

CITY COUNCIL MINUTES

July 9, 2012

City Council Meeting

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

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

5-eyes

0-nays

The motion carried.

At this time Mayor LaCascia deviated from the Agenda and went to Item E4 (New Business):

NEW BUSINESS

Approve Repair of Pump for the Commonwealth Water Plant

Councilor Block made a motion to approve the repair and rebuilding of the Pump for the Commonwealth Water Plant by Polk Pump and Irrigation in the amount of \$9,980; the motion was seconded by Vice Mayor Blethen. Under discussion, Councilor Kimsey asked if they were the only ones looked at. Charles Nichols advised three companies had submitted quotes for pulling the pump; Polk Pump and Irrigation was the lowest quote for doing that. Other quotes for repair were not sought because of the cost that was calculated to transport the parts. Charles advised he felt the price from Polk Pump

and Irrigation was a good one. Councilor Kimsey commented it may be a good price, but there is nothing to compare it with. Mayor LaCascia agrees; he would feel better to see comparable quotes. Lengthy discussion took place regarding the repair and rebuilding of the pump; if there would be consequences to the plant to leave it down for a little while longer, and if any violations could occur with the County Health Department. Charles advised there would be no problems as long as the Health Department is kept notified of the situation.

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

1-ayes

4-nays

The motion failed four to one. Charles will seek additional quotes.

PRESENTATIONS AND/OR RECOGNITIONS

Proclamation – Purple Heart City

Mayor LaCascia read the Proclamation proclaiming Polk City as a “Purple Heart City.” Mr. Mike Mason, Veteran Services Supervisor, and John Forsburg presented the City with a Purple Heart Flag, which will be flown on August 7, 2012, in recognition of Purple Heart Day.

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 –

Second and Final Reading

Mayor LaCascia read Ordinance 2012-1291 in short title, and opened the Public Hearing; there being no questions or comments from the public, Mayor LaCascia closed the Public Hearing.

Councilor Kimsey made a motion to adopt Ordinance 2012-1291 on second and final 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

Network Upgrades (computers and MS Office)

City Manager Jackson asked if this could be moved further into the meeting to allow time for the IT people to arrive.

NEW BUSINESS

Award bid and authorize execution of contract for Street Rehabilitation Project

City Manager Jackson advised two bids were received, and staff is making the recommendation to award the bid and authorize execution of the contract for Street Rehabilitation to Empower Construction (\$106,150.72).

Vice Mayor Blethen made a motion to award the bid and authorize execution of the contract for Street Rehabilitation Project (Empower Construction in the amount of \$106,150.72); the motion was seconded by Councilor Kimsey. Under discussion, Vice Mayor asked if roots would be cutout if they were in the way; Kathy Delp advised they would be, and the quote includes a Quality Controlled DOT Certified Inspector. Each street will be inspected.

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.

Request for Mayor LaCascia and Councilor Block to attend Florida League of Cities Annual Conference August 23 – 25, 2012

Mayor LaCascia advised he and Councilor Block would be attending the Florida League of Cities Annual Conference August 23 -25, 2012. Approval is needed by Council for registration fees, hotel rooms and travel and per diem. The total cost for this approximately \$2,187.36. Councilor Block advised she would pay her own expenses. Councilor Kimsey advised it would not be fair for either one to pay their own way; they are representing the City and the City should pay. Mayor LaCascia advised he paid his own way the first year, but agrees the City should pay.

Vice Mayor Blethen made a motion to approve Mayor LaCascia and Councilor Block to attend the Florida League of Cities Annual Conference to be held August 23 – 25, 2012, at the City's expense.

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

4-ayes

1-nay

The motion carried four to one.

Request for updated software (finance, utility billing, business tax, fixed assets, etc.)

Mayor LaCascia briefly went over what the financial impact would be to purchase the new software (Agenda Form).

Mayor LaCascia made a motion to approve the purchase of the ADG Program; the motion was seconded by Vice Mayor Blethen. Under discussion, City Manager Jackson advised Mr. Jack Ewing, who is with ADG, is present and would answer any questions Council may have; Pam Lawson, Finance Director, will also address Council (a list of justifications were attached with the agenda packet). City Manager Jackson advised

the MCSJ Program is not doing what we need it to do in order to allow work to be done properly. Pam Lawson, Finance Director, addressed Council and noted the following:

- Advised the new program – ADG – would save about \$5,700 a year from continuing to use current program (MCSJ)
- Current software was purchased in 2009 for \$37,000
- Payroll is not tied to the General Ledger
- In this day and age, we should not have to be making manual entries
- Finance has had to make manual entries for Utility Billing as well; this has been going on since we purchased the program
- Were told by MCSJ this would not be corrected, but they are working on a separate program.
- Pam advised if the City had the money in 2009, ADG would have been the City's first choice.

