

POLK CITY MINUTES

MAY 9, 2011

Mayor LaCascia called the meeting to order at 7:00 p.m.

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

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

ROLL CALL

Mayor Joe LaCascia, Vice Mayor Trudy Block, Nancy Adorno-absent, Councilor Mike Blethen, Councilor Don Kimsey, City Manager Matt Brock, City Attorney Thomas Cloud, and City Clerk Patricia Jackson

A quorum was established.

PRESENTATIONS AND/OR RECOGNITIONS

At this time Mayor LaCascia deviated from the Agenda; he then recognized Bobby Greene, City Manager of Auburndale, and Doug Thomas, City Manager of Lakeland. Mayor LaCascia also called Vice Mayor Block forward and gave background information of how Trudy volunteered to be Acting City Manager approximately one year ago and what it has meant to Polk City. City Manager Brock then read a plaque that was presented to Vice Mayor Block in appreciation for her service as Acting City Manager, along with a potted plant. Bobby Greene, City Manager of Auburndale, commented he represents the Polk County City Managers Group and thanked the City Council for their commitment to professional city management. Mr. Greene congratulated City Council and the new City Manager Matt Brock. Doug Thomas, City Manager of Lakeland, and also serves as a District VIII Board Member for the Florida City/County Managers Association, commented he has worked with Trudy over the past year and congratulated her. Mr. Thomas also welcomed Matt back to Polk County.

Mayor LaCascia then introduced Matt Brock, who is the new City Manager for Polk City. Mayor LaCascia then presented the City Clerk with a plaque of appreciation and a potted plant.

APPROVE CONSENT AGENDA

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

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

4-ayes

0-nays

The motion carried.

PUBLIC HEARINGS

Mayor LaCascia advised he is looking for a motion to table to June 13, 2011, and asked Attorney Cloud to explain. Attorney Cloud advised items 1 through 3 will need to be tabled separately because they are separate Ordinances; he explained to Council the underwriter has asked to delay another month because they are doing additional work. The same reason is for all three Ordinances.

Ordinance 2011-1276, an Ordinance of the City of Polk City, Florida; amending Sections 74-36, 74-37, 74-61, and 74-202, Polk City Code; ratifying and modifying the Polk City Exclusive Service Area; making certain findings; defining and designating the City's exclusive retail water and wastewater service area; ratifying and modifying requirements for mandatory connection to City Utility Systems; providing for severability; providing an effective date. Second and final reading

Mayor LaCascia made a motion to table Ordinance 2011-1276 until June 13, 2011; the motion was seconded by Councilor Kimsey.

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

4-ayes

0-nays

The motion carried.

Ordinance 2011-1277, an Ordinance of the City of Polk City, Florida; amending Sections 74-69, 74-91, 74-94, 74-97, 74-122, 74-222, 74-224, 74-226, 74-255, 74-257, 74-259, 74-263 and 74-264, Polk City Code; repealing Section 74-260, Polk City Code, as superfluous; creating new Section 74-260, Polk City Code, entitled "Other Rates, Fees & Charges"; modifying certain water and sewer rate regulations; providing findings; updating certain miscellaneous charges; modifying the basis for billing base monthly charges from meter size to ERCs; modifying ERC value to 300 gpd for Water ERC and 250 gpd for Sewer ERC; modifying and renaming the Water and Sewer Availability Charges as Readiness to Serve charges; providing for severability; providing for conflicts; providing an effective date – second and final reading.

Mayor LaCascia made a motion to table Ordinance 2011-1277 until June 13, 2011; the motion was seconded by Councilor Kimsey.

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

4-ayes

0-nays

The motion carried.

Ordinance 2011-1278, an Ordinance of the City of Polk City, Florida, Authorizing the issuance of not exceeding \$9,000,000 Water and Sewer System Revenue Bonds, Series 2011 to finance the costs of certain improvements to the system and to refund certain outstanding obligations; pledging a lien on the net revenues of the combined Water and Sewer System to secure the payment thereof; providing for the rights of the holders of such Bonds; Ordinance No. 1001 and Resolution 98-27; providing certain other matters in connection therewith and providing an effective date – second and final reading

Councilor Blethen made a motion to table Ordinance 2011-1278 until June 13, 2011; the motion was seconded by Vice Mayor Block.

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

4-ayes

0-nays

The motion carried.

Ordinance 2011-1279, an Ordinance of the City of Polk City, Florida, amending the Unified Land Development Code of the City of Polk City, Florida; specifically, to change the text of Article 4, Sign Regulations, specific to on-site signs for commercial and industrial businesses of Section 4.04.02(E) regarding design standards for affixed signs and Section 4.04.02(F) regarding design standards for free-standing signs; repealing all other Ordinances in conflict herein; and providing for severability; and providing for an effective date – first reading.

