

CITY OF POLK CITY

Special City Council Meeting

February 24, 2009

Polk City Government Center
123 Broadway Blvd

7:30 P.M.

MINUTES

Mayor Penton called the meeting to order at 7:30 p.m.

The invocation was given by Gene Kniffin, the City Planner.

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

ROLL CALL

Mayor Donald Penton, Vice Mayor Chris Denico, Councilor Nancy Adorno, Councilor Dan Ames, Councilor Kristi Eilertsen, City Manager Cory Carrier, City Attorney Jeff Sullivan. Also present were Interim City Clerk Jackson, Assistant City Manager Pam Peterson and City Planner Gene Kniffin.

A quorum was established. At this time Mayor Penton turned the meeting over to City Manager Carrier.

APPROVAL OF CONSENT AGENDA

A motion was made by Vice Mayor Denico to approve the Consent Agenda; the motion was seconded by Councilor Adorno.

Roll Call: Councilor Ames-aye, Mayor Penton-aye, Councilor Adorno-aye, Councilor Eilertsen-aye, Vice Mayor Denico-aye.

5-ayes

0-nays

PRESENTATIONS AND/OR RECOGNITIONS

At this time Mrs. Ames addressed the Council and gave a presentation of the Relay for Life event to be held May 15-16, at the ball park south of town. This will be the first Relay for Life event held in Polk City; it will begin at 6:00 p.m. A brief video was shown to the Council and audience.

NEW BUSINESS

Ordinance 1246, an Ordinance of the City of Polk City, Florida, Amending Chapter 74, Utilities, Article II, Sewer, Section 74-91, Established; Section 74-94, Payment of Fees and Bills Required; Article IV, Water, Section 74-202, Reserve Area; Section 74-203, Enforcement of Division; Section 74-204, Drilling and Digging of Wells Prohibited; Exceptions; Section 74-221, Connections with Waterworks System; Minimum Water Rates; Section 74-251, Deposits Required; Section 74-255, Reconnection Charges;

Section 74-257, Delinquent Charge; and Section 74-261, Payment of Fees and Bills; Providing Severability and an Effective Date.

City Manager Carrier read Ordinance 1246 in short title. She then advised the Council the Auditors has requested us to tighten up on our billing; we bill on actual readings and it leaves a number of gaps; therefore, we have been asked to clean it up. There are currently 45 days in the billing cycle and ten percent move leaving bad bills. We are doing the bad debt write-offs and then we send them to the collection agency. If they do business with the City again, they have to pay. Meters are read the last week of the month, sent the 15th of month and not due until the 10th of the following month. We will now read and send out in the same month; however, we will start offering credit card payments on-line (looking into getting this set up). Another thing this Ordinance will do is prohibit wells; have been asked by SWFWMD for a copy of our utility service area, which they will overlay on their maps and no potable water well permits will be issued by SWFWMD. Councilor Eilertsen asked if it will be a quicker turn around time to expedite billing process. City Manager Carrier advised it would now be 25 days under the new Ordinance; bills will be mailed out at the end of the month and due by the 10th of the following month.

A motion was made by Councilor Ames to accept Ordinance 1246 in its entirety; the motion was seconded by Councilor Eilertsen.

Roll Call:

Mayor Penton-aye, Vice Mayor Denico-aye, Councilor Ames-aye, Councilor Adorno-aye, Councilor Eilertsen-aye.

5-eyes
0-nays

Ordinance 1248, An Ordinance relating to annexation; making findings; including within the corporate limits of Polk City, Florida, certain real property located at 212 Hamolia Avenue and all adjacent rights of way; which is located in Section 33, Township 25, Range 26; and providing for an effective date

City Manager Carrier read Ordinance 1248 in short title. This is a voluntary annexation by the First Baptist Church; the Directors voted to annex.

A motion was made by Councilor Eilertsen to accept Ordinance 1248; the motion was seconded by Councilor Ames.

