



CITY OF AVON PARK

Highlands County, Florida

CITY COUNCIL REGULAR MEETING

City Council Chamber

123 E Pine St

Avon Park, Fl

June 27, 2016 6:00 PM

REVISED RR

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B CITIZENS/OUTSIDE AGENCIES

4. Sheriff's Office Up-coming year

C. CONSENT AGENDA:

5. Approve Minutes of June 13, 2016 Regular City Council Meeting
6. Approve Minutes of Emergency Meeting Minutes June 17, 2016
- 7.

D. COMMITTEE REPORTS/ATTY UPDATES/ANNOUNCEMENTS/PRESENTATIONS

- 8.

E ADMINISTRATIVE:

9. Investigation Roy Pierce
10. Peter Power Museum Sign Redesign
11. Budget Workshop 2016/2017
12. Budget Adjustment Utility Fund and Authorization for Septage Equipment

F. CITIZENS PARTICIPATION

H. ADJOURN

Any person who might wish to appeal any decision made by the City Council of the City of Avon Park, Highlands County, Florida, in public hearing or meeting is hereby advised that he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be

based. Any person with disabilities requiring accommodations in order to participate should contact the City Manager prior to the meeting.

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CITY COUNCIL REGULAR MEETING MINUTES
Council Chambers – 123 E. Pine St., Avon Park, FL
June 13, 2016
6:00 PM

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles, Councilman Parke Sutherland, Councilperson Dora Smith, Councilman Terry Heston.

Members Absent: None

Others Present: City Manager Julian Deleon, Acting City Clerk Bonnie Barwick, City Attorney Gerald Buhr, Public Service Director Jason Lister, Members of the press and audience.

Mayor Sharon Schuler called the meeting to order at 6:00 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

City Manager Julian Deleon presented the Consent Agenda:

Approval of Minutes for May 23, 2016 Regular Council Meeting.

There were corrections brought to the attention of the Council.

Motion by Deputy Mayor Brenda Giles, Seconded by Deputy Councilman Parke Sutherland to approve consent agenda with corrections as noted, presented by City Manager Julian Deleon. Motion passed unanimously.

City Manager Julian Deleon introduced Julie Fowler with Clifton Larson Allen Auditing Firm. She gave an overview of our financial standing and said it was one of the best audits we had ever received. We were debt free, had reserves in most of the governmental funds. There was only one negative remark in the Auditor Comments.

City Manager stated that he had spoken with a representative with Nasgrass and offered a lease for \$3,000.00 per year, and they had counter offered 1200.00 a year. The representative addressed the Council. It was brought to the attention to the Council that Nasgrass had only been paying \$1.00 a year. **Motion** made by Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to approve a 5 years lease amount of \$1,200.00 a year, and they were to furnish the liability insurance. The final contract is still pending. Motion passed unanimously.

City Manager Julian Deleon presented an updated budget calendar and asked the Council to let him know if there were any problems with any of the dates.

City Manager Julian Deleon explained that there had been some problems with the CRA Adoption Documents. He explained that City Attorney Gerald Buhr was working with LaRue and Associates to work out the problems. He explained that the Resolutions and Ordinance that were passed did not have the legal description attached.

City Manager Julian Deleon stated that the next Council Meeting on June 27, 2016 would be a budget workshop.

City Manager Julian Deleon presented the Fire Pension Projection prepared by Foster and Foster.

City Manager presented the Fire assessment Funding Level.

Some members of the audience spoke regarding this, asking that the fire assessment be left alone. City Manager Julian Deleon was instructed to bring back in the budget workshop, figures that would include payroll projections

Ordinance 10-16 Amending Future Land Use. 2nd reading, Public Hearing.

City Attorney Gerald Buhr read Ordinance 10-16 into the record. Mayor Sharon Schuler opened the public hearing, seeing no show of hands, she closed the public hearing. **Motion** made by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to approve 2nd reading of Ordinance 10-16 as read by Attorney Gerald Buhr. Motion carried unanimously.

Ordinance 11-16 Amending the Zoning of 24 parcels of land. 2nd reading Public Hearing.

City Attorney Gerald Buhr read Ordinance 11-16 into the record. Mayor Sharon Schuler opened the public hearing. Seeing no show hands, she closed the public hearing. **Motion** by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to approve 2nd reading of Ordinance 11-16 as presented by City Attorney Gerald Buhr. Motion passed unanimously.

