

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

DATE: TUESDAY, JULY 6, 2021
TIME: 6:00 P.M.
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

Mayor Jerry Robinson
Council President Debra Jones
Vice-President Marguerite Robinson
Councilmember Michael Cox
Councilmember Darfeness Hinds
Councilmember Elihu Ross

OTHERS:

City Manager Jackie Gorman
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 (pp 4-6)

- Council minutes from June 22, 2021

ITEM – 4 – OLD BUSINESS

- A. STAFF AND BOARD AND COUNCIL UPDATES
- CITY MANAGER JACKIE GORMAN
 - COUNCIL
- B. DISCUSSION WITH POSSIBLE ACTION: ORANGE HILL CEMETERY DUMPSTER. - COUNCIL PRESIDENT DEBRA JONES. (pp7)

ITEM – 5 – NEW BUSINESS –

- A. DISCUSSION WITH POSSIBLE ACTION: CHANGING VESTING FROM TEN YEARS TO SIX YEARS FOR POLICE OFFICERS. – CHIEF DENNIS STROW. (pp 8-12)
- B. DISCUSSION WITH POSSIBLE ACTION: PREPAY GAS DISCUSSION. – INTERIM UTILITY DIRECTOR JONATHEN BISHOP. (pp 13-20)
- C. DISCUSSION WITH POSSIBLE ACTION: RFP 2021-03 ATTORNEY LEGAL SERVICES. – CITY MANAGER JACKIE GORMAN. (pp21)
- D. SPECIAL EXCEPTION 2021-03: A SPECIAL EXCEPTION APPLICATION FROM NORTH FLORIDA MINI STORAGE COMPANY TO ALLOW STORAGE USE IN

CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING

- COMPLETELY ENCLOSED BUILDINGS IN A COMMERCIAL INTENSIVE DISTRICT) – CITY PLANNER LAURA JONES. (pp 22-25)
- E. RESOLUTION 2021-40: A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN AGREEMENT WITH WRIGHT-PIERCE TO PROVIDE ENGINEERING SERVICES FOR AN INFRASTRUCTURE REVITALIZATION PLAN, AND PROVIDING AN EFFECTIVE DATE. - CITY MANAGER JACKIE GORMAN. (pp 26-35)
- F. RESOLUTION 2021-41: A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN A PROMISSORY NOTE WITH DRUMMOND COMMUNITY BANK FOR THE PURPOSE OF RENOVATING THE POLICE AND FIRE DEPARTMENT BUILDING, AND PROVIDING AN EFFECTIVE DATE. – CITY MANAGER JACKIE GORMAN.(36-42)
- G. DISCUSSION WITH POSSIBLE ACTION: PURCHASE OF DOORS FOR THE PUBLIC WORKS BARN. – CITY MANAGER JACKIE GORMAN. (pp 43)
- H. PRESENTATION. – COUNCIL PRESIDENT DEBRA JONES.

ITEM – 6 – PUBLIC PARTICIPATION

ITEM – 7 – ANNOUNCEMENTS

ITEM – 8 – ADJOURNMENT

NEXT SCHEDULED MEETING JULY 20, 2021 AT 6:00 P.M.

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**

CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING

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. **

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, JUNE 22, 2021
TIME: 6:00 P.M.
PLACE: WILLISTON CITY COUNCIL CHAMBER

CALL TO ORDER

ROLL CALL

MEMBERS:

Mayor Jerry Robinson
Council President Debra Jones
Vice-President Marguerite Robinson
Councilmember Michael Cox
Councilmember Darfeness Hinds
Councilmember Elihu Ross

OTHERS:

City Manager Jackie Gorman
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 was led by Mayor Robinson.

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

Vice-President Robinson moved to approve agenda as written. Councilmember Cox seconded. Motion carried 5-0 by saying "Aye".

ITEM – 2 – PUBLIC PARTICIPATION

Marvin Johnson business owner of B&M Unique Styling on Noble Ave., thanked the Council for their help with Block 12 parking lot issues and the new garbage service. Mr. Johnson said the issue the business owners are having now with Block 12 is flooding. Mr. Johnson said when it rains the waters is coming into some of their buildings and maybe the guys can grade the lot to help detour the flow of water away from the buildings. Council President Jones told Mr. Johnson, she will have the Utility department take care of the situation.

ITEM – 3 – SWEARING IN OF NEW POLICE OFFICER: MAYOR ROBINSON.

Mayor Robinson swore in new officer Hunter Duke.

ITEM – 4 – CONSENT AGENDA – Vice-President Robinson moved to approve Consent agenda. Councilmember Cox seconded. Motion carried 5-0 by saying "Aye".

- Council minutes from June 8, 2021
- Resolution 2021-37; A Resolution of the City of Williston, Levy County, Florida, approving a seal bid action for surplus property of vehicle 142.

ITEM – 5 – OLD BUSINESS

A. STAFF AND BOARD AND COUNCIL UPDATES

CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING

- CITY MANAGER JACKIE GORMAN – City Manager Gorman informed the Council that the Utility Department is still in transition and everything is going well. The guys are doing a great job of readjusting.
- COUNCIL – Mayor Robinson thanked Chief Strow and Chief Stegall for the update information regarding police and fire calls. Finance Director Stephen Bloom informed the Council that its budget season and the first workshop will be held on Tuesday July 13th at 5:00 p.m.

- B. DISCUSSION WITH POSSIBLE ACTION: WAYMAR PROPERTY (811 E. NOBLE AVE) - CITY PLANNER LAURA JONES. City Planner Jones stated there were no updates at this time.

PUBLIC HEARING

- C. 2ND READING: ORDINANCE 2021-692: AN ORDINANCE OF THE CITY COUNCIL OF WILLISTON, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS PERTAINING TO SPECIAL PERMITS FOR TEMPORARY USES WITHIN THE CITY; PROVIDING SEVERABILITY; PROVIDING FOR CODIFICATION, AND PROVIDING AN EFFECTIVE DATE. – CITY PLANNER LAURA JONES. City Planner Jones discussed with the Council the change in the Ordinance would make application process for Special Permits for Temp Service all the same. With no future discussion, Councilmember Hinds moved to approve Ordinance 2021-692. Vice-President Robinson seconded. Motion carried 5-0 by saying "Aye".

