

## CITY COMMISSION WORKSHOP MINUTES

November 5, 2015

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Vice Mayor Mike Blethen called the meeting to order at 7:00 p.m. Recessed until Mayor LaCascia arrived. Meeting reconvened at 7:05 pm.

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

**Absent:** Commissioner Wanda Harris

### ORDER OF BUSINESS

#### 1) Donald Bronson Community Center Rules and Regulations

This item is being brought forth to discuss the Donald Bronson Community Center (DBCC) rules and regulations for rental of the building.

Commissioner Prestage requested clarification on the pricing for each of the categories listed on the proposed application and the fee where alcohol consumption is concerned. If a person wants to have alcohol, there is a \$250 deposit as a resident and \$500 for alcohol. The officer has to be paid a minimum of four (4) hours - \$30/hour x 4 hours = \$120.

Commissioner Prestage stated we pride ourselves in being a City that honors family values. If someone comes to our facility to rent, and they meet all the requirements, that means someone is leaving our facility under the influence and getting behind the wheel of a car.

Vice Mayor Blethen stated it is important to match what other cities are doing as far as pricing the rental facilities. The \$500 fee will cause a person to be a bit more responsible during the rental. It is important that we promote our facility for rental.

Commissioner Prestage asked for clarification from Vice Mayor Blethen regarding allowing the use of alcohol as being a drawing point for renting our facility.

Vice Mayor Blethen stated not necessarily a draw or a negative. Someone can have alcohol if they so choose.

Commissioner Prestage stated that was irrelevant...if the consumer decides to consume more or less.

Vice Mayor Blethen stated they don't have to drink at all.

Commissioner Kimsey stated not putting it on there could be a hindrance.

Commissioner Prestage stated he does not necessarily want to go along with what every other City is doing. If we want to do this for a year, not allowing alcohol, may be something that we can consider. If the situation presents itself in a year to revisit, we can do so.

Commissioner Prestage stated once we see how rentals are going for the DBCC, we can certainly increase or decrease next year after we see how rentals go.

Commissioner Kimsey stated the fees should be based on the clientele.

Commissioner Prestage stated base the fee on usage.

City Manager Jackson stated the Activity Center is still available for less than 100 people. Maximum capacity is 94.

City Manager Jackson stated that she has not found where the City has adopted a Resolution or made a policy about no alcohol on city property. There is nothing in the Code of Ordinances.

Commissioner Prestage addressed the use of Alcohol. No alcohol of any kind is permitted on City property. This addresses a lot more than just the building. There is also no smoking in the building. Gambling is not allowed in any City building. This is State law.

City Manager Jackson reiterated Polk City does allow smoking on City property, just not inside the building.

City Attorney Cloud stated there is an Ordinance in place....Chapter 6 states – *“It shall be unlawful for any person to consume or have in his or her possession any alcoholic beverage in an open container on any public street, thoroughfare, sidewalk, except in a licensed sidewalk cafe, or on any public or semipublic parking area in the incorporated area of the town, unless the owner of such property consents in writing to the consumption of alcoholic beverages on such property”*. Nothing is allowed in the parking lot and on the public right-of-way.

Commissioner Prestage inquired about requiring an alcohol permit.

City Manager Jackson stated there are other cities that require a permit, but our insurance company has indicated that if a company is catering an event and alcohol is being served, they will need to be insured. The insurance requirements that the renter and/or any vendor providing food and bar services would have to have \$500,000 in General Liability and the City would be an additional insured. Liquor Liability is \$500,000 and Workmen’s Comp is statutory. The insurance company would like for Polk City to require this, but it is not mandatory.

Commissioner Prestage stated he has seen the results of what alcohol consumption produces.

Commissioner Kimsey posed a scenario...an organization wants to use the building and alcohol is permitted, but the renter will not have alcohol, that organization does not have to take out the necessary permit to have alcohol.

Mayor LaCascia stated the alcohol should be allowed with the appropriate rules and regulations in place. This is a Community Center for the community to enjoy responsibly. We just need to protect this asset, which is public property.

