

CITY COMMISSION MINUTES

May 18, 2015

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

Rev. 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, Assistant to the City Manager

Present: Mayor Joe LaCascia, Vice Mayor Mike Blethen, Commissioner Don Kimsey, Commissioner Keith Prestage, Commissioner Wanda Harris, City Manager Patricia Jackson and City Attorney Thomas Cloud

ESTABLISHMENT OF A QUORUM - Yes

CONSENT AGENDA

Motion by Commissioner Prestage to approve the Consent Agenda; this motion was seconded by Commissioner Harris.

Motion carried unanimously.

PRESENTATIONS/RECOGNITIONS - None

PUBLIC COMMENTS - None

AGENDA

Public Hearing - Ordinance 2015-01, repealing Sections 74-98(E) and 74-265(E) dealing with lien search fees, second and final reading

Mayor LaCascia stated this item is coming forward as a result of public comments at the March City Commission Meeting.

City Attorney Cloud read Ordinance 2015-01 by short title. Mayor LaCascia opened the public hearing; there being no questions or comments, Mayor LaCascia closed the public hearing.

Motion by Vice Mayor Blethen to approve Ordinance 2015-01, repealing Sections 74-98(E) and 74-265(E) dealing with lien search fees on second and final reading, this motion was seconded by Commissioner Prestage.

No discussion.

Vote: Mayor LaCascia-aye, Vice Mayor Blethen-aye, Commissioner Kimsey-aye, Commissioner Prestage-aye, Commissioner Harris-aye

Motion carried unanimously.

Electric Utility Easement

City Attorney Cloud read and explained. In the process of approving the Site plan for the construction of the Community Center, it became apparent that there was a piece of property for which the city of Lakeland did not have adequate electric utility easement. Therefore, a document was prepared in conjunction with the City of Lakeland, the property owners (Mr. Kazbour and Polk City) to create a legal description for the transformer, which has already been set in place. This is a clean-up document being done for the Community Center. Approving this is recommended.

Commissioner Kimsey asked why an easement is necessary, and is this underground?

City Attorney Cloud responded an easement is necessary. Without it, the transformer that will service the Community Center, along with City Hall, will not have electricity. Yes, it is underground.

Motion by Commissioner Prestage to approve the Electric Utility Easement; this motion was seconded by Vice Mayor Blethen.

Motion carried unanimously.

Resolution 2015-01 - Surplus Items

City Manager Jackson read Resolution 2015-01 by title only. She explained in order for items to be surplus, a Resolution has to be adopted by the City Commission. There are 943 books at the Library and the Water Department has 889 water meters, 75 registers and 59 water meters without registers. These items must be surplus in order to be discarded or donated, as deemed appropriate.

Vice Mayor Blethen asked who the 943 books belonged to?

City Manager Jackson responded these are City-owned books.

Library Director Linda Busch provided further explanation on how the library books qualify for surplus.

Discussion ensued.

Motion by Commissioner Prestage to adopt Resolution 2015-01 – Surplus Items; this motion was seconded by Commissioner Harris.

Motion carried unanimously.

Update on the Review of properties on the north side of SR 33, between SR 33 and 1st Street and between Pope Avenue and Railroad Avenue

Jennifer Codo-Salisbury stated back on April 20, 2015, the City Commission conducted a Workshop to discuss the properties on the north side of SR 33, between SR 33 and 1st Street and between Pope Avenue and Railroad Avenue. Those properties have a Future Land Use designation of Commercial and have a General Commercial Zoning District. Some of the properties have residences on them. The way the Code is currently written, if those residential structures were ever destroyed beyond 50%, they could not be replaced. The Land Development Code was reviewed to see how to remediate these situations. The proposed amendment would add existing single family residential structures to the table of uses. In the C-2 Zoning District those would be permitted; which means, if they were ever destroyed beyond 50%, they could be replaced. However, if a person owns a vacant lot today, this does not allow the owner to put a new residence on the property if they did not have one previously.

This is the DRAFT, based on comments from the Workshop. This item will go before the Planning Commission and based on their recommendation, will be presented to the City Commission for final approval.

Discussion ensued.

