

# CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 1

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Mayor Donald L. Penton called the meeting to order at 7:30PM.

## INVOCATION

Pastor Walter Lawlor

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

## ROLL CALL

Present: Mayor Donald Penton, Vice Mayor Chris Denico, Councilor Nancy Adorno, Councilor Dan Ames, City Manager Cory Carrier-excused absence, City Attorney Jeff Sullivan, Assistant City Manager Pam Peterson, City Clerk Sylvia Sims.

Councilor Eilertsen was present but was not called upon for the Roll Call as she has not been officially sworn in following her re-election in April; immediately following the roll call City Clerk Sims administered the Oath of Office to Councilor Eilertsen. She was seated and partook in the meeting.

**A quorum was declared present.**

Mayor Penton turned the reading of the agenda over to the Assistant City Manager.

Assistant City Manager Pam Peterson informed Council that she received some items late in the day and some require Council action. She asked permission to add those items to tonight's agenda and stated that she would discuss them under City Manager Items. The items were as follows:

- ◆ Update on the Grocery Store
- ◆ Assigning a name to the Temporary Waste Water Treatment Plant
- ◆ Mt. Olive Waste Water and Water System
- ◆ Update from Finance
- ◆ Regional Waste Water Treatment Plant
- ◆ Browning Investments

Council had no objections to adding these items. A motion to add the items was made by Vice Mayor Denico and seconded by Councilor Adorno.

Roll Call: Mayor Donald Penton-aye, Vice Mayor Chris Denico-aye, Councilor Nancy Adorno-aye, Councilor Dan Ames-aye, Councilor Kristin Eilertsen.

5-eyes

0-nays

# CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 2

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## I. APPROVE CONSENT AGENDA

City Clerk Sims informed Council that Councilor Adorno noticed that the motion to elect Vice Mayor Denico for another term was inadvertently left out of the Minutes for the April 8, 2008 meeting. City Clerk Sims apologized to Council for the oversight. She suggested that they may either accept the minutes with the amendment or she can remove the minutes from tonight's consent agenda and resubmit them at the next scheduled meeting. Council did not find a problem with accepting the minutes with the amendment.

A motion was made by Councilor Adorno to accept the amendment to the minutes and the consent agenda. The motion was seconded by Councilor Eilertsen.

Roll Call: Vice Mayor Chris Denico-aye; Councilor Nancy Adorno-aye; Councilor Dan Ames-aye; Mayor Donald Penton –aye.

5-ayes

0-nays

## II. PRESENTATION AND/OR RECOGNITIONS

- ◆ Assistant City Manager Peterson directed Council to a Proclamation in their packet designating the week of May 18-May 24, 2008 as Public Works Week. Mayor Penton read the Proclamation aloud.
- ◆ Mike Denico, Charter Representative of Boy Scout Troop and Cub Scout Pack # 510, apologized to Council and Management for an email sent by a troop leader. He stated that the email was unsolicited and very inappropriate and assured Council that it would not happen again.

Further, Mr. Denico requested information on how soon the Women's Center would be available for public use and the location of city owned property off Citrus Grove Blvd; Mr. Denico would like to use the property for Scout activities and is not sure of its location, if reservations are needed or how to access it.

Vice Mayor Denico added that reservations were not necessary for the use of this property. She stated that she would get Mr. Denico in touch with the Public Works Director so he may show Mr. Denico the location of the property. Mayor Penton added that this property's purpose is for community use.

City Clerk Sims updated Mr. Denico on the Women's Center. She stated that the Surplus Sale has been held and the items left are slated for disposal. The next step will be to renovate the building to get it presentable for public use. She gave a rough estimate of completion by the end of May, but would update Mr. Denico as

# CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 3

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she finds out more about the process. Mr. Denico thanked Council for their time and the information he received.

## III. NEW BUSINESS

RESOLUTION 2008-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS; PROVIDING FOR AUTORIZATION FOR THE PUBLIC SALE, SUBSEQUENT DONATION OR DISPOSAL OF SAID PERSONAL PROPERTY; PROVIDING FOR THE PRIOR ADVERTISEMENT OF SAID SALE; PROVIDING FOR ALL REVENUE TO BE PLACED IN THE GENERAL FUND ; AND PROVIDING AN EFFECTIVE DATE.

