

CITY COUNCIL MINUTES

April 9, 2012

Mayor LaCascia called the meeting to order at 7:08 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 -- Linda Walker

Present: Mayor Joe LaCascia, Vice Mayor Trudy Block, Councilor Nancy Adorno, Councilor Mike Blethen, Councilor Don Kimsey, City Manager Patricia Jackson and City Attorney Thomas Cloud. Also present was Council-elect Kelly Downing.

A quorum was established.

APPROVE CONSENT AGENDA

Councilor Blethen asked what "New Local Option Gas Tax" was; Pam Lawson, Finance Director, explained it is an additional gas tax and the State of Florida named it the "New Local Option Gas Tax." Mayor LaCascia advised the Utility Report was received earlier and needs to be added to the Consent Agenda.

A motion was made by Councilor Blethen to approve the Consent Agenda; the motion was seconded by Councilor Adorno.

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

5-ayes

0-nays

The motion carried.

PRESENTATIONS AND/OR RECOGNITIONS

Mayor LaCascia introduced Danny Kushmer, who is the Government Affairs Manager with Southwest Florida Water Management District.

At this time Mayor LaCascia asked Councilor Adorno and City Council to step down to the front of the dais; City Manager Jackson presented Councilor Adorno with a plaque for her years of service to Polk City (2005 – 2012). Councilor Adorno gave her departing remarks at this time and thanked her husband, family, City Council and the citizens.

PUBLIC HEARINGS

Ordinance 2012-1290, An Ordinance of the City of Polk City, Florida; amending Chapter 74, Utilities; amending Section 74-251, deposits required; providing for severability; providing for conflicts; providing an effective date – second and final reading

Mayor LaCascia read Ordinance 2012-1290 in short title and opened the public hearing.

Kelly Downing, Councilor-elect, asked about the possibility of refunding down the higher deposits previously paid to be the same as the deposits this Ordinance would require; it could be done by issuing a credit on the customer's account. Councilor Kimsey wanted to confirm that residents with a higher deposit would see a credit to them to reduce their deposit to the new amount. Mayor LaCascia closed the public hearing.

Councilor Adorno commented she is not sure previous discussion would fall under this Ordinance; it is a separate matter and should be put on the agenda for the next meeting. Council asked for a report of current deposits. Councilor Kimsey wanted to know if they were entitled to this; Attorney Cloud advised no; however the City can do what they want unless it puts the City in jeopardy. Attorney Cloud recommends looking at the financial information before a decision is made.

Councilor Blethen made a motion to approve Ordinance 2012-1290 on second and final reading; the motion was seconded by Councilor Adorno.

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

5-ayes

0-nays

The motion carried.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Administration of Oath of Office

City Manager Jackson administered the Oath of Office to Councilor Mike Blethen for Seat 1 and Councilor-elect Kelly Downing for Seat 3.

Selection of a Mayor and Vice Mayor (one year)

Councilor Kimsey nominated Joe LaCascia for Mayor; there being no other nominations, Councilor Blethen seconded the nomination of Joe LaCascia for Mayor.

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

4-eyes

1-nays

Mayor LaCascia was voted in as Mayor for one year

Councilor Trudy Block nominated Councilor Blethen for Vice Mayor; there being no other nominations, Councilor Downing seconded the nomination of Councilor Blethen for Vice Mayor.

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

5-eyes

0-nays

Councilor Blethen was voted in as Vice Mayor for one year.

Appoint a Council Member for Signatory Authorization on City Bank Account

Discussion took place regarding the appointment of a Council Member for signatory authorization; by Charter the Mayor and Vice Mayor are primary, along with one other Council person and the City Manager.

Councilor Trudy Block made a motion to appoint Councilor Downing as an alternate for the signatory authorization on the City bank account; the motion was seconded by Councilor Kimsey.

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

5-eyes

0-nays

The motion carried.

Approval of bid for CDBG Water Line Replacement Project

City Manager Jackson advised GAI Consultants has reviewed the bids and recommends the low bid from Empower Construction, Inc. with the additive alternates included for a total of \$354,090. City Manager Jackson also advised approval would be contingent upon DEO approval; the project should start at the end of April or the first of May. Attorney Cloud advised Council if they vote to accept the bid, they are also authorizing the execution of the contract.

After brief discussion, Councilor Kimsey made a motion to approve the bid for CDBG Water Line Project Bid to Empower Construction, Inc. with the additive alternates

included for a total cost of \$354,090 and contingent upon DEO approval; the motion was seconded by Vice Mayor Blethen.

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

5-eyes

0-nays

The motion carried

Resolution 2012-01, A Resolution of the City Council of the City of Polk City, Florida, declaring certain personal property as surplus; providing for authorization for the public sale, subsequent donation or disposal of said personal property; providing for the prior advertisement of said sale; providing for all revenue to be placed in the General Fund; and providing an effective date

Mayor LaCascia read Resolution 2012-01 in short title, and City Manager Jackson discussed the surplus list with City Council. There will be an ad placed in the newspaper regarding the sale of surplus items, and an ad will be placed to receive sealed bids for the sale of the 1987 GMC Jetter Truck.

A motion was made by Councilor Kimsey to approve Resolution 2012-01; the motion was seconded by Councilor Downing.

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

5-eyes

0-nays

The motion carried.

Request Approval to use Restricted Funds – New Local Option Gas Tax from prior Year for street (cash carry-over)

City Manager Jackson discussed with Council the request of using \$80,000 from prior year restricted funds (Local Option Gas Tax) for proposed paving projects. Lengthy discussion then took place with City Council, Kathy Delp and the City Manager regarding the streets that are being proposed to be resurfaced, square footage, thickness of asphalt and also testing. City Manager Jackson advised the City would like to piggy-back the bid from Winter Park.

