

**MINUTES
CITY COMMISSION MEETING
HAINES CITY, FLORIDA**

March 1, 2018

7:00 PM

Commission Chambers

1. CALL TO ORDER

At 7:00 p.m. Mayor H.L. Roy Tyler called the City Commission meeting to order in the City Commission Chambers located in City Hall, at 620 E. Main Street, Haines City, Florida.

Mayor H.L. Roy Tyler, Vice Mayor Morris West, Commissioner Anne Huffman, and Commissioner Horace West were in attendance. Commissioner Don Mason was excused.

Also in attendance were the following staff members: City Manager Deric Feacher, City Attorney Fred Reilly, and City Clerk Linda Bourgeois.

2. INVOCATION

The invocation was provided by Reverend Eryk Anglin of Ambassadors International Ministries.

3. PLEDGE OF ALLEGIANCE

Mayor Tyler led the Pledge of Allegiance.

4. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

Mayor Tyler presented the consent agenda for approval and opened the floor for public comments.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the floor to public comments.

Commissioner West moved to approve the consent agenda. The motion was seconded by Commissioner Huffman.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Horace West, Commissioner
SECONDER:	Anne Huffman, Commissioner
AYES:	Horace West, Roy Tyler, Morris West, Anne Huffman
EXCUSED:	Don Mason

4.A. MINUTES FROM CITY COMMISSION WORKSHOP – FEBRUARY 15, 2018

Staff Contact: Linda Bourgeois, City Clerk

4.B. MINUTES FROM CITY COMMISSION MEETING – FEBRUARY 15, 2018

Staff Contact: Linda Bourgeois, City Clerk

4.C. CEMETERY DEEDS

Staff Contact: Linda Bourgeois, City Clerk

4.D. PIGGY BACK AGREEMENT WITH ALLIED UNIVERSAL CORPORATION

Staff Contact: Linda Fisher, Interim Utilities Director

Disposition: Approve as recommended in the City Manager memorandum dated March 1, 2018.

4.E. QUIT CLAIM DEED FROM POLK COUNTY SCHOOL BOARD

Staff Contact: Fred Reilly, City Attorney

Disposition: Approve as recommended in the City Attorney memorandum dated March 1, 2018.

4.F. VOLUNTARY ANNEXATION AGREEMENT - 4621 LORI CHRISTINE STREET

Staff Contact: Linda Bourgeois, City Clerk

Disposition: Approve as recommended in the City Manager memorandum dated March 1, 2018.

5. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA

Public participation is encouraged. If you wish to address the City Commission regarding items not on the agenda, please sign your name on the list located in the City Hall Chambers entrance.

Mayor Tyler opened the floor to public comments.

The following members of the public came forward to speak with the Mayor and City Commissioners:

Sharon Garrett brought forward a kitten she found darting traffic in the roadway and asked if anyone would be interested in providing the kitten a good home.

Charmeythia Streeter asked if the City Commission was considering renovating the existing pool at the Dolphus Howard Center. She continued and said if not, she would like to know the future of that location. She then asked if her apartment was within the city because the roads were horrible and she has to drive on the opposite side of Baker Dairy road.

It was shared with her that Baker Dairy Road was in Polk County and Director Javed said he would help reach out to the County about the condition of the road.

Commissioner West explained his earlier comments from the workshop regarding the ground

level and sloping at 8-Acre Park. He addressed the space constraints at Dolphus Howard Center. He went on to say, from his perspective, the city would fill in the existing pool and create a space that can be used by the Boys and Girls Club.

City Manager Feacher said the Boys and Girls Club Board would like to come and meet with them about the pool transition.

Commissioner Huffman explained the boring process for 8-Acre Park to determine pool location feasibility.

Mayor Tyler clarified that while Baker Dairy Road was in the County, Parkview Village was in the City.

Carlos Surita said he was planning on opening up a business selling heavy equipment on his property. He continued and said he had submitted all the site plans to the building department, however he was still having water issues with the property. He claimed contaminated water was flowing onto his property. He went on to say he and his partner had sent numerous emails and visited the building department on several occasions without any reply or feedback.

Development Services Director Greenwood and Assistant Utilities Director Fisher said they would look into the permitting concerns and get back with him. It was qualified that the Development Services Department was dealing with the lessee and not the owner, Mr. Surita.

Janet Jolly Smith thanked the Public Works Director Javed for a job well done on the wildlife preserve at Boomerang Park.

Mayor Tyler closed the floor to public comments.

