

CITY COMMISSION MINUTES

January 21, 2025

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, Vice Mayor Charles Nichols, Commissioner Rick Wilson, Commissioner Michelle Pettit, Commissioner Micheal T. Blethen, Attorney Kristie Hatcher-Bolin (sub for City Attorney Thomas Cloud) and City Manager Patricia Jackson

APPROVE CONSENT AGENDA

Motion by Commissioner Blethen to approve the December 17, 2024 Regular City Commission Meeting, Department Reports, and other items on the Consent Agenda; this motion was seconded by Vice Mayor Nichols.

Motion carried unanimously.

PRESENTATION

Mayor LaCascia discussed the DAC Bond Certificate of Excellence that Polk City received for ten years of outstanding commitment to continuing disclosure reporting for municipal bonds.

Joanna Knowles, Finance Director provided further explanation on the DAC Bond.

Mayor LaCascia congratulated Joanna on her work with the DAC Bond.

City Manager Jackson reiterated that this was for Polk City.

PUBLIC COMMENT - None

ORDER OF BUSINESS

ORDINANCE 2025-01 - AN ORDINANCE OF THE CITY COMMISSION OF POLK CITY, FLORIDA; AMENDING ARTICLE 2 – REGULATIONS FOR SPECIFIC DISTRICTS, SECTION 2.04.02.15, “PLANNED UNIT DEVELOPMENT DISTRICT” OF THE UNIFORM LAND DEVELOPMENT CODE; REMOVING THE LIST OF PERMITTED USES FROM PLANNED UNIT DEVELOPMENTS TO ALLOW GREATER INNOVATION IN USE AND DESIGN; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **DISCUSSION PURPOSES ONLY**

Language for changing fence requirements – permitted use changes to PUD District section of the Land Development Code. This cleans up the language.

ORDINANCE 2025-02 - AN ORDINANCE OF THE CITY COMMISSION OF POLK CITY, FLORIDA; AMENDING ARTICLE 3 – DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS, SECTION 3.09.01.02 “RECREATIONAL VEHICLE PARKS” OF THE UNIFORM LAND DEVELOPMENT CODE; CHANGING THE BUFFERING REQUIREMENT FROM A MASONRY WALL TO A SOLID FENCE; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. – **DISCUSSION PURPOSES ONLY**

This language is for RV parks from a masonry fence to a solid fence.
Commissioner Blethen asked what are the advantages for Polk City?
Mayor LaCascia stated a masonry fence is costly.
Commissioner Pettit asked Commissioner Blethen if his question was answered.
Mayor LaCascia stated that due diligence still has to be done.
Kathy Delp stated that City Attorney Cloud indicated that the list is too restrictive.
Attorney Hatcher-Bolin inquired about how this item was brought forward?
Kathy Delp stated that someone wants to do an RV Park.
Commissioner Blethen asked, why change laws?
Mayor LaCascia stated a gentleman wants to do a vinyl fence
City Attorney Cloud has reviewed the list and RV parks can't apply for a PUD.

Lengthy Discussion ensued.

CivilSurv Professional Engineering Services Proposal – The Landings at Mt. Olive – Phase 2 Construction Inspection

CivilSurv Design Group, Inc. (CivilSurv) is pleased to submit this proposal to Polk City (City) for Professional Engineering Services associated with construction inspection at The Landings at Mt. Olive – Phase 2 (Project). This Proposal provides an overview of the services to be provided by CivilSurv. This proposal is submitted pursuant to and subject to the general terms and conditions of that Continuing Services Agreement between Polk City, Florida and CivilSurv Design Group, Inc. dated March 21, 2022.

This will be a pass-through to the Developer; the proposed budget for this is \$93,600. Please refer to the Professional Engineering Services Proposal for the full scope of work.

Staff recommended approval of the Professional Engineering Services Proposal with CivilSurv in the amount of \$93,600.

Commissioner Pettit asked if the developer is in agreement for this pass-through.

Kathy Delp stated the Developer is responsible for the fees. She also has an email with approval for the pass-through fees.

Motion by Vice Mayor Nichols to approve of the Professional Engineering Services Proposal with CivilSurv in the amount of \$93,600; this motion was seconded by Commissioner Blethen.

Motion carried unanimously by Voice Vote.

738 1ST Street Lien Reduction/Waiver Application

Kathy Delp, Development Services Director stated that Mr. Don Kimsey purchased the property on June 20, 2024. He did not use a title company, nor did he contact Polk City to see if there were any liens on the property. Lien total is \$6,150.00.

Mr. Kimsey stated that he was not contacted until September 11, 2024 by Melanie McVay, Code Investigator. After speaking negatively about Mrs. McVay, he stated that she should have called him.

Attorney Hatcher-Bolin stated the lien is against the property, not people. You can go into the Clerk of the Courts records as the information is a matter of Public Records.

