

**CITY OF FORT MEADE
REGULAR CITY COMMISSION MEETING
TUESDAY, MARCH 10, 2015**

A Regular Meeting of the Fort Meade City Commission was held on Tuesday, March 10, 2015, at the City Hall Commission Chambers, 8 West Broadway, Fort Meade, Florida.

1. CALL TO ORDER:

The Meeting was called to order at 7:38 PM by Mayor Nelson.

2. ROLL CALL:

Mayor	Maurice Nelson	Present
Vice Mayor	James Watts	Present
Commissioner	Barbara Manley	Present
Commissioner	Richard Cochrane	Present
Commissioner	Robert Elliott	Present

Staff Present

City Manager	Fred Hilliard	Present
City Attorney	Tom Cloud	Present
Deputy City Clerk	Melissa Newman	Present
City Planner/ Assistant Deputy Clerk	April Brown	Present
Finance Director	James (Mel) Parker	Present
Public Works Director	Jackie Cannon	Present
Human Resource Director	Donna Parker	Present
Water/Wastewater Director	Robbie Ward	Present

Also present: Polk County Sergeant Andy Beymer

3. INVOCATION AND PLEDGE TO THE FLAG:

Pastor Brenda Bonnie led the invocation. Mayor Nelson led the Pledge to the Flag.

4. ADDITIONS AND/OR DELETIONS

None.

5. CONSENT AGENDA

- A.** Minutes of the FY Budget Audit Meeting of February 10, 2015, minutes of the Regular Commission Meeting of February 10, 2015, minutes of the Special Commission Meeting on Fair Housing Opportunity of February 19, 2015 and minutes of the Special Hearing of February 19, 2015.

Motion Commissioner Watts, second Commissioner Elliott to approve the Consent Agenda.

Motion carried with all yeas.

6. PRESENTATIONS/AWARDS/REPORTS:

Deputy County Manager Gary Hester stated he was here to answer any question of the Commission or citizens on the proposal of the OPA funding. Mr. Hester stated that the County would like to man the ambulance station with a four man crew certified in EMT and Fire Fighting full time in lieu of the OPA funding which is currently \$69,482 per year to the City. This would add about 15 to 20 additional employees to man this station.

Mr. Hester stated that they have a draft plan complete that needs approval of the County Commission and it will come before the City Commission.

Mr. Cochrane asked how the fire department was funded.

Mr. Hester stated that the fire department is funded by a fire assessment tax assessed to real property and the EMT is funded through the General fund. Mr. Hester explained that the County does not have the authority to assess a fire tax on the residents of the City of Fort Meade.

Mr. Watts asked who would be in charge if the City and County responded to the scene inside the city limits.

Mr. Hester stated that the City would be in charge if it was inside the city limits just like they do now on mutual aid.

Fire Chief Roc Eiland stated that the mutual aid agreement is all good but his fire department feels like the County should not run calls inside the city limits unless they are called for mutual aid.

7. PUBLIC FORUM:

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

8. UNFINISHED BUSINESS

- A. City Attorney Tom Cloud read the title for Ordinance 15-02 Revisions to the City's Code of Ordinances Chapter 4, Article II, Sec. 4-20 and Chapter 22, Article VII, Sec. 22-100 through 22-103 on 2nd Reading.

**AN ORDINANCE OF THE CITY OF FORT MEADE,
FLORIDA; AMENDING THE CODE OF ORDINANCES OF
THE CITY OF FORT MEADE, FLORIDA; AMENDING**

THE SECTION (4-20) RELATED TO USE, CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES IN CITY-OWNED CIVIC CENTERS, BUILDINGS, STRUCTURES AND ON CITY-OWNED PREMISES, PARKS, AND ATHLETIC FIELDS DECLARED UNLAWFUL AND AMENDING THE SECTIONS (22-95 THROUGH 22-103) RELATING TO CARNIVALS, FAIRS, CIRCUS AND SIMILAR PRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mayor Nelson opened the Public Hearing.

