

**CITY OF FORT MEADE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, MARCH 10, 2009**

A Regular Meeting of the For Meade City Commission was held on Tuesday, March 10, 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 Elliott.

**2. ROLL CALL:**

Mayor	Bob Elliott	Present
Vice Mayor	Maurice Nelson	Present
Commissioner	Melony Bell	Present
Commissioner	Rick Cochran	Absent
Commissioner	Jim Watts	Present
City Manager	Fred Hilliard	Present
Assistant to City Manager	Deena Ware	Present
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, Finance Director, Mel Parker, Code Enforcement Officer, Mary Jo Russell and Director of Public Works, Frank Curlee

**3. INVOCATION AND PLEDGE TO THE FLAG:**

Commissioner Nelson led the invocation and Pledge of Allegiance to the Flag.

**4. APPROVAL OF AGENDA/MINUTES:**

**A. Minutes:**

Motion by Commissioner Bell, seconded by Commissioner Watts to adopt the minutes of the Trustees Meeting and Regular Commission Meeting, February 10, 2009. Motion carried with all yeas.

**B. Additions/Deletions:**

None

**5. PRESENTATIONS/AWARDS/REPORTS:**

A. Presentation to Fire Chief Billy Gunter for 50 Years Service to the City.

Mayor Elliott presented retired Chief Billy Gunter with a fire engine red Bible inscribed with thanks from the City.

B. Mrs. Leta Wright presentation to City on Historical Society's behalf.

Mrs. Leta Wright presented Mayor Elliott with a honorary membership into the Society for the City's support of the history of the community.

C, Proclamation Water Conservation Month

Mayor Elliott read the Proclamation proclaiming April as "Water Conservation Month".

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

No report as Regina Cino was absent due to conflicting schedule.

6. **PUBLIC FORUM:**

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

Mr. Ron Holland, Vice President of City Mobile Home Park's Home Owner's Association Board read a letter and presented it to the City Manager thanking the City for the improved operation and condition of the mobile park.

7. **ORDINANCES AND PUBLIC HEARINGS:**

A. Attorney Tom Cloud read the title for Ordinance 09-04 – 2nd Reading

**AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA;  
CREATING A BINGO ORDINANCE; PROVIDING A SHORT  
TITLE; PROVIDING FINDINGS AND INTENT; PROVIDING FOR  
THE REGULATION OF BINGO;P REPEALING PORTIONS OF  
PRIOR ORDINANCES AND RESOLUTIONS; PROVIDING FOR  
SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**Motion Bell, seconded Nelson to accept Ordinance 09-04 as presented on second reading.**

**Mayor Elliott opened the public hearing.**

Fred Hilliard, City Manager called attention to a correction to Ordinance 09-04, Section 7, page 5, second line where “expire (30) days” should be deleted and “expire annually” inserted.

**Motion Bell, seconded Watts to amend the motion by deleting “expire (30) days following the month of issuance” and inserting the words “expire annually on December 31<sup>st</sup>”.**

Beverly Delong, Art Cline and Judy Pinkall, City Mobile Home Park residents questioned the language of Ordinance 09-04. Mrs. Delong requested exemption for the City Mobile Home Park Bingo players from the \$50.00 permit fee. Phyllis Kane, City Mobile Home Park questioned whether or not the Bingo players would have to get

Mr. Art Cline, City Mobile Home Park spoke in favor of the Bingo players playing under the HOA where they would be legal to play Bingo.

Attorney Cloud suggested that **Section 13. Intent of Ordinance; Exemptions Subsection (2)** be deleted from the Ordinance due to confusion among the residents. Also, under **Section 16. Conduct of Games (7)** that “a resident of the City” be changed to “a resident of the City Mobile Home Park” and “for at least six months prior” be deleted.

**Motion Bell, seconded Watts to amend the amendment by deleting Section 13 in its entirety, and Section 16 (7) have “Mobile Home Park” inserted and “for at least six months prior” be deleted.**

**Mayor Elliott closed the public hearing as there were no further public comments.**

**Motion Bell, seconded Watts to accept the main motion as amended with the final wording being as follows: to accept Ordinance 09-04 as presented on second reading; deleting “expire (30) days following the month of issuance” inserting the words “expire annually on December 31 from Section 7, page 5; deleting Section 13. Intent of Ordinance in its entirety and changing Section 16. (7) to “a resident of the City Mobile Home park” and deleting “for at least six months prior” in its entirety.**

**Motion carried with all yeas.**

**B. Attorney Tom Cloud read the title for Ordinance 09-05 – 2<sup>nd</sup> Reading**

**AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA;  
CREATING POLE ATTACHMENT RULES; PROVIDING A  
SHORT TILE; PROVIDING FINDINGS AND INTENT;  
PROVIDING FOR THE REGULATION OF CITY UTILITY POLE  
ATTACHMENTS; REPEALING PORTIONS OF PRIOR  
ORDINANCES AND RESOLUTIONS: PROVIDING FOR  
SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**Motion Bell, seconded Nelson to accept Ordinance 09-05 as presented on  
second reading.**

