

**LAKELAND CITY COMMISSION**  
**Agenda Study Session**  
**September 12, 2008**

The Lakeland City Commission met in the Agenda Study Session in the Commission Conference Room. Commissioners Howard Wiggs, Gow Fields, Justin Troller, Jim Verplanck, and Mayor Pro Tem Glenn Higgins were present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, Assistant City Manager Stanley Hawthorne, and City Clerk Kelly Koos were present. City Manager Doug Thomas and Mayor Fletcher were attending the Chamber Retreat.

Mayor Pro Tem Glenn Higgins called the meeting to order at 8:32 a.m.

Tony Delgado covered the preliminaries.

Tim McCausland covered the public hearings.

Tim planned to ask the commission to continue the public hearing on 08-063. The collective bargaining group agreed to a number of changes but because of some impacts on officers they were working to create a tiered plan. Drafting the language, obtaining State approval and getting an actuary report was taking some time. He was asking the Commission to continue the public hearing for another two weeks.

One issue that needed to be resolved was whether the retired police could remain in the City's general plan. A number of retirees expressed concern about being in the new plan. Staff asked the State to decide if the retirees could stay in the City plan. Staff did not mind if they stayed as long as Ch 175 and 185 would no longer dictate control over the general plan. The State said if the retirees stayed in the general plan, the general plan would be subject to Ch.175 and 185 so the retirees will have to move to the new plan.

Tim McCausland covered the public hearings.

He asked that 08-067 be approved subject to the developer recording a noise notice.

Tony Delgado covered the City Manager agenda.

Tony Delgado announced that the Airport had been looking for software to manage leases including billing, increases etc. They chose Colonial Properties by Maxwell Systems for under \$10,000.

Tim McCausland covered the City Attorney agenda and the Utility Committee agenda.

Greg Finch covered the Finance agenda.

Mayor Pro Tem Glenn Higgins was a member of the Tourist Development Council. He distributed information to the Commission re the Lake Myrtle Complex. This was going to

be in the order of the Wide World of Sports at Disney. This was a private/public partnership and would be on the east entrance to the City. The Sports Hall of Fame, the Florida Youth Soccer Association, the TDC and the Polk County Development Council will be located there. This was an exciting development for the entire Polk County area.

Commissioner Verplanck announced that the ad-hoc committee for county wide transit was successful in securing funding for the study to move forward with county wide transit.

The meeting adjourned at 9:16 a.m.

**LAKELAND CITY COMMISSION  
Regular Session  
September 15, 2008**

The Lakeland City Commission met in Regular Session in the Commission Chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, and City Clerk Kelly Koos were present.

**CALL TO ORDER - 9:02 a.m.**

**INVOCATION**

Reverend Lee Lallance of First United Methodist Church offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Lakeland Police Department – Cyber Crime (Chief Boatner and Lt. White)**

**PROCLAMATIONS**

**Crime Prevention Month**

**Domestic Violence Awareness Month**

**Constitution Week**

**International Peace Day**

**Lakeland Vision - Make Your Mark Month**

**REQUESTS TO APPEAR FROM THE PUBLIC**

**Shannon Lanier, Lakeland Vision's Executive Director re Make Your Mark Visioning Effort**

David Touchton introduced Shannon Lanier who made the presentation.

**APPROVAL OF MINUTES (with any amendments)**

\* **City Commission 08/29/08 – 09/03/08**

**Action:** The Commission approved this item on the Consent Agenda.

\* **Utility Committee 09/02/08**

**Action:** The Commission approved this item on the Consent Agenda.

**Municipal Boards & Committees 09/12/08**

The Municipal Board Committee met in the Commission Conference Room. Commissioners Glenn Higgins & Jim Verplanck (members) and Commissioner Edie Yates (chair) were present. Commissioner Justin Troller, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Commissioner Yates called the meeting to order at 9:17 a.m.

Tim McCausland gave a review of the civil service board restructuring. The members currently serving on the combined board wanted to remain on the Pension Board. The employees elected their three representatives. The Commission needed to appoint their three representatives and the six would select the seventh member.

Rick Miller was the first recommendation. He was a local real estate lawyer. He wanted to serve the 1-year term.

Don Selvage, HR executive at NCT was the second recommendation. He was heavily involved in the community. His HR background made him a good candidate.

Commissioner Verplanck recommended Anne Furr. Some other suggestions were David Hand, Jim Rhodes, and Bruce Abels.

**Motion:** Commissioner Verplanck moved to recommend Don Selvage for the 3-year term and Rick Miller for the 1-year term and to direct staff to call some of the others and bring a recommendation on Monday.

Commissioner Yates asked if anyone would have experience. Tim McCausland explained they would all be new but staff would do an in-depth orientation once all the members were seated.

**Action:** Commissioner Higgins seconded the motion and Commissioner Yates concurred. The Committee hoped to choose the third appointment on Monday.

The meeting adjourned at 9:25 a.m.

**Action:** Commissioner Yates presented these minutes to the Commission and the Commission approved the recommendations unanimously.

## **Land Acquisition & Disposition Committee 09/12/08**

The Land Acquisition Disposition Committee met in the Commission Conference Room. Commissioner Justin Troller (member) and Commissioner Glenn Higgins (chair) were present. Mayor Fletcher was out of town. Commissioners Edie Yates and Jim Verplanck were present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, City Clerk Kelly Koos, and Assistant Director of Public Works Greg James were present.

