

SEPTEMBER 22 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 22nd day of September, 2008, at 5:32 p.m. The following members were present: Mayor Scott Black and Commissioners Camille Hernandez, Steve Van Gorden, Curtis Beebe and Eunice Penix. 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, and Police Chief Raymond Velboom.

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

PRESENTATIONS

Dr. Arthur F. Kirk, President St. Leo University, was present and thanked the City for their sponsorship and participation in the Taste of Dade City.

Mayor Black and the Commission presented a proclamation to Robert Sumner, who was accepting on behalf of Pat Mulieri, for the Making Strides Against Breast Cancer 5K Walk being held on October 25, 2008 at The Little Everglades Ranch in Dade City.

PUBLIC COMMENT

Kathy Lambert commented on the Love One Another project and thanked Commissioner Hernandez for her participation.

MINUTES

The minutes of the August 26, 2008 Regular City Commission Meeting and the August 26, 2008 Workshop – Youth Council Applicants were approved as individually read. The minutes of the September 9, 2008 Regular City Commission Meeting and the September 9, 2008 CRA Meeting were distributed.

PUBLIC HEARINGS

The proposed resolution was read in its entirety by the City Clerk, the title of which is as follows:

RESOLUTION NO.: 2008-1010

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY,  
FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM  
TAXES FOR THE CITY OF DADE CITY, FLORIDA, FOR FISCAL  
YEAR 2008-2009; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Jim Class noted that the resolution sets a final operating millage rate of 7.104 mills, which is less than the roll back rate of 7.907 mills by 10.15%. As this was the advertised time and place for a public hearing regarding this issue, Kathy Lambert addressed the Commission and thanked them for lowering the millage rate for this budget year. After discussion and with no one from the public wishing to be heard, a motion was made by Commissioner Van Gorden to approve Resolution No. 2008-1010. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2008-1010 in its entirety is on file in the City Clerk's office.)

The proposed resolution was read in its entirety by the City Clerk, the title of which is as follows:

RESOLUTION NO.: 2008-1011

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2008-2009; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Jim Class noted that the resolution adopts a final budget of \$10,308,683. After discussion and with no one from the public wishing to be heard, a motion was made by Commissioner Beebe to approve Resolution No. 2008-1011. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2008-1011 in its entirety is on file in the City Clerk's office.)

The following memorandum dated August 6, 2008 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Jim Class, City Clerk / Finance Director  
**Subject:** Proposed ordinance – Billing deposits  
(Entire memorandum can be found in the City Clerk's file)

The proposed ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2008-0986

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA, AMENDING SECTIONS OF THE DADE CITY CODE OF ORDINANCES TO ALLOW FOR THE RETURN OF CERTAIN BILLING DEPOSITS AND THE COLLECTION OF ADDITIONAL BILLING DEPOSITS; AUTHORIZING THE COLLECTION OF DELINQUENT ACCOUNTS AND THE RECOVERY OF FEES AND

COSTS; UPDATING SECTIONS REGARDING BILLS AND  
NONPAYMENTS; PROVIDING FOR SEVERABILITY,  
CODIFICATION, AND AN EFFECTIVE DATE.

City Clerk Jim Class reviewed the ordinance. As this was the advertised time and place for a public hearing regarding this issue, Mike Agnello stated his opposition on refunding the deposits, Kathy Lambert noted that there are agencies that will help citizens pay bills, and Jim Shive inquired about late fees due to discrepancies in the utility bills. After discussion, Commissioner Beebe made a motion to approve Ordinance No. 2008-0986 after removing all references to requiring additional deposits. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2008-0986 in its entirety is on file in the City Clerk's office.)

CONSENT AGENDA

The following memorandum dated September 22, 2008 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** William Poe, City Manager  
**Subject:** Request for State Road Closure for Homecoming Parade, October 31, 2008  
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Hernandez moved approval for the Pasco High School's Homecoming Parade road closures, including the FDOT road closure of Meridian Avenue/S.R. 52 between 8th Street and 6th Street on October 31, 2008, as part of the consent agenda. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

The following memorandum dated September 16, 2008 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Jim Class, City Clerk / Finance Director  
**Subject:** Agreement No. 2008-0824 – Audit Services  
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Hernandez moved approval to renew the audit agreement with Williams, McCranie, Wardlow & Cash, as part of the consent agenda. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

UNFINISHED BUSINESS

The following memorandum dated September 11, 2008 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Amendment to Resolution No. 2008-0965 Establishing Park Rental Fees  
(Entire memorandum can be found in the City Clerk's file)

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

RESOLUTION NO.: 2008-0996

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING RESOLUTION NO. 2008-0965 ESTABLISHING FEES FOR THE EXCLUSIVE USE OF PUBLIC PARKS AND RECREATION FACILITIES; PROHIBITING STANDING RESERVATIONS FOR WEEKENDS; ELIMINATING FEE REDUCTIONS OR EXEMPTIONS FOR NON-CITY RELATED USE; PROVIDING FOR REPEAL AND EFFECTIVE DATE.

City Attorney Karla Owens reviewed the resolution and noted that the wording "regularly scheduled" was removed from Section 2(B). After discussion, Commissioner Van Gorden made a motion to approve Resolution No. 2008-0996 and to "grandfather" the existing fee exemptions for not-for-profit organizations currently using the American Legion Building and the practice fields. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

NEW BUSINESS

The following memorandum dated September 16, 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:** DEP Resolution for SRF Agreement WW67006P  
(Entire memorandum can be found in the City Clerk's file)

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

RESOLUTION NO.: 2008-1012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS.

