

CITY COUNCIL MINUTES

FEBRUARY 9, 2010

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

Pastor Walter Lawlor, New Life Community Church, 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, Councilor Joe LaCascia, Councilor Paula Roddenberry, City Manager Cory Carrier, City Attorney Jeff Sullivan – excused (death in the family), and City Clerk Patricia Jackson. Also present were Assistant City Manager Pam Peterson, City Planner Gene Kniffin, Code Enforcement Officer Kathy Delp, Finance Director Pam Lawson and Librarian Mary Ellin Barrett.

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

APPROVE CONSENT AGENDA

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

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

5-ayes

0-nays

PRESENTATIONS AND/OR RECOGNITIONS

There were none.

PUBLIC HEARINGS

ORDINANCE 1261, AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, ADOPTING QUALIFICATION PERIOD AND DEADLINE FOR QUALIFICATION OF CANDIDATES FOR ELECTED OFFICE IN THE CITY; PROVIDING FOR SEVERANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

City Manager Carrier read Ordinance 1261 in short title and gave a brief explanation of what the Ordinance is (shortens qualifying time for candidates running for city office). Mayor Penton opened the Public Hearing; there were questions from the public. Mayor

Penton closed the Public Hearing and turned it over to the City Council for review, discussion and action.

Councilor Eilertsen made a motion to accept Ordinance 1261 in its entirety; the motion was seconded by Councilor LaCascia.

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

5-ayes

0-nays

UNFINISHED BUSINESS

Bids – Wastewater Collection System, Phase I

City Manager Carrier advised this was tabled last month; staff recommends that all bids be rejected since the stimulus money was lost.

Vice Mayor Adorno made a motion to reject all bids because of funding; the motion was seconded by Councilor Eilertsen.

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

5-ayes

0-nays

NEW BUSINESS

There was none.

CITY MANAGER ITEMS

- **FGUA Update** – City Manager Carrier advised FGUA is still doing their due diligence, i.e. inspecting the facilities, looking at financials, etc. We are expecting a decision at the March meeting.
- **Citizens Advisory Committee Status**—City Manager Carrier advised staff needs to know what Council wants to do. The primary purpose of the committee was for the Community Development Block Grants, and with the possibility of divesting the water and sewer, we need to know what to do. Mayor Penton suggested this be tabled until the March meeting. Lengthy discussion took place on how the Citizens Advisory Council could serve, and Councilor LaCascia discussed an email he received from FGUA whereby he was asking questions about rates. City Manager Carrier advised the rates Councilor LaCascia is referring to pertained to one city because their rates were too low before FGUA took over. City Manager Carrier suggested the CAC could serve as an advisory board and bring ideas forward. After additional discussion, it was the consensus of the Council to continue with the CAC, and for them to meet the fourth Tuesday of the month. City Manager Carrier will review and revise the by-laws.

- **Financial position of the City** – City Manager Carrier advised the Audit for 2008 is not completed yet; however, money is not coming in as expected. We are still working on the \$100,000 that was taken out of this year’s budget, and we are “barely squeaking by.” City Manager Carrier advised she has laid off two employees and is looking at other city operations to see where we can make cuts. The cleaning contract has been cut, no capital expenditures are being made, and we are looking at the Sheriff’s Office Contract to see what can be worked out. Councilor LaCascia asked about Ad Valorem Taxes and when they start coming in. City Manager Carrier advised the city starts receiving that money in December; however, we are 20% to 25% behind. Vice Mayor Adorno advised according to the distribution report from the Tax Collector we are approximately 4% behind last year; City Manager Carrier advised she was looking at the dollars compared to last year. Discussion took place regarding property taxes and values continuing to fall, mandates the city has to meet, only emergency repairs are being made, City Manager working closely with City Council, etc. Councilor Eilertsen asked about sharing of employees with other cities. City Manager Carrier advised that would be one of the topics discussed at this month’s City Manager’s meeting. Someone from the audience asked about the Sheriff’s Office; Councilor LaCascia advised one position has been cut from their contract. Councilor LaCascia then commented when people want something to work it can happen; he would like to see volunteers come forward.

