

CITY COUNCIL MINUTES

June 11, 2012

Mayor Joe LaCascia called the meeting to order at 7:03 p.m.

Mr. Phillip Hunt, New Life Community Church, gave the invocation.

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 (arrived at 7:10 p.m.), 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 Mayor LaCascia.

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

4-ayes

0-nays

The motion carried.

PRESENTATIONS AND/OR RECOGNITIONS

Presentation of Certificate of Completion to Councilor Trudy Block for Completion of the 2011 Advanced Institute for Elected Municipal Officials

City Manager Jackson presented Councilor Block with a Certificate of Completion for the 2011 Advanced Institute for Elected Municipal Officials.

PUBLIC HEARINGS

ORDINANCE 2012-1291, AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA; REPEALING CHAPTER 58, ARTICLE II, CODE OF ORDINANCES, CITY OF POLK CITY, FLORIDA; CREATING A NEW CHAPTER 58, CODE OF ORDINANCES, "THE POLK CITY SOLID WASTE MANAGEMENT ORDINANCE"; PROVIDING FOR CITY CONTROL AND REGULATION OF COLLECTION AND HAULING OF ALL SOLID WASTE IN THE CITY; SETTING FORTH CONDITIONS FOR GRANTING SOLID WASTE HAULING FRANCHISES WITHIN THE CITY OF POLK CITY; ESTABLISHING A TITLE; SETTING FORTH FINDINGS; ESTABLISHING A FRANCHISE APPLICATION AND APPROVAL PROCESS; PROVIDING FOR DISQUALIFICATION OF FRANCHISEE AND NON-RENEWAL OF FRANCHISE; RESERVATION OF CITY RIGHTS; PROVIDING FRANCHISE TERM LIMITS; PROVIDING GENERAL CONDITIONS TO PLACEMENT

OF FRANCHISEE'S FACILITIES IN CITY RIGHTS-OF-WAY; PROVIDING FOR COMPLIANCE WITH CODES AND STANDARDS; MAINTENANCE OF FACILITIES; PROVIDING FOR FRANCHISE FEES AND PAYMENT; PROVIDING FOR RATE REGULATION; PROVIDING FOR PERFORMANCE SECURITY; PROVIDING FOR INSURANCE; PROVIDING FOR INDEMNIFICATION; PROVIDING FOR HANDLING OF HAZARDOUS MATERIALS; PROVIDING FOR FRANCHISE TERM AND TERMINATION CRITERIA; PROVIDING FOR CITY RIGHTS AFTER TERMINATION; PRECLUDING ASSIGNMENTS; PROVIDING FOR CITY RIGHTS RELATIVE TO PRE-EXISTING FRANCHISES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS; LIMITING APPLICABILITY TO EXISTING RFP; PROVIDING AN EFFECTIVE DATE

Mayor LaCascia read Ordinance 2012-1291 in short title. City Attorney Tom Cloud gave a brief explanation of what the Ordinance entails. Mayor LaCascia opened the Public Hearing; there being no comments or questions from the public, Mayor LaCascia closed the Public Hearing. Councilor Block commented Ordinance 2012-1291 is very well written.

Councilor Block made a motion to adopt Ordinance 2012-1291 on first reading; the motion was seconded by Mayor LaCascia.

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

5-ayes
0-nays

The motion carried.

UNFINISHED BUSINESS

Utility Deposits

City Manager Jackson reviewed the two options that were discussed in the last meeting pertaining to the residential utility deposits. The City Manager and staff are recommending to refund, or to apply a credit to the utility bill, bringing any deposit to the current deposit, and if a high risk, it would be brought to the current high risk amount. This will be less time consuming and will retain a deposit for current deposit holders.

Mayor LaCascia made a motion to approve the recommendation to apply a credit to the residential utility bill to bring the regular deposits over \$150 to the current deposit amount and bring the high-risk deposits over \$300 to the current high-risk deposit amount; the motion was seconded by Councilor Block. Under discussion, it was noted there would be no exchange of monies, it was an accounting procedure; it was also noted the funds to do this will not affect the current budget.

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

5-ayes
0-nays

The motion carried.

Approve Request for Proposals -- Street Rehabilitation

City Manager Jackson asked Council to approve the Request for Proposals – Street Rehabilitation; this will be advertised in the newspaper and bids received back to present at the July meeting. Councilor Block commented the RFP was well written.

Mayor LaCascia made a motion to approve the Request for Proposal – Street Rehabilitation; the motion was seconded by Councilor Kimsey.

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

5-ayes
0-nays

The motion carried.

NEW BUSINESS

Appointment(s) to the Planning Commission to fill vacancy

Mayor LaCascia advised a vacancy was created when Kelly Downing resigned upon becoming City Councilor. There are two candidates, 1) David Prins and 2) Mr. José Rosado. Mayor LaCascia commented that Mr. Prins attends every City Council meeting.

Mayor LaCascia made a motion to appoint David Prins to serve as a regular Planning Commission Member for a term ending December 31, 2013, and to appoint José Rosado as alternate Planning Commission Member for a term to end December 31, 2014; the motion was seconded by Councilor Kimsey.

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

5-ayes
0-nays

The motion carried.

Appoint a Voting Delegate to the Florida League of Cities Conference

Councilor Block asked if anyone would be attending the FLC Conference; Mayor LaCascia and Councilor Block are both planning to attend.

Mayor LaCascia made a motion to appoint Councilor Block as the voting delegate to the Florida League of Cities Conference; the motion was seconded by Councilor Downing.

