

MARCH 27, 2007
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 March, A.D. 2007, at 5:30 p.m. The following members were present: Mayor P.H. Brock, Commissioners Steve Van Gorden, Scott Black, Eunice Penix and Camille Hernandez. City staff members present included City Manager Harold R. Sample, City Attorney Karla Owens, City Clerk/Finance Director James D. Class, Deputy City Clerk Joanna Akers, Police Chief P. A. Thompson, Safety Services Director J. P. Wubbena, 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 Black, followed by the Pledge of Allegiance to The Flag.

Pasco Middle School teachers and students were presented two proclamations by Mayor Brock for their involvement in the Global Learning Connection program. One of the proclamations, along with gifts from the city, will be presented to the school in China by Mr. Zoney on his upcoming visit.

The meeting was recessed from 5:48 p.m. to 5:51 p.m.

Mayor Brock noted the proclamation for the Pasco County Fair Association.

The Lewis Abraham Day proclamation was presented by Commissioner Hernandez at the Boys & Girls Club event held on March 22, 2007.

The minutes of the February 27, 2007 regular City Commission meeting were approved as individually read. The minutes of the March 13, 2007 regular City Commission meeting were distributed.

PUBLIC HEARING

The following memorandum dated March 21, 2007 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Ordinance/Portable Shelters
(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. 2007-0950, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE 2007-0950

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING SECTIONS 5.2 AND 15.2 OF ZONING ORDINANCE NO. 361, AS AMENDED, REGULATING AND DEFINING ACCESSORY BUILDINGS AND STRUCTURES TO ADDRESS THE USE AND PERMITTING OF PORTABLE SHELTERS; PROVIDING FOR REPEALER, MODIFICATION, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden moved to adopt Ordinance No. 2007-0950 on final reading. The motion was seconded by Commissioner Black, and on a vote the motion passed unanimously. Commissioners Brock, Van Gorden, Black, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2007-0950 in its entirety is on file in the City Clerk's office.)

The following memorandum dated March 21, 2007 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Ordinance Amendment/Fences
(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. 2007-0951, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE 2007-0951

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING ORDINANCE NOS. 361, SECTION 5.2 (a), 593 AND 2002-0795 REGULATING FENCES; REGULATING FENCES IN RESIDENTIAL ZONING DISTRICTS; PROHIBITING CERTAIN FENCES IN RESIDENTIAL DISTRICTS; PROVIDING FOR EXISTING NON-CONFORMING FENCES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance and discussion ensued regarding the need to redefine the height requirements and state an 'average' height size rather than listing a specific one. After discussion and with no one from the public wishing to be heard, Commissioner Black moved to continue the public hearing on

Ordinance No. 2007-0951 to April 10, 2007 at 5:30 p.m. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Brock, Van Gorden, Black, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2007-0951 in its entirety is on file in the City Clerk's office.)

The following memorandum dated March 21, 2007 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Ordinance/Portable Storage Units
(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. 2007-0952, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE 2007-0952

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, PROHIBITING THE PERMANENT USE AND PLACEMENT OF PORTABLE STORAGE UNITS WITHIN THE CITY LIMITS; PROVIDING FOR RECITALS AND DEFINITIONS; PROVIDING FOR SEVERABILITY, INCLUSION IN CODE, REPEALER AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. Those appearing to speak on this ordinance were: Donald Dempsey, Rick Franchi, Greg Smith, John Finnerty, Nick Moreno, Craig Edwards, and Danny Perkins. Commissioner Black made a motion to accept for the record the photographs submitted by Mr. Dempsey. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioner Black made a motion to accept for the record the photographs submitted by Mr. Franchi. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioner Black made a motion to accept for the record the signed petition submitted by Mr. Moreno. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Staff discussed revising the ordinance to include an extension of time for residential construction and an exemption for commercial property. Commissioner Black moved to continue Ordinance No. 2007-0952 until the April 24, 2007 Commission meeting at 5:30 p.m. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Brock, Van Gorden, Black, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2007-0952 in its entirety is on file in the City Clerk's office.)

CONSENT

Commissioner Hernandez requested that the Award of Bid No. 07-01 be removed from the consent agenda.

On recommendation of staff, Commissioner Van Gorden moved approval of the Request for State Road Closure – Pasco County Law Enforcement Officer’s Memorial Service on May 1, 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 and after discussion, Commissioner Van Gorden moved approval of the Award of Bid No. 07-01 – Installation of Chain-Link Fencing and Gates and Approval of Agreement No. 2007-0774. The motion was seconded by Commissioner Black, and on a vote the motion passed. Commissioners Brock, Van Gorden, Black, and Penix voted “AYE.” Commissioner Hernandez voted “NAY” because of concerns regarding the bid, pricing, and inclusion of only one (1) pond.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated March 21, 2007 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director/City Attorney
Subject: Flanagan Hillpot, LLC/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.: 2007-0957

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. (FLANAGAN-HILLPOT PROPERTY).

