

SEPTEMBER 08, 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 8th day of September, 2009, at 5:43 p.m. The following members were present: Mayor Scott Black and Commissioners Steve Van Gorden, Camille Hernandez, 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, and Police Chief Raymond Velboom.

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

PRESENTATIONS

Mayor Black and the Commission presented a Proclamation for Constitution Week to members of the Daughters of the American Revolution of Dade City.

Mayor Black, City Manager William Poe and the Commission presented a five-year service pin to Police Officer Kevin Burns.

PUBLIC COMMENTS

Nancy Johnson, a member of the Redevelopment Advisory Committee (RAC), requested that a workshop be held between RAC and the Community Redevelopment Agency.

MINUTES

The minutes of the August 11, 2009 Regular Commission meeting were approved as individually read. The minutes of the August 25, 2009 Regular City Commission meeting and the August 25, 2009 Youth Council Interviews 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.: 2009-25

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY,
FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD
VALOREM TAXES FOR THE CITY OF DADE CITY, FLORIDA, FOR
FISCAL YEAR 2009-2010; AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class noted that the resolution sets a tentative millage rate of 7.100 mills, which is less than the rolled-back rate of 8.2669 mills by 14.11%. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden made a motion to approve Resolution No. 2009-25. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously at 5:53 p.m. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2009-25 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.: 2009-26

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR 2009-2010; AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class noted that the resolution adopts a tentative budget of \$19,119,423. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden made a motion to approve Resolution No. 2009-26. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously at 5:55 p.m. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2009-26 in its entirety is on file in the City Clerk's office.)

The following memorandum dated August 28, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: James D. Class, City Clerk / Finance Director
Subject: Final Street Lighting Assessment Rate Certification – Lynan Estates Subdivision Enhanced Street Lighting Service Area
(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.: 2009-27

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, APPROVING THE ASSESSMENT ROLL FOR THE LYNAN ESTATES SUBDIVISION ENHANCED STREET LIGHTING SERVICE AREA; STATING THE METHOD OF COLLECTION; CERTIFYING THE FINAL ASSESSMENT RATE FOR FISCAL YEAR 2009-2010; AUTHORIZING THE MAYOR TO SIGN THE FINAL CERTIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class reviewed the proposed assessment. After discussion and with no one from the public wishing to be heard, Commissioner Van Gorden made a motion to approve Resolution No. 2009-27 with an annual rate per parcel of \$357.79 for the Lyman Estates Subdivision Enhanced Street Lighting Service for the 2009 tax year and authorize the Mayor's signature on the Certification form to the Pasco County Property Appraiser. 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." (Resolution No. 2009-27 in its entirety is on file in the City Clerk's office.)

The following memorandum dated August 28, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: James D. Class, City Clerk / Finance Director
Subject: Final Street Lighting Assessment Rate Certification – The Pines Subdivision Enhanced Street Lighting Service Area
(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.: 2009-28

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, APPROVING THE ASSESSMENT ROLL FOR THE PINES SUBDIVISION ENHANCED STREET LIGHTING SERVICE AREA; STATING THE METHOD OF COLLECTION; CERTIFYING THE FINAL ASSESSMENT RATE FOR FISCAL YEAR 2009-2010; AUTHORIZING THE MAYOR TO SIGN THE FINAL CERTIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk James Class reviewed the proposed assessment. After discussion and with no one from the public wishing to be heard, Commissioner Penix made a motion to approve Resolution No. 2009-28 with an annual rate per parcel of \$156.39 for the Pines Subdivision Enhanced Street Lighting Service for the 2009 tax year and authorize the Mayor's signature on the Certification form to the Pasco County Property Appraiser. 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. 2009-28 in its entirety is on file in the City Clerk's office.)

The following memorandum dated August 26, 2009 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Proposed Amendment to Sign 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. 2009-08

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING ORDINANCE NO. 2005-0870 REGULATING SIGNS; AMENDING SECTION C, DEFINITION OF ACTIVATED SIGN; AMENDING SECTION F(18) TO CHANGE THE PLACEMENT OF SANDWICH SIGNS; AMENDING SECTION H(1), PROHIBITED SIGNS, TO ALLOW ELECTRONIC READER BOARD SIGNS; AMENDING SECTION H(9), PROHIBITED SIGNS, TO ALLOW BENCH SIGNS WITH APPROVAL OF THE CITY COMMISSION; PROVIDING FOR REPEALER, CODIFICATION, MODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

As this was the advertised time and place for the second public hearing on this ordinance, City Attorney Karla Owens reviewed the proposed amendments to the sign ordinance. After discussion and with no comments from the public, Commissioner Van Gorden made a motion to approve Ordinance No. 2009-08. 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. 2009-08 in its entirety is on file in the City Clerk's office.)