Commissioner Higgins called the meeting to order at 9:25 a.m.

Public Works requested authorization from the City Commission to offer the residential property located at 210 Windsor Street for sale. In June 2004, the City Commission authorized the purchase of the subject property, which was for sale as an advanced right of way acquisition for the Edgewood Drive Extension project. The City purchased the property for \$198,000. The purchase included a main residence and a detached two-story garage apartment. The City leased the main residence and garage apartment the majority of the time since the purchase, and generated nearly \$39,000 in revenue. Since the garage apartment, which was in need of extensive repair, was in direct conflict with the road extension, the City decided to move forward with demolishing it and demolition was completed late last year. City policy required the Land Acquisition and Disposition Committee (LADC) to recommend to the City Commission whether property should be sold and whether more than one (1) appraisal should be obtained. Public Works requested the LADC to recommend the sale of the 210 Windsor Street property and require one (1) appraisal.

Greg James presented the item to the Commission.

**Action:** Commissioner Troller moved to approve the sale with one appraisal. Commissioner Higgins concurred.

The Committee adjourned at 9:29 a.m.

**Action:** Commissioner Higgins presented these minutes to the Commission and the Commission approved the recommendation unanimously.

### **APPROVAL OF CONSENT AGENDA**

All items listed with an asterisk (\*) were considered routine by the City Commission and were enacted by one motion. There was no separate discussion of these items unless a City Commissioner or Citizen so requested, in which event the item was removed from the consent agenda and considered in its normal sequence.

- \* City Commission 08/29/08 – 09/03/08
- \* Utility Committee 09/02/08

- \* Recommendation re Annual Renewal of Airport General Liability /Control Tower Insurance
- \* Memo re: Requesting Authorization to Offer Property for Sale at 210 Windsor Street
- \* Appropriation and Increase in Estimated Revenue – Airport Fund

**Action:** Commissioner Wiggs moved to approve the Consent Agenda. Commissioner Verplanck seconded and the motion carried unanimously.

## PUBLIC HEARINGS

### Ordinances (Second Reading)

#### **Proposed 08-063; Amendment to Police Officers' Defined Benefit Retirement Fund (1<sup>st</sup> Rdg 8/4/08, Contd 8/18/08 & 9/2/08)**

Tim McCausland requested that the Commission continue the public hearing until October 6, 2008.

**Action:** Commissioner Verplanck moved to continue the public hearing to October 6, 2008. Commissioner Yates seconded and the motion carried 6-0. Commissioner Higgins was absent at that time.

#### **Ordinance 5009, Proposed 08-066; Large Scale Amendment #LS-08-004 to Future Land Use Map Assigning Land Use on Approximately 33 Acres Located South of South Edgewood Drive, West of US 98 (Bartow Road) and East of Lakeland Highlands Road (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-08-004 TO THE FUTURE LAND USE MAP FOR 33 ACRES LOCATED SOUTH OF SOUTH EDGEWOOD DRIVE, WEST OF US 98 (BARTOW ROAD) AND EAST OF LAKELAND HIGHLANDS ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Commissioner Higgins was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously.

**Ordinance 5010; Proposed 08-067; Large Scale Amendment #LS-08-005 to Future Land Use Map Assigning Land Use on Approximately 92 Acres Located South of Medulla Road, North and South of West Pipkin Road, East of County Line Road (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-08-005 TO THE FUTURE LAND USE MAP FOR 92 ACRES LOCATED SOUTH OF MEDULLA ROAD, NORTH AND SOUTH OF WEST PIPKIN ROAD, EAST OF COUNTY LINE ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title and asked the Commission to approve the ordinance subject to the developer recording a notice relating to airport noise in a form acceptable to the City Attorney.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Wiggs seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, and Mayor Fletcher voted aye. Commissioner Higgins was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously.

**Ordinance 5011; Proposed 08-068; Large Scale Amendment #LS-08-006 to Future Land Use Map Assigning Land Use on Approximately 108 Acres Located on West Pipkin Road, West of Old Medulla Road and East of County Line Road (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-08-006 TO THE FUTURE LAND USE MAP FOR 108 ACRES LOCATED ON WEST PIPKIN ROAD, WEST OF OLD MEDULLA ROAD AND EAST OF COUNTY LINE ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF

COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Ordinance 5012; Proposed 08-081; Text Amendment #T-08-023 to the Future Land Use Element of the Lakeland Comprehensive Plan Related to Future Land Use Designations (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-08-023 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 RELATED TO FUTURE LAND USE DESIGNATIONS; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

**Ordinance 5013; Proposed 08-082; Vacating a Portion of Public Right-of-Way Located North of West Peachtree Street, South of West Magnolia Street, East of North Lincoln Avenue and West of North Ohio Avenue (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED NORTH OF WEST PEACHTREE STREET, SOUTH OF WEST MAGNOLIA STREET, EAST OF NORTH LINCOLN AVENUE AND WEST