6. OLD BUSINESS

6.A. SECOND AND FINAL READING - ORDINANCE NO. 18-1594 : LDR TEXT AMENDMENTS - AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT CHANGES TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY; AMENDING CHAPTER 4 – DEFINITIONS; AMENDING CHAPTER 5 – ZONING; AMENDING CHAPTER 6 – SPECIAL PROVISIONS; CHAPTER 7 – SIGNS, CHAPTER 11 – OFF-STREET PARKING, LOADING, STORAGE, CHAPTER 12 – TRANSPORTATION, CHAPTER 13 – SUBDIVISION, AND CHAPTER 15 – WIRELESS TELECOMMUNICATION TOWERS AND ANTENNAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Staff Contact: Richard Greenwood, Development Services Director

Development Services Director Greenwood presented on Ordinance 18-1594 on second and final reading. He said there were no changes since first reading.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the public hearing.

City Attorney Reilly read the Ordinance into record by title only.

Vice Mayor West moved to approve Ordinance 18-1594 on second and final reading. The motion was seconded by Commissioner Huffman.

RESULT:	APPROVED ON SECOND READING [UNANIMOUS]
MOVER:	Morris West, Vice Mayor
SECONDER:	Anne Huffman, Commissioner
AYES:	Horace West, Roy Tyler, Morris West, Anne Huffman
EXCUSED:	Don Mason

7. NEW BUSINESS

7.A. ORDINANCE NO. 18-1597 : AN ORDINANCE OF THE CITY OF HAINES CITY, FURTHER AMENDING THE CITY OF HAINES CITY MUNICIPAL POLICE OFFICERS’ RETIREMENT TRUST FUND, RESTATED PURSUANT TO ORDINANCE NO. 11- 1370, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 1, DEFINITIONS BY AMENDING THE DEFINITION OF “RETIREMENT”; AMENDING SECTION 3, BOARD OF TRUSTEES; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 27, RE-EMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Staff Contact: Gabriel Garcia, Lieutenant

Lieutenant Garcia of the Haines City Police Department presented Ordinance 18-1597 on first reading. He went on to say the Pension Board of Trustees for the City of Haines City Municipal Police Officers’ Retirement Trust Fund were recommending changes to the Municipal Police Officers’ Retirement Trust Fund as follows:

Amending Section 1, Definitions, by amending the definition of “Retirement”.

Amending Section 3, Board of Trustees, by including the DROP participants’ ability to be elected as, but not vote for, elected Trustees.

Amending Section 5, Contributions, subsection 1.A., increasing the member’s contributions from 9.0% to 9.4% of salary.

Amending Section 6, Benefit Amounts and Eligibility. Normal retirement eligibility will include the completion of 25 years of Credited Service, regardless of age and allowing all current Retirees, Disability Retirees and Beneficiaries who have been receiving a benefit payment for five years to receive a \$1,000 per year supplemental, payable for life.

Amending Section 27, DROP Participants. Retirees who were in the Deferred Retirement Option Plan (DROP) shall have the options provided for in the Section for re-employment.

Vice Mayor West asked if the \$1,000 was to be paid each year and it was verified that the \$1,000 would be paid on an annual basis.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the public hearing.

City Attorney Reilly read the Ordinance into record by title only.

Vice Mayor West moved to approve Ordinance 18-1597 on first reading. The motion was seconded by Commissioner West.

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]Next: 4/5/2018 7:00 PM
TO:	City Commission
MOVER:	Morris West, Vice Mayor
SECONDER:	Horace West, Commissioner
AYES:	Horace West, Roy Tyler, Morris West, Anne Huffman
EXCUSED:	Don Mason

7.B. RESOLUTION NO. 18-1300 : A RESOLUTION OF CITY OF HAINES CITY, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM AND LOAN AGREEMENT DW530440; PROVIDING FOR THE INCORPORATION OF RECITALS; AUTHORIZING AMENDMENT NO. 1 TO THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES AND PROVIDING ASSURANCES; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Shantavia Conner, Finance Director

Finance Director Conner presented on an Amendment No. 1 (one) to the State Revolving Fund Loan WW530440. On May 7, 2015, the City Commission approved Resolution No. 15-1138 authorizing the loan agreement between the City of Haines City and the Florida Department of Environmental Protection under the State Revolving Fund for the financing of Project No. DW530440, Compost Facility. She said this Amendment No.1 was being issued because the project was now complete and funding costs were being adjusted to actual expenditures; as well as a final amortization schedule being released.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the public hearing.

