

NOVEMBER 14, 2006
REGULAR CITY COMMISSION MEETING

The City Commission of Dade City, Florida, met in the City Hall Annex Commission Chambers in a regular City Commission meeting on this 14th day of November, A.D. 2006, at 5:30 p.m. The following members were present: Mayor P. Hutchison Brock and Commissioners Scott Black, Camille Hernandez, Eunice Penix and Steve Van Gorden. City staff members present included City Manager Harold R. Sample, City Clerk/Finance Director James D. Class, City Attorney Karla Owens, Police Chief P.A. Thompson, Administrative Services Director Laura Beagles, and Executive Assistant Chris Chandler.

The meeting was called to order by Mayor P. H. Brock, and invocation was given by Commissioner Hernandez, followed by the Pledge of Allegiance to The Flag.

Florida Medical Clinic of Caring presented a check in the amount of \$6,900.00 to the Dade City Police Department to purchase six defibrillators for installation in police cruisers.

The minutes of the October 5, 2006 Workshop and October 10, 2006 regular City Commission meeting were approved as individually read. The minutes of the October 24, 2006 Workshop and October 24, 2006 regular City Commission meeting were distributed.

CONSENT

On recommendation of staff, Commissioner Black moved the approval for closing State Road 52 (Meridian Avenue) between 7th Street and 4th Street for the Cruise-In Car Show scheduled monthly for 2007, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Black moved the approval for closing State Road 52 (Meridian Avenue) between 7th Street and 6th Street and US Hwy 301 (7th Street) between State Road 52 (Meridian Avenue) and Church Avenue, for the Christmas Stroll scheduled for December 9, 2006, as part of the consent agenda, the motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Black moved the approval for closing US Hwy. 301 (7th Street) between Martin Luther King Avenue and Church Avenue, for the Magical Night Christmas Parade scheduled for December 1, 2006, as part of the consent agenda, the motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Black moved the approval for closing State Road 52 (Meridian Avenue) between 7th Street (US 301) and U.S. 98 Bypass, for the Kumquat Festival scheduled for January 27, 2007, as part of the consent agenda, the motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Black moved the approval of award of bid and purchase of police vehicles. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (This item was approved as part of the consent agenda.)

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated November 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Proposed Annexation/Dade City Business Center
 (Entire memorandum can be found in the City Clerk's file)

The following proposed ordinance was introduced by the City Attorney and read by title only by the City Clerk, as follows :

ORDINANCE NO.: 2006-0941

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED. (Bus. Center #2)

City Attorney Karla Owens appeared and reviewed the proposed annexation ordinance. A motion was made by Commissioner Black to introduce this ordinance and to authorize advertisement for a public hearing. The motion was seconded by Commissioner Van Gorden and on a vote the motion passed. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." Mayor Brock declared a conflict and abstained from voting since he represents the owner on business matters. (The ordinance in its entirety and Form 8B, Memorandum of Voting Conflict, are on file in the City Clerk's office.)

The following memorandum dated October 23, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Corrective Annexation Ordinance/JDR Properties of Pasco, Inc.
 (Entire memorandum can be found in the City Clerk's file)

The following proposed ordinance was introduced by the City Attorney and read by title only by the City Clerk, as follows :

ORDINANCE NO.: 2006-0942

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, CORRECTING A SCRIVENER'S ERROR RELATIVE TO

THE LISTING OF THE PARCEL IDENTIFICATION NUMBERS CONTAINED IN ORDINANCE NO. 2005-0891, WHICH ORDINANCE ANNEXED ADDITIONAL LAND WITHIN THE BOUNDARIES OF DADE CITY, FLORIDA, PURSUANT TO THE REQUEST OF THE OWNER OF SAID LAND IN ACCORDANCE WITH SECTION 177.044, FLORIDA STATUTES, AS AMENDED (JDR Properties of Pasco, Inc.).

City Attorney Karla Owens appeared and stated the corrective annexation ordinance was necessary due to a scrivener's error in one digit of the parcel I.D. number. A motion was made by Commissioner Van Gorden to introduce this ordinance and to authorize advertisement for a public hearing. The motion was seconded by Commissioner Penix and on a vote the motion passed. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." Mayor Brock declared a conflict and abstained from voting since he represents the owner on business matters. (The ordinance in its entirety and Form 8B, Memorandum of Voting Conflict, are on file in the City Clerk's office.)

The following memorandum dated October 23, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Sparkman-Willis/Proposed Annexation
 Parcel I.D. Nos.: 34-24-21-0220-00800-0010; 34-24-21-0220-00800-0000; 34-24-21-0000-15900-0000; 34-24-21-0000-15900-0010; 34-24-21-0220-01000-0000; and 34-24-21-0220-00900-0000
 (Entire memorandum can be found in the City Clerk's file)

The following proposed ordinance was introduced by the City Attorney and read by title only by the City Clerk, as follows :

ORDINANCE NO.: 2006-0943

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED. (SPARKMAN/WILLIS PROPERTY).

City Attorney Karla Owens appeared and reviewed the proposed annexation ordinance. A motion was made by Commissioner Van Gorden to introduce this ordinance and to authorize advertisement for a public hearing. The motion was seconded by Commissioner Hernandez and on a vote the motion passed. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (The ordinance in its entirety is on file in the City Clerk's office.)