OF NORTH OHIO AVENUE, WITHIN THE CITY OF LAKELAND;  
AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS  
ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Ordinance 5014; Proposed 08-083; Vacating the Remaining Portion of Hermosa Drive Located Just East of North Florida Avenue, North of Glenwood Drive and South of I-4 (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A 15,180 SQUARE FOOT PORTION OF HERMOSA DRIVE LOCATED EAST OF NORTH FLORIDA AVENUE, NORTH OF GLENWOOD DRIVE AND SOUTH OF I-4, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Ordinance 5015; Proposed 08-084; Amendment to Ordinance 4936, Revising Time of Payment for Wastewater Impact Charges (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO WASTEWATER IMPACT FEES; AMENDING ORDINANCE 4936, AS AMENDED; REVISING TIME OF PAYMENT FOR WASTEWATER IMPACT CHARGES; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

**Ordinance 5016; Proposed 08-085; Amendment to Ordinance 4937, Revising Time of Payment for Water System Capacity Fee (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO WATER SYSTEM CAPACITY CHARGES; AMENDING ORDINANCE 2620, AS AMENDED; REVISING TIME OF PAYMENT FOR WATER SYSTEM CAPACITY FEES; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Ordinance 5017; Proposed 08-086; Adopting New Investment Policy for Certain Designated Funds (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO INVESTMENT POLICIES; REPEALING ORDINANCE NO. 4876; ADOPTING AN AMENDED CITY OF LAKELAND INVESTMENT POLICY; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

**Ordinance 5018; Proposed 08-089; Amending Ordinance 4118; Establishing Revised Stormwater Utility Fee Schedule (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO STORMWATER MANAGEMENT; AMENDING ORDINANCE 4118; TO PROVIDE FOR AN AMENDED FEE SCHEDULE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments.

Tim Rice, Vice Chair of the Lakeland Area Chamber of Commerce, came forward. Ashley Link distributed a letter to the Commission, a copy of which is on file in the City Clerk's Office. Mr. Rice read the letter for the record.

Doug Thomas responded. The \$1.1 million cross subsidy that Tim referenced was from the General Fund not the Transportation Fund. The development of the FY 2009 budget had been complicated largely due to the economic decline and the impacts of Amendment 1. He outlined the 5-part strategy to reach a balanced budget. Last year the City increased the storm water rate to \$4.50 to eliminate a cross subsidy from the Transportation Fund. Eliminating the cross subsidy from the General Fund was the last part of that strategy to have the Storm Water Utility Fund be self-sufficient. The subsidy being addressed was related to street sweeping operations. The City did not do street sweeping solely for beautification purposes but also to get material off the streets before it reached the lakes and streams. It was cheaper for the City to sweep it off the streets than it was to remove it from lakes and streams. He asked Public Works Director Rick Lilyquist to display a graphic that showed the future of stormwater utility operations. The Commission was aware there were new regulations referred to as TMDL, Total Maximum Daily Load contaminants. This proposal did not address that issue directly as that was a \$100 million problem. Staff was proposing not to increase the operations but to maintain the operations and have the stormwater utility serve as a stand-alone fully self-supported operation from its fees. Referring to the graphic, the City was in the lower quartile of statewide rates. The proposed balance budget included the elimination of the \$1.1 million subsidy from the General Fund.

Tim Rice explained that the chamber was wary that the City would move to a more fee-based system of taxation rather than a millage based system. He

compared the situation to the airlines now charging for baggage rather than it being included in the price of the ticket.

Gow Fields clarified that the Chamber wanted everything to be included in the millage rate.

Tim, the Chamber was concerned about items that in the past were considered general fund items now having fees attached. These fees disproportionately affect the business community.

Gow Fields explained that several years ago when the Commission began talking about eliminating the cross subsidies, the Chamber supported the effort. That preceded Amendment 1.

Howard Wiggs explained that the Chamber and the citizens needed to understand that the City was going to have to decide what essential services were. They were close to that point now. The City needed the Chamber's partnership in these efforts.

Justin Troller noted that a third of the cities did not increase their ERU.

Doug Thomas explained these figures were from June 2008. The figures would most likely change as cities worked on their budgets. What the program staff was advancing today was simply the maintenance of the established facilities. The FDEP believed that the stormwater rate in Florida would eventually equal the rate for sewer services to remain in compliance.

Justin Troller agreed with Tim Rice's evaluation. The city was moving more toward a fee structure. He felt people should pay their fair share for government services. He recommended the Chamber consider this when considering whom to endorse for Commission.

Tim Rice explained the chamber was concerned about a higher tax burden, which would hurt the economy and the citizens.

Howard Wiggs reminded everyone that this situation was why Lakeland Vision was reaching out to the community to develop a consensus about Lakeland's future. It was critically important that people participate and make their ideas known.

Doug Thomas summarized the issue. When Tim Rice spoke earlier, he referred to the fee for baggage handling. Doug believed that in the post Amendment 1 era, cities would have to choose between what services the general fund can subsidize and what services will require a fee.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

**Ordinance 5019; Proposed 08-090; Providing Rates for Water Service (1<sup>st</sup> Rdg 9/2/08)**

AN ORDINANCE RELATING TO THE WATER UTILITY; PROVIDING RATES FOR WATER SERVICE BY THE CITY OF LAKE LAND; AMENDING ORDINANCE 2620, AS AMENDED, OF THE CITY OF LAKE LAND, FLORIDA; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Resolutions - NONE**

**Miscellaneous**

**Memo re: Development Agreement for Property Located on State Road 33 Within the Bridgewater Development of Regional Impact**

Tim McCausland explained that the developer asked the City to continue this public hearing until October 6, 2008.

