

**CITY OF FORT MEADE
REGULAR CITY COMMISSION MEETING
WEDNESDAY SEPTEMBER 9, 2009**

A Regular Meeting of the For Meade City Commission was held on Wednesday, September 9, 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	Heather Ramos*	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.

*Attorney Heather Ramos representing GrayRobinson for Thomas Cloud.

3. INVOCATION AND PLEDGE TO THE FLAG:

Commissioner 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 Bell to adopt the minutes of the Commission Workshop Meeting, August 6, 2009, Special Commission Meeting of August 11, 2009, Trustees Meeting of August 11, 2009, Regular Commission Meeting, August 11, 2009 and Commission Workshop Meeting of August 26, 2009 as written.

B. Additions/Deletions:

Motion Watts, seconded Bell to Add Item 7E and 7F under New Business for Ordinance 09-13 and Ordinance 09-14. Motion carried with all yeas.

5. PRESENTATIONS/AWARDS/REPORTS:

A. Presentation to Commission by Walter Bryant and Barbara Manley.

Mr. Walter Bryant and Mrs. Barbara Manley presented a plaque to the Commission from the American Cancer Society for their support and help over the years during the cancer drives.

B. Proclamation for Mr. John Small

Mayor Elliott thanked Dr. McKenzie, Dr. Nicholas and Mr. Small for attending the meeting in Fort Meade and for their support of the Fort Meade school system.

Commissioner Bell read the Proclamation publicly recognizing Mr. Small's large role in developing a career/adult school at Gause Riverside Academy in Fort Meade.

6. PUBLIC FORUM:

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

None

Mr. Sonny Page, representing GFL Construction, 850 Palmetto N., Fort Meade thanked the Commission for putting out bids for the continuation of a paved road beyond 850 Palmetto N. where the business is located. He stated that he hopes the bids will progress on to finishing the road.

7. ORDINANCES AND PUBLIC HEARINGS:

A. Attorney Heather Ramos read the title for Ordinance 09-09 – 1st 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 accept Ordinance 09-09 as presented on first reading and set October 13, 2009 for second reading.

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

Motion Carried.

- B. Attorney Heather Ramos read the title for Ordinance 09-12 – 1st 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 Cochrane, seconded Watts to accept Ordinance 09-12 as presented on first reading and set October 13, 2009 for second reading.

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

Motion Carried.

C. Attorney Heather Ramos read the title for Ordinance 09-07 – 2nd Reading

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA TO AMEND CHAPTER 18, PENSION AND RETIREMENT, ARTICLE II, SECTIONS 18-18, 18-22, 18-23, AND 18-24 TO UPDATE THE PLAN FOR LEGISLATIVE CHANGES AND AMEND CERTAIN RETIREMENT PLAN PROVISIONS FOR THE EMPLOYEES OF THE CITY OF FORT MEADE, FLORIDA, AND TO PROVIDE FOR AN EFFECTIVE DATE UPON FINAL PASSAGE

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

Motion Bell, seconded Nelson to adopt Ordinance 09-07 as presented on second reading. Motion carried with all yeas.

D. Attorney Heather Ramos read the title for Ordinance 09-08 – 2nd Reading

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA, RELATING TO LOCAL BUSINESS TAX RECEIPTS; AMENDING ARTICLE VI OF CHAPTER 22 OF THE CITY OF FORT MEADE'S CODE OF ORDINANCES TO REFLECT STATUTORY UPDATES TO CHAPTER 205 OF THE FLORIDA STATUTES; CLARIFYING BUSINESS TAX RECEIPT FEES PERTAINING TO INSURANCE AGENTS AND COMPANIES ADOPTED PURSUANT TO ORDINANCE 95-13; CHANGING REFERENCES FROM OCCUPATIONAL LICENSE FEES TO BUSINESS TAX RECEIPT FEES IN ORDINANCE 95-13; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION OF AMENDMENTS TO CHAPTER 22 IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

Motion Bell, seconded Cochrane to accept Ordinance 09-08 as presented on second reading. Motion carried with all yeas.

E. Attorney Heather Ramos read the title for Ordinance 09-13 – 1st 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 Cochrane, seconded Watts to accept Ordinance 09-13 as presented on first reading and setting October 13, 2009 for second reading.

Motion carried with all yeas.

F. Attorney Heather Ramos 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 Nelson to table Ordinance 09-14 until the October 13, 2009 Commission meeting.

Motion carried with all yeas.

8. 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. Approval of Surplus Items for Disposal**

***B. Approve Payment Request for Kuxhausen Construction**

Pay Request #4 in the amount of \$53,750.51 and Pay Request #5 in the amount of \$6,412.50

***C. Approval Interlocal Agreement for Brownfields Assessment Coalition**

Agreement between Central Florida Regional Planning Council and City of Fort Meade

**Motion Watts, seconded Nelson to approve Consent Agenda Items A, B and C.
Motion carried with all yeas.**

D. Approval of City Manager, Fred Hilliard's Employment Contract

Motion Cochrane, seconded Watts to approve the City Manager's contract as written. Motion passed with all yeas.

10. CITY MANAGER COMMENTS:

Fred Hilliard, City Manager thanked everyone who attended the August Executive Meeting at FMPA in Orlando.

The City will be receiving \$64,749.84 next month which is a refund for the termination of the GASPII project with Florida Gas Utilities.

We are currently working with FMPA and Mr. Lloyd Shank to secure two grants via the stimulus funds to improve the electric system's operation. The cost of this project is estimated at \$450,000.00 with the City's share at \$225,000.00 because it is a matching grant fund. This will only cost the City if we are successful in receiving the grant.

We have received a bid for the paving of the unimproved section of North Palmetto Avenue as requested by GLF. The estimate is \$38,400.00 for 20' and \$42,980.00 for 24'. A traffic count for the street is underway and hopefully will be available in time for the October Commission Meeting.

11. CITY FINANCE DIRECTOR COMMENTS:

Mel Parker, Finance Director stated that the Energy Conservation Program has distributed rebates totaling \$1,300.00 to date with a total of \$4,300.00 still available. All overdue electric deposits have now been refunded to the customers. FMPA has confirmed the TECO true-up due for 2008 is \$178,749.00.

12. CITY ATTORNEY COMMENTS:

None

13. CITY COMMISSION COMMENTS:

Commissioner Nelson thanked everyone for the attendance and support of the Commission for the Back to School Bash in August.

Mayor Elliott requested that the City get a price from Trash Taxi for once a week pickup and mandatory recycling to see if there would be any savings for the City.

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