

CITY COUNCIL MINUTES

January 20, 2014

Mayor Joe LaCascia called the meeting to order at 6:00 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 – Sheandolen Dunn

Present: Mayor Joe LaCascia, Vice Mayor Mike Blethen, Councilor Trudy Block, Councilor Don Kimsey, Councilor Keith Prestage, City Attorney Thomas Cloud and City Manager Patricia Jackson

ESTABLISHMENT OF A QUORUM - Yes

CONSENT AGENDA

Motion by Councilor Block to approve the Consent Agenda with the following exceptions, remove the December 16 Regular City Council Meeting minutes and replace the Code Enforcement Report with correct version. The motion was seconded by Councilor Prestage.

Vote: Councilor Block-aye, Mayor LaCascia-aye, Vice Mayor Blethen-aye, Councilor Kimsey-aye, Councilor Prestage - aye

Motion carried unanimously.

PRESENTATIONS/RECOGNITIONS

Mayor LaCascia presented a Proclamation in recognition of Human Trafficking Awareness Month.

PUBLIC COMMENT

Bill Block (218 Bayberry Drive) spoke regarding street lighting in the Sandy Pointe Subdivision, of which he is Homeowner's Association President. Mr. Block indicated a light study was done by TECO and City Manager Jackson does have a copy.

City Manager Jackson confirmed she does have a copy of the TECO Light Study and will indeed share with Council. This information has not been presented to the City Council as there are no funds available for such a project and a lighting project will be reviewed for the City as a whole and not just one subdivision.

Ernest Whanger (185 Layne Wade Road) discussed Storm Shelters in close proximity to Polk City. Mr. Whanger is in favor of a Storm Shelter in Polk City.

Wanda Fred (265 Bayberry Drive) provided more specifics relating to having a storm shelter in Polk City.

Peggy Brooks (265 Bayberry Drive) discussed her recollection of the most recent Charter Review Committee meeting of which she was a Committee member.

Cathy Gibani (102 Bayberry Drive) – Is not in favor of Districting.

Gail Funk (202 Bayberry Drive) – provided data on Districting.

City Attorney Cloud clarified Districting as it is currently stated in the Charter.

Discussion ensued.

PUBLIC HEARINGS

ORDINANCE 2014-01 - An application submitted by Dale Jacobs for a Conditional Use Permit to allow a Massage Therapy School to be located at 120 Carter Boulevard, Suite 2 (Parcel number 25-26-32-000000-023210). First Reading.

Second and Final Reading will be held on February 17, 2014.

City Attorney Cloud read by title only. Mayor LaCascia opened and closed the public hearing. No one spoke for or against this Ordinance.

Councilor Kimsey asked if the Massage School is zoned properly.

Ron Borchers (CFRPC) responded yes.

Wanda Harris (wife of Massage School owner) provided specific details about the school.

Vice Mayor Blethen inquired about the Conditional use and if any legal issues exist.

Ron Borchers (CFRPC) and City Attorney Cloud stated it was built according to the C-2 zoning rules. It is consistent with the Land Use Code and no legal issues exist.

Motion by Councilor Kimsey to approve Ordinance 2014-01 - An application submitted by Dale Jacobs for a Conditional Use Permit to allow a Massage Therapy School to be located at 120 Carter Boulevard, Suite 2 on first reading; the motion was seconded by Councilor Prestage.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

ORDINANCE 2014-02 - AN ORDINANCE PROPOSING AMENDMENTS TO THE POLK CITY CHARTER; SETTING A CHARTER AMENDMENT REFERENDUM; CHANGING THE NAME OF THE CITY TO POLK CITY, FLORIDA; CHANGING REFERENCES FROM "TOWN" TO "CITY"; CHANGING REFERENCES FROM "COUNCIL" TO "COMMISSION"; CREATING CITY COMMISSION DISTRICTS, DEFINING THEIR BOUNDARIES, AND PROVIDING FOR BOUNDARY CHANGE; REVISING THE METHOD OF INCREASING COUNCIL MEMBER COMPENSATION FROM USE OF FEDERAL COST OF LIVING INCREASE TO ORDINANCE ADOPTION; DELETION OF MINIMUM 5-DAY ADVERTISEMENT REQUIREMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN ELECTION IN WHICH QUALIFIED ELECTORS OF THE CITY MAY VOTE FOR OR AGAINST THESE CHARTER AMENDMENTS; PROVIDING FOR BALLOT QUESTIONS; PROVIDING FOR PUBLIC NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE. First Reading.