Ordinance 13-16 Annex Ten Parcels of Land. 2nd Reading, Public Hearing.

City Attorney Gerald Buhr read Ordinance 13-16 into the record. Mayor Sharon Schuler opened the public hearing, seeing no show of hands, she closed the public hearing. **Motion** made by Councilman Terry Heston, Seconded by Deputy Mayor Giles to approve 2nd reading of Ordinance 13-16 as presented by City Attorney Gerald Buhr. Motion passed unanimously.

Ordinance 16-16 Amending Land Development Code, 2nd Reading Public Hearing

City Attorney Gerald Buhr read Ordinance 16-16 into the record. Mayor Sharon Schuler opened the public hearing. Seeing no show of hands, she closed the public hearing. Motion by Councilman Terry Heston, Seconded by Deputy Mayor Giles to approve 2nd reading of Ordinance 16-16 as presented by City Attorney Gerald Buhr, Motion passed unanimously.

Ordinance 17-16 Relating to Medical Cannabis Dispensing Facilities. 1st reading.

City Attorney Gerald Buhr read Ordinance 17-16 into the record. Mayor Schuler stated she had a citizen requesting to speak on this issue. There was discussion from the audience regarding the Ordinance. After further discussion **Motion** made by Deputy Mayor Brenda Giles, Seconded by Councilman Parke Sutherland to approve 1st reading of Ordinance 17-16 as presented by City Attorney Gerald Buhr. Motion passed unanimously.

Ordinance 18-16 Amending the City Code Expanding the Code Enforcement Board 2nd reading Public Hearing.

City Attorney Gerald Buhr read Ordinance 18-16 into the record. Mayor Sharon Schuler opened the public hearing, seeing no hands she closed the public hearing. **Motion** made by Deputy Mayor Brenda Giles, Seconded by Councilman Parke Sutherland to approve 2nd reading of Ordinance 18-16 as presented by City Attorney Gerald Buhr. Motion passed unanimously.

Resolution 16-17 Preliminary Fire Assessment Resolution

City Attorney Gerald Buhr read Resolution 16-17 into the record. Several citizens spoke to keep the fire assessment the same as it was last year. **Motion** by Deputy Mayor Giles, Seconded by Councilman Terry Heston to approve Resolution 16-17 as presented by City Attorney Gerald Buhr. Motion passed unanimously.

Sight Unseen

Bob Talley was present, and he spoke regarding the equipment at Donaldson Park. He said he had been ill, and he had a death in family, but he was getting some help and the equipment had been removed from the Lake. He said he was going to repair it. The Council asked him to let them see it before it brought it back to Donaldson Park. Melissa Hayes from Avon Park Chamber stated that the Chamber and she would help Mr. Talley to get the equipment repaired and ready to use again. He was asked to keep in touch with the Staff at City Hall on his progress.

4th Amendment to the Employment Agreement Julian Deleon.

The amendment to the contract with give City Manager Julian Deleon 7 days advances notice if his contract was to be a discussion item. Mayor Sharon Schuler stated that had never been done before. A member of the audience stated that all employees should have the same advantage, and City Manager Julian Deleon stated that they did. **Motion** made by Deputy Mayor Giles, Seconded by Councilperson Dora Smith to approve the 4th amendment to the Employment agreement as presented. Motion passed 3 to 2 with Mayor Sharon Schuler and Councilman Parked Sutherland voting no.

Meeting adjourned at 7:45 PM

Acting City Clerk Bonnie Barwick

Mayor Sharon Schuler

*** Correction to the Minutes made at the June 13, 2016 meeting prior to approval of the Minutes

Page 2 1st Paragraph: City Manager Julian Deleon was asked by Councilman Parke Sutherland if there had been any proposal for the overlap of the County Volunteer Fire Program. City Manager answered "from what I have read and followed to the County Commission Meeting, they are looking at a total County Wide System and naturally that would lead to more discussion. No I have not had any proposals from the County."

2nd Paragraph needed to add the words "Fire Assessment"

To Councilman Parke Sutherland's statement. He did not understand the paragraph without those words in it.

Page 3 Last Paragraph, remove the words "if need be."

Minutes approved with these changes.