City Manager Billy Poe noted that on September 22, 2006 the City entered into a State Revolving Fund (SRF) Loan Agreement No. WW67006P with the Department of Environmental Protection (DEP) for \$2,228,755. This amount will fund the preconstruction activities for rehabilitation of lift stations, force lines, and the wastewater treatment plant. In July 2008 the City executed an amendment to the agreement that reduced the amount to \$1,390,264, based on the scope of work included in the completed Facilities Plan prepared by our consultants. In order to comply with U.S. Treasury regulations for funding infrastructure projects with tax exempt funds, the DEP requires the City to execute the attached resolution with the new reduced amount. After discussion, a motion was made by Commissioner Hernandez to approve the execution of Resolution No. 2008-1012. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

The following memorandum dated September 15, 2008 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Jim Class, City Clerk / Finance Director  
**Subject:** Approval of Resolution No. 2008-1013 – Establishing a Reserve Policy  
(Entire memorandum can be found in the City Clerk’s file)

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

RESOLUTION NO.: 2008-1013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA ADOPTING A RESERVE POLICY FOR DESIGNATED MONIES; SETTING CURRENT RESERVE LEVELS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Jim Class reviewed the resolution which establishes a policy to ensure that certain restricted financial resources are used only for their intended purposes and that adequate reserve balances are maintained for short-term cash needs or emergency situations. Commissioner Van Gorden was concerned about language in Section 4.02 that requires reserves equaling 25% of budget and that minimum balance deficiencies must be repaid. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2008-1013 with a change in Section 4.02 to state “should be repaid” instead of “must be repaid.” The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

CITY ADMINISTRATION ITEMS

The following memorandum dated September 17, 2008 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** William C. Poe, Jr., City Manager

**Subject:** Lease agreement with Weitzenkorn Family Partnership, Ltd.  
(Entire memorandum can be found in the City Clerk's file)

City Manager Billy Poe stated that on April 24, 2007, the City Commission executed a lease agreement with the Weitzenkorn Family Partnership, Ltd. For 1.55 acres located at the intersection of Church Avenue and 8th Street. This property is currently being used for overflow parking for the downtown area and special events. The lease requires the City to pay to Mr. Weitzenkorn an annual fee equal to the annual real property taxes. Total cost to lease and maintain the property is \$10,734.46 plus insurance. Mr. Poe was seeking direction from the Commission as to whether to continue the lease or not. After discussion, it was the consensus of the Commission for Mr. Poe to talk with Mr. Weitzenkorn and discuss making the property available for parking during special events instead of continuing the current lease.

The following memorandum dated September 19, 2008 was noted:

**To:** Chairman and Members of the Community Redevelopment Agency  
**From:** Karla S. Owens, Community Development Director/City Attorney  
**Subject:** Information for Consideration at Workshop  
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens distributed a packet for the Commission to look at regarding the CRA Workshop – Visioning Session to be held on October 14, 2008 at 4:00 p.m. She has also provided websites to look at for additional information.

### COMMISSIONER ITEMS

Commissioner Van Gorden wants to readdress the issue of meeting participation by phone. This item will be placed on the agenda for discussion at the next meeting.

Commissioner Hernandez noted of the landfill meeting being held September 23 at the Pasco Middle School Auditorium at 6:30 p.m.

Commissioner Beebe wants to readdress the issue of changing the Commission meetings to Monday nights. This item will be placed on the agenda for discussion at the next meeting.

Commissioner Penix stated that she has received citizen comments on what a good job Chief Velboom and the Police Department are doing, especially with the recent incident at Moore Mickens. She also wanted to thank the City for letting her attend Leadership Pasco this year.

Mayor Black stated that at the last MPO Meeting, the intersection of 21st Street and Meridian Avenue has been added to their project list. He also wanted to wish Laura Beagles well and would like for the City to present her with a plaque of appreciation.

PUBLIC COMMENT

Kathy Lambert commented on the Weitzenkorn property. Mike Agnello also commented on the Weitzenkorn property. Jim Shive commented on street paving and Commission salaries.

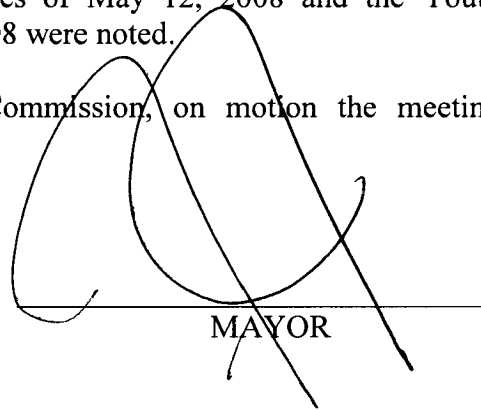
NOTED ITEMS

Mayor Black noted that next month, he will be presenting a Proclamation for National Alcohol and Drug Addiction Recovery Month at the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) event being held at the Dade City Business Center.

CITY RELATED BOARD MINUTES

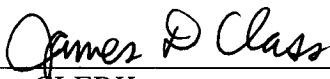
The Recreation Advisory Board Meeting Minutes of May 12, 2008 and the Youth Advisory Council Meeting Minutes of July 14, 2008 were noted.

There being no further business before the Commission, on motion the meeting adjourned at 6:53 p.m.



MAYOR

ATTEST:

  
CLERK