Second and Final Reading will be held on February 17, 2014.

City Attorney Cloud read by title only. Mayor LaCascia opened and closed the public hearing.

Various residents spoke regarding this ordinance earlier during public comments.

Discussion ensued.

Motion by Councilor Prestage to approve Ordinance 2014-02 on first reading; the motion was seconded by Vice Mayor Blethen.

Councilor Block provided compelling argument as to why districting should not be considered.

Vice Mayor Blethen discussed the proposed districting map.

City Attorney Cloud provided further clarity on how the map was to be read and how it could be adapted.

City Attorney Cloud stated the charter provides that every ten years the Council has to look at the dicennial census in order to redraw the lines to achieve the same balance of population for each of the four districts. This information is based on Federal Case Law. I presented the ordinance as recommended from the Charter review Committee to this Council. The Council was free NOT to adopt all of the recommendations and they could also add recommendation. At the last meeting I was instructed to delete several of the recommendations that came from the Charter Review Committee; and to add others including, this one. Thus, the difference in the Ordinance that came from the Charter Review originally and what you are looking at tonight.

Councilor Kimsey stated....so is it the consensus that we can adopt all, part or none of their recommendations.

City Attorney Cloud concurred. The Council remains free to put what they choose to place on the ballot. It is always good to take the recommendations from the Charter Review Committee, as there are five citizens that met over an extended period of time to review the Charter.

Mayor LaCascia asked what would be the downside to Districting in our small city?

Councilor Block responded the Charter Review Committee voted unanimously to oppose. They studied this for a long time. One of them got a tour of MOSN. I don't think he understood that when you look at MOSN because of the way we annexed, it is overwhelming. More than half of the houses are in the County. It's a very strange way we annexed, it is what it is...but you have to understand that when you look at that subdivision, half of those houses are in the County and don't really have a willingness to vote or to move into the City. I did call some of the citizens of MOSN to see if there was any anger if we were looking to dissolve the City, that was not the case, so we moved on from there.

It also limits the options of our citizens. If we have citizens who are bright, intelligent, educated in certain areas and we have no one running in a district, what happens next is that this Council appoints people. So now, you've taken away that choice of voting from a citizen and you've moved it to the Council, which is what happened during the previous era. That was not right. We should always give our citizens the ability to vote for their Council. I still don't believe it's fair that one person gets a pool of 52 voters and poor Honeybee has 397 and they have a pool of 397 voters. It's a federal law, I understand that, but, it's not right. There is no urgency in getting this done. You saw the numbers.....Fountain Park has not exploded. What I'd like to do and what the options should be is we should look at this in two years. So, we wait for two years, we look at the options in two years and we say look-it; there's a bus load of people that went over to Lori Edwards to apply to vote and now we're getting closer. But, at this