CLOSED PUBLIC HEARING

ITEM – 6 – NEW BUSINESS –

- A. DISCUSSION WITH POSSIBLE ACTION: REVIEW OF THE CITY OF WILLISTON 2019-2020 AUDIT PURVIS AND GRAY- HELEN PAINTER. – Helen Painter discussed with the Council the Audit for 2019-2020 and said overall the City had a very good audit. There were several areas that the City needed to work on which is listed in the report. After some discussion Councilmember Ross moved to accept the 2019-2020 audit. Vice-President Robinson seconded. Motion carried 5-0 by saying "Aye".
- B. KURT RICHARDSON AND MIKE LANGSTON; DISCUSSION AND PRESENTATION- CHAMBER OF COMMERCE. – Kurt Richardson came before the Council to ask for assistance in purchasing a "Welcome to Williston" sign. Mr. Richardson asked Council if they were will to pay half of the \$8,600 for the sign. Council informed Mr. Richardson at this time Council would be unable to assist with the cost but budget time is coming and they will see if they can help out.
- C. RESOLUTION 2021-38: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLISTON, FLORIDA, DECLARING CITY PROPERTY A SURPLUS (SAWMILL) TO THE NEEDS OF THE CITY OF WILLISTON, DIRECTING THAT THE PROPERTY BE OFFERED FOR SALE, AUTHORIZING THE CITY STAFF TO ACCEPT WRITTEN OFFERS FOR CONSIDERATION, AND PROVIDING AN EFFECTIVE DATE. – CITY MANAGER JACKIE GORMAN. – City Manager Gorman

CITY OF WILLISTON, FLORIDA
CITY COUNCIL MEETING

told the Council this was an item previously purchased in 2020 and under new staff they do not see where there is a use for it. City Manager Gorman said they could sell it for the cost of the purchase price of \$12,210.00. After some discussion Vice-President Robinson moved to approve Resolution 2021-38. Councilmember Cox seconded. Motion carried 5-0 by saying "Aye".

- D. DISCUSSION WITH POSSIBLE ACTION: RFP 2021-03 LEGAL SERVICE- CITY MANAGER JACKIE GORMAN. – City Manager Gorman said they received two proposals on June 15th, one made it to the correct room and the other was delivered to another. Since one was delivered to the correct room did Council want to reject the bids received and re-advertise for Attorney Services? Council was in consensus of accepting them both.
- E. DISCUSSION WITH POSSIBLE ACTION: GARBAGE SERVICE TO ORANGE HILL CEMETERY. – COUNCIL PRESIDENT DEBRA JONES. – President Jones discussed with the Council that for years the City has paid for the dumpster service at Orange Hill Cemetery and wanted to know if they wanted to continue to pay for this service. After some discussion item tabled until next meeting.

ITEM – 7 – PUBLIC PARTICIPATION – Attorney Norm Fugate told the Council they made the right decision to interview both Attorneys that turned in the RFP for Attorney Services.

ITEM – 8 – ANNOUNCEMENTS – Council President announced the dedication of the Pavilion to Dr. Schwiebert will be held on Monday July 12th at 5:00 p.m.

ITEM – 9 – ADJOURNMENT – With no future business Councilmember Hinds moved to adjourn at 7:20. Vice-President Robinson seconded. Motion carried 5-0 by saying "Aye".

NEXT SCHEDULED MEETING JULY 6, 2021 AT 6:00 P.M.

July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: Orange Hill Cemetery - History of dumpster

PREPARED BY: Jackie Gorman, City Manager

BACKGROUND/DESCRIPTION:

Renee' Nipper was able to pull up some information on the dumpster at Orange Hill Cemetery.

From what she could find, Waste Pro originally provided the dumpster at no charge treating it as if it were City property.

When the contract with Waste Pro was renewed, Waste Pro removed that benefit from the Contract and the City began paying for a 2-yard dumpster at \$54.13/month. From what we could find the fee was never singled out from the rest of the City's dumpsters so the question never came up as to whether the city should continue paying or not. The new rate with GFL is \$56.29.

Please let us know if you need further information.

LEGAL REVIEW: No

FISCAL IMPACTS: Yes

RECOMMENDED ACTION:

ATTACHMENTS: None

COMMISSION ACTION:

_____ **APPROVED**

_____ **DISAPPROVED**

Date: July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: CHANGING VESTING FROM TEN YEARS TO SIX YEARS FOR POLICE OFFICERS

REQUESTED BY: CHIEF DENNIS STROW PREPARED BY: CHIEF DENNIS STROW

BACKGROUND / DESCRIPTION:

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION: Approve

ATTACHMENTS:

COMMISSION ACTION:

APPROVED

DISAPPROVED

Can you add this email from Stephen Bloom to the agenda packet. Thank you

Sent from my iPhone

Begin forwarded message:

> From: "Bloom, Stephen" <stephen.bloom@inframark.com>

> Date: May 27, 2021 at 2:08:04 PM EDT

> To: Dennis Strow <dennis.strow@willistonpolice.org>

> Subject: RE: cost study

>

>

> Based on that cost, yes it is doable. I'm assuming your goal is also to increase their salaries, so the pension cost will go up with that too. Otherwise, I don't see a problem with this.

>

> Regards,

>

> Stephen Bloom | Finance Director

>

>

>

> 210 N. University Drive, Suite 702 | Coral Springs, FL 33071

> (O) 954.603.0032 | (C) 954.703.9364 | www.inframarkims.com

>

> From: Dennis Strow <dennis.strow@willistonpolice.org>

> Sent: Thursday, May 27, 2021 2:04 PM

> To: Bloom, Stephen <stephen.bloom@inframark.com>

> Subject: Re: cost study

>

> It looks very doable to me. Your thoughts?

>

> Sent from my iPhone

>

>

> On May 27, 2021, at 1:59 PM, Bloom, Stephen <stephen.bloom@inframark.com> wrote:

>

>

> Ok, thank you Chief.

>

> Regards,

>

> Stephen Bloom | Finance Director

>

> <image001.png>

>

> 210 N. University Drive, Suite 702 | Coral Springs, FL 33071

> (O) 954.603.0032 | (C) 954.703.9364 | www.inframarkims.com

>

> From: Dennis Strow <dennis.strow@willistonpolice.org>

> Sent: Thursday, May 27, 2021 1:38 PM

> To: Bloom, Stephen <stephen.bloom@inframark.com>

> Subject: Fwd: cost study

>

> FYI

>

> Sent from my iPhone

>

> Begin forwarded message:

>

> From: Matthew Fortney <matthew.fortney@willistonpolice.org>

> Date: May 27, 2021 at 1:19:56 PM EDT

> To: Dennis Strow <dennis.strow@willistonpolice.org>

> Subject: Re: cost study

>

>

> The retirement plan is healthy due to turn over and earnings. The league advised that the .79 would be the cost. Of course all contributions could change with salary adjustments and market changes.

>

> On Thu, May 27, 2021, 1:12 PM Dennis Strow <dennis.strow@willistonpolice.org> wrote:

> Can you respond to his question?

>

> Sent from my iPhone

>

> Begin forwarded message:

>

> From: "Bloom, Stephen" <stephen.bloom@inframark.com>

> Date: May 27, 2021 at 1:07:45 PM EDT

> To: Dennis Strow <dennis.strow@willistonpolice.org>

> Cc: Latricia Wright <latricia.wright@willistonfl.org>

> Subject: RE: cost study

>

>

> Hi Chief,

>

> I don't see a problem with the 19.76% for next year. Even after the adjustment of .79%, that % is lower than this year (20.52%).

