

DECEMBER 12, 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 12th day of December, A.D. 2006, at 5:30 p.m. The following members were present: Commissioners Steve Van Gorden, Scott Black, Eunice Penix and Camille Hernandez. Mayor P.H. Brock was absent. 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, Safety Services Director J.P. Wubbena, Public Works Director/City Engineer Jose Gil, and Executive Assistant Chris Chandler.

The meeting was called to order by Mayor Protem Steve Van Gorden, and invocation was given by Commissioner Black, followed by the Pledge of Allegiance to The Flag.

The minutes of the November 14, 2006 regular City Commission meeting were approved as individually read. The minutes of the November 28, 2006 regular City Commission meeting were distributed.

City Manager Harold Sample showed Commissioners the Historic Depot ornament that Cheryl Little, President of the Dade City Garden Club, presented to Mayor Brock on December 6.

PUBLIC HEARING

The following memorandum dated December 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Harold R. Sample, City manager
Subject: Resolution #2006-0926 – Creation of and Final Assessment – The Pines Enhanced Street Lighting Assessment District
(Entire memorandum can be found in the City Clerk's file)

As this was the time and place for the advertised public hearing on Resolution No. 2006-0926, for The Pines Enhanced Street Lighting Assessment District, the resolution was read by title only by the City Clerk, as follows:

RESOLUTION NO. 2006-0926

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, CREATING A SPECIAL ASSESSMENT AREA AND THE USE OF THE ALTERNATIVE TO THE UNIFORM METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF ANNUAL ASSESSMENTS FOR AN ENHANCED STREET LIGHTING SERVICES AREA WITHIN THE PINES SUBDIVISION, ADOPTING A BUDGET FOR CALENDAR 2007 AND SETTING THE RATE TO BE ASSESSED

PURSUANT TO SECTION 197.3632, FLORIDA STATUTES AND
ORDINANCE NO. 2003-0816.

City Manager Harold Sample appeared and stated that there were two errors in the published advertisement, but the corrected advertisement was a part of the agenda. After discussion and with no one from the public wishing to be heard, Commissioner Black moved to adopt Resolution No. 2006-0926. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (Resolution No. 2006-0926 in its entirety is on file in the City Clerk's office.)

The following memorandum dated December 7, 2006 was noted:

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

As this was the time and place for the advertised public hearing on Ordinance No. 2006-0941, for the proposed annexation of the Dade City Business Center (#2), the ordinance was 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 #3)

After discussion and with no one from the public wishing to be heard, Commissioner Black moved to adopt Ordinance No. 2006-0941. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (Ordinance No. 2006-0941 in its entirety is on file in the City Clerk's office.)

The following memorandum dated December 7, 2006 was noted:

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

As this was the time and place for the advertised public hearing on Ordinance No. 2006-0942 to correct a scrivener's error in the parcel number of property previously annexed, the ordinance was 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.).

After discussion and with no one from the public wishing to be heard, Commissioner Penix moved to adopt Ordinance No. 2006-0942. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (Ordinance No. 2006-0942 in its entirety is on file in the City Clerk's office.)

As this was the time and place for the advertised public hearing on Ordinance No. 2006-0943 for the proposed annexation of the Sparkman/Willis property, the ordinance was 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).

Community Development Director Karla S. Owens appeared and advised that the developer requested a continuation to January 9, 2007. After discussion and with no one from the public wishing to be heard, Commissioner Black moved to continue the public hearing on Ordinance No. 2006-0943 to January 9, 2007 at 5:30 p.m. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

The following memorandum dated December 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, community Development Director
Subject: Proposed Annexation/Evans Properties, Inc.-River Road

(Entire memorandum can be found in the City Clerk's file)

As this was the time and place for the advertised public hearing on Ordinance No. 2006-0944, for the proposed annexation of Evans Properties, Inc.-River Road, the ordinance was 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)

Janet Collura, who owns adjacent residential property, appeared before the Commission to express concerns she had about development. Martin Healey, who owns adjacent commercial property, also appeared. Joseph Quinn of Coastal Engineering appeared for the applicant and stated that the owner had no immediate development plans. After discussion and with no one else from the public wishing to be heard, Commissioner Black moved to adopt Ordinance No. 2006-0944. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY." (Ordinance No. 2006-0944 in its entirety is on file in the City Clerk's office.)

CONSENT

On recommendation of staff, Commissioner Hernandez moved approval to reject bid responses to Bid No. 06-07 for the Howard Avenue Drainage project and to approve staff's recommendation to re-bid the project, as part of the consent agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Hernandez moved approval of the expenditure request from the Forfeiture Fund for security fencing and security system adjustments at the City impound lot, as part of the consent agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

On recommendation of staff, Commissioner Hernandez moved approval of the waiver of bid and use of the Seminole County Bid awarded to Philips Medical Systems for the purchase of six automated external defibrillator units, as part of the consent agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

NEW BUSINESS

A presentation was made by Pasco County Commissioner Michael Cox on the special legislative session on insurance to be held on January 16 and 17 in Tallahassee and he requested representation by Dade City. Commissioner Penix moved to appoint Scott Black as the

representative for the City of Dade City. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated December 11, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Ordinance Amendment-Section 10-2 – Alcoholic Beverages, Hours of Sale
 (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 :

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AMENDING CHAPTER 10, SECTION 10-2 ALCOHOLIC BEVERAGES, OF THE DADE CITY CODE OF ORDINANCES, TO INCREASE HOURS OF SALE, SERVICE AND CONSUMPTION ON SUNDAYS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens appeared and reviewed the proposed ordinance which is being revised in order to be consistent with the Pasco County ordinance. A motion was made by Commissioner Hernandez 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 Hernandez, Penix, and Van Gorden voted “AYE,” and Commissioner Black voted “NAY.”