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

5-ayes

0-nays

The motion carried.

Bid for Sale of the 1987 GMC Jet Rodder Truck

City Manager Jackson advised the sale of the truck was re-advertised; the City received one bid in the amount of \$601.00 from Joe Pranger, and doesn't feel we should continue to advertise.

Mayor LaCascia made a motion to accept the bid in the amount of \$601 for the sale of the 1987 GMC Jet Rodder Truck; Vice Mayor Blethen seconded the motion.

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

4-ayes

1-nay

The motion carried.

CITY MANAGER ITEMS / CITY CLERK ITEMS

City Manager Jackson advised Woodard and Curran would like to make a brief presentation to City Council. Mayor LaCascia questioned the procedure about it being an agenda item. City Manager Jackson advised it would be quick review, and it would be placed on the Agenda for next month. Charles Nichols advised Council that Xochitl, who is in the billing office, needs help, and a dual-licensed operator is needed in the field to make utilities more efficient and to provide better service to the customers (Joe Vince is currently on medical leave). The field tech would be a direct hire; however, the fixed fee that is currently in place will stay the same. Mayor LaCascia asked Woodard and Curran if an attempt has been made to get someone from the schools; Charles advised someone with experience is needed. Charles also advised Woodard and Curran would stay within the \$520,000 that was appropriated in this year's budget. Mayor LaCascia asked Council for their thoughts and any questions. Councilor Block feels we should move forward. Councilor Blethen asked if this was considered when Woodard and Curran asked for a raise. Mike Cherniak advised Council that Howard was taken

out of the field to assist Xochitl; however, there is a lot taking place and Howard needs to be placed back in the field. The utility window is open to the public from 8:30 a.m. to 5:00 p.m. Monday – Thursday. Councilor Downing asked if the inmates are being utilized; she was advised they are utilized to assist with breaks, but no technical work. Councilor Block noted the inmates cannot change out meters.

After additional discussion Attorney Cloud advised the motion would be to authorize Woodard & Curran to utilize the need for additional employees not to exceed the \$520,000 cap. Mayor LaCascia made a motion to authorize Woodard & Curran to utilize the need for additional employees not to exceed the \$520,000 cap; the motion was seconded by Councilor Block.

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

3-ayes

2-nays

The motion carried.

- City Manager Jackson advised the CDBG Project is scheduled to begin June 20th
- The Water, Wastewater and Reuse Water System Project is scheduled to begin July 9th (bond capital project)
- Living Hope has been called to schedule a meeting
- A date of July 28th has been set for City Council to have a visioning and planning session; it will be from 9:00 a.m. to 4:00 p.m. (alternate date is August 11th)
- City Offices and the Library will be closed Wednesday, July 4th in observance of Independence Day
- City Manager Jackson advised problems are being encountered with the city's computers due to age and processing speed, etc. This will be placed on the July 9 Agenda. City Manager Jackson briefly discussed what equipment and software is needed. Councilor Block advised we are beyond needing these computers.
- Employee Appreciation Day will be July 12th at 12:00 p.m.; City Council is invited to attend

CITY ATTORNEY ITEMS

City Attorney Cloud had nothing to report.

MAYOR ITEMS

Mayor LaCascia had nothing to report.

VICE-MAYOR ITEMS

Vice-Mayor Blethen had nothing to report.

COUNCIL MEMBER ITEMS

Councilor Block – Councilor Block thanked Council for selecting her as the Voting Delegate at the Florida League of Cities Conference. Councilor Block asked about the Van Fleet Trail Board; Mayor LaCascia advised he is on the Board as well as Dwight Kitchens. There has only been one formal meeting; however, he will get the information to Councilor Block. Councilor Block advised the CFDC will hold their annual social event on September 28; they are rewriting their by-laws and their mission statement; CFDC will be changing from a public organization to a private/public partnership – she is on the committee. Councilor Block advised she is serving on the Legislative Committee; there are two open houses scheduled for candidates – July 12 at Lake Eva in Haines City and July 19 at the Bartow Community Center. Councilor Block gave an update concerning the Transportation Planning Organization (TPO) projects.

Councilor Downing – Councilor Downing had nothing to report.

Councilor Kimsey – Councilor Kimsey thanked everyone for attending and asked everyone to bring a neighbor next month.

ANNOUNCEMENTS

There were no announcements.

PUBLIC COMMENTS/REQUEST

Mr. Harper commented about the work taking place in the medians – it looks good.

Vice-Mayor Blethen made a motion to adjourn and the motion was seconded by Mayor LaCascia. The meeting adjourned at 8:12 p.m. upon voice vote.

Patricia R. Jackson, City Clerk

Mayor Joe LaCascia

CONSENT AGENDA
June 11, 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 – May 14, 2012, City Council Meeting
2. Accept minutes – May 21, 2012, City Council Special Meeting -- Audit

B. REPORTS

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

C. OTHER

1. Approval of reappointments to the Planning Commission
 - a. Michael Ho-Shing, Term Expires 12/31/2013
 - b. William Stefanski, Term Expires 12/31/2014
 - c. Warren McKenzie, Term Expires 12/31/2014
 - d. Charles Wilson, Term Expires 12/31/2014
2. Approval of Electrical Work at Freedom Park
 - a. Rewiring of electrical boxes and adding electrical boxes - \$4,100
 - b. Add 200 amp feed through panel/reefed interior -- \$1,750 (safety hazard)