

# CITY COUNCIL MINUTES

May 14, 2012

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

Invocation was given by Mr. Phillip Hunt, New Life Community Church

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

## **ROLL CALL—Linda Walker**

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

A quorum was established.

## **APPROVE CONSENT AGENDA**

Vice Mayor Blethen made a motion to approve the Consent Agenda; the motion was seconded by Councilor Kimsey.

Roll Call: Vice Mayor Blethen-aye, Councilor Downing-aye, Mayor LaCascia-aye, Councilor Block-aye, Councilor Kimsey-aye

5-ayes

0-nays

The motion carried.

## **PRESENTATIONS AND/OR RECOGNITIONS**

**Proclamation – Pledge of Civility for May** – Mayor LaCascia read the Proclamation proclaiming May as Pledge of Civility Month.

## **PUBLIC HEARINGS**

There were no public hearings.

## **UNFINISHED BUSINESS**

### **Utility Deposits**

Council was given a breakdown of what deposits would be affected should Council reduce the current deposits on-hand to the \$150 deposit the City Council approved at the April 9, 2012, City Council meeting. The deposit fund account would be reduced by \$20,015.; Attorney Cloud advised this could affect the credit worthiness of the bank for the bond. Mayor LaCascia commented that would be looked upon unfavorably, and asked if there would be a difference between a refund and a credit. Lengthy discussion took place between Council, City Attorney, City Manager and staff regarding the utility

deposits and how it worked. Attorney Cloud also suggested the possibility of Council adopting a policy which would refund the deposit to customers who have been in good standing for two years; he doesn't think that would be harmful to the bond rating. After further discussion, City Manager Jackson asked Council to let her and city staff come back at the next meeting with a recommendation (survey surrounding utilities); Council agreed.

### **Request to Approve Street Paving**

City Manager Jackson advised after further research with Winter Park, the City cannot "piggy back" their contract for paving, and asked City Council for authority prepare a "Request for Proposals" with the assistance of the City Attorney. Attorney Cloud then discussed the three options Council has: 1) go out for bids, which has the least amount of flexibility, 2) Request for Qualifications and 3) Request for Proposals, which is the better way for the City to go – it is precise and gives more flexibility.

Vice Mayor Blethen made a motion to authorize the City Manager to proceed with the Request for Proposal for street resurfacing; the motion was seconded by Mayor LaCascia. Under discussion, it was noted this will be brought back to Council at the June meeting for their approval (Attorney Cloud will prepare the Request for Proposal to submit back to Council).

Roll Call: Councilor Block-aye, Vice Mayor Blethen-aye, Councilor Kimsey-aye, Mayor LaCascia-aye, Councilor Downing-aye

5-ayes  
0-nays

The motion carried.

### **NEW BUSINESS**

#### **Award Bid for the Water, Wastewater and Reuse Water System Improvements**

City Manager Jackson advised GAI Consultants reviewed all of the bids received and recommends City Council to award the bid to Brandes Design-Build, Inc. for a total of \$984,700 with the additive alternates included.

Mayor LaCascia made a motion to award the bid for the Water, Wastewater and Reuse Water System Improvements to Brandes Design-Build, Inc. in the amount of \$984,700 with the additive alternates included, and to approve the execution of the contract; the motion was seconded by Vice Mayor Blethen. Under discussion, it was noted that this was the only bid that was within the City's budget.

Roll Call: Mayor LaCascia-aye, Councilor Downing-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Kimsey-aye

5-ayes  
0-nays

The motion carried.

**Consideration of change from City Council to City Commission**

Mayor LaCascia advised he brought this up at the last meeting, and thought it would be more convenient to address Council as Commissioners; however, after discussing it with the City Manager he was advised it would have to be done as a referendum. Attorney Cloud explained the specific reason why this would have to be handled as a referendum. During Council discussion, Councilor Block suggested a Charter Review Committee be formed to review the entire Charter. It was the consensus of Council to move forward.