CITY CLERK ITEMS

City Clerk Jackson discussed Canvassing Board items with Council regarding the Municipal Election. City Council designated the City Clerk to be present for the logic and accuracy testing; it was the consensus to conduct the audit of the election immediately following the certification of the election, which will be at 6:00 p.m. on April 13th.

CITY ATTORNEY ITEMS

The Attorney was not present.

MAYOR ITEMS

Mayor Penton advised the City is in financial difficulty, and sometimes we do things that are what the people want but not the right thing to do. We received a balanced budget and Council failed to pass that; we did what the public wanted and now we have a shortfall because of that.

Mayor Penton asked that the entire Board come together and support USF Polytechnic as a rail stop for the fast train. If you look at it, it would be a perfect spot for Polk City, Auburndale, Winter Haven and Lakeland. It would provide more transportation for this area (buses and anything we need here); we need that stop at USF Polytechnic. He would like for the Board to recognize that and go on record that we support that stop; Winter Haven and Auburndale are on board with this.

Councilor LaCascia made a motion to go on record to support the rail stop at the USF Polytechnic; the motion was seconded by Councilor Eilertsen.

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

5-ayes
0-nays

Mayor Penton advised he has enjoyed his time on City Council and serving as Mayor; sometimes things are done that the public doesn't always agree with.

VICE MAYOR ITEMS

Vice Mayor Adorno reminded everyone of the Second Annual City-wide Yard Sale, and asked them to participate.

COUNCIL MEMBER ITEMS

Councilor Eilertsen – Councilor Eilertsen asked if there was a rain date scheduled for the yard sale; City Manager Carrier advised not at this time, but nothing says we can't have another one later on.

Councilor Eilertsen then asked about the skate park; she heard that police response is needed on a frequent basis. Sergeant Conover advised they are being visible at the skate park and the trail; they talk to the kids about taking responsibility for helping keep the park clean, not smoking, and if doing donuts in the parking area to stop. Discussion then took place regarding the lack of adult (parent) supervision, wearing the proper safety gear, and city liability. City Manager Carrier advised the City's insurance carrier has advised us on what we needed to do, and it is visibly posted about skating at their own risk (city not liable). Councilor Eilertsen thanked everyone for coming to the meeting.

Vice Mayor Adorno advised the City has worked on getting the skate park for a long time, and it is "heart wrenching" that these things are happening; it needs to be monitored. Mayor Penton suggested something be sent to everyone telling them what the rules are at the skate park. After brief discussion regarding safety issues, City Manager Carrier advised we will check with other cities to see how they deal with these kinds of issues. Councilor LaCascia discussed the liability issues; City Manager Carrier will get back in touch with the insurance underwriters to find out what they would like for us to do. Councilor Eilertsen suggested sending something out in the utility bills.

Councilor Roddenberry – Councilor Roddenberry had nothing to report.

Councilor LaCascia – Councilor LaCascia advised these are extraordinary times; there are four empty seats up for election and the only one who is sure of being here is Nancy (Vice Mayor). There are extraordinary times facing us (the finances scare him); we are going to need people; if you think you can lend anything to the city, please think about it. He has learned a lot since he has been appointed, and it is not as easy as it looks. We are Council Members at large, and we have to balance everything; he invited everyone to get involved - we need good people to come forward.

Mayor Penton advised this election is very important for Polk City; ask questions and look at credentials of those who are running. He encouraged everyone to vote.

City Manager Carrier advised we are getting questions from the citizens as to whether or not we are going to hold a candidates forum again. She advised we would get an outside moderator and once qualifying is over one will be set up.

PUBLIC COMMENTS/REQUEST

There were none.

ANNOUNCEMENTS

City Manager Carrier made the following announcements:

- Polk City's Second Annual City Wide Residential Yard Sale February 13, 2010
- Southwest Florida Water Management District will host "Get Outside" on the Hampton Track, part of the Green Swamp Wilderness Preserve, on Saturday, February 27, 2010 (10 a.m. – 2 p.m.)
- Ground Breaking for the USF Polytechnic I-4 Campus will be in June 2010 – will have a date when it gets closer.

The meeting adjourned at 8:45 p.m.

Patricia R. Jackson, City Clerk

Donald L. Penton, Sr., Mayor