

**CITY OF FORT MEADE
REGULAR CITY COMMISSION MEETING
TUESDAY, JANUARY 13, 2009**

A Regular Meeting of the For Meade City Commission was held on Tuesday, January 13 2009 at the City Hall Commission Chambers, 8 West Broadway, and Fort Meade, Florida.

1. CALL TO ORDER:

The Meeting was called to order at 7:00 PM by Mayor Bell.

2. ROLL CALL:

Mayor	Melony Bell	Present
Vice Mayor	Bob Elliott	Present
Commissioner	Rick Cochran	Present
Commissioner	Maurice Nelson	Present
Commissioner	Jim Watts	Present
City Manager	Fred Hilliard	Present
Assistant to City Manager	Deena Ware	Absent
City Attorney	Tom Cloud	Present
Deputy City Clerk	Phyllis Kirk	Present

Also present were: Polk County Sheriff's Officer, Sergeant Casey Riley, Director of Leisure Services, Dennis Guenther, Director of Public Works, Frank Curlee and Code Enforcement Officer, Mary Jo Russell.

3. INVOCATION AND PLEDGE TO THE FLAG:

Mayor Bell led the invocation and Pledge of Allegiance to the Flag.

4. APPROVAL OF AGENDA/MINUTES:

A. Minutes:

Motion by Commissioner Watts, seconded by Commissioner Nelson to adopt the minutes of the Trustees Meeting, December 9, 2008 and the Regular Commission Meeting, December 9, 2008. Motion carried with all yeas.

B. Additions/Deletions:

None

5. PRESENTATIONS/AWARDS/REPORTS:

A. Report from the Fort Meade Chamber of Commerce Director, Regina Cino.

Ms. Cino reported that a pending sign advertising Fort Meade's businesses had been changed from wood to fiberglass which lowered the price to a total \$3,000.00. Commission approval was requested for the ordering of the sign. A request was made for the City to waive the cost for a sign permit since the sign is for the City. Mr. Curlee, Director of Public Works, reminded the Commission that a DOT permit would be necessary before erecting the sign since the sign would be located on the DOT's right-of-way.

- B. City Manager Fred Hilliard presented Mayor Bell and Vice Mayor Elliot a certificate of appreciation for service in 2008.

Motion Bell, seconded Watts to close the Regular City Commission Meeting for elections. Motion carried with all yeas.

City Manager moved to re-open the Regular City Commission Meeting for the 2009 election of Mayor and Vice Mayor with City Manager presiding.

6. ELECTION OF MAYOR AND VICE MAYOR FOR 2009

Motion by Commissioner Watts, seconded by Commissioner Bell to nominate Vice Mayor Elliott as Mayor. Motion carried with all yeas.

Motion by Commissioner, seconded by Commission Watts to nominate Commissioner Nelson as Vice Mayor. Motion carried with all yeas.

The remainder of the Commission Meeting was turned over to newly appointed Mayor Elliott.

PUBLIC FORUM:

Citizen comments for items not on the agenda (3 Minute maximum length).

None

7. ORDINANCES AND PUBLIC HEARINGS:

- A. Attorney Tom Cloud read the title for Ordinance 09-01 – 1st Reading

**AN ORDINANCE OF THE CITY OF FOTY MEADE, FLORIDA;
CREATING AN ELECTRIC UTILITY SERVICE ORDINANCE;
PROVIDING A SHORT TITLE; PROVIDING FINDINGS AND
INTENT; PROVIDING TERMS AND CONDITIONS TO SERVICE;
ESTABLISHING MODIFIED RATES; REPEALING PORTIONS OF**

PRIOR ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion Bell, seconded Nelson to accept Ordinance 09-01 as presented and set second reading for February 10, 2009.

Mayor Elliott requested a cover sheet be included to show the Commission changes made from the previous utility service ordinance. City Manager, Fred Hilliard explained there were no changes in the monthly base charges and discussed the minor changes made in other areas.

Demand meters were brought up and discussed.

It was moved by Bell, seconded by Nelson to amend the motion by inserting the words “for the preceding” twelve (12) calendar months under Number (3) General Service Demand.

Motion carried with all yeas.

B. Attorney Cloud read the title for Ordinance 09-02 –1st Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; RELATING TO ABANDONED PROPERTY; ADDING A NEW SECTION TO ARTICLE II OF CHAPTER 15 OF THE CODE OF ORDINANCES PROHIBITING THE ABANDONMENT OF PROPERTY IN THE CITY; PROVIDING FOR SEVERABILITY; POROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Motion Bell, seconded Cochrane to adopt Ordinance 09-02 as presented on the first reading with second reading to be February 10, 2009.

Motion carried with all yeas.

