

FEBRUARY 28, 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 28th day of February, 2006 at 5:41 P.M. The following members were present: Mayor P.H. Brock, Commissioners W.L. Dennis, Scott Black, and Eunice Penix. Commissioner Steve Van Gorden 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, Deputy City Clerk Martha Alexander, and Executive Assistant Chris Chandler.

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

The minutes of the Planning Board and the regular City Commission meetings of January 24, 2006 were approved as individually read. The minutes of the City Commission Workshop and Regular City Commission meetings of February 14, 2006 were distributed.

PUBLIC HEARINGS

As this was the time and place for the advertised public hearing on the Final Adoption of Ordinance No. 2006-0911 relating to increasing the membership of the Planning Board, the ordinance was read by title only by the Deputy City Clerk, as follows:

Ordinance No. 2006-0911

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY,
FLORIDA AMENDING CHAPTER 70, SECTION 70-31 TO INCREASE THE
MEMBERSHIP OF THE PLANNING BOARD; PROVIDING FOR TERMS AND
QUALIFICATIONS; PROVIDING FOR REPEALER, CODIFICATION,
SEVERABILITY AND AN EFFECTIVE DATE.

With no one wishing to be heard, Commissioner Black moved to adopt Ordinance No. 2006-0911 with changes noted. The motion was seconded by Commissioner Penix, and on a vote was passed unanimously. Those voting "AYE" were Commissioners Brock, Dennis, Black, and Penix, with no votes "NAY". Ordinance No. 2006-0911 was declared duly passed and adopted on final reading. (See Ordinance No. 2006-0911 in its entirety in the ordinance file in the City Clerk's office.)

Resolution No. 2006-0898 was read by title only by the Deputy City Clerk as follows:

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY,
FLORIDA APPOINTING A CITIZEN PLANNING COMMISSION TO BECOME
EFFECTIVE APRIL 1, 2006 AND ADOPTING BYLAWS TO GOVERN THE
POWERS AND DUTIES OF THE PLANNING COMMISSION.

Commissioner Black moved to approve Resolution No. 2006-0898 with corrections noted. The motion was seconded by Commissioner Penix, and on a vote the motion was passed unanimously. (Resolution No. 2006-0898 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 the Final Adoption of Ordinance No. 2006-0912 relating to code enforcement prosecution, the ordinance was read by title only by the Deputy City Clerk, as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AMENDING CHAPTER 2, SECTIONS 2-231 AND 2-232 TO ALLOW FOR ADDITIONAL METHODS OF PROSECUTION OF CODE ENFORCEMENT VIOLATIONS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

With no one wishing to be heard, Commissioner Dennis moved to adopt Ordinance No. 2006-0912. The motion was seconded by Commissioner Penix, and on a vote the motion was passed unanimously. Those voting "AYE" were Commissioners Brock, Dennis, Black, and Penix, with no votes "NAY". Ordinance No. 2006-0912 was declared duly passed and adopted on final reading. (See Ordinance No. 2006-0912 in its entirety in the ordinance file in the City Clerk's office.)

Resolution No. 2006-0891 was read by title only by the Deputy City Clerk as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AUTHORIZING THE PROSECUTION OF ALL CITY ORDINANCE VIOLATIONS IN THE COUNTY COURT PURSUANT TO ADMINISTRATIVE ORDER NO. 2003-027 PA/CTY, AS AMENDED, AND ADOPTING THE PASCO COUNTY UNIFORM CITATION SCHEDULE.

Commissioner Black moved to approve Resolution No. 2006-0891. The motion was seconded by Commissioner Dennis, and on a vote the motion was passed unanimously. (Resolution No. 2006-0891 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 Petition to close a portion of 15th Street, City Manager Harold Sample addressed the Commission and presented recommendations by City Staff against the closing of this public roadway. Jason Fladd addressed the Commission and explained that he is one of the petitioners requesting this portion of the road be closed to pedestrian and vehicular traffic due to safety and security reasons. Those others wishing to be appear before the Commission were Joseph Morris and Jean Ward. Commissioner Black requested that City Staff look at measurers for controlling the speed of vehicular traffic. With no one else wishing to be heard, Commissioner Penix moved to deny the petition to close a portion of 15th Street between Meridian and Church Avenues. The motion was seconded by Commissioner Dennis, and on a vote the motion was passed unanimously.

CONSENT AGENDA

Item No. E.1. of the consent agenda was pulled for discussion and was voted on individually. City Manager Harold Sample explained that the resolution on addendum #1 needs to be approved as part of this item.

Resolution No. 2006-0897 was read by title only by the Deputy City Clerk as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE/PURCHASE AGREEMENT WITH BANC OF AMERICA LEASING & CAPITAL, LLC; AUTHORIZING A LEASE OF A MUNICIPAL INFORMATION SYSTEM THEREUNDER; AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING AN EFFECTIVE DATE.

After further discussion a motion was made by Commissioner Black to approve Resolution No. 2006-0897 for the award of financing for the Incode software with Banc of America Leasing & Capital. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (Resolution No. 2006-0897 in its entirety is on file in the city clerk's office.)

E.2. Vehicles Replacement – Safety Services.

