

**CITY OF FORT MEADE  
REGULAR CITY COMMISSION MEETING  
TUESDAY, MAY 8, 2012**

A Regular Meeting of the Fort Meade City Commission was held on Tuesday, May 8, 2012 at the City Hall Commission Chambers, 8 West Broadway, Fort Meade, Florida.

**1. CALL TO ORDER:**

The Meeting was called to order at 7:00 PM by Mayor Manley.

**2. ROLL CALL:**

Mayor	Barbara Manley	Present
Vice Mayor	Rick Cochrane	Present
Commissioner	Bob Elliott	Present
Commissioner	Maurice Nelson	Present
Commissioner	Jim Watts	Present

**Staff Present**

City Manager	Fred Hilliard	Present
City Attorney	Tom Cloud	Present
City Planner	April Brown	Present
Finance Director	James (Mel) Parker	Present
Parks Director	Roc Eiland	Absent
Code Enforcement Officer	Frank Ramos	Absent
Recreational Director	Deena Ware	Present
Deputy City Clerk	Phyllis Kirk	Present

Also present were: Polk County Sheriff's Deputy, Sergeant Riley.

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

Reverend Vince Price, First United Methodist Church of Fort Meade led the invocation. Mayor Manley led the Pledge to the Flag.

**4. ADDITIONS AND/OR DELETIONS**

**5. APPROVAL OF AGENDA/MINUTES**

**Minutes:**

1. Regular Commission Meeting, April 10, 2012

**Motion Elliott, second Watts to adopt the minutes of the Regular Commission Meeting of April 10, 2012.**

**Motion carried with all yeas.**

6. **PRESENTATIONS/AWARDS/REPORTS:**

A. **Fort Meade Chamber Director Report**

Chamber Director Perry unable to attend.

7. **PUBLIC FORUM:**

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

None

8. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS:**

A. **Use of Golf Carts on City Streets – Discussion**

City Manager Hilliard stated that the Commission had requested he look at the use of golf carts on public streets during the April meeting. He further stated that he had researched Florida State Code as well as other Florida cities that are golf cart friendly. One of the Commission concerns was insurance on the carts. Insurance is required to operate on public streets when they are incorporated into an existing municipality's traffic system. The Commission had two options:

1. The Commission may proceed and implement a program as prescribed by the Florida State Statues which include establishing procedures and fees for registration, providing registered carts with decals, providing for annual safety inspections, require insurance, post streets allowing golf cart use and establish highway crossings on federal, state and county roads.

2. The Commission may rescind Ordinance 11-07 regarding golf carts. This would require citizens within the community that would like to use golf carts or low speed vehicles to have their vehicles registered with the Department of Highway Safety. This would allow these vehicles to be operated only on streets that have a posted speed limit of 35 miles per hour or less, but allow them to cross a road or street at intersections where posted speed limits of more than 35 miles per hour exist. Vehicle operators must possess a valid driver's license.

It is my recommendation that Option 2, rescinding Ordinance 11-07, is the least expensive and safest for the City and its citizens.

Commission discussion followed on the pros and cons of both options.  
Commissioner Watts stated his choice and support was option 1.

Mr. Wayne Farrell, 600 Moseley Road, Fort Meade addressed the Commission as a golf cart mechanic and stated that his customers were in favor of being able to drive their carts throughout the City. He further stated that many people have already purchased golf carts after the Commission passed Ordinance 11-07.

**B. Mayor Manley read the title for Resolution R12-08**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA, ESTABLISHING FEES AND PROCEDURES FOR THE REGISTRATION OF GOLF CARTS TO BE LAWFULLY OPERATED WITHIN THE CITY; DESIGNATING CERTAIN STREETS WITHIN THE CITY FOR GOLF CART USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**Motion Watts to adopt Resolution R12-08 as presented.**

**Motion defeated due to lack of a second.**

**C. Attorney Cloud read the title for Ordinance 12-01-2<sup>nd</sup> Reading**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA; AMENDING THE GOLF CART OPERATION ORDINANCE; SPECIFYING FINES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

Mayor Manley opened and closed the public hearing as there was no one wishing to address the Commission.

