

CITY COUNCIL MEETING MINUTES

July 8, 2008

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1 **Mayor Donald L. Penton, Sr. called the meeting to order at 7:30PM.**

2
3 **INVOCATION**

4
5 City Clerk Sylvia S. Sims

6
7 **Those present recited the Pledge of Allegiance, led by Mayor Penton.**

8
9 **ROLL CALL**

10
11 Present: Mayor Donald Penton, Vice Mayor Chris Denico-excused absence, Councilor Nancy
12 Adorno, Councilor Dan Ames, Councilor Kristin Eilertsen, City Manager Cory Carrier, City
13 Attorney Jeff Sullivan, City Clerk Sylvia Sims.

14
15 **A quorum was declared present.**

16
17 Mayor Penton turned the reading of the agenda over to the City Manager.

18
19 **APPROVAL OF CONSENT AGENDA**

20
21 A motion was made by Councilor Nancy Adorno to accept the consent agenda. The motion was
22 seconded by Councilor Dan Ames.

23
24 Roll Call: Mayor Donald Penton-aye, Councilor Nancy Adorno-aye, Councilor Dan Ames-aye,
25 Councilor Kristin Eilertsen-aye.

26
27 4-eyes

28 0-nays

29
30 **PRESENTATION AND/OR RECOGNITIONS**

31
32 **There were none.**

33
34
35 **NEW BUSINESS**

36
37 **1. TURLINGTON/ CITY - PROPERTY TRANSFER**

38
39 City Manager Carrier explained to Council that the city owns property off Barfield Road. This
40 property was used as the City's landfill in the past and has been cleaned up approximately seven
41 (7) years now. The property is more or less three (3) acres. Mr. Turlington owns property
42 adjacent to the city's parcel, as well as near Kirk and Riley Septic. The city is in need of the
43 parcel in the Kirk and Riley area for utility expansion purposes. The difference in value is

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1 minimal, \$4000 in the city's favor, and staff is seeking approval to either transfer the ownership,
2 or to enter into a utility easement agreement with Mr. Turlington.

3
4 Council agreed that Mr. Turlington has always been supportive of Polk City, and did not find it
5 necessary to seek payment from Mr. Turlington for the difference in property value. Councilor
6 Eilertsen made a motion to transfer ownership of said properties without seeking Mr. Turlington
7 to pay the difference in value.

8 The motion was seconded by Councilor Ames.

9
10 Roll Call: Councilor Nancy Adorno-aye, Councilor Dan Ames-aye, Councilor Kristin Eilertsen-
11 aye, Mayor Donald Penton-aye.

12
13 4-ayes

14 0-nays

15
16 City Manager Carrier asked for permission to have the City Attorney prepare the quick claim
17 deeds. Council approved her request.

18 19 **2. 4-DAY WORK WEEK PROPOSAL**

20
21 City Manager Carrier explained to Council that she is looking for ways to save on operating
22 expenses in the upcoming budget. She suggested to Council closing the city hall either on
23 Monday or Friday, and having the employees work four (4) ten hour days, having services
24 available from 8am until 6pm, four days per week. City Manager Carrier stated that the
25 Lakeland Electric bills are extremely high. In her opinion, turning the air-conditioning up/off for
26 a period of three days should reduce the bill considerably as well as aid in the effort on saving in
27 lighting, fuel cost for vehicles, and other expenses associated with operating City Hall.

28
29 Councilor Eilertsen stated that she is unsure about this proposal. She stated that city hall should
30 be open to accommodate citizens in paying their bills or other services they may seek.

31
32 Councilor Adorno asked if there has been some sort of cost saving analysis preformed.

33
34 Gene Kniffin, City Planner, shared with Council that the extra hour per day seems helpful to
35 citizens, giving them the opportunity to visit city hall upon leaving work.

36
37 Mayor Penton interjected, that the City of Lakeland is considering closing their downtown utility
38 payment office to save on operation cost. He further stated, that Council will notice more and
39 more city's going to a shorter work week. City Manager Carrier stated that the City of Mulberry
40 has already implemented the four-day work week.

41
42 City Manager Carrier explained to Council that the state's shared revenues are down, as well as
43 advelorum taxes, and she is trying to look at alternative ways to cut cost, rather than significantly
44 cut services.