**Acceptance of Deeds from Polk County for the Mount Olive Systems-property**

Attorney Cloud did a brief overview of what occurred with the County and receiving the deeds. It was Attorney Cloud’s recommendation to accept the conveyance of the deeds from Polk County for the Mount Olive Water and Wastewater Systems – property. It was also mentioned there was an additional piece of property being conveyed near the I-4 corridor.

Councilor Block made a motion to accept the deeds from Polk County for the Mount olive Systems –property; the motion was seconded by Vice Mayor Blethen and Councilor Kimsey in unison.

Roll Call: Mayor LaCascia-aye, Councilor Block-aye, Vice Mayor Blethen-aye, Councilor Downing-aye, Councilor Kimsey-aye

5-ayes  
0-nays

The motion carried.

**Proposed Ordinance 2012-1291, Solid Waste Management**

Attorney Cloud explained that every municipality, with the exception of Polk City, has an ordinance in place regulating garbage service. He then gave an overview of the Ordinance and explained why the Ordinance is needed. This Ordinance is the bear minimum of what the City needs; he wanted to come forward and explain a problem had been found with the fees. Mayor LaCascia asked if the terms and conditions of the Ordinance would be made part of the contract. Attorney Cloud advised Council to read it and not feel rushed; we are facing an emergency. Councilor Block commented there are things in there with cost to it. Attorney Cloud advised Republic Services is currently providing solid waste removal and their contract will expire in 2013; if Council has any questions regarding this Ordinance, he asked they call him or the City Manager.

**Sale of the 1987 GMC Truck – Jet-Rodder**

City Manager asked this to be added to the Agenda. The City received one bid in the amount of \$101, and asked City Council to reject that bid.

Councilor Block made a motion to reject the bid for the purchase of the 1987 GMC Jet-Rodder Truck; the motion was seconded by Vice Mayor Blethen.

Roll Call: Councilor Kimsey-aye, Vice Mayor Blethen-aye, Mayor LaCascia-aye, Councilor Block-aye, Councilor Downing-aye

The motion carried.

### **CITY MANAGER ITEMS / CITY CLERK ITEMS**

- **CDBG** – Empower Construction has been approved by the Department of Economic Opportunity for the CDBG Project. A pre-construction meeting will be held to sign the contract documents and a notice to proceed will be issued; Council will be notified of the start date once this has been done.
- City Manager Jackson announced there is a vacancy on the Planning Commission for a regular member, and there are two vacancies for alternate members. If anyone is interested in serving, please fill out a volunteer application and submit to the City Manager; this will be on the agenda for the June 11 meeting, and will be placed on the website.
- City Manager Jackson will be calling Living Hope and set up a meeting to discuss a monthly report being submitted to Council; this has been requested in the past, but a report has not been received.
- City Manager Jackson is continuing to work on the visioning and planning session; Council will be given several dates to choose from.
- Council has received a report from Smirna Martinez on the Annual City-wide Yard Sale; it was a huge success and Smirna did an excellent job.
- There will be a special meeting on Monday, May 21, 2012 at 6:00 p.m. to review and approve the fiscal year 2011 Audit. Copies will be available with Council's agenda packets on Thursday, May 17<sup>th</sup>, and Council will be notified when packets are available for pickup.
- Kathy Delp has advised the streets signs are in the process of being replaced, and should be completed in a couple of weeks
- City offices are closed May 28<sup>th</sup> for Memorial Day, and the Library will be closed Saturday May 26<sup>th</sup> and Monday, May 28<sup>th</sup>
- The utility collection window is now open Monday – Thursday, 8:30 a.m. to 5:00 p.m.
- City Manager Jackson advised she would be attending the Florida City/County Manager's Association Conference beginning May 30<sup>th</sup> and will return Sunday, June 3<sup>rd</sup>.

### **CITY ATTORNEY ITEMS**

The Attorney had nothing to report.

### **MAYOR ITEMS**

Mayor LaCascia mentioned the General Fund and Enterprise Fund Financial Statements; they reflect an optimistic sign for the City.

