

MARCH 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 March, 2009, at 5:57 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., Deputy City Clerk Joanna Akers, City Attorney Karla Owens, City Engineer/Public Works Director Jose Gil, and Police Chief Raymond Velboom. City Clerk/Finance Director James D. Class was absent.

The meeting was called to order by Mayor Black.

PRESENTATIONS

Mayor Black and the Commission presented a proclamation to Linda Babb and members of the Girl Scouts honoring the commitment Girl Scouting has made to support the leadership development of America's girls.

PUBLIC COMMENT

Nancy Johnson commented on Dade City Main Street's desire to "go green".

MINUTES

The minutes of the February 10, 2009 regular City Commission meeting were approved as individually read. The minutes of the February 24, 2009 regular City Commission meeting were distributed.

PUBLIC HEARINGS

The following memorandum dated February 24, 2009 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney  
**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 Deputy 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. Since this was the time of the advertised public hearing, the following individuals spoke on this ordinance: John Bingham questioned what would be done about people doing construction and Jack Barrett commented on situations where residents live on the city limit/county border. After discussion and with no one further from the public wishing to speak, Commissioner Van Gorden made a motion to approve Ordinance No. 2009-03 with the change to Sec. 42-36(b) to state that "Waivers may be issued for no longer than 48 hours.....". 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". (Ordinance No. 2009-03 in its entirety is on file in the City Clerk's office.)

The following memorandum dated February 17, 2009 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** James D. Class, City Clerk / Finance Director  
**Subject:** Proposed ordinance – Partial lump-sum option for fire pension plan  
(Entire memorandum can be found in the City Clerk's file)

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

ORDINANCE NO.: 2009-04

AN ORDINANCE OF THE CITY OF DADE CITY, AMENDING THE CITY OF DADE CITY FIREFIGHTERS' RELIEF AND PENSION FUND AS ADOPTED PURSUANT TO ORDINANCE NO. 2003-0820; AS SUBSEQUENTLY AMENDED; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

City Manager Billy Poe reviewed the proposed ordinance. After discussion and with no one from the public wishing to be heard, Commissioner Beebe made a motion to approve Ordinance No. 2009-04. 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. 2009-04 in its entirety is on file in the City Clerk's office.)

### CONSENT AGENDA

Mayor Black requested that Item F1 (Re-Appointments to Historic Preservation Advisory Board) be pulled from the agenda for discussion at a later meeting.

The following memorandum dated March 10, 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:** Perimeter Fence – Watson Field/Basketball Court/17<sup>th</sup> St. Retention Pond  
(Entire memorandum can be found in the City Clerk's file)

A motion was made by Commissioner Van Gorden to approve the agreement with All-Rite Fence Company, Inc. for the installation of a fence around the basketball courts at Watson Field, in addition to a fence along the east side of the soccer field and repair work for the fence around the 17<sup>th</sup> Street retention pond, in the amount of \$14,000, as part of the consent agenda. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

### CITY ADMINISTRATION ITEMS

City Manager William Poe introduced Lennie Naeyaert, the newly hired City Engineer. He also stated that he signed the Task Order with Boyle Engineering last week. The projected time frame will be 6-8 months. Commissioner Beebe requested to have periodic updates on the progress of this project.

Chief Velboom gave an update on the Police Department.

### CITY COMMISSION ITEMS

Commissioner Hernandez thanked the Police Department and Public Works for their help with the Steeplechase events. She also noted the upcoming Movie-in-the-Park night on Saturday, March 21.

Commissioner Van Gorden stated that he received an e-mail from a resident who wishes to start a Neighborhood Watch. He thanked Ray Timer and Ed Gorecki for clearing up some of the code enforcement issues on his street. He also thanked City staff for trying to work out a way to help with the increase of impact fees on area organizations.

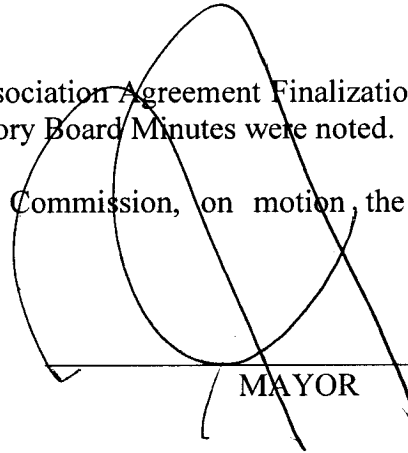
Commissioner Beebe requested to have the 'Water Pressure in the Pines' and the 'Impact Fee Negotiation with Habitat' put on the City's project list and to keep the Commission

updated on their progress. He asked if there had been any progress on the entrance and exit sites at the Wolff project and City Manager Billy Poe provided an update.

NOTED ITEMS

The West Central Florida Police Benevolent Association Agreement Finalization and the September 18, 2008 Historic Preservation Advisory Board Minutes were noted.

There being no further business before the Commission, on motion, the meeting adjourned at 7:05 p.m.



MAYOR

ATTEST:

  
CLERK