

## CITY COUNCIL MINUTES

SEPTEMBER 8, 2009

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

Pastor Walter Lawlor gave the invocation.

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

### **ROLL CALL**

Mayor Donald Penton, Vice Mayor Nancy Adorno, Councilor Kristi Eilertsen, City Manager Cory Carrier, City Attorney Jeff Sullivan (7:32), and City Clerk Jackson. Also present were Assistant City Manager Pam Peterson, City Planner Gene Kniffin, Code Enforcement Officer Kathy Delp and Kelly Downing, staff member.

A quorum was established, and Mayor Penton turned the meeting over to City Manager Cory Carrier.

City Manager Carrier asked Council how they would like to proceed with appointing someone for the two vacancies on the Council. At this time Mayor Penton introduced the following candidates that applied to fill the two City Council vacancies and asked them stand to be recognized:

- Mike Blethen
- Robert Bersey
- Don Kimsey
- Joe LaCascia
- Fred Sumner (not present at time of introduction, but came in during interview process)
- Paula Roddenberry
- Chris Denico

Mayor Penton asked Council if they had any questions of the candidates. Councilor Eilertsen advised she has about five questions of each candidate. At this time each candidate was called to the podium to set and answer questions from the Council. Those questions are as follows from Council Members:

- 1) Why did you apply for this position?
- 2) What type of changes would you like to see in the community?
- 3) How do you generally establish a working relationship with new people – new people that you meet, how do you establish a relationship with them?
- 4) Can you describe a specific situation where you had a conflict or challenge with somebody, and how did you handle it with your behavior, and what was the outcome?
- 5) How do you feel about the fact that we need to follow our State, County and City Ordinances and Regulations when it comes to making changes in our City?

- 6) Would you be interested in being a member of an advisory board if being appointed to City Council was not possible?
- 7) When your ideas and the population's ideas do not mesh, where do you go from there?
- 8) Do you think the new College will bring growth and/or businesses to the area?

**Note:** As each candidate came forward and were asked questions, and their responses are numbered by the question number listed above. There were questions asked of individuals apart from the above listed questions, which will be under each individual's response.

### **Robert Bersey**

- 1) He wants to give back to the community; he served on the Planning and Zoning Board for a while, and feels a great love for the community. The Polk City Council is for the people; it takes input from our local citizens to make it work.
- 2) He would like to see downtown be revitalized, and feels there are some things that can be done. Some infrastructure needs to be worked on, streets need to be worked on and water drainage needs to be attended to.
- 3) He enjoys listening and talking to people and hearing their opinions. He believes it takes teamwork for jobs to get done. We don't always agree on any given subject, but we should respect each other, and work toward the good of the task at hand.
- 4) He filed a motion to hold a special election for the City Council because of the number of people who had expressed an interest in filling the vacancies, and he felt he was right in filing it based on the way he interpreted the Charter. After reviewing Mr. Sullivan's legal opinion he came to understand it and viewed it in a different light; he walked away with a healthier outlook. He did not take it personally, and he understands we are going to have differences; however, you put them behind you.

At this time Mr. Bersey was asked about his resignation from the Planning Commission. Mr. Bersey responded that he resigned when he went from a "full-time" position to an alternate position. Being an alternate made it an "on call" basis, and it would have made it difficult to make the necessary arrangements on his work schedule to be on an "on call" basis. Councilor Eilertsen asked wasn't the Planning meetings on a set calendar; Mr. Bersey advised it was, but there were times when the meetings would be cancelled. He felt the LDR's needed to be reviewed, and felt they were not worked on enough. If chosen to serve on City Council he knows there are set meetings and can make arrangements for that.

- 5) Personally, when changes need to be done for the betterment, he believes in doing it. When serving the public, citizens are not always going to agree. If he is seated on the City Council, he would not always agree with what his fellow colleagues may want to do, and they may not agree with him. You have to put differences aside and look at what is better for the City.