### **VICE MAYOR ITEMS**

Vice Mayor Blethen thanked Kathy Delp for getting the street signs up; it is something than can be visibly seen.

## **COUNCIL MEMBER ITEMS**

Councilor Block asked if she could defer until after Councilor Downing and Councilor Kimsey have spoken.

**Councilor Downing** – Councilor Downing had nothing to report.

**Councilor Kimsey** – Councilor Kimsey thanked everyone for attending.

**Councilor Block** – Councilor Block congratulated Mayor LaCascia and Vice Mayor Blethen on their appointments as Mayor and Vice Mayor; she feels they will do a good job for Polk City. Councilor Block advised when she speaks with Polk City citizens there seems to be three areas of concern: 1) Ad Valorem Taxes, 2) Utility Rates and 3) maintaining current assets. Councilor Block commented the citizens like the Polk City Newsletter and advised the citizens commended her dedication in keeping it going each month.

Councilor Block let Council know she filled out an application for the Florida League of Cities Muni Award for Citizenship for Polk City, and asked Council if they thought it would be worthwhile. The application is due back no later than May 25<sup>th</sup>; Councilor Block feels this would stand out with marketing Polk City. Mayor LaCascia is in favor of anything that puts forth Polk City in a good light; Attorney Cloud agrees that it can't be bad to have something positive to say about Polk City. Councilor Block feels the citizens deserve this award if selected. There is also a Public Officials Award; she filled out the application and would like to be nominated for the time she served as Acting City Manager. This award is known as the "E Harris Drew" Municipal Official Lifetime Achievement Award. She asked Council to review the application; it requires two signatures from Council.

Several other items that were mentioned by Councilor Block are as follows:

- Wrote a letter to Governor regarding the funding for the Library Cooperative
- Wrote an introduction letter for the Safe Route to School Grant (this letter was needed from businesses)
- She has been writing the Polk City Newsletter for approximately 18 months (thinks a little longer)
- Has been working with Central Florida Development Council – critical to have a development Council – she serves as Chairman of the Organization/Finance/Transition Committee
- Attended Polk County Tourism and Sports Marketing Luncheon
- Attended the Winter Haven CSX Discussion Forum
- TPO Projects
- Met with Fish and Wildlife about permits for moving plants and removing invasive plants from Lake Agnes
- Attended the Lakeland Mayor's Prayer Breakfast
- Councilor Block asked about the ordinance dealing with contraction (feasibility study to be paid by applicant).

**PUBLIC COMMENTS/REQUEST**

Mr. Al Schneider asked about the deposit refund – if it would apply to the customers who have been living here or new customers. Attorney Cloud advised the City could implement a policy for those customers with a clear record for two years.

Mr. Wayne Harper thanked City Council for the job they are doing, for the work they did getting the City “back on track’, and there is still a ways to go. He then brought up the streetscape and how bad it is looking – something needs to be done with it and it needs better care. Mr. Harper commented about the water rates and the need to allow irrigation wells. Mr. Harper also spoke about the boat ramp being in need of improvements.

Ms. Beth Brown, who resides on Laynewade Road, addressed Council regarding the water rates and the need to allow irrigation wells. The well ordinance has been brought up in the past, and is asking for a definitive answer quickly; she thought the loan was the stumbling block, but heard that wasn’t the case.

Vice Mayor Blethen made a motion to adjourn the meeting; the motion was seconded by Mayor LaCascia. The meeting was adjourned upon voice vote at 8:33 p.m.

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Patricia R. Jackson, City Clerk

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Mayor Joe LaCascia

**CONSENT AGENDA**  
**May 14, 2012**

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 – April 9, 2012, City Council Meeting

**B. REPORTS**

1. Building Report – April 2012
2. Code Enforcement Report – April 2012
3. Financial Reports – April 2012
4. Library Report – April 2012
5. Sheriff's Office Report – April 2012
6. Utilities Report – April 2012

**C. OTHER**

1. Approval of bad debt write-offs

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.