Assistant City Manager Peterson explained to Council, that according to Code a resolution has to be adopted to deem city property as surplus and consequently sell or dispose of the items. Councilor Ames made a motion to accept Resolution 2008-06; the motion was seconded by Vice Mayor Denico.

Roll Call: Councilor Nancy Adorno-aye, Councilor Dan Ames-aye; Councilor Kristin Eilertsen-aye; Mayor Donald Penton-aye; Vice Mayor Chris Denico-aye;

5-eyes  
0-nays

## IV. CITY MANAGER ITEMS

- ◆ Assistant City Manager Peterson informed Council that she was informed of a tentative opening of mid-week for the grocery store with a possible opening this coming weekend. She stated that this was the last she heard of but will follow up to get more accurate information.
- ◆ The temporary waste water treatment plant is scheduled to come online this week and staff recommendation is to name the plant the “Cardinal Hill” plant. There is no meaning associated with this name other than it being the name included in the legal description of the property.

Vice Mayor Denico made a motion to the accept staff recommendation and name the temporary waste water treatment plant “Cardinal Hill” plant. The motion was seconded by Councilor Adorno.

Roll Call: Councilor Dan Ames-aye; Councilor Kristin Eilertsen-aye; Mayor Donald Penton-aye; Vice Mayor Chris Denico-aye, Councilor Nancy Adorno-aye;

5-eyes  
0-nays

# CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 4

---

- ◆ Victoria Silva, Polk City's Finance Administrator, updated Council that Polk County Utilities mailed a letter to all of the Mt. Olive System account holders explaining the transfer of the utility system and the billing of services to Polk City. Enclosed with the letter was Polk City's utility service application as well as an enrollment form for the auto debit service Polk City will soon have to offer. Polk City wants to assure that the most up-to-date information is entered into the billing system on each customer and as many are seasonal customers, the preference is to auto debit the charge for services rather than mail a paper bill. In addition to this, Ms. Silva has been working to establish the use of credit and debit cards as a form of payment and also hopes to have credit/debit card payment set up for online use.
- ◆ The engineers hired to design the regional waste water treatment plant requested of Council that contractors to build the plant and lay the lines be pre-qualified. City Attorney Sullivan stated that he reviewed the City's charter, as the City Manager was concerned that the charter prohibited pre-qualifying potential contractors. In his legal opinion of his review of the charter, there is nothing in the charter prohibiting pre-qualifying contractors for city projects. Councilor Ames made a motion to pre-qualify potential contractors for the building and line installation of the regional waste water treatment plant. The motion was seconded by Vice Mayor Denico.

Roll Call: Councilor Kristin Eilertsen-aye; Mayor Donald Penton-aye; Vice Mayor Chris Denico-aye; Councilor Nancy Adorno-aye, Councilor Dan Ames-aye.

5-ayes

0-nays

- ◆ Assistant City Manager Peterson shared with Council that a letter was received from Browning Industries requesting to waive all impact fees for the project they want to bring to Polk City. A memo written by the City Manager to Council explaining the importance of this project coming to Polk City and the jobs and revenue it will create inevitably contributing to Polk City becoming a self sustaining community was read into record. *(Letter and Memo available for review at the City Clerks' office during normal business hours)*  
The Browning Industries Project is looking at the Coleson site off SR 33. The development of said property is a joint project between Colson Investments and Browning Industries. It will create between 655-1300 jobs and revenue in the six figures. City Manager Carrier's memo also mentioned that Browning is looking at a site in Hillsborough County, however, the Polk City site is far superior but the impact fees are a burden for the company. Staff recommends that all impact fees are waived to bring this project to fruition and not to pass up this incredible opportunity for Polk City's economy. Vice Mayor Denico made a motion to waive all impact fees and help move the project forward. Councilor Ames seconded the motion. Prior to the roll call Mayor Penton asked if there was any

## CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 5

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further discussion. Councilor Eilertsen spoke up and stated that she had some questions. She stated that it seems like Polk City is losing a lot of upfront revenue. Mayor Penton commented that it may be lost revenue up front, but when one looks at the bigger picture and what future revenues and commerce this project can bring it becomes a worthy trade off.