At this time Mr. Bersey was asked besides the Planning Commission, are there any other seats he sat on – where else did he serve. Mr. Bersey advised the Planning and Zoning Board was his only opportunity to serve the public; it has been a long-term goal to join City Council and he has his qualification papers to run for City Council in April. Mayor Penton advised he has had conversations with Mr. Bersey, and he has stated his interest in the City Council; he thinks he would be a good person; he has the City's views in mind and not necessarily goes along with the bunch as he said. Mr. Bersey thanked the Council for everything they do. People have to understand the job that is at task; it is a very difficult job.

### **Don Kimsey**

1) He has lived in Polk City since November 1976 and he has never had the opportunity to be able to sit on Council, but has attended a lot of meetings in the past. He is in a position in his life now where he could serve. He appreciates the fact that Council has given him the chance to come before them. That is the reason he has never tried to sit on Council before now.

2) In the past there has been division in the town – one group against another; however, he doesn't see as much of that now. He would like to see the Founders Day Celebration brought back, and maybe we could get the Mayor in a dunk tank. Vice Mayor Adorno advised the Founders Day Celebration was changed to every five years, and it is scheduled for next year. Mr. Kimsey feels the Council should be the ones in the forefront and put notices out. As far as volunteers he would think the size of this community we could staff it. We used to have fish fries when there was a Volunteer Fire Department; the Mayor took part in that, as well as citizens. Things like this bring a community together. Vice Mayor Adorno advised we encourage that.

This discussion led to Councilor Eilertsen asking what Mr. Kimsey could do to get more volunteer participants in the City. Mr. Kimsey thinks a better report from the City to the citizens. He thinks the Council could do a little better job in putting out a circular or a mail out asking for volunteers; that you are going to have a function that would be beneficial to everyone. Councilor Eilertsen asked if he brought that report to the table; Mr. Kimsey advised he would attempt to. Mayor Penton advised April 25, 2010, will be Polk City's 85<sup>th</sup> Anniversary, and Founders Day will be held in that month. He thanked Janie Wilson and her husband for starting it years ago. Over the years it got expensive in the time frame of employees; employees were doing it, along with Janie. Janie had a lot of volunteers, but when Janie left the volunteers left. It is hard to get something together of that magnitude, but it is in our foresight to see that it is done again.

4) Not as well as he could have, or should have. There is a book he would recommend called "How to Win Friends and Influence People." He tries very hard to put that into practice.

6) Yes, he possibly would; he has more free time now than he had in the past. He wants to help the community if he can.

Mayor Penton advised he has known Don ever since he has lived here; they have had words in the past, but still remain friends. He let Mr. Kimsey know if he were chosen for the job, he thinks he would do a good job. Mr. Kimsey said he appreciates coming before the Council.

### **Mike Blethen**

1) Support Polk County, Polk City future – planning and what goes forward; provide some type of help to City as to where it's been and where it is going in the future.

At this time Councilor Eilertsen asked Mr. Blethen where he would like to see it go in the future. Mr. Blethen responded that basically staying as a small city, but having some of the amenities, not all of them. A little bit of the growth progress in the area; Polk City will always be a smaller city than anything around here; i.e. Orlando, Lakeland, Tampa and even Auburndale because of acreage, and be a neat place to go to.

3) Talk and listen to see what they want; see what they want to do with their life in the area, and not totally burden them with dictatorship – saying this is the way it is going to be and this is the way it has to be. Listen and say we can change or make it a small city and not have a big conglomerate (big city).

7) See which one is best for the City, and listen to the people and what they want to have; the majority – listen to them and say "hey, do you want this, yes or no", and take a pretty good majority rule. At this time Councilor Eilertsen commented that some times individual people

don't always see the larger picture of the entire City and the concerns that may be out there. Mr. Blethen responded that is why you have a Council, that's why you have a Planning Commission; that's why have more input so you can publicize it and say "hey, which ones does everybody want to talk about, which one do we really want to "bend" in some areas, or emphasize that we don't need all of this or we can use this – listen and talk to them again.

**4)** If an argument or so, turn around and just listen to them again. Say you are going to fight it out on paper or face to face, but not get physical or have big verbal battles. Yes, you can listen; yes, you can manipulate, and yes, you can come up with a resolution on good or bad things.

