

SEPTEMBER 28, 2010
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 28th day of September, 2010, at 5:37 p.m. The following members were present: Mayor Scott Black and Commissioners Curtis Beebe, William Dennis, Camille Hernandez, 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, Police Chief Raymond Velboom, City Engineer/Public Works Director Lennie Naeyaert, and Community Development Director Michael Sherman.

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

Crystal Davenport, Downtown Dade City Main Street, presented the City with an award from the Florida Main Street organization for Outstanding Public/Private Partnership.

MINUTES

The minutes of the September 13, 2010 City Commission meeting and workshop were approved as individually read. (Minutes are on file in the City Clerk's office.)

PUBLIC HEARINGS

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

RESOLUTION NO. 2010-28

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 2010-2011; AND
PROVIDING FOR AN EFFECTIVE DATE.

Since this was the advertised time and place for a public hearing on the final millage rate, it was noted that the proposed rate of 7.1000 mills was lower than the rolled-back rate of 7.8374 mills by 9.40%. After discussion and with no comments from the public, Commissioner Beebe made a motion to approve Resolution No. 2010-28, which adopts a final rate of 7.1000 mills. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously at 5:44 p.m. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2010-28 is on file in the City Clerk's office.)

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

RESOLUTION NO. 2010-29

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA,
ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2010-2011;
AND PROVIDING FOR AN EFFECTIVE DATE.

Since this was the advertised time and place for a public hearing on the final budget, it was noted that the proposed budget was \$25,087,988. After discussion and with no comments from the public, Commissioner Penix made a motion to approve Resolution No. 2010-29, which adopts a final budget of \$25,087,988. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously at 5:46 p.m. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2010-29 is on file in the City Clerk's office.)

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

RESOLUTION NO. 2010-21

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA FINDING THAT THE USE OF THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED BY SECTION 197.3632, FLORIDA STATUTES WILL RESULT IN THE EFFICIENT AND EFFECTIVE COLLECTION OF COSTS AND EXPENSES THAT HAVE BEEN PAID BY THE CITY FOR THE CLEAN-UP/MOWING AND/OR DEMOLITION OF A STRUCTURE, BUT NOT TIMELY REIMBURSED BY THE PROPERTY OWNER.

Since this was the advertised time and place for a public hearing on using non-ad valorem assessments to collect code enforcement costs, City Attorney Karla Owens reviewed the resolution. After discussion and with no comments from the public, Commissioner Dennis made a motion to approve Resolution No. 2010-21, which authorizes the use of non-ad valorem assessments to collect code enforcement costs. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Resolution No. 2010-21 is on file in the City Clerk's office.)

The following memorandum dated September 9, 2010 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Amending Sections 102-131 through 102-135 of the Code of Ordinances
(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. 2010-27

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA PERTAINING TO PUBLIC HEALTH AND SAFETY; SUBSTANTIALLY AMENDING, REWRITING, AND REWORDING SECTIONS 102-131 THROUGH 102-135 OF THE CODE OF ORDINANCES TO INCLUDE THE CLEAN-UP OF HAZARDOUS TREES, EXCESSIVE WEEDS, UNDERGROWTH AND ALL OTHER UNSANITARY MATTER UPON ANY PROPERTY WITHIN THE CITY LIMITS; REQUIRING PROPERTY OWNERS TO MAINTAIN THE UNPAVED AREAS OF RIGHT-OF-WAY ADJACENT TO THEIR PROPERTY; PROVIDING FOR DEFINITIONS; DECLARING THAT HAZARDOUS TREES AND OTHER EXCESSIVE UNSANITARY CONDITIONS ARE A NUISANCE AND A MENACE TO PUBLIC HEALTH AND SAFETY; REQUIRING PROPERTY OWNERS, CUSTODIANS, LESSEES, AND OCCUPANTS TO CONTROL TREES AND OTHER EXCESSIVE UNDERGROWTH ON THEIR PROPERTY; PROVIDING THAT HAZARDOUS TREES AND EXCESSIVE UNDERGROWTH AND OTHER CONDITIONS CAN BE REMEDIED BY THE CITY WITHOUT NOTICE TO THE PROPERTY OWNER AND AT THE PROPERTY OWNER'S COST; AUTHORIZING THE CITY TO UTILIZE THE UNIFORM NON-AD VALOREM ASSESSMENT METHOD TO IMPOSE, LEVY, AND COLLECT SPECIAL ASSESSMENTS IF COSTS ARE INCURRED BY THE CITY AND NOT REIMBURSED BY THE PROPERTY OWNER; PROVIDING THE PURPOSE AND INTENT OF TRANSITION PROVISIONS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Since this was the advertised time and place for a public hearing on this ordinance, City Attorney Karla Owens reviewed the proposed ordinance regarding code enforcement of property maintenance issues. Jim Shive expressed his support for the ordinance. After discussion and with no further comments from the public, Commissioner Hernandez made a motion to approve Ordinance No. 2010-27. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2010-27 is on file in the City Clerk's office.)