Bonnie Barwick
City Clerk

C - 6

C-6

CITY COUNCIL EMERGENCY MEETING MINUTES
Council Chambers – 123 E. Pine St., Avon Park, FL
June 17, 2016
4:00 PM

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles, Councilman Parke Sutherland, Councilperson Dora Smith, Councilman Terry Heston.

Members Absent: None

Others Present: City Manager Julian Deleon, Interim City Clerk Bonnie Barwick, City Attorney Gerald Buhr, Public Service Director Jason Lister, Investigator Roy Pierce, Members of the press and audience.

Mayor Sharon Schuler called the meeting to order at 4:00 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

Interim City Clerk Bonnie Barwick apologized for the mistake made on the City's web site. She stated she had used an old agenda as a guide and forgot to change the date. She also said that the Press had been sent the correct agenda and the correct agenda was posted on the bulletin board downstairs. The mistake was only made on the web-site and nowhere else.

City Manager Julian Deleon passed out the Budget Work Books and asked the Council Members to go over the budget so it could be discussed at the next Council Meeting/Work Shop scheduled for Monday June 27, 2016.

City Attorney Gerald Buhr stated the reason for the meeting was that the News Sun had requested the release of the records of the investigation that was on going. He stated that he had been notified by the Council for the News Sun that if the records were not released they were going to sue the investigator and the City of Avon Park. City Attorney Buhr went on to explain that it would be a lot more costly not to release the records.

Investigator Roy Pierce, addressed the Council. He stated that the investigation was almost complete and it should be wrapped up no later than Wednesday of the following week. He was in the process of having his taped interviews transferred to thumb drives so they could be released. He stated he had a few more people to interview.

City Manager Julian Deleon asked when City Attorney Gerald Buhr would be interviewed as he had firsthand knowledge and had given plenty of advice on the public records which were denied and the employment matters resulting from the denial of public records. City Attorney Gerald Buhr stated that for him to participate, City Council had to waive Attorney/Client privilege.

After discussion between the Council Members the pros and cons of releasing the records to the News Sun before the investigation was completed and the final report had been turned over to the Council, **Motion** made by Deputy Mayor Brenda Giles, Seconded by Councilperson Dora Smith to release the public records to the News Sun as requested. Motion passed unanimously.

City Attorney Gerald Buhr brought up the subject of a polygraph tests that were being scheduled. City Manager Julian Deleon stated that he was uncomfortable taking a polygraph test that was being given by a friend of the investigator Roy Pierce. Mr. Pierce then stated he could schedule the polygraph test with someone that had been recommended but he did not know personally. City Manager stated that would be ok. Mr. Pierce stated that he had scheduled some polygraph tests for Monday the 20th of June starting at 9:30 AM.

Mayor Sharon Schuler stated that she wanted to go on record as stating she did not want to see the fire assessment for the 2016/2017 budget year cut from the \$140.00 that is was currently. City Attorney Gerald Buhr stated that this subject was not on the agenda as a discussion item.

Meeting adjourned at 4:45 PM

Recorded and Transcribed by
Interim City Clerk Bonnie Barwick

Interim City Clerk Bonnie Barwick

Mayor Sharon Schuler

E-10

Bonnie Barwick

E 10

From: Julian Deleon
Sent: Tuesday, June 21, 2016 4:23 PM
To: Bonnie Barwick
Subject: FW: Monument sign
Attachments: Sign1.jpg; Sign2.jpg; Sign3.jpg

From: fredinc123@gmail.com [<mailto:fredinc123@gmail.com>]
Sent: Friday, June 3, 2016 9:57 PM
To: Julian Deleon <jdeleon@avonpark.cc>
Subject: Monument sign

Hi Julian,

I am attaching 3 designs for consideration for the monument sign. What is the next step. Does it need to get on the agenda?

Thanks,

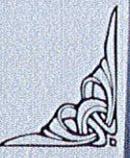
Fred Leavitt, President
Heartland Cultural Alliance Inc.
www.HeartlandCulturalAlliance.org
(863) 402-8238



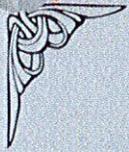
Peter Powell Roberts
MUSEUM OF ART
AND CULTURAL CENTER



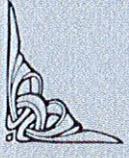
CITY OF AVON PARK



**COMMUNITY
CENTER**



310 W. MAIN ST



10/2018

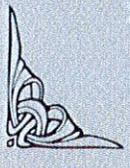
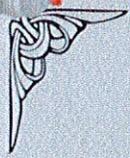
CITY OF AVON PARK

