Chair Debra Jones asked Mr. Nussel if the original lot was made up of multiple lots. Mr. Nussel did not reply but stated that he objects because the future land use map has been changed without his knowledge. He continued that he was not aware of any change to the property and it is residential with a land use of agriculture. Ms. Gorman stated that she found the property as residential going back to the 1950's. Chair Debra Jones agreed with Ms. Gorman that she did not know where Mr. Nussel got the information that indicated it was agriculture land use. Mr. Nussel stated that he got the information from the City website. Chair Debra Jones stated that nothing could be found to indicate it is agriculture. Ms. Gorman said she would review the website. Ms. Gorman stated that there is an existing uses map which shows it is residential and agriculture but is unsure how it is listed as agriculture under the existing agriculture definition for vacant land.

Ms. Gorman stated that the land use map recently approved by DEO shows the property as residential and she must use this map by law. She continued that areas designated as agricultural land use in the city comp plan is for row crops, groves, nurseries, dairies, poultry farms, processing plants, spray irrigation and that mobile homes are permitted. She stated that the minimum lot area and density for the agricultural district is single family, mobile homes and group living facilities. She continued that the minimum lot width is 200 feet and all other permitted uses and structures but she could find none in the code. Ms. Gorman indicated that the highest use for agricultural would be a processing plant and that could be of concern with neighbors.

Ms. Gorman stated that in lieu of changing the land use and zoning that staff be allowed to amend the land development code allowing livestock on residential by special exception with criteria which protects those things that could be of concern to neighbors instead of changing it to something that could be of intense use that is not compatible. She continued that staff understands what Mr. Nussel wants to do and that it is a reasonable use in a rural destination like Williston but questioned if one livestock should be allowed on three acres. Ms. Gorman stated that staff has found other communities that have residential agriculture, so it is not an unreasonable use. She continued that controls could be put in place to avoid any abuse. Ms. Gorman stated that staff recommends denial of the land use change but asked that the



commission allow a special exception within the residential zone for what is considered by staff to be an appropriate use of the land.

Ms. Gorman indicated that staff research had found 2 ½-3 acres of land per horse to be acceptable acreage. Mr. Fuller asked what the source was for the recommended 2 ½ acres. Ms. Gorman replied that she had found it at IFAS for horse pastures. She continued that it would take more research if the commission decided to take that route and she would provide as much information as possible. Chair Debra Jones asked if Mr. Nussel had anything he would like to say. Mr. Nussel stated that he disagreed with what Ms. Gorman had said and that he does not want a processing plant but wants to use the land. He continued that the land is unbuildable and the city needs to address the comp plan to allow for livestock. He said that he is composting with his chicken manure to avoid having flies which may be of concern to neighbors. Mr. Nussel stated that he can do nothing with the land currently because it is a flood zone. He continued that he has already put 130 loads of fill dirt in there. He stated that the city needs to resolve the zoning because he does not know how it ever got to be commercial. Mr. Nussel stated that he does not want a special exception and does not want the City to hold him up because he has waited 90 days. Chair Debra Jones stated that the commission cannot do something that is contrary to the comp plan and is attempting to figure out how the change can be done. She continued that it may be possible to consider a supplemental agriculture for smaller land use with minimal livestock. Ms. Gorman stated that she had considered this but was attempting to save time for Mr. Nussel since that type of change would need approval from Tallahassee. Mr. Fuller stated that he is concerned that the properties around Mr. Nussel purchased property with the understanding that it is residential and that it would remain residential with the associated rules. He continued that as a neighbor he would have a problem if he lived in a residential zone and there is livestock. He further stated that code enforcement does not have enough resources to make sure that manure is being taken of adequately or the biting flies produced from manure. Mr. Fuller stated that IFAS said 2 ½ acres however he would suggest 4 acres per horse.

Mayor Jerry Robinson, asked if the public was notified of this hearing. Chair Debra Jones said that they were. Mr. Robinson stated that in his opinion if the neighbors were notified and they did not show up then it should not be a problem with the neighbors. Chair Debra Jones stated that she is not sure if the neighbors understood. Mr. Robinson stated that if they were notified of a change in ordinance they should have been here to question. Chair Debra Jones said that it is still against the rules and she is with Mr. Fuller in that. She continued and said there is nothing in the rules that said she can do that. Mr. Robinson said that it was the neighbors responsibility to show up. Mr. Fuller stated that he did not agree with Mr. Robinson. Mr. Fuller continued that the notice said if you have the ability to show up or have the desire to show up and if you appoint commission members they are to represent the interests of the city as well as the citizens. Chair Debra Jones stated that the commission uses the comp plan and the land use which is what the commission needs to adhere to. Mr. Robinson stated that the residents need to represent themselves and their property. Mr. Fuller stated that he disagreed.

