

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

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

2. ROLL CALL:

Mayor	Bob Elliott	Present
Vice Mayor	Maurice Nelson	Present
Commissioner	Melony Bell	Present
Commissioner	Rick Cochran	Present
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: Frankie Curlee, Public Works Director, Polk County Sheriff's Officer, Sergeant Casey Riley, Finance Director, Mel Parker and Director of Leisure Services, Dennis Guenther.

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 Nelson to adopt the minutes of the Commission Workshop Meeting, August 6, 2009, Special Commission Meeting of September 9, 2009, Regular Commission Meeting of September 9, 2009 and Special Commission Meeting of September 28, 2009 as written.

B. Additions/Deletions:

5. PRESENTATIONS/AWARDS/REPORTS:

- A. Proclamation Declaring November 14 – 20, 2009 as Polk County Family Week.

Stacey Rosin accepted the proclamation on behalf of Polk County.

6. PUBLIC FORUM:

Citizen comments for items not on the agenda (3 Minute maximum length).
None

Arwyn Maker, 300 S. Washington Avenue, Lot 28, Fort Meade, Florida and Mr. Howard Martin, 1030 2nd Street SE, Fort Meade, Florida praised the City of Fort Meade for the repaving of Hendry Avenue.

7. ORDINANCES AND PUBLIC HEARINGS:

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

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA, RELATING TO PUBLIC SAFETY; AUTHORIZING THE LEVY AND COLLECTION OF FIRE PROTECTION ASSESSMENTS AGAINST NON-GOVERNMENT PROPERTY AND FIRE PROTECTION SERVICE CHARGES AGAINST GOVERNMENT PROPERTY FOR THE PURPOSE OF THE AVAILABILITY AND PROVISION OF FIRE RESCUE SERVICES; PROVIDING DEFINITIONS; PROVIDING A LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT TO REAL PROPERTY FROM THE AVAILABILITY AND PROVISION OF FIRE RESCUE SERVICES; ASSESSMENTS AND FIRE PROTECTION SERVICE CHARGES; PROVIDING FOR THE PREPARATION AND ADOPTION OF A NON-AD VALOREM ASSESSMENT ROLL; PROVIDING FOR A PUBLIC HEARING ON THE NON-AD VALOREM ASSESSMENT ROLL; PROVIDING NOTICE BY PUBLICATION AND BY MAIL OF THE PUBLIC HEARING; PROVIDING THAT FIRE PROTECTION ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF AN ASSESSMENT ROLL; PROVIDING FOR CORRECTIONS OF ERRORS AND OMISSIONS IN THE ASSESSMENT ROLL; PROVIDING FOR THE IMPOSITION OF INTERIM ASSESSMENTS ON PROPERTY UNDERGOING IMPROVEMENT; DECLARING THE INTENT TO USE THE UNIFORM ASSESSMENT COLLECTION ACT TO COLLECT SPECIAL ASSESSMENTS FOR NON-GOVERNMENT PROPERTY; AUTHORIZING THE CITY TO ADOPT A RESOLUTION AND TO ENTER INTO AN AGREEMENT TO

REIMBURSE THE PROPERTY APPRAISER AND THE TAX COLLECTOR FOR THE USE OF THE UNIFORM ASSESSMENT COLLECTION ACT; ENACTING OTHER RELATED PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.

Motion Watts, seconded Nelson to adopt Ordinance 09-09 as presented.

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

Commissioner Cochrane, Elliott, Nelson and Watts voted yea. Commissioner Bell, nay.

Motion Carried.

- B. Attorney Tom Cloud read the title for Ordinance 09-12 – 2nd Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; AMENDING ORDINANCE NO. 07-06; MODIFYING WATER RATES, FEES, AND CHARGES; PROVIDING FINDINGS; MODIFYING THE WATER RATE SCHEDULE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS OF PAST RESOLUTIONS AND ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion Nelson, seconded Commissioner Watts to adopt Ordinance 09-12 as presented on second reading

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

City Manager, Fred Hilliard explained that the increase in water rates is per USDA's instructions because of the new water tank construction and the current government loan backed by bonds.

Commissioner Cochrane, Elliott, Nelson and Watts voted yea. Commissioner Bell, nay.

Motion Carried.

- C. Attorney Tom Cloud read the title for Ordinance 09-13 – 2nd Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA AMENDING ORDINANCE NO. 09-01; ESTABLISHING THE CITY OF

FORT MEADE NET METERING PROGRAM FOR CUSTOMER OWNED RENEWABLE GENERATION; PROVIDING AUTHORIZATION; PROVIDING AN EFFECTIVE DATE.

Motion Bell, seconded Watts to adopt Ordinance 09-13 as presented on second reading.

Mayor Elliott opened the public hearing.

Art Cline, 1004 2nd Street NE, Fort Meade, Florida questioned whether the amount of electric buy back in the ordinance was the same as the amount paid to FMPA including the fuel surcharge.