**8)** Mr. Blethen responded the College will bring in different levels of people; he doesn't know if it is a commuter college, or if there will be residences on the campus. It will bring growth, but feels it will take about 20 years to get to any real level of development. Each year it will grow, but feels it will be 18-25 years to see a significant change to the area.

Vice Mayor Adorno asked Mr. Blethen what would be his idea on how we should change along with that growth and maintain the small city feel that he referred to; in keeping the balance of not having overgrowth, but still providing service for the growth that we know is coming down the line. Mr. Blethen responded the growth will come with a mixture; the University will bring in certain types of business or service industry, and if it is a good mix, it will be good for everyone. If it is a Technical College, it will bring in a different type of environment, i.e. technical businesses and services, not a lot of dormitory type of living; will have to change. He then briefly discussed the development along Highway 33 and what type of growth we were going to have (technology, warehousing, and more housing).

Councilor Eilertsen then brought out with amenities come increases in the budget. She asked Mr. Blethen where he saw himself when faced with having to compromise on the budget; seeing a possible increase in the budget for additional amenities, or being able to provide to your residents the things they are telling you they would like. Mr. Blethen replied that people, including himself, says here is the budget; this is where we need to be at. It is up to the City to stay within the budget. If you are going to grow in technology, they will bring the money and pay for it. Need to have an industry come in that is willing pay to come here and stay.

### **Fred Sumner**

**1)** Mr. Sumner responded he doesn't like the way things have been going – change.

**2)** He thinks our whole attitude towards taking care of Polk City is wrong. There are a lot of things we do here that is not for the people; it's almost against the people, and he wants to change that. He just doesn't like the attitude. Councilor Eilertsen asked if he could give a brief example. Mr. Sumner replied that he has been talking to some of the people in town and it seems there is strife between Council and the citizens. Council should want what is good for the citizens. He has his own business and it is all about team, and together everybody achieves much. There's just not teamwork here; he has been to meetings and the last one was for about 30 seconds because there were not enough people here. He has run a business and understands you have to have a budget; he feels the government should run like a self-employed business man. Vice Mayor Adorno asked if he could be more specific. Mr. Sumner doesn't want to get personal. Councilor Eilertsen then asked him to mention a change he would like to see. Mr. Sumner advised he would like for everything to be disclosed clearly in meetings; should not have secret agendas that just come up and one particular person that says it should be this way when that is not representing the people. He doesn't want to get more specific than that.

**3)** Be friendly, ask them about their interest, knowing what they want, finding out what they would like to have; that opens up the door and they will let you know what is going on – just be

friendly with people. He has an outgoing personality and he is a little demanding, but he likes to get things done; that is the kind of person he is.

4) He always sets down with people and just talks to them, and just figure out what the problem is. Reality is ninety percent perception; if they perceive something to be wrong, just sit down and just ask them. If you ask them, you will find out what the situation is; just put your feet in their shoes and it is very simple to understand. The rules are the rules and you play within the rule box; that is very simple to him.

### **Chris Denico**

1) Ms. Denico explained she has a very short tenure left, and she decided not run again for a fourth term; she wants to continue with the projects that we have and the momentum we have. There are several things that have been put on the back burner, and as everyone knows that had to be done. Economically everyone has taken a back seat in some way. She would like to continue with her Council tenure until March then step down, and then have two new Council Members come with their term going forward with a growing and momentous City.

Councilor Eilertsen then expressed her concern over the time that Ms. Denico will have to be available; she knows Ms. Denico has two jobs that keep her busy, and it has been very hard for her to attend the meetings. There is a budget meeting coming up in the future, and Councilor Eilertsen asked Ms. Denico where she sat with that. Ms. Denico explained her employer is “huge” and being a new employee she didn’t have all of the information needed to position herself for other activities, such as serving on City Council. She is now in the system, and her availability for meetings in the evening will be more reliable. She explained it took about three months to get it all figured out and worked out so she can be available; her employer advocates community participation and public service.

