

JANUARY 13, 2009
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 13th day of January, 2009, at 5:53 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

Andy Hanson, with the Florida League of Cities, presented an insurance premium reimbursement check for \$27, 444 to the City.

Mayor Black, City Manager Billy Poe and the Commission recognized and presented a five-year service pin to City employee Robert Hawes.

Mayor Black and the Commission presented members of the Dade City Garden Club with a Proclamation in recognition of Arbor Day on Friday, January 16, 2009.

Youth Council member Jose Amateco addressed the Commission and gave an update on both past and upcoming events of the Youth Council. One of the items discussed was the desire to extend the lease with ANPM Enterprises, LLC for the "Gathering Place". The Youth Council would like to use this space for displays and activities related to the Kumquat Festival and the Steeplechase Race. A motion was made by Commissioner Penix to have City Attorney Karla Owens prepare the agreement to extend the lease through March 31, 2009, and to get the necessary insurance. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

Per the Mayor's request, the following 'NEW BUSINESS' item was moved up for discussion at this time:

The following memorandum dated January 6, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, P.E., City Engineer and Public Works Director
Subject: Approval of Wastewater Facilities Plan
(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.: 2009-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; ADOPTING THE WASTEWATER FACILITIES PLAN 2008-2028 AS THE STATE REVOLVING FUND PLANNING DOCUMENT; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

City Engineer Jose Gil reviewed the Facilities Plan. Thomas Vill and Wayne White from Baskerville-Donovan were present to answer questions or provide additional information. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2009-02. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (Resolution No. 2009-02 in its entirety is on file in the City Clerk's office.)

PUBLIC COMMENT

Julius Farmer addressed the Commission and inquired about getting a Neighborhood Watch in place for his neighborhood. Chief Velboom and Sgt. Walters will speak with him in more detail regarding this issue.

MINUTES

The minutes of the November 18, 2008 Regular City Commission Meeting were approved as individually read. The minutes of the December 9, 2008 Regular City Commission Meeting were distributed.

PUBLIC HEARINGS

The following memorandum dated October 7, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Comprehensive Plan Amendment to Implement School Concurrency
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens reviewed the proposed Comprehensive Plan as discussed earlier at the LPA meeting. She noted that all local governments must develop mandatory school concurrency programs jointly with their school boards. Although this item was previously transmitted in October 2008, the Department of Community Affairs (DCA) has required the City to hold another transmittal public hearing before the City Commission. Pursuant to statutory requirements, Chris Williams, from the Pasco County School Board, was present to participate in the public hearing and to address the Commission. After discussion and with no one from the public wishing to be heard, Commissioner Beebe made a motion to approve the plan as submitted and authorize staff to update data with the School Board as needed for transmittal to the DCA. 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”. Chris Williams noted his approval as well.

CONSENT AGENDA

The following memorandum dated December 31, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Raymond E. Velboom, Chief of Police
Subject: Renewal – Pasco County Law Enforcement Mutual Aid Agreement
(Entire memorandum can be found in the City Clerk’s file)

On recommendation of staff, Commissioner Van Gorden moved the approval for renewing the Pasco County Mutual Aid Agreement, 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 January 07, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Reappointments to the Recreation Advisory Board
(Entire memorandum can be found in the City Clerk’s file)

On recommendation of staff, Commissioner Van Gorden moved the approval for reappointing Ms. Lewis-Bennett, Ms. Weightman and Mr. Rosenbauer for an additional three year term to the City’s Recreation Advisory Board, 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 January 13, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jose B. Gil, P.E., City Engineer and Public Works Director
Subject: Sidewalk Repair at the CARES Crescent Senior Enrichment Center
(Entire memorandum can be found in the City Clerk’s file)

On recommendation of staff, Commissioner Van Gorden moved the approval for awarding the sidewalk repair at 5th Street and Florida Avenue to Ace Aluminum & Construction for a total cost of \$6,707.20, 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 December 12, 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: Agreements for resurfacing tennis courts, fencing the Howard Ave. retention pond, and construction of a sidewalk along 17th St.

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

The Commission requested that this item be pulled from the consent agenda for discussion. After discussion, Commissioner Van Gorden made a motion to approve the agreements for the fencing at the Howard Avenue retention pond and the construction of a sidewalk along 17th Street but to delay approval of the agreement for the resurfacing of the tennis courts. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

The following memorandum dated January 6, 2009 was noted:

To: Mayor and Members of the City Commission
From: William Poe, City Manager
Subject: Approval of Collective Bargaining Contract
(Entire memorandum can be found in the City Clerk's file)

City Manager Billy Poe requested that this item be pulled from the consent agenda for discussion. He reviewed the agreement with the West Central Florida Police Benevolent Association and some proposed amendments. After discussion, a motion was made by Commissioner Van Gorden to approve the contract with PBA as ratified and continue good faith negotiations for those Articles identified. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated December 22, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Introduction of Ordinance/Repealer of Chapter 106
(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.: 2008-0991

