

JUNE 13, 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 13th day of June 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, Capt. David Duff, Safety Services Director J. P. Wubben, 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 Eunice Penix, followed by the Pledge of Allegiance to The Flag.

The minutes of the regular City Commission meeting of May 9, 2006, were approved as individually read. The minutes of the City Planning Board and the regular City Commission meetings of May 23, 2006, were distributed.

PUBLIC HEARINGS

Georgianne Ratliff of Wilson Miller conducted a public input meeting and addressed issues regarding the Evaluation and Appraisal Report (E.A.R.) of the Dade City Comprehensive Plan. Commissioners discussed their development goals. Ms. Ratliff advised what the next steps would be and gave approximate timetables. Ms. Ratliff will prepare a Memorandum of Understanding for review by the City Attorney and City Manager. A conference call will be scheduled with the Department of Community Affairs to discuss the schedule. Karla Owens will prepare a memorandum to Commissioners regarding development. Two public meetings must be held before submittal of the E.A.R. After the presentation, no one spoke under public comment.

The following memorandum dated June 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director/City Attorney
Subject: Perfection Partners/Proposed Annexation (Parcel No. 1)
Parcel I.D. No.: 34-24-21-0000-16300-0000
(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. 2006-0929 for the proposed annexation of Parcel No. 1, Perfection Partners, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2006-0929

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. (PERFECTION US 301 PARCEL #1).

After discussion and with no one wishing to be heard, Commissioner Van Gorden moved to approve Ordinance No. 2006-0929 for the annexation of Perfection U. S. 301 Parcel #1. 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." (The ordinance in its entirety is on file in the City Clerk's office.)

The following memorandum dated June 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director/City Attorney
Subject: Perfection Partners/Proposed Annexation (Parcel No. 2)
 Parcel I.D. No.: 03-25-21-0000-00100-0000
(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. 2006-0930 for the proposed annexation of Parcel No. 2, Perfection Partners, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2006-0930

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. (PERFECTION US 301 PARCEL #2).

Don Nathe appeared with reference to his ordinance regarding drainage ditch problems. After further discussion and with no one else wishing to be heard, Commissioner Black moved to approve Ordinance No. 2006-0930 for the annexation of Perfection U. S. 301 Parcel #2. 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." (The ordinance in its entirety is on file in the City Clerk's office.)

The following memorandum dated June 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director/City Attorney
Subject: Perfection Partners/Proposed Annexation (Parcel No. 3)
 Parcel I.D. No.: 02-25-21-0000-01300-0000
(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. 2006-0931 for the proposed annexation of Parcel No. 3, Perfection Partners, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2006-0931

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. (PERFECTION US 301 PARCEL #3).

Don Nathe appeared with reference to his ordinance regarding drainage ditch problems. After further discussion and with no one else wishing to be heard, Commissioner Penix moved to approve Ordinance No. 2006-0931 for the annexation of Perfection U. S. 301 Parcel #3. 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." (The ordinance in its entirety is on file in the City Clerk's office.)

The following memorandum dated June 8, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director
Subject: Perfection Partners Parcel No.: 1/ Proposed Rezoning and FLUMA
Parcel I.D. No.: 34-24-21-0000-16300-0000
(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. 2006-0928 for the proposed rezoning and future land use map designation of Parcel No. 1, Perfection Partners, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2006-0928

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE TERRITORY HEREINAFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION RES-6 (RESIDENTIAL 6 du/ga) TO CITY FUTURE LAND USE MAP DESIGNATION GC (GENERAL COMMERCIAL), CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY THE GROWTH MANAGEMENT ACT OF 1985; AMENDING THE DADE CITY ZONING ORDINANCE TO CHANGE THE ZONING ON LAND HEREINAFTER DESCRIBED FROM COUNTY ZONING CATEGORIES C-2 (GENERAL

COMMERCIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), AND AC (AGRICULTURE) TO CITY ZONING CATEGORY CG (GENERAL COMMERCIAL) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE (PERFECTION PARTNERS NO. 1).