point we are not even close to any subdivision running Polk City. Not even close. So, to do this now...the other thing that was brought up was this is the way it was done in Mulberry. That's a little different situation, because Mulberry, this is a trailer park, this is not a deeded 55+ community with homes and motor homes. So, those people, if I looked at the study, and I haven't had time to look at that! But, I bet I would see that those people actually live there, not seasonally, but full time and are voters, so we can look at other cities and the reason other cities do this is because they are arguing over....I want the park in my neighborhood and not yours. The beach communities are especially doing this because the beach communities have to refresh their sand and the people are saying that cost a lot of money. So, their districting a lot on the Coast. I called, I've looked and I've checked with other people. There is not a person that I have talked to and I don't want to say where they're from, but there's not a person that I've talked to who thinks this is a good idea, given the amount of voters in each of the districts. Not a person I've talked to! So, in summary...let's just sum it up...I don't think we have all the facts. I think the Commission and the Charter Committee was excellent and did a great job, but the numbers just don't add up. I think the map might be inaccurate. I did not know we were down to I-4. We have property down to I-4 on Berkley? That's good. I think we're gonna alienate voters. Because now we've got.....instead of letting our voters vote, we're gonna.....the Council is gonna end up.....and this is what happens with districts.....when I am going through and I still have only about 200 cities, you find a lot of vacancies in those districts because people don't run. They're working! Honeybee...those people are working! They don't have time to do this. And so, the people that have time to do it, are not saying Sandy Pointe, MOSN, they want this, they want the park.....that is not true, we have a small city. In my opinion this is a knee jerk reaction to a problem that doesn't exist based on hearsay and rumors and brought forward by one Council member. There is no urgency to this. We should wait two years and then it may be appropriate. But, now you're gonna disenfranchise your voters and you will have districts with no alarming.

Councilor Kimsey stated his only concern would be the fact that one particular area at one time or another, would have an agenda. If they had control of the Council, then they could put forth their agenda, which would not necessarily be best for the City. But, that's not the case now. I agree with Trudy.

Councilor Prestage stated even if that is a potential hazard. I don't know that two years is going to make a big difference. It sounds to me like there are way too many unanswered questions in this whole process. Something we shouldn't even be addressing right now.

Vice Mayor Belthen stated proposing from what I understand is the line item, we remove that from this ordinance.

Councilor Block stated that was the only one that caused us trouble. The rest of them, changing town to city; changing council to commission, the raises for council members, we get nothing anyway, so it doesn't really matter; and deletion of the five-day minimum advertising requirement. None of those are really controversial, but there is no reason

that can't wait another two years and take a look at the now and take a another look then. But two years.....with the growth we're having is not going to give us a change in anything that we do.

Councilor Prestage stated he doesn't want us to just turn a blind eye to this. Just to say that it's not a problem right now, doesn't mean that it won't be a problem in the future.

Blethen stated it is important because of other items that come up. Where we spend our money in the budget! What part of the budget? What type of leadership are we going to continue sitting here on the Council.

Councilor Block questioned how would that change our budget? I don't understand!

Vice Mayor Blethen stated if we had a number of people (picking on Mount Olive) in Mount Olive that had a number of people out there that wanted more street lights as was brought up here earlier, they could force (I call it force) to put it in the budget spending more money for lighting in this area versus other places, rather than is this good for the whole city. This is the thing about Districting. That's probably the pro and con about having a District. Ok, I am in this District and I want lighting too. Well it comes back to budgeting, it comes back to how we vote, and what part of an area gets certain items. Same thing we will be talking about again on the Community Center. Well, Mount Olive has a pretty nice rec. room out there and they could say no. But, the rest of the people, the other 300 people in Honeybee or Railroad Heights could say hey, we want a place too. You do have a dominant control when you have the people sitting here on the Council. It's called "Jury Mandering"! This has been going on for quite a few years.....like 100.

Councilor Block stated you're taking away someone's vote. We're going outside our city to get people for our Committees, because we want the educated, so we're going outside our city.

Vice Mayor Blethen stated I don't think we were looking at education, NO! Involved! I don't think the people need to be educated, if you're involved. I am not going to pick on education by no means because there are a lot of people in this city that are uneducated, but they are well understood and respected, so education would not play on the town.

Councilor Block stated so we've gone outside the city to fill out committees.

City Attorney Cloud stated we went outside the City to fill one committee.

Councilor Block stated...but we agreed to keep doing that!

City Attorney Cloud stated for one committee, which was the Charter Review Committee...just the one committee.

Councilor Block stated that is not what she understood!

Councilor Prestage confirmed that was his understanding.....just the one committee.

City Attorney Cloud stated we haven't taken away anyone's vote. I don't know where that came from, but nobody has taken anyone's vote away. This Council does not have that power. We haven't disenfranchised anyone.

