

JUNE 27, 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 27th day of June, A.D. 2006, at 5:40 p.m. The following members were present: Mayor P. Hutchison Brock and Commissioners Scott Black, Camille Hernandez, 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, 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 23, 2006, were approved as individually read. The minutes of the Workshop and the regular City Commission meetings of June 13, 2006, were distributed.

CONSENT AGENDA

On recommendation of staff, Commissioner Black moved to ratify the emergency, sole source purchase of the gear drive assembly from Chemineer, Inc. The motion was seconded by Commissioner Penix, 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 June 14, 2006 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, Community Development Director  
**Subject:** Ordinance Adopting Professional Consultant Fees  
(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. 2006-0932

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA CREATING AND ESTABLISHING A PROFESSIONAL AND CONSULTANT SERVICES FEE; PROVIDING FOR CONFLICT AND INCLUSION IN THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens appeared and reviewed the proposed ordinance for the adoption of professional consultant fees and stated that this ordinance is being introduced for first reading. A

motion was made by Commissioner Penix to introduce this ordinance and to authorize advertisement for public hearing with a change in Section 1 from “may” charge to “shall” charge unless waived by the City Commission. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (See Ordinance in its entirety in the ordinance file.)

A letter dated March 10, 2006 from Christiansen & Dehner, P.A. was noted. The following proposed ordinance was introduced and read by the City Clerk by title only as follows:

ORDINANCE No. 2006-0936

AN ORDINANCE OF THE CITY OF DADE CITY, AMENDING THE CITY OF DADE CITY POLICE OFFICERS' PENSION FUND AS ADOPTED PURSUANT TO ORDINANCE NO. 2003-0821; AMENDING SECTION I, DEFINITIONS; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16, DISTRIBUTION OF BENEFITS; AMENDING SECTION 24, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; AMENDING SECTION 28, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class appeared and reviewed the proposed ordinance which was drafted by the City's pension attorney to reflect recent amendments to the Internal Revenue Code which apply to tax qualified pension plans. He stated that the City Police Pension Board reviewed and approved the changes to the ordinance which are needed to bring the City into compliance. This ordinance is being introduced for first reading. A motion was made by Commissioner Hernandez to table this introduction until the July 11, 2006 City Commission meeting so that she could review the Internal Revenue Code. The motion was seconded by Commissioner Black, and on a vote the motion passed unanimously. (See Ordinance in its entirety in the ordinance file.)

A letter dated March 10, 2006 from Christiansen & Dehner, P.A. was noted. The following proposed ordinance was introduced and read by the City Clerk by title only as follows:

ORDINANCE No. 2006-0937

AN ORDINANCE OF THE CITY OF DADE CITY, AMENDING THE CITY OF DADE CITY FIREFIGHTERS' RELIEF AND PENSION FUND AS ADOPTED PURSUANT TO ORDINANCE NO. 2003-0820; AMENDING SECTION I, DEFINITIONS, BY AMENDING THE DEFINITION OF “CREDITED SERVICE”; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16 DISTRIBUTION OF BENEFITS; AMENDING SECTION 24, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; AMENDING SECTION 28, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION;

PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class appeared and reviewed the proposed ordinance which was drafted by the City's pension attorney to reflect recent amendments to the Internal Revenue Code which apply to tax qualified pension plans. He stated that the City Firefighters' Pension Board reviewed and approved the changes to the ordinance which are needed to bring the City into compliance. This ordinance is being introduced for first reading. A motion was made by Commissioner Hernandez to table this introduction until the July 11, 2006 City Commission meeting so that she could review the Internal Revenue Code. The motion was seconded by Commissioner Black, and on a vote the motion passed unanimously. (See Ordinance in its entirety in the ordinance file.)

The following memorandum dated June 21, 2006 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, Community Development Director  
**Subject:** Transportation Impact Fee Ordinance Amendment  
 (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. 2006-0935

AN ACT TO BE ENTITLED AN ORDINANCE SUBSTANTIALLY AMENDING AND REWRITING THE DADE CITY CODE OF ORDINANCES, CHAPTER 2, ARTICLE VII, SECTIONS 2471 THROUGH 2-483 ; TO ADOPT TRANSPORTATION IMPACT FEES TO BE IMPOSED ON NEW DEVELOPMENT; PROVIDING A PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING RULES OF CONSTRUCTION; PROVIDING FINDINGS; PROVIDING FOR THE ADOPTION OF IMPACT FEE STUDIES; PROVIDING REVIEW PROCEDURES; PROVIDING GENERAL PROVISIONS AND APPLICABILITY; PROVIDING PROCEDURES FOR IMPOSITION, CALCULATION AND COLLECTION OF TRANSPORTATION IMPACT FEES; PROVIDING FOR AN INDEPENDENT TRANSPORTATION IMPACT FEE STUDY PROCEDURE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR THE PAYMENT AND COLLECTION OF TRANSPORTATION IMPACT FEES; PROVIDING FOR CITY ENFORCEMENT OF THE TRANSPORTATION IMPACT FEE ORDINANCE; PROVIDING AN APPEAL PROCEDURE; PROVIDING FOR THE ESTABLISHMENT OF TRANSPORTATION IMPACT FEE FUNDS, PROVIDING FOR THE APPROPRIATION OF IMPACT FEE FUNDS AND REFUNDS; PROVIDING FOR CONFLICT; PROVIDING FOR THE EFFECT OF THE TRANSPORTATION IMPACT FEE ORDINANCE ON OTHER REGULATIONS AND DEVELOPMENT ORDERS; PROVIDING FOR INCLUSION INTO THE DADE CITY CODE OF ORDINANCES;

PROVIDING FOR THE REPEAL OF THE NEW DEVELOPMENT FAIR SHARE CONTRIBUTION FOR ROAD IMPROVEMENTS ORDINANCE NO. 586, AS SUBSEQUENTLY AMENDED; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING.