CITY MANAGER / CITY CLERK ITEMS

Central Florida Regional Water Supply Plan – Polk County and SWFWMD met in Haines City and approved a resolution. There will be a regional co-op formed that will represent each City in Polk County. Will be planning a workshop in early June. Will keep everyone posted via email on the date scheduled for the workshop.

Polk County Impact Fees – Polk County is finalizing.

Sounds of Polk City – Meeting scheduled for Tuesday night @ 5:30 pm. Possible event in November and then another in early Spring. There is a lot of interest.

Central Florida Water Initiative – May 21, 2015 City Manager Jackson will be attending.

Memorial Day – City Offices will be closed on Monday, May 25 in observance of Memorial Day.

City Managers Annual Conference –Will be attending the conference Wednesday, May 27 – Saturday, May 30.

Central Florida Water Conference – Will be attending this Conference on Monday, June 1 at the Chain of Lakes Complex in Winter Haven.

CITY ATTORNEY ITEMS

City Lobbyist Registration – Recently, the Florida Legislature was in the process of adopting a lengthy statute that did not make it. The proposed Bill made it through the Senate, but not the House. A part of that Bill would have imposed, on every City, County and Special District with over a \$5 million annual budget, the requirement to register Lobbyist. The question remains on whether or not something like this is important. But, we were within an unconstitutional recession of the House from having that as a legal requirement this year. From all indications, this Bill will be back next year when there is a time deadline placed on it that would require the cities to have these rules in place or be stuck with the State registration, which is rather lengthy and has a lot more information than local government's registration might.

Therefore, the question is....would the City Commission like for Attorney Cloud to begin work on an Ordinance for Municipal Registration for those who appear on behalf of another, otherwise known as Lobbyist.

This is now required when appearing before the Executive Branch or the Legislature. Required to register who is being represented. The preference is to work on an Ordinance now and have it ready when the Legislature comes back and passes it. There is a strong desire to pass this Ordinance and language already in place to do so. There are a number of these type registrations already in Florida.

Republic Services Solid Waste Franchise Agreement – Polk City has a number of Franchise Agreements and one of them needs to be modified. It needs to be clear that the Franchise holder is in compliance with State law. They have agreed to this modification.

City Attorney Cloud provided a copy of the one page Amendment to the Republic Services Solid Waste Franchise Agreement.

Before a final decision is made, the City Commission needs time to review.

Commission consensus to review the Amendment and be prepared to take action on this item at the June meeting.

COMMISSIONER ITEMS

Vice Mayor Blethen – Thanked everyone for attending. Discussed doing an RFP for Utilities and planning a workshop for this project.

City Manager Jackson provided further explanation. Commissioners concurred.

Commissioner Kimsey – Thanked everyone for attending.

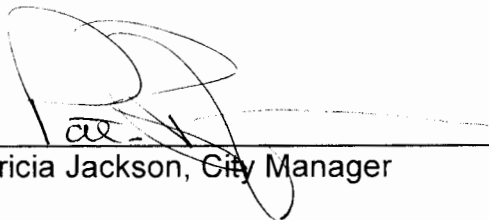
Commissioner Harris – Thanked everyone for attending.

Commissioner Prestage – Thanked everyone for attending. He will be absent on June 8 and July 20. Special recognition to Marjorie Voyles Judy as she was one of the original pioneers of Polk City. A proclamation is being planned for a later meeting date in honor of Marjorie Voyles-Judy.

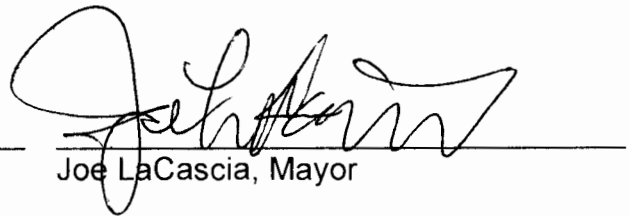
Mayor LaCascia – Discussed the Mobile Food Pantry scheduled for June 30, 2015 and will provide groceries to approximately 200 families. Still seeking volunteers. Working to get a Food Pantry in Polk City on a regular basis.

ANNOUNCEMENTS – None

ADJOURNMENT – 7:50 pm



Patricia Jackson, City Manager



Joe LaCascia, Mayor