City Attorney Karla Owens appeared and reviewed the proposed annexation ordinance. Joseph Quinn, from Coastal Engineering, was present and provided some additional information. Commissioner Black moved 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 unanimously.

The following memorandum dated March 21, 2007 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director

Subject: Flanagan Hillpot, LLC/Proposed PUD Rezoning
Parcel I.D. Nos.: 34-24-21-0000-15900-0000; 34-24-21-0000-15900-0010; 34-24-21-0000-15900-0020; 34-24-21-0220-00700-0000; 34-24-21-0220-00800-0000; 34-24-21-0220-01000-0000; 34-24-21-0220-00900-0000; 34-24-21-0220-00800-0010; and 34-24-21-0220-00700-0010
(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.: 2007-0958

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA AMENDING THE DADE CITY ZONING ORDINANCE TO CHANGE THE ZONING ON LAND HEREINAFTER DESCRIBED FROM COUNTY ZONING CATEGORIES R-3 (RESIDENTIAL) AND C-2 (COMMERCIAL) TO CITY ZONING CATEGORY PD-H2 (PLANNED UNIT DEVELOPMENT) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (FLANAGAN HILLPOT, LLC)

City Attorney Karla Owens appeared and reviewed the proposed ordinance which is being introduced to amend the zoning on this property. Commissioner Black moved 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 unanimously.

OLD BUSINESS

Mayor Brock distributed a revised draft letter for the Commission to review regarding the Citrus Ridge project. The consensus of the Commission was for the Mayor to submit the revised letter to the Pasco County Zoning Department.

The City Manager transition was discussed including the screening of applicants, interview process, and job description. It was the consensus of the Commission to make the following changes in paragraph twelve (12) of the job description: (1) include the words 'Master's strongly preferred' and (2) 'Starting' salary range is \$75,000 to \$95,000 'based on qualifications and experience'.

Commissioner Black left the meeting at 7:18 p.m.

City Manager Harold Sample noted that staff will continue to monitor Property Tax Reform and will provide updates to Commission as they are received. He also distributed to the Commission a copy of the letter sent to Pasco County regarding the

proposed Angelo's Class I Landfill.

City Manager Harold Sample gave an update on the final 7th Street Transfer Agreement, noting that DOT agreed to take out the landscaping contingencies. He also provided an update on the CSX Train traffic increase by noting an article from Florida Trend magazine and a letter received from FDOT.

The item for Highland Trails (fka Highland Lakes) was withdrawn from the agenda. City Manager Harold Sample reported on the staff's concerns (i.e. – safety, drainage, permits) regarding the Summit View project.

NEW BUSINESS

City Manager Harold Sample recommended a meeting by the Recreation Board regarding the increased vandalizing of equipment in Price Park. There was discussion by staff to add more lighting, higher decorative fencing, and camera monitoring.

City Manager Harold Sample provided an update to the wording in the Reclaimed Water Agreement with Little Everglades Ranch, Inc. The 'term' of the agreement was clarified, as well as the rate structure. A motion was made by Commissioner Van Gorden to approve the Reclaimed Water Agreement with Little Everglades Ranch, Inc. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

City Manager Harold Sample presented an emergency item that was unanimously accepted by the Commission. Mr. Sample requested that a donation of old stored furniture from PHCC be made to Habitat for Humanity. A motion was made by Commissioner Penix to authorize the donation of surplus furniture from PHCC to Habitat for Humanity. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

COMMISSIONER ITEMS

Commissioner Hernandez asked about the umbrellas for the tables located in Touchton and Hibiscus parks.

Commissioner Van Gorden reported that Supervisor of Elections Brian Corley asked to present his survey project at the April 10, 2007 meeting. He discussed the Town Hall meetings and trying to set dates before the next commission meeting. He also met with the executive director of the YMCA regarding the part-time position.

NOTED ITEMS

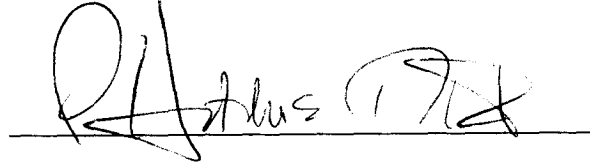
The resignation of Pete Odom from the Charter Review Committee and the letter to Dr. Brempong were noted.

City Attorney Karla Owens discussed the I & I project and the Charter Review workshop.

PUBLIC COMMENT

Individuals appearing before the Commission during the public comment portion of the meeting were: Celestine Bush Stevens, Barbara Jones, and Jim Stout.

There being no further business before the Commission, on motion the meeting adjourned at 8:02 p.m.

A handwritten signature in black ink, appearing to read "R. H. Stevens", written over a horizontal line.

MAYOR

ATTEST:

A handwritten signature in black ink, appearing to read "James D. Class", written over a horizontal line.
CLERK