

CITY COMMISSION MINUTES

February 19, 2018

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

Keith Prestage, Public Works Director, 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 Wanda Harris, Commissioner Mike Blethen, Commissioner Don Kimsey, Commissioner Randy Carroll, City Attorney Thomas Cloud and City Manager Patricia Jackson

APPROVE CONSENT AGENDA

Motion by Vice Mayor Harris to approve the Consent Agenda; however, the approval was by voice vote. **Motion carried unanimously.**

PRESENTATIONS AND RECOGNITIONS - None

PUBLIC COMMENT

Sandra Cutts (315 Central Avenue) Would like to see Polk City do more for the residents. Pleased with the renovations at the Activity Center.

Laura Lambert (414 Meandering Way) – Break in the water line and not pleased with the comments from the person answering the phone. Inquired about the financial statements not being up to date on the website.

City Manager responded that it was no one from City Hall. It was the answering service. She will address the issue. Also, the financial statements will be posted on the website after the work is complete with the conversion.

Mark Lanier (334 Clearwater Lake Drive) – Vendors in the Right-of-Way. Parking in the Right-of-Way in front of the Circle K.

City Manager Jackson responded that one vendor does have a current license and is grandfathered in. Other vendors are not and will be addressed accordingly. Possible that FDOT could place "DO NOT PARK" signage in specific areas. City Manager Jackson will call Mr. Lanier to address this issue further.

Deputy Poindexter stated that one specific area he was referring to was not inside the city limits.

ORDER OF BUSINESS

Public Hearing – Ordinance 2018-01

An Ordinance proposing an amendment to the Charter of Polk City, Florida; providing the right, duty and obligation for the citizens of Polk City to hold a referendum as a required condition before buying or selling a water or wastewater utility; requiring sixty percent of those voting to vote in favor of buying or selling such a utility; repealing all ordinances in conflict herewith; providing for an election in which qualified electors of the city may vote for or against this charter amendment; providing for a ballot question; providing for public notice; providing for severability; providing for conflicts; providing an effective date. Second and Final Reading.

This Ordinance will be placed on the ballot on April 3, 2018.

City Attorney Cloud read Ordinance 2018-01 by title only. Mayor LaCascia opened the Public Hearing. No one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

Motion by Commissioner Carroll to approve Ordinance 2018-01 on Second and Final Reading; this motion was seconded by Commissioner Kimsey.

Commissioner Blethen requested clarity on this Ordinance.

City Attorney Cloud provided a thorough explanation. Anytime a city wants to consider buying or selling a Utility, the question has be put forth to the electorate as to whether the City should be permitted to do so. This requires a disclosure of the terms and conditions of the proposed purchase or sale. Utility is a business operated in a proprietary capacity.

Lengthy Discussion ensued.

Roll Call Vote: Commissioner Carroll–aye, Commissioner Blethen–aye, Vice Mayor Harris–aye, Commissioner Kimsey–aye, Mayor LaCascia–aye

Motion carried unanimously.

Triparty Fire Flow Agreement with Auburndale and Fantasy of Flight

City Manager Jackson discussed the Fire Flow Water Service Agreement with Auburndale and Fantasy of Flight. One year ago, Polk City approved the Fire Flow Agreement; however, Kermit Weeks and his attorneys addressed specific items within the agreement which resulted in minor changes being made which clarified the

agreement. One significant change was modifying the agreement from thirty (30) years to ten (10) years. Kermit Weeks and the City of Auburndale have signed the agreement; therefore this final agreement is being presented to the City Commission for approval.

Motion by Commissioner Blethen to approve the Fire Flow Agreement with Auburndale and Fantasy of Flight; this motion was seconded by Commissioner Carroll.

Roll Call Vote: Mayor Lacascia - aye, Commissioner Blethen - aye, Commissioner Kimsey - aye, Vice Mayor Harris aye, Commissioner Carroll - aye

Motion carried unanimously.

Department of Economic Opportunity - Competitive Florida Partnership Technical Assistance Grant Agreement

Jennifer Codo-Salisbury, Deputy Director, CFRPC presented the Department of Economic Opportunity - Competitive Florida Partnership Technical Assistance Grant Agreement. Polk City was one of the Local Municipalities that received this grant from the Florida Department of Economic Opportunity. This grant allows Polk City to work with local residents, business owners on an Economic Development strategy with CFRPC staff discussing what's working and what's not working and the economic needs in Polk City. The final product will be a draft economic strategy presented to the City Commission. A Community Workshop on Parks and Recreation is scheduled for Saturday, March 10. The Agreement presented for approval is the Competitive Florida Partnership Technical Assistance Grant Agreement.