The following memorandum dated November 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Proposed Annexation/Evans Properties, Inc.-River Road
 (Entire memorandum can be found in the City Clerk's file)

The following proposed ordinance was introduced by the City Attorney and read by title only by the City Clerk, as follows :

ORDINANCE NO.: 2006-0944

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED. (Evans-River Road)

City Attorney Karla Owens appeared and reviewed the proposed annexation ordinance. A motion was made by Commissioner Van Gorden to introduce this ordinance and to authorize advertisement for a public hearing. The motion was seconded by Commissioner Black and on a vote the motion passed. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (The ordinance in its entirety is on file in the City Clerk's office.)

NEW BUSINESS

City Manager Harold Sample discussed a land swap proposal submitted by East Pasco Habitat for Humanity. The parcel that East Pasco Habitat for Humanity owns is located behind the head-works of the wastewater treatment plant and could be used if the City expands the plant. Commissioner Black noted that the Baptism Pond which is on the City's historic list is located behind the parcel the City owns. A motion was made by Commissioner Van Gorden to authorize the City to proceed with drafting the paperwork for the land swap. The motion was seconded by Commissioner Hernandez and on a vote the motion passed. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

City Manager Harold Sample stated that the City recently became aware that The Pines Subdivision plat conveys the community park and the retention pond by metes and bounds to the City, but that ownership and maintenance should have been the responsibility of the homeowners' association. The Pines Homeowners' Association purchased the playground equipment located at the park and has been paying for insurance on the parcel. The homeowners' association could take a vote at their next meeting to determine whether the association will assume ownership. If they decline, City Manager Harold Sample will come back to the commission with another plan at a future meeting. The consensus of the commission was for the City Attorney to prepare a letter to the Pines Homeowners' Association requesting a vote.

The following memorandum dated November 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Harold R. Sample, City Manager
Subject: Initial Assessment Resolution #2006-0925 – The Pines Enhanced Street Lighting Assessment District
 (Entire memorandum can be found in the City Clerk’s file)

The following proposed resolution was read by title only by the City Clerk, as follows :

RESOLUTION NO.: 2006-0925

INITIAL ASSESSMENT RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AUTHORIZING THE INITIATION OF A PROCESS FOR THE CREATION, LEVY, COLLECTION AND ENFORCEMENT OF ANNUAL ASSESSMENTS FOR ENHANCED STREET LIGHTING SERVICES WITHIN THE PINES SUBDIVISION PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, AND ORDINANCE NO. 2003-0816.

After discussion, Commissioner Black moved to adopt the Initial Assessment Resolution No. 2006-0925 for the Pines Enhanced Street Lighting Assessment District to initiate the creation of the special assessment district. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted “AYE,” with no one voting “NAY.”

OLD BUSINESS

A discussion took place regarding the continuation of Church Street Christmas with the Kiwanis Club volunteering to take the lead. Many residents, citizens and businesses are offering support for the event

City Manager Harold Sample recommended that the City not continue with the acquisition of the Wachovia Bank Building after looking at the costs to bring the building to a refurbished, acceptable condition and no method of funding the purchase. After discussion, Commissioner Van Gorden moved to authorize staff to draft a letter opting out of the Wachovia Bank Building purchase agreement and to evaluate other options. The motion was seconded by Commissioner Black, and on a vote the motion passed unanimously. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted “AYE,” with no one voting “NAY.” It was the consensus of the Commission to have staff send letters thanking those who participated in the evaluation.

NEW BUSINESS

A motion was made by Commissioner Black to cancel the December 26, 2006 Commission meeting unless an emergency arises. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

A discussion took place about holding a work session on November 28, 2006 before the Commission meeting. The consensus of the Commission was to have the presentation on capital improvement plans during the regular meeting of November 28, 2006.

City Manager Harold Sample noted that the American Legion Hall has been rented to various organizations with standing reservations on weekends which prevents others from renting the hall. Staff is recommending a policy to not allow standing reservations from 5 p.m. Friday through Sunday evening in City-owned buildings.

Commissioner Black moved to add the memorandum dated November 13, 2006 as an emergency item. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, PE/City Engineer and Public Works Director
Subject: Approval of Purchase – Schreuder, Inc. – Additional Gas Venting at Parrish Grove Road Landfill
 (Entire memorandum can be found in the City Clerk's file)

After discussion, Commissioner Black moved to accept the quote from Schreuder, Inc. and authorize the scope of work included in their proposal dated 11/8/06 at the quoted price of \$6,998.00 for the purchase of additional venting tubes. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Brock, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

COMMISSIONER ITEMS

Commissioner Van Gorden requested a monthly report from Karla Owens on development items and a list of his Board appointments.

Commissioner Brock requested a review of the YMCA arrangement and a list of City-owned property.

PUBLIC COMMENT

Individuals appearing before the Commission during the public comment portion of the meeting were: Phyllis Smith, Executive Director of Greater Dade City Chamber of Commerce, and Mike Agnello.

City Manager Harold Sample advised the Commission and Mrs. Thinn that he was meeting with the County to piggyback on their bid for canal cleaning.

There being no further business before the Commission, on motion the meeting adjourned at 7:35 p.m.

MAYOR

ATTEST:

CLERK