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, REPEALING SECTIONS 106-31 THROUGH 106-136 OF THE DADE CITY CODE OF ORDINANCES LICENSING AND REGULATING TAXICAB AND WRECKER SERVICES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. After discussion, a motion was made by Commissioner Penix to approve the introduction of Ordinance No. 2008-0991 and

authorize staff to advertise for public hearing. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

The following memorandum dated December 31, 2008 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Introduction of Ordinance/Repeal of Ordinances Regulating Exotic and Captive Wild Animals
(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.: 2008-0992

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, REPEALING SECTIONS 18-2; 18-3; AND 18-5 OF THE DADE CITY CODE OF ORDINANCES REGULATING THE POSSESSION OF EXOTIC AND CAPTIVE WILD ANIMALS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. After discussion, a motion was made by Commissioner Hernandez to approve the introduction of Ordinance No. 2008-0992 and authorize staff to advertise for public hearing. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

UNFINISHED BUSINESS

The following memorandum dated January 6, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Employee Grievance process/Amendment to Personnel Code
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens reviewed the memorandum. After discussion, a motion was made by Commissioner Van Gorden to approve the incorporation of the proposed grievance procedure into Section 8.06 of the Personnel Rules. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

NEW BUSINESS

The following memorandum dated December 22, 2008 was noted:

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

Subject: Reassignment of Architectural Review Ordinance
(Entire memorandum can be found in the City Clerk's file)

City Attorney Karla Owens reviewed the memorandum. It was the consensus of the Commission to have Mrs. Owens review this and bring back at a later date for further discussion.

The following memorandum dated January 6, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Resolution No. 2009-01 – Amending the FY 2008-2009 Budget
(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.: 2009-01

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2008-1011 BY REVISING THE 2008-2009 FISCAL YEAR BUDGET TO BRING FORWARD CERTAIN PROJECTS IN THE INFRASTRUCTURE SURTAX FUND FROM FISCAL YEAR 2007-2008; ADJUSTING THE BUDGET FOR THE ALTERNATIVE CALCULATION OF TAX INCREMENT REVENUES BASED ON AN INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk/Finance Director Jim Class reviewed the proposed resolution. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2009-01. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

City Manager Billy Poe requested to bring an additional item onto the agenda as an 'emergency' item. A motion was made by Commissioner Hernandez approving to add the item to the agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

The following memorandum dated January 13, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: William Poe, City Manager
Subject: Request for State Road Closure for Dade City Chamber of Commerce Monthly Cruise-In for 2009, February 7, March 7, April 4, May 2, June 6, July 4, August 1, September 5, October 3, November 7, December 5, 2009
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Hernandez moved the approval for closing Meridian Avenue (SR 52) from 7th Street to the U.S. Hwy 98 Bypass/U.S. Hwy 301 for the Cruise-In Car

Show scheduled on the first Saturday of every month for 2009. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

CITY ADMINISTRATION ITEMS

City Manager Billy Poe brought up the discussion of the City's overtime pay for scheduled events. Crystal Davenport was present and addressed the Commission on Downtown Main Street's use of City employees during their events. Staff will review further and research ways to decrease the amount of overtime being used during the events and also look into amending the event applications.

City Clerk/Finance Director Jim Class gave the Commission a department update.

COMMISSIONER ITEMS

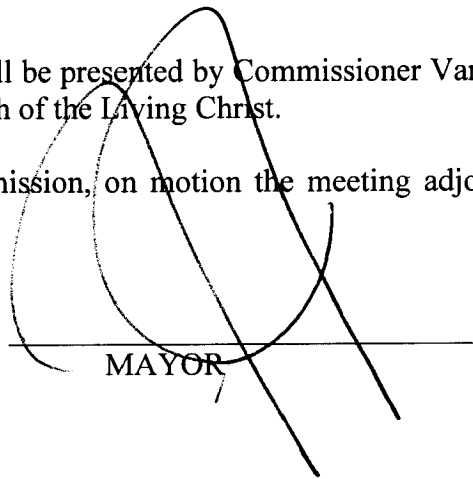
Mayor Black noted that the Commission will be presenting a proclamation to the PHS football team at the next meeting. The Garden Club will be having a program on Friday at 10:00 a.m. in honor of National Arbor Day and Commissioner Penix will be attending to present the proclamation from the City. Commissioner Van Gorden will be attending the Martin Luther King, Jr. ceremony on Monday at 11:00 a.m. and presenting the proclamation from the City.

Commissioner Hernandez noted that this Saturday will be Movie-in-the-Park night.

NOTED ITEMS

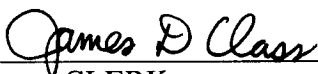
A proclamation for Martin Luther King, Jr. Day will be presented by Commissioner Van Gorden on Monday, January 19th at 11:00 a.m. at the Church of the Living Christ.

There being no further business before the Commission, on motion the meeting adjourned at 7:30 p.m.



MAYOR

ATTEST:


CLERK