Attorney Cloud and City Manager Hilliard both responded that the rate is not the same but is a rate established by FMPA and the City does not have an option as it is a requirement of our current electrical contract with FMPA.

Mayor Elliott closed the public hearing.

Motion carried with all yeas.

D. Attorney Tom Cloud read the title for Ordinance 09-14 – 1st Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; CREATING A TRANSIENT MERCHANT ORDINANCE; PROVIDING A SHORT TITLE; PROVIDING POLICY AND INTENT; PROVIDING DEFINITION: PROVIDING FOR THE REGULATION OF TRANSIENT MERCHANTS; PROHIBITING CERTAIN ACTIVITIES: REPEALING PORTIONS OF PRIOR ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion Bell, seconded Cochrane to accept Ordinance 09-14 as read and set November 10, 2009 for the second reading.

Motion carried with all yeas.

E. Attorney Tom Cloud read the title for Ordinance 09-15 – 1st Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; PROVIDING FINDINGS; AMENDING THE FORT MEADE COMPREHENSIVE PLAN BY ADOPTING “AMENDMENT CPA-2009-1-WSP” ; REVISING THE INFRASTRUCTURE, CONSERVATION, AND INTERGOVERNMENTAL COORDINATION ELEMENTS, BASED ON THE CITY OF FORT MEADE TEN-YEAR WATER SUPPLY FACILITIES WORK

PROGRAM INCORPORATED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion Cochrane, seconded Bell to accept Ordinance 09-15 as read.

Motion carried with all yeas.

F. Attorney Tom Cloud read the title for Resolution 09-12.

**A RESOLUTION OF THE CITY OF FORT MEADE, FLORIDA;
AUTHORIZING THE TRANSMITTAL OF FORT MEADE
COMPREHENSIVE PLAN AMENDMENT CAP-2009-1-WSP TO THE
DEPARTMENT OF COMMUNIUTY AFFAIRS AND OTHER
AGENCIES; PROVIDING AN EFFECTIVE DATE.**

Motion Bell, seconded Cochrane to adopt resolution 09-15 as read.

Motion carried with all yeas.

OLD BUSINESS

None

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

9. NEW BUSINESS

A. Approve Change Order #5 and #6 for Kuxhausen Construction for Sewer Rehabilitation Project

Motion Watts, seconded Nelson to approve Change Order #5 and #6 for Kuxhausen Construction.

Motion carried with all yeas.

10. CITY MANAGER COMMENTS:

The City Commission's letter to FMPA requesting to be put on the agenda was not well received and we were not put on the agenda. The request will be made again in conformance with the newly established procedures for getting on FMPA's agenda.

On October 6, 2009 Mr. Hilliard reported that he attended the City of Kissimmee Commission Meeting to listen to a report given by Mr. Jim Welch, General Manager of KUA.

Polk County Roads and City Staff reviewed and prioritized the county roads within the city that need repair as follows:

1. 630 West (US17 to Sand Mountain Road)
2. South Orange Avenue (98 East to Mt. Pisgah)
3. North East 9th Street (US 17 to Edgewood Drive)
4. Oak Avenue (South East 9th Street to Lunn Road)
5. Lunn Road (US 17 to Orange Avenue)

Polk County Staff will be preparing capital improvements and potential funding sources to repave these roads within the City.

A draft copy of the Chamber of Commerce Contract has been forwarded to the Chamber Board on October 6, 2009 and covers the items that were discussed with the Committee on October 2, 2009.

11. CITY FINANCE DIRECTOR COMMENTS:

The Energy Conservation Program has distributed 27 CF bulbs and issued rebates to 23 customers totaling \$2,450.00.

The FY 2010 budget is complete and FY 2009 year-end closing and audit preparation is in progress.

12. CITY ATTORNEY COMMENTS:

None

13. CITY COMMISSION COMMENTS:

Commissioner Nelson requested an update on Jerome Davis, 222 SE 5th Street, Fort Meade who has a problem with his driveway which is lower than the street and under water whenever it rains.

Commissioner Bell informed the Commission that United Way has partnered with City of Fort Meade to start a kindergarten mentor program where mentors would go into daycare centers and/or private baby sitters to read to them weekly to help prepare for kindergarten. She stressed that she would like the City employees to get involved. The kick off is at Gause Academy on November 6 at 7:30 AM.

Commissioner Bell stated that she still wants to see the Miners on the water tower and believes that once we know it is safe to put the logo on the tower the price of painting it will be donated.

Commissioner Cochrane stated that a question came up at the October Chamber luncheon in which the City was accused of run-away spending. To clear the record the City budget was \$13,207,000.00 in FY 02/03 and \$13,578,000 for 09/10. Total run-away spending has amounted to a total of \$371,000.00 for the past six years.

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 September 9, 2009 at 8:25 PM. Motion carried with all yeas.

Approved this _____ day of _____, 2009.

Robert Elliott, Mayor

Phyllis Kirk, Deputy City Clerk