Vice Mayor Adorno asked Ms. Denico if she wanted to say anything that the public may not know. Ms. Denico advised what she wants the public to realize is she doesn’t want to take away from another persons situation that they may be able to step into as a City Council Member. She hopes that everyone will step up and serve in some capacity. Polk City had their first relay for life, and she is very proud of what happened with a city of this size. She hopes in the future more people will step up to serve as volunteers and also to run for City Council. She also asked that those who applied to be appointed to the Council and may not be chosen to please serve in some capacity. She has been involved in the community, i.e. Cub Scouts-10 years, City Council 11-years and she has her own business here.

### **Joe LaCascia**

1) Since he has been a resident of Polk City and attending all of the City Council meetings, he has recognized a “disconnect” between the taxpayers and what they perceived about Council. He feels perception is the reality, and the perception is that a lot of decisions have been made without going to the people to find out what they want. They (decisions) have been represented as being done deals, which created a certain amount of emotion that came out of the taxpayers, who said wait a minute, why didn’t we know what we should have known about that. The other side of the coin is that Council probably acted the right way legally with notices and trying to get people involved. The reality of life is people don’t get involved and don’t read a lot of notices as they should; a lot of information about what is going on escapes them because they are busy in their daily lives. They don’t get involved in things until all of a sudden there is a headline in the newspaper. An example of this is the Wastewater Treatment Plant; he feels rather than the sensationalism of the way it came out to the public, there should have been a grass roots Citizens Advisory Committee that would have looked at all of the information and come to a decision or an opinion on what direction to go. He then discussed recent history of the WWTP

with the public process, economy and the outcome. Transparency in government has to be where it is moving to. Things have to be done in the “light of day”, not saying it isn’t, but that is the perception; that has to stop.

2) All communities need to continue to grow; they cannot stay stagnant. One of the first things we have to do is you can’t move too much forward with any sort of ideas when you are in this kind of economy. You have to look at what you have that is in place now to grow from, and the only thing in place now is undeveloped lots that have to be developed; i.e. Mt. Olive Shores North and Fountain Park. We also need to head in the direction of bringing businesses into the City; however, that is more difficult and long term. He discussed the medical field with technical people, and also discussed annexation of property we have voluntary annexation agreements for.

4) There have been meetings in Polk City with a group of concerned citizens who identified themselves as being at odds with the City Council; he attended most of those meetings. He wanted to immerse himself into those meetings because of the “disconnect” he spoke about earlier. In any given meeting people put forth a strenuous objection, argument, or position about something. The first thing he did was try and get them to quantify and qualify what they are concerned about; to put it into specific terms with specifics to begin a dialog, and get it off of the table one by one rather than speak in general terms. Find out where they are coming from, and from an informed standpoint you have to answer those questions to bring them over to your position. If it happens you have a happy ending, and if not, you go away mad but you are still friends. Sometimes it doesn’t always work.

### **Paula Roddenberry**

1) At one time she was the City Clerk in Polk City, but had to give that up because of visual problems. So many people has asked her if she misses a paycheck; she responds that she misses the involvement more than a paycheck. She loves the people of Polk City, and she loved being busy. She is a compassionate person, a knowledgeable person, and she can fill one of these seats (Council) and do a wonderful job.

2) At this time we are in a recession, and she doesn’t see it ending soon. The City needs more growth and more homes – more high-priced homes to bring in revenue. The recession is here and she doesn’t see it getting any better; things are costing more now than before the recession; she doesn’t see the City amending their budget to do a lot of major projects. She also stated the older people are very lonely, and she would like to see an involvement with the Polk County Elderly Services to bring a program in for them, and it doesn’t have to be daily. She would like to see the City join the County Bus Transit System and start running buses in Polk City; because we don’t have the bigger businesses here, the high school kids who are old enough to have jobs can’t find work. She feels if the City has the Polk County Transit System that would allow these kids to be able to go other places and a get job, as well as attend school.

As far as the Wastewater Treatment Plant, it is her understanding it has not gone away, but is on the back burner again because of the recession and no grants being available. She read the article where there was going to be a special assessment added to our property taxes, possibly about \$300. She called the City Manager and asked her because of the recession, couldn’t this project be put on the back burner again. Ms. Carrier advised her it is on hold and on the back burner. Ms. Roddenberry feels if we want to have home development or bigger stores for shopping, we are going to have to provide water lines and sewer lines. She was working here when the sewer project was planned; this wastewater treatment plant was going to be potable water, and it was going to make a beautiful lake and park. She had envisioned the businesses coming together to donate funds for fireworks, which would be shot over that lake for the Fourth of July.