(On recommendation of staff, Commissioner Black moved the approval for the replacement of City Vehicle car #11 for the Safety Services Division, as part of the consent agenda, the motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.)

E.3. Authorization to Declare two Surplus Vehicles.

(On recommendation of staff, Commissioner Black moved the approval of the authorization to declare 1994 Ford Crown Victoria and 1998 Ford Crown Victoria as surplus property, as part of the consent agenda, the motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.)

E.4. Agreement with Sunrise of Pasco County, Inc.

(On recommendation of staff, Commissioner Black moved the approval of the annual agreement with Sunrise of Pasco County, as part of the consent agenda, the motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.)

E.5. Agreement with Downtown Dade City Main Street.

(On recommendation of staff, Commissioner Black moved the approval of the annual agreement with Downtown Dade City Main Street for funding, as part of the consent agenda, the motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.)

E.6. Agreement with Greater Dade City Chamber of Commerce.

(On recommendation of staff, Commissioner Black moved the approval of the annual agreement with the Greater Dade City Chamber of Commerce for funding, as part of the consent agenda, the motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.)

REGULAR AGENDA

INTRODUCTION OF PROPOSED ORDINANCES:

The following memorandum dated February 20, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director
Subject: Garnett and Lori Craig/Proposed PUD Rezoning
 Parcel I.D. Nos.: 27-24-21-0000-06900-0000 and 27-24-21-0000-06900-0011.
(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 Deputy City Clerk, as follows :

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA AMENDING THE
 DADE CITY ZONING ORDINANCE TO CHANGE THE ZONING ON LAND

HEREINAFTER DESCRIBED FROM ZONING CATEGORY RG-1 (SINGLE FAMILY RESIDENTIAL) TO ZONING CATEGORY PD-H1 (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (CRAIG)

Karla Owens, City Attorney, appeared and reviewed the proposed ordinance for Garnett and Lori Craig's PUD rezoning and stated that this ordinance is being introduced for first reading. After discussion, Commissioner Black moved to accept staff recommendation to introduce this ordinance and to authorize publication for public hearing, the motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (See Ordinance No. 2006-0913 in its entirety in the ordinance file.)

OLD BUSINESS

Resolution No. 2006-0899 was read by title only by the Deputy City Clerk as follows:

Resolution No. 2006-0899

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, IN OPPOSITION TO THE RECOMMENDATIONS OF THE OFFICE OF PROGRAM POLICY AND ANALYSIS AND GOVERNMENT ACCOUNTABILITY TO TRANSFER MANATEE COUNTY OUT OF THE TAMPA BAY REGIONAL PLANNING COUNCIL

Commissioner Black moved to approve Resolution No. 2006-0899, support of keeping the existing boundaries for the Tampa Bay Regional Planning Council. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (Resolution No. 2006-0899 in its entirety is on file in the city clerk's office.)

The following memorandum dated January 5, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Administrative Services Director
Subject: Award of Bid No. 05-02 Dismantling/Demolition of Elevated Water Tank and Approval of Agreement 2006-0741

City Manager Harold Sample presented a correction to the agenda item and noted the correct amount of the cost is \$40,960. After further discussion, a motion was made by Commissioner Dennis to approve the agreement as corrected. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. (Agreement No. 2006-0740 in its entirety is on file in the city clerk's office.)

NEW BUSINESS

Resolution No. 2006-0892 was read by title only by the Deputy City Clerk as follows:

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2005-0883 BY REVISING THE 2005-2006 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR AN IMPACT FEE AND RATE STUDY AND WORK ON A PUMP STATION AND TO INCLUDE PRIOR YEAR ENCUMBRANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Black moved to approve Resolution No. 2006-0892, the motion was seconded by Commissioner Dennis, and on a vote the motion was passed unanimously. (Resolution No. 2006-0892 in its entirety is on file in the city clerk's office.)

Discussion of the drainage project for 7th and Pond Avenue. City Manager Harold Sample explained that a manhole is necessary at this location and that the church has agreed to enter into a maintenance contract with the City.

City Attorney Karla Owens requested an Executive Closed meeting to discuss pending litigation which will be held after the Community Redevelopment Agency meeting.

Mayor Brock requested that City Staff bring back a density credit proposal and work on keeping existing lot sizes throughout the City.

Commissioner Black presented a resignation by Fay McKean from the Library Board.

Those wishing to appear before the Commission during the public comment portion of the meeting were: Jim Shive, Pat Carver, Pat German and George Barth.

There being no further business before the Commission, on motion the meeting recessed at 6:55 P.M. for the Community Redevelopment Agency Meeting.

The City Commission meeting reconvened at 7:00 p.m.

City Attorney Karla Owens announced that the Commission would be going into an Executive Closed session to discuss pending litigation. The closed session was limited to: Mayor P. Hutchison Brock, II., Mayor Protem William Dennis, City Commissioner Scott Black, City Commissioner Eunice Penix, City Manager Harold Sample, and City Attorney Karla Owens. The Commission came out of closed session at 7:27 p.m.

There being no further business before the Commission, on motion the meeting adjourned at 7:27 P.M.

MAYOR

ATTEST:

CLERK