**Motion Cochran, second Elliott not to adopt Ordinance 12-01.**

**Motion carried with all yeas.**

**Attorney Cloud read the title for a new Ordinance 12-01-1<sup>st</sup> Reading**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA; REPEALING ORDINANCE 11-07; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**Motion Elliott, second Nelson to adopt Ordinance 12-01 as presented, setting a second reading for June 12, 2012.**

**Motion carried with all yeas.**

**D. Ordinance 12-02 Authorizing Transmittal of Proposed Large Scale Land Use Amendment – 1<sup>st</sup> Reading Resolution R12-11 Approving Transmittal of LUPA Cycle 12-1 to DEO**

City Planner Brown stated that the Planning and Zoning Board met on May 7, 2012, to review and consider recommendation of approval of the Large Scale Land Use change for this property and voted unanimously to forward to the City Commission. The Land Use Amendment is for 1,163+/- acres located within the Fort Meade city limits for the proposed US EcoGen project.

Mayor Manley open and closed the public hearing as there was no one wishing to address the Commission.

**Motion Cochrane, second Elliott to adopt Ordinance 12-02 as presented.**

City Attorney Cloud read the title for Ordinance 12-02-1<sup>st</sup> Reading

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA; AMENDING THE CITY'S COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FOR CERTAIN PROPERTIES PREVIOUSLY ANNEXED INTO THE CITY FROM POLK COUNTY AGRICULTURE/RURAL RESIDENTIAL (A/RR) TO FORT MEADE INDUSTRIAL (IND); PROVIDING FOR TRANSMITTAL OF COPIES OF THE ORDINANCE TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY, THE REGIONAL PLANNING COUNCIL, & OTHER APPROPRIATE AGENCIES IN ACCORDANCE WITH STATE LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**Motion carried with all yeas.**

City Attorney Cloud explained that Resolution R12-11 simply authorizes staff to transmit the City's first Future Land Use map amendment for 2012 to the Department of Economic Opportunity.

**Motion Nelson, second Elliott adopting Resolution R12-11 as presented.**

**Motion carried with all yeas.**

**E. Ordinance 12-03 Approving the Amending of the City of Fort Meade Zoning map – 1<sup>st</sup> Reading**

City Planner Brown requested that Ordinance 12-03 be tabled until the June 12<sup>th</sup> Commission meeting due to the Planning and Zoning Board's request to piece out the planning site and re-zone the remainder.

**Motion Nelson, second Elliott to table Ordinance 12-03 until June 12, 2012.**

**Motion carried with all yeas.**

**F. Ordinance 12-04 – 1<sup>st</sup> Reading**

City Planner Brown requested that Ordinance 12-04 be approved with the amended change that the Planning and Zoning Board requested on May 7, 2012, revising the agriculture uses in the M-2 (Industrial Park Zoning District). The Board's recommendation was to change Agriculture from a permitted use ("P") to a Conditional Use ("C").

**Motion Cochrane, second Watts to adopt Ordinance 12-04 as presented setting June 12, 2012 for second reading.**

Mayor Manley opened and closed the public hearing as there was no one wishing to address the Commission.

Discussion followed on zoning and set backs. Mr. Merle Bishop, Senior Planner, Kimberly-Horne addressed the Commission regarding the Unified Land Development Code stating that the City might be over-regulating by not allowing agriculture in M2 zoning.

Richard Cason, Chairman of the Planning and Zoning Board addressed the Commission explaining the amendment to the Unified Land Development Code on the 1,200 acres from agriculture to M2 zoning with the exception of approximately 100 acres which EcoGen will be using. M2 zoning is very intense and agriculture is less intense but the Board does not believe the City should be mixing and matching zoning. Exceptions can be made for conditional uses.

City Attorney Cloud stated the reason for conditional zoning was to bring it before the Planning and Zoning Board with a special conditional use proceeding before a land owner could use land for another purpose other than what is zoned. The City could grandfather previously zoned property before Ordinance 12-04 passing date.

A decision on whether the zoning will be "P" or "C" will be determined during the second reading on June 12, 2012.

City Attorney Cloud read Ordinance 12-04 by title only.