Councilor Block stated that is not what I said!

City Attorney Cloud stated that is actually what you said, it may not be what you meant.

City Attorney Cloud corrected one other thingsomeone said, and I believe it was you, that the Council would appoint someone if nobody.....that is not what the Charter says.....the Charter does not say that if somebody doesn't run for an office, the Council appoints somebody. That is not what the Charter says.

Councilor Block asked what happens then? That was my understanding was from talking to you.

City Attorney Cloud responded he doesn't remember ever having been asked the question before and doesn't recall an instance where nobody ran for a City Council District in any city. Maybe somebody else has heard of that, but I haven't.

Councilor Block responded ok. So, what happens if nobody runs in that District?

City Attorney Cloud responded well if there was any appointing to be done, under those circumstances, I suspect it would be done by the Governor, or you would have a do-over on the election. But, I've never heard of that happening.

Councilor Block stated there are a lot of vacancies on Councils right now.

City Attorney Cloud stated there is not a vacancy on this Council. At least the last time I checked. While we did not have a large number of people apply to fill that vacancy; we had two or three people asking to be considered to be appointed to the position, but that was after a duly elected individual left and there was an appointment under those circumstances. But, Council does not have the ability to just appoint someone under the circumstances you mentioned.

Councilor Block asked shouldn't we know what happens, if no one applies from the District.

City Attorney Cloud asked has there ever been a time, and I am asking because I don't know the answer, that you haven't had enough people running to fill this Council?

Councilor Block stated, but they come from some of the same districts.

City Attorney Cloud stated understand the way that this was written, the districts would not have applied until 2018, because it would be totally unfair to apply the districts to this very next election, would it?

Councilor Block stated there are so many questions, so why are we doing this. This just doesn't make sense.

Mayor LaCascia corrected some of the information put out there by Councilor Block when characterized MOSN as 300 and 300 in the City. He was referring to the 330 lots in the City. No others were counted.

I raised this issue in 2012 - the dollar growth, I know that's not the indicator you use. In 2012 there was \$2 million in construction, 2013 there was \$4 million in construction.

Mayor LaCascia asked Mrs. Whanger, who is on the board of directors if she had any idea of the unsold properties to date in MOSN roughly.

Mrs. Whanger responded approximately 35 still held by the developer.

Mayor LaCascia stated that out of 330 lots, 300 of them are developed. Is that fair to say?

Mrs. Whanger responded no. I don't know how many have actually been developed. It is less than 200 that have been developed and there are a number of undeveloped lots which have been sold to other individuals and available for development, yes.

Mayor LaCascia stated this is the only reason he brought this up, he has no grind to ax one way or another, but I do recognize that....down the road....brought this up over a year ago, I don't think this is the best thing in the world for Polk City. If you gonna occupy these homes and be voters.....what is happening in MOSN the votes are being split. The husband votes in Minnesota and the wife votes in Florida.

Councilor Block stated that is 52 votes. Let's wait two years because she does not see bus loads of people going to Lori Edwards' office. Wait two years.

Councilor Prestage asked if we waited two years would it still be 2018?

City Attorney Cloud stated depends on what was provided. We struggled with this because we were asked to add this at the last meeting. Trying to address every possible question in as fair a way as we could, because obviously, it would not be fair to immediately implement it in an election that was gonna take place at the same time as you were voting on the Charter. You could draw up a Charter that would not go into effect until the same date, which is 2018, if that was your decision at the next time you considered this in two years.

Councilor Kimsey posed a question to City Attorney Cloud..... you're a history buff! In 1789 when they drew up the Constitution, was it Madison? It was in our Constitution that we have elected representatives in various Districts. What was his argument to bring that forward?

City Attorney Cloud replied that was Congress; and the Constitutional Convention of 1787. One of the compromises reached was to create Congressional Districts. The size and relative issue of those Districts over 200 years ago is way different in complexity and sheer numbers. If you compared it to today.

