

CITY COUNCIL MINUTES

February 17, 2014

Mayor Joe LaCascia called the meeting to order at 7:00 p.m.

Pastor Walter Lawlor, New Life Community Church gave the invocation.

Those present recited the Pledge of Allegiance led by Mayor Joe LaCascia.

ROLL CALL – Sheandolen Dunn

Present: Mayor Joe LaCascia, Vice Mayor Mike Blethen, Councilor Trudy Block, Councilor Don Kimsey, City Attorney Thomas Cloud and City Manager Patricia Jackson

Absent: Councilor Keith Prestage

ESTABLISHMENT OF A QUORUM - Yes

CONSENT AGENDA

City Manager Jackson provided a brief explanation on the December 16, 2013 Regular Meeting Minutes, which were tabled during the January 20, 2014 meeting for questions regarding some of the content. Those minutes were correct.

Also, included for approval are the minutes from the December 16, 2013 Workshop (Charter Review).

On page 3 of January 20, 2014 minutes, the bottom vote has been removed. The vote was inserted prematurely. This error has already been corrected on the original minutes.

Motion by Vice Mayor Blethen to approve the Consent Agenda from the January 20, 2014 Regular City Council Meeting Minutes, December 16, 2013 Regular City Council Meeting Minutes and the December 16, 2013 City Council Workshop (Charter Review); the motion was seconded by Councilor Kimsey.

Vote: Councilor Block-aye, Mayor LaCascia-aye, Vice Mayor Blethen-aye, Councilor Kimsey-aye

Motion carried unanimously, 4/0.

PRESENTATIONS/RECOGNITIONS - None

PUBLIC COMMENT

Wayne Harper (209 South Hydrangea Avenue) – Spoke in regards to his love for Polk City and his concern over one area telling the City what to do.

Ambrose Currier (419 Sunrise Boulevard) – Spoke on the importance of putting Polk City residents needs first.

PUBLIC HEARINGS

ORDINANCE 2014-01 - An application submitted by Dale Jacobs for a Conditional Use Permit to allow a Massage Therapy School to be located at 120 Carter Boulevard, Suite 2 (Parcel number 25-26-32-000000-023210). Second and Final Reading.

City Attorney Cloud read by title only. Mayor LaCascia opened and closed the public hearing. No one spoke for or against this Ordinance.

Ron Borchers (CFRPC) was available to answer any questions regarding this application and the Ordinance.

Motion by Councilor Block to approve Ordinance 2014-01 - An application submitted by Dale Jacobs for a Conditional Use Permit to allow a Massage Therapy School to be located at 120 Carter Boulevard, Suite 2 on second and final reading; the motion was seconded by Councilor Kimsey.

No Discussion.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye

Motion carried unanimously, 4/0.

ORDINANCE 2014-02 - AN ORDINANCE PROPOSING AMENDMENTS TO THE POLK CITY CHARTER; SETTING A CHARTER AMENDMENT REFERENDUM; CHANGING THE NAME OF THE CITY TO POLK CITY, FLORIDA; CHANGING REFERENCES FROM "TOWN" TO "CITY"; CHANGING REFERENCES FROM "COUNCIL" TO "COMMISSION"; REVISING THE METHOD OF INCREASING COUNCIL MEMBER COMPENSATION FROM USE OF FEDERAL COST OF LIVING INCREASE TO ORDINANCE ADOPTION; DELETION OF MINIMUM 5-DAY ADVERTISEMENT REQUIREMENT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN ELECTION IN WHICH QUALIFIED ELECTORS OF THE CITY MAY VOTE FOR OR AGAINST THESE CHARTER AMENDMENTS; PROVIDING FOR BALLOT QUESTIONS; PROVIDING FOR PUBLIC NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE. Second and Final Reading.

City Attorney Cloud read by title only. Mayor LaCascia opened and closed the public hearing. No one spoke for or against this Ordinance.

Motion by Councilor Block to approve Ordinance 2014-02 on second and final reading; the motion was seconded by Vice Mayor Blethen.

Councilor Kimsey referred to Page 5 of the January 20, 2014 minutes, expressing concern over comments regarding the possibility of four people from Sandy Pointe being elected to the Council. If this were the case, and they have already expressed the desire to have additional street lighting, it is his belief they would have the additional lighting. If Districting occurred this issue would be non-existent.

Councilor Block responded that her understanding of the main concern was that the Mount Olive citizens were trying to dissolve Polk City.

Further discussion took place regarding street lighting.

Mayor LaCascia agreed that Councilor Kimsey's concern is a valid argument.

City Attorney Cloud stated the date for referendum is coming up. The final Ordinance language needs to be in the Supervisor of Elections Office tomorrow. In order to make changes, this would have to be re-advertised and there are strict timelines for everything involved here. Changing this Ordinance now is not a possibility. The Ordinance presented tonight is based on what took place at the last meeting. This does not call for immediate implementation of Districts.