Commissioner Kimsey inquired about what kind of businesses could come to Polk City and be successful.

Jennifer Codo-Salisbury responded that is what we hope to determine in the upcoming Community Workshops.

Discussion ensued.

Motion by Vice Mayor Harris to approve the Department of Economic Opportunity - Competitive Florida Partnership Technical Assistance Grant Agreement; this motion was seconded by Commissioner Blethen.

Motion carried unanimously by voice vote.

Planning Advisory Services Agreement with Central Florida Regional Planning Council

Jennifer Codo-Salisbury, Deputy Director, CFRPC presented the Planning Advisory Services Agreement with Central Florida Regional Planning Council. Allows CFRPC to

continue working with staff on Planning projects for the betterment of Polk City. This Agreement is in the amount of \$36,000.

Motion by Commissioner Carroll to approve the Planning Advisory Services Agreement with Central Florida Regional Planning Council; this motion was seconded by Mayor LaCascia.

Commissioner Blethen inquired if this money was in the budget?

City Manager Jackson responded these grants were not received until after the budget was complete. The \$36,000 comes and goes out as \$36,000; therefore the budget will need to be amended. Polk City's contribution portion is zero.

Discussion ensued.

Motion carried unanimously by Voice Vote.

Discussion of Additional PCSO Deputy – Commissioner Kimsey

Mayor LaCascia turned over discussion to Commissioner Kimsey. Commissioner Kimsey commented Polk City has always had one Deputy. Mayor LaCascia and City Manager Jackson advised Polk City had six to seven Deputies at one time until 2010/2011. Commissioner Kimsey commented about the growth, the recent criminal activity that has plagued Polk City, as well as several murders, and he would like to see more police protection.

Commissioner Kimsey made the motion to secure funds for a second Deputy (the cost is approximately \$80,000 year); the motion was seconded by Vice Mayor Harris.

During discussion Commissioner Blethen feels we should wait until the next budget and look at the monthly reports, and he discussed having a Deputy at the school crossing when school lets in and out.

Mayor LaCascia asked Deputy Poindexter how her role would change, and how an additional Deputy would work. Deputy Poindexter advised she does not personally think a Deputy is needed at this time – the statistics show that crime has decreased. Mayor LaCascia commented he has not heard an “outcry” from the citizens. Crime has gone down by 17% in 2017; he reviews the monthly reports and the pro-cap crimes are not a trend.

Sandra Cutts (315 Central Avenue) addressed the Commission regarding the drivers who “act like idiots”, running stop signs and driving fast during the hours there is no Deputy. Deputy Poindexter asked if the Sheriff's Office was called, and the response was no.

Commissioner Blethen asked if the Deputy could sometimes work on a Friday and/or Saturday night. Deputy Poindexter suggested the City check into a special detail for that type of coverage.

Mayor LaCascia asked to have a workshop to explore available options. Commissioner Kimsey withdrew his motion and Vice Mayor Harris withdrew her second.

City Commissioners to Present Individual Plan for Obtaining Required Vehicles

Each Commissioner presented their recommendation for purchasing vehicles for the Public Works and Utilities Department.

Commissioner Blethen – Repair two vehicles

Commissioner Carroll - Purchase two trucks this year (2018); purchase one in 2019, and purchase one more in 2020.

Vice Mayor Harris – Repair two vehicles now. Purchase one F150 in 2018 and in 2019 purchase two trucks.

Commissioner Kimsey – Repair two. Don't buy anything. See if Polk City can buy an F150 for \$10,000 or less in 2019. Polk City still needs to get a new deputy.

Mayor LaCascia – We need four vehicles. We have five employees, two in Public Works. Use \$10,000 as a down payment and finance vehicles over the next five years.

After lengthy discussion and City Manager Jackson reiterating the needs of the Public Works and Utilities Department, the final consensus was to repair two vehicles and buy two new vehicles this year.

Motion by Mayor LaCascia to repair two vehicles and buy two new vehicles this year; this motion was seconded by Vice Mayor Harris.