As far as the residents not liking what City Council is doing, the door to City Hall is open Monday – Thursday from 9:00 a.m. to 6:00 p.m. She feels people are hearing bits and pieces, with gossip and rumors in between; there is a whole picture. Citizens need to come to City Hall and consult with the City Manager, and maybe the City Clerk or the Building Official to find the whole honest story. When she worked here previously there was one election year where there were a number of Charter Amendments; letters were sent to every resident; the City Manager, herself and the Finance Officer spent three nights waiting on citizens to come ask questions and not one person came during those three nights (they stayed two and half hours each night).

Ms. Roddenberry commented she is a “very chilled” person and doesn’t get angry; she believes in sitting down and talking out the pros and cons. She did not always agree with Ms. Carrier, but she voiced her opinion and sometimes she won and sometimes she lost; however, after talking they knew where each other was coming from. You can’t solve issues if you can’t face issues. Ms. Roddenberry advised she is a “take charge” person; people of Polk City needs to be friends and stop “fussing”; work it out.

**Review, discuss and take action on filling Seat #1**

Councilor Eilertsen made a motion to appoint Joe LaCascia to fill the vacancy of Seat #1; the motion was seconded by Vice Mayor Adorno.

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

3-eyes

0-nays

**Review, discuss and take action on filling Seat #2**

Councilor Eilertsen made a motion to appoint Paula Roddenberry to fill the vacancy of Seat #2; the motion was seconded by Mayor Penton.

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

3-eyes

0-nays

**Oath of Office**

City Clerk Jackson swore in Council Member Joe LaCascia and Council Member Paula Roddenberry.

**Comments from new Council**

Joe LaCascia thanked the Council for their confidence.

At this time City Council thanked everyone for applying; Councilor Eilertsen asked them to please be available for an advisory board; it is important. Councilor Eilertsen, on behalf of the entire Council, advised they want to bring the community and Board closer together; they don’t want to be against everybody, but want to work together. She again encouraged everyone to please be active in our community.

Mayor Penton thanked those that applied, and asked those that did not get chosen to please step forward and get on the advisory committee; we need you. There are a lot of funds that are

available through grants, but we need you on the advisory committee. Please come forward and volunteer.

At this time the meeting was turned over to the City Manager, who then presented the Agenda Items.

### **APPROVE CONSENT AGENDA**

Before approval of the Consent Agenda, Councilor LaCascia and Councilor Roddenberry abstained because they were just appointed (a copy of the Conflict of Interest Forms are made part of the minutes).

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

Roll Call: Councilor Eilertsen-aye, Vice Mayor Adorno-aye, Mayor Penton-aye. The motion carried with three ayes and two abstentions.

### **PRESENTATIONS AND/OR RECOGNITIONS**

#### **Sergeant Dan Cone, Polk County Sheriff's Office**

Sergeant Dan Cone addressed the Council; he congratulated the new Council, and recognized Chris Denico and Dan Ames for their services to the City. He then announced the Heart Association's Event on September 19 – Polk Start Heart Walk (to raise funds) at the Mosaic Park in Bartow, and he also announced that on September 14 there will be a Warrant Roundup for \$10 a warrant in Polk City. He read the memo regarding the 'Warrant Roundup'; bail will be set at \$20 (if you have multiple warrants the bail is still at \$20). Those donations will go to the American Heart Association as well.

#### **Pastor Walter Lawlor – September 12, 2009, Appreciation Day**

Pastor Lawlor addressed the Council; he noted that leadership takes a toll on you and your family, and then invited Council and staff to Appreciation Day at Camp Gilead on September 12 from 2 – 6 p.m.

### **PUBLIC HEARINGS**

There were no public hearings

### **UNFINISHED BUSINESS**

There was no unfinished business

### **NEW BUSINESS**

#### **Appointment(s) to Planning Commission**

City Manager Carrier asked that Mr. Warren McKenzie be appointed to the Planning Commission as a regular member; he currently is serving as an alternate.