>

> But what about long-term? The email mentioned FY21/22, but have they calculated or provided what the long-term implications of making this change might be? Is there anything else that would need to be changed that would affect the plan or the current calculated liability.

>

> Regards,

>

> Stephen Bloom | Finance Director

>

>

>

> 210 N. University Drive, Suite 702 | Coral Springs, FL 33071

> (O) 954.603.0032 | (C) 954.703.9364 | www.inframarkkims.com

>

> From: Dennis Strow <dennis.strow@willistonpolice.org>

> Sent: Thursday, May 27, 2021 10:09 AM

> To: Bloom, Stephen <stephen.bloom@inframark.com>

> Subject: Fwd: cost study

>

> See attached email. Let me know what you think please

>

> Sent from my iPhone

>

> Begin forwarded message:

>

> From: Matthew Fortney <matthew.fortney@willistonpolice.org>

> Date: May 27, 2021 at 10:07:17 AM EDT

> To: Dennis Strow <dennis.strow@willistonpolice.org>

> Subject: Fwd: FW: cost study

>

>

>

> ----- Forwarded message -----

> From: Latricia Wright <latricia.wright@willistonfl.org>

> Date: Wed, May 26, 2021, 4:58 PM

> Subject: FW: cost study

> To: Matthew Fortney <matthew.fortney@willistonpolice.org>, Terry Bovaird

> <terry.bovaird@willistonpolice.org>, SHARON BRANNAN <sharon@brannan CPA.com>, Dan Jones

> <dan.jones@willistonfl.org>, danielfjones@embarqmail.com <danielfjones@embarqmail.com>, glynn.h.marsh@gmail.com <glynn.h.marsh@gmail.com>

> <glynn.h.marsh@gmail.com>

>

>

> Good afternoon,

>

>

>

> Please see email below.

>

>

>

>

> Latricia

>

>

>

> From: Laura Underhill [<mailto:LUnderhill@flcities.com>]

> Sent: Wednesday, May 26, 2021 3:46 PM

> To: 'matthew.fortney@willistonpolice.org' <matthew.fortney@willistonpolice.org>; Latricia Wright

> <latricia.wright@willistonfl.org>

> Subject: cost study

>

>

>

>

>

>

>

>

> Laura Underhill

>

> Senior Financial Analyst

>

> Florida League of Cities, Inc.

>

> 850.701.3633

>

> P.O. Box 1757

>

> Tallahassee, FL 32302

>

> Fax 850.222.3806

>

> www.flcities.com

>

>

>

> PLEASE NOTE: My office hours are 7:30 a.m. – 3:30 p.m. Monday - Friday

>

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> WARNING: This email originated outside of Inframark. Take caution when clicking on links and opening attachments.

>

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>

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>

>

> <image001.png>

Total Control Panel

[Login](#)

To: latricia.wright@willistonfl.org

[Remove this sender from my allow list](#)

From:

dennis.strow@willistonpolice.org

You received this message because the sender is on your allow list.

Date: July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: PREPAY GAS

REQUESTED BY: INTERIM UTILITY DIRECTOR JONATHEN BISHOP
PREPARED BY: INTERIM UTILITY DIRECTOR JONATHEN BISHOP

BACKGROUND / DESCRIPTION:

LEGAL REVIEW:

FISCAL IMPACTS:

RECOMMENDED ACTION:

ATTACHMENTS:

COMMISSION ACTION:

APPROVED

DISAPPROVED



Discounted Natural Gas Supply

City of Williston

July 6, 2021

Florida Gas Utility (FGU)

- Non-profit municipal joint action agency
- Providing natural gas services for over 30 years
 - Specializing in gas supply and capacity management
- 25 Municipal Members throughout Florida
- 5th largest shipper on Florida Gas Transmission pipeline system



Discounted Natural Gas Supply

- Discounted natural gas supply is achieved through a prepay transaction
 - Does NOT require prepayment by City
 - 30-year commitment
- The City of Williston is currently participating in 3 prepay deals
- Gulf States/BP Prepay Deal will be the 4th

Key Terms – Gulf States/BP

- Quantity
 - Winter 22 dth/day
 - Summer 9 dth/day
- Discount
 - \$0.30/dth total discount
- Term of Contract
 - Either a fixed 30-year discount or will periodically reprice, with initial discount period of at least 5 years
- Exit Clause
 - Permanent cessation of the use of natural gas
 - Permanent reduction in the use of natural gas by the City of Williston

Breakout of Contract Quantities

Existing Daily Contract Quantity (Dths/day)		
<u>Winter</u>	<u>Summer</u>	5-yr Historical Average Consumption
51	18	33%

Proposed Daily Contract Quantity (Dths/day)		
<u>Winter</u>	<u>Summer</u>	5-yr Historical Average Consumption
73	27	48%

Discount Savings

Existing Annual Prepay Savings	
Total Annual Prepay Supply (dth)	Total Annual Savings
11,553	\$3,795

Proposed Annual Prepay Savings	
Total Annual Prepay Supply (dth)	Total Annual Savings
16,801	\$5,370

Recommendation

Florida Gas Utility recommends that the City of Williston authorize the execution of the Directive related to this opportunity



July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: RFP 2021-03 City Attorney Legal Services

PREPARED BY: Jackie Gorman, City Manager

BACKGROUND/DESCRIPTION:

The City received two (2) Proposals on June 15, 2021, for Legal Services as follows:

1. Norm Fugate, P.A.
2. Folds, Walker & Maltby, LLC

Interviews were held on Thursday, July 1, 2021 in the City Hall Council Chambers beginning at 5:00 PM.

This memo is to reserve a place for discussion and possible action.

Please let us know if you need further information.

LEGAL REVIEW: No

FISCAL IMPACTS:

RECOMMENDED ACTION:

ATTACHMENTS:

COMMISSION ACTION:

_____ **APPROVED**

_____ **DISAPPROVED**

COMMUNITY DEVELOPMENT ZONING STAFF REPORT

Planning Commission - Tuesday, June 29, 2021 at 6:00 PM

City Council - July 6, 2021



I. APPLICATION SUMMARY:

Applicant:

Special Exception SE 2021-03 an application received from North Florida Mini Storage Company requesting a Special Exception to allow storage use in completely enclosed buildings in a Commercial Intensive (C-2) District.

