

CITY COUNCIL MINUTES

NOVEMBER 8, 2010

Mayor Joe LaCascia called the meeting to order at 7:02 p.m.

Pastor Walter Lawlor, New Life Community Church, gave the invocation.

Those present recited the Pledge of Allegiance led by Mayor LaCascia.

ROLL CALL

Mayor Joe LaCascia, Vice Mayor Trudy Block, Councilor Nancy Adorno (arrived 7:06), Councilor Mike Blethen, Councilor Don Kimsey, City Attorney Tom Cloud and City Clerk Patricia Jackson.

A quorum was established.

APPROVE CONSENT AGENDA

Councilor Mike Blethen made a motion to approve the Consent Agenda; the motion was seconded by Vice Mayor Block.

Roll Call: Councilor Kimsey-aye, Mayor LaCascia-aye, Councilor Blethen-aye, Vice Mayor Block-aye (Councilor Adorno was not present at this time).

4-ayes

0-nays

PRESENTATIONS AND/OR RECOGNITIONS

Mayor LaCascia read a Proclamation proclaiming the month of November as "Pancreatic Cancer Awareness Month."

PUBLIC HEARINGS

Small Cities Community Development Block Grant – Second Public Hearing

At this time Scott Modesitt, with Summit Professional Services, addressed Council. He advised the Citizens Advisory Committee had met and recommended the drinking water project only; they would not support the wastewater project. The due date for the grant application is November 17, 2010, and it has to include specific project activities, which will be in "Railroad Heights" for water line improvements (expanding the size for better flow and fire protection). Mr. Modesitt went over the proposed project, which will include new fire hydrants. The household survey was completed, and 68% of that area meets the low to moderate income requirement (National Objective); this will make the City eligible for the \$650,000 funding level.

Mayor LaCascia opened the public hearing; there being no comments or questions from the audience, Mayor LaCascia closed the public hearing. Mayor LaCascia then asked for comments and questions from the Council. Councilor Kimsey asked if part of the project was in Oak Ridge Heights; Councilor Adorno commented it included both. Mr. Modesitt advised the City is not required to list the sub-divisions. Councilor Adorno wanted to confirm this is a 100% grant and no money would be required from the City. Mr. Modesitt advised that was correct; the only expense to the City is the cost of advertising for the public hearings. Mayor LaCascia asked if the City would be obligated for anything above the \$650,000; he was advised no – the project cannot exceed the amount being received. Councilor Adorno asked if any money would be coming from the property owners, and she was advised no. Mayor LaCascia asked when the City would know if they are successful. Mr. Modesitt went over the grant application process; the City should know something by the end of March, 2011. Councilor Kimsey asked how much of the \$650,000 was available for construction; Mr. Modesitt went over the breakdown of the project (\$45,000 Admin, \$70, Engineering, \$535,000 Construction), and advised if there is money left a contingency project can be listed. Councilor Blethen asked about fire hydrants; Mr. Modesitt advised he did not have the size of the fire hydrants. Councilor Adorno asked about the construction process should the City be approved; Mr. Modesitt advised the project would begin within six months and completed within a year. Discussion took place regarding bids on construction and the specific streets which would be included; the most benefit is for fire flow. Councilor Adorno asked how many residents were in the area; she was advised there were 108 occupied houses (there are 142 homes, with some vacancies, as well as vacant lots). Councilor Blethen asked if the project could be done for the amount of the grant; Mayor LaCascia commented about the bids coming in and the City doesn't meet the expectations of the grant; more discussion took place regarding fire hydrants, the bid process, and the lineal feet of the project.

Councilor Adorno made a motion to submit the FFY 2010 Neighborhood Revitalization Small Cities Community Development Block Grant Application to the Florida Department of Community Affairs; the motion was seconded by Councilor Kimsey.

Roll Call: Councilor Blethen-aye, Councilor Adorno-aye, Councilor Kimsey-aye, Vice Mayor Block-aye, Mayor LaCascia-aye

5-ayes

0-nays

The motion carried.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

RESOLUTION 2010-08, A RESOLUTION OF THE CITY COUNCIL OF POLK CITY, FLORIDA, AUTHORIZING THE CHIEF ELECTED OFFICIAL TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROVAL OF THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT, AND TO ADOPT THE CITY'S COMPREHENSIVE PLAN AS THE CITY'S COMMUNITY DEVELOPMENT PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

Mayor LaCascia read Resolution 2010-08 in short title. Vice Mayor Block made a motion to accept Resolution 2010-08; the motion was seconded by Councilor Adorno.