C. Attorney Cloud read the title for Ordinance 09-03 – 1st Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA PERTAINING TO PUBLIC HEALTH AND SAFETY; ADDING A NEW CHAPTER 12.5 TO THE CODE OF ORDINANCES TO REQUIRE THE CLEAN-UP OF PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING THE PURPOSE AND INTENT AND DEFINITIONS; DECLARING CERTAIN CONDITIONS ON LOTS, PARCELS, AND TRACTS WITHIN THE CITY BOUNDARIES TO BE

A NUISANCE; PROHIBITING THE ACCUMULATION OF TRASH, JUNK, OR DEBRIS, LIVING AND NONLIVING PLANT MATERIAL, AND STAGNANT WATER; PROHIBITING THE EXCESSIVE GROWTH OF GRASS, WEEDS, BRUSH, AND OTHER OVERGROWTH; PROHIBITING THE KEEPING OF FILL ON PROPERTY THAT RESULTS IN CERTAIN CONDITIONS; PROHIBITING CERTAIN CONDITIONS THAT CONSTITUTE AN IMMINENT THREAT TO PUBLIC HEALTH;

Motion by Cochrane, seconded Nelson to accept Ordinance 09-03 on first reading and set February 10, 2009 as the date for the second and final reading.

Clarification of current procedures in place on clean-up of property was explained by Code Enforcement Officer, Mary Jo Russell as follows:

- A repeat offender is called if the Officer has the telephone number.
- A door hanger is placed on the door with notification if it is an occupied residence.
- A violation notice is mailed by certified mail after repeat warnings.

Attorney Cloud explained that the proposed Ordinance is to further support the City's current criteria by preventing the problems occurring all over the state of Florida i.e., a large number of foreclosures where the property is not maintained and banks cannot be forced to keep up the property. The Ordinance allows the City to avoid all the legal expense by setting assessments which are charged to the offenders that cannot be discharged in foreclosures and/or bankruptcies. The property cannot be sold until the assessments are paid.

The Commission discussed publishing a list of offenders in the local paper and possibly forming an advisory committee for Code Enforcement and/or posting the list of offenders in public places.

Motion passed with all yeas.

8. OLD BUSINESS

A. None

9. NEW BUSINESS

CONSENT

AGENDA:

All items marked with an * will be considered by one motion unless removed from the Consent Agenda by a member of other City Commission.

A. Resolution 09-01 Designating Robert Elliott as Mayor and Maurice Nelson as Vice Mayor for the Year 2009.

Motion by Commissioner Cochrane, seconded by Commissioner Nelson to adopt Resolution 09-01 as read.

Motion passed with all yeas.

B. East Coast Migrant Head Start Project.

The ECMHSP is exercising its option to extend the current lease agreement for an additional three year lease. The also have requested a new five-year lease agreement including an additional three year option and are seeking permission to relocate a modular onto the site.

Motion Commissioner Bell, seconded by Commissioner Watts to postpone the main motion of a lease agreement until February 10, 2009 so the Commission could hear from a local representative of ECMHSP.

Motion to postpone was adopted by all yeas.

C. 2007 Bad Debt Write Off

Finance Director, James M. Parker notified the Commission that the 2007 Bad Debt Write Off not only included 2007 but City debts that had not been written off since 1950.

Motion Cochrane, seconded Bell to accept the 2007 Bad Debt Write Off of \$60,168.00.

Motion carried with all yeas.

10. CITY MANAGER COMMENTS:

An Ordinance needs to be written to control the City Mobil Home Park's Bingo since it is being held on City property. An Ordinance should be ready for the February meeting.

The latest information on FMPA was discussed with the Commission.

- Several cities have sent notices they will be withdrawing
- The City is looking for the original TECO agreement that was current when the entered FMPA's all-requirement's contract

- The current buy-out price for the City is not feasible
- Rate Covenants are set so that the debt gets paid off regardless of whether FMPA exists or not which would still hold the City responsible

The Cross Connection Control Program will be forth coming to the City and will cost the City per residence and business for backflow connections required by the Safe Drinking Water Act. This is a federal and state mandated requirement.

11. CITY ATTORNEY COMMENTS:

None

12. CITY COMMISSION COMMENTS:

Commissioner Bell stated that she would be speaking at the State Legislature in Bartow on behalf of the Ridge League. Every City except Fort Meade has adopted a Resolution opposing the efforts of Miami-Dade County to deny the City's water and sewer utility the same rate-setting authority granted to all municipalities in the State of Florida.

The Commission then adopted the Resolution of Haines City and directed the City Attorney to change "Haines City" to "Fort Meade" so that it can be presented to the State Legislature on Tuesday January 20, 2009.

Motion Watts, seconded Bell to adopt Haines City Resolution opposing and protesting the denial same rate-setting authority granted to all municipalities outside their municipal boundaries with necessary changes from Haines City to Fort Meade.

Motion carried with all yeas.

Commissioner Bell reminded everyone of the Martin Luther King Parade in Bartow on January 19 with parade line up at 12:45 PM.

Polk Transit Authority has requested a Fort Meade citizen be appointed to their board. Commissioner Cochrane stated that the citizen needs to be a bus rider and that he had someone in mind. Commissioner Cochrane also requested Dennis Guenther, Leisure Services Director, to try and find a regular bus rider in Fort Meade to serve on this board.

Motion Bell, seconded Nelson to delegate the finding of a regular bus riding citizen of Fort Meade to serve on the Polk Transit Authority Board.

Motion carried with all yeas.

Commissioner Watts requested the press to write another article on Fort Meade's curfew for minors to remind parents of the limitation of hours late at night for their teenagers.

ADJOURNMENT: