

JUNE 10, 2008
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 June, 2008, at 5:35 p.m. The following members were present: Mayor Scott Black and Commissioners Camille Hernandez, Steve Van Gorden, Eunice Penix, and Curtis Beebe. City staff members present included City Manager William C. Poe, Jr., City Clerk/Finance Director James D. Class, Deputy City Clerk Joanna Akers, City Attorney Karla Owens, Police Chief Raymond Velboom, and Administrative Services Director Laura Beagles.

The meeting was called to order by Mayor Black, and invocation was given by City Clerk Jim Class, followed by the Pledge of Allegiance to The Flag.

PRESENTATION

Mayor Black presented a Proclamation to Mr. James Walmer for his outstanding strength through adversity, his dedication to his education and for begin a shining example of what young people can accomplish through perseverance.

Mayor Black presented a Proclamation to Coach Ricky Giles for his accomplishments and outstanding record as Head Coach of the Pasco High School Baseball Team. Mayor Black also presented a Proclamation to Coach Giles recognizing the Pasco High Pirates Baseball Team for their accomplishments during the 2008 season.

The minutes of the May 8, 2008 Workshop and the May 13, 2008 Regular City Commission Meeting were approved as individually read. The minutes of the May 27, 2008 Workshop and Regular City Commission Meeting were distributed.

PUBLIC HEARINGS

The following memorandum dated May 30, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Appeal of Notice of Demolition/Yvonne Trueblood Barker
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens stated that on April 16, 2008, a certified letter was sent by the City's Building Official to the property owner, Yvonne Trueblood Barker, advising her that the structure located at the corner of Tuskegee Avenue and Wilson Street was unsafe and meets the criteria for demolition pursuant to Section 22 of the Dade City Code of Ordinances. Ms. Barker appeared before the Commission and requested time to be able to repair the home. After further discussion, Commissioner Penix made a motion to grant Ms. Barker an extension until June 30, 2008 to get a building permit to repair the home. The motion was seconded by Commissioner Beebe, and on a vote the motion

passed unanimously. Commissioners Black, Van Gorden, Beebe, Penix, and Hernandez voted "AYE," with no one voting "NAY."

CONSENT

The following memorandum dated May 29, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Participation in HOME Consortium Agreement
(Entire memorandum can be found in the City Clerk's file)

The Pasco County Community Development Division has inquired about formation of a consortium with the County and the City of Zephyrhills to participate in the Housing and Urban Development (HUD) HOME Investment Partnership Program. The agreement is valid for an initial term of three (3) years with three (3) automatic renewals available. A motion was made by Commissioner Van Gorden to approve the HOME Consortium Agreement and Resolution, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated May 27, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Chief Ray Velboom
Subject: Transfer of forfeiture funds
(Entire memorandum can be found in the City Clerk's file)

In 2007 the Police Department participated in an investigation with the Pasco Sheriff's Office and received \$100,000 in forfeiture monies. To comply with state statute, the Police Department must allocate 15% or \$15,000 dollars to certain authorized programs. The Police Department is requesting that the entire \$15,000 be given to the Altha Counseling Service from New Port Richey, FL to provide transportation to and from drug counseling sessions. A motion was made by Commissioner Van Gorden to approve the transfer of forfeiture funds to Altha Counseling Service, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated June 3, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Historic Preservation Advisory Board – Recommendation for Planting Cathedral Oaks
(Entire memorandum can be found in the City Clerk's file)

The Historic Preservation Advisory Board (HPAB) expressed concerns regarding the removal of trees in the median of Howard Avenue between 5th Street and 7th Street and has recommended planting Cathedral Oaks. A motion was made by Commissioner Van Gorden to accept the recommendation of the HPAB and authorize the Public Works Department to plant cathedral oaks in the median of Howard Avenue between 5th Street and 7th Street, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated June 3, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Laura L. Beagles, Director of Administrative Services
Subject: Historic Preservation Advisory Board – Recommendation for Adding a Structure Located at 13945 12th Street to the City’s Historic List
(Entire memorandum can be found in the City Clerk’s file)

The Historic Preservation Advisory Board (HPAB) has requested that the structure located at 13945 12th Street be added to the City’s Historic List, as it is of historic design, has maintained its historic character, and the owner is motivated to retain its historical qualities. A motion was made by Commissioner Van Gorden to accept the recommendation of the HPAB to add the structure located at 13945 12th Street to the City’s Historic List, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated June 10, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Terrace Park Subdivision/Annexation and Rezoning
(Entire memorandum can be found in the City Clerk’s file)

The following proposed ordinances were introduced by the City Attorney and read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2008-0980

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).