**Action:** Commissioner Verplanck moved to continue the public hearing to October 6, 2008. Commissioner Yates seconded and the motion carried unanimously.

**EQUALIZATION HEARINGS – None**

**COMMUNITY REDEVELOPMENT AGENCY - None**

**CITY MANAGER**

- \* **Recommendation re Annual Renewal of Airport General Liability / Control Tower Insurance**

The City of Lakeland annual Airport General Liability/Control Tower Insurance Policy would expire on October 1, 2008. Falcon Insurance, our local agent, solicited quotes from the following eight companies, which declined due to the limits of liability, control tower endorsement, or not writing airports in Florida (ACE, AIG Aviation, Inc, Allianz, Inter-Aero, USAIG, U.S. Specialty, Travelers, and W. Brown and Associates.).

Old Republic/Phoenix Aviation Managers, Inc. (the incumbent insurer), was the only firm to respond to the quote and include coverage on the tower. The renewal option provided for the continuation of the current \$30,000,000 limit of liability per occurrence with no deductible, including personal/advertising injury, and property damage combined limit, and Non-Owned Aircraft Liability at the same annual premium of \$35,350 with identical exclusions as in the current policy. The policy would be binding from the period for October 1, 2008 to October 1, 2009. Additional War and Terrorism Risk coverages were not included in the quote, as the City has traditionally waived such coverage.

Staff recommended that the City Commission authorize the appropriate City officials to renew the annual Airport General Liability/Control Tower insurance policy with Old Republic/Phoenix Aviation Managers, Inc., at the current limit and premium of \$35,350 commencing October 1, 2008.

**Action:** The Commission approved this item on the Consent Agenda.

**Recommendation re Renewal of Annual Insurance for Property/Boiler and Machinery, Excess Workers' Compensation, Crime, Electronic Data Processing/Golf Carts, Surety Bond for City Treasurer**

The City completed the annual renewal process for the above referenced coverages for FY 2009. The City's Broker of Record was Arthur J. Gallagher Risk Management Services. The variety of quotations for noted coverages were as follows and were for the period October 1, 2008 to September 30, 2009.

1. Property and Boiler Machinery: The program provided risk coverage for City property and boiler machinery for all City operations including the 501G unit. The loss limit on the policy was \$250,000,000. This coverage provided a schedule of deductibles from \$100,000 (non-utility properties) to \$750,000 (McIntosh Steam Unit #3); \$500,000 (Larsen Unit #8); and \$1,500,000 (501G Turbine). The Deductible for Named Windstorm was 2% of the Location's Total Insured Value at the time of loss.

Total insured value of City properties was \$1,840,626,614, which represented a 5.9% increase over the FY 2008 values. Maximus Appraisal Services, who completed an on-site appraisal in 2007, updated these values in April of this year. The FY 2009 annual premium would be \$1,993,792, which represented a 10% increase in comparison to the FY 2008 annual premium of \$1,812,538. This

increase was largely due to the 5.9% increase in City property values coupled with property claim losses the City has incurred over the past several years including the West Substation fire loss (Reserved at \$4,900,000); Glendale fire loss (Reserved between \$1,000,000 and \$1,250,000), and the McIntosh Cooling Tower fire loss, which total \$456,000 paid in damages.

The following carriers would provide the following quota share coverages for FY 2009: National Union (A.M. Best rate A+ XV) 50% quota share; Zurich (A.M. Best rate A XV) 33% quota share; and Liberty Insurance (A.M. Best rate A XV) 17% quota share.

2. Excess Workers' Compensation: The City self-insured its Workers' Compensation program with a retention limit of \$350,000, which resulted in the City purchasing excess insurance for losses that exceed \$350,000 up to \$1,000,000.

The incumbent, Florida Municipal Insurance Trust (FMIT) has again offered a competitive program. The premium for FY 2008 was \$399,812 based upon \$103,953,701 of payroll, which equated to .3846/\$100. However, given that the City maintained a very successful self-insured program for Excess Workers' Compensation for several years, even though the payroll has increased by 5.26% to \$109,422,149, FMIT was offering the FY 2009 renewal at .3403/\$100 for an annual premium of \$372,386 representing a 6.85% decrease.

3. Electronic Data Processing/Golf Cart: Policy terms and conditions remained unchanged from the current policy, as did the rate for the computer coverage, which were .12/\$100. Hartford Insurance Company of the Southeast remained the carrier for this coverage. The FY 2008 annual premium was \$38,844.75. However due to a 3% increase in values, the annual premium for FY 2009 was minimally increased to \$40,196.10, representing a 3.48% adjustment.

4. Crime: There were no changes in this coverage, which American Home Insurance Company provided. The premium did decrease slightly from \$11,620 to \$11,545.