Subject property:

Property Address: TBD adjacent to 710 SW 6th Ave (North Fl Mini Storage)

01-13-18 000163 ACRES TRACT IN SE1/4 OF NE1/4 OR BOOK 1586 PAGE 445

Parcel ID 043260010E

Future Land Use designation: Commercial

Zoning: Commercial Intensive

Current use(s): Vacant

Prior use: Vacant

Adjacent zoning and land uses:

North: Commercial

South: Commercial / Residential Business

3. Off-site signs (see chapter 52).
4. Truck stops and automotive service stations (see article II of this chapter for special design standards for automotive service stations).
5. Service establishments such as crematory.
6. Agricultural fairs and fairground activities, livestock auction arenas.
7. Commercial tourist attractions.
8. Building trades contractor with on-premises storage yard for materials and equipment.
9. Public buildings and facilities.
10. Churches and other houses of worship.
11. Private clubs and lodges.
12. Bed and breakfast inns (see article II of this chapter).

According to the City of Williston's Land Development Regulations, the City Council may approve, approve with special conditions and safeguards, or deny a special exception, depending upon whether or not it finds that a project promotes public health, safety, moral, order, comfort, convenience, appearance or prosperity for the general welfare of the residents of the City of Williston. Such a determination may be dependent upon special conditions of approval and findings that satisfactory provision and arrangement has been made concerning the following matters, where applicable:

- Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- Off-street parking and loading areas, where required, with particular attention to the items in (a) above and the economic, noise, glare, or odor effect of the special exception on adjoining properties and properties generally in the district.
- Refuse and service areas, with particular reference to items (a) and (b) above.
- Utilities, with reference to locations, availability, and compatibility.
- Screening and buffering with reference to type, dimensions, and character.
- Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.
- Required yards and other open space.
- Considerations relating to general compatibility with adjacent properties and other property in the district including but not limited to:
 - Conformity with the comprehensive plan and the effects upon the comprehensive plan



Community Development Department

50 NW Main Street

Williston, FL 32696

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

Email: City.Planner@Willistonfl.org

Website: www.willistonfl.org

SPECIAL EXCEPTION REQUEST

(\$720 - Commercial \$360 - Residential)

1. Name of Petitioner(s): NORTH FLA MINI STORAGE

Address of Petitioner(s): 710 S.W. 6 Ave

WILLISTON FL 32696

City _____ State _____ Zip _____ Phone # 352-528-4970

Email Address _____

2. Parcel Number (from tax roll): 043260010E

Size of property: 1.63 ACRES Legal Description: (Please attach)

3. Description of Request:

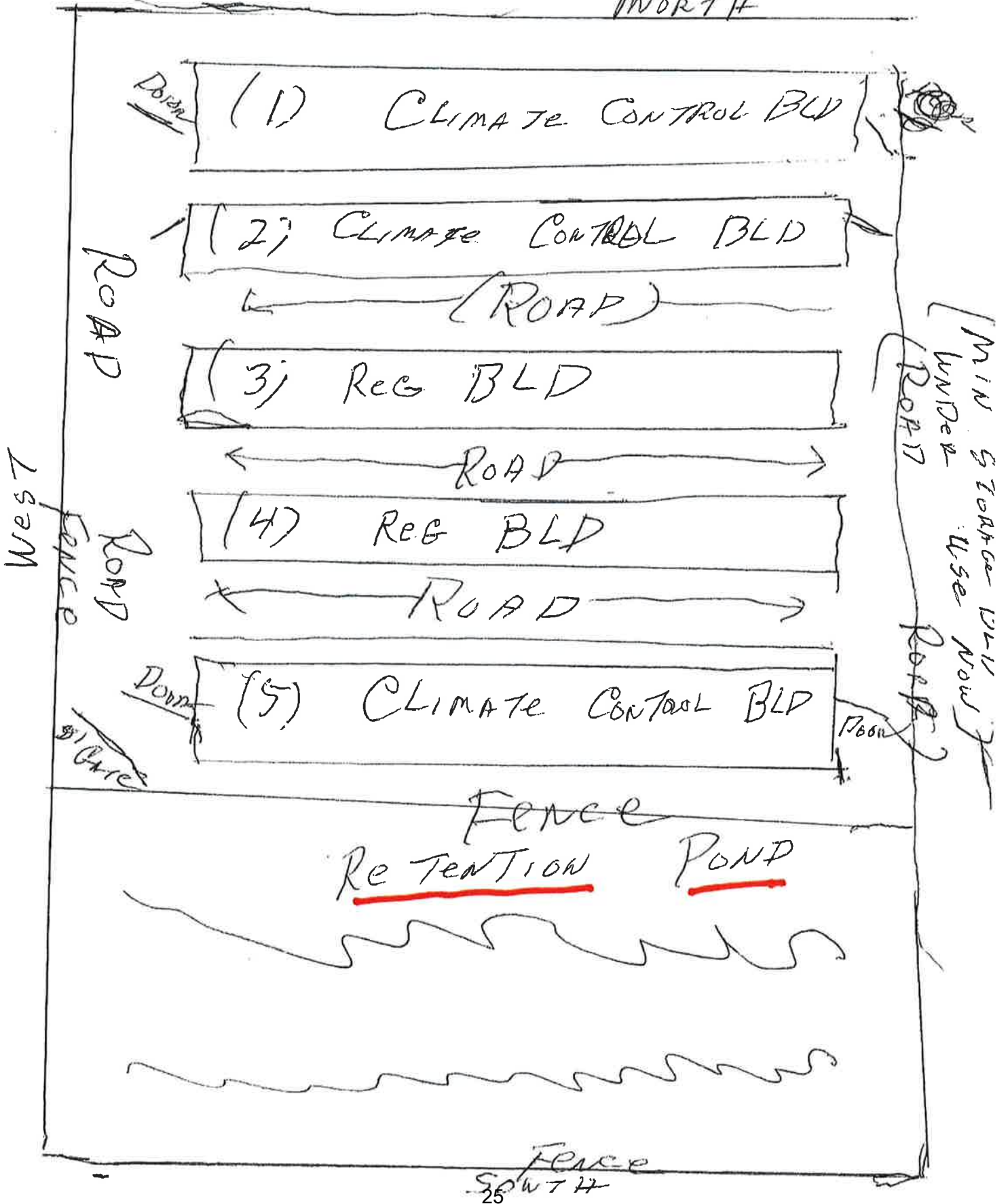
REQUEST TO ADD ON MINI STORAGE
TO NORTH FLA MINI STORAGE

4. A special exception shall not be granted by the Planning and Zoning Commission 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.

NORTH FLA Mini STORAGE (ADDITION)
(1.6 ACRES)
Fence

NORTH



Date: July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: RESOLUTION 2021 -40 - A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN AGREEMENT WITH WRIGHT-PIERCE TO PROVIDE ENGINEERING SERVICES FOR AN INFRASTRUCTURE REVITALIZATION PLAN, AND PROVIDING AN EFFECTIVE DATE.