Mr. Curtis Bankston stated that he wouldn't mind if this event was at Peace River Park but was against drinking in Patterson Park and was concerned with the open container law.

Ms. Caroline Nunlee, counselor and trainer for underage drinking training center in Maryland, stated that there was some components that were not considered such as a designated driver program, education component, or underage drinking component. Has someone been hired to oversee permitting and policy? Ms. Nunlee stated that we are sending the wrong message that you cannot have fun without alcohol but suggested that fees be imposed for permitting, litter control and property damage, because there will be property damage. Ms. Nunlee stated she did not see the benefits of the passing of this ordinance.

Mayor Nelson closed the Public Hearing.

Motion Commissioner Elliott, second Commissioner Cochrane to adopt Ordinance 15-02 amending the City Land Development Code Text Amendments on 2nd Reading.

Motion carried with all yeas.

9. NEW BUSINESS

A. & B.

Approve Ordinance 15-03, Establishing a New Zoning District M-3 on 1st Reading.

City Attorney Cloud suggested that he read both Ordinances 15-03 and Ordinance 15-04 on 1st reading and for the Commission to take no action until 2nd Reading on March 31, 2015 or take comment on both readings. Mr. Cloud stated that the statute does not required approval on 1st Reading and strongly advise against approving or denying the Ordinances until 2nd Reading, if a Stipulated Agreement has been signed.

City Attorney Cloud read the title to Ordinance 15-03 Establishing a New Zoning District M-3 and Ordinance 15-04 Zoning amendments on 1st Reading.

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; ESTABLISHING A NEW ZONING DISTRICT AND ADOPTING TEXT AMENDMENTS TO THE CITY OF FORT MEADE'S LAND DEVELOPMENT CODE; AMENDING ARTICLE 2, ENTITLED "REGULATIONS FOR SPECIFIC DISTRICTS"; PROVIDING FOR UPDATES TO THE UNIFIED LAND DEVELOPMENT CODE; RATIFYING UNAMENDED PROVISIONS OF THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA; AMENDING ORDINANCE NO. 97-2 AS AMENDED, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT MEADE, FLORIDA, BY AMENDING A PARCEL ON THE ZONING MAP OF THE CITY FROM FORT MEADE M-2 INDUSTRIAL PARK TO FORT MEADE M-3 BIOSOLIDS TREATMENT FACILITIES; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A COPY TO BE KEPT ON FILE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Commissioner Manley stated she would not be here for the March 31, 2015 meeting but would like the Commission to know that if they went back to the way it was when Steve Lanier had it and no other "Biosolids" could come in is the only way she would agree.

Mr. Roger Wright stated that it is the second business that is causing all the odor.

Attorney Cloud stated that he stood corrected and that there needs to be 2 public hearings on the Ordinance and public comment should be accepted.

Mayor Nelson opened the Public Hearing.

Mr. Bart Allen, Peterson and Meyers Law firm on behalf of Biosolids Distribution Services, stated that he does not believe that they need a land use and zoning change because they are considered a utility on

their FDEP permit but are supportive of the proposal to do so. Mr. Allen stated that he believes this Ordinance would provide more teeth to control all the issues and he is supportive of the Ordinance.

Mr. Roger Wright stated that he wanted to get his point across that there are 2 separate plants operating business at the TRUSA site and it is the second operation that is causing all the odor and that they do not use the City Wastewater system. Mr. Wright stated that he believes this is a code enforcement issue and should be enforced so and is strongly against changing the land use and zoning.

Mr. Clayton Frazier stated that the Commission voted months ago to stop the odor issue and why has it not been done. If they can't be stopped them now why would you want to give them more teeth. He is totally against the land use and zoning change. Mr. Frazier stated that the smell was so bad from Biosolids last Thursday that he called everybody and Robbie Ward went out there and was told that everything was working to its best and the smell would not get any better. Mr. Frazier stated that they have had all the chances they could get to get this odor under control and would recommend the Commission stop this operation.

