

CITY COMMISSION MINUTES

July 16, 2024

Mayor LaCascia called the meeting to order at 6:00 pm.

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

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

ROLL CALL – Assistant City Manager Sheandolen Dunn

Present: Mayor Joe LaCascia, Commissioner Micheal T. Blethen, Commissioner Charles Nichols, Commissioner Rick Wilson, Commissioner Michelle Pettit, City Attorney Thomas Cloud and City Manager Patricia Jackson

APPROVE CONSENT AGENDA

Motion by Commissioner Blethen to approve the **June 18, 2024** Regular City Commission Meeting, Department Reports, and other items on the Consent Agenda; this motion was seconded by Commissioner Pettit.

Motion carried unanimously by Voice Vote.

PUBLIC COMMENT

Daniel Medeles (Black Rock Real Estate) – spoke in an effort to appeal the City Commission’s decision at the June 18, 2024 City Commission Meeting, at which they denied the request for a lien reduction for the 620 2nd Street property.

Commissioner Pettit asked Mr. Medeles what was his understanding of the property when he purchased it as to who would be paying the lien?

Mr. Medeles was initially told that the liens were only hundreds of dollars. If we had known it was thousands of dollars, we would have walked away from the deal.

City Attorney Cloud asked how did the lien factor into the sale? Also, when did he find out there was a lien issue?

Mr. Medeles stated that his company only had contact with the agent, not the seller. We only knew what the realtor was bringing to us.

Mayor LaCascia inquired with the Commission if they wanted to reduce the lien? If so, what amount?

Commissioner Blethen stated the fine should go back to the homeowner.

Code Investigator Melanie McVay provided a detailed account of issues with this property, the fines and eventually the lien.

Upon request from Elite Lien Search on October 24, 2023, photographs were sent to them showing code violations that existed on the property. With the fines accruing at \$100/day, total amount due is \$23,409.30. The property was brought into compliance by the new owner, Daniel Medeles and was reinspected on May 9, 2024. At this time, the property is still in compliance.

After lengthy discussion, it was the City Commission's decision to uphold the Denial for the lien reduction as it was done in the June Meeting.

ORDER OF BUSINESS

PUBLIC HEARING – ORDINANCE 2024-05

Mayor LaCascia briefly discussed an Ordinance of Polk City, Florida; amending the Code of Ordinances of Polk City, Florida; amending the title to Article IV, Chapter 2 of the Code of Ordinances of Polk City, Florida; creating § 2-179, Code of Ordinances, to increase City Commission fees; providing for severability; providing for conflicts; providing an effective date. **Second and Final Reading**

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

No Discussion.

Motion by Commissioner Blethen to approve Ordinance 2024-05 on Second and Final Reading; this Ordinance was seconded by Commissioner Wilson.

ROLL CALL VOTE: Commissioner Nichols – nay, Commissioner Wilson – aye, Commissioner Pettit – aye, Mayor LaCascia – aye, Commissioner Blethen - aye

Motion carried 4/1.

CITY MANAGER ITEMS

Matt Williams Water Treatment Plant - is back up and running and samples are being pulled to ensure all is well.

Commonwealth Tank - was repaired and is also back up and running.

Gopher Tortoise at the Sprayfield – Do not have to relocate as barriers can be installed around their area.

Advance Plant Grant – Polk City has submitted a grant application to DEP for a \$5,000 match.

CITY ATTORNEY ITEMS

City Attorney Cloud discussed the DEP Consent Order, explaining that there was a need for three items to be voted on tonight and approved. If need be, we can call a Special Meeting to ratify the contracts, but tonight the City needs to at least provide authorization in order to meet deadlines. Below are the three (3) motions the City Commission unanimously approved:

Fate and Transport Study

City Attorney Cloud explained the need for entering into a Professional Geologist Services Contract to perform a "Fate & Transport" Study that answers "What happened to the constituent?" and "How far did it go?" He also explained that an Australian company with offices in Tampa, GHD Services, Inc., is the sole source provider of such a study.

Based upon City Staff's recommendation, the City Commission approved by Voice Vote, a motion by Commissioner Wilson, seconded by Commissioner Pettit, to authorize staff to complete negotiations of the professional Hydrogeological Services Contract with GHD Services and approved the execution of said contract by the Mayor subject to a cap of \$43,300.00.

Down Well Inventory Survey

City Attorney Cloud explained the need for obtaining a Down Well Inventory Survey to comply with the Consent Order with FDEP by September 25, 2024.

Based upon City Staff's recommendation, the City Commission approved by Voice Vote, a motion by Commissioner Wilson, seconded by Commissioner Pettit, to authorize the City Manager to obtain up to 3 quotes from local well drillers to perform the Well Survey, negotiate a contract to perform the Down Well Inventory Survey in form acceptable to the City Attorney, and authorize the execution of such a contract not to exceed \$50,000.00.

RIB Study – Part 2

City Attorney Cloud explained the need for obtaining a rerating of the I-4 Rapid Infiltration Basins rerating of effluent disposal capacity in order to provide disposal capacity, while the Smith Road ponds are out of use.

Based upon City Staff's recommendation, the City Commission approved by Voice Vote, a motion by Commissioner Wilson, seconded by Commissioner Pettit to authorize the City Manager to negotiate an agreement with sole source provider GHD Services for the performance of the I-4 rapid infiltration basins rerating of effluent disposal capacity study in form acceptable to the City Attorney, and authorize the execution of such a contract not to exceed \$30,000.00.

COMMISSIONER ITEMS

Commissioner Nichols - None

Commissioner Blethen – None

Commissioner Pettit – None

Commissioner Wilson – indicated he knows a person that works for DEP regarding removal of the Gopher Tortoise

Mayor LaCascia – None

ANNOUNCEMENTS

The August City Commission Meeting will be on August 13, 2024.

ADJOURNMENT – 7:17 pm



Patricia Jackson, City Manager



Joe LaCascia, Mayor