Councilor Kimsey asked what was the reason to have Districts?

City Attorney Cloud replied to try and split up the different areas into roughly equal population. The pool of people that could vote was much smaller. They did not allow a significant portion of our population to vote in the 1790's. Today, as long as you are an American citizen, you can vote; which I think is a good thing. It has increased the complexity. I want to say a two-year delay is not a bad idea, because it would give us additional time to get it right. We've struggled with this map. When you look at the boundary line on this thing...you all were not responsible for this boundary line, you know that. This is thank you Cori Carrier for such an interesting map. She annexed a quarter of the interchange for the Polk Parkway. I can remember having a phone conversation with Jim Studio, the City of Lakeland's Planner, as I represented Williams when they did this. It makes no sense because you can't tax it. Absolutely illegal under state law. There are tweaks to be done with this map.

Mayor LaCascia stated he has no problem waiting two years. However, moving forward do we just take *"creating city commission districts, defining their boundaries and providing for boundary"* to move this forward and vote on the Ordinance.

City Attorney Cloud instructed just exclude Section 5 of the Ordinance.

Councilor Block suggested an amendment be made to the motion for approval which would be to exclude Section 5 of Ordinance 2014-02, which refers to "Districting".

Motion by Councilor Prestage to amend the motion to exclude Section 5 of Ordinance 2014-02, which refers to "Districting"; the motion was seconded by Vice Mayor Blethen

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

CDBG Application for FFY 2013 presented by Scott Modesitt, Summit Professional Services, Inc. - Polk City intends to apply to the Florida Department of Economic Opportunity (DEO) for a grant under the Housing Revitalization (HR) category in the amount of \$650,000 from the Small Cities Community Development Block Grant

(CDBG) Program. For each activity that is proposed, Statewide 70% of the funds must benefit low to moderate income (LMI) persons. The proposed grant funded project will provide for physical improvements to housing units owned by low and moderate income homeowners. The selected applicants will be presented to the City Council for final approval. Approximately nine (9) homes will be rehabilitated, dependent upon the work to be done on each home.

Mr. Modesitt was at the Council meeting to conduct the second of two required public hearings necessary for the City to apply for the Housing Rehabilitation Category Grant. On November 18, 2013 was the first public hearing and at that time the City chose to proceed with the Housing Grant.

Mayor LaCascia opened and closed the public hearing. No one spoke for or against this Ordinance.

Councilor Prestage inquired about persons applying for this grant needing to be city residents.

Mr. Modesitt confirmed the persons will need to be city residents.

Discussion ensued.

Motion by Vice Mayor Blethen to approve the CDBG Application for FFY 2013 Housing Rehabilitation Grant application submission to the Florida Department of Economic Opportunity; the motion was seconded by Councilor Prestage.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

UNFINISHED BUSINESS

Proposed Community Center Project – City Attorney Cloud presented an update on research done as requested at the November 16, 2013 Special City Council Meeting. (hand-out available in City Clerk's office).

We had hoped to have drawings by tonight, but we do not. I am not asking or any action. I want you to know what the status is regarding this matter so you know where we are. We sat down with the gentlemen doing the engineering for the property owner of the adjacent property to the west.

Councilor Prestage inquired about the initial cost and then on a regular basis. Also requested clarity for voting on this particular item.

City Attorney Cloud stated this update is for your information purposes only and does not have to be voted on. However, a written agreement is recommended at this time, which would require a motion be made by the Council.

Councilor Prestage asked for clarification on the cost of the design, permitting and the actual building of this structure, the City will not incur any cost except utilities. The cost incurred will be that of Mr. Donald Bronson until such time, the City occupies the building.

City Manager Jackson reiterated the motion from the Special Meeting on November 16, 2013. See motion below:

***Motion by Mayor LaCascia** to proceed with Mr. Bronson's proposal and to investigate the issues that would need to be resolved for the development of a community center; the motion was seconded by Vice Mayor Blethen.*

***Vote:** Mayor LaCascia-aye, Vice Mayor Blethen-aye, Councilor Kimsey-aye, Councilor Block-nay; Councilor Prestage – aye*

Motion carried 4/1.