PREPARED BY: Jackie Gorman, City Manager

BACKGROUND / DESCRIPTION:

As we move forward with our budget discussions, we need to strategize as to what is the best method for meeting the challenges we have before us. We know that we are in the midst of a growth spurt, businesses and housing is coming in faster than we can provide services to them. We have antiquated utilities that need our attention, Public Works has been working feverishly in staying on task with regulatory compliance with our existing system, as well as the challenge of getting septic tanks removed for the health of our aquifer. Our streets are in desperate need attention, and we have areas of flooding that need stormwater repairs. All of this can be addressed through good planning and the use of a Utility Master Plan.

This next fiscal year (FY21-22) we will be focusing on staffing needs, cleaning up our Ordinances, getting all our master planning in place and securing funding for our projects. The year after will be all about construction and moving our city forward in a fiscally healthy manner.

Attached you will find Resolution 2021-40 with an attached proposal for engineering services from Wright-Pierce to prepare a Utility Master Plan for the City. This proposal specifically targets the City's infrastructure needs (water, sewer, roadway) that will be phased for construction based on need. This is exactly what the city needs for our city and its citizens to have safe and reliable infrastructure.

The airport is not included in the proposal at this time. We have applied for a Technical Assistance Grant through DEO that, if approved, will fund Passero Associates, Airport Engineering Consultant, \$36,500 to move forward with completing a Utility Master Plan for the Airport. We hope to have favorable news on this Grant within the week.

LEGAL REVIEW: Yes

FISCAL IMPACTS: \$142,600

RECOMMENDED ACTION:

Staff recommends approval.

Date: July 6, 2021

ATTACHMENTS:

Resolution 2021-40

Proposal for Engineering Services – Infrastructure Revitalization Plan

COMMISSION ACTION:

 APPROVED

 DISAPPROVED

RESOLUTION 2021 -40

A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN AGREEMENT WITH WRIGHT-PIERCE TO PROVIDE ENGINEERING SERVICES FOR AN INFRASTRUCTURE REVITALIZATION PLAN, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Williston needs an Infrastructure Revitalization Plan for the City's water, wastewater, and roadway infrastructure, and

WHEREAS, to proceed with the project, it is necessary to enter into an Agreement with Wright-Pierce to perform these services in accordance with their standard Terms and Conditions for Engineering Services outlined in their annual Contract for Engineering Services; and

WHEREAS the City of Williston finds that it is necessary to enter into the Agreement and that it is a necessary part of moving forward with this project and authorizes the City Council President to sign said Agreement.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

SECTION 2. The City Council hereby accepts the Terms and Conditions of the Proposal with Wright-Pierce as identified in the attached Exhibit A.

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

PASSED AND ADOPTED on _____, 2021.

CITY OF WILLISTON, FLORIDA

Debra Jones, President
Williston City Council

ATTEST: Latricia Wright
City Clerk

EXHIBIT A

601 South Lake Destiny Road, Suite 290
Maitland, FL 32751
Phone: 407.906.1776 | Fax: 407.386.7736

June 25, 2021

Ms. Jackie Gorman, City Manager
City of Williston
50 NW Main Street
Williston, FL 32696

**SUBJECT: Proposal for Engineering Services
Infrastructure Revitalization Plan**

Dear Ms. Gorman,

We appreciate the opportunity to provide you with this proposal for professional engineering services associated with the development of an Infrastructure Revitalization Plan for the City of Williston's water, wastewater, and roadway infrastructure.

SCOPE OF SERVICES

For this project, we anticipate performing the following tasks:

Task 1: Update Summary of Wastewater System Improvement Needs

Proposed wastewater improvement projects were previously identified in the City's 2013 State Revolving Fund (SRF) Facilities Plan. Many of the those proposed wastewater improvement projects remain to be completed and are referred to herein as the "Remaining SRF Projects." In addition, approximately 360 septic tanks located in or near the City should be considered for potential conversion to sewer service. Wright-Pierce (W-P) will coordinate with the City, review the 2013 SRF Facilities Plan and other applicable information/data, and develop a memorandum which does the following:

- Identifies the Remaining SRF Projects
- Updates the planning-level costs opinions associated with the Remaining SRF Project. This will be done by escalating the previous cost opinions to today's dollars.
- Identifies area in which septic-to-sewer conversion should be considered
- Presents the general concepts and planning-level cost opinions associated with the septic-to-sewer projects

W-P will electronically submit a portable document format (PDF) copy of the draft memorandum to the City for review. W-P will meet with the City to discuss its comments and agree on comments to be incorporated into the final memorandum. Subsequently, W-P will update the memorandum and electronically submit a PDF copy of the final memorandum to the City.

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Ms. Jackie Gorman, City Manager

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Task 2: Summarize Water System Improvement Needs

The City owns and operates a potable water system consisting of the Top-of-Hill, Barn, Mixon Road, and Airport Water Treatment Plants (WTPs). The water distribution system associated with the Top-of-Hill, Barn, and Mixon Road WTPs serve the majority of the City. This portion of the water system is referred to herein as the "Main Water System." The Airport WTP and water distribution system serves the Williston Airport and the adjacent Industrial Park. This portion of the water system is referred to herein as the "Airport Water System." An 8-inch diameter water main with a hydraulically operated pressure-reducing valve was previously constructed to connect the Airport Water System to the Main Water System. The hydraulically operated pressure-reducing valve allows the Airport Water System to serve as a backup water supply to the Main Water System. It should be noted that the pressure in the Airport Water System is normally higher than the pressure in the Main Water System.

The Top-of-Hill WTP primarily consists of one potable water well, a chlorine disinfection system, and one 60,000-gallon elevated storage tank (EST). The Barn WTP primarily consists of one potable water well, a chlorine disinfection system, and one 500,000-gallon standpipe (SP). The Mixon Road WTP primarily consists of one potable water well, a chlorine disinfection system, and one 30,000-gallon hydropneumatic tank (HT). The Airport WTP consists of one potable water well, a chlorine disinfection system, and two 10,000-gallon HTs.

A skeletonized hydraulic modeling effort was completed in 2007 to support the design of the Mixon Road WTP. The skeletonized hydraulic modeling effort, which primarily focused on the Barn WTP and Mixon Road WTP vicinities of the Main Water System, concluded the following:

1. Under maximum daily demand (MDD) conditions, fire flow availability was less than 500 gpm in significant portions of the City's water distribution system due to the low height of the standpipe.
2. The minimum system pressure during the peak hour demand (PHD) condition was only 4 psi above the regulatory minimum allowable system pressure requirement of 20 psi.
3. Future increases in water demand associated with connecting additional customers to the water system could potentially lead to the water system becoming out of compliance with the regulatory minimum allowable water system pressure requirement.