ORDINANCE NO.: 2008-0981

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 A-R (AGRICULTURAL-RESIDENTIAL) AND R-3 (MEDIUM DENSITY RESIDENTIAL) 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 noted that this was a request by Flanagan-Hillpot, LLC for the annexation of approximately 56.5 acres located west of U. S. Highway 301 behind the Hampton Inn and rezoning of the property to a Planned Unit Development (PUD). The site plan and development conditions have been revised from previous submissions to the Commission, with the changes listed in Ms. Owens' memorandum. Commissioner Van Gorden stated that he would not recuse himself from discussion of this item as requested by the developer and asked if a cost/benefit analysis of this project had been completed by Pasco County. Commissioner Beebe asked about the City's liability for existing drainage issues and wanted information on this from the Southwest Florida Water Management District and Pasco County, as well as addressing issues raised in a prior memorandum from the County. Commissioner Hernandez stated that the proposed ordinance provides safeguards regarding density and noted that no presentation of the project had been made to the County.

Commissioner Penix made a motion to introduce Ordinance No. 2008-0980 for the annexation of the Flanagan-Hillpot property and to advertise the ordinance for a public hearing on June 24, 2008. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed. Commissioners Black, Beebe, Penix, and Hernandez voted "AYE," with Commissioner Van Gorden voting "NAY." (Ordinance No. 2008-0980 in its entirety is on file in the City Clerk's office.)

After discussion, Commissioners revised the conditions in Ordinance No. 2008-0981 to state that the entire project will be engineered in accordance with the Basins of Special Concern requirements and to have a seventy-five-foot (75') buffer adjacent to the residential areas on the north and west boundaries of the property. Commissioner Penix made a motion to introduce Ordinance No. 2008-0981 as revised for the rezoning of the Flanagan-Hillpot property and to advertise the ordinance for a public hearing on June 24, 2008. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed. Commissioners Black, Beebe, Penix, and Hernandez voted "AYE," with Commissioner Van Gorden voting "NAY." (Ordinance No. 2008-0981 in its entirety is on file in the City Clerk's office.)

OLD BUSINESS

The following memorandum dated June 2, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, P.E., City Engineer and Public Works Director
Subject: Shallow Wells
(Entire memorandum can be found in the City Clerk's file)

City Manager Billy Poe requested that this item be withdrawn from the table, at this time, for further review.

The following memorandum dated June 2, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Appointments to Citizens Advisory Committee for the Land Development Code
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens noted that nine (9) regular members and two (2) alternate members are needed for the Citizens Advisory Committee. Seven current members have expressed a desire to be reappointed, leaving a need for two regular members and two alternate members. Commissioner Beebe made a motion to reappoint the seven existing members for a twelve-month term: John Finnerty, Pat German, Tom Hanson, Davis Henley, Len Johnson, Bob Larkin, and Margaret Thompson. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. After further discussion, it was the consensus of the Commission to consider the remaining appointments at the next meeting.

The following memorandum dated June 3, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, P.E., City Engineer and Public Works Director
Subject: Proposed Amendment to Commission Rules
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens reviewed the proposed amendment to the Commission Rules. After discussion, it was the consensus of the Commission to have her revise the amendment to provide some flexibility for the Commission in determining the order of business and when to take public comment. Mrs. Owens will revise the wording and place the amendment on the agenda of a future meeting.

The following memorandum dated June 4, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Transfer of Park Ownership/The Pines Subdivision

(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens requested that this item be continued to the July 8, 2008 meeting to allow for a discussion with Bill Adair.