At this time the discussion was brought back to the request for use of restricted funds from prior year in the amount of \$80,000. Councilor Kimsey made a motion to approve the request to use restricted funds (New Local Option Gas Tax) from prior year for streets; the motion was seconded by Vice Mayor Blethen.

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

The motion carried to approve the use of restricted funds in the amount of \$80,000 for street resurfacing.

Request to Approve Street Paving

Attorney Cloud was asked if the City could piggy-back a contract; Attorney Cloud advised it is allowed under State Statute for certain things as long as the criteria is the same. The City can do this for resurfacing by using the contract from Winter Park, but the City will have its own contract based upon the Winter Park contract; however, the City will need a copy of the RFP (request for proposal) from Winter Park. Councilor Kimsey asked if you “piggy-back” to avoid bidding; he was advised if you piggy-back you don’t have to bid. The City will obtain a copy of the RFP from Winter Park before moving forward. After further discussion, street paving was tabled until the May 14th City Council meeting.

CITY MANAGER ITEMS / CITY CLERK ITEMS

- City Manager Jackson advised sealed bids for the water, wastewater and reuse system improvements are due back to the City Clerk’s office no later than 2:00 p.m. April 11, 2012
- A request has been received for contraction from Mr. Bill Porter at 258 Waterview Drive; a feasibility; we are waiting on the feasibility study to be completed before proceeding. City Manager Jackson advised Mr. Porter is away during the summer, and the six months will be up in August.
- The following will be taking place at Freedom Park: new mulch, painting the bathrooms and painting the bandstand. Also, the wall at the skate park will be painted
- The permit has been issued for the Cardinal Hill WWTF
- City Manager Jackson advised a visioning and planning session needs to take place with City Council regarding what direction Council would like the City to go. Discussion followed between Council; the visioning and planning will take place on a Saturday with a moderator; however, Councilor Kimsey will need to check his schedule to see what Saturday’s he is not working (he will get back with the City Manager).

CITY ATTORNEY ITEMS

City Attorney Cloud advised he has received the deed(s) from the County for Mount Olive; it appears they are going to deed additional parcels to the City. He will review the documentation and present this at the next meeting.

MAYOR ITEMS

- Mayor LaCascia commented he saw in the newspaper that the City of Winter Haven was changing from Council to Commissioner, and he would like to put that on the Agenda for the next meeting; Councilor Downing advised she is interested in that as well. This will be placed on the Agenda under New Business for the next meeting
- Mayor LaCascia thanked Council for their continued support in his serving as Mayor; he will do his best to serve, and if anyone sees a need for any changes, to please let him know.

- Mayor LaCascia thanked Council –the City has come a long way. He then went over some highlights that were in Ledger articles during 2010 and 2011, as well as a couple of “gigs” and “garlands”. He also commented Council has come a long way and deserves credit; he commented that Council should give each other a hand.

VICE MAYOR ITEMS

- Vice Mayor Blethen asked about street signs; Kathy Delp advised the signs have been ordered and are ready to be picked up and installed. Kathy then went over the signs that were being replaced -- half the city is being done this year and the other half next year; however, she may be able to do Honeybee.
- Vice Mayor Blethen asked if the clock could be changed to the right time; he was advised it would be done.
- Vice Mayor Blethen thanked Mayor LaCascia and Councilor Block for the work they did last year – Polk City is out of the news.
- Thanked everyone for coming to the meeting.

(Note: Vice Mayor Blethen’s comments were made under Council Member Items and was moved to Vice Mayor Items for the minutes).

COUNCIL MEMBER ITEMS

Councilor Block – Councilor Block advised she has attended several meetings (her comments were made under Vice Mayor and moved to Council Items for the minutes)

Councilor Downing – Councilor Downing commented she hopes she can provide a positive impact on Council, and looks forward to working with Council and the public. She hopes we have a successful year, and looks forward to learning a lot – this is a new ballgame.

Councilor Kimsey – Councilor Kimsey thanked everyone for attending; he wishes the seats were full. He then welcomed Councilor Downing.

PUBLIC COMMENTS/REQUEST

Gail Funk, 202 Bayberry Drive, addressed Council and mentioned she was running as a candidate for Council and withdrew. Mrs. Funk then addressed Mayor LaCascia on various items which concern her (or disagrees with). Mrs. Funk expressed her disappointment in how meetings are ran and referred to the last meeting regarding how upset she was with the comments made when the Girl Scouts were recognized with a Proclamation; as a educator she feels the Girls Scouts deserve an apology. Mrs. Funk advised she is becoming worried about Council, and she is speaking as a citizen of Polk City.

Laura Lambert, 552 Meandering Way, asked about street resurfacing and requesting \$80,000 when the cost was approximately \$53,000. City Manager Jackson advised other streets are being considered for resurfacing.

Al Schneider asked about the restricted funds and why they would need to be transferred if they are already in the General Fund.

Virginia Brooks, 424 Citrus Grove Blvd., asked about putting up “No Littering” signs as well as posting fines.

The meeting was adjourned by voice vote at 8:40 p.m.

Patricia R. Jackson, City Clerk

Mayor Joe LaCascia

CONSENT AGENDA
April 9, 2012

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 – March 12, 2012, City Council Meeting

B. REPORTS

1. Building Report – March 2012
2. Code Enforcement Report – March 2012
3. Financial Reports – March 2012
4. Library Report – March 2012
5. Sheriff's Office Report – March 2012
6. Utilities Report – March 2012

C. OTHER

Please note: Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the city council with respect to any matter considered during this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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Minutes of the city council meetings may be obtained from the city clerk's office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may arrange with the city clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.