Additional water system challenges include the following:

- Due to the low height of the 500,000-gallon SP and the regulatory minimum allowable water system pressure requirement, a significant portion of stored water is considered unusable (potentially over half the total volume of the SP).
- As previously mentioned, the skeletonized hydraulic modeling effort primarily focused on the Barn WTP and Mixon Road WTP vicinities of the Main Water System. The low elevation of the EST at the Top-of-Hill WTP also limits fire flow and system pressure availabilities. Note: One of the reasons a hydraulically

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Ms. Jackie Gorman, City Manager

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operated pressure-reducing valve was installed in the 8-inch water main that connects the Airport Water System to the Main Water System was to avoid additional EST overflows.

- Additional water supply for fire suppression may be needed at the Airport Industrial Park to facility business development. Due to the difference in water system pressures at the point of connection between the Main Water System and the Airport Water System, the Main Water System is not currently able to convey water to the Airport Water System.
- The inability to maintain the regulatory minimum allowable water system pressure requirement can potentially lead to a moratorium on connecting additional customers to a water system until after corrective improvements are implemented.

In order to identify the water system improvement needs and properly plan for their implementation, W-P do the following:

- Develop a hydraulic model of the City's water distribution system. The model is envisioned to be developed using the following:
 - Levy County Geographic Information System (GIS) parcel data. W-P will obtain this information.
 - A GIS digital elevation model (DEM) that provides ground surface elevations throughout the City's water service areas. W-P will obtain this information.
 - Either GIS shapefiles (preferred) or AutoCAD drawings of the City's water distribution system. The City is to provide this information to W-P.
 - Available drawings (record drawings are preferred) and information related to components at the WTPs, including well pump performance curves, tank dimensions, elevations of tanks, and pump settings. The City is to provide this information to W-P.
 - Drawings, sketches, etc. that present future water system improvements that will be implemented regardless of the recommendations associated with this project. The City is to provide this information to W-P.
 - The 2019 and 2020 annual reports the City submitted to the Water Management District which presented the amounts of water sold, water flushed, and the non-revenue water. The City is to provide this information to W-P.
 - One or more Excel files that contain the 2019 and 2020 monthly operating reports (MORs) for each WTP. The City is to provide this information to W-P.
 - An Excel file containing available water system billing data/monthly usage for water system customers for up to a one-year period. The City is to provide this information to W-P. Note: Use of water system billing data/monthly usage for water system customers is proposed because the City developed a similar Excel file for the 2006 skeletonized hydraulic modeling effort, and developing a model that is based on customer demand information typically results in a more accurate model. Nevertheless, if the City believes its effort in developing an undated similar Excel file will be excessive or result in a significant schedule delay, W-P can estimate customer demands using GIS parcel data and typical water use information per customer type.

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Ms. Jackie Gorman, City Manager

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- Conduct one day of fire flow testing with the assistance of the City to obtain information needed to verify the model's hydraulic performance and, if needed, adjust the Hazen-William's C coefficient to improve the model's accuracy.
- Develop and execute the following steady-state modeling scenarios:
 - Current PDH and MDD-FF. This scenario serves to establish current baseline hydraulic performance of the City's water distribution system.
 - Projected 5-year PDH and MDD-FF Improvements.
 - Projected 10-year PDH and MDD-FF improvements.
 - Projected 15-year PDH and MDD-FF improvements.
 - Projected 20-year PDH and MDD-FF improvements.Note: W-P will estimate future water system demand with input from the City.
- Develop a memorandum which does the following:
 - Briefly summarizes the pertinent details of the modeling effort.
 - Presents proposed improvements.
 - Presents the cost opinions associated with the proposed improvements.

W-P will electronically submit a PDF copy of the draft memorandum to the City for review. W-P will meet with the City to discuss its comments and agree on comments to be incorporated into the final memorandum. Subsequently, W-P will update the memorandum and electronically submit a PDF copy of the final memorandum to the City.

Task 3: Update Summary of Roadway Improvement Needs

W-P will review documents provided by the City relating to previously proposed roadway improvement projects and discuss with the City roadway improvement projects that remain to be completed and additional roadway improvement needs. Based on this information and visual observations, W-P will develop a memorandum which does the following:

- Identifies the Roadway Improvement Projects.
- Identifies the general improvement needs (e.g., mill and resurface) for the Roadway Improvement Projects.
- Present cost opinions associated for the Roadway Improvement Project.

W-P will electronically submit a PDF copy of the draft memorandum to the City for review. W-P will meet with the City to discuss its comments and agree on comments to be incorporated into the final memorandum. Subsequently, W-P will update the memorandum and electronically submit a PDF copy of the final memorandum to the City.

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Ms. Jackie Gorman, City Manager

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Task 4: Develop an Overall Phased Implementation Plan

Economies of scale and reducing the number of times a road is repaired and neighborhoods are disturbed can often be realized by aligning the implementation timelines related to water, wastewater, and roadway improvements within areas of the City. For this reason, W-P will synthesize the water, wastewater, and roadway improvements, including costs in GIS, to develop an overall phased approach to simultaneously implement the improvements within geographical areas throughout the City. W-P will develop and electronically submit a PDF of a draft GIS map(s) of the phased implementation plan, cost opinions, and grouped priorities. Subsequently, W-P will meet with the City to discuss its comments and agree on comments to be incorporated into the final map. W-P will update the map and electronically submit a PDF copy of the final memorandum to the City. Note: The timeline for work associated with construction of the improvements will be estimated as part of Task 5.

Task 5: Develop a Capital Improvements Plan

Florida Rural Water Association (FRWA) is currently performing a rate analysis for the City that assumes a specific reinvestment rate. W-P will discuss the FRWA's rate analysis and W-P's overall phased implementation plan with the FRWA and the City to develop an understanding of the limitations associated with annually implementing the improvement projects. W-P will develop a memorandum which does the following:

- Presents an Improvements Plan that summarizes the improvement projects with costs opinions to be implemented annually.
- Presents potential funding sources available for implementation of the improvement projects.
- Estimates the range of the City's annual implementation costs based on a range of grant money available. Note: The actual number of projects to be implemented annually will be influenced by the annual availability of funding and grant money.

W-P will electronically submit a PDF copy of the draft memorandum to the City for review. W-P will meet with the City to discuss its comments and agree on comments to be incorporated into the final memorandum. Subsequently, W-P will update the memorandum and electronically submit a PDF copy of the final memorandum to the City.

Task 6: Deliver Final Presentation to City Council

W-P will prepare and deliver a final presentation to the City Council at a regular workshop. As part of this effort, W-P will discuss and coordinate the content of the presentation with City staff, develop the draft presentation, meet with the City staff to discuss its comments on the draft presentation, and agree on modifications to be incorporate into the final presentation.

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Ms. Jackie Gorman, City Manager

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PROPOSED FEE AND SCHEDULE

Based on the above, we have prepared the following fee to complete the scope of services.