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

ORDINANCE NO. 2010-28

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA, SUBSTANTIALLY AMENDING, REWORDING, AND REWRITING SECTIONS 22-121 THROUGH 22-126 OF THE CODE OF ORDINANCES PERTAINING TO THE DEMOLITION OF UNSAFE STRUCTURES; PROVIDING FOR DETERMINATION AND NOTICE OF UNSAFE STRUCTURE BY THE BUILDING OFFICIAL; AUTHORIZING THE CITY TO UTILIZE THE UNIFORM NON-AD VALOREM ASSESSMENT METHOD TO IMPOSE, LEVY, AND COLLECT SPECIAL ASSESSMENTS IF COSTS ARE INCURRED BY THE CITY AND NOT REIMBURSED BY

THE PROPERTY OWNER; PROVIDING FOR PURPOSE, INTENT, AND DEFINITIONS; REQUIRING NOTICES OF ASSESSMENT; PROVIDING FOR ANNUAL NON-AD VALOREM ASSESSMENT ROLLS; PROVIDING TRANSITION PROVISIONS; PROVIDING FOR SEVERABILITY, CODIFICATION, REPEALER AND AN EFFECTIVE DATE.

Since this was the advertised time and place for a public hearing on this ordinance, City Attorney Karla Owens reviewed the proposed ordinance regarding the collection of costs for the demolition of unsafe structures. After discussion and with no comments from the public, Commissioner Hernandez made a motion to approve Ordinance No. 2010-28. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2010-28 is on file in the City Clerk's office.)

CONSENT AGENDA

On recommendation of staff, Commissioner Penix made a motion to approve Agreement No. 2010-20 with the Pasco County Property Appraiser regarding non-ad valorem assessments for property maintenance and demolition, as part of the consent agenda. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (Agreement No. 2010-20 in its entirety is on file in the City Clerk's office.)

On recommendation of staff, Commissioner Penix made a motion to approve Agreement No. 2010-21 with the Pasco County Tax Collector regarding non-ad valorem assessments for property maintenance and demolition, as part of the consent agenda. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (Agreement No. 2010-21 in its entirety is on file in the City Clerk's office.)

The following memorandum dated September 28, 2010 was noted:

To: Honorable Mayor and Members of the City Commission
From: Lennie M. Naeyaert, P.E., City Engineer and Public Works Director
Subject: Firm selection for the Operation of the Wastewater Treatment Plant
(Entire memorandum can be found in the City Clerk's file)

On recommendation of staff, Commissioner Penix made a motion to approve Agreement No. 2010-22 with Severn-Trent Environmental Services, Inc. for operation and maintenance of the wastewater treatment plant, as part of the consent agenda. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. (Agreement No. 2010-22 in its entirety is on file in the City Clerk's office.)

INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated September 21, 2010 was noted:

To: The Honorable Mayor Scott Black and members of the City Commission

Thru: William C. Poe, Jr., City Manager
From: Michael Sherman, AICP, Community Development Director
Subject: Revisions to the City's Development Review 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. 2010-29

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA REVISING THE DEVELOPMENT REVIEW PROCEDURES ORDINANCE; PROVIDING FOR INTENT, PURPOSE, AND CLASSIFICATION OF DEVELOPMENT; PROVIDING FOR PRELIMINARY SITE PLAN REQUIREMENTS; PROVIDING A PROCESS FOR SITE PLAN APPROVAL; PROVIDING FOR CONSTRUCTION PLAN REVIEW AND APPROVAL PROCEDURES; PROVIDING FOR REPEALER, MODIFICATION, INCLUSION IN CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Michael Sherman, Community Development Director, reviewed the proposed ordinance regarding changes to the development review procedures. After discussion, Commissioner Dennis made a motion to introduce Ordinance No. 2010-29 and to advertise it for public hearings. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2010-29 is on file in the City Clerk's office.)

