

**CITY OF WEWAHITCHKA
BOARD OF CITY COMMISSIONERS
SENIOR CITIZEN BUILDING
314 N 3rd STREET
REGULAR MEETING
JANUARY 27, 2022
6:00 PM**

The City Commission met on this date, January 27, 2022 at 6:00 P.M. at the Senior Citizens/Community Building, 314 N. 3rd St, Wewahitchka, Florida. **Mayor Gaskin** called the meeting to order, asked **Bro. Joey Smith** to lead a prayer and everyone said the Pledge of Allegiance.

Attendance

Mayor Gaskin
Commissioner Fisher
Commissioner Paul
Commissioner Pettis
Commissioner Cox

Sheriff

Sheriff Mike Harrison

City Attorney

Michelle Jordan

City Manager

Michael Gortman

City Superintendent

Chipper Wade

City Clerk

Rachel Jackson

City Finance Director

Brittney Proctor

City Deputy Clerk

Johnna Roberts

City Utility Billing Clerk

Misty Robbins

Public Present

John Burttschell
Linda Burttschell
Jerry Turner
Joey Turner
Joe Swigart
Brian Parker
Patricia Fisher
Tyler Marsh (SCE)
Hunter Baumgardner (SCE)
Jack Husband (SCE)
Dave Hodsdon
Gene Hanlon
Tom Wynn
Derrick Gerber
Roy Lee Carter
Joey Smith
Tommy Hamm
Ashley Johnson
Wendy Weitzel
Emily McLeod

Approval of Agenda

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

Approval of Minutes

Commissioner Paul made a motion to approve Regular Commission Meeting 12/22/21, Workshop 12/29/21, Special Meeting 1/6/22, and Special Meeting 1/13/22. **Commissioner Fisher** seconded the motion. Motion carried 5-0.

Public Recognition

Joe Swigart resident at 259 W Reid Ave – stated that he was concerned about bushes being cut down in the right of way adjoining his property. **Mr. Swigart** requested permission to trim the bushes himself rather than the City cutting them, as they provide privacy and protection to his

children and property. **Superintendent Chipper Wade** explained that they were being trimmed because they are a safety concern. Following further discussion, the Board instructed **City Attorney Michelle Jordan** to draft a liability release that **Mr. Swigart** could sign, once signed the City will allow him to trim the bushes in the right of way rather than the City trimming them.

Jerry Turner resident at 233 Old Dairy Farm Rd- Voiced concerns about a neighborhood noise issue, and asked if there was an Ordinance to help stop the issue. **Sheriff Harrison** spoke about an Ordinance that the County just adopted that will allow noise violations to be measured in decibels rather than just between certain hours. **Sheriff Harrison** suggested that the City review and adopt a similar ordinance so that noise issues could be addressed. Following discussion, **Commissioner Paul** made a motion to allow the attorney to review the County ordinance and draft a noise ordinance for the City. **Commissioner Cox** seconded the motion. Motion carried 5-0.

Linda Burtshell stated that something needed to be done about speeding traffic on 2nd St. **Sheriff Harrison** stated that he will put speed trailer on street to try to slow down traffic and provide a report to the commission of the average speed of traffic for the month.

Roy Lee Carter stated that he owns property on Yon Dr behind housing project on River Road would like to see if the city can do anything about the junk and debris on property that adjoins and is adjacent to his property. Board instructed **City Manager Michael Gortman** follow up with code enforcement and **Mr. Carter** about the issue.

Agenda Items

1. Bid #2021-1221-Lift Station Project – Engineer Hunter Baumgardner stated that we received 3 bids, asked to open and ensure proper documents were included.

- L & K Contracting – \$1,508,546.00
- North Florida Construction - \$1,263,446.00
- Marshall Bros - \$1,870,785.00

Board instructed City Engineers and City staff to review bids and bring summary report to next meeting on February 10, 2022.

2. Resolution 2022-1185R-DEO CDBG Citizen Complaint & Grievance Procedures- **City Clerk Rachel Jackson** explained that the City in order to be eligible to qualify for

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and receive CDBG grants, the City is required to have policies in place to address citizen complaints/grievances that might arise during CDBG projects. Resolution 2022-1185R establishes the procedures for handling them. **Commissioner Cox** made a motion to accept resolution 2022-1185R. **Commissioner Paul** seconded the motion. Motion carried 5-0.

3. Resolution 2022-1186R-DEO CDBG Section 504 Citizen Grievance Procedures – City Clerk Rachel Jackson stated that Resolution 2022-1186R addresses accessibility requirements for people with disabilities of the CDBG programs. **Commissioner Paul** made a motion to accept Resolution 2022-1186R. **Commissioner Cox** seconded the motion. Motion carried 5-0.

4. Fire Station – Engineer Tyler Marsh introduced himself and Contractor of the fire station project **Tommy Hamm**. **Engineer Marsh** stated that since December 28th we've received 7 change orders which need to be reviewed tonight.