5. Surety Bond for City Treasurer: There were no changes in coverage including the annual \$700 premium.

**A summary of coverage premiums and comparisons to FY 2008 is as follows:**

<b>COVERAGES</b>	<b>2007-2008</b>	<b>2008-2009</b>	<b>Difference</b>	<b>% Difference</b>
<b>Property/Boiler &amp; Machinery</b>	\$1,812,538	\$1,993,792	\$ 181,254	10.00%
<b>Electronic Data Processing/Golf Cart</b>	\$ 38,845	\$ 40,196	\$ 1,351	3.48%
<b>Crime</b>	\$ 11,620	\$ 11,545	\$ (75)	(.60%)

<b>Treasurer Surety Bond</b>	\$ 700	\$ 700	\$ 0	0.00%
<b>Excess Workers' Compensation</b>	<u>\$ 399,812</u>	<u>\$ 372,386</u>	<u>\$ (27,426)</u>	<u>(6.85%)</u>
<b>Total Premium:</b>	\$2,263,515	\$2,418,619	\$ 155,104	1.45%

Staff recommended that the City Commission approve the Property/Boiler Machinery quota share coverage, which utilized National Union, Zurich, and Liberty, with the current \$250 million loss limit effective October 1, 2008 for a total annual premium of \$1,993,792. Staff further recommended that the City Commission approve renewing the Excess Workers' Compensation through the Florida Municipal Insurance Trust, with the current Self-Insured Retention (SIR) level of \$350,000 per claim with an annual premium of \$372,386. Lastly, staff recommended that the Commission approve the Electronic Data Processing/Golf Cart coverage, Crime Policy, and Surety Bond for the City Treasurer, all of which have an October 1, 2008 effective date. As recommended, total premium for all coverages for FY 2009 would be \$2,418,619.

The City's insurance broker from Arthur J. Gallagher did not receive commissions on any of these policies. In lieu of commissions, the City would continue the annual contracted fee of \$78,000 for FY 2009.

**Action:** Commissioner Verplanck moved to approve the recommendations. Commissioner Higgins seconded and the motion carried unanimously.

## CITY ATTORNEY

### Ordinances (First Reading)

#### **Proposed 08-091; Establishing PUD Zoning for Southeastern University Located North of North Crystal Lake Drive, East of Little Lake Bonny, West of Lowry Avenue, and South of Lake Holloway Boulevard**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING FOR SOUTHEASTERN UNIVERSITY LOCATED NORTH OF NORTH CRYSTAL LAKE DRIVE, EAST OF LITTLE LAKE BONNY, WEST OF LOWRY AVENUE AND SOUTH OF LAKE HOLLOWAY BOULEVARD; PROVIDING CONDITIONS; REPEALING ORDINANCES 3628, 4112, AND 4283; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on October 6, 2008.

**Proposed 08-092; Conditional Use for a Gunsmith Shop on Property Located at 230 Lake Parker Avenue**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A GUNSMITH SHOP ON PROPERTY LOCATED AT 230 LAKE PARKER AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on October 6, 2008.

**Proposed 08-093; Conditional Use for Daycare Center for the Elderly on Property Located at 705 Lake Parker Avenue**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A DAYCARE CENTER FOR THE ELDERLY ON PROPERTY LOCATED AT 705 LAKE PARKER AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on October 6, 2008.

**Resolutions**

**Resolution 4714; Proposed 08-054; Joint Participation Agreement with FDOT, Polk County and City of Lakeland for Polk Parkway / Pace Road Interchange**

A RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION, POLK COUNTY, AND WILLIAMS ACQUISITION HOLDING COMPANY, INC. FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THE PACE ROAD INTERCHANGE / POLK PARKWAY; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

**Resolution 4715; Proposed 08-055; Providing for Uniform Schedule of Monthly Sewer Service Charges; Repealing Resolutions 4299, 4399, 4478, 4556, and 4639**

A RESOLUTION RELATING TO THE CITY OF LAKELAND WASTEWATER SYSTEM; PROVIDING FOR UNIFORM SCHEDULE OF MONTHLY SEWER SERVICE CHARGES; PROVIDING FOR SURCHARGES FOR ABNORMAL STRENGTH WASTES OF COMMERCIAL/INDUSTRIAL USERS; PROVIDING A DETERMINATION THAT REVENUES WILL BE SUFFICIENT TO OPERATE A FINANCIALLY SELF-SUPPORTING WASTEWATER UTILITY; REPEALING RESOLUTIONS 4299, 4399, 4478, 4556 AND 4639; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Resolution 4716; Proposed 08-057; Establishing Various Cemetery Fees**

A RESOLUTION RELATING TO CEMETERIES; ADOPTING A SCHEDULE OF FEES; PROVIDING FOR AN ANNUAL ADJUSTMENT; REPEALING RESOLUTIONS 4480 AND 4532 AND OTHER RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously

## Miscellaneous Reports and Communications

### \* **Memo re: Requesting Authorization to Offer Property for Sale at 210 Windsor Street**

Public Works requested authorization from the City Commission to offer residential property located at 210 Windsor Street for sale. In June 2004, the City Commission authorized the purchase of the subject property, which was for sale as an advanced right of way acquisition for the Edgewood Drive Extension project. The City purchased the property for \$198,000. The purchase included a main residence and a detached two-story garage apartment. The City leased main residence and garage apartment a majority of the time since purchase, and generated nearly \$39,000 in revenue. Since the garage apartment, which was in need of extensive repair, was in direct conflict with the road extension, the City moved forward with demolition late last year. City policy required the Land Acquisition and Disposition Committee (LADC) to recommend to the City Commission whether property should be sold and whether more than one (1) appraisal should be obtained.

Public Works requested the LADC to recommend the sale of the 210 Windsor Street property and require one (1) appraisal.