Task	Fee
Task 1 – Update Summary of Wastewater System Improvement Needs	\$25,000
Task 2 – Summarize Water System Improvement Needs	\$50,000
Task 3 – Update Summary of Roadway Improvement Needs	\$25,000
Task 4 – Develop an Overall Phased Implementation Plan	\$16,500
Task 6 – Develop a Capital Implementations Plan	\$17,500
Task 7 – Deliver Final Presentation to City Council	\$8,600
TOTAL	\$142,600

The above budget includes our labor and reimbursable expenses. Fees charged by Wright-Pierce will be invoiced on a monthly basis and will be based on our standard hourly billing rates, plus non-labor expenses, which will be billed at straight cost. Additional services performed at the City's request and authorization will be billed on a time and materials basis per our standard labor rates, plus any applicable reimbursable expenses. Services will be performed in accordance with our standard Terms and Conditions for engineering agreements (Exhibit A - copy attached).

The maximum total compensation for the project shall not exceed the total compensation for the scope items above without written authorization from the client. If it becomes apparent to Wright-Pierce at any time that changes in scope or other issues impact total compensation, we will so notify the City in writing.

If this proposal is acceptable, please have an authorized agent sign below and return a copy for our files. We appreciate this opportunity to be of service to you and look forward to this opportunity to work with you on this project. Should you have any questions or wish to discuss this proposal further, please do not hesitate to contact me at 407.710.9259.

Sincerely,

WRIGHT-PIERCE



Dennis Davis, PE

Senior Client Service Manager

dennis.davis@wright-pierce.com

WRIGHT-PIERCE 
Engineering a Better Environment

6/25/2021

Ms. Jackie Gorman, City Manager

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CITY OF WILLISTON

By: _____

Name: _____

Title: _____

Date: _____

WRIGHT-PIERCE

By: _____

Dennis Davis, PE

Senior Client Service Manager

May 21, 2021

July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: RESOLUTION 2021-41 - A RESOLUTION OF THE CITY OF WILLISTON, LEVY COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN A PROMISSORY NOTE WITH DRUMMOND COMMUNITY BANK FOR THE PURPOSE OF RENOVATING THE POLICE AND FIRE DEPARTMENT BUILDING, AND PROVIDING AN EFFECTIVE DATE.

PREPARED BY: Jackie Gorman, City Manager/Dennis Strow, Police Chief

BACKGROUND/DESCRIPTION:

As discussed previously, the Williston Fire Rescue building is shared by the Williston Police Department. The building was originally built in 1992, is a metal building that is beyond its lifespan of 20 years and has structural issues. The building has had a leaking roof, panels coming off the side of the building during storms and sinkholes. The sinkhole conditions were resolved but the area around the station is not able to be built on so there is no room for expansion which is why we submitted a request to Congressman Dunn for a Congressional appropriation for a new facility at the Airport. We will not know the outcome of our request until later this year.

Meanwhile, the upstairs is not climate controlled and not sealed from the outside elements. It is used for storage of extra equipment. The Police command staff and supervisors share office workstations. The kitchen serves as the officer's workstation, report writing room, juvenile detention area and agency briefing room. The buildings supply closet is located inside our suspect interview room. The current law enforcement and fire dispatch center doubles as the agency reception area to the public.

The Fire Department bay doors were installed used and were constructed in 1974 and the building was erected in 1992. Our Fire/Police struggle daily to secure the safety and welfare of our citizens they are also at risk from high levels of mold in this building due to the upstairs not being finished.

The attached Promissory Note with Drummond Bank is for \$100,000 as outlined in the Agreement. This money will be used to finish construction in the upstairs and provide 5 replacement doors in our Fire bays. The budget will reflect \$70,000 from Police and \$30,000 from Fire.

This facility needs to be improved regardless of whether we get the funding for a new building or not and will only increase the value as we move forward.

July 6, 2021

Please let us know if you need further information.

LEGAL REVIEW: Yes

FISCAL IMPACTS: \$100,000 Loan - Drummond Bank

RECOMMENDED ACTION: Approval

ATTACHMENTS:

**Resolution 2021-41
Promissory Note - Drummond Bank**

COMMISSION ACTION:

APPROVED

DISAPPROVED

RESOLUTION 2021-41

Borrower: CITY OF WILLISTON
P. O. Box 160
Williston, Florida 32696

Lender: Drummond Community Bank
342 East Noble Avenue
P. O. Box 788
Williston, Florida 32696

=====

WHEREAS, the City of Williston, Florida, a Florida Municipal Corporation, is validly chartered and existing under the laws of the State of Florida and is duly authorized to transact business in the State of Florida; and

WHEREAS, the City Council of the City of Williston, Florida, has determined that it would be a proper municipal purpose for the City to enter into a construction project for renovations to the City Police and Fire Department building; and

WHEREAS, the City Council of the City of Williston, Florida hereby finds that, after comparison of alternative financing options received from competing lenders, the costs associated with competitively bidding for placement of the loan, and the benefit to the citizens of Williston from dealing with a locally owned financial institution, that it would be in the best interest of the City to directly negotiate the loan with Drummond Community Bank rather than award the loan at a public sale.

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

1. Debra Jones, as President of the City Council of the City of Williston, Florida, acting for and on behalf of the City is hereby authorized and empowered to execute and deliver to Lender a promissory note in a form identical to that which is attached hereto as Exhibit "A", which promissory note includes a pledge of the City's Communications Services Tax revenues; and
2. Principal advances anticipated by the promissory note, at the time as the funds are necessary for the payment of draws under the construction contract for said renovations, shall be authorized by the President of the City Council.

Passed by the Williston City Council in regular session, this 6th day of July, 2021.

CITY OF WILLISTON, FLORIDA

BY:

Debra F. Jones, President, City Council

ATTEST:

_____, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Fred Koberlein, City Attorney

EXHIBIT A

PROMISSORY NOTE

Borrower: CITY OF WILLISTON
P.O. Box 160
Williston, Florida 32696

Lender: Drummond Community Bank
342 East Noble Avenue
P. O. Box 788
Williston, Florida 32696

Principal Amount: \$100,000.00

Date of Note: June 6, 2021

PROMISE TO PAY. THE CITY OF WILLISTON, FLORIDA ("Borrower") promises to pay to Drummond Community Bank ("Lender"), or order, in lawful money of the United States of America, the principal amount of One hundred Thousand and 00/100 dollars, (\$100,000.00), or so much as may be outstanding, together with interest on the unpaid principal balance from the date that principal is advanced until paid in full.

INTEREST RATE; ORIGINATION FEE. The interest rate on this note for the period of July 6, 2021, until July 6, 2027 shall be 3.75%. Borrower shall pay, at closing, an origination fee in the amount of \$_____.