Roll Call Vote: Commissioner Carroll – aye, Commissioner Blethen – nay, Vice Mayor Harris – aye, Mayor LaCascia – aye, Commissioner Kimsey – nay

Motion carried 3/2.

CITY MANAGER ITEMS

MOSN Utility Bills discussed by Mr. Kuhn, MOSN 1 HOA Acting President - In December 2017 Mr. Kuhn contacted City Manager Jackson regarding electric bills that MOSN was paying on the Polk City's Sprayfield. The Developer signed over the electric bills and MOSN has been paying them since 2010. Polk City needed to acquire the actual bills from Lakeland Electric. We are now in possession of those bills.

From 2010 – 2017, the balance due is \$11,276.69 is the balance due to MOSN. This does not include the two or three bills in 2018.

As per City Attorney Cloud there is a state statute of limitations that we can go back four years. We can only recover the cost that we are aware of through our rates.

Mr. Kuhn stated this information would be taken back to the Board. \$5,000 is totally unfair. Had the situation been known, Polk City would have been paying the bills all along anyway. This was an error in bookkeeping, nobody knew it was there. This is insulting, but if this is Polk City's offer, put it in writing and the Board will discuss. The meter will remain in MOSN's name until this issue is resolved.

Commissioner Kimsey asked Mr. Kuhn if \$11,000 was sufficient?

Mr. Kuhn stated \$11,000 was fine, he would not haggle over a few dollars, but \$5,000 is not acceptable.

Mayor LaCascia stated before this goes to the MOSN Board, the City Commission will discuss with City Manager Jackson and get some further instructions as to how this is going to work, where the funds will come from.

City Manager Jackson stated this would have to come back to the City Commission as this is above her expenditure limit.

City Manager Jackson will look into wastewater fund, which is where the \$11,300 would come from.

Mayor LaCascia suggested paying half now and the final half in the next fiscal year.

Mayor LaCascia states that MOSN should be paid in full.

Commissioner Kimsey wants Polk City to do the right thing.

City Attorney Cloud advised any settlement would need to include a release.

FDEP Effluent Disposal Project – The financial assistance has been approved. Polk City must advertise in the newspaper for RFQs. The responses are due back by February 28. Staff will complete review sheets of the RFQ's received. This information will be brought back to the City Commission in March for consideration to meet the requirements of the audits and the State Statute.

Bryant Property Closing - scheduled for February 28, 2018. Phase I Environmental Study was done. A Phase II Environment Study is not necessary, as there is no risk of environmental contamination.

City Elections – The four incumbents ran unopposed and will be sworn in during the April meeting. The referendum will remain on the ballot regarding the sale or purchase of a Water and Wastewater Utilities. All elections will be held at the Donald Bronson Community Center.

Library - Suzette Penton is now the Acting Librarian.

Florida Gas Transmission Pipeline Testing - scheduled for early morning on Monday, March 12, 2018.

CITY ATTORNEY ITEMS - None

COMMISSIONER ITEMS

Vice Mayor Harris – Thanked everyone for their patience.

Commissioner Blethen – The BMS Mailing Contract which was on the Consent Agenda should have been discussed. There were no bids on this item.

City Manager Jackson explained the process.

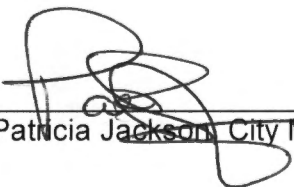
Commissioner Kimsey – The sprinkler system on SR 33, just north of Berkley Road, needs to be adjusted so the street is not being watered.

Commissioner Carroll – College Scholarships for Polk City students will be on the March Meeting Agenda. Thanked everyone for coming.

Mayor LaCascia – None

ANNOUNCEMENTS - None

ADJOURNMENT – 9:25 pm



Patricia Jackson, City Manager



Joe LaCascia, Mayor

CONSENT AGENDA
January 16, 2018

MAY ALL BE APPROVED BY ONE VOTE OF COMMISSION TO ACCEPT CONSENT AGENDA. Commission 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 18, 2017– Regular City Commission Meeting

B. REPORTS

1. Building Report – December 2017
2. Code Enforcement – December 2017
3. Library Report – December 2017
4. Polk Sheriff's Report – December 2017
5. Public Works Report – December 2017

C. OTHER