Roll Call: Vice Mayor Denico-aye, Councilor Adorno-aye, Councilor Ames-aye, Councilor Eilertsen-aye, Mayor Penton-aye.

5-eyes
0-nays

At this time City Manager Carrier advised the City is applying the same Land Use and Zoning that they had in the County to the City; we have corresponding zones for that so we are applying what they currently have.

Ordinance 1249, an Ordinance of the City of Polk City, Florida, amending The Future Land Use Map of the Comprehensive Plan of the City of Polk City, said amendment being known as “Amendment 09-01-SS” Specifically assigning a Future Land Use Classification of “Residential Low” to the First Baptist Church of Polk City, FI Inc. located at 212 Hamolia Avenue; such amendment complying with the Small Scale Amendment Rules; and to transmit said Amendment to the Florida Department of Community Affairs (DCA) as notification of adoption of Small Scale Amendment; providing for severability; and providing for an effective date.

City Manager Carrier read Ordinance 1249 in short title.

A motion was made by Councilor Ames to accept Ordinance 1249; the motion was seconded by Councilor Adorno.

Roll Call: Councilor Ames-aye, Vice Mayor Denico-aye, Councilor Eilertsen-aye, Mayor Penton-aye, Councilor Adorno-aye.

5-ayes
0-nays

Ordinance 1250, An Ordinance of the City of Polk City, Florida, amending the Zoning Map of the City of Polk City, specifically assigning a zoning classification of “Residential Low (R2)” to the First Baptist Church of Polk City, FI Inc., property, located at 212 Hamolia Ave; providing for severability; and providing for an effective date.

City Manager Carrier read Ordinance 1250 in short title.

A motion was made by Councilor Ames to accept Ordinance 1250; the motion was seconded by Vice Mayor Denico.

Roll Call: Councilor Adorno-aye, Mayor Penton-aye, Councilor Eilertsen-aye, Vice Mayor Denico-aye, Councilor Ames-aye.

5-ayes
0-nays

CITY MANAGER ITEMS

City Manager Carrier advised we have been planning for quite some time to have a joint workshop with Planning Commission for visioning. She would really like to get this moving and asked the Council if they could plan a Saturday for the workshop in order to complete the vision. The date was set for March 28th; the City Manager will go ahead and notice it, and if Council could please check that date; it will be an all-day event.

At this time City Manager Carrier advised the Council we recently received a Business License application from Country Fresh Donuts; it has been sold to a new owner, whose name is Mark Rousey. She wanted to bring it to the Council’s attention he has recently been released from prison, and he is a registered sex offender. She is working with the Police Department, the State Attorney’s Office, and anyone she can get to help. His Parole Officer advised that his conditions only apply to where he lives, not where he has a business. There is nothing in the State Statutes we can use to deny a business permit. We will continue to keep an eye on the

situation; the Deputies are continuing to look for some avenue for us to do something. Councilor Eilertsen asked about a certain range he had to be within; City Manager Carrier advised it is not where he can't be, it is where he can't live; it is very discouraging. It is where you live, not where you work.

CITY CLERK ITEMS

Interim City Clerk Jackson advised the election will be held April 7th; certification of the election will be April 14, 2009 before the regular meeting. We will also need to conduct a post audit this year and will need to choose a precinct at random. Information will be put into the Council's boxes; we will also be doing it at City Hall because the Elections Office cannot accommodate us after 5:00 p.m. The Canvassing Board will still meet at the Elections Office on April 7 to canvass the votes, and that information will be forthcoming as well.

CITY ATTORNEY ITEMS

The City Attorney advised per Section 286.011 of the Florida Statutes, he needs to request to have a private Attorney Client meeting to discuss the Brandes litigation; he has to announce it at a public hearing, and that is why he is doing it this way. We do can it at our next regular scheduled meeting, which will be in March. He then went over the procedure; he will get with Cory to have it placed on the Agenda.