City Attorney Karla Owens appeared and reviewed the proposed ordinance amending the transportation impact fee ordinance and stated that this ordinance is being introduced for first reading. A motion was made by Commissioner Black to introduce this ordinance, authorize advertisement for public hearing, and have a workshop on July 25. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (See Ordinance in its entirety in the ordinance file.)

### OLD BUSINESS

The following memorandum dated June 14, 2006 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney  
**Subject:** Amending Building Permit Fees  
**(Entire memorandum can be found in the City Clerk's file)**

Resolution No. 2006-0910 was read by title only by the City Clerk as follows :

#### RESOLUTION No. 2006-0910

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING RESOLUTION NO. 2004-0846 TO WAIVE PERMITTING FEES FOR DEMOLITION OF AN UNSAFE STRUCTURE AND TO CREATE FEES FOR TREE REMOVAL.

After discussion, Commissioner Black moved approval to adopt Resolution No. 2006-0910, amending building permit fees, and to authorize the mayor's signature of the same. The motion was seconded by Commissioner Hernandez, and on vote the motion passed unanimously.

The following memorandum dated June 21, 2006 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, Community Development Director  
**Subject:** Resolution Creating the Charter Review Committee  
**(Entire memorandum can be found in the City Clerk's file)**

Resolution No. 2006-0911 was read by title only by the City Clerk as follows:

#### RESOLUTION No. 2006-0911

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ESTABLISHING A CHARTER REVIEW AND REVISION COMMITTEE; ESTABLISHING A LIMITED PERIOD OF EXISTENCE; DESIGNATING A METHOD FOR APPOINTMENT OF COMMITTEE MEMBERS AND FILLING VACANCIES; PROVIDING A STATEMENT OF DIRECTION; SETTING A FINAL COMMITTEE REPORT DATE; PROVIDING FOR REVIEW OF THE FINAL COMMITTEE REPORT AND A DECISION BY CITY COMMISSION ON WHAT RECOMMENDATIONS TO PLACE BEFORE THE VOTERS IN A REFERENDUM; AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Karla Owens advised that the committee would consist of seven citizen/residents with each commissioner appointing one member of the committee. The other two members will be appointed by the Commission at large. City residents serving on other boards or committees may also serve on the Charter Review Committee. At the July 11, 2006 meeting, staff will provide the Commission with applications received from City residents. After discussion, Commissioner Black moved approval to adopt Resolution No. 2006-0911, establishing a Charter Review and Revision Committee, and to authorize the mayor's signature of the same. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

City Manager Harold Sample distributed two quotes from Cross Environmental Services, Inc. and Simpson Environmental Services, Inc. for the demolition of the Reedy house at 13451 3rd Street. After discussion, Commissioner Black moved approval to authorize contracting with Cross Environmental Services, Inc. for demolition in the amount of \$6,150 with amounts over \$6,000 to be paid by the City. The motion was seconded by Commissioner Penix and on a vote the motion passed unanimously.

Commissioner Black inquired about the demolition of the house at 15th and Magnolia. City Manager Sample advised that authorization to demolish should be received soon.

#### NEW BUSINESS

City Manager Harold Sample advised that on Saturday afternoon the tower at the Police Department experienced a lightning strike that caused about \$18,000 of damage to phone, radio and computer equipment at the Police Department and City Hall. He advised that he would bring an agenda item back to the Commission to declare the tower as surplus property and to seek bids to remove it.

City Manager Harold Sample also reported on the progress of the new Commission office being constructed at City Hall in the old Commission Chambers.

#### COMMISSIONER ITEMS

Mayor Brock noted that all commissioners would be attending the annual Florida League of Cities conference in Jacksonville on August 10-12. A letter dated June 5, 2006 from the Florida League of Cities requested that one commissioner be designated as the city's voting

delegate. Mayor Brock recommended Commissioner Black since he is a League board member and is very familiar with League issues. Commissioner Hernandez said she would like to be considered for any future assignments or appointments that come before the Commission. Commissioner Hernandez moved to appoint Scott Black as the voting delegate at the annual conference. The motion was seconded by Commissioner Penix and on a vote the motion passed unanimously.

Commissioner Hernandez spoke about the temporary office in City Hall, direct email to commissioners, redesigning the City website, her appointment to the Area Agency on Aging and the legislative committee of the Suncoast League, and grammatical errors in the 2005 Water Quality Report.

#### NOTED ITEMS

The Historic Preservation Advisory Board Minutes of May 18, 2006 were noted. Also noted was a letter dated June 22, 2006 from the Department of Community Affairs authorizing the City to proceed with adoption of the Text Amendment to the Conservation Element of the City's Comprehensive Plan.

Individuals appearing before the Commission during the public comment portion of the meeting were: Mike Agnello, regarding transportation impact fee exemptions and credits.

There being no further business before the Commission, on motion the meeting adjourned at 6:41 p.m.

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MAYOR

ATTEST:

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CLERK