Mr. Nussel asked if we are discussing the future land use map. Ms. Gorman stated that any time you are suggesting a use other than what you are doing at the present moment you would be using the future land use map. Mr. Fuller asked if the parcel is legal with two different land uses. Ms. Gorman stated as the land use is split currently it would be considered legal non-conforming and the land use cannot be changed without the owner's consent. Ms. Gorman stated that the land use will stay the same unless there is a change by requesting a permit for example. Mr. Schmidt stated that to the Northwest of his property they have chickens and horses but he has no issues with noise or odor. He continued that he has no objection to horses but feels that it may be more of a safety issue being close to Hwy 121 particularly related to Mr. Nussel's daughter. Mr. Schmidt stated that he would like to know if there is any other way legally this can be done. Chair Debra Jones stated that she is not aware of any other way this could be done. Mr. Fuller stated that it would have to be a special exception which does not exist currently.

Chair Debra Jones asked Ms. Gorman if a special exception could be done per applicant rather than a blanket special exception. Ms. Gorman stated that this could be done with certain criteria which the Commission recommends. Mr. Fuller stated that this would assist code enforcement to address complaints on an individual basis.

Albert Fuller moved to deny CPA 2019-02. Avis Seabrook seconded. All in favor, motion carried 4-0. Chair Jones asked if there was any further discussion. No replies. Chair Jones stated that the zoning change would not be considered at this

time due to the denial of CPA 2019-02. Chair Debra Jones requested that Ms. Gorman present a Special exception at the next meeting for the Commission to consider.

Ms. Jones asked if there was any other discussion regarding the agenda. Mayor Robinson suggested that the Commission should consider a change from seven members to five members. Chair Jones stated that it would be considered at the next meeting. Ms. Gorman said that there is a lack of rental properties in the city and that the committee should consider a land use amendment related to mobile homes. She continued that there have been instances recently of home removal and replacement with mobile homes for rental purposes. Ms. Gorman suggested that consideration should be given to confining mobile homes to a park versus individual owners of mobile homes on residential property. Mayor Robinson asked what the age of the mobile homes are. Ms. Gorman stated she does not know the age. Mr. Fuller said that DMV has an age limit. Ms. Gorman said that she is presenting the information for the Commission to be aware of a trend and consider the possible consequences. Mr. Fuller indicated that he has concerns that a mobile home park could have negative consequences and would like to consider the age of mobile homes within the city instead. Ms. Gorman said she would present information to the Commission regarding the age and lot size currently required for mobile homes in the city as well as how many requests have been received for mobile home replacements of existing homes.

**ITEM 4- PUBLIC COMMENT**

N/A

**ITEM 5- COMMITTEE MEMBER ANNOUNCEMENTS -**

N/A

**ITEM 6- NEXT MEETING DATE -**

May 28, 2019

**ITEM 7- ADJOURNMENT**

Meeting adjourned at 7:55 p.m.

**NOTICE OF PUBLIC HEARINGS  
REGARDING AN APPLICATION FOR A SPECIAL EXCEPTION TO  
ALLOW HORSES FOR NONCOMMERCIAL PURPOSES ON PARCELS  
OF 3 ACRES OR MORE (BUT LESS THAN EIGHT ACRES) WITH A  
SPECIAL EXCEPTION IN ACCORDANCE WITH THE  
CITY OF WILLISTON LAND DEVELOPMENT REGULATIONS**