Mayor Penton made a motion to appoint Mr. McKenzie to the Planning Commission; the motion was seconded by Vice Mayor Adorno.



Roll Call: Councilor LaCascia-aye, Mayor Penton-aye, Councilor Roddenberry-abstained, Vice Mayor Adorno-aye, Councilor Eilertsen-aye.

4-eyes

1-abstention (a copy of the conflict of interest is made part of the minutes).

### **CITY MANAGER ITEMS**

- City Manager Carrier advised Council they need to have two people each for the Citizens Advisory Committee by the next Council Meeting (October 13, 2009).
- The City's portion of the trail extension is complete. A dedication will be planned once we know the availability of Senator Dockery and the FRDAP representatives.
- Council will need to have names to submit for Grand Marshal of the Christmas Parade and Citizen of the Year by the next meeting; Council will need to vote on that (October 13, 2009).
- City Manager Carrier gave an update of the Skate Park – the equipment has been delivered and is on site and the lease agreement from the State has been received for signature. The Skate Park has to be completed by the end of September; she advised staff has worked diligently on this project.
- City Manager Carrier advised there are quite a number of foreclosed homes, and the Code Enforcement Officer is working as hard as she can to get them cleaned up; she asked the citizens to please be patient.

### **CITY CLERK ITEMS**

- City Clerk Jackson reminded those attending of the Ridge League of Cities meeting in Winter Haven at the College on September 10.
- City Clerk Jackson advised Council the Sublease Agreement with the State of Florida Department of Environmental Protection, Office of Greenways and Trails has been returned for their signature.

### **CITY ATTORNEY ITEMS**

City Attorney Sullivan congratulated Councilors LaCascia and Roddenberry on their appointments to the City Council. He also recognized Councilors Denico and Ames for their service to the City as Council Members.

### **COUNCIL MEMBER ITEMS**

**Councilor Eilertsen** – Councilor Eilertsen thanked everyone for attending the meeting, and gave a huge thanks to Dan Ames and Chris Denico for their service to the City.

**Councilor LaCascia** – Councilor LaCascia asked what the procedure was to introduce a Charter Change; City Manager Carrier advised he would need to give it to her in order for her to prepare an Ordinance. At this time Councilor LaCascia walked over to the City Manager and let her review what he had. City Manager Carrier advised the Charter is set as by-laws and the Code of Ordinances is the laws of the City in addition to the Charter. She informed Mr. LaCascia this could not be done tonight, but it could be brought back to the next meeting. Mr. LaCascia then thanked Council for the confidence they had in choosing him to serve. He then thanked Mr. Ames and Mrs. Denico for their service. Councilor LaCascia advised he takes this very seriously; small city government is near and dear to his heart, and he looks forward to working with Council.

**Councilor Roddenberry** – Councilor Roddenberry addressed Mrs. Denico – she will try very hard to fill the shoes she has left. She appreciates the confidence from Council in appointing her tonight. She hopes the citizens will pass the word the doors are open; come seek what you need to find answers to.

**VICE MAYOR ITEMS**

Vice Mayor Adorno thanked everyone for coming to the meeting, and she also thanked everyone who filled out an application for Seat 1 and Seat 2; upon reading the information submitted, she feels everyone is qualified in different areas. She believes the two that were chosen will be incremental to growth and to the partnership as City and Council.

**MAYOR ITEMS**

Mayor Penton thanked Chris; they have worked together for a long time and she has been a good asset to the City. He advised that jobs and family come first, and not to have any hardships. He told Dan Ames he was glad he could make it down and come to the meeting. He thanked everyone for coming. He then advised that his appointments for the Citizens Advisory Committee next month would be Mike Blethen and Don Kimsey.

**PUBLIC COMMENTS/REQUEST**

There were none.

**ANNOUNCEMENTS**

There were none.

Councilor Eilertsen made a motion to adjourn; the motion was seconded by Vice Mayor Adorno and unanimously carried (9:10 p.m.).

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Patricia R. Jackson, City Clerk

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Donald L. Penton, Mayor