**Mayor Elliott opened and closed the public hearing as there were no  
comments.**

**Motion passed with all yeas.**

## **8. OLD BUSINESS**

### **A. Metro PCS Cell Tower Agreement**

Fred Hilliard, City Manager explained the terms of the most current contract negotiations as follows:

- A 15 year agreement @ \$1,800 for the top mount, \$200.00 for the base
- An increase every year by 3% for the life of the contract
- Metro PCS will pay all taxes, including personal property, ad valorem and sales tax
- Metro PCS will maintain insurance
- Metro PCS will submit a \$25,000.00 bond to cover the cost of demolition or removal of the cell tower
- Metro PCS will pay the City \$5,000.00 for capital improvements
- Metro PCS will pay the city \$2,500.00 for recovery of expedited legal fees

Mr. Adam Morris representing Metro PCS was present to explain to the Commission that there is a high probability that the City will be approached again by another company that would realize Fort Meade is open to additional space on the water tower which would generate more money for the City.

**Motion by Bell, seconded by Watts to accept the Metro PCS Cell Tower**

**Agreement.**

**Motion passed with all yeas.**

**B. East Cost Migrant Head Start Project**

Mr. James Finnegan, Administrator for ECMHSP Florida Head Start Project explained to the Commission that Head Start is looking to enter into a five year lease agreement with the City due to the investment required for adding an additional classroom to the current location.

Decision postponed by the Commission until the April 14, 2009 meeting giving the Commission time to study the original lease and lease options.

**9. NEW BUSINESS**

**A. Approval of contract for CDBG sewer bursting project between Kuxhausen Construction and City**

**Motion Watts, seconded Bell to award Kuxhausen Construction the sewer bursting project.**

**Motion passed with all yeas.**

**B. Approval of Interlocal Agreement between Polk County and Fort Meade for Disposal of Solid Waste.**

City Manager, Fred Hilliard explained that the City's contract with Trash Taxi would have to be amended to make sure residential waste is accounted for from the City of Fort Meade that goes to Polk County. The City will pay Polk County for the waste dumped at North Central Landfill and will pay Trash Taxi simply for collection. This will save the City approximately \$4,709.00 per year in savings.

**Motion Bell, seconded Watts to approve the Interlocal Agreement for the disposal of solid waste between Polk County and the City of Fort Meade while amending the City's solid waste contract with Trash Taxi for the transportation of solid waste only.**

**Motion passed with all yeas.**

**C. Delinquent Charge-Off Report Fiscal Year 2007 – 20008**

Finance Director, Mel Parker reported that this charge-off is \$10,000.00 less

due to Customer Service's diligent efforts.

**Motion Bell, seconded Watts to accept the 2007 – 2008 delinquent charge off fees.**

**Motion carried with all yeas.**

**10. CITY MANAGER COMMENTS:**

Mr. John Stine, M & R Services, issued his report on the 60 meter sites he visited as follows:

- Twenty – Two major problems were found in the system.
- None of the T's meters tested outside the 2% limit.
- Several meters need to be programmed.
- Several sites did not pass the wire verify check.

The problems discovered in the testing process have been corrected by the City's Electrical Department.

USDA Water System Project is scheduled to be completed the week of March 9, 2009 by the contractor.

FEMA will be on site the week of March 9, 2009 to review the City's invoices and close out the City's claims for Hurricane Charlie.

**11. CITY FINANCE DIRECTOR COMMENTS:**

A meeting was held in Auburndale with several cities in attendance to discuss sharing health care cost in order to bring the cost down. The census has been forwarded to Foster and Foster and they will get back to us shortly to tell us whether it would be advantageous for us to join this group.

The City is currently carrying approximately \$34,000.00 in deposits for closed accounts. There is no proof that the City ever returned these deposits. We will have to work with the state in treating this as unclaimed property.

The City's above ground storage tank project has run over the allotted time for construction and has cost the City an additional \$57,373.61 in interest.

**12. CITY ATTORNEY COMMENTS:**

None

**13. CITY COMMISSION COMMENTS:**

Commissioner Bell requested everyone's attendance at Relay For Life. Opening ceremonies begin at 10:00 AM, Saturday March 14, 2009. The survivor dinner is called "Rolling Out the Red Carpet for Cancer Survivors" to be held at the Bartow Civic Center on March 24, 2009 at 6:00 PM. Commission Bell asked for the Commission and citizens of Fort Meade to please show up to help serve the dinner.

Commissioner Nelson expressed her thanks to the City employees for all the work that was done for the Black History Parade. Commissioner also requested the City's help in removing a tree from the 200 SE 7<sup>th</sup> Street area.

Mayor Elliott thanked Mrs. Leta Wright and the Historical Society for the reception honoring Ragan Barnett's 63 years in business.

**ADJOURNMENT:**

There being no further business, a motion was made by Commissioner Bell, seconded by Commissioner Nelson, to adjourn the Regular Commissioner's meeting of March 10, 2009 at 8:57 PM. Motion carried with all yeas.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**Robert Elliott, Mayor**

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**Phyllis Kirk, Deputy City Clerk**