CONSENT AGENDA

The following memorandum dated September 2, 2009 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Amendment to Agreement for Debris Removal/Phillips & Jordon
(Entire memorandum can be found in the City Clerk's file)

Commissioner Hernandez made a motion to approve the amendment to the agreement for debris removal with Phillips & Jordon, as part of the consent agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

The following memorandum dated September 3, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Request for State Road Closure for Scarecrow Festival – October 10, 2009
(Entire memorandum can be found in the City Clerk's file)

In the memorandum, City Manager Poe noted that Main Street was requesting City approval to close Meridian Avenue (S.R. 52) between 7th Street and 5th Street for the Scarecrow Festival on October 10, 2009. Commissioner Hernandez made a motion to approve the request for state road closure, as part of the consent agenda. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously.

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated August 28, 2009 was noted:

To: Honorable Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Proposed Amendment to Youth Council Ordinance to Allow Unlimited Membership
(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.: 2009-09

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING SECTION 2-171, THE YOUTH COUNCIL ORDINANCE, TO REVISE MEMBERSHIP TO INCLUDE UNLIMITED MEMBERSHIP; PROVIDING FOR CODIFICATION; REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance. After discussion, Commissioner Van Gorden made a motion to approve the introduction of Ordinance No. 2009-09 and to authorize staff to advertise for a public hearing. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously. (Ordinance No. 2009-09 in its entirety is on file in the City Clerk's office.)

NEW BUSINESS

The following memorandum dated September 2, 2009 was noted:

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney
Subject: Resolution Amending the Capital Improvement 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. 2009-29

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF
DADE CITY, FLORIDA AMENDING THE CITY'S ADOPTED
CAPITAL IMPROVEMENT PLAN TO INCLUDE THE SCHEDULE
FOR PROPOSED PROJECTS TO INCLUDE IMPROVEMENTS TO
PRICE PARK AND EXTENSION OF THE HARDY TRAIL.

City Manager William Poe reviewed the memorandum and resolution. After discussion, Commissioner Hernandez made a motion to approve Resolution No. 2009-29. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. (Resolution No. 2009-29 in its entirety is on file in the City Clerk's office.)

City Manager William Poe reviewed the proposed interlocal agreement between the City and the Community Redevelopment Agency for the alternative calculation of increment revenues for fiscal year 2009-2010. After discussion, Commissioner Van Gorden made a motion to approve Agreement No. 2009-25. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously. (Agreement No. 2009-25 in its entirety is on file in the City Clerk's office.)

CITY ADMINISTRATION ITEMS

City Manager William Poe noted that he will be starting his Leadership Pasco class on Thursday. He also stated that USF has contacted him regarding their desire to do another citizen survey for the City.

City Attorney Karla Owens requested that a legal services agreement for the Rural Development financing be introduced as an emergency item. Commissioner Hernandez made a motion to introduce this agreement as an emergency item. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. After discussion, Commissioner Penix made a motion to approve the legal services agreement. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. (The agreement in its entirety is on file in the City Clerk's office.)

City Attorney Karla Owens noted that she had received a request for the City to file a lawsuit against Pasco County regarding their decision on the Citrus Ridge development. It was the consensus of the Commission to decline the request.

COMMISSIONER ITEMS

Mayor Black discussed the workshop between the RAC and the CRA. It was the consensus to schedule the workshop for October 6, 2009 at 5:30 p.m. Mayor Black noted the program for the troops on September 11 and a letter from Sunrise regarding the donation of school backpacks.

Commissioner Van Gorden asked about missed recycling pickups and an overgrown lot on 9th Street.

Commissioner Beebe asked for updates on the demolition of the building owned by John-Mary Enterprises, the new City website, and the American Legion agreement.

PUBLIC COMMENTS

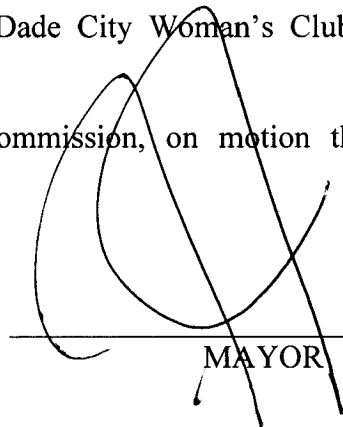
Manny Funes, Zephyrhills council member, presented Commissioners with information regarding animal control services. Commissioner Hernandez moved to accept the information into the record. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. After discussion, it was the consensus of the Commission to review the information and discuss it at a future meeting.

NOTED ITEMS

City Manager William Poe gave an update on the Green Fiber recycling program.

Proclamations recognizing Family Day and the Dade City Woman's Club 100 Year Anniversary were noted.

There being no further business before the Commission, on motion the meeting adjourned at 6:45 p.m.



MAYOR

ATTEST:

James D. Class
CLERK