After discussion and with no one wishing to be heard, Commissioner Van Gorden moved to approve Ordinance No. 2006-0928 with staff's conditions for the FLUMA amendment and rezoning for Perfection U. S. 301 Parcel #1. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. 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 June 9, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director
Subject: Florrie Mae and Edwin L. Madill Revocable Trust /
 Proposed Rezoning and FLUMA
 Parcel I.D. No.: 02-25-21-0000-01000-0010

(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. 2006-0927 for the proposed rezoning and future land use map designation of the parcel owned by Florrie Mae and Edwin L. Madill Revocable Trust, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2006-0927

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE TERRITORY HEREINAFTER DESCRIBED FROM COUNTY FUTURE LAND USE MAP DESIGNATION ROR (RETAIL, OFFICE, RESIDENTIAL) TO CITY FUTURE LAND USE MAP DESIGNATION HDR (HIGH DENSITY RESIDENTIAL), CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY THE GROWTH MANAGEMENT ACT OF 1985; AMENDING THE DADE CITY ZONING ORDINANCE TO CHANGE THE ZONING ON LAND HEREINAFTER DESCRIBED FROM COUNTY ZONING CATEGORY AC (AGRICULTURAL) TO CITY ZONING CATEGORY CN (NEIGHBORHOOD COMMERCIAL) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE (MADILL

PROPERTY).

Staff recommended that this ordinance be continued to the meeting of July 25, 2006, to allow time to get comments from the owners. After further discussion and with no one wishing to be heard, Commissioner Black moved to continue Ordinance No. 2006-0927 until the July 25, 2006 Commission meeting at 5:30 p.m. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. 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.)

CONSENT AGENDA

On recommendation of staff, Commissioner Black moved approval to authorize the declaration of three vehicles as surplus property. 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.)

On recommendation of staff, Commissioner Black moved approval to authorize the Mayor's signature on contracts for Bid #06-03, Wastewater Collection System Rehabilitation program Contract Sets A and B. 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.)

OLD BUSINESS

The following memorandum dated June 13, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Harold Sample, City Manager
Subject: Authorization of additions to the IT System Upgrade and INCODE Municipal Information System Project Budget
(Entire memorandum can be found in the City Clerk's file)

After discussion, Commissioner Black moved to accept staff's recommendations for the IT System Upgrade. The motion was seconded by Commissioner Van Gorden, and on vote the motion passed unanimously.

A discussion took place regarding the hiring of a part time IT person.

A motion was made by Commissioner Hernandez to appoint James Shive to the Firefighters' Relief & Pension Board. The motion was seconded by Commissioner Van Gorden, and on vote the motion passed unanimously.

A motion was made by Commissioner Hernandez to appoint Gail Stout as the city's representative on the Pasco County Library Board. The motion was seconded by Commissioner Black, and on vote the motion passed unanimously.

City Attorney Karla Owens announced that the Commission would be going into an Executive Closed session at the end of this meeting to discuss pending litigation.

Commissioners and City Staff discussed setting dates for budget workshops. The following dates were selected: June 23 (9 a.m.-noon), July 13 (9 a.m.-noon), July 25 (3.p.m.-5:30 p.m.), August 8 (4.p.m.-5:30 p.m.), August 22 (4 p.m.-5:30 p.m.) and August 29 (beginning at 5 p.m.).

NEW BUSINESS

The following memorandum dated June 9, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director
Subject: Fee Resolution No. 2006-0909 – Amending Development Related Fees
(Entire memorandum can be found in the City Clerk’s file)

Resolution No. 2006-0909 was read by title only by the City Clerk as follows:

RESOLUTION NO.: 2006-0909

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING ZONING, SUBDIVISION AND GROWTH MANAGEMENT FEES PREVIOUSLY ADOPTED ON JULY 23, 2003; PROVIDING FOR REPEALER AND AN EFFECTIVE DATE.

