

CITY COMMISSION MINUTES

October 17, 2016

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

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

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

ROLL CALL – Assistant to the City Manager Sheandolen Dunn

Present: Mayor Joe LaCascia, Vice Mayor Wanda Harris, Commissioner Mike Blethen, Commissioner Don Kimsey, Commissioner Keith Prestage, City Attorney Thomas Cloud and City Manager Patricia Jackson

APPROVE CONSENT AGENDA

Motion by Commissioner Prestage to approve the Consent Agenda; motion was seconded by Vice Mayor Harris. **Motion carried unanimously.**

PRESENTATIONS AND RECOGNITIONS - None

PUBLIC COMMENT

Sandra Cutts (315 Central Avenue) – Expressed concerns regarding public transportation in Polk City; Clean-Up Day, Polk City Newsletter.

ORDER OF BUSINESS

Ordinance 2016-05 – Charter Amendment Referendum (Redistricting). First Reading

City Attorney Cloud read the Ordinance by title only. Mayor LaCascia opened the public hearing; there being no questions or comments, Mayor LaCascia closed the public hearing.

Motion by Commissioner Prestage to approve Ordinance 2016-05 – Charter Amendment Referendum (Redistricting) on First Reading; this motion was seconded by Commissioner Kimsey.

Commissioner Kimsey asked when would be an appropriate date for the Referendum?

City Attorney Cloud replied in April and the Ordinance will take affect with General Law. This would have to be a special election. The next regular election is in April 2018. The City Commission would be asked to authorize a Special Election for Tuesday, April 4,

2017. If the voters approve this Charter Amendment, it would take effect with the 2018 election.

Commissioner Kimsey inquired about what could be done to educate the citizens regarding this referendum.

City Attorney Cloud stated Polk City could seek advice from people that have been involved in these kinds of referenda campaigns. Beth Rawlins (West Coast/Pinellas County) has been involved in a number of these issues for cities in Florida. She currently handles the city side of referendums in Bushnell for modifications to the Charter relating to the electric system. The City Commission does not need to be comprised of persons from one neighborhood. There is a need for diversity of all neighborhoods so that everyone is equally represented. Discussion ensued.

Vote: Commissioner Blethen - aye; Vice Mayor Harris – aye; Commissioner Kimsey – aye; Mayor LaCascia – aye; Commissioner Prestage - aye

Motion carried unanimously.

Ordinance 2016-06 - Emergency Ordinance allowing City Commission to hear Variance Request until the Land Development Regulations are updated.

City Attorney Cloud read the Ordinance by title only. City Attorney Cloud read the Ordinance by title only. Mayor LaCascia opened the public hearing; there being no questions or comments, Mayor LaCascia closed the public hearing.

Motion by Commissioner Prestage to approve Ordinance 2016-06 – Emergency Ordinance allowing City Commission to hear Variance Request until the Land Development Regulations are updated; this motion was seconded by Commissioner Blethen.

Commissioner Blethen inquired about the persons that served on the Board initially. What has warranted the City Commission to have to do this?

Mayor LaCascia stated the Zoning Board of Appeals, which over a period of time had very little to do, there weren't very many issues that came before them. This eventually constituted the City Commission as the temporary Zoning Board of Appeals.

City Attorney Cloud stated he received a phone call on how to process this. The Zoning Board is non-existent. The City Commission can empower itself and move forward.

Discussion ensued.

Vote: Commissioner Prestage – aye; Commissioner Blethen - aye; Vice Mayor Harris – aye; Commissioner Kimsey – aye; Mayor LaCascia – aye

Motion carried unanimously.

PUBLIC HEARING - Resolution 2016-04 – Variance Request from Polk City BBQ

Mayor LaCascia read the Ordinance by title only. Mayor LaCascia opened the public hearing; there being no questions or comments, Mayor LaCascia closed the public hearing.

Ron Borchers (CFRPC) presented the staff report which is a request for variance. Property is located at 221 North Commonwealth Avenue in which there is an existing restaurant wanting to sell beer and wine. There has to be a separate of an establishment selling alcoholic beverages of 300 feet from a school or church. There is a school within 277 feet and is separated by other commercial establishments.

Commissioner Blethen asked if there was a State Law on Variances needed for this?

Mr. Borchers stated if the distance requirement is not met, the local government can establish a variance procedure.

Mayor LaCascia read a letter submitted with the original packet by the owner explaining his case and why this was an important decision.

Sandra Cutts (315 Central Avenue) asked if beer would be served inside or outside?

Discussion ensued.

Motion by Commissioner Kimsey to approve Resolution 2016-04 – Variance Request from Polk City BBQ; this motion was seconded by Commissioner Blethen.

Motion carried unanimously.