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1
2 Mayor Penton requested a cost saving analysis to review prior to making a decision. Councilor
3 Ames added that he is in favor of ways to save money, and that this matter should not be
4 discussed too long. City Manager Carrier stated that she would provide the cost savings analysis
5 by the next meeting for Council to review.
6

7 **3. PROPOSED 2008-2009 MILLAGE RATE**
8

9 City Manager Carrier directed Council to the DR-422 form, detailing the city's taxable value, she
10 explained various options to Council, and recommended Council adopt the current millage of
11 6.7425 for the 2008-2009 budget year. (*Detailed information regarding taxes/millage rate can be*
12 *obtained by making an appointment with the City Manager*).
13

14 Councilor Adorno agreed that the millage rate of 6.7425 should be adopted. She further stated
15 that the city is in the same position as all other businesses by having to find the money to make
16 ends meet. She stated that she realized that this decision will not make everyone happy, but given
17 the circumstances of the economy this is one way the city can offset some of the rising costs.
18

19 Councilor Ames concurred, that short of "turning off the lights and putting up a "For Sale" sign"
20 the city has to take this measure.
21

22 Mayor Penton, stated that he would like to lower taxes as he promised he would do as soon as he
23 possibly could, however given the economy and the rising costs, he supports the decision to
24 adopt the millage rate of 6.7425 and does not see an alternative at this time.
25

26 Mayor Penton made the motion to adopt the millage rate of 6.7425. Councilor Ames seconded
27 the motion.
28

29 Roll Call: Councilor Kristin Eilertsen-aye, Mayor Donald Penton-aye, Councilor Nancy Adorno-
30 aye, Councilor Dan Ames-aye,
31

32 4-ayes

33 0-nays
34

35 *Vice Mayor Denico is excused absent, therefore the 4-0 vote of Council present is considered*
36 *unanimous.*
37
38

39 **CITY MANAGER ITEMS**
40

- 41 ❖ City Manager Carrier asked for Council to re-adopt Resolution 2008-07, passed at
42 last month's meeting. The date on the map depicting the core area of
43 improvement and the date of adoption of Resolution 2008-07 do not match. City
44 Manager Carrier read Resolution 2008-07 into record, without any changes.

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1 Mayor Penton made a motion to re-adopt 2008-07. The motion was seconded by
2 Councilor Eilertsen.

3
4 Roll Call: Mayor Donald Penton-aye, Councilor Nancy Adorno-aye, Councilor Dan Ames-aye,
5 Councilor Kristin Eilertsen-aye.

6
7 4-ayes

8 0-nays

9
10 ❖ City Manager Carrier, shared with Council that some issues exist with the way
11 Occupational Licenses are currently handled. Due to changes in the law, the city
12 is actually collecting an occupational license tax, not issuing a license. Only the
13 state and the county have the authority to issue licenses. However, in the past
14 when properties occupied by a business, became non-compliant with city code the
15 City Clerk was instructed not to collect the business license tax. Under the law,
16 the clerk has to collect the tax, but collecting the tax does not give the business
17 permission to operate. In addition, a business recently transferred from one
18 location in the city to another. The transfer fee was paid, however the new
19 location is not zoned to operate such a business. The City Clerk has no way of
20 knowing the zoning of properties. City Manager Carrier suggested restructuring
21 the current way to bring the zoning, code enforcement, and city clerk department
22 into cohesiveness, by implementing a “Zoning Permit” obtainable from the
23 Zoning Department. Code Enforcement, Fire and other applicable departments
24 would be required to sign off on the permit. Said permit would be renewable
25 yearly. Once the permit is obtained, the business owner would then pay the
26 business tax according to the business tax chart set forth by city ordinance. This
27 would guarantee that city departments and the business owner are all on the same
28 page. City Clerk Sims added that the annual renewal of the Zoning Permit would
29 also ensure that city businesses maintain building codes. City Manager Carrier
30 stated that a Resolution would be required to implement these changes and should
31 Council so choose, could have it available for next month’s meeting. Council
32 agreed that the changes are necessary and would benefit the city departments as
33 well as the proprietor.

34
35 ❖ City Manager Carrier asked Victoria Silva, Finance Administrator, to explain the
36 “Request for Purchase of a Check Signer” to Council. Ms. Silva shared with
37 Council that currently the city has four authorized signers for payroll and accounts
38 payable checks. The Mayor and Vice Mayor generally sign the checks.
39 Coordinating with their respective schedules and meeting the deadline of pay day
40 and payables is difficult at times. In addition, the checks tend to stick together and
41 often times some are missed, requiring further coordinating to get missed checks
42 signed. Mayor Penton stated that it takes him approximately 45 minutes to one
43 and one half hours depending on the volume. Staff is seeking to purchase a check
44 signer. Intense security checks and balances would be implemented, such as

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1 accounting for date and time check signer is operated, check numbers, and
2 multiple staff signatures verifying the check run.