Discussion ensued.

Gail Funk (202 Bayberry Drive) commented as a member of the Charter Committee, she is pleased that this item has been pushed forward. She also expressed comments about the importance of the citizens having a choice.

Julian Therion (no address given) expressed concern over the idea of there being four people on the Council from one neighborhood. There are other neighborhoods in Polk City. Districting seems like the only option. The voters can change things in Polk City.

Ambrose Currier (no address given) spoke on having diversity in Polk City.

Joe Duncan (408 Rosewood Lane) expressed the need for Districting.

Al Schneider (775 Teaberry Trail) asked if this ordinance is passed, is it necessary to go through all the red tape to make amendments?

City Attorney Cloud stated responded No, with detailed explanation regarding proper noticing and due process.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye

Motion carried unanimously, 4/0.

ORDINANCE 2014-03 - AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA; PROVIDING FOR PROCEDURE WHEN A CITY CANVASSING BOARD MEMBER IS A CANDIDATE FOR ELECTION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. First Reading.

Motion by Councilor Block to approve Ordinance 2014-03 on First Reading; the motion was seconded by Vice Mayor Blethen.

City Attorney Cloud and City Manager Jackson facilitated in-depth discussion regarding the duties of the Canvassing Board and determining ballot validity. Once all steps are followed, the election results are certified.

Discussion ensued.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye

Motion carried unanimously, 4/0.

UNFINISHED BUSINESS

NEW BUSINESS

CITY MANAGER / CITY CLERK ITEMS

City Manager Jackson reported on the following:

Community Center – Three-Party Agreement is being worked on and will hopefully be ready to present to Council in March.

Water Meter Replacement - will be on the March agenda.

Election Information for 2014 – Election day is April 1 - Seats up for election are as follows: Seat 2 (Don Kimsey); Seat 4 (Joe LaCascia) and Seat 5 (Trudy Block). Seat 3 (Keith Prestage - to fill the unexpired term ending April 2016). Councilor Prestage ran unopposed, and is therefore elected to Seat 3.

Hydro tank – Has been successfully installed and in the process of being cleared to be placed back in operation. The tank will be painted over the next several days. All

samples have been taken and paperwork will be sent this week to the Health Department.

Lakeland Electric Task Force – Attended the first meeting this past Wednesday as the City Manager representative from Polk City along with Councilor Trudy Block. Very interesting. Glad to be a part of this Task Force.

Rail Study – TPO meeting regarding Rail Study and various options were presented. Options one and two affected Polk City the most. It was recommended from TPO that those be removed from consideration. Suggested writing letter in objection to these options. Councilor Block clarified that the TPO agenda packet was changed and those options were not included. Polk City will not be affected.

Linda Busch (Librarian) - husband John Busch passed away last Friday – Viewing is Wednesday, Funeral is Thursday – Ott-Laughlin Funeral Home, Winter Haven. Flowers will be sent on behalf of Polk City.

CITY ATTORNEY ITEMS - None

MAYOR ITEMS – Thanked everyone for coming and expressing their interest in Polk City.

VICE MAYOR ITEMS - Thanked everyone for attending City Council Meeting.

COUNCIL MEMBER ITEMS

Councilor Block – Distributed a list of activities she attended during the month of January and February.

Councilor Kimsey – Thanked everyone for attending City Council Meeting and encouraged everyone to continue attending the meetings.

ANNOUNCEMENTS – None

ADJOURNMENT- 8:24 pm

Patricia Jackson, City Manager

Joe LaCascia, Mayor

CONSENT AGENDA
February 17, 2014

MAY ALL BE APPROVED BY ONE VOTE OF COUNCIL TO ACCEPT CONSENT AGENDA. Council Members may remove a specific item below for discussion, and add it to the regular agenda under New or Unfinished Business, whichever category best applies to the subject.

A. CITY CLERK

1. Accept minutes – January 20, 2014 Regular City Council Meeting
2. Accept minutes - December 16, 2013 Regular City Council Meeting
3. Accept minutes - December 16, 2013 City Council Workshop (Charter Review)

B. REPORTS

1. Building Report –January 2014
2. Code Enforcement Report – January 2014
3. Finance Report – January 2014
4. Library Report – January 2014
5. Sheriff's Office Report – January 2014
6. Utilities Report – January 2014

C. OTHER – None

Please note: Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the city council with respect to any matter considered during this meeting, he or she will 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.

In accordance with the American with Disabilities Act, a person with disabilities needing any special accommodations to participate in city meetings should contact the Office of the City Clerk, Polk City Government Center, 123 Broadway, Polk City, Florida 33868 Telephone (863)984-1375. The City of Polk City may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the City Council meetings may be obtained from the city clerk's office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may arrange 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 at the expense of the requesting party.