City Attorney Cloud suggested a meeting with the other party to iron out an agreement.

Councilor Kimsey asked if this needs to be in the form of a motion.

City Attorney Cloud replied yes if you wish to take action tonight.

Councilor Prestage requested clarity on who would incur the expense for things such as civil engineering. It is apparent that Mr. Bronson has already agreed to do so.

City Manager Jackson concurred that Mr. Bronson has agreed to take care of the architectural work and engineering expenses for that plan. The adjacent property owner has agreed to do all the Civil Engineering for everything else on the property at his expense.

Vice Mayor Blethen stated the next process is to go to some layout design where roads can go, doing a little more conceptual idea/drawing.

City Manager Jackson indicated that all parties involved are using the same engineer and architectural firm, so there will be one project manager for this Community Center project. The other party is getting all this work done because they wish to develop their property to the west. We had already discussed stormwater and working with them on a joint project for the stormwater. They have already agreed to pay all those expenses. If the City wants us to move forward with hammering out any issues, we need to sit down with them to see what they are agreeable to.

City Attorney Cloud stated looking back on developments that did not transpire during the previous administration; a Developers Agreement was missing. No one ever sat down with pen and paper and articulated written agreements on what was to be done. I would love to see you all proceed forward authorizing us to negotiate an agreement to bring back to you. There should be a written agreement so the City knows what to expect.

Councilor Kimsey asked if it would be proper to make a motion for City Manager Jackson and City Attorney Cloud to move forward with this with the other parties.

Vice Mayor Blethen asked for clarity on verbage for such a motion.

City Attorney Cloud stated ...to develop and negotiate a 3-party agreement to address all issues relating to this project to be brought back to this Council for review and approval.

Motion by Councilor Kimsey to develop and negotiate a 3-party agreement to address all issues relating to this project to be brought back to this Council for review and approval; the motion was seconded by Vice Mayor Blethen.

Councilor Prestage stated in all this negotiating and planning that we are doing, we still have not resolved the issue of whether we want a community center or not. We are basically continuing to take baby steps in that direction simply saying we want more information. That's good. At the same point, we really haven't decided if we want a community center. So, is it fair for Mr. Bronson to go out and spend all this money on engineering and making all this proposal without having this vote.

Councilor Blethen asked was there a motion for that to go ahead. The answer is yes or no to the Center.

Councilor Block stated that was the first motion made and I wanted to do a retake because it was my understanding on November 16. The motion in the minutes says Motion by Councilor Kimsey to determine if there is a need for a Community Center. We all assumed and I thought I had heard the wrong thing because that's what I thought I voted for. But this is to determine.....I thought we were going to research if there was a need. You all assumed, and maybe that's what the assumption is, is that we said there is a need and I said determine if there was a need. Then I see in this other form with my questions that the vote was unanimous that we need a community center. I thought I voted for what's in the minutes, Councilor Kimsey thought I voted to say yes there is a need. I don't understand. I think there is confusion as to the motion here.

City Attorney Cloud clarified the motion was to determine if there was a need for a Community Center. It is my understanding that these minutes were typed verbatim.

Councilor Kimsey asked if the need was established by a 4/1 vote?

City Attorney Cloud stated he thought a need was established. Maybe we just need to clarify that.

Mayor LaCascia asked if these were approved or draft minutes? What month?

City Manager Jackson responded approved on December 16.

City Manager Jackson stated other Council people thought the same thing because Councilor Prestage reiterated that we agreed that Polk City needed a community center.

Councilor Prestage asked if that was said in the minutes. He stated his opinion of that, not necessarily the fact that it had been determined.

City Manager Jackson responded, yes. Further stated there is a need for clarification on this motion.

City Attorney Cloud concurred.

Councilor Kimsey asked if we could do that by making another motion for the need of a community center.

City Attorney Cloud responded Yes. Instead of saying "IF", you would be saying "that there is a need for a community center". That would be the motion.