City Manager Jackson provided clarification - the \$500 deposit for alcohol takes the place of the \$250 deposit. Only the deposit is refunded. The fee for the extra duty detail is not refunded. The security fee is required when alcohol is being served at an event.

City Attorney Cloud stated there is one type of regulation that is permitted in the parks and in the community buildings, but you have to pay for it; there is another as is listed in the Haines City code which is prohibited unless we grant an exemption. Two types of exemptions...the one for Lake Eva must be approved by the City Commission and the other category for smaller facilities can be approved by the City Manager. The general rule for Lake Eva is no alcohol can be consumed.

Mayor LaCascia stated we have a Community Center (Activity Center) that we have had for years. Have we had any situations come up? Why should this be any different?

Commissioner Prestage stated we do not allow alcohol in the Activity Center.

Vice Mayor Blethen reiterated his desire to get the building utilized. It does not have to be complicated.

City Manager Jackson discussed the start and end time of rentals. We do not charge per hour. It is a full-day rental. Activity Center rental times are from 9:30 am – 12:00 midnight. The building has to be cleared out by Midnight. There have been no issues thus far. In the current Activity Center, the renter comes in early to get the room decorated and the event may not start until a few hours later. A start time is required on the application. Staff governs the entry time. The control mechanisms are in place. There are not a lot of night rentals, but some late afternoon functions in the DBCC. If the Commission wants an ending time to be 11pm, that can be a part of the guidelines. Law Enforcement personnel is in place to enforce City policies. There is a four hour minimum for a special duty officer; therefore if the renter has the building rented for three hours, they would still have to pay for four hours. The application packet currently has four pages. However, we can put everything on one sheet to keep it simple and easy to read.

Mayor LaCascia stated there are three elements that need to be addressed – fees, terms and conditions, and rules and regulations. We are not voting on anything tonight.

Commissioner Prestage stated something has to be done regarding alcohol.

City Attorney Cloud stated if Polk City is going to permit alcohol, the City needs to place a provision in the Code of Ordinances that deals with alcoholic beverages, which acknowledges you can do that and sets the parameters in one paragraph in the Code of Ordinances, which is incorporated into every lease where alcoholic beverages will be used at an event. Right now, as far as inside the building, Polk City's Ordinance is silent; therefore, it is up to the City Commission to decide whether alcoholic beverages can be consumed inside a City facility. Whatever is agreed upon by the City Commission should be adopted by Resolution. Address the issue of alcoholic consumption within city buildings in the Ordinance as briefly as possible. The Resolution would be attached to the final application packet presented to the potential renter.

Commissioner Prestage recommended modifying the language for Alcohol use on the application to reflect Security Fee "*Required*" instead of Security Fee "*if needed*".

Mayor LaCascia stated the application packet with, the additional reference that City Attorney Cloud will provide, should be sufficient. The responsibility of the Commission is to protect the public asset, not to regulate the behavior of people.

City Attorney Cloud will provide language for the abovementioned discussion regarding alcoholic beverages. Information will be available for the November 16, 2015 City Commission Meeting.

The consensus of the City Commission was the rules and regulations, as well as fee schedules for each center being rented in Polk City, will be in one packet (Freedom Park, Activity Center and the Donald Bronson Community Center).

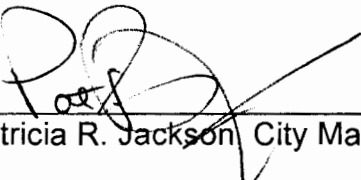
Vice Mayor Blethen stated the need to get out and advertise the Donald Bronson Community Center.


City Manager Jackson stated that we've had quite a few inquiries about renting the Community Center, but until we get fees approved by the City Commission, we will use the fees currently in place for the Activity Center.

Discussion ensued.

**ANNOUNCEMENTS** – None

**Adjournment** - 8:15 p.m.

  
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Patricia R. Jackson, City Manager

  
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Joe LaCascia, Mayor