COMMUNITY CENTER

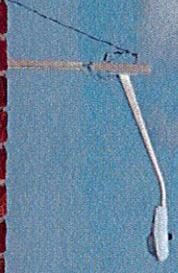


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AND CULTURAL CENTER

310 W. MAIN ST



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AND CULTURAL CENTER

CITY OF AVON PARK

COMMUNITY CENTER

310 W. MAIN ST



E-12

Agenda Item Summary

Subject: Redundant septage machine Purchase

Item No. E - 12

Placed on Agenda by: City Manager

Total Amount of Project: N/A

Staff Review: Yes

Attorney Review:

Recommended Motion(s): Move to allocate funding through budget adjustment, and Authorize purchase from Lakeside Equipment for \$110,472 based on the need to avoid down-time from maintenance or failures at the City's septage processing facility. (Same price as 2011 bid for equipment.)

Move to approve budget adjustments to increase septage revenues by another \$150,000 as reflected on Exhibit A for FY 2015/2016.

Background: In 2011, we advertised a public bid to acquire new screening machine to remove floatables and plastics from septage processed at the plant. This machine is unique in separating non-organic foreign material from the septage. This process is critical to avoid pump clogs and damage to the dewatering \$450,000 press downstream of these screens.

Unfortunately, we experienced a three week failure of the screens, and the results resonated throughout the system by causing repeated pump clogs and downtime. We need a second screening machine from the same manufacture. They have agreed to honor the same bid 2011 price which helps us maintain standard equipment at the City's facility. Lakeside has reviewed the original Raptor Septage Acceptance Plant project for Avon Park from early 2011, as requested, and has determined that, with some minor adjustments, they can hold the same price of \$110,472 from five years ago. At the processing rate of \$450,000 annually. We earn approximately \$38,000 month in septage operations. We need the backup to avoid service disruptions.

EXHIBIT-A Budget adjustment to increase septage revenues from \$300,000 annually to \$450,000. Similarly, budget adjustment to increase expenses to \$150,000 to purchase and install an additional machine.

Monthly Income Projection from Septage:

S Account Balance Inq-(GMN20011)----- 401-0000-34

File Edit Commands Help																													
SUNGARD PUBLIC SECTOR NaviLine																													
<p>401-0000-343.50-10</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Account miscellane <input checked="" type="checkbox"/> Budget miscellane <input checked="" type="checkbox"/> Transactions <input checked="" type="checkbox"/> Detail by date <input checked="" type="checkbox"/> Detail by code <input checked="" type="checkbox"/> Detail by year & p <input checked="" type="checkbox"/> Pending by date <input checked="" type="checkbox"/> Pending by code <input checked="" type="checkbox"/> Pending by year <input checked="" type="checkbox"/> Procurement car 	<p>Account information</p> <p>Q SEWER REVENUE / SEPTAGE REVENUE</p> <p>Fiscal year: 2016 Cr</p> <p>Estimated revenue: 300,000.00</p> <p>Total receipts: 425,633.50</p> <p>Q Unrealized revenue: 125,633.50-</p> <hr/> <p>Account Balance by Period</p> <table border="1"> <tr> <td>Q 03</td> <td>December</td> <td>36,205.00</td> <td>104,300.00</td> </tr> <tr> <td>Q 04</td> <td>January</td> <td>45,510.00</td> <td>149,810.00</td> </tr> <tr> <td>Q 05</td> <td>February</td> <td>52,246.50</td> <td>202,056.50</td> </tr> <tr> <td>Q 06</td> <td>March</td> <td>78,480.00</td> <td>280,536.50</td> </tr> <tr> <td>Q 07</td> <td>April</td> <td>60,875.00</td> <td>341,411.50</td> </tr> <tr> <td>Q 08</td> <td>May</td> <td>54,377.00</td> <td>395,788.50</td> </tr> <tr> <td>Q 09</td> <td>June</td> <td>29,845.00</td> <td>425,633.50</td> </tr> </table>	Q 03	December	36,205.00	104,300.00	Q 04	January	45,510.00	149,810.00	Q 05	February	52,246.50	202,056.50	Q 06	March	78,480.00	280,536.50	Q 07	April	60,875.00	341,411.50	Q 08	May	54,377.00	395,788.50	Q 09	June	29,845.00	425,633.50
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