After discussion, the consensus was to review fees every two years. Commissioner Van Gorden moved approval of Resolution No. 2006-0909 and authorized the mayor’s signature of same. The motion was seconded by Commissioner Black and on a vote the motion passed unanimously.

A discussion took place regarding drafting and approval of Resolution No. 2006-0910 (which was not submitted at this meeting) that would eliminate permitting fees for demolition of dangerous structures and dead/diseased trees. A motion was made by Commissioner Black approving the concept of the resolution which will be presented at the June 27, 2006 Commission meeting. The motion was seconded by Commissioner Van Gorden and on a vote the motion passed unanimously.

The following memorandum dated June 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Resolution No. 2006-0908 (Updating the 24 CFR part 8 Self Evaluation Plan and Transition Plan)
(Entire memorandum can be found in the City Clerk’s file)

Resolution No. 2006-0908 was read by title only by the City Clerk as follows:

RESOLUTION NO. 2006-0908

A RESOLUTION OF THE CITY OF DADE CITY FLORIDA UPDATING THE 24 CFR PART 8 SELF EVALUATION PLAN AND A 24 CFR PART 8 TRANSITION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

After discussion, Commissioner Black moved to adopt Resolution No. 2006-0908 updating the Self Evaluation Plan and Transition Plan as required in CFR Part 8. The motion was seconded by Commissioner Hernandez and on a vote the motion passed unanimously.

The following memorandum dated June 7, 2006 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Authorization for Waiver of Bid Process to Purchase Equipment from Way Cool Playgrounds for Price and Hibiscus Parks (Penny for Pasco Project)
(Entire memorandum can be found in the City Clerk's file)

Commissioner Black moved approval to waive the bid process and authorize the purchase of equipment for Price and Hibiscus Parks from Way Cool Playgrounds based on the Osceola contract. The motion was seconded by Commissioner Van Gorden and on a vote the motion passed unanimously.

COMMISSIONER ITEMS

Commissioner Van Gorden moved to have staff prepare a resolution creating a charter review and revision committee of city residents which would sunset by April 2008 and be conducted by a facilitator. The motion was seconded by Commissioner Hernandez and on a vote the motion passed unanimously.

Commissioner Van Gorden also discussed sexual predators, the Ridge League meeting at Fantasy of Flight in Polk City in May, and unpaved roads in the City. He offered to conduct a survey for special assessments for road paving.

Commissioner Hernandez proposed setting a meeting with St. Leo and Pasco Hernando Community College to assist the City with grants and citizen surveys.

Commissioner Penix reported that she attended the Suncoast League Conference on June 9-10 and provided CDs of the sessions to Commissioner Brock and Commissioner Black. She also reported that the July 15 Suncoast meeting was cancelled and would be held in September.

Commissioner Brock discussed fee adjustments, charter review, planning board powers, and creating districts.

NOTED ITEMS:

Staff noted a letter dated May 26, 2006 from Jones Edmunds notifying the City that Angelo's Aggregate, LTD filed an application with the Florida Department of Environmental Protection for a permit to expand and renew operations at the Enterprise Recycling & Disposal Class III Landfill.

Those wishing to appear before the Commission during the public comment portion of the meeting were: Leola Thinn (cleaning on Tuskegee and Railroad and lake cleaning) and Joseph Wubbena (agreement with CSX for right-of-way cleaning; storm update).

The meeting was recessed at 7:40 p.m. for court reporter setup.

The meeting reconvened at 7:43 p.m. and the Mayor announced that the Commission would enter an executive closed session for discussion of pending litigation with Roeser Construction. Those in attendance would be limited to: Mayor P. Hutchison Brock, II, Mayor Protem Steve Van Gorden, City Commissioner Scott Black, City Commissioner Eunice Penix, City Commissioner Camille Hernandez, City Manager Harold Sample, and City Attorney Karla Owens.

The meeting recessed for the executive closed session at 7:43 p.m.

The meeting reconvened out of the executive closed session at 8:00 p.m.

There being no further business before the Commission, on motion the meeting adjourned at 8:00 p.m.

MAYOR

ATTEST:

CLERK