

**TOWN COMMISSION MEETING
MARCH 27TH, 2018
6:30 PM**

**LOCATION: DUNDEE TOWN HALL
202 MAIN STREET, DUNDEE, FLORIDA**



**COMMISSION MINUTES FOR
MARCH 27TH, 2018**

CALL TO ORDER:

The Meetings was called to Order by Mayor Pennant at 6:31PM.

PLEDGE OF ALLEGINCE

INVOCATION:

The invocation was given by Mayor Pennant.

RECOGNITION OF SERGEANT AT ARMS:

The Sergeant at Arms was not present at the time of recognition.

PUBLIC SPEKING INSTRUCTIONS:

The instructions to speak during the delegation period were given by Mayor Pennant.

ROLL CALL:

<i>Town Commissioners Present:</i>	Commissioner Goddard Commissioner Harper Vice Mayor Quarles Mayor Pennant	<i>Absent:</i>	Commissioner Glenn
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<i>Town Staff Members Present:</i>	Town Manager, Deena Ware Town Attorney, John Murphy Town Clerk, Brian Lueth Finance Director, John Wasmund Public Works Director, Clifton Bernard
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MOTION to accept the absence of Commissioner Glenn and recognize it as excused, made by Commissioner Goddard. Second by Commissioner Harper. Approved Unanimously.

AYE: Goddard, Harper, Quarles, Pennant

NAY: None

I. APPROVAL OF AGENDA FOR MARCH 27TH, 2018

MOTION to Approve the Agenda for March 27th, 2018 made by Commissioner Goddard. Second by Vice Mayor Quarles. Approved Unanimously.

AYE: Goddard, Harper, Quarles, Pennant

NAY: None

AGENDA ITEMS

TAB 1. APPROVAL OF TOWN COMMISSION MINUTES FOR MARCH 13TH, 2018

***MOTION** to Approve the Agenda for March 27th, 2018 made by Commissioner Goddard. Second by Vice Mayor Quarles. Approved Unanimously.*

AYE: Goddard, Harper, Quarles, Pennant

NAY: None

TAB 2. DISCUSSION OF ASSIGNMENT OF SOLID WASTE AND RECYCLING SERVICES

Mayor Pennant began discussion by yielding the floor to Town Attorney John Murphy. Murphy explained that the town had entered into a 5-year contract with Trash Taxi and that the contract is still in place and will continue until September 2019. Murphy continued that in June 2018, Trash Taxi was sold to Advanced Disposal and the Town was asked to approve the sale by consenting to the reassignment and sale of the business. Murphy said that after legal review, it is recommended that the Town Commission authorize the Town Manager to execute the approval of the sale.

Attorney Murphy explained that the legal review was only in regards to the consent of the sale, and that he does not want the consent item to be confused with any other issues that are pending, such as Advanced Disposals request for a rate increase. Murphy went on to say that town officials and the town attorney met with representatives of Advanced Disposal on March 23rd. Coming out of that meeting was a revised request by Advanced Disposal for a rate increase. Advanced Disposal is now asking for a rate increase of 6% on only commercial customers. Murphy added that he is recommending that the Town Commission not consider that issue at the current meeting.

Mayor Pennant opened the floor to the public for comment. There were no comments on the consent letter issue, so the floor was closed for comments.

***MOTION** to authorize the Town Manager to execute the Consent agreement for the sale of Trash Taxi and its parent company to Advanced Disposal and its parent company, made by Commissioner Harper. Seconded by Commissioner Goddard. Passed Unanimously.*

AYE: Goddard, Harper, Quarles, Pennant

NAY: None

At this time, Mayor Pennant opened the floor to the public for general comment on Town Waste Services.

Ronald Douglas Carr. 1012 Dundee Road. Resides in the Royal Oaks RV/Mobil Home Park. Mr. Carr began by stating that he had recently spoken with Casey Messenger at Advanced Disposal who is the new manager of commercial accounts for the Dundee area. Messenger told Carr that Advanced Disposal only has "three (3) trucks" for Dundee and that they are in poor shape and break down a lot. The reason trucks come in in the middle of night to complete a round is because a backup truck is brought in from Lakeland to help. Carr said that they have a community of 69 residences, and people are upset about being woken up at 2:00AM. Mr. Carr proceeded to list the grievances that he has with Advanced Disposal and provided a document for the record to town staff outlining the dates and times of each occurrence. Mr. Carr said that he is requesting from Advanced Disposal a refund of one (1) months cost in the amount of \$1,736.00 due to the continued unresolved issues.

