

APRIL 10, 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 10th day of April, 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, Police Chief P. A. Thompson, Safety Services Director J. P. Wubbena, and Administrative Services Director Laura Beagles.

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.

Amy Ellis, Executive Director of Downtown Dade City Main Street, Inc., read a letter of appreciation and presented a plaque that will be given to city employee Donnie Shive.

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

PUBLIC HEARING

The following memorandum dated April 3, 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 amendment. Mike Agnello spoke during the public hearing for this ordinance. After discussion and with no one else wishing to be heard, Commissioner Black moved to adopt Ordinance No. 2007-0951 on final reading. 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. 2007-0951 in its entirety is on file in the City Clerk's office.)

The following memorandum dated April 3, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Proposed Contraction/Northrop Property (Formerly Cameron)  
(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. 2007-0954, the ordinance was read by title only by the City Clerk, as follows:

ORDINANCE 2007-0954

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, PROVIDING FOR CONTRACTION OF PROPERTY FORMERLY INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTIONS 171.02 THROUGH 171.062, FLORIDA STATUTES, AS AMENDED.

City Attorney Karla Owens reviewed the proposed ordinance. The realtor for the property spoke during the public hearing for this ordinance and presented a future land use map. Commissioner Black moved to accept the map for the record. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. After discussion and with no one else wishing to be heard, no action was taken on this ordinance by the Commission as they did not find there was a compelling reason for the contraction.

The following memorandum dated April 3, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Proposed Annexation and Rezoning/Cephus Food Sales, Inc./Michael Drive  
(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. 2007-0955, the ordinance was read by title only by the City Clerk, as follows:

## ORDINANCE 2007-0955

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. (Cephus Foods-Michael Lane)

City Attorney Karla Owens reviewed the proposed ordinance for annexation. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden moved to adopt Ordinance No. 2007-0955 on final reading. 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. 2007-0955 in its entirety is on file in the City Clerk's office.)

The following memorandum dated April 3, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Proposed Annexation and Rezoning/Cephus Food Sales, Inc./Michael Drive  
(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. 2007-0956, the ordinance was read by title only by the City Clerk, as follows:

## ORDINANCE 2007-0956

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 CATEGORY R-2, LOW DENSITY RESIDENTIAL AND RMH, MOBILE HOME PARK, TO ZONING CATEGORY RG-1, SINGLE FAMILY RESIDENTIAL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES; PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (Cephus Foods)

City Attorney Karla Owens reviewed the proposed ordinance for rezoning. After discussion and with no one from the public wishing to be heard, Commissioner Black moved to adopt Ordinance No. 2007-0956 on final reading. 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. 2007-0956 in its entirety is on file in the City Clerk's office.)

The following memorandum dated April 3, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Allen Property/Proposed Rezoning  
Parcel I.D. No.: 34-24-21-0000-07500-0010  
(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. 2007-0953, the ordinance was read by title only by the City Clerk, as follows:

#### ORDINANCE 2007-0953

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA AMENDING THE DADE CITY ZONING ORDINANCE TO CHANGE THE ZONING ON LAND HEREINAFTER DESCRIBED FROM CITY ZONING CATEGORY RS-2 (SINGLE FAMILY RESIDENTIAL) TO CITY ZONING CATEGORY RIO (RESIDENTIAL, INSTITUTIONAL, OFFICE) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.041, FLORIDA STATUTES PROVIDING FOR CODIFICATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance for rezoning. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden moved to adopt Ordinance No. 2007-0953 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. 2007-0953 in its entirety is on file in the City Clerk's office.)

#### OLD BUSINESS

City Manager Harold Sample noted that staff will continue to monitor Property Tax Reform and will provide updates to Commission as they are received.

The City Manager transition was discussed and the Commission will be reviewing job applications at next meeting.

City Attorney Karla Owens noted the Summit View Mass Grading Plan letter that she submitted to the county.