City Attorney Reilly read the Resolution into record by title only.

Commissioner West moved to approve Resolution 18-1300 authorizing the execution of the loan document. The motion was seconded by Vice Mayor West.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Horace West, Commissioner
SECONDER:	Morris West, Vice Mayor
AYES:	Horace West, Roy Tyler, Morris West, Anne Huffman
EXCUSED:	Don Mason

7.C. SECOND AMENDMENT TO LAKE CHARLES ROADWAY IMPROVEMENT AGREEMENT

Staff Contact: Fred Reilly, City Attorney

Mayor Tyler presented the item.

Mike Noonan for the Developer stood for any questions and there were none.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the public hearing.

Vice Mayor West moved to approve the second amendment to the Masee Roadway agreement. The motion was seconded by Commissioner West.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Morris West, Vice Mayor
SECONDER:	Horace West, Commissioner
AYES:	Horace West, Roy Tyler, Morris West, Anne Huffman
EXCUSED:	Don Mason

8. CITY MANAGER'S REPORT

City Manager Feacher reported about scheduling a strategic planning session in April with the City Commission and said he would send out the dates for consideration. In addition, he reported city staff was going to proceed forward with the athletic agreements as they were last year unless there was further direction from the City Commission.

There was none.

9. CITY CLERK'S REPORT

City Clerk Bourgeois announced the date, location, and time for the Chamber of Commerce Candidate Forum and the upcoming Municipal Election.

10. CITY ATTORNEY'S REPORT

There was no report from the City Attorney.

11. COMMISSION COMMENTS

Mayor Tyler

Mayor Tyler said he had the pleasure to attend an award ceremony for civil engineering. He said he was impressed with the Public Works Department and praised them for their superior work. He continued and said he listens to the audio recordings when he has been absent. He went on to say the City Commission has placed a three minute speaking time limit on the residents who we serve and the theory behind this is to be able to conduct an orderly and efficient meeting to allow as many contributors as was feasible. He requested for the City Commission to consider imposing a time limit of no more than five minutes on themselves simply because our residents are required to meet a time limit. He said the City Commission was not above the requirement because at the end of the day we are all residents. He mentioned the public comments section of items on the agenda and urged them to consider imposing a time limit. He suggested a discussion at the next workshop and if need be, placing an item on the agenda for a formal action.

Vice Mayor West asked the Mayor if that would be considered a policy, and the Mayor replied yes.

Mayor Tyler qualified that there may be a need for residents to go beyond the time limit and said he understands there may be cases where additional time is needed without constraints. He said he would like to be considerate of staff time and the time of our residents.

Vice Mayor West said he did not have any issues with the request because he would vocalize his hot topics first within a certain time frame. He said there would always be other City Commission meetings if more time was needed.

Vice Mayor West

Vice Mayor West thanked the Police and Fire Departments for keeping on top of providing pension benefits. He then requested for the city to look into a benefits improvement for the general employees that retired under the former pension plan. He continued and said an improvement will help the ones that served the city for twenty-five or plus years. He went on to say that maybe we can look at this during budget time this year. He concluded by saying he would be attending a Water School on March 9, 2018 from 8:00 a.m. - 4:30 p.m. and would bring an update to the City Commission.

Commissioner West

Commissioner West congratulated Public Works Director Javed and his staff for a job well done.

Commissioner Huffman

Commissioner Huffman concurred with the congratulations to Director Javed and his department. She said she is always pleased when any of our Departments are doing an outstanding job representing the City. She continued and said she was appreciative of the follow-up report regarding Cook Field from the Parks and Recreation Director Griffin.

She went on to address the Mayors request and said she does not agree with it. She said there are times when the City Attorney does not have a report, the City Clerk does not have a report, nor does the City Manager have a report. She said I am the one who has a longer report and she takes exception with that comment. She said she will not be in attendance at the next City Commission meeting and addressed the City Attorney with a request. She said unless there was a statute that imposed a time limit on how much time she speaks on behalf of the residents; then there is not going to be a consensus or a resolution or an agreement up here. She stated she is not in favor of the time limit at all and however much time it takes for her to convey the concerns of the constituents, she feels she should be granted that amount of time. She concluded and said that was her position on that request.

12. ADJOURNMENT

At 7:37 p.m., the City Commission Meeting was adjourned.

APPROVED:

BY:

ATTEST:

Linda Bourgeois
City Clerk