**Action:** The Commission approved this item on the Consent Agenda.

### **Memo re: Maintenance Agreement with Motorola, Inc. for City's Public Safety Radio System**

This proposed Agreement between the City and Motorola, Inc. was to provide services for the City's Public Safety Radio System. The City's Radio System provided radio communications for the Police, Fire, Utility, Public Works, Parks and Recreation and City Administration departments. The existing service Agreement with Motorola was set to expire on September 30, 2008. The term of this Agreement shall be effective for a one (1) year period commencing on October 1, 2008, subject to approval by the City Commission. The total contract price, which encompasses technical support service, infrastructure repair, on-site infrastructure response with local dispatch service and paging repair, was \$120,686.52 compared to \$117,198.84 for the expiring term. This Agreement was integral to the City's operations and ensured maintenance of the vital communications network relating to public safety.

Staff recommended that the Commission authorize the appropriate City officials to execute this Agreement for the City's Public Safety Radio System.

**Action:** Commissioner Verplanck moved to approve the recommendation. Commissioner Higgins seconded and the motion carried unanimously.

## FINANCE DIRECTOR

### \* **Appropriation and Increase in Estimated Revenue – Airport Fund**

The Airport had previously received security grants from the Florida Department of Transportation (FDOT) with funding in years beginning in FY2006 and running through FY2011 for purposes of providing increased security at the airport through the installation of additional fencing, gates and gate controls. Still, including the scheduled grant receipts in FY2011, the airport would fall short of enough funding to completely fence the entire Airport Operating Area (AOA) critical to the success of our continuing Federal Aviation Administration (FAA) Part 139 inspections. Through additional discussions with airport staff, the FDOT has provided \$50,000 additional 80% grant dollars available during the current FY2008 budget year with the City's 20% total project match of \$12,500. The total increase to the security grant project was \$62,500. This influx of current dollars would allow the airport to install the electronic proximity swipe card gate controllers under the current budget.

Staff requested that the City Commission authorize an appropriation in the amount of \$62,500, with an offsetting increase in estimated revenues of \$50,000 to amend the FY 2008 Airport Fund Budget to reflect the proposed addition to the security grant from the FDOT.

**Action:** The Commission approved this item on the Consent Agenda.

### **AUDIENCE - None**

### **MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Higgins commended Palmer Davis and Brian Rewis for the demolition of Crossroads Motel. He commended Bob Donahay for working to resolve the issue between Jenkins Used Cars and MIDFLORIDA at Wedgewood Estates concerning the median. The City was now responsible for that first median.

**Recess/reconvene:** The Commission recessed at 10:56 a.m. The Commission reconvened at 2:12 p.m.

### **UTILITY - CONSIDERED AFTER 1PM UTILITY COMMITTEE MEETING**

The Lakeland City Commission reconvened in Regular Session in the Commission Chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, and Mayor Fletcher were present. Commissioner Edie Yates was absent for this portion of the meeting. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, and City Clerk Kelly Koos were present.

**Resolution 4717; Proposed 08-053; Establishing Fuel Charge Effective October 1, 2008**

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES, COMMENCING OCTOBER 1, 2008 AND THEREAFTER; MAKING FINDINGS; REPEALING RESOLUTION 4695; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution with a new fuel charge of \$65.90 per kilowatt-hour. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, and Mayor Fletcher voted aye. Commissioner Fields voted nay. Ayes: five. Nays: one. The motion carried.

**Resolution 4718; Proposed 08-056; Establishing the Environmental Compliance Cost Charge (Rate Schedule BA-3) for FY 08-09**

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE ENVIRONMENTAL COMPLIANCE COST CHARGE FOR ALL CUSTOMER CLASSES, COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; REPEALING RESOLUTION 4648; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: six. Nays: Zero. The motion carried unanimously

**Memo re: Amendment to New Coal Company Coal Supply Agreement**

The market for high quality coal had been fluctuating significantly because of increased demand caused by a manufacturing boom in China. Utilities around the world used high quality coal in smelting operations and were experiencing higher prices as a result. New Coal Company, Inc. was an existing supplier that

was under contract until the end of 2010, and LE purchased about a fourth of their coal requirements for McIntosh Unit 3 under that contract. The contract price was less than one-half of the present spot market prices. New Coal was a small company and Lakeland Electric was its largest customer. In the spring, it began approaching all of its customers requesting price increases based on their rising fuel, labor, and explosives costs. The Fuels staff had been negotiating appropriate price concessions, recognizing that New Coal may not survive without some adjustment. We reviewed their financial information to confirm the legitimacy of their request, and other customers confirmed similar requests. The amendment attached hereto for your consideration is the result of those negotiations.

The amendment provides for price adjustments of approximately 30% above the existing contract price, or about \$65.00 per ton. Even with that increase, it is well below present spot market prices that are around \$120.00 per ton. LE negotiated the right to purchase additional tonnage in years two and three of the contract and the ability to reduce the minimum tonnage if the market fell substantially. All of the remaining terms of the contract related to quality standards remain unchanged.

New Coal had been a dependable supplier and the staff was convinced these concessions, which were not as significant as other New Coal customers, were necessary for them to continue in business.

Staff recommended that the Commission authorize the appropriate city officials to execute this amendment.

**Action:** Commissioner Verplanck moved to approve the recommendation. Commissioner Higgins seconded and the motion carried unanimously.