Engineer Tyler Marsh then presented and began to explain change order #6 regarding the roll up doors and additional 40 days requested.

Mayor Gaskin asked if we have heard anything from the bonding company yet? Then asked **Mr. Hamm** what was going on at the site? **Mr. Hamm** responded that they are doing the interior build out right own, been doing the interior framing, about to start rough ins on mechanical, electrical, and plumbing. Working on getting site guys to start on site work.

Mayor Gaskin then asked about the concrete that needs to be cut out. **Mr. Hamm** stated that he was sent a set of plans and he has sent back RFI's to get clarification on the plans. **Mr. Hamm** stated one of the main things we are waiting for an answer on is in the letter that **Mrs. Jordan** sent. **Mr. Hamm** stated that his attorney sent a letter back asking about the crack in the concrete, stated that he had been waiting over 30 days and had not received a response back.

City Attorney Michelle Jordan stated that she has to be very careful about responding back directly to **Mr. Hamm** because he is a representing party, so she will only address the board. **Attorney Jordan** stated to the board that the letter she received back from **Mr. Hamm's** attorney only acknowledged that the concrete slab was deficient, it did not ask for any information back from her. **Mr. Hamm** stated they asked for specific cause of the crack and said they don't have that answer. **Mayor Gaskin** asked who was supposed to provide the cause of crack in the slab? **Mr. Hamm** responded he believed the City was supposed to.

Mayor Gaskin asked **Attorney Jordan** to discuss the default letter. **Attorney Jordan** discussed the details of the default letter. **Mayor Gaskin** then stated to Mr. Hamm, so you're poured, formed, and put the steel in the concrete, but it's the City's fault that you couldn't make the concrete work? **Mr. Hamm** responded that they put SCE and the other engineers on notice about the defects in the design.

Mayor Gaskin then asked **Engineer Tyler Marsh** was it a bad mix? **Engineer Marsh** responded that they checked the mix design, there was quite a bit of water added to it, but as far as the numbers go as to what was designed for the slab it is adequate to handle the loads. **Mayor Gaskin** then asked who added the water, did you guys ask for the water to be added? **Engineer Marsh** responded, no, they did not specify for water to be added.

Mayor Gaskin then addressed **Mr. Hamm**, stating so in your opinion the concrete is now back in our ballpark? **Mr. Hamm** replied yes.

Mayor Gaskin then asked about the roof mastic that was not applied in the proper manner. **Mr. Hamm** stated that the issue was resolved; he stated that Matador sent out an email stating that they will warranty the roof. **Mayor Gaskin** asked **Attorney Jordan** had she seen the email. **Attorney Jordan** replied that she had gotten a copy, but we requested directly to them to confirm to us that they are going to issue the warranty. **Attorney Jordan** stated she can't say the warranty issues are resolved because that email is not directed to us, we can't rely on statements from a third party. **Mayor Gaskin** asked if **Attorney Jordan** had seen an email from Matador stating that they would not warranty the roof? **Attorney Jordan** replied yes, that was the last communication that she had seen that was received from Matador directly to the City's representative SCE.

Additional discussion of the roof, concrete slab, drains, split faced block, problems with interior framing, and time delays followed. Following discussion, **Mayor Gaskin** asked if he could get a motion to terminate the contract with Winterfell Construction. **Commissioner Fisher** made a motion to terminate the contract. **Commissioner Pettis** seconded the motion. Motion carried 5-0.

City Attorney Michelle Jordan then stated that she would need authorization to file a claim with the bond company. **Mayor Gaskin** asked for a motion. **Commissioner Fisher** made a motion to authorize **City Attorney Michelle Jordan** to file the claim with the bond company. **Commissioner Pettis** seconded the motion. Motion carried 5-0.

5. COVID-19 - None

Approval of Bills

1. **Fisher's** – After review of the bills, **Commissioner Cox** made a motion to approve payment of Fisher's Building Supply invoices (\$3,628.49) **Commissioner Paul** seconded

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Approval of Bills cont'd....

the motion. Motion carried, 4-0 with **Commissioner Fisher** abstaining due to conflict of interest.

2. Charlie Pettis Pest Services – Commissioner Cox made a motion to approve payment of Charlie Pettis Pest Services (\$90.00) **Commissioner Fisher** seconded the motion. Motion carried, 4-0 with **Commissioner Pettis** abstaining due to conflict of interest.

3. Wewa Outdoors – Commissioner Cox made a motion to approve payment of Wewa Outdoors invoice (\$16.50) **Commissioner Pettis** seconded the motion. Motion carried 4-0 with **Commissioner Paul** abstaining due to conflict of interest.

4. Regular Bills - Commissioner Cox made a motion to approve payment of the regular, re-occurring, and additional bills, **Commissioner Paul** seconded the motion. Motion carried 5-0.