Roll Call: Councilor Adorno-aye, Vice Mayor Block-aye, Councilor Blethen-aye, Mayor LaCascia-aye, Councilor Kimsey-aye

5-ayes

0-nays

The motion carried.

Appointment of Vice Mayor Block as Acting City Manager for an additional 30 Days

Councilor Kimsey advised he would like to "critique" Acting City Manager Block prior to voting. Mayor LaCascia advised there will need to be a motion to appoint Vice Mayor Block as Acting City Manager, a second then discussion. Councilor Kimsey asked if Council was going to vote her in for 30 days prior to critiquing her work, and Mayor LaCascia advised no, there would need to be a motion and a second in order to discuss it. Attorney Cloud advised normally you would make a motion and a second, discussion and then action.

Councilor Blethen made a motion to approve the appointment of Vice Mayor Block to continue as Acting City Manager for an additional 30 days; the motion was seconded by Councilor Adorno.

Under discussion, Councilor Kimsey advised he would not vote for Vice Mayor Block because he contacted her three weeks ago requesting to seek Résumés for City Attorney (even though Attorney Cloud is currently serving temporarily) from other interested parties; he was advised that could not be done. The Attorney is hired and retained by Town Council, and he expected her to put it in the paper – he has a problem with that. The City has known since October 1st that Jeff Sullivan was resigning, and he thought it should have been addressed. Mayor LaCascia asked Councilor Kimsey if he knew it was on the agenda, and he advised yes. Councilor Kimsey also commented that Attorney Cloud could be the most qualified and City Council may hire him; however, he would like to look at other Résumés. Councilor Kimsey listed two other items he was concerned with: 1) at the last meeting Vice Mayor Block advised she was going to seek a better interest rate on some of the City's debt, and from the article in the Ledger, it seems she is seeking to borrow 2.68 million dollars (that is not what she said she was

going to do), and 2) he feels we need to advertise for a full-time City Manager – he would like to look at those Résumés as well; he thought the plan was for Vice Mayor Block to serve as Acting City Manager until the first of January. Councilor Adorno asked about the time line for advertising and receiving back Résumés; she was advised no less than 30 days to receive applications back; however, before any of that takes place Council would need to decide what they would like the advertisement to say. Mayor LaCascia called for the vote.

Roll Call: Mayor LaCascia-aye, Councilor Blethen-aye, Councilor Adorno-aye, Councilor Kimsey-nay, Vice Mayor Block-aye

4-ayes

1-nay

The motion carried.

Citizen of the Year and Grand Marshal for Christmas Parade

Vice Mayor Block advised the City has received one name; however, she asked Council if they have someone to suggest for Citizen of the Year and/or Grand Marshal, to please bring those forward at the special meeting on November 15, 2010.

CITY MANAGER ITEMS

- Acting City Manager Block asked that the contract for the Public Works Director be extended for another month, as more information is forthcoming on the outsourcing.

Mayor LaCascia made a motion to extend the contract for the Public Works Director another month; the motion was seconded by Councilor Adorno.

Under discussion, Councilor Blethen asked if an update could be given regarding what has been found and if there are any deficiencies. Frank Sanderson addressed Council and advised what has been found to date (he is working on a partial list); he advised the biggest thing as of now is the lack of a quantified maintenance program – lift stations, fire hydrants. He also went over the things that have been improved upon such as the three blowers that were repaired at the WWTP, renovating the blower building at the Cardinal Hill Plant to reduce the noise level; the Mt. Olive spray field pump station is now in service. Council Blethen asked what the next project was going to be, and Frank Sanderson advised it would be the monitoring wells. Discussion took place regarding other repairs needed on Damascus (lines). After further discussion, the vote was called for.

Roll Call: Councilor Kimsey-aye, Vice Mayor Block-aye, Councilor Adorno-aye, Councilor Blethen-aye, Mayor LaCascia-aye

5-ayes

0-nays

The motion carried.

- The Christmas parade is moving forward; however, we need volunteers the day of the parade. If anyone is interested, please give her a call.

CITY CLERK ITEMS

There were none.

CITY ATTORNEY ITEMS

There were none.

MAYOR ITEMS

There were none.

VICE MAYOR ITEMS

There were none.

COUNCIL MEMBER ITEMS

Councilor Adorno – Councilor Adorno asked about the water meters and readings coming in rather high. Frank Sanderson advised we do not have anyone in-house who can repair and “tweak” the digital read meters; however, Master Meter is providing a lot of service to the City in trying to correct the problems. He has been working very closely with the customers in resolving complaints and issues as they arise; some are mechanical and some are due to wrong meter readings. There are some issues with the interpreters that were installed on some of the meters as well; this is being handled step by step.