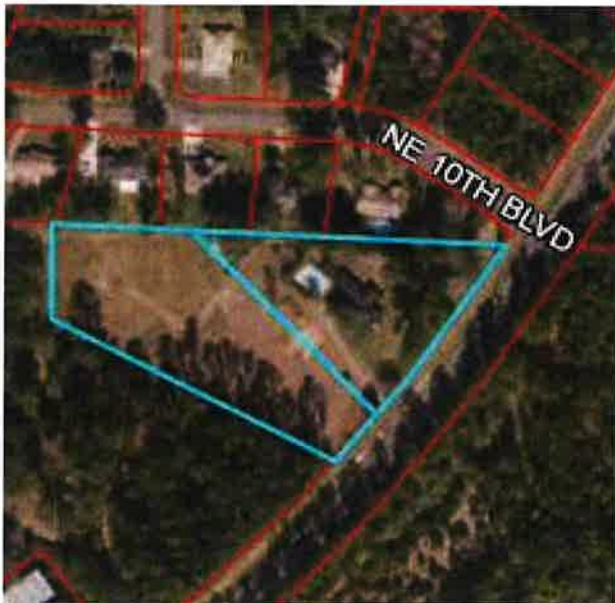
The City of Williston pursuant to the City of Williston Land Development Regulations will hear a Request for Special Exception at a Public Hearing for the following dates:

Planning Commission – September 29, 2020 at 6:00 PM

City Council – October 20, 2020 at 6:00 PM

The Public Hearing will be conducted in the City of Williston Council Chambers, located at 50 NW Main Street, Williston, FL 32696.

*Special Exception No. SE 2020-3*; an application by Marc & Melanie Nussel, Petitioner, per Article VI. – Residential Single-Family (RSF) District; Section 60-213 for allowing horses for noncommercial purposes on parcels of 3 acres or more (but less than eight acres) with a Special Exception located at 270 NE 6<sup>th</sup> Blvd, Williston, FL 32696



**The Public Hearing may be continued to one or more future dates. Any interested party shall be advised that the dates, times and places of any continuation of this public hearing shall be announced during the public hearing and that no further notice regarding this matter will be published unless said continuation exceeds six (6) calendar weeks from the date of the above referenced public hearing.**

**At the public hearing, all interested parties may appear to be heard with respect to the proposed Special Exception.**

**Copies of the proposed Special Exception are available for public inspection at the Office of the City Clerk, located at Williston City Hall, 50 Northwest Main Street, Williston, FL during regular business hours.**

**Any person requiring reasonable accommodations to participate in this meeting should contact the City Clerk at (352)-528-3060 at least three (3) days in advance so arrangements can be made.**

**All persons are advised that if they decide to appeal any decision made at the above referenced public hearing, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.**

**Date: October 20, 2020**

**COUNCIL AGENDA ITEM**

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**TOPIC:** Cottage Cove North, Phase 3 – Final Subdivision Plat – Recommendation for Approval

**PREPARED/ REQUESTED BY:** Jackie Gorman, City Manager

**BACKGROUND / DESCRIPTION:** Cottage Cove North, Phase 3 falls under the description for a Minor Subdivision. This project is located off of NW 5th Place and North Main Street. Hoolihan Enterprises, LLC. is the owner and Steven McMillan, Surveyor is the Agent.

Cottage Cove North, Phase 3 consists of 4 lots (Lots 9-12); 3 of which fronts NW 5th Place and Lot 9 is a flag lot accessed to the West of Lot 10. All lots meet the minimum size requirement for a R-2 zoning district. Easements have been put in place on the plat to accommodate Electric Utilities, all other utilities will be private.

Approval of this development complies with the Land Development Code for Minor Subdivision; therefore, staff recommends approval.

**LEGAL REVIEW:** YES

**FISCAL IMPACTS:** No

**RECOMMENDED ACTION:** Recommendation to the City Council to approve Final Subdivision Plat for Cottage Cove North, Phase 3.

P&Z Commission recommended APPROVAL 4-0 on October 5, 2020.

**ATTACHMENTS:** Yes

- Final Plat

**COMMISSION ACTION:**

\_\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED



Date: OCTOBER 20, 2020

**COUNCIL AGENDA ITEM**

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**TOPIC: RESOLUTION 2020-67: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA AMENDING THE PURCHASE PRICE IN RESOLUTION 2020-19, AUTHORIZING THE PURCHASE OF TWO (2) POLICE VEHICLES WITH THE ASSISTANCE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (“USDA”) GRANT.**

**REQUESTED BY: DENNIS STROW, CHIEF    PREPARED BY: BROOKE WILLIS**

**BACKGROUND / DESCRIPTION:** On May 19, 2020 Council approved Resolution 2020-19; authorizing the purchase of two (2) police vehicles with the assistance from the United States Department of Agriculture (“USDA”) grant. The price of the project has increased a total of \$4,729.00. The added cost consists of radio install, vehicle graphics and the increase cost of the vehicles.