Another concern Councilor Eilertsen had was how the construction of this project was going to take place. She was hoping for a guarantee from the developer not only for the jobs the project is expected to bring but also a timeline for total build out. David Davidson was present in the audience. He is the owner of the Coleson property and has been working closely with representatives from Browning Investments. Mr. Davidson stated that, to his knowledge, there was never a problem leasing the space and creating jobs were Browning is concerned. He also stated that he doubted very seriously that the build out would be completed at once. He explained that he cannot think of any developer that would build out completely without first filling the space already built. He mentioned that once Browning moved forward with their project it would also enable him to move forward with his project. He continued by stating that in his original vision he planned on a commercial development on the SR 33 frontage and housing on the backside of the property. He reevaluated and stated that rather than competing with Centex Homes who is building across the street from Mr. Davidson's property, it would be more beneficial to Polk City to have the commercial center and a light industrial center on this property as it will bring jobs and shopping venues to those areas closest to said property such as the Fountain Park Development and the Mt. Olive area residents as well as Polk City residents and pass through traffic.

Roll Call: Mayor Donald Penton-aye; Vice Mayor Chris Denico-aye; Councilor Nancy Adorno-aye; Councilor Dan Ames-aye; Councilor Kristin Eilertsen-aye.

**NOTE: THE OFFICIAL ROLL CALL CAN BE LOCATED AT 27:12 MINUTES INTO THE RECORDING. THE ACTUAL ROLL CALL TRANSCRIPTION WAS INADVERTANTLY OMITTED AT THE TIME THE MINUTES WERE APPROVED AND WAS ADDED TODAY, JUNE 16, 2008. THE CONTEXT OF THE MINUTES WAS NOT ALTERED IN ANY WAY OTHER THAN ADDING THE OFFICIAL ROLL CALL.**  
(Highlighted above)

### V. CITY CLERK ITEMS

City Clerk Sims presented Council with two completed classes, receipts for payment of tuition, the grade earned in each class and the course description. At last month's meeting Council requested to review one class at a time, because currently the verbiage in the Tuition Reimbursement portion of the benefits manual is vague and unspecific on what is reimbursable.

## CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 6

---

Councilor Eilertsen commented that she was not up to speed on what the benefits manual entailed regarding this subject as she was not at last month's meeting. City Clerk Sims recapped the discussion regarding the vagueness of the verbiage and how she and City Manager Carrier view it differently.

After some discussion, Council agreed that this particular benefit needs to be re-evaluated and corrections need to be made.

Upon review of the completed classes, Vice Mayor Denico stated that tuition should be reimbursed to City Clerk Sims based on the established grading scale (100%-A, 75%-B and 50%-C). A motion was made by Vice Mayor Denico to reimburse City Clerk Sims at 100% for the A she earned in Pre-Algebra and 75% for the B she earned in the Introduction to Literature class. The motion was seconded by Councilor Adorno.

Both classes are Core requirements necessary to obtain her degree in Political Science and Government. The total amount of reimbursement due City Clerk Sims is \$360.34. City Clerk Sims thanked Council for their decision.

Roll Call: Councilor Dan Ames-aye, Councilor Kristin Eilertsen-aye, Mayor Donald Penton-aye, Vice Mayor Chris Denico-aye, Councilor Nancy Adorno-aye.

5-eyes

0-nays

City Clerk Sims shared with Council that the workshop scheduled for May 24, 2008 falls on Memorial Weekend. Mr. Taylor who will be conducting the workshop brought this to Sims's attention and needed a definitive answer from Sims whether to go ahead with the workshop. City Clerk Sims stated that she made an "executive decision" and cancelled the workshop as she believed that not everyone who needs to attend the workshop would be available due to the holiday. Mr. Taylor gave City Clerk Sims additional dates he is available to hold the workshop. City Clerk Sims informed Council of the dates and that unfortunately she would not be available on some of the dates due to an annual conference she has registered to attend and scheduled vacation. She further stated that her absence should not deter Council from holding the workshop as her Assistant would be available should Council hold the workshop on a date that she is not available.

In addition City Clerk Sims suggested to Council to forego scheduling a workshop in the summer months and perhaps look at the fall as the City Manager and the Assistant City Manager also have a number of things to attend over the summer. Mayor Penton stated that the Florida League of Cities annual conference is during the summer months and agreed that the fall seems like a more feasible option. City Clerk Sims stated that she would contact Mr. Taylor and advise him of the decision to hold the workshop in September.

# CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 7

---

City Clerk Sims informed Councilor Eilertsen and Councilor Ames of the upcoming Institute for Elected Municipal Officials. She offered them information on the sessions being held in June and in October. The first session is to be held in Sarasota and in the latter in Orlando. Both Councilors tentatively want to attend in October.