3 The check signers that staff members have reviewed are approximately eight to
4 nine hundred dollars. City Manager Carrier stated that if Council agrees, she
5 would look further into the cost. Councilor Dan Ames made a motion to order the
6 check signer. The motion was seconded by Councilor Adorno.
7

8 Roll Call: Councilor Nancy Adorno-aye, Councilor Dan Ames-aye, Councilor Kristin Eilertsen-
9 aye, Mayor Donald Penton-aye.

10
11 4-eyes

12 0-nays
13

14 ❖ City Manager Carrier encouraged members of Council to attend the Florida
15 Department of Transportation Public Workshop to be held on July 10, 2008 from
16 6-9pm at the Bartow Civic Center; this is a drop-in workshop that will discuss the
17 proposed rail-system, amongst other issues.
18

19 ❖ City Manager Carrier shared with Council that she received the annual rate
20 increase from Florida Refuse, as is stipulated under the current contract. The new
21 rates no longer cover the current cost of residential and commercial service. City
22 Manager Carrier is requesting to either increase the residential garbage fee by \$1
23 per month and passing off the full rate increase to commercial customers. Other
24 alternatives such as going to the one-man pick up and reducing the number of
25 days for pick up are also options. Mayor Penton, asked City Manager Carrier to
26 check into the one-man pick up and report on the cost effectiveness. City Manager
27 Carrier replied that Florida Refuse suggested changing to the one-man truck for
28 some time. Councilor Eilertsen inquired if the residents would be required to
29 purchase the special trash can necessary to operate the one-man truck. City
30 Manager Carrier replied that everything was negotiable and she would look at all
31 the options and report back to Council. Councilor Adorno asked when the current
32 contract expired, to which City Manager answered that it expires next year
33 (2009).
34

35 Assistant City Manager Pam Peterson, was not able to attend the meeting but asked City
36 Manager Carrier to remind Council to leave their laptops, as they are due for updates and IT
37 personnel is scheduled to come out the latter part of the week.
38

39 ❖ PERSONNEL CHANGES

40
41 City Manager Carrier explained that, she had to terminate a number of employees
42 for various reasons, such as extreme personality conflicts, excessive absenteeism,
43 and allegations of theft. The latter was immediately turned over to the deputy on
44 duty; a thorough investigation was conducted. Upon completion of the

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1 investigation charges were indeed filed. In light of this the employee was
2 terminated. One employee, John Forsburg, was suspended for three days without
3 pay, due to a verbal altercation with the Prison Guard in charge of the Inmate
4 Work Squad; an official complaint was filed by the guard with his superiors. City
5 Manager Carrier stated that she would introduce new employees to Council as the
6 positions are filled.

7
8 *(The terminated employees are as follows: Jack Richmond, David Fields, John*
9 *“Tony” White and Laurie Jackson)*

10
11 City Manager Carrier shared with Council that she is planning to give Council a monthly
12 “update” page. This would list projects, inquiries, and other items requested by Council during a
13 meeting and the resolve to each item. Once an item has been resolved it would drop off the
14 update page; items would stay on as long as necessary to resolve the matter, with monthly status
15 reports on pending issues.

16 **CITY CLERK ITEMS**

17
18
19 City Clerk Sims explained to Council that in order to comply with the requirements of
20 Ordinance 1238-School Concurrency- a member of the School Board has to be appointed as an
21 “Ex- Officio” member to the Planning & Zoning Board. Said member would have no voting
22 rights, but may discuss items and offer suggestions to the Planning & Zoning Board members.
23 Mayor Penton read the appointment of Juli McShay to the Planning & Zoning Board, as an “Ex-
24 Officio” member aloud. City Clerk Sims stated that she would official swear Ms. McShay in at
25 the Planning & Zoning Board meeting in August, as Sims will be on vacation at the meeting in
26 July.

27
28 City Clerk Sims reminded Council that she is taking two weeks approved vacation. Any needs
29 that may arise in her absence should be directed to her Assistant, Lynsay McCaulley.