**LEGAL REVIEW:**

**FISCAL IMPACTS:** \$26,807.00 Total City Fiscal Impact for 2 fully equipped patrol vehicles (2) USDA contribution is \$64,600.00 with total project cost of \$91,407.00.

**RECOMMENDED ACTION:** Approve

**ATTACHMENTS:** Resolution 2020-67

**COMMISSION ACTION:**

\_\_\_\_\_ **APPROVED**

\_\_\_\_\_ **DISAPPROVED**

**CITY COUNCIL RESOLUTION NUMBER 2020-67**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA AMENDING THE PURCHASE PRICE IN RESOLUTION 2020-19, AUTHORIZING THE PURCHASE OF TWO (2) POLICE VEHICLES WITH THE ASSISTANCE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (“USDA”) GRANT.**

**WHEREAS**, the Williston Police Department was awarded assistance through a grant from the United States Department of Agriculture (hereinafter “USDA”); and

**WHEREAS**, on May 19, 2020 the City Council approved, through Resolution 2020-19, the purchase of the two (2) police vehicles at a total purchase price of Eighty-Six Thousand Two Hundred Fifty-Seven Dollars and Sixty Cents (\$86,258.60) with the assistance of the USDA grant that provides Sixty-Four Thousand Dollars and Zero Cents (\$64,600.00) in reimbursement; and

**WHEREAS**, the total price of the patrol vehicles has increased to Ninety-One Thousand Four Hundred Seven Dollars and Zero Cents (\$91,407.00), which is a difference of Four Thousand Seven Hundred Twenty-Nine Dollars and Zero Cents (\$4,729.00); and

**WHEREAS**, the difference in price is due to the increase of the cost of the vehicles and the installation of the radio and vehicle graphics; and

**WHEREAS**, the increase in pricing is not included in the USDA grant and the Williston Police Department has the increase in pricing budgeted for in the current budget of 2020-2021; and

**WHEREAS**, the City Council finds it to be in the best interests of the City to amend the purchase price listed in Resolution 2020-19 and authorize the procurement of the referenced vehicles.

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

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

*[Remainder of this page left blank intentionally.]*



**Section 2.** The City Council hereby authorizes the procurement of the two identified patrol vehicles with the amended price.

**Section 3.** This resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council on the \_\_\_\_ day of October 2020.

**CITY OF WILLISTON, FLORIDA**

By: \_\_\_\_\_  
Justin Head,  
City Council President

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Latricia Wright, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

RESOLUTION 2020 - 19

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, AUTHORIZING THE PURCHASE OF POLICE VEHICLES (2) WITH THE ASSISTANCE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE ("USDA") GRANT.**

**WHEREAS**, the Williston Police Department was awarded assistance through a grant from the United States Department of Agriculture ("USDA"); and

**WHEREAS**, the 2020-2021 Capital Improvement Fund budget includes appropriate funds to cover the purchase; and

**WHEREAS**, the Chief of Police recommends the Williston Police Department to purchase (2) 2021 Chevrolet Tahoe for a patrol vehicles from Garber Chevrolet Buick GMC, 3340 Highway 17, Green Cove Springs, Florida 32043, for a total purchase price of Eighty Six Thousand Two Hundred Fifty Seven Dollars and Sixty Cents (\$86,258.00); and

**WHEREAS**, the reimbursement from the USDA is \$64,600.00.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Williston, Florida, as follows:


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

**SECTION 2.** The City Council hereby authorizes the purchase of patrol vehicles (2).


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

**PASSED AND ADOPTED** at a meeting of the City Council this 19<sup>th</sup> day of May, 2020.

CITY OF WILLISTON, FLORIDA

  
Charles Goodman, President  
Williston City Council

Approved as to Form and legality:

  
Frederick L. Koberlein, Jr.  
City Attorney

  
ATTEST: Latricia Wright  
City Clerk



Terry Bovaird &lt;terry.bovaird@willistonpolice.org&gt;

**City of Williston - Police Vehicle - CF Grant**

4 messages

**Manning, Rebecca - RD, Ocala, FL** <rebecca.manning@usda.gov>  
To: Terry Bovaird <terry.bovaird@willistonpolice.org>

Tue, Aug 4, 2020 at 2:14 PM

Terry,

Grant funds have been obligated in the City's name for the purchase of police vehicles.

Please provide this office with an updated quote for our review and concurrence.