Mr. Curtis Bankston, 1400 N. Charleston Ave., Ft. Meade, FL. 33841, stated that he suggested that the Commission stop this operation months ago and the Commission said they would and it has not been done.

Mr. Cloud stated that we were sued in Federal Court to not shut them down.

Mayor Nelson closed the public hearing.

Motion Commissioner Manley, second Commissioner Elliott that we don't vote on this tonight, that we table it until the March 31, 2015 Special Meeting when we have 2nd Reading.

Motion carried with all yeas.

- C. Approve Resolution R15-05, Consumption of alcohol at Patterson Park.

**A RESOLUTION OF THE CITY OF FORT MEADE,
AUTHORIZING THE WOMAN'S CLUB OF FORT MEADE TO
SERVE ALCOHOL FOR CONSUMPTION AT THE CITY OF FORT
MEADE'S "MOONLIGH & MUSIC" ON FRIDAY, APRIL 17, 2015
AT PATTERSON PARK.**

Commissioner Manley abstained from voting on Resolution 15-05 stating that she was an officer of the Woman's Club.

Motion Commissioner Elliott, second Commissioner Watts to approve Resolution R15-05 Authorizing the Women's Club of Fort Meade to serve alcohol at Patterson Park.

Motion carried with all yeas, with Commissioner Manley not voting.

10. CITY ATTORNEY COMMENTS:

Attorney Cloud asked the Commission to authorize him to send a bill to Biosolids for the past seven months at our industrial rate since they continue to claim they are an industrial use.

Motion Commissioner Cochrane, second Commissioner Elliott to authorize the City Attorney to send Biosolids a bill for sewage use since August, services rendered.

Motion carried with all yeas.

11. CITY MANAGER COMMENTS:

A. FMPA/ARP

City Manager Hilliard stated that the ARP have reported back to the Attorney General's request and have hired a lobbyist and a PR firm to fight their battle

B. Florida Public Utilities

Commissioner Manley and Mr. Hilliard met with a representative of FPU and he is putting together some projects to be funded.

C. Historic Fort Meade Outpost Project

Commissioner Elliott and Mr. Hilliard met with County Commissioner Bell along with Glen Clover and Commissioner Putnum and the project is beginning to get legs. Mr. Hilliard requested the approval of an agreement with Mr. Clover to proceed with this project which is about \$150.00 an hour, direct expenses and mileage.

Motion Commissioner Elliott, second Commissioner Watts to approve the agreement with Glen Clover and company to proceed with the project.

Motion carried with all yeas.

D. City Mobile Home Park Trees

Mr. Hilliard stated that he has received a proposal from The Tree Lady and will send it to the Commission.

12. CITY COMMISSION COMMENTS:

Commissioner Elliott stated that the meeting they had on the Fort Meade Outpost Project he felt was really positive.

Commissioner Elliott asked if there was a need for a special session for EcoGen.

Mr. Hilliard stated that he just received the revised developer's agreement and sent it to the attorney for review and there was no need for a special meeting.

Commissioner Cochrane asked if an Executive Session was required prior to the March 31, 2015 meeting and then said he would just call the attorney before the meeting.

Commissioner Elliott asked if staff could address the garbage laying around on N.E. 9th Street.

Commissioner Manley stated that some of the signs in the City needed to be replaced.

Mayor Nelson, on behalf of the Martin Luther King parade project would like to thank the City, City Staff and the PCSO and would like to present them with a plaque on Wednesday.


13. STAFF REPORTS

None.

14. ADJOURNMENT

There being no further business to conduct, Motion Commissioner Manley second Commissioner Elliott to adjourn the Regular Commission meeting of March 10, 2015 at 9:41 PM.

Motion carried with all yeas.



Maurice Nelson, Mayor

ATTEST:



Melissa Newman, Deputy City Clerk