City Clerk Sims wished Vice-Mayor Denico a happy upcoming birthday and concluded her items to discuss with Council.

## VI. CITY ATTORNEY ITEMS

There was none

## VII. COUNCIL MEMBER ITEMS

***Councilor Adorno-*** Councilor Adorno asked about the status of the trip to Marathon to view a Waste Water Treatment plant. Assistant City Manager Peterson explained that upon further research, the process to take all of Council became very difficult. City Planner Kniffin and Public Works Director Sims, along with representatives from Jones Edmunds took the trip and shot video footage. Once the voiceover is complete it will be presented to Council.

Additionally, Councilor Adorno shared that she noticed some historic photographs at Colonial Bank and thought the photographs would be nice to display at City Hall. City Clerk Sims offered to contact the bank manager to find out if a copy may be obtained.

***Councilor Ames-*** Councilor Ames stated that he is hoping to have Browning Industries on board.

***Councilor Eilertsen-*** Councilor Eilertsen shared that it was brought to her attention that there are movable basket ball goals in use in the city that do not appear to be relocated when not in use. The height of the goals are equal to the height of a fire truck windshield and in the Fire Department's opinion pose a potential hazard should the need for a high speed emergency call arise. It is difficult to maneuver the large fire trucks on narrow neighborhood streets and colliding with said sporting equipment is a great possibility and an avoidable accident waiting to happen. Sgt. Dan Cone was present and stated that he would look into the matter. Mayor Penton added that the City is in the process of adding pocket parks in established neighborhoods in hope that designated recreation areas will create a place for the youth to enjoy and consequently diminish the need to play basket ball in the roadway. Further, Councilor Eilertsen thanked all of those who voted for her.

## VIII. VICE-MAYOR ITEMS

## CITY COUNCIL MEETING MINUTES

May 13, 2008

Page 8

---

Vice Mayor Denico stated that she wanted to publicly thank the Dollar General Store and their staff for getting Polk City through a difficult time due to the grocery store closing. The additional stock items were tremendously helpful to the citizens. Vice Mayor Denico invited the store manager to the meeting but was scheduled to work and unable to attend.

Additionally, Vice Mayor Denico shared that she has been working with Assistant City Manager Peterson and Finance Administrator Silva on getting a total of remaining funds donated to last years Safe Haven Halloween Party. She shared that she feels it necessary to change the funds' use from strictly Halloween to the Community Activities Fund. This would allow the remaining and future funds to be used for community events and also allow donations to be sought year round for community events. In closing, Vice Mayor Denico expressed her desire to have Browning Industries on board and congratulated City Clerk Sims on her grades, recognizing the difficulty in attending evening classes, maintaining a full time job and juggling a family.

City Clerk Sims thanked Vice Mayor Denico for her kind words.

### **IX. MAYOR PENTON**

Mayor Penton stated that he had been thinking about and plans to award the Dollar General a Citizens Award for their role in sustaining the citizens of Polk City in the absence of a grocery store.

Further, he announced that the Ridge League of Cities Meeting will be hosted by the City of Frostproof on June 12, 2008. Mayor Penton also pointed out that the Polk City Center, located next to the Post Office, still has spaces for lease. Mayor Penton is hopeful that more businesses will come and possibly give some of the youth an opportunity to hold summer jobs which will keep them off the streets. He stated that the skate park is coming along nicely. The property has been selected, equipment has been donated by Mr. Denico and funding is being sorted out by the Assistant City Manager. Mayor Penton asked for just a little more patience to place all of the pieces together to install the temporary skate park until the permanent one can be build.

Vice Mayor Denico added, that she too, would like to thank Assistant City Manager Pam Peterson for pushing this project through and Mr. Denico, for donating the skate park equipment to the City to aid in this temporary solution for the youth.

### **X. PUBLIC REQUESTS**

None were submitted, however, Mayor Penton opened the floor for anyone present to speak although no one did.

City Clerk Sims quickly added that she is still working with companies to establish a payment center location in Polk City (Brighthouse, Lakeland Electric, TECO and Verizon).



**CITY COUNCIL MEETING MINUTES**  
**May 13, 2008**

**Page 9**

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**XI. ADJOURNMENT**

There being nothing further on the agenda to discuss the meeting adjourned by voice vote at 8:26 pm.

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City Clerk Sylvia Sims

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Mayor Donald L. Penton