Mayor LaCascia read Ordinance 2011-1279 in short title. Councilor Blethen made a motion to approve Ordinance 2011-1279 on first reading; the motion was seconded by Vice Mayor Block. Under discussion, Mayor LaCascia advised Council has a memo from Kathy Delp explaining what this Ordinance does; Mayor LaCascia also advised the Planning Council recommends approval and gave the sign dimensions. At this time Clerk Jackson read the new language of the Ordinance. Vice Mayor Block advised this Ordinance was modeled after Lakeland; it will help our businesses.

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

4-ayes

0-nays

The motion carried.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Request for Qualifications – Engineering Services for the Small Cities Community Development Block Grant

Mayor LaCascia advised this was going to be a ranking exercise; the City received five RFQs, but received two more today – there was some confusion regarding the date and time. Because of the two additional RFQs, Council didn't have the benefit of reviewing them; therefore this item will be tabled until the June 13 meeting.

CITY MANAGER ITEMS

City Manager Brock commented he was glad to be here in Polk City; he got his start in Polk County 12-13 years ago. Polk City has good people working here, and he is happy to be with them.

CITY CLERK ITEMS

The City Clerk had nothing to report.

CITY ATTORNEY ITEMS

The City Attorney had nothing to report.

MAYOR ITEMS

Mayor LaCascia had nothing to report.

VICE MAYOR ITEMS

Vice Mayor Block advised the yard sale was a huge success; the Library collected about \$160.

COUNCIL MEMBER ITEMS

Councilor Blethen – Councilor Blethen had a question concerning the proposals – does he bring it up now or later on how we are going to spend the money of putting this system in; where do we get it and how is it going to be broken down; City Manager Brock advised that would be forthcoming at the June 13 meeting.

Councilor Kimsey – Councilor Kimsey echoed his appreciation for Mr. Brock for being here; he is glad to have him. Councilor Kimsey advised he had a couple of people ask him to get something in writing reference to wells that are not allowed. Attorney Cloud advised what we have now is in an Ordinance; anything we would do to change that Ordinance, if there was going to be a change then the appropriate time to discuss that would be at a public hearing, if it is going to be changed. Councilor Kimsey wanted to know if the Ordinance was based on something from USDA – would it be possible to get something in writing. Attorney Cloud advised there are conditions in the loan we have; the loan requires us to enforce the Ordinances we have; allowing wells would impact our service area and therefore impact our ability to repay the loan we have with USDA right now on the water system. Councilor Kimsey responded by saying “so it is based on our ability or inability of the debt; Attorney Cloud advised that is correct.

PUBLIC COMMENTS/REQUEST

Mr. Mike Gilliland, 330 Nolane Lane, addressed Council and read from Section 74-204 of the City Code; he requested permission to put an agricultural irrigation well on his property located at 330 Noland Lane and requested a waiver to do so. His letter of request is on file in the City Clerk's office. Mayor LaCascia feels Mr. Gilliland is going about this the wrong way; the first step would be through the City Manager, Matt Brock. Discussion then took place regarding the Ordinance that tabled at this meeting; he would like Council to table this until November 2011 rather than June 13, 2011. Mayor advised this would be taken under consideration.

Laura Lambert, 552 Meandering Way, asked who the underwriter was for the revenue bonds; Mayor LaCascia advised he doesn't have that information. She advised under the sunshine law she is entitled to that information; Mayor LaCascia advised we can only give what we have, and we don't have it. Ms. Lambert then asked what the outstanding obligations were that the bonds are going to be used to pay. Vice Mayor Block advised she is not sure if all of this has been established at this time; it is still being worked on. Ms. Lambert commented Council conveniently does things during the summer; no information is provided to the public. Ms. Lambert then questioned how Council expects to lower rates with another 9 million dollars in debt; she would like to know that. Mayor LaCascia advised that was covered in detail by Gerry Hartman in his studies; one study alone dealt with those questions. Mayor LaCascia commented there were three options - the thinks one was no change at all, one was to reduce two percent, and one was to reduce seven percent. Ms. Lambert commented that based on his options; there would be a raise in rates rather than a reduction over a seven year period. Mayor LaCascia advised it was based on zero growth. Ms. Lambert then commented to Council the loan from USDA does not say you cannot drill a well; it says the net revenue is pledged to pay the loan.

Councilor Blethen made a motion to adjourn; the motion was seconded by Councilor Kimsey. The meeting adjourned at 7:35 p.m. upon voice vote.

Patricia R. Jackson, City Clerk

Joe LaCascia, Mayor