NEW BUSINESS

City Manager Billy Poe noted that Sunrise Rotary had requested to place shelters at the Hardy Trail and the Train Depot. Commissioner Beebe made a motion to approve the request by Sunrise Rotary to place shelters at the Hardy Trail and the Train Depot. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

The following memorandum dated June 2, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, P.E., City Engineer and Public Works Director
Subject: Task Order No. 08-01
(Entire memorandum can be found in the City Clerk's file)

City Engineer Jose B. Gil reviewed that on May 13, 2008, the City Commission approved the Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) pertaining to the expansion of the City's reuse system to the Little Everglades Ranch. The City requested a task order from Baskerville Donovan, Inc. to provide engineering consulting services for this project. After discussion, a motion was made by Commissioner Van Gorden to approve Task Order No. 08-01. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated June 3, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Tampa Bay Community Development Corporation Utility Services Agreement
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens noted that the Tampa Bay Community Development Corporation owns 19.84 acres of property north of the City limits on the west side of 21st Street between Patchoosa Avenue and Long Avenue. The developer intends to construct a 64 lot subdivision which will be developed through Pasco County but is within the City's Utility Service Area. In order to obtain a guaranteed reservation of water and sewer services from the City, it is necessary for the developer to execute the utility service agreement for the proposed Sunset Hills Subdivision. After discussion, a motion was made by Commissioner Beebe to approve the Utility Service Agreement with Tampa Bay Community Development Corporation. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated June 3, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Resolution No. 2008-0988 – State of Florida Purchasing Card Program
(Entire memorandum can be found in the City Clerk’s file)

The following proposed resolution was introduced by the City Clerk and read by title only by the City Clerk, as follows:

RESOLUTION NO.: 2008-0988

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY ATTORNEY TO SIGN AN APPLICATION FOR THE CITY’S PARTICIPATION IN THE STATE OF FLORIDA PURCHASING CARD PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Jim Class noted that there has been discussion regarding the City obtaining purchasing cards to provide an alternative method of payment for certain authorized purchases. The State of Florida has a contract for a purchasing card program that allows participation by other governmental agencies. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2008-0988. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Beebe, Penix, and Hernandez voted “AYE,” with no one voting “NAY.” (Resolution No. 2008-0988 in its entirety is on file in the City Clerk’s office.)

COMMISSIONER ITEMS

Mayor Black attended the ribbon-cutting ceremony for the first phase of the County’s Tommytown project and a luncheon at the library.

Commissioner Penix asked about cell phone usage by City employees and City Manager Billy Poe responded that the City is evaluating that issue.

Commissioner Hernandez noted that the next Movie-in-the-Park night will be held on June 21st featuring the movie “R.V.” and that the Youth Council is in the process of beginning a ‘Gaming Night’ and will preview this prior to the movie. She recommended that Commissioner Penix be the next Leadership of Pasco participant from the City. After discussion, it was the consensus of the Commission to have Mrs. Penix attend. She also asked if there was any orientation or training for new board members or volunteers. City Attorney Karla Owens responded that the City provides materials to new board members.

Commissioner Van Gorden noted that he will be attending the luncheon for Representative Weatherford and Senator Crist.

NOTED ITEMS

The following memorandum dated June 3, 2008 was noted:

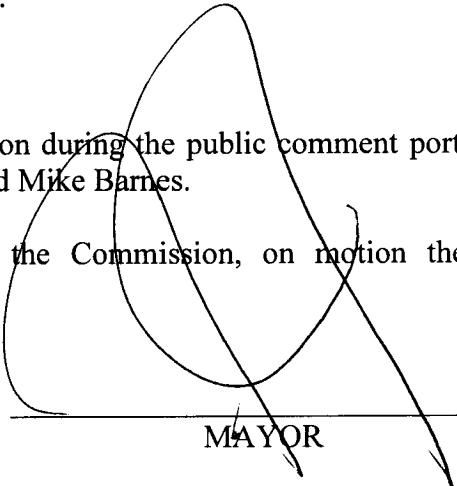
To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Highland Lakes Community Development District budget
(Entire memorandum can be found in the City Clerk's file)

It was noted that the public hearing on the Highland Lakes Community Development District budget will be held on August 20, 2008. The Commission did not wish to provide comments on their proposed budget.

PUBLIC COMMENT

Individuals appearing before the Commission during the public comment portion of the meeting were Pat Lawhead, Tony Lister, and Mike Barnes.

There being no further business before the Commission, on motion the meeting adjourned at 7:20 p.m.



MAYOR

ATTEST:


CLERK