

CITY COUNCIL MINUTES

JANUARY 10, 2011

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

Pastor Walter Lawlor, New Life Community Church, gave the opening Invocation.

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

ROLL CALL

Mayor Joe LaCascia, Vice Mayor Trudy Block, Councilor Nancy Adorno, Councilor Mike Blethen, Councilor Don Kimsey, City Attorney Thomas Cloud and City Clerk Patricia Jackson.

A quorum was established.

APPROVE CONSENT AGENDA

Mayor LaCascia advised on the Code Enforcement Report he would like to see the date the violation first started.

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

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

The motion carried.

PRESENTATIONS AND/OR RECOGNITIONS

Kwame and Patricia Fosu, Sunshine Pharmacy, presented the Council with a plaque in recognition of their effort to revitalize Polk City.

PUBLIC HEARINGS

There were no public hearings.

UNFINISHED BUSINESS

There was no unfinished business..

NEW BUSINESS

Appointment of Vice Mayor Block as Acting City Manager for an additional 30 Days

Councilor Blethen made a motion to appoint Vice Mayor Block as Acting City Manager for an additional 30 days; the motion was seconded by Councilor Adorno. Under discussion, Councilor Kimsey commented he thought this was only supposed to go until Cory was paid; he would like to see someone other than a Council Member do this. Mayor LaCascia asked aren't we moving in that direction by advertising for a City Manager. Councilor Kimsey advised he asked about advertising for a City Manager several months ago. Councilor Blethen asked for clarification of what Councilor Kimsey was saying; he was advised the ad is being sent out and the deadline for receiving resumes will be February 10th, and then allow 60 to 90 days for review and possible interviews. Vice Mayor Block advised it is time for her to move on. Mayor LaCascia commented it was brought up in October (2010) regarding moving forward with getting a City Manager.

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

4-ayes

1-nays

The motion carried.

Approval to ratify the Memorandum of Understanding for Intergovernmental Cooperation with the City of Lakeland

Attorney Cloud advised when the time period for the City of Lakeland to file an appeal to our plan amendment was getting closer, he began discussions with their City Attorney. They came up with some type of gentleman's agreement that he wanted to bring before City Council even though it can be approved by the City Manager. Before the City allows any construction, they agree to meet and work out mitigation on the road impacts; the property owners' Attorney supported this. Also, the dismissal order was received today. This agreement is a mutual commitment. Mayor LaCascia advised he met with Mayor Fields regarding this agreement as well, and they were both in agreement it is a long time coming. Vice Mayor Block advised she met with the City Manager, Doug Thomas, and he was also very open to partner with City on this agreement, as well as other possible partnering ideas.

After further discussion, Councilor Blethen made a motion to ratify the Memorandum of Understanding for Intergovernmental Cooperation with the City of Lakeland; the motion was seconded by Councilor Adorno.

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

5-ayes

0-nays

The motion carried.

CITY MANAGER ITEMS

- Acting City Manager Block advised she represented Polk City at the Florida House of Representatives Delegation meeting in Bartow on Thursday of last week (March 6). She spoke about the history of Polk City and current challenges; they were very receptive (she had sent her presentation to Council).
- The ad for the City Manager position was given to Council, and they were asked if there are any questions to please let her know. The ad will go out tomorrow (Tuesday); it was also the consensus to advertise with ICMA. Vice Mayor Block advised she is not applying.
- Acting City Manager Block advised Pam Lawson would like to open a new bank account to deposit monies into that will be collected by Woodard and Curran. The account would be known as a "Parent Fund" and once the money is deposited, it will be moved to the correct accounts. After brief discussion of the various accounts, It was the consensus of Council to open this account.
- Acting City Manager Block briefly discussed a proposal for a transition charge from Woodard and Curran in the amount of \$4,937, which was not in the original contract. After discussion of what the transition period covers, Council feels this should have been included in the original proposal. Vice Mayor Block suggested this be tabled until the next meeting, and have someone from Woodard and Currant present; Mayor LaCascia advised he would like to hear from them.

CITY CLERK ITEMS

City Clerk Jackson advised letters are being ordered and the outside bulletin board will be corrected.

CITY ATTORNEY ITEMS

Attorney Cloud had nothing to report.

MAYOR ITEMS

Mayor LaCascia had nothing to report.

VICE MAYOR ITEMS

Vice Mayor Block had nothing more to report.

COUNCIL MEMBER ITEMS

Councilor Adorno

Review of Rental Fee for Activity Center – Councilor Adorno advised several years ago the Activity Center went through renovation and Council at that time was presented with new rates, which were adopted (414.00 inside the City and \$467.75 outside the City, which included a \$200 refundable deposit). The Activity Center is seldom used and she proposed the following new rates: Inside the City \$100, plus tax and a \$200 refundable deposit -- Outside the City \$150 plus tax and a \$200 refundable deposit.