Resolution 2016-05 – Declaring Certain Property Surplus

City Manager Jackson discussed this items pertaining to this Resolution for Surplus. Attached to the Resolution is Exhibit A which spells out the items being recommended for surplus.

Motion by Commissioner Blethen to approve Resolution 2016-05 – Declaring Certain Property Surplus; this motion was seconded by Commissioner Prestage.

Vote: Commissioner Blethen – aye; Vice Mayor Harris – aye; Commissioner Kimsey – aye; Mayor Lacascia – aye; Commissioner Prestage - aye

Motion carried unanimously.

Interlocal Agreement with the Polk County Sheriff's Office to provide Law Enforcement Services

Mayor LaCascia discussed the updated Interlocal Agreement with the Polk County Sheriff's Office. The new Agreement Contract expired on September 30, 2017. However, due to the retirement of Sgt. Conover, the Agreement needs to be amended to reflect the new Deputy. The new agreement will begin October 1, 2016 and conclude on September 30, 2021.

Motion by Vice Mayor Harris to approve the Interlocal Agreement with the Polk County Sheriff's Office to provide Law Enforcement Services; this motion was seconded by Commissioner Prestage.

Motion carried unanimously.

CITY MANAGER ITEMS

Amending FY 2015/2016 Budget – we have sixty (60) days to amend the budget after September 30. Therefore, it would need to be amended by November 30. We are still in the process of closing out 2016 and are not sure if we are going to need to amend the budget. Most is contingent upon the impact fees. This goes into Reserves and does not have to treat as Revenues and Expenditures. Not anticipating the need to amend the budget.

Christmas Parade Grand Marshal – Sheriff Grady Judd will be the Grand Marshal.

ERC Audit – The way we charge the water rates. We are required to do this every year. Not many changes that had to be done. The Utility Department keeps up with this daily.

Tennis/Basketball Court Resurfacing – Will be finished on Friday. The fence work has begun.

Submittal on Bryant Property – No response yet. The property owner has requested an extension due to major illness.

Storm Shelter – During Hurricane Matthew, five (5) people stayed overnight in the shelter and twenty-six (26) people were at City Hall overnight.

CITY ATTORNEY ITEMS - None

COMMISSIONER ITEMS

Vice Mayor Harris – Shared comments regarding the Energy Environmental Meeting she recently attended. Will attend another meeting on October 28.

Commissioner Kimsey – Encourage the local businesses. Thanked everyone for coming.

Commissioner Blethen – Discussed transparency

Commissioner Prestage – City Manager Jackson's employment contract expires October 2017 and we need to begin reviewing to renew this contract. First Baptist Church (Polk City) is celebrating its 90th Anniversary on Sunday. Invited all to attend.

Mayor LaCascia – We will schedule a workshop to discuss the City Manager's Employment Contract. Attended the Legislative Police Committee on September 30. Enjoyed hearing what other cities have and are doing such as unlicensed construction activity, gun control, short term rentals, drones, just to name a few.

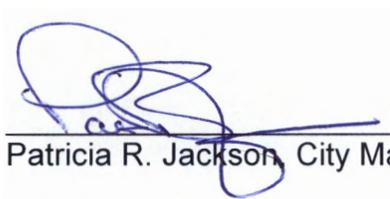
City Manager Jackson discussed the ten topics from her breakout group at the Legislative Police Committee meeting. Cable Franchise, telephone, communication service tax, Business Tax Receipts, Workman's Comp Insurance, Property Taxes.

Commissioner Prestage announced that First Baptist Church (Polk City) is celebrating its 90th Anniversary on Sunday and invited all to attend.

ANNOUNCEMENTS

Safe Haven Halloween is Thursday, October 27, 2016, 5:30 pm – 8:00 pm

The meeting adjourned at 7:55 p.m.



Patricia R. Jackson, City Manager



Joe LaCascia, Mayor

CONSENT AGENDA
October 17, 2016

MAY ALL BE APPROVED BY ONE VOTE OF COMMISSION TO ACCEPT CONSENT AGENDA. Commission 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 - September 27, 2016 – 2nd /Final Reading FY 2016-2017 Budget Hearing
- 2 Accept minutes - September 22, 2016 – Bryant Property Tour
- 3 Accept minutes - September 19, 2016 – Regular City Commission Meeting
- 4 Accept minutes - September 13, 2016 – 1st Reading FY 2016-2017 Budget Hearing
- 5 Accept minutes - August 30, 2016 - Special Meeting – 6:30 pm
- 6 Accept minutes - August 30, 2016 – Budget Workshop – 6:45 pm

B. REPORTS

1. Building Report – September 2016
2. Code Enforcement Report – September 2016
3. Library Report – September 2016
4. Sheriff's Office Report – September 2016
5. Utilities Report – September 2016

C. OTHER