

CITY COMMISSION MINUTES

October 19, 2015

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

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

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

ROLL CALL – Assistant to the City Manager Sheandolen Dunn

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

APPROVE CONSENT AGENDA

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

Motion carried unanimously.

PRESENTATIONS AND RECOGNITIONS

Mayor LaCascia read the Family Week Proclamation which is designated for November 14-20, 2015.

PUBLIC COMMENT (ITEMS NOT ON AGENDA) - None

ORDER OF BUSINESS

PUBLIC HEARING - Ordinance 2015-04 – Impact Fee Moratorium – an Ordinance of the City of Polk City, Florida; providing Legislative Findings; Continuing and Imposing a Moratorium on Collection of Impact Fees, other than Impact Fees for Water and Sewer Services for Three Months; providing for severability; providing an effective date – **second and Final reading.**

City Attorney Cloud read Ordinance 2015-04 in its entirety.

Motion by Vice Mayor Blethen to adopt Ordinance 2015-04 Impact Fee Moratorium on second and final reading; this motion was seconded by Commissioner Kimsey.

No Discussion.

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

Motion carried unanimously.

Aswad Property Extension Request for submittal of Preliminary site plan

Kathy Delp, Public Works Director stated Dr. Mohamed Aly El-Aswad (Property owner) is requesting an extension of time to submit a preliminary site plan per their approved PUD.

Per section 4.9 of the approved PUD the owner had one year in which to submit & obtain approval of a preliminary site plan; they have not submitted the site plan. Their approval expired on 9/16/14.

Per our PUD Ordinance 1098 Section R the applicant may petition the City Commission for an extension of the time limit based upon good cause, as determined by the City Commission.

Attorney Jimmy Crawford spoke on behalf of Dr. Aswad to plead the case requesting an extension.

Attorney Crawford stated Dr. Aswad is an investor and has owned this property for several years. He is currently in Egypt and will not be the developer.

Vice Mayor Blethen asked for clarity on what the motion states versus what the letter says September 20, 2017 and if they were really expecting any construction on this property.

Attorney Cloud stated the motion was to grant the extension as requested. Just want to make sure the Commission understands the length of the request. There was a reason for the request when this was approved two years ago. You are perfectly free to grant the request.

Commissioner Prestage stated even if the one year extension is granted and Dr. Aswad could not accomplish what needed to be done in one year, he would be back to request another extension.

Motion by Commissioner Kimsey to approve the Aswad Property extension request through September 1, 2017; this motion was seconded by Commissioner Prestage.

Motion carried unanimously.

Resolution 2015-03 – Polk County Local Mitigation Strategy Plan

Pete McNally, Polk County Emergency Services was on hand to provide clarity on Polk County Local Mitigation Strategy Plan which has been in existence for approximately 15 years and this is the 5th update of the Plan. Mr. McNally discussed how this Plan works throughout Polk County and the benefits provided to each city. A Resolution of the City Commission of Polk City, Florida; approving its portion of the Polk County Local Mitigation Strategy. Adoption of this Plan ensures Polk City’s eligibility for post disaster hazard mitigation grant funding in the years ahead. Link to Mitigation Plan: www.polkcountylms.org

Motion by Commissioner Prestage to approve Resolution 2015-03 – Polk County Local Mitigation Strategy Plan; this motion was seconded by Commissioner Harris.

Motion carried unanimously.

PUBLIC HEARING - Ordinance 2015-05 – Amending FY 2015 Budget

City Manager Jackson stated the reason this budget is being amended is due to monies received for impact fees and those are expensed out as going into restricted reserves. Therefore, the budget needs to be amended to reflect those figures so we meet all financial requirements by the State of Florida. The original amount budgeted for water impact fees was \$34,940. Sewer impact fees were \$88,300. The actual amount received was \$66,386 for water impact fees and the sewer impact fees were \$167,770.

We need to increase the budget for the Enterprise side in the amount of \$110,916. Therefore, amending the bottom line of the budget for FY 2015 by \$3,938,716.00. We initially budgeted \$3,827,800.00. These funds were received in 2015 and have to be accounted for in 2015, not 2016, because it changes the bottom line on the expenditure side. Expenditures that go into the restricted funds are a part of the budget. It is in restricted funds for impact fees.

Commissioner Kimsey stated that we are just doing “housekeeping” for what has already taken place.

City Manager Jackson stated we have to wait until the end of the fiscal year to do any “housekeeping”.

Vice Mayor Blethen asked for a list of all reserve monies.

City Manager Jackson stated the Commission gets a balance sheet each month showing such.

Attorney Cloud further clarified the process for amending the budget. State Budget Law on Financial Reporting requires municipalities to take a snapshot of what is predicted to

happen. It is typically more convenient to send out a report each month. At the end of the budget year when the data is in, then correct the budgetary number in the report.

Discussion ensued.

Motion by Commissioner Prestage to approve Ordinance 2015-05 amending the FY 2014-15 Budget; this motion was seconded by Commissioner Kimsey.

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

Motion carried unanimously.

CITY MANAGER ITEMS

- **Community Center Rules/Regulations** – After lengthy discussion, a Workshop is scheduled for Thursday, November 5, 2015 at 7:00 pm
- **Safe Haven Halloween** – Thursday, October 29, 2015, 5:30 pm – 8:00 pm
- **Swampland Music Festival** – Saturday, November 21, 2015, 10:00 am – 7:30 pm
- **Veterans Day** – The City offices will be closed on Wednesday, November 11, 2015 and resume normal business hours on Thursday, November 12, 2015
- **Aquarina Waterworks Inc.** – Began their contract on October 1, 2015. In this short time span, several items have been found and corrected. The City's portion of the Performance Bond has been paid.

CITY ATTORNEY ITEMS - None

COMMISSIONER ITEMS

Vice Mayor Blethen – Expressed concern regarding signage on the blue building next to Domino's Pizza, across the street from Polk City Elementary, which advertises "guns and ammo". This is supposed to be a Motorcycle Apparel and Accessories Shop. Requested information about workshops for future five-year planning projects and cleaning up the basketball courts.

Kathy Delp stated the only thing that we have given approval for was the Motorcycle Apparel and Accessories Shop. This will be investigated further from a Code Enforcement standpoint.

City Manager Jackson stated we can look at the current five year projects. If time allows at the workshop we can look at the five year projects.

City Attorney Cloud stated the Florida Legislature passed a Statute which pre-empted gun store regulation from local governments. Therefore, local governments have no governing authority as far as guns are concerned.

Commissioner Kimsey – Discussed honoring General Van Fleet. Shared with the Commission several items he would like to see displayed in the Community Center in honor of General Van Fleet. Would also like to see a Historical Committee formed to handle Historical items in Polk City.

Commissioner Harris – Thanked everyone for coming.

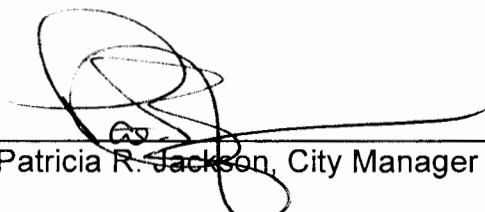
Commissioner Prestage – Inquired about grant money for speed bumps as he has received inquiries from residents. Thanked Commissioner Kimsey for bringing forth historical information on General Van Fleet. Thanked everyone for attending the City Commission Meeting.

Sgt. Conover responded the grant has not been approved yet.

Mayor LaCascia – thanked everyone for coming to the meeting. Will report on several items next month.

ANNOUNCEMENTS – None

The meeting adjourned at 8:13 p.m.



Patricia R. Jackson, City Manager



Joe LaCascia, Mayor