Motion by Commissioner Wilson to reduce the fine to \$500; this motion was seconded by Mayor LaCascia.

Vote: 2- ayes, 3- nays

Motion failed.

Commissioner Pettit – less accommodating to others. This is not his first property purchase. We were not flexible on previous lien reductions, and she is not comfortable with setting such a precedent.

Commissioner Blethen – inquired about the number of days it takes to post the lien at the Clerk of the Courts Office.

Motion by Vice Mayor Nichols to table this item in order to get clarification on filing date; this motion was second by Commissioner Pettit.

Mr. Kimsey feels that is selective enforcement and he is being persecuted.

Mr. Kimsey briefly discussed 611 2nd Street culvert is washed out. It is 20x8x6 feet deep. It has been washed out for 3 months and no one is taking care of it.

City Manager Jackson responded that that address is in the County; and they have been notified and are taking care of it.

426 Bascom Court Lien Reduction/Waiver Application

Kathy Delp, Development Services Director discussed this property has been in violation for many years, as follows:

- April 17, 2019 in the amount of \$56,257.35
- November 15, 2023 in the amount of \$11,409.79

However, the property has come into compliance based on the Code Enforcement guidelines.

The property owner is currently under contract for sale and is requesting a reduction/waiver of the abovementioned liens.

Delores Reese, co-owner of the property with her son, David Brimfield, stated that anytime she was made aware of the violations, she addressed those immediately. However, she does not live in the house, her son does. He is very ill and from the looks of things now, he may never work again. Medical bills and prescriptions for his care are mounting exponentially. Mrs. Reese is on Social Security and cannot afford to pay the fine of \$67,667.14. Yes, she does have a buyer.

Marty Romaine, Investor from Tavares was present and confirmed that there is an offer to purchase the house in the amount of \$140,000.

Commissioner Wilson stated that he has lived across the street from this property for 20 years and it has been nothing but a problem and the Deputy can attest to this.

After lengthy discussion, a **motion by Commissioner Wilson** to reduce the fine to \$5,000 contingent on the sale of the property; this motion was seconded by Commissioner Pettit.

Motion carried 3/2 by Voice Vote.

Attorney Hatcher-Bolin stated that the fine can be paid anytime, afterwhich, a Satisfaction of Lien can be done.

Mayor LaCascia called for a Recess at 7:15 pm

Mayor Reconvened the Meeting at 7:20 pm

CITY MANAGER ITEMS

Force Main Project – is underway

Voyles Loop Lift Station repairs are underway. Still waiting on the vault for the water interconnect, Bar Screen Replacement should start within the next month. Continuing with Smith Road/Orange Avenue Project regarding wells and Perc Ponds.

FDOT Project regarding red light at Mt. Olive Road and SR 33 has been certified by Polk City/Engineer.

Resurfacing of Tennis/Basketball Courts - Getting quotes. We will also put down matting for tennis/basketball courts, as well as use tennis court and mark off for Pickle Ball.

Auditor Proposals - Polk City received two audit proposals; and Joanna Knowles will be scheduling a Committee meeting to make recommendations of which proposals to submit to the City Commission at their meeting at the February 18, 2025 City Commission Meeting.

Centennial Celebration – There are now 16 gopher tortoises on the Sprayfield property, and because they are so spread out, we won't be able to use this site for the Centennial Celebration. We will need to go back to planning at Freedom Park with a Reception on Friday at the Donald Bronson Community Center.

City Manager Jackson recommended doing a Friday night reception at the Donald Bronson Center for the sponsors, businesses in Polk City, the City Commission, Planning Commission and staff businesses in Polk City.

Vice Mayor Nichols stated that this is projected to be a big event and since we can't go to the Sprayfield, he is recommending either the Polk County Ballfield or the Fantasy of Flight.

Additional Holidays – City Manager Jackson has presented President's Day and Columbus Day as holidays that staff will work, but the offices will be closed to the public.

Motion by Commissioner Blethen to approve the holidays and being closed to the public; this motion was seconded by Commissioner Pettit.

Motion carried by Voice Vote.

CITY ATTORNEY ITEMS

City Manager Jackson and Attorney Hatcher-Bolin will be scheduling a City Commission Workshop on Decorum and *Government in the Sunshine*. Those dates will be provided to you at a later time.

COMMISSIONER ITEMS

Vice Mayor Nichols – Need guidelines to be set for dealing with liens.

Commissioner Blethen – Would like to see a Workshop on Liens to make them easier to deal with.

Commissioner Wilson – None

Commissioner Pettit – Where are we with the marquee estimated. Rick will discuss with Dustin on Wednesday.

Mayor LaCascia – None

ANNOUNCEMENTS - None

ADJOURNMENT – 7:45 pm



Patricia Jackson, City Manager

Joe LaCascia, Mayor