AN AMENDMENT TO THE MINUTES WAS MADE AT THE 04.10.2017 TOWN COMMISSION MEETING TO REFLECT THAT WHILE MR. CARR SAID THREE IN HIS TESTIMONY, THE LETTER FROM ADVANCED ONLY SHOWED TWO (2) TRUCKS IN USE FOR DUNDEE. QUOTATION MARKS HAVE BEEN ADDED TO REEMPHASIZE THE SPOKEN TESTIMONY.

Debra Parks. 909 Dundee Road. Owns D&D's Bargains & Treasures. Has had recent issues with Advanced Disposal services. She stated that Advanced Disposal was not picking up her garbage on preset days, and this caused her to have overflowing garbage. Wants the town to reconsider the contract Advanced Disposal and consider all options. Mayor Pennant explained to Ms. Parks that the Town is meeting with representatives and are examining the whole situation.

Mayor Pennant closed the floor from further comments from the public.

NO ACTION TAKEN

TAB 3. DISCUSSION OF CDBG ALLOCATION FOR FY 2018-19

Mayor Pennant opened the floor for comments from the public. No speakers came forward, so the floor was closed.

Commissioner Harper asked if a municipal partner was needed (alluding to the introductory statement read by the town manager). Town Manager Ware answered that Dundee will receive the \$20,000 dollars on its own. Harper followed up by asking if the town partnered with another municipality would it get more dollars. Town Manager Ware explained that if the town partnered with another municipality, Dundee could receive all or a portion of that municipalities share of CDBG dollars. Town Attorney Murphy explained that with the additional dollars in a single year, Dundee could do a large project and then repay those borrowed dollars from a municipality with CDBG allotted dollars over the next few years.

NO ACTION TAKEN

TAB 4. DISCUSSION OF LAND PURCHASE AGREEMENT WITH POLK COUNTY

Town Attorney Murphy said that his office had reached out to Bond Counsel to review proposed projects for use of the proceeds. He had not heard back as of the meeting, but stated that Bond Counsel said that USDA would probably prefer and recommend that the capital sale proceeds be used for capital projects versus being deposited into the general fund.

NO ACTION TAKEN

TAB 5. DISCUSSION OF ELECTION QUALIFYING REQUIREMENTS

Town Attorney Murphy said that his office had reviewed the issue. He reminded the Commission that since the rules were in ordinance and not in charter that they would be able to change them by ordinance. He went on to say that many communities had adopted the Florida statutes for their municipal codes for qualifications. It was Attorney Murphy's recommended that since the next election was not for three (3) more years, that the issue be tabled till a later date.

The Commission agreed to table the issue. Mayor Pennant wanted to see the issue come back after May.

II. DELEGATIONS – QUESTIONS & COMMENTS FROM THE FLOOR

Mayor Pennant opened the floor for the public to speak to comments not on the agenda.

Waymon Meadows. 404 Ridgewood Avenue, Dundee. Mr. Meadows said that he would like to see Ridgewood Avenue repaved. Mayor Pennant said that the Ridgewood Avenue would be repaved by this time next year. Mr. Meadows would like to encourage the Town to get a video of the Town. He also wanted to talk about restaurants downtown. He said that the town needs more retail and restaurants downtown. He suggested the town look at St. Cloud on how to do downtown. Mayor Pennant explained to Mr. Meadows how impact fees were assessed in Dundee.

Kevin Rodriguez. 1609 Steeley Drive. Owns Dundee Downtown Pizza at 208 Main Street. Wanted to introduce himself to the commission. Mr. Rodriguez highlighted some points from his business plan. He looks forward to being in Dundee. Planning soft open in mid-April.

Mayor Pennant asked if there were any additional speakers for items not on the agenda. No speakers came forward, so the floor was closed from further comments.

