

CITY COUNCIL MINUTES

OCTOBER 10, 2011

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

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

ROLL CALL- Linda Walker

Present: Mayor Joe LaCascia, Vice Mayor Trudy Block, Councilor Mike Blethen, Councilor Don Kimsey, Interim City Manager/City Clerk Patricia Jackson and City Attorney Thom Cloud.

Absent: Councilor Nancy Adorno.

A quorum was established.

APPROVE CONSENT AGENDA

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

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

4-ayes

0-nays

The motion carried.

PRESENTATIONS AND/OR RECOGNITIONS

Mayor LaCascia read a Proclamation proclaiming October as "National Breast Cancer Awareness Month."

PUBLIC HEARINGS

Ordinance 2011-1275, an Ordinance of the City of Polk City, Florida; repealing existing Chapter 124, Code of Ordinances of the City of Polk City, Florida entitled "Water and Electric Franchise"; providing a short title; providing findings and intent; granting to the City of Lakeland, Florida, a non-exclusive franchise to use the public streets, alleys, highways, waterways, bridges easements and other public ways of the of Polk City for the construction, maintenance and operation of an Electric System in the City of Polk City; prescribing the terms and conditions under which said nonexclusive rights and privileges may be exercised; providing for severability; providing an effective date; second and final reading.

Mayor LaCascia read Ordinance 2011-1275 in short title and Attorney Cloud gave an explanation of the Franchise Ordinance.

Mayor LaCascia opened the Public Hearing; there being no questions or comments from the public, Mayor LaCascia closed the Public Hearing.

Councilor Kimsey made a motion to approve Ordinance 2011-1275; the motion was seconded by Councilor Blethen.

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

4-ayes

0-nays

The motion carried.

Ordinance 2011-1285, an Ordinance amending the Future Land Use Map of Comprehensive Plan of the City of Polk City, Florida, to change the Future Land Use Designation for a portion (approximately 3.86 acres) of the property Located at 119 Palmetto Lane (Parcel Number 25-26-33-297600-001030) from “Commercial” to “Industrial” providing for severability; providing for a repealer; and providing for an effective date; second and final reading.

Mayor LaCascia read Ordinance 2011-1285 in short title. Mayor LaCascia then asked Kathy Delp, City Planner, if the Planning Commission recommended approval and Kathy advised they did.

Mayor LaCascia opened the Public Hearing; there being no questions or comments from the public, Mayor LaCascia closed the Public Hearing.

Councilor Kimsey made a motion to approve Ordinance 2011-1285 in its entirety; the motion was seconded by Mayor LaCascia.

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

4-ayes

0-nays

The motion carried.

Ordinance 2011-1286, an Ordinance amending the Official Zoning Map of the City of Polk City, Florida to change the zoning for a portion (approximately 3.86 acres) of the property located at 119 Palmetto Lane (Parcel Number 25-26-33-297600-001030) from C-1 (Residential, Business and Professional District) to M-1 (Light Industrial); providing for severability; and providing an effective date -- second and final reading.

Mayor LaCascia read Ordinance 2011-1286 in short title and advised this is the same parcel of land as the previous Ordinance.

Mayor LaCascia opened the Public Hearing; there being no comments or questions for the public, Mayor LaCascia closed the Public Hearing.

Councilor Blethen made a motion to approve Ordinance 2011-1286 in its entirety; the motion was seconded by Councilor Kimsey.

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

4-ayes

0-nays

The motion carried.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Renewal of Contract with the Florida Department of Corrections

Interim City Manager Jackson advised the contract is up for renewal with the Florida Department of Corrections, and the money is in the FY 2012 Budget (staff and City Manager recommends approval). Councilor Kimsey asked what the inmates are allowed to do; Kathy Delp advised the only thing they are not allowed to do is go on private property. Councilor Blethen asked how many hours they work; Kathy advised they work 36 hours a week (five inmates and a guard). Councilor Kimsey mentioned in the past the City only had to feed the inmate crew; Kathy advised the cost of the contract covers the salary of the guard. Some cities have more than one inmate work squad and some have more inmates on the work squad. Vice Mayor Block commented if we don't use this contract, other cities will get it; it saves Polk City money. Mayor LaCascia commented it is a win-win situation; Councilor Kimsey advised he doesn't have a problem with the cost.

Vice Mayor Block made a motion to approve the contract with the Florida Department of Corrections; the motion was seconded by Mayor LaCascia.

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

4-ayes

0-nays

The motion carried.