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

ORDINANCE NO. 2010-30

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING SECTION 22-61(a) (1) through (16) TO REQUIRE USE OF CURRENT EDITIONS OF ALL TECHNICAL CODES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed ordinance regarding the use of current technical codes. After discussion, Commissioner Penix made a motion to introduce Ordinance No. 2010-30 and to advertise it for a public hearing. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted "AYE," with no one voting "NAY." (Ordinance No. 2010-30 is on file in the City Clerk's office.)

NEW BUSINESS

The following memorandum dated September 22, 2010 was noted:

To: Honorable Mayor and Members of the City Commission
From: William C. Poe, Jr., City Manager
Subject: Request to Change Section 7.01, Personnel Rules & Regulations – Holiday Schedule 2010-2011
(Entire memorandum can be found in the City Clerk’s file)

City Manager William Poe reviewed the request to grant employees an additional eight-hour personal day to be used during the 2010-2011 fiscal year. After discussion, Commissioner Dennis made a motion to approve the request for an additional personal day. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

The following memorandum dated September 23, 2010 was noted:

To: Honorable Mayor and Members of the City Commission
From: James D. Class, City Clerk / Finance Director
Subject: Resolution No. 2010-30– Amending the FY 2009-2010 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. 2010-30

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA, AMENDING RESOLUTION NO. 2009-31 BY REVISING THE 2009-2010 FISCAL YEAR BUDGET TO ADD POLICE EDUCATION RESERVES FOR COMMAND SCHOOL TRAINING IN THE POLICE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk / Finance Director James Class reviewed the memorandum. After discussion, Commissioner Penix made a motion to approve Resolution No. 2010-30. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. Commissioners Beebe, Black, Dennis, Hernandez, and Penix voted “AYE,” with no one voting “NAY.” (Resolution No. 2010-30 is on file in the City Clerk’s office.)

CITY ADMINISTRATION ITEMS

After discussion, Commissioner Hernandez made a motion to reappoint Andrew Riddaugh as a Youth Council delegate. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. Commissioner Hernandez made a motion to appoint Amanda Dempsey as a Youth Council delegate. The motion was seconded by Commissioner Dennis, and on a vote the motion passed unanimously. Commissioner Dennis made a motion to appoint Blanca Alejandre as a Youth Council mentor. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed unanimously.

City Manager William Poe noted that the architect was preparing revised renderings of the proposed city hall / police building.

Police Chief Raymond Velboom reported on the department's participation in the drug drop-off program.

City Engineer / Public Works Director Lennie Naeyaert discussed the proposed EPA nutrient standards and employee salaries.

COMMISSIONER ITEMS

Commissioner Penix expressed concern about the algae in the East Lake ponds and discussed employee salaries.

Commissioner Dennis discussed the proposed city hall / police building.

Commissioner Hernandez discussed evaluations for the City's charter officers.

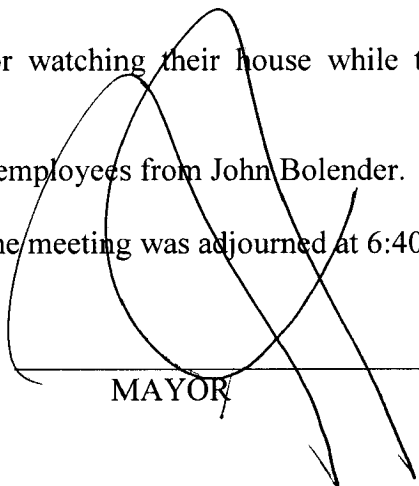
Mayor Black requested a proclamation recognizing Margarita Romo.

PUBLIC COMMENTS

John Bingham thanked the police department for watching their house while they were on vacation and discussed employee salaries.

Mayor Black noted a compliment concerning City employees from John Bolender.

With no further business before the Commission, the meeting was adjourned at 6:40 p.m.



MAYOR

ATTEST:

James D. Class
CLERK