After brief discussion, Councilor Adorno made a motion to change the rental rates for the Activity Center as follows, but leave the \$200 refundable deposit the same: inside the City will be \$100 plus tax; outside the City will be \$150 plus tax; the motion was seconded by Councilor Kimsey.

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

5-ayes
0-nays

The motion carried.

Councilor Blethen – The Planning Commission did entertain the replacement of mobile homes with mobile homes; the Planning Department will be putting everything together, and it will be coming before Council. Councilor Kimsey then asked if a monthly report could be received from the water and sewer department showing where we are at, items they are finding and problems that are being corrected. He was advised he will start seeing a monthly report.

Councilor Kimsey

Review of nonpayment fees and reconnection fees - utilities

Mayor LaCascia advised Councilor Kimsey has requested the review of nonpayment fees and reconnection fees. Councilor Kimsey advised he had a couple of concerns, and he commented he may have to rely on Pam Lawson for the information. The bills go out on the 10th of the month; on the 26th of the month there is a \$5 late fee, the nonpayment fee of \$50 is applied on the 6th of the month; however, cut off for nonpayment is on the 6th of the month unless it is on a Monday or Thursday, and then there is a reconnection fee of \$50, which is \$100 total. Councilor Kimsey then asked if some customers were charged a fee of \$400+ prior to moving into a place because a customer before them didn't pay a bill. Pam asked if he was referring to the utility deposit; she advised they have been charging a high risk deposit per the Ordinance on a property or on a person. There was some discussion regarding the deposits, and Pam advised the City is no longer charging a high risk deposit on a piece of property. Mayor LaCascia agrees the Ordinance needs to be reviewed; Vice Mayor Block advised that is something Mr. Hartman is looking at in one of his studies that is being done. Councilor Kimsey then discussed one of his rental properties whereby a tenant was charged a \$440 deposit; Vice Mayor Block advised Pam has to abide by the Ordinances. Councilor Kimsey wanted to know what he tells a tenant that wants to rent his house. Vice Mayor Block advised the property is no longer charged a high risk deposit. Councilor Kimsey asked how that can happen if it is in the Ordinance; Vice Mayor Block advised the Ordinance is being re-evaluated and there are things that need to be updated; however, we are charging a higher deposit for a "high risk" customer. Pam then advised every six months there is an evaluation of the bad debt for write-offs. Some discussion took place about the nonpayment fee and the City doing a one-time waiver of the fee. Councilor Blethen asked about payment arrangements; Pam advised arrangements can be made up to cut-off day. Vice Mayor Block suggested this be tabled until the report comes in and we get the Ordinances cleaned up.

PUBLIC COMMENTS/REQUEST

Bob Fuller, 411 Edgewater Drive, questioned the 10.4 million dollar debt – he doesn't understand how the City is going to get out of debt. He also asked about the Town Hall meeting that had been previously discussed. Mr. Fuller asked about Cedar Grove dissolution; Attorney Cloud advised the County had to take over all of their debt because the debt can't go away. Mr. Fuller then asked about the street being blocked off at the Church; Mayor LaCascia advised they petitioned the County to close the street and the County approved it be closed. Mayor LaCascia also advised they are in preparation for construction there (it is all church property).

Al Schneider, 775 Teaberry Trail, asked if the Activity Center fee included insurance; he was advised the City does not require the renter to provide insurance, and he was advised the City has insurance. There is no alcohol allowed at the Activity Center. Mr. Schneider asked Councilor Kimsey if the owner of the property gets a bill for water. Councilor Kimsey advised a renter has to provide proof when they are renting a piece of property for water service, and the renter is responsible for the bill. Councilor Adorno asked if the owner could be responsible for the bill; she was advised no, not in the State of Florida. Mr. Schneider then mentioned advertising for City Manager and the requirement of living inside the City (he thinks that is a good idea). Mr. Schneider then asked the reasoning for not having a Town Hall meeting regarding dissolution. Mayor LaCascia advised there were good questions pertaining to if the City dissolves; however, there was no good information coming from the County, and consequently a meeting has not taken place. At this time Mr. Fuller advised there could have been an open forum without having to turn in a form. Brief discussion followed – Mr. Fuller will get with the Mayor.

ANNOUNCEMENTS

There were no announcements.

The meeting adjourned at 8:14 p.m. upon voice vote.

Patricia R. Jackson, City Clerk

Joe LaCascia, Mayor