

FEBRUARY 10, 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 10th day of February, 2009, at 5:52 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, 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.

PRESENTATION

Mayor Black and the Commission presented a proclamation to Mary L. White in recognition of her 100th birthday.

PUBLIC COMMENT

Joey Wubbena, Chamber of Commerce President, reported on the Kumquat Festival and thanked the City for their support.

Thomas Wolff, property owner at 37910 Howard Avenue, addressed the Commission regarding being able to make a left turn out of his property onto Howard Avenue. It was noted that this request was being reviewed by the Historic Preservation Advisory Board.

PRESENTATION

Representatives from Energy Edge made a short presentation on potential energy-saving solutions for City facilities. Commissioner Van Gorden made a motion to accept informational items provided by Energy Edge for the record. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

MINUTES

The minutes of the January 13, 2009 regular City Commission meeting and the Local Planning Agency meeting were approved as individually read. The minutes of the January 27, 2009 regular City Commission meeting were distributed.

PUBLIC HEARINGS

The following memorandum dated February 2, 2009 was noted:

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

Subject: Proposed Annexation/PHCC
(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.: 2009-01

AN ORDINANCE BY 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. (PHCC PARCEL).

City Attorney Karla Owens reviewed the proposed ordinance. After discussion and with no one from the public wishing to speak, Commissioner Van Gorden made a motion to approve Ordinance No. 2009-01. The motion was seconded by Commissioner Beebe, 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. 2009-01 in its entirety is on file in the City Clerk's office.)

CONSENT AGENDA

The following memorandum dated January 23, 2009 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Approval of Subdivision Plat/Summit View, Phase I
(Entire memorandum can be found in the City Clerk's file)

A motion was made by Commissioner Hernandez to approve the Plat of Summit View, Phase I and authorize the mayor's signature of same, as part of the consent agenda. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated January 28, 2009 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Creation of Community Redevelopment Area No. 2
(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.: 2008-0987

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA FINDING THAT ADDITIONAL AREAS MEETING THE REQUIREMENTS OF CHAPTER 163, PART III, FLORIDA STATUTES, EXIST IN THE CITY; SETTING FORTH FINDINGS PURSUANT TO SECTION 163.355, FLORIDA STATUTES THAT CREATION OF COMMUNITY REDEVELOPMENT AREA NO. 2 IS NECESSARY FOR THE REDEVELOPMENT AND REHABILITATION OF THE NEW AREA; DESCRIBING THE BOUNDARIES OF THE NEW AREA; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed resolution and noted her comments from the Community Redevelopment Agency meeting. After discussion, Commissioner Hernandez made a motion to approve proceeding with the creation of a new redevelopment area and authorize staff to advertise the resolution and maps for the appropriate public hearing. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. (Resolution No. 2008-0987 in its entirety is on file in the City Clerk's office.)

The following memorandum dated February 3, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Amendment to Noise Ordinance
(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.: 2009-03

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AMENDING SECTIONS 42-31 THROUGH 42-33 OF THE DADE CITY CODE OF ORDINANCES TO SUBSTANTIALLY REWRITE REGULATIONS PERTAINING TO NOISE; PROVIDING DEFINITIONS AND FINDINGS; PROVIDING FOR GENERAL PROHIBITIONS, EXCEPTIONS, NON-CONFORMING USES, AND WAIVERS; PROVIDING FOR THE PROHIBITION OF SPECIFIC ACTS AND NOISES; PROVIDING FOR MAXIMUM NOISE LEVELS IN INDUSTRIAL, COMMERCIAL AND RESIDENTIAL ZONES; PROVIDING FOR NOISE WITHIN PUBLIC PARKS; PROVIDING FOR OCTAVE BAND SOUND LEVEL LIMITS; AMENDING SECTION 5.26 OF THE DADE CITY ZONING ORDINANCE, PERFORMANCE STANDARDS, TO DELETE SUBSECTIONS B AND C; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. After discussion, Commissioner Penix made a motion to approve the introduction of Ordinance No. 2009-03 and authorize staff to advertise for a public hearing on March 10, 2009. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (Ordinance No. 2009-03 in its entirety is on file in the City Clerk's office.)