I have also attached for the City's review the grant closing instructions. The City does not need to do anything with the grant closing instructions.

Thank you,

*Rebecca S. Manning*

Area Specialist | Ocala Area Office

Rural Development

United States Department of Agriculture

2441 NE 3rd Street, Suite 204-1 | Ocala, FL 34470

Phone: (352) 414-7817 | Fax: (855) 474-6990

[www.rd.usda.gov/fl](http://www.rd.usda.gov/fl) | "Committed to the future of rural communities"

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 **Williston grant closing instructions.pdf**  
289K

**Terry Bovaird** <terry.bovaird@willistonpolice.org>

Tue, Aug 4, 2020 at 4:45 PM

To: "Manning, Rebecca - RD, Ocala, FL" <rebecca.manning@usda.gov>, Dennis Strow <dennis.strow@willistonpolice.org>, Brooke Willis <brooke.willis@willistonpolice.org>

Rebecca

That is good news. I will work on the updated quote as requested.

Thanks again for all you do,

Terry

Deputy Chief Terry Bovaird  
Williston Police Department  
Williston, Florida 32696.  
Cell: 352-843-2187  
Work: 352-528-4991



**"To borrow Chief Arradondo's own words when he was sworn in, the ultimate goal for all law enforcement leaders is a community that trusts us, that views us as the guardians of our communities."**

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone.

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[Quoted text hidden]

 **Williston grant closing instructions.pdf**  
289K

**Terry Bovaird** <terry.bovaird@willistonpolice.org>

Mon, Aug 10, 2020 at 11:13 AM

To: "Bloom, Stephen" <stephen.bloom@inframark.com>, Jerry Robinson <jerry.robinson@willistonfl.org>

I take this to mean we have our USDA grant for the 2021 vehicles.

[Quoted text hidden]

 **Williston grant closing instructions.pdf**  
289K

**Terry Bovaird** <terry.bovaird@willistonpolice.org>

Thu, Aug 13, 2020 at 2:49 PM

To: "Manning, Rebecca - RD, Ocala, FL" <rebecca.manning@usda.gov>

I thought I sent this to you already but maybe not. Do you need another quote or will this one do from February 2020?  
Terry

Deputy Chief Terry Bovaird  
Williston Police Department  
Williston, Florida 32696.  
Cell: 352-843-2187  
Work: 352-528-4991



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[Quoted text hidden]

 **Williston 21 Chevrolet Tahoe Police 2wd w-Camera Proposal 2-12-20.pdf**  
269K



Specification #	258
Unit Description	CC10706/9C1

Prepared for:

Prepared by:

10/2/2020

Williston Police Department  
 Attn: Chief Dennis Strow  
[Dennis.Strow@willistonpolice.org](mailto:Dennis.Strow@willistonpolice.org)  
 (352) 528-4991

Garber Chevrolet Buick GMC

Ryan Davis  
 (904) 264-2442 ext.2350 FAX: (904) 284-0054  
 3340 Hwy 17 Green Cove Springs, FL 32043  
[rdavis@garberautomall.com](mailto:rdavis@garberautomall.com)



Florida Sheriffs Association

Prices are published by the Florida Sheriffs Association. ([https://www.flsheriffs.org/our\\_program/purchasing\\_programs/cooperative-fleet-bid-awards/](https://www.flsheriffs.org/our_program/purchasing_programs/cooperative-fleet-bid-awards/)). Purchasing contract number is FSA20-VEL 28.0, expiring September 30th, 2021 for - Police Rated Vehicles/Motorcycles, Sedans & Light Trucks. If you have any questions regarding this quote please call!