Councilor Adorno thanked everyone for participating in the Safe Haven Halloween Event.

Councilor Blethen – Councilor Blethen thanked everyone for coming out; he also advised the audience the Planning Commission will be meeting December 14th – the mobile home issue will be on the agenda.

Councilor Kimsey – Councilor Kimsey asked Pam Lawson, Finance Director, about the definition of “high risk property” when someone attempts to have the water turned on. Pam explained what a “high risk customer” was, and explained that a “high risk property” is property being rented out and renters leaving bad debt. Councilor Kimsey then discussed the amount of the utility deposit for the “high risk property” in regards to the high amount. Vice Mayor Block advised she would like to review the Ordinance and change it; it is very unclear to her as well. Councilor Kimsey agreed with that suggestion; Councilor Adorno advised she was confused with that as well.

Councilor Kimsey then brought up the spending limits of the City Manager, and City Clerk read Resolution 2010-09 in short title as follows: “RESOLUTION 2010-09, a Resolution of the City Council of the City of Polk City to set authorized spending limits pursuant to Ordinance 2001-03, Section 1(B),” and then went to Section 1(B) and read the spending limitations (\$5,000).

Councilor Kimsey made a motion to approve Resolution 2010-09; the motion was seconded by Councilor Adorno.

Roll Call: Mayor LaCascia-aye, Councilor Kimsey-aye, Councilor Blethen-aye, Councilor Adorno-aye, Vice Mayor Block-aye.

5-ayes
0-nays

The motion carried.

Councilor Kimsey made a motion to advertise for City Attorney; the motion was seconded by Councilor Adorno.

Under discussion, Councilor Blethen feels we should have an Attorney on staff and not as a temp. Vice Mayor advised there are a couple of options -- we can accept the current Attorney we have, or go out and look at other Attorneys, but other cities have commented how blessed we are to have an Attorney of the stature of Mr. Cloud. In addition, his fees are actually less than our previous Attorney. We can proceed if we look at Mr. Cloud's Résumé, he heads the Public Government part of his law firm, and we also get the advantage of his knowledge. We can go out and advertise, but she also suggest that we keep Mr. Cloud until some of the City settles down and then make a decision of do we continue on with him. It has been her experience in business that in the eye of the storm you don't change your team; she thinks that would be appropriate for Polk City and the right thing to do. Councilor Kimsey wants to look at other Résumés; "he could very well be the best man for the job, but doesn't know that until he looks at some other Résumés." Councilor Blethen commented he wouldn't know how to review Résumés from different Attorneys. Vice Mayor Block advised that with her experience of the two City Attorneys, the one we have now is pretty impressive, and we have a lot going on right now. Mayor LaCascia advised he has spent a lot of time working on this and "Googled" Municipal Attorneys, and based on his findings it would be a "colossal" waste of time to look at other City Attorneys; he listed his reasons why. Councilor Kimsey doesn't know that until he looks at others. Councilor Blethen advised he had a brief conversation with Attorney Cloud prior to the meeting; he is coming to work for Polk City; he is not going to work for a lot of money because we don't have that much. Councilor Blethen thinks Attorney Cloud can work for our City, and he is satisfied with Attorney Cloud. Councilor Adorno advised she understands everything that has been looked into; however, she agrees with Councilor Kimsey. She doesn't doubt the qualifications and experience of Attorney Cloud, but she would like to see others even if it is to say we do have the very best money can offer at this time, based on comparison of others we received. When asked about the cost of an ad, it was noted that a cost could not be determined until an ad is done. It was discussed that it would be done as soon as possible; however, Vice Mayor Block advised in the last meeting we discussed having Attorney Cloud on a temporary basis; Councilor Adorno confirmed it was discussed. There being no further discussion, Mayor LaCascia asked for the vote to advertise for a City Attorney. Before roll call the City Clerk asked how many days Council wanted to give for Résumés to be received back should the motion passed – 30 days.

Roll Call: Councilor Adorno-aye, Mayor LaCascia-nay, Vice Mayor Block-nay, Councilor Kimsey-aye, Councilor Blethen-nay

2-eyes

3-nays

The motion failed.

PUBLIC COMMENTS/REQUEST

There were none.

ANNOUNCEMENTS

City Clerk Jackson reminded everyone of the Polk City Christmas Parade / Mr. and Mrs. Santa Claus at Freedom Park, and announced the special meeting on November 15, 2010 at 6:00 p.m.

The meeting was adjourned upon voice vote.

Patricia R. Jackson, City Clerk

Joe LaCascia, Mayor