NEW BUSINESS

The following memorandum dated February 4, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Resolution No. 2009-06 – Authorizing the lease purchase of two police vehicles
(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. 2009-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A LOAN PROPOSAL AND THE EXECUTION AND DELIVERY OF LOAN DOCUMENTS WITH FIRST COMMUNITY BANK OF AMERICA; AUTHORIZING THE LEASE OF TWO POLICE VEHICLES AND EQUIPMENT; AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Jim Class reviewed the proposed resolution. After discussion, a motion was made by Commissioner Van Gorden to approve Resolution No. 2009-06. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. (Resolution No. 2009-06 in its entirety is on file in the City Clerk's office.)

The following memorandum dated February 4, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Jim Class, City Clerk / Finance Director
Subject: Resolution No. 2009-07 – 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.: 2009-07

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2008-1011 BY REVISING THE 2008-2009 FISCAL YEAR BUDGET TO ALLOCATE MONIES FROM AN INSURANCE PREMIUM REFUND FOR EXPENSES IN THE POLICE DEPARTMENT; TRANSFERRING FUNDS FROM THE STREETS BUDGET TO THE FLEET MAINTENANCE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Jim Class reviewed the proposed resolution. After discussion, a motion was made by Commissioner Hernandez to approve Resolution No. 2009-07. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. (Resolution No. 2009-07 in its entirety is on file in the City Clerk's office.)

The following memorandum dated February 4, 2009 was noted:

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

City Attorney Karla Owens reviewed the proposed agreement. After discussion, Commissioner Beebe made a motion to approve the interlocal agreement with the Town of Saint Leo to provide fire inspection and plans review services. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (Agreement No. 2009-09 in its entirety is on file in the City Clerk's office.)

CITY ADMINISTRATION ITEMS

City Manager William Poe noted that the sidewalk along 17th Street was almost completed.

City Manager William Poe requested direction from the Commission regarding whether or not to proceed with projects to resurface the tennis courts at Price Park and the basketball courts at Pyracantha Park. After discussion, Commissioner Van Gorden made a motion to proceed with the two projects as long as they did not exceed the total budgeted amount. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

CITY COMMISSION ITEMS

Commissioner Van Gorden commented on the electronic agenda and on receiving information from staff regarding the cost to the City for events.

Commissioner Beebe noted the anticipated release of the Department of Environmental Protection decision on the permit for the proposed landfill and mentioned having a

workshop to discuss the impact of the proposed rerouting of trains on the CSX rail line.

Commissioner Hernandez noted that Carl Roth was in the audience and the Commission requested that he give an update on the proposed landfill. Commissioner Hernandez also commented on upcoming Youth Council events and the activities of the Saint Leo interns.

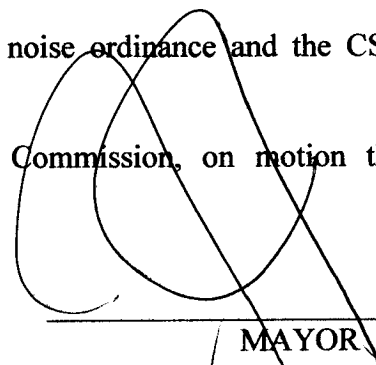
PUBLIC COMMENT

Kathy Lambert commented on utility rates, CSX rail line traffic, and sidewalks.

Leola Thinn commented on cleaning ditches and paving streets in her neighborhood and a traffic light on Highway 98/301.

Michael Agnello commented on the proposed noise ordinance and the CSX rail line traffic.

There being no further business before the Commission, on motion the meeting adjourned at 7:26 p.m.



MAYOR

ATTEST:

James D. Class
CLERK