Connie Larson (265 Bayberry Drive) spoke in regards to the Community Center and information being presented to the public. Requested more information.

City Attorney Cloud stated on November 16, 2013, Donald Bronson made a presentation advertised significantly in the public. A part of our charge is go out and find the answers.

City Attorney Cloud asked if we have storm shelters now?

Councilor Block stated she had been looking into this for the County and one of our options is the school and all of the storm shelters are the schools now. I've been looking into this. It is actually a 3,200 square foot room. It is smaller than some of the houses we have. Once we get the staff in there for command control, which I assume we need T1 lines and all the communications, how many citizens can we actually put into a 3,200 square foot house. There's questions...I think there's frustration here of....well....let's take a look at the last three years of our Council. Let's look at the risk...what if we have a cost overrun for the community center. What if Mr. Bronson says if there are cost overruns, I don't have that. So, there are some risks. Another risk is... it is not self-supporting. So, let's look at the last few years of the community center and take a look again, see how many people paid, how much is there. I looked at this month. We collected \$450.00 and we paid \$480.00 to maintain it. So, that is not a lot.

But, if it's not self-supporting there, how would it be self-supporting here? And so, I am not saying I am for or against it, but I think if we are looking at if there is a need for it, that we have to build some kind of a business case to show the community that there is an actual need. If you look at the options, we have a big room over at the school that can be rented. Fantasy of Flight has room available and I went and talked with them and it's pretty cheap.

City Manager Jackson and Mayor LaCascia reiterated how information is relayed to the public regarding meeting and any other City activities taking place.

Gail Funk (202 Bayberry Drive) stated there is a need for more study on the proposed Community Center.

Bob Beyer (600 Meandering Way) provided positive input as to why Polk City is in need of a Community Center.

Councilor Block stated the need for Polk City to be cautious during this process. I am not saying don't do this.....I am saying just be cautious. We need to do a business evaluation.

Patty Johnson (430 Nolane Way) spoke in favor of the proposed Community Center.

Motion by Councilor Kimsey that there is a need for a Community Center/Storm Shelter; the motion was seconded by Vice Mayor Blethen.

Wanda Harris (no address given) spoke in favor of the proposed Community Center in Polk City. In her opinion, the Activity Center is not up to par and she would not rent it for any function.

Discussion ensued.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-nay, Councilor Prestage - aye

Motion carried 4/1.

Motion by Councilor Kimsey to develop and negotiate a 3-party agreement to address all issues relating to this project to be brought back to this Council for review and approval; the motion was seconded by Vice Mayor Blethen.

Vice Mayor Blethen asked would that include the questions posed as to what would be required in the community center/storm shelter?

City Attorney Cloud responded yes.

Councilor Prestage clarified that we have voted that there is a need for these two items and now voting to pursue a 3-party agreement.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

Councilor Block stated she is still trying to get this out of the document that there was a unanimous vote for a community center.

City Manager Jackson responded that the document reads to determine if there was a need. The document is correct.

Mayor LaCascia stated this vote supersedes it anyway. Correct!

City Manager Jackson responded, it does!

Councilor Kimsey stated we just determined that there is a need.

NEW BUSINESS

RESOLUTION 2014-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA, ADOPTING THE HOUSING ASSISTANCE PLAN FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; PROVIDING AN EFFECTIVE DATE.

Motion by Councilor Prestage to approve Resolution 2014-01; the motion was seconded by Vice Mayor Blethen.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

RESOLUTION 2014-02 - A RESOLUTION OF THE CITY COUNCIL OF POLK CITY, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT; PROVIDING FOR THE ADOPTION OF THE CITY'S COMPREHENSIVE PLAN AS THE CITY'S COMMUNITY DEVELOPMENT PLAN; PROVIDING AN EFFECTIVE DATE.