(Speaker Occurred Out of Order after Item III. Town Attorneys Report)

Mayor Pennant reopened the floor after a citizen expressed that she had another concern she wished to talk to the Commission about.

Debra Parks, 909 Dundee Road. Owns D&D's Bargains & Treasures. Ms. Parks stated that her place of business was having issues with Code Enforcement. She said that she was having communication issues, and felt harassed by Code Enforcement. It was determined that Ms. Parks was not receiving the violation and that the building owner was receiving the violation as Ms. Parks said the violation was against the property. Mayor Pennant explained that the Town Commission could not address or discuss the issue with her as she was not the person in violation, but assured her that Town staff would examine the case. Attorney Murphy told Ms. Parks that a meeting of the Special Magistrate was occurring the following day and that the building owner could speak at that time. Mayor Pennant informed Ms. Parks that her time had expired.

Mayor Pennant asked if there were any other speakers. Mayor Pennant repeated his question to see if there was any other comments from the public on items not on the agenda. No speakers came forward, so the floor was closed from further comments.

(Speaker Occurred Out of Order after Item IV. Report from the Mayor)

Wayne Hammond, 1611 Dr. Martin Luther King Drive. Mayor Pennant asked why the Mr. Hammond had not come forward at any of the prior times when the floor was open. Mr. Hammond did not respond. He wanted to thank the commission for their hard work on growth of the community. He explained that he had been living in Arizona, but was a native of Dundee. He and his brother, Bernard Hammond, are looking to invest in the town in the future. Mayor Pennant welcomed Mr. Hammond to the Town.

Mayor Pennant asked if there were any other speakers. Mayor Pennant repeated his question to see if there was any other comments from the public on items not on the agenda. No speakers came forward, so the floor was closed from further comments.

REPORTS

III. TOWN ATTORNEY

- Wished everyone Happy Easter Holiday
- Planning to continue work on Trash Services issue

IV. TOWN MANAGER

- Discussed the Easter Egg hunt and the less than normal attendance. She explained that there was a change in date, and the Town was competing against another Egg Hunt that same day. The kids that did attend had a great time
- Informed the Commission that the seniors program at the Community Center celebrated its one (1) year anniversary. The program is hosted by Catholic Charities of Polk County.
- Attended the Water Co-Op Board meeting in Auburndale. Next meeting is May 16th in Auburndale.
- Reminded the Commission that for Good Friday, Town Offices would close at 12PM

Mayor Pennant asked the Town Attorney if he attended the Water Co-Op Board meetings. Attorney Murphy answered that he does not, but can if requested. He further stated that he did attend while contracts were being discussed and negotiated, but not now since it's mostly operations. Mayor Pennant requested that all information received from the Water Co-Op be shared with the Town Attorney as well.

Commissioner Harper asked if the first stage was complete. Commissioner Goddard, who serves as the representative of Dundee to the Co-Op Board, answered that it was not, but that they are discussion Phase 2 of the plan. Commissioner Harper asked if they were talking about the financing for Phase 2 yet. Commissioner Goddard responded that they were only from a long range planning aspect. Commissioner Harper asked if engineering plans or any conceptual work had been done. Commissioner Goddard responded that it had not. Commissioner Harper indicated that she wants to be involved when they get to the point of drawing up plans and discussing financing.

Town Manager Ware informed the Commission that the Water Co-Op has offered to do a presentation for the Town Commission. Commissioner Harper indicated that she would like to see the presentation. Mayor Pennant said that he wanted to wait for a bit yet on a presentation until the Co-Op has new information to present.

V. COMMISSIONERS

- Commissioner Goddard
 - Wished Dundee Downtown Pizza well wishes.

VI. MAYOR

- Thanked the public for attending.

VII. ADJOURNMENT

***MOTION** to Adjourn at 7:38pm made by Mayor Pennant. Seconded by Consent of the Commission. Passed Unanimously.*

AYE: Goddard, Harper, Quarles, Pennant

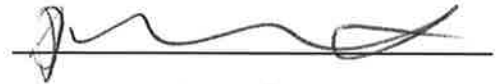
NAY: None

Respectfully Submitted,



Brian Lueth, Town Clerk

ATTEST:



Samuel Pennant, Mayor