Interlocal Agreement between the City of Polk City and Polk County to Contract for Hurricane Debris Removal

Interim City Manager Jackson advised this allows Polk County to be responsible for debris removal within the city limits should there be a hurricane, and the County will receive the reimbursement from FEMA. The City has an existing agreement in place, and this agreement is replacing it with the following changes: 1) the new contract does not designate a specific debris removal contractor and 2) it modifies the termination conditions (staff and City Manager recommends approval).

Councilor Blethen made a motion to approve the Interlocal Agreement between the City of Polk City and Polk County to Contract for Hurricane Debris Removal; Mayor LaCascia seconded the motion.

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

4-ayes
0-nays

The motion carried.

Proposal for Professional Hydrogeological Services – Piezometer Installation and Water Table Determination for the Mt. Olive Remote Pond Site

Mayor LaCascia read the summary to Council (this will allow the City to proceed with the rerating of the Rapid Infiltration basins at the Mount Olive Remote Pond Site and this is for permitting purposes). Mr. Don Stearns, with GAI Consultants, Inc., addressed Council and gave an overview of what the project was for – we need additional capacity for the remote pond site for the renewal of the wastewater permit. The cost will not exceed \$6,900 and can be paid from bond proceeds. Lengthy discussion took place between Council and Mr. Stearns, at which time Charles Nichols addressed Council and went over the capacity levels, and what additional capacity will be needed at the remote pond site once the Mt. Olive WWTF is taken off line and the flow shifted to the Cardinal Hill Plant. The remote pond site currently falls short of the capacity needed, and with the re-rating should allow for the maximum capacity needed. More discussion took place with Council; it was noted all of this work is tied to the de-commission of the Mt. Olive Wastewater Treatment Facility.

Councilor Blethen made a motion to approve the proposal for Professional Hydrogeological Services – Piezometer Installation and Water Table Determination for the Mt. Olive Remote Pond Site; the motion was seconded by Vice Mayor Block.

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

4-ayes
0-nays

The motion carried.

Consider and Review Contract for Patricia Jackson as Interim City Manager

Mayor LaCascia advised the contract is for Interim, and suggested to move from interim status into a permanent agreement, if the Council wishes. Attorney Cloud advised this contract is drafted for permanent city manager. Discussion took place regarding the contract itself:

- Councilor Blethen asked about residency – the contract shows the City Manager doesn't have to live inside the city limits, and he wanted to know Council's feelings on this. Council Kimsey advised he doesn't have a problem with the City Manager living outside of the city limits. Mayor LaCascia advised he doesn't see a problem with it; the City Manager and staff brings forward any initiatives via the agenda and Council votes on those issues. Mayor LaCascia commented it doesn't matter where the city manager resides; however, he feels it is problematic when a city manager would have to move and sell their house in these economic times. Attorney Cloud advised that even though Council Adorno is not present, he would like to pass along her thoughts – Councilor Adorno feels the city manager should be a resident of Polk County. Attorney Cloud also advised Councilor Adorno would not have voted for permanent status; she would like an additional waiting period until the end of December.
- Councilor Kimsey went to Section 6 of the contract whereby the city manager only gives one months notice if leaving.
- Vice Mayor Block then discussed if Patricia is no longer City Manager, she would go back to being City Clerk
- Councilor Kimsey advised he is not happy with a six months severance package (it currently states 3 months with an additional month each year up to six months). Vice Mayor Block doesn't think six months is unreasonable. Discussion took place with Council and Attorney Cloud regarding the severance package, which included new Council's getting elected. Mayor LaCascia is happy with the initial three months and then another month per year up to 2014. Councilor Blethen disagrees with severance and being able to find a job. Mayor LaCascia commented the annual salary is \$72,000; with the city manager also doing the city clerk job, it will save the City approximately \$50,000 a year. Councilor Kimsey commented there is no doubt the City is getting a good deal. Attorney Cloud asked Council about extending the years of the contract; Interim City Manager asked Council if they would be agreeable to three months severance with an additional month added for each additional two years of service. Interim City Manager Jackson also advised if her position reverted back to City Clerk there would be no severance pay.

Councilor Blethen then asked what the changes to the contract were; he was advised by Attorney Cloud the city manager would have to be a resident of Polk County, three months severance with an additional month every two years of service, and would not receive severance if goes back to serving as City Clerk.

Vice Mayor Block made a motion to accept the employment contract for Patricia Jackson as City Manager with changes stated by Attorney Cloud; the motion was seconded by Mayor LaCascia.

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

4-ayes
0-nays

The motion carried.