Old Business/Open Items

1. Fire station/old City Hall

(Original Substantial Completion Date 9/4/21, Original Work Completion Date 10/11/21)

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

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

City Attorney Michelle Jordan stated she has already emailed the agent at the bonding company, notifying them of the decision to terminate the contract and she will get the determination letter out to them in the morning.

Commissioner Fisher stated that during one of the meetings when they were pouring the concrete at the fire station, it appeared that there was water standing out there in the concrete. Today, one of the guys that was working onsite during that time stated that there were two pumps pumping water out while they were pouring concrete.

City Clerk Rachel Jackson provided an update on the extension requests for the project; she stated that she had completed the request package today, and it would be submitted tomorrow morning.

Commissioner Cox asked about the electrical equipment that the City has already paid for and asked where it is? **Engineer Tyler Marsh** stated that is correct the City

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has paid for a substantial amount of electrical equipment and they will go through the list and break that down for the City.

The board instructed **City Superintendent Chipper Wade** to put no trespassing signs up, and secure the worksite.

The board instructed **City Manager Michael Gortman** to get pricing on fencing options to secure the project.

2. **Delinquent Utility Bills** – None
3. **Water Losses** – None
4. **SEWER INFILTRATION AND INFLOW** – None
5. **Ray Dickens Fish Fry for the Sr. Citizens (October 7, 2022)** – None
6. **Lift Station** – None
7. **Overtime Report broken down by pay periods** – None
8. **Buckhorn Decorative Fencing** – **Commissioner Cox** stated he will try to have sample pictures for the board to review by the February 24, 2022 commission meeting.
9. **County LDR** – **City Clerk Rachel Jackson** stated that the attorney had finished reviewing the advertisement and RFQ documents for the Comp Plan. She will have the documents ready for commission review at the February 10, 2022 commission meeting.
10. **Employee Water/Sewer License Testing** – **City Manager Michael Gortman** stated Kyle is working on books and David Paul is supposed to get test rescheduled and to take sometime next month.

Other Comments

Engineer Jack Husband stated they will review bids and have a summary ready for the February 10, 2022 meeting.

Sheriff Harrison – None

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Other Comments cont'd....

City Superintendent Chipper Wade – None

City Finance Director Brittney Proctor – None

City Clerk Rachel Jackson – Presented and discussed an CDBG-DR agreement from DEO on the waterline project. The award is for \$884,085.00. The project is intended to repair/place water lines on Jehu, River Rd, 2nd St, and Lake Ave.

Following discussion, **Commissioner Paul** made a motion to accept the DEO CDBG-DR award for \$884,085.00 and for **City Manager Michael Gortman** to sign the agreement. **Commissioner Pettis** seconded the motion. Motion carried 5-0.

City Clerk Rachel Jackson stated that **City Attorney Michelle Jordan** would not be able to attend the March 31st Commission meeting because she has to attend a state canvassing board meeting, would the board like to change the meeting in order for her to be present. **Mayor Gaskin** stated he would like her to be at the meeting, the board agreed. The board instructed **City Clerk Rachel Jackson** to change the March 31, 2022 meeting to March 24, 2022 @ 6:00 pm.

City Deputy Clerk Johnna Roberts – None

City Utility Billing Clerk Misty Robbins – None

City Manager Michael Gortman – stated he talked to DEP about the Consent Order; we have the option to pay the penalty or do an in-kind project. City Manager Gortman suggested doing a trailered generator to take the lift stations in case of any major power outages.

Following discussion, **Commissioner Cox** made a motion to allow **City Manager Michael Gortman** to move forward with the in kind generator project for the Consent Order. **Commissioner Paul** seconded the motion. Motion carried 5-0.

Mayor/Commissioners' Comments

Commissioner Cox – None

Commissioner Paul – stated Chipper had mentioned that we might need to get and answering machine/service, for after hours calls. After discussion, the board instructed City Clerk Rachel Jackson to look into an answering machine/service.

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Commissioner Comments cont'd....

Commissioner Paul asked when would the city see any more road paving money? City Engineer Jack Husband said probably about 3 years. Commissioner Paul stated we are going to need a lot of patching between now and then.

Commissioner Pettis – None

Commissioner Fisher – None

Mayor Gaskin – None

Adjournment

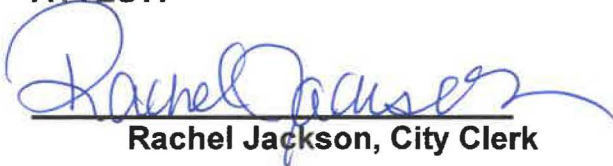
Commissioner Paul made a motion to adjourn at 7:23 pm. **Commissioner Pettis** seconded the motion. Motion carried 5-0.

CITY OF WEWAHITCHKA



Phillip Gaskin, Mayor

ATTEST:



Rachel Jackson, City Clerk