Motion by Councilor Block to approve Resolution 2014-02; the motion was seconded by Councilor Prestage.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

RESOLUTION 2014-03 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA; ENDORSING THE MEMBERSHIP APPORTIONMENT PLAN FOR THE POLK TRANSPORTATION PLANNING ORGANIZATION; AUTHORIZING THE MAYOR TO EXECUTE AN UPDATED INTERLOCAL AGREEMENT; PROVIDING AN EFFECTIVE DATE.

Motion by Councilor Kimsey to approve Resolution 2014-03; the motion was seconded by Vice Mayor Blethen.

Vote: Mayor LaCascia-aye, Councilor Kimsey-aye, Vice Mayor Blethen-aye, Councilor Block-aye, Councilor Prestage - aye

Motion carried unanimously.

CITY MANAGER / CITY CLERK ITEMS

City Manager Jackson reported on the following:

TPO Safe Routes to School - Not funded for 2015-2016.

Berkley Road Project –TPO will not be soliciting this type of project for 2014. The limited funding that TPO has would be available for construction on program studies like the Complete Streets PD&E and Old Dixie Trail PD&E.

Water Meter Replacement will be on the February agenda –The latest information will be placed in the Council’s mailboxes by the end of the week, so there will be adequate time for any questions that may need to be asked prior to the February 17 meeting. The information was emailed to Council on January 22, 2014.

Election Information for 2014 – Election day is April 1 - Qualifying for Polk City Municipal Election begins at 1:00 p.m. on 2/10/14 & ends at 1:00 p.m. on 2/13/2014. Seats up for election are as follows: Seat 2 (Don Kimsey); Seat 3 (Keith Prestage-the election will be to fill the unexpired term ending April 2016); Seat 4 (Joe LaCascia); Seat 5 (Trudy Block); Treasurers reports will be in the City Clerk’s Office.

Hydro tank – due to weather conditions, it should be installed by the end of January/first part of February.

Bacteriological Sampling Violation – five samples were supposed to been taken at Mount Olive Estates and only three were taken. A notice was placed in the newspaper.

Electrical Surges at Lift Stations – Discussion with Charles Nichols regarding surge protectors and upgrading the lift stations.

Water Use Permit Application - has been submitted. Awaiting final approval.

CITY ATTORNEY ITEMS - None

MAYOR ITEMS – Distributed a list of meeting/activities he attends throughout the year.

VICE MAYOR ITEMS - Thanked everyone for attending City Council Meeting.

COUNCIL MEMBER ITEMS

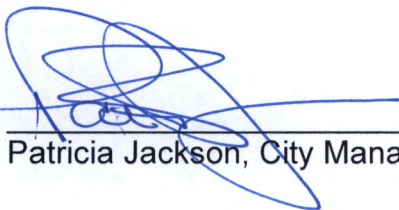
Councilor Block – Distributed a list of activities she attended during the month of December and January.

Councilor Prestage –Thanked everyone for their attending City Council Meeting and their participation.

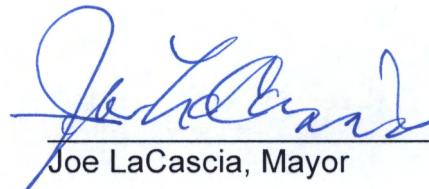
Councilor Kimsey – Thanked everyone for attending City Council Meeting and please continue.

ANNOUNCEMENTS – None

ADJOURNMENT- 8:45 pm



Patricia Jackson, City Manager



Joe LaCascia, Mayor

**CONSENT AGENDA
January 20, 2014**

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 – December 16, 2013 Regular City Council Meeting

B. REPORTS

1. Building Report –December 2013
2. Code Enforcement Report – December 2013
3. Finance Report – December 2013
4. Library Report – December 2013
5. Sheriff's Office Report – December 2013
6. Utilities Report – December 2013

C. OTHER – None

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.

In accordance with the American with Disabilities Act, a person with disabilities needing any special accommodations to participate in city meetings should contact the Office of the City Clerk, Polk City Government Center, 123 Broadway, Polk City, Florida 33868 Telephone (863)984-1375. The City of Polk City may take action on any matter during this meeting, including items that are not set forth within this agenda.

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.