Councilor Kimsey asked what assurances the City would have with the new software. Mr. Ewing, ADG, gave each Council a flash drive to review. There are automatic updates. There are 140 customers nation-wide. Annual user conferences are held once a year. Councilor Downing wanted to know if ADG would provide in-house training, and if the program would satisfy the business tax, building and code enforcement. She was advised training is provided, the business tax would be handled, and additional training could be provided for building and codes. Mayor LaCascia referenced being unhappy with current system, having to jump through hoops to correct it and having to set up dummy accounts. Mr. Ewing advised there is an annual maintenance contract and any staff person who has access to the system can call. ADG has a 98% satisfaction results from customers. Councilor Downing asked about remote access; she was advised that would be available; a server will be provided by ADG and there will be remote back-up. Mayor LaCascia noted the software would be financed by ADG for three years with zero interest, and the first payment will be in December 2012. Vice Mayor Blethen asked about supply service and if ADG will be hosting the entire program; Mr. Ewing advised they would be hosting the entire program and data. Councilor Downing asked if there would be guarantee on the server; she was advised if it breaks, a new one will replace it. Vice Mayor Blethen commented about running a browser, virus protection, spreadsheets, etc.; they are all available. Councilor Kimsey asked if it would reduce the workload; Pam advised it would. Discussion continued between Council and Mr. Ewing regarding the system and how it would work. Councilor Block understands making things better, but asked if we need three bids; she knows there are other companies and is hesitant to spend \$100,000. Councilor Block feels we should do more homework. Pam Lawson commented while it may not take long to make manual entries, Utilities needs a new program. It was also mentioned this should be done in a workshop.

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

0-eyes

5-nays

The motion failed.

Regarding the workshop and having MCSJ present, City Attorney Cloud suggested MCSJ be contacted and asked if they can make a proposal consistent with the proposal the City currently has. City Council was in agreement for this to be done; City Manager advised MCSJ would be asked if they can make a proposal consistent with the proposal the City currently has.

CITY MANAGER ITEMS / CITY CLERK ITEMS

Set dates for FY 2013 Budget Workshop

City Manager Jackson asked to have a workshop on Monday, July 23 to give Council the proposed budget for fiscal year 2013 and to discuss the millage rate. The 23rd was not good for everyone, and with several items pending, it was consensus to have a special meeting July 30th to address the millage rate, distribute the budget and to have quotes back for the repair of the pump for the Commonwealth Plant.

Other items noted:

- The Strategic Planning/Goal Setting will be on July 28 from 9 a.m. to 4 p.m.; Council has received the proposed agenda.
- Mayor LaCascia gave me a contact for a free landscape and Irrigation Evaluation Program through Polk County Utilities; this will be placed on the August agenda for discussion
- Mayor LaCascia asked about doing a community meeting for the citizens to come speak to the City Manager and Department Heads regarding issues they may have, or questions they may have (referred to article in the May/June Issue of the Florida League of Cities Quality Magazine – St. Petersburg)
- Reminded Council Employee Appreciation Day will be July 12 at 12:00 p.m.
- Network Upgrades would be tabled until the July 30th special meeting

CITY ATTORNEY ITEMS

Attorney Cloud had nothing to report at this time.

MAYOR ITEMS

Mayor LaCascia had nothing to report at this time; he would like to discuss the Charter Review Committee at another time.

VICE MAYOR ITEMS

Vice Mayor Blethen thanked Jack Ewing for his presentation.

COUNCIL MEMBER ITEMS

Councilor Block -- Councilor Block distributed a handout and asked that it be put into public record (a copy is on file in the City Clerk’s Office). Councilor Block advised she could not attend the CTAC Meeting, went over a list of meetings she has attended, mentioned the Library Bike Safety Program and the help that was given by Mr. Kitchens and Mr. Byers, mentioned the eight people who graduated from Water School from Polk City, and asked the TPO for an application to put sidewalks on Berkley. She also mentioned the Greenway & Trials original board no longer exists, and she has contacted the current organization about sponsoring a bike drive on the Van Fleet Trail. She attended an obesity class sponsored by Polk Visioning.

Councilor Downing – Councilor Downing had nothing at this time.

Councilor Kimsey – Councilor Kimsey had nothing at this time.

PUBLIC COMMENTS/REQUEST

Gail Funk addressed Council and mentioned the great article in the Ledger regarding Charles and the Polk City Utilities. She feels Charles does everything he can to save the City money, and expressed concern over the way she felt Charles was treated during the meeting.

Councilor Kimsey made a motion to adjourn; the motion was seconded by Mayor LaCascia. The meeting adjourned at 8:47 p.m. upon voice vote.

Patricia R. Jackson, City Clerk

Mayor Joe LaCascia

CONSENT AGENDA
July 9, 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 – June 11, 2012, City Council Meeting

B. REPORTS

1. Building Report – June 2012
2. Code Enforcement Report – June 2012
3. Living Hope – June 2012
4. Sheriff's Office Report – June 2012

C. OTHER