		Unit Price	Net Price
CC10706/9C1			
2021 Chevrolet Tahoe 2WD 4dr 9C1			\$33,276.00
			Base Price
Codes	Optional Equipment	Unit Price	Net Price
1FL	Commercial Preferred Equipment Group	Included	\$0.00
9C1	Identifier for Police Package Vehicle	Included	\$0.00
LB4	Engine, 5.3L EcoTec3 V8	Included	\$0.00
MQC	Transmission, 10-speed automatic	Included	\$0.00
G9K/GJ1	(7) x Satin Steel Metallic; (1) x Shadow Gray Metallic	Included	\$0.00
H1T	Jet Black, cloth seat trim	Included	\$0.00
ATZ	Seat delete, second row	-400	(\$400.00)
ATD	Seat delete, third row passenger	Included	\$0.00
ST5	Seats, front cloth and second row vinyl	Included	\$0.00
SY1	Front center seat (20% seat) delete	N/C	\$0.00
AMF	Remote Keyless Entry Package includes 4 additional transmitters	Included	\$0.00
VK3	License plate front mounting package	N/C	\$0.00
6J7	Flasher system, headlamp and taillamp, DRL compatible with control wire	49	\$49.00
6N5	Switches, rear window inoperative	56	\$56.00
6N6	Door locks and handles, inside rear doors inoperative	61	\$61.00
7X3	Spotlamp, left-hand (LED)	Included	\$0.00
<b>Non-OEM Options:</b>			
PUMP	PREMIUM UNMARKED VEHICLE PACKAGE (Red/Blue)-inc.:	2595	\$2,595.00
	Full Width Front Inner Edge with Takedowns		
	Rear Interior Lightbar with Traffic Advisor		
	4-Corner Super LED System (Front R/B Flange Mount; Clear Rear)		
	Surface Mount Super LED's for Side Visibility (x2 Split R/B Rear Side Window)		
	295SLA6 Combination Light/Siren Controller		
	SA315P Nylon Composite Speaker with Bracket		
VTX609J	ADDITIONAL CORNER STROBES FLANGE MOUNT REAR (x2 R/B)	248	\$248.00
SMPBF	SURFACE MOUNT SUPER LED'S (1xRed/1xBlue Push Bumper Front)	248	\$248.00
SMPBS	SURFACE MOUNT VERTICAL SUPER LED'S (x2 Split R/B Push Bumper Sides)	278	\$278.00
URD	UPPER REAR DECK LED'S WITH FLASHBACK SHROUD	386	\$386.00
PB400	PUSH BUMPER 16" HIGH	546	\$546.00
CONS	VEHICLE SPECIFIC POLICE CONSOLE WITH CUPHOLDERS AND ARMREST	546	\$546.00
COMP	CONSOLE MOUNTED COMPUTER STAND WITH UNIVERSAL TRAY	646	\$646.00
8XLRP	SETINA XL FRONT PARTITION WITH RECESSED PANEL	946	\$946.00
12VS	SETINA REAR PARTITION WITH EXPANDED METAL SCREEN	546	\$546.00
WB	SETINA STEEL WINDOW BARS (PAIR)	246	\$246.00
PS	SETINA FULL TRANSPORT REPLACEMENT SEAT	496	\$496.00
RADAR	STALKER PATROL 2 ANTENNA RADAR, K-BAND	1996	\$1,996.00
CAMERA	MARTEL DC-3 CAMERA SYSTEM	3499	\$3,499.00
RADIO	Install Owner Provided Radio	250	\$250.00
DECALS	Install Decal Package (Owner Provided Badges)	400	\$400.00
TINT	Tint All Windows to Match with Windshield Strip	271	\$271.00
INST	11.0 Hours EVT Certified Installation Labor	1155	\$1,155.00
PROG	Program (4) Additional Keys	Included	\$0.00
TTAG	Temporary Tag	6	\$6.00
DEL	Delivery	Included	\$0.00
<b>TOTAL PURCHASE AMOUNT PER VEHICLE</b>			<b>\$ 48,346.00</b>



Specification #	258
Unit Description	CC10706/9C1

Prepared for:

Prepared by:

10/2/2020

Williston Police Department  
 Attn: Chief Dennis Strow  
[Dennis.Strow@willistonpolice.org](mailto:Dennis.Strow@willistonpolice.org)  
 (352) 528-4991

Garber Chevrolet Buick GMC

Ryan Davis  
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PROG	Program (4) Additional Keys	Included	\$0.00
ITAG	Temporary Tag	6	\$6.00
DEL	Delivery	Included	\$0.00
<b>TOTAL PURCHASE AMOUNT PER VEHICLE</b>			<b>\$ 42,641.00</b>



Florida/Virgin Islands  
4500 NW 27<sup>th</sup> Avenue  
Suite D-2  
Gainesville, FL 32606-3440

**Community Programs**  
Telephone: (352) 338-3400  
FAX: (352) 338-3452  
TDD: (352) 338-3499  
[www.rurdev.usda.gov/fl](http://www.rurdev.usda.gov/fl)

DATE: July 30, 2020

SUBJECT: **COMMUNITY FACILITIES GRANT CLOSING INSTRUCTIONS**

TO: Area Director, 4  
Ocala, Florida

**Grantee:** City of Williston  
**Purpose:** Police Vehicle and Related Equipment Purchase  
**TOTAL Project Cost:** \$86,258.00  
**CF Grant Amount:** \$64,600.00  
**Applicant Contribution:** \$21,658.00  
**Letter of Conditions:** July 13, 2020

The grant will be closed in accordance with the Letter of Conditions, RD Instruction 3570-B, RD Instruction 1942-A, Community Facility Grant Agreement, Form RD 3570-3 and attachment to Form RD 1940-1, Request for Obligation of Funds.