30 **CITY ATTORNEY ITEMS**

31
32
33 **There were none**

34 **COUNCIL MEMBER ITEMS**

35
36
37 *Councilor Adorno-* Councilor Adorno stated that she would be on vacation 7/23-29 2008.
38 She also asked about the impending workshop. City Manager Carrier replied that Council
39 already has four meetings scheduled in September and would like to postpone holding the
40 workshop to the month of October. Councilor Adorno also asked for the status of the Grocery
41 store. City Planner Kniffin explained that the most recent development the city is aware of is that
42 tangible taxes are due to the county. Until the taxes are paid the store cannot open for business.
43 Mayor Penton offered, that a lot of work is going on inside, and he feels hopeful that the opening
44 will take place soon. Councilor Adorno reminded everyone of her desire to hold a city wide yard

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1 sale once a year in the spring and asked for staff to help her with this endeavor. City Manager
2 Carrier suggested that the employee committee that organizes the Christmas Parade may be
3 available to help with this project. Councilor Adorno is hoping to hold the event in the month of
4 March.

5
6
7 **Councilor Ames-** Councilor Ames thanked those for coming to tonight's meeting and extended a
8 word of gratitude to Ledger reporter Amber Smith for her dedication to reporting about Polk
9 City.

10
11 **Councilor Eilertsen-** Councilor Eilertsen mentioned to City Clerk Sims that her name was not
12 listed in last month meeting's official roll call. City Clerk Sims apologized for the oversight, and
13 stated she would amend that portion of the minutes and have the minutes listed on the next
14 Consent Agenda in order to approve the amendment. Additionally, Councilor Eilertsen thanked
15 those present at the meeting and that she would be unavailable 8/15-18, 2008. City Manager
16 Carrier asked that any members of Council send her an email regarding their vacations, or times
17 they may be unavailable, so she can update her calendar as relying solely on her memory has not
18 proven effective.

19 20 **VICE-MAYOR ITEMS**

21
22 Vice Mayor Denico relayed to City Manager Carrier that she is seeking an update on the Skate
23 Park. Unfortunately, Assistant City Manager Peterson was not present at tonight's meeting, and
24 therefore was unable to give an update.

25 26 **MAYOR ITEMS**

27
28 Mayor Penton thanked everyone present for attending tonight's meeting. He noticed a few new
29 faces. He extended his sincere, appreciation to all of city staff, on how well staff handled the
30 trying times resulting in certain staff members being terminated. He stated that the city can be
31 very proud of their staff. He continued by offering anyone in the audience the opportunity to
32 speak. Michael Hoshing, member of the Planning and Zoning Board expressed his desire to
33 address Council.

34
35 City Clerk Sims mentioned that Mr. Hoshing turned in a Public Comment request to her prior to
36 the meeting.

37
38 Mr. Hoshing introduced himself and stated that he currently serves on the Planning and Zoning
39 Board. He suggested that the current name of the board be changed to "Plan Review
40 Committee". Additionally, he offered many suggestions on how Polk City can make their own
41 "reality" by changing the way things are done. He stated that saving money, energy, and natural
42 resources are vital to the community's long term well being. With escalating prices, affecting all
43 commodities, alternative methods of lifestyles and doing business should be seriously explored.
44 He emphasized that modern technology should be closely looked at and utilized in the business

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1 world. He further stated that current rules and regulations need to be reviewed and changed if
2 need be. Mayor Penton reminded Mr. Hoshing that some rules simply cannot be changed
3 because they are state mandated. Mr. Hoshing replied that he is fully aware of the rules and
4 regulations, but firmly suggested that an effort be made, by working around the system in place
5 to make changes happen. Mayor Penton thanked Mr. Hoshing for his comments.
6

7 Mayor Penton continued with a letter addressed to Council submitted by T. Bower Enterprises,
8 requesting and extension on an existing building permit and the opportunity to address council.
9 The letter was read into record (*Letter may be reviewed at the City Clerk's office during normal*
10 *business hours*). Council agreed to discuss the request with Mr. Bower at the next regularly
11 scheduled meeting.
12

13 **PUBLIC REQUESTS**

14
15 Mr. Hoshing turned in a request to address Council. He addressed Council under "Mayor Items".
16

17 **ANNOUNCEMENTS**

18
19 **There were none**
20

21 **ADJOURNMENT**

22
23 There being nothing further on the agenda to discuss the meeting adjourned by voice vote at
24 9:00 pm.
25
26
27

28 _____
City Clerk Sylvia Sims

29 _____
Mayor Donald L. Penton