**AN ORDINANCE OF THE CITY OF FORT MEADE, FLORIDA;  
ADOPTING TEST CHANGES TO THE CITY OF FORT MEADE'S LAND  
DEVELOPMENT CODE; AMENDING ARTICLE 2, ENTITLED  
"REGULATIONS FOR SPECIFIC DISTRICTS"; AMENDING ARTICLE  
3 ENTITLED "DEVELOPMENT DESIGN AND IMPROVEMENT  
STANDARDS"; 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.**

**Motion carried with all yeas.**

**9. OLD BUSINESS:**

None

**10. NEW BUSINESS:**

**A. Stormwater Rate Study**

Tara Hollis, CPA, MPA of GAI Consultants presented the results of a stormwater utility rate study at the City's request. The study was requested to achieve revenue sufficiency in support of the operations, maintenance and capital improvement of the utility. Currently the City is billing \$4.25 per month for a residential customer and the study suggested raising the rate to \$4.68. There are three types of billing methods: the tax bill method, utility bill method and an independent bill method. The weighted average study for the best billing method for the City was the tax bill method or the uniform tax collection. Ms. Hollis reported that the City could get this method placed on the 2012 Tax Roll.

City Attorney Cloud informed the Commission that Florida State Statute's requires a hearing be held by January 1, 2012 or by March 1, 2012 with special permission from Marsha Faux, Polk County Property Appraiser. Since both deadlines have passed, the earliest the City could initiate the non-ad valorem assessment collection method would be 2013.

**Motion Cochrane, second Elliott directing staff to come back to the Commission in June with their recommendations on the best billing method and way to proceed.**

**Motion carried with all yeas.**

**B. Building Inspection Recommendation Review**

City Manager Hilliard made a recommendation to the Commission to pursue an Interlocal Agreement with the Board of County Commissioners, adopt the Polk County Building Division Construction Permit Fees and utilize the Hanson software for the City's Building Department. This recommendation comes as a result of the resignation of Frankie Curlee, Public Works Director for the City who also handled the building inspections.

Commissioner Nelson stated that she was against going with the County for inspections because she believed the City was letting too many departments dissolve and be handed to the County.

**Motion Cochrane, second Watts to go with Polk County for building inspections for a 30 day trial period only with an update and review during the June 2012 Commission meeting.**

**Motion adopted. Commissioner Cochrane, Watts and Manley in favor. Commissioner Nelson and Elliott against the motion.**

**11. CITY ATTORNEY COMMENTS:**

None

**12. CITY MANAGER COMMENTS:**

Staff is working with engineers from Chastain Skillman to identify areas within the community where they are experiencing service issues due to low pressure or collapsed laterals in need of repair. The information will be used to apply for funding for the repairs with 75% provided by the DEP loan/grant program.

FMPA and FEMA will be holding a joint meeting on Wednesday May 16<sup>th</sup> to strategize on how to defend the municipal electric's system takeover by Florida Light & Power.

FMPA's Executive Committee meeting will be held May 17<sup>th</sup>. Agenda items include a proposed rate increase to fund a rate stabilization fund and increase equity in the systems; a change in voting for rates and debt and, consideration of a settlement with Lake Worth regarding the extension of a gas service lateral to serve a potential power plant site for the Agency.

**13. CITY COMMISSION COMMENTS:**

Commissioner Nelson questioned whether the employees that helped clean the streets in preparation for the new paving had been compensated for their diligence

in accomplishing extra tasks while covering their own duties. City Manager Hilliard responded that they had not but that he would research the matter.

Commissioner Nelson asked for grievance procedures in place on complaints against the City Manager by current employees. City Manager Hilliard stated that the Human Resource Department would handle any complaints and/or grievances brought up by city employees. Human Resources would, in turn, report any such reported incidents to the City Commissioners.

**14. ADJOURNMENT:**

There being no further business, a motion was made by Commissioner Watts, seconded by Commissioner Cochrane to adjourn the Regular Commission Meeting of May 8, 2012 at 9:06 PM.

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**Barbara Manley, Mayor**

**ATTEST:**

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**Phyllis Kirk, Deputy City Clerk**