OLD BUSINESS

Administrative Services Director Laura Beagles announced that plans for Church Street Christmas were going great and that the cards would be put up on Saturday.

The following memorandum dated December 12, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Rejection of Bid Responses to Bid 06-06 and Request to Re-bid
 (Entire memorandum can be found in the City Clerk’s file)

After discussion, Commissioner Black moved to reject the bid responses to Bid No. 06-06 and authorize a closed re-bid limited to the four responsive bidders for the Dewatering Facility at the City’s wastewater treatment plant. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted “AYE,” with no one voting “NAY.”

The following memorandum dated December 11, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Increase in Purchase Authorization – 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 increased scope of work at the total quoted price of \$10,607.20 not to exceed \$12,500.00 with authorization by the City Manager. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted “AYE,” with no one voting “NAY.”

NEW BUSINESS

At the request of City Manager Harold Sample, Commissioner Black made a motion to close City Hall on December 22 between noon and 1 p.m. to allow employees to attend a pot-luck Christmas luncheon. The motion was seconded by Commissioner Hernandez and on a vote the motion passed unanimously.

The following memorandum dated November 27, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, PE, City Engineer and Public Works Director
Subject: Amendment #1 to Task Order #06-01 Baskerville-Donovan, Inc., permitting and supervision during construction for upgrade to Lift Station #12 and new force main to the WWTP
 (Entire memorandum can be found in the City Clerk’s file)

After discussion, Commissioner Hernandez moved to approve Amendment #1 to Task Order #06-01 and authorize the Mayor’s signature on the same. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted “AYE,” with no one voting “NAY.”

The following memorandum dated December 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk/Finance Director
Subject: Resolution No. 2006-0928 – Amending the FY 2006-2007 Budget
 (Entire memorandum can be found in the City Clerk’s file)

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

RESOLUTION NO. 2006-0928

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2006-0919 BY REVISING THE 2006-2007 FISCAL YEAR BUDGET TO ADD DONATED FUNDS FOR THE PURCHASE OF DEFIBRILLATORS AND FORFEITURE FUNDS FOR IMPOUND SECURITY; AND PROVIDING FOR AN EFFECTIVE DATE.

After discussion, Commissioner Hernandez moved to adopt Resolution No. 2006-0928 to include the donation of \$6,900.00 from the Florida Medical Clinic Foundation of Caring for the purchase of defibrillators, and to approve the use of \$5,516.00 of forfeiture funds for security improvements to the impound area at the City yard. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

The following memorandum dated November 27, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, PE, City Engineer and Public Works Director
Subject: Approval of Purchase – Central Florida Controls – Lift Station #17
 (Control Panel Replacement)
 (Entire memorandum can be found in the City Clerk's file)

After discussion, Commissioner Penix moved to accept the quote from Central Florida Controls, Inc. to perform the required work at a cost of \$8,200.00. The motion was seconded by Commissioner Black, and on a vote the motion passed unanimously. Commissioners Black, Hernandez, Penix, and Van Gorden voted "AYE," with no one voting "NAY."

The following memorandum dated December 11, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Request for Temporary Extension of Deadline – Personnel Rules & Regulations Section 7.02-C – Accumulation of Annual Leave Credits
 (Entire memorandum can be found in the City Clerk's file)

After discussion, Commissioner Black moved to approve a temporary extension to the deadline in Personnel Rules & Regulations Section 7.02-C for this year to February 8, 2007. The motion was seconded by Commissioner Penix, and on a vote the motion passed. Commissioners Black, Penix, and Van Gorden voted "AYE," and Commissioner Hernandez voted "NAY."

COMMISSIONER ITEMS

Commissioner Hernandez spoke about problems with the Christmas decoration contract, requested that evaluations be put on the City website, and discussed financial information

presentations of graphs and information on the City website, code enforcement, and parking issues.

Commissioner Penix spoke about the Habitat groundbreaking on Saturday and commended staff for their clean up after the Christmas parade.

Commissioner Black spoke about his meeting with a representative of the Tampa Youth Council.

Commissioner Van Gorden presented Commissioner Hernandez with a certificate from the Institute for Elected Municipal Officials for completing the three day program.

PUBLIC COMMENT

Individuals appearing before the Commission during the public comment portion of the meeting were: Laura Beagles regarding the recreation art program exhibit at the American Legion Hall on December 16.

There being no further business before the Commission, on motion the meeting adjourned at 6:55 p.m.

MAYOR

ATTEST:

CLERK