All forms and documents to be executed on behalf of the Grantee are to be signed by an authorized representative with appropriate signatory powers. All documents requiring certification, are to be certified by the Secretary or other authorized official.

The applicant's attorney is to provide a legal opinion that the Grantee has the authority to carry out the planned method of acquisition (procurement) and is legally organized in accordance with Florida State Statutes, as of the date of grant closing.

Form RD 3570-3 "Community Facilities Grant Agreement" must be properly completed and executed at grant closing. Please ensure that the property description sections of the grant agreement are fully completed. ***Executed Grant Agreement must be stored in the Area Office safe.***

Verification of the availability of the required applicant cash contribution and other funds must be documented prior to closing. Applicant funds will be the first expended. Excess grant funds above those permitted for authorized grant purposes will be refunded to the Government.

Before the release of any Federal funds, USDA, RD will access the Department of Treasury's Do Not Pay (DNP) portal to assure compliance by the Entity and Contractor(s) with the Improper Payments Elimination and Recovery Improvement Act (IPERIA). Please refer to un-numbered letter dated 06/30/17 for additional guidance.

Agency grant funds will be disbursed into the Grantee's depository account through an electronic transfer system. SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form," must be completed and submitted to the Agency and processed by the Agency prior to closing.

Committed to the future of rural communities.

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To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).



The Grantee will provide evidence of title satisfactory to Rural Development for all property acquired all or in part with Community Facilities grant funds. This may include a Final Title Opinion, Title or a detailed description and purchase invoice(s) with VIN and/or serial numbers and model numbers for all vehicles and equipment purchased with grant funds.

A closing statement is to be prepared by the applicant's attorney which reflects the disbursement of all grant funds, as well as, those funds contributed by the applicant and any other sources of funds. This statement should include an itemized listing of expenditures and supporting documentation for the project at grant closing for the Community Facilities grant and other funding sources.

For post closing review and approval, the following are to be submitted to the State Office:

1. Public Body - Form RD 1942-47, Loan Resolution with the closing certification section fully completed or other Resolution of the governing board agreeing to comply with conditions of the grant.  
Non Profit – Form RD 1942-9, Loan Resolution Security Agreement with Certification section fully completed or other Resolution of the governing board agreeing to comply with conditions of the grant.
2. Forms 400-1 and 400-4 dated same date as the grant authorizing Resolution or thereafter.
3. Copy of 402-2, showing disbursements or similar record of disbursements.
4. Copy of the original fully completed and executed Form 3570-3, "Community Facilities Grant Agreement".
5. Screen print from Do Not Pay (DNP) Portal to document compliance with the Improper Payments Elimination and Recovery Improvement Act (IPERIA) for the Entity and Contractor (if applicable).
6. Certified Community Facility Grant Closing Instructions
7. Statement from Attorney regarding Grantee being legally organized and that the Grantee has the authority to carry out the acquisition/procurement.
8. Evidence of title and serial and/or model numbers and/or Final Title Opinion

All requirements of the Letter of Conditions and these instructions must be met at grant closing. Copies of all closing documents and the certified closing instructions are to be forwarded to this office for post closing review.

Please contact this office with any questions which may arise.

Pamela Jean  
Isler

Digitally signed by Pamela Jean  
Isler  
Date: 2020.07.21 09:11:58 -04'00'

PAMELA J. ISLER  
Community Programs Director

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**Grantee:** City of Williston

**Purpose:** Police Vehicles and Related Equipment Purchase

**CERTIFICATION**

We certify that all requirements of these instructions have been complied with.

Date: \_\_\_\_\_ Grantee Legal Counsel: \_\_\_\_\_  
(Signature)

Firm Name: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
USDA, Rural Development Area Director

Committed to the future of rural communities.

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Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).