LINE OF CREDIT. This Note evidences a straight line of credit under which principal advances up to the Principal Amount are contemplated. When advances are made totaling the Principal Amount, Borrower is not entitled to any further principal advances. Advances under this line of credit shall be authorized by a written resolution adopted by a majority of the City Council at a regularly scheduled City Council meeting. Borrower agrees to be liable for all amounts advanced in accordance with the above authorization process and credited to any of Borrower's accounts with Lender.

PAYMENT. Borrower will pay this loan in 12 monthly payments of interest only, beginning _____, 2021, followed by 60 monthly payments in an amount required to amortize the unpaid principal balance in equal monthly payments over the remaining life of the loan, with the first such amortized payment being due on _____, 2022. If not paid earlier, Borrower's final payment will be due on _____, 2027, and will be for all principal and all accrued interest not yet paid. The annual interest rate for this Note is computed on a 365/360 basis; that is, by applying the ratio of the annual interest rate over a year of 360 days, multiplied by the outstanding principal balance, multiplied by the actual number of days the principal balance is outstanding. Borrower will pay Lender at Lender's address shown above or at such other place as Lender may designate in writing. Unless otherwise agreed or required by applicable law, payments will be applied first to accrued unpaid interest, then to principal, and any remaining amount to any unpaid costs and late charges.

PREPAYMENT. Borrower may pay without penalty all or a portion of the amount owed earlier than it is due. Early payments will not, unless agreed to by Lender in writing, relieve Borrower or Borrower's obligation to continue to make payments under the payment schedule. Rather, they will reduce the principal balance due and may result in Borrower making fewer payments.

REVENUE PLEDGE. To secure Borrower's repayment obligations under this Note, Borrower assigns to Lender all Communications Services Tax revenues, (imposed under Fla. Stat. Chapter 203), received by Borrower. Borrower agrees that, if the revenue received under the agreement is insufficient to pay the payments due under this Note, Borrower will pledge such additional non-ad valorem tax revenues as is necessary to assure that payments due under this Note will be paid. Borrower and Lender further agree

and acknowledge that this Note is a "revenue obligation" and that the full faith and credit or taxing power of the Borrower is not pledged, either directly or indirectly for the repayment of this Note.

TAX EXEMPTION ON INTEREST. Borrower represents, covenants and warrants that it is a political subdivision of the State of Florida, such that any interest received by Lender under this Note shall qualify for exemption from Federal income taxes under the Internal Revenue Code. Borrower understands that the interest rate on this Note is calculated based on the corporate tax rates applicable under the Internal Revenue Code as of the date of this Note. In the event that corporate tax rates should decrease or that there be other changes in the Internal Revenue Code which may affect the tax equivalent yield of the interest received by the Lender under this Note, the interest rate shall be adjusted upon written notice from Lender to Borrower to achieve the same tax equivalent yield recognized by Lender as of the inception of this Note.

DEFAULT. Borrower will be in default if any of the following happens: (a) Borrower fails to make any payment when due. (b) Borrower breaks any promise Borrower has made to Lender, or Borrower fails to comply with or to perform when due any other term, obligation, covenant, or condition contained in this Note or any agreement related to this Note, or in any other agreement or loan Borrower has with Lender. (c) Any representation or statement made or furnished to Lender by Borrower or on Borrower's behalf is false or misleading in any material respect either now or at the time made or furnished. (d) Borrower becomes insolvent, a receiver is appointed for any part of Borrower's property, Borrower makes an assignment for the benefit of creditors, or any proceeding is commenced either by Borrower or against Borrower under any bankruptcy or insolvency laws. (e) Any creditor tries to take any of Borrower's property on or in which Lender has a lien or security interest. This includes a garnishment of any of Borrower's accounts with Lender. (f) A material adverse change occurs in Borrower's financial condition, or Lender believes the prospect of payment or performance of the indebtedness is impaired.

LENDER'S RIGHTS. Upon default, Lender may declare the entire unpaid principal balance on the Note and all accrued unpaid interest immediately due, without notice. Lender may hire or pay someone else to help collect this Note if Borrower does not pay. Borrower also will pay Lender the amount of these costs and expenses, which includes, subject to any limits under applicable law. Lender's reasonable attorneys' fees and Lender's legal expenses whether or not there is a lawsuit, including reasonable attorneys' fees and legal expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services. If not prohibited by applicable law, Borrower also will pay any court costs, in addition to all other sums provided by law. This Note has been delivered to Lender and accepted by Lender in the State of Florida. If there is a lawsuit, Borrower agrees upon Lender's request to submit to the jurisdiction of the courts of Levy County, the State of Florida. This Note shall be construed in accordance with the laws of the State of Florida.

GENERAL PROVISIONS. If any part of this Note cannot be enforced, this fact will not affect the rest of the Note. Borrower does not agree or intend to pay, and Lender does not agree or intend to contract for, charge, collect, take, reserve or receive (collectively referred to herein as "charge or collect"), any amount in the nature of interest or in the nature of a fee for this loan, which would in any way or event (including demand, prepayment, or acceleration) cause Lender to charge or collect more for this loan than the maximum Lender would be permitted to charge or collect by federal law of the State of Florida (as applicable). Any such excess interest or unauthorized fee shall, instead of anything stated to the

contrary, be applied first to reduce the principal balance of this loan, and when the principal has been paid in full, be refunded to Borrower. Lender may delay or forgo enforcing any of its rights or remedies under this Note without losing them. Borrower, to the extent allowed by law, waives presentment, demand for payment, protest and notice of dishonor.

BORROWER:

CITY OF WILLISTON, FLORIDA

By:

PRESIDENT, CITY COUNCIL

ATTEST:

_____, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

FRED KOBERLEIN, CITY ATTORNEY

July 6, 2021

COUNCIL AGENDA ITEM

TOPIC: Purchase of doors for the Public Works Barn

PREPARED BY: Jackie Gorman, City Manager

BACKGROUND/DESCRIPTION:

Staff came before Council on June 22, 2021 and was granted approval to surplus a sawmill that was purchased and never used. Danny Wallace is in the process of obtaining bids for this equipment and hope to receive \$12,610 minimum which is what was paid by the city for the purchase of the sawmill.

Again, the reason for the request to surplus the sawmill was that these funds could be better spent towards the purchase of new doors. Originally, we were needing 3 (14 x 14) doors that would cost \$17,675 (\$5,892/ea.). After some thought, Public Works staff realized they only needed two (2) doors and take the existing doors and build an entirely new 3rd door. This would save the city any extra costs.

In conclusion staff is requesting \$11,784 for the purchase of two (2) new 14 x 14 doors to secure the Public Works barn and will be paid entirely from the funds received from the sale of the sawmill.

Please let us know if you need further information.

LEGAL REVIEW: No

FISCAL IMPACTS: \$11,784

RECOMMENDED ACTION:

ATTACHMENTS: None

COMMISSION ACTION:

_____ **APPROVED**

_____ **DISAPPROVED**