COUNCIL MEMBER ITEMS

Councilor Adorno – Councilor Adorno thanked everyone for coming to the meeting. She announced that next Saturday Mount Olive Shores North will have their annual yard sale beginning at 8:00 a.m., and asked everyone to participate. She then announced that on March 14th the City will hold their first annual city-wide yard sale; she would like for everyone to participate. You will need to register and the fee will be waived for residents; a map will be provided by the City showing places where yard sales are taking place. The event is being advertised, and the City is attempting to get the Salvation Army to come in at the end of the day to go around collecting any left over items (City Manager advised Smirna was working on that)

Councilor Ames – Councilor Ames thanked everyone for coming to the meeting; it is good to have a full house.

Councilor Eilertsen – Councilor Eilertsen also thanked everyone for coming to the meeting; she hopes people continue to come and know what is going on. She hopes everyone will participate in the city-wide yard sale. City Manager Carrier advised that Smirna is contacting the restaurants making them aware of the event.

VICE MAYOR ITEMS

Vice Mayor Denico thanked everyone for coming. Under Relay for Life this is the first one in Polk City and she is very excited; to date there are nine teams, but are hoping for 25 teams and if anyone is interested, please sign up (someone from Relay for Life advised there were ten teams). There will be Relay for Life Teams selling at the yard sale on March 14 to raise funds, and teams will be giving out information. City Manager Carrier asked if the ten teams included the City's team; it did not. There will be 11 teams counting the City Team.

MAYOR ITEMS

Mayor Penton thanked everyone for coming.

At this time City Manager Carrier let Mr. Blethen know the Ordinances are now on the website, and asked if he found them (there was not response).

PUBLIC COMMENTS/REQUEST

City Manager Carrier asked Interim Clerk Jackson if there were any public request; she advised there were none.

ANNOUNCEMENTS

- There will be a Ridge League of Cities Meeting in Bartow on March 12; the information is in Council's boxes
- The 2009 Advanced Institute for Elected Municipal Officials will be April 24-25 in Cocoa Beach

Mayor Penton asked if there was anything else to be discussed; there were no comments.

Mayor Penton then asked if there were any announcements; at this time various members of the audience addressed the Council (they did not give names):

- Mr. Fuller has been trying to get on mailing list; City Manager Carrier advised the IT person left and no one new that list existed; however, it has been discovered and items are starting to be sent.
- Mr. Blethen asked how many bills were sent each month; City Manager Carrier advised about 2,200. There are a few more connections than that; one bill is received for multiple connections.
- Someone brought up the last meeting – people could not get into the room and asked about meeting at the school. Mayor Penton advised they didn't expect this large of a crowd; Councilor Eilertsen advised before change meeting area need to see consistency in number of people attending. Someone then asked about folding chairs.
- Someone asked about the date of the next meeting; Mayor Penton advised the second Tuesday of the month. City Manager Carrier advised all regular meetings are scheduled for the second Tuesday of the month.
- Mr. Fuller advised the reason most people were here was because of Ordinance 1248; City Manager Carrier advised it is only the Church being annexed. She then discussed annexations. Mrs. Patten advised all nervous that they are going to be annexed; City Manager Carrier advised she is coming to MOSS on March 4th and questions will be answered (she will also bring maps, master plan documents, etc.)
- When asked about the assessment; the audience was advised that was not being discussed; the study has not been done as of yet and no date has been set.
- Someone from the audience discussed the recyclables not being picked up; calling City Hall and the response she received. City Manager Carrier will take care of this; she is concerned about people calling here and getting the type of answers as discussed. City Manager Carrier asked who they spoke with; she was told "Kelly."
- Someone then asked about Ordinance 1246 and wells. City Manager Carrier advised SWFWMD requested that. Brief discussion took place regarding wells and water.

Not all comments could be heard from the floor, nor did they come across on tape.

At this time Mayor Penton advised there was motion to adjourn; the motion was seconded by Councilor Eilertsen and the meeting adjourned.

Interim City Clerk Patricia Jackson

Mayor Donald L. Penton, Sr.