**CALL FOR ADJOURNMENT – 2:36 p.m.**

**LAKELAND CITY COMMISSION**  
**Budget Hearing**  
**September 15, 2008**

The Lakeland City Commission met for the budget hearing in the Commission Chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, and City Clerk Kelly Koos were present.

**CALL TO ORDER – 6 p.m.**

**INVOCATION**

Commissioner Higgins offered the invocation followed by the salute to the flag.

**PUBLIC HEARINGS**

**Presentation of Proposed FY2008 Annual City Budget**

Doug Thomas gave this presentation, a copy of which is on file in the City Clerk's Office.

**AUDIENCE**

Nick Marolda came forward representing the PBA. He was a 20-year employee of the Police Department. He gave a brief overview of the PBA's position. He encouraged the Commission to honor the contract and pay the police a cost of living increase.

Monica Campbell asked about PAL.

Doug Thomas explained that at the last meeting he announced the program would remain "as is" during the next 6 months. The Police department would be contacting PAL and the various stakeholder groups for further discussion during that 6-month period. He wanted the discussions to begin early on in the 6-month period. Commissioner Fields clarified for the residents that the program would continue, "as is" until the discussions take place with the stakeholders of the PAL program.

**Ordinance 5020; Proposed 08-087; Ad Valorem Millage Rate for 2008-2009 Fiscal Year**

AN ORDINANCE RELATING TO AD VALOREM TAXATION; ESTABLISHING THE MILLAGE RATE FOR THE CITY OF LAKELAND, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR THE LEVY OF AD VALOREM TAXES; FINDING THE MILLAGE RATE EQUALS THE ROLLED BACK RATE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Ordinance 5021; Proposed 08-088; Appropriations; Budget for 2008-2009 Fiscal Year**

AN ORDINANCE RELATING TO APPROPRIATIONS; PROVIDING FOR THE APPROPRIATION OF MONIES FOR THE CITY OF LAKELAND, FLORIDA, FOR VARIOUS PURPOSES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Mayor Fletcher asked for discussion on the ordinances.

**Motion:** Commissioner Higgins moved to approve proposed ordinance 08-087. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

**Motion:** Commissioner Fields moved to approve proposed ordinance 08-088. Commissioner Yates seconded.

Mayor Fletcher asked for comments.

Commissioner Wiggs reminded everyone that Lakeland Vision was working to refresh the vision for the community. He encouraged all citizens of Lakeland to participate in the visioning process. This would help draft the plan of direction for the future of the City. He made clear his support of Doug Thomas. He did disagree with Doug on two issues:

- He felt taking money from the cultural assistance fund was wrong.
- The City formed a covenant with the public safety employees and should honor their agreement. There was a \$725,000 item for the repair of sidewalks. If the City had to choose between sidewalks and public safety, he felt the citizens would choose public safety. They could delay bathroom repairs at certain parks. He felt the City should honor the covenant with the public safety folks.

Commissioner Yates commented that everyone wanted their public safety employees paid well. The City did not have the money right now. The City needed the cooperation of everyone to make the budget balance. If the City increased the salaries this year, it would increase the operating budget for next year, the year after, and the year after. She appreciated the Police Department but the City needed their cooperation to balance this budget. The problem was that next year the City would have to not only cut sidewalks but also other projects to break even. The City could not go down that path because it would not get any better.

It was a half million dollar a year cost for every year to allow that cola for police and fire.

Commissioner Troller echoed Howard's comments. The City made an agreement in good faith and should uphold their part of the bargain. He was not comfortable with the alternative pay plan presented tonight. The perception was that the City was trying to circumvent their obligation with the "me too" clause. He did not feel comfortable with this piece of the budget.

Doug Thomas explained the alternative pay plan was an alternative to the 1.5%/2.5% originally proposed. It was a plan to address what were real financial problems for this community. The approach was to resolve some financial problems in a comprehensive way. This was a way to address it and provide an alternative to the 1.5%/2.5%.

Commissioner Troller asked when the contract would expire. (September 2009) He was concerned about the costs to negotiate the contracts. He was concerned about the next bargaining session not being so trustworthy. It would cost more than \$17,000 to go thru another 20-month bargaining session.

Commissioner Fields reminded everyone that it was not that long ago that the issue of keeping grant officers was before the Commission. The Commission raised property taxes in this community for public safety. This Commission has been supportive of law enforcement and fire. The general employees have been accustomed to 5% plus COLA, knowing that the COLA was not guaranteed. The administration offered the "me too" clause before Amendment 1. Local governments have been put on notice because the State planned to make more cuts in the next session. He strongly recommended staff realize that the City needed to move away from granting COLAs and let everything ride on merit. The world was changing. Things could not continue as they always have. The City appreciated what the police and fire did but the ability to pay was limited by the ability to raise funds. The Commission had retirees saying that it was the Commission's responsibility to take care of retirees. The Chamber said they did not want the Commission to increase the stormwater fee. They want the general fund to continue to subsidize. They pay employees from that same fund. When times get better, budgets will still not revert to what things were four or five years ago. The City did not guarantee employees a COLA and was not in the same financial position when they negotiated the agreement. The Commission could not make a decision to take care of people today that would cause harm tomorrow.

Proposed ordinance 08-088 would approve a level of expenditures for FY09.