The following memorandum dated April 3, 2007 was noted:

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

**Subject:** Highland Lakes/Non-Substantial Change to PUD  
(Entire memorandum can be found in the City Clerk's file)

A presentation on the project and the proposed changes was given by the developer. After discussion, Commissioner Van Gorden moved to approve non-substantial changes to the PUD preliminary plan and Ordinance No. 2005-0904 to change the project name to Highland Trails, to delete the required sidewalks on Clinton Avenue and add a required sidewalk along the south side of Morningside Drive from the west boundary of the project to Highway 301, and to redistribute the lots as depicted in the revised master site plan dated March 12, 2007. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. The developer distributed copies of the presentation to the Commission. Commissioner Black moved to accept the copies for the record. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. After discussion, Commissioner Van Gorden moved to approve a non-substantial change to the PUD preliminary plan and Ordinance No. 2005-0904 to change Condition 11(k) to state that no garage may protrude more than eighteen (18) feet. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

City Manager Harold Sample discussed the Duck Lake Ditch Maintenance. The consensus of the Commission was to find a way to get this project done, so staff will continue to work with the county on this issue.

#### NEW BUSINESS

The following memorandum dated April 7, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Harold R. Sample, City Manager  
**Subject:** Request for Concession Permit – Bill Burke – Hibiscus Park  
(Entire memorandum can be found in the City Clerk's file)

City Manager Harold Sample reviewed the request for a concession permit at Hibiscus Park by Bill Burke. A motion was made by Commissioner Van Gorden to deny the request for a concession permit. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

Resolution No. 2007-0936 was read by title only by the City Clerk, as follows:

#### RESOLUTION NO. 2007-0936

A RESOLUTION OF THE CITY OF DADE CITY INFORMING THE PASCO COUNTY LEGISLATIVE DELEGATION OF THE IMPACT OF CERTAIN PROPERTY TAX REFORM PROPOSALS; URGING THE FLORIDA LEGISLATURE TO ENSURE ADEQUATE FUNDING SOURCES TO SUPPORT LOCAL GOVERNMENTS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

After discussion, Commissioner Van Gorden moved to approve Resolution No. 2007-0936. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed. Commissioners Black, Hernandez, and Penix voted "AYE," with Mayor Brock voting "NAY" since he felt the language in the resolution was too strong. Commissioner Van Gorden had stepped out of the room briefly during the vote to take a phone call. (Resolution No. 2007-0936 in its entirety is on file in the City Clerk's office.)

The following memorandum dated April 5, 2007 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Jim Class, City Clerk/Finance Director  
**Subject:** Resolution No. 2007-0937 – Amending the FY 2006-2007 Budget  
(Entire memorandum can be found in the City Clerk's file)

Resolution No. 2007-0937 was read by title only by the City Clerk, as follows:

#### RESOLUTION NO. 2007-0937

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2006-0919 BY REVISING THE 2006-2007 FISCAL YEAR BUDGET TO ADJUST THE POLICE AND WASTEWATER BUDGETS; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Black to approve Resolution No. 2007-0937. The motion was seconded by Commissioner Hernandez and on a vote, the motion passed unanimously.

#### COMMISSIONER ITEMS

Mayor Brock noted requests for a proclamation for Older Americans Month and a letter recognizing two Dade City Girl Scouts who received the "Gold Award."

Commissioner Penix requested that staff explore the possibility of naming a street after slain Sheriff's Captain Charles "Bo" Harrison.

Commissioner Black discussed a ribbon cutting for the new fitness trail, security for the Hardy Trail, and doing a future land use amendment for the Northrup property.

Commissioner Van Gorden noted that the presentation on a citizen survey by Brian Corley has been rescheduled to the April 24 meeting and reported on the Recreation Advisory Board's recommendations concerning the vandalism at Price Park.

Commissioner Hernandez commented on the use of a police bicycle patrol and getting youth council input for these security issues.

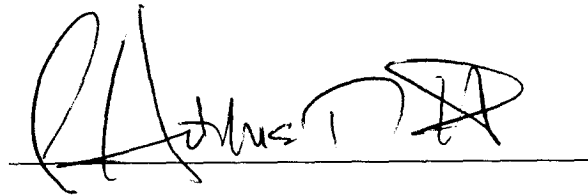
NOTED ITEMS

The letter dated March 26, 2007 from Downtown Dade City Main Street, Inc. was noted.

PUBLIC COMMENT

Joey Wubbena appeared before the Commission noting that James Shive has submitted a letter of resignation from the Fire Pension Board.

There being no further business before the Commission, on motion the meeting adjourned at 7:25 p.m.

A handwritten signature in black ink, appearing to read "Richard A. ...", 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