Planning Advisory Services Contract with Central Florida Regional Planning Council for Fiscal Year 2011-2012

Mayor LaCascia advised this is an annual contract with Central Florida Regional Planning Council. Under discussion, it was stated that \$15,000 is for Comp Plan Amendments, which is currently taking place, and \$15,000 is for work on the Land Development Regulations, which is needed.

Vice Mayor Block made a motion to approve the Planning Advisory Services Contract with Central Florida Regional Planning Council for Fiscal Year 2011-2012; the motion was seconded by Councilor Blethen.

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

4-ayes
0-nays

The motion carried.

CITY MANAGER ITEMS/CITY CLERK ITEMS

- Manhole on Ruth Road at the Mt. Olive WWTF is finished
- Matt Williams WTP is back up and running
- Lights have been ordered and the clock will be lit
- Last school year Polk City allowed the School Board to use the Activity Center for GED Classes two days a week at no charge; if there are no objections, the City will enter into a memorandum of understanding to allow that again this year. The Council had no objections
- City Council will need to have their nominations for Grand Marshal and Citizen of the Year for the 2011 Christmas Parade at the November meeting
- Paving Projects – City Manager Jackson advised she has asked Kathy Delp to make a list of the streets to be paved and to list the worst ones at the top; we have restricted funds which would allow us to proceed, and once we have the list it will be brought back to Council with a proposed plan
- The renovations of the lobby are completed
- Safe Haven Halloween is October 29th and would like for Council to participate

CITY ATTORNEY ITEMS

Attorney Cloud had nothing to report at this time.

MAYOR ITEMS

- Mayor LaCascia advised he would like to put together a utility system revenue sheet showing irrigation usage; he hopes it will allow a better job in addressing irrigation needs (he will be working with the City Manager).
- He attended a luncheon with State Senators and County Commissioners; a lot of people came up and congratulated Polk City on the excellent job that was done with the bond issue. Mayor LaCascia accepted their congratulations on behalf of the City.

VICE MAYOR ITEMS

- The utility bills went out early; beginning in November there will be a section “Shop Polk City” for the holidays; she and the City Manager went to businesses asking them to participate.
- She met with County Commissioner Sam Johnson
- She attended a Growth Management Meeting – planning for schools and roads. There are other meetings planned.
- She attended a grand opening at Fantasy of Flight and did the ropes course; it is three or four stories tall, and it was fun but terrifying.
- Spoke with SWFWMD regarding the lake level of Lake Agnes
- Attended a public meeting for the Van Fleet Trail, which was held at the Government Center; a recommendation was made to install a restroom on the Auburndale side of the trail
- Attended the Fine Swine in Mulberry; they had 53 barbeque teams
- Attended the Family Dollar open house
- Attended the Macedonian open house
- Vice Mayor Block gave kudos to the Ledger for putting in a comparison of electric rates

COUNCIL MEMBER ITEMS

Councilor Blethen – Councilor Blethen asked where the City was at on the bonds; City Manager Jackson advised she would get him and Council an up-to-date list. Councilor Blethen is happy with the clock being lit.

Councilor Kimsey – Councilor Kimsey would like to see a sign out front; City Manager Jackson advised we would get prices by the next meeting.

PUBLIC COMMENTS/REQUEST

There was none.

ANNOUNCEMENTS

There was none.

Councilor Blethen made a motion to adjourn; the motion was seconded by Councilor Kimsey. The meeting adjourned by voice vote at 8:15 p.m.

Patricia R. Jackson, City Clerk

Joe LaCascia, Mayor

CONSENT AGENDA
October 10, 2011

MAY ALL BE APPROVED BY ONE VOTE OF COUNCIL TO ACCEPT CONSENT AGENDA.
Council Members may remove a specific item below for discussion, and add it to the regular agenda under New or Unfinished Business, whichever category best applies to the subject.

A. CITY CLERK

1. Accept minutes – August 17, 2011, Budget Workshop
2. Accept minutes – September 6, 2011 Tentative Budget Hearing
3. Accept minutes – September 6, 2011 Special Meeting
4. Accept minutes – September 12, 2011 Regular Meeting
5. Accept minutes – September 20, 2011 Final Budget Hearing
6. Accept minutes – September 26, 2011 Special Meeting

B. REPORTS

1. Building Report – September 2011
2. Code Enforcement Report – September 2011
3. Financial Statements – September 2011
4. Sheriff's Office Report – September 2011
5. Water and Sewer Report – September 2011

C. OTHER

- D. APPROVAL OF PLANNING BOARD ACTIONS**
None