**Action:** Upon roll call vote Commissioners Yates, Fields, Verplanck, Higgins, and Mayor Fletcher voted aye. Commissioners Wiggs and Troller voted nay. Ayes: five. Nays: two. The motion carried.

## **Pay Proposals**

Tim McCausland suggested the most appropriate way to handle this was to entertain a motion as to which plan to follow.

**Motion:** Commissioner Fields moved to follow the alternate pay plan and speed up the pay for performance process. Commissioner Verplanck seconded.

Mayor Fletcher asked for comments.

Commissioner Troller appreciated the idea of speeding up the pay for performance issue but not at the expense of the current contract.

Commissioner Verplanck reminded everyone that in Jan 03 the City changed the benefit where not everyone would be eligible for retiree health insurance.

**Action:** Upon roll call vote Commissioners Higgins, Verplanck, Fields, Yates, and Mayor Fletcher voted aye. Commissioners Troller and Wiggs voted nay. Ayes: five. Nays: two. The motion carried.

## **City Commission Set Compensation**

### **City Commission**

**Motion:** Commissioner Wiggs moved to not increase the Mayor or Commission salary. Commissioner Troller seconded.

Edie Yates remembered when she first came on the commission she was told that it was important there was adequate compensation paid to commissioners so that people would be willing to do the job. The Commission will not be able to just raise it by the amount of the cola because there will not be a COLA anymore.

Commissioner Fields supported no increase. If there was going to be a change; it would have to be a change not just an increase that follows the COLA. If there were a change, the public would need to have input into the process.

Commissioner Troller agreed with Commissioner Yates. He read the minutes from the last commission salary hearing. He thought there was a willingness of people to serve in this capacity and he hoped more would get involved.

**Action:** Mayor Fletcher called for the vote and the motion carried unanimously.

### **City Attorney**

**Motion:** Commissioner Verplanck moved to grant a 4% increase. Commissioner Higgins seconded.

Doug Thomas asked for clarification on the increase, 4%, or 1.5%/2.5%.

Commissioner Yates said net 4%, to match the employees.

Commissioner Troller said a 4% increase on a six-figure salary was five times as much as on an average salary of \$42,000. The equivalent dollars would be a lower figure of about a 1-1.5% increase for the City Manager and City Attorney. He thought a 1.5% increase would be a fair increase.

Commissioner Wiggs would not support the 4%. He thought the Commission was behaving in a way that said let the public safety employees leave if they have to. He felt the 4% increase was too strong.

Commissioner Yates thought that 5% increase to police and fire was a very healthy increase in this environment. The Commission also needed to consider their evaluation and their ability to receive a merit just like other employees. She felt 4% was a reasonable increase in their compensation.

Commissioner Fields responding to Commissioner Wiggs said that some businesses could not pay their employees a bonus or have to come up with non-dollar compensation. The City Attorney and City Manager did an exceptional job and that showed up in their evaluation. He did not think 4% was unfair but he thought maybe they should do 3% and make a sacrifice by example.

Commissioner Yates reminded everyone that last year they gave the employees more than they gave the City Attorney and City Manager, in terms of percentages.

**Action:** Mayor Fletcher called for the vote and it was not clear who voted. Commissioner Fields said he did not vote.

Commissioner Verplanck asked what the result of the last vote was.

The City Clerk could not determine the result of the vote.

**Amended Motion/Action:** Commissioner Verplanck moved to amend the motion to allow an increase of net 3%. Commissioner Fields seconded and the motion carried five to two with Commissioners Troller and Wiggs voting nay.

### **City Manager**

**Action:** Commissioner Verplanck moved to grant the City Manager a net 3% increase. Commissioner Fields seconded and the motion carried five to two with Commissioners Troller and Wiggs voting nay.

## **CITY MANAGER**

**Recommendation re: Compensation for City Manager's Assistants**

Doug Thomas requested up to 4% for his assistants.

**Action:** Commissioner Verplanck moved to approve an increase up to 4%. Commissioner Yates seconded and the motion carried five to two with Commissioners Troller and Wiggs voting nay.

**Recommendation re: Compensation for Assistant City Attorneys**

Tim McCausland asked the Commission to set Ramona at \$89,500 and the same 4% for Palmer Davis.

**Action:** Commissioner Verplanck moved to approve the recommendation of up to 4%. Commissioner Yates seconded and the motion carried five to two with Commissioners Troller and Wiggs voting nay.

**MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Wiggs commented that whether or not they agreed with how the Commission voted, he hoped that citizens would not ignore some of the issues brought up tonight. He encouraged citizens to come to the vision process.

Commissioner Yates appreciated employees and their hard work. Those still here and on payroll will have to work that much harder with less people.

Commissioner Fields thanked the citizens for coming out and participating in the process. He asked everyone to continue to do their part.

Mayor Fletcher said he appreciated the employees.

Commissioner Verplanck had been associated with the City longer than anyone here and this was no fun. This was not going to get any better. He felt when the legislature goes back in session it would get worse.

Commissioner Troller really appreciated all the employees in every department. To those whose pay was discussed, many people deserved a lot more than what they got. His vote against those salaries was not a reflection of his opinion of their work. He thanked everyone for coming out and giving their input.

**AUDIENCE – None**

**CALL FOR ADJOURNMENT – 7:58 p.m.**