

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held August 20, 2018 at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Tim Pospichal, Commissioners: Dorothea Taylor Bogert, Keith Cowie, Richard Hamann, and Bill Sterling. Also present were: City Manager Robert R. Green, Finance Director/City Clerk Shirley Lowrance, City Attorney V. Patton Kee, and Police Chief Chris Nelson.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor Harold Butler of Eastside Baptist Church and a salute to the flag.

Harold Butler said the Church is located on the corner of Pike Street and Adams Street. He said they are in the middle of remodeling the church. He said if they can help the citizens or the Commission in anyway, they would love to be more involved in the community. They are looking forward in partnering with Caldwell Elementary School to tutor kids.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve the City Commission Minutes of the August 6, 2018 Meeting.

Commissioner Dorothea Taylor Bogert asked Community Development Director Amy Palmer for some clarification from the Minutes, page 96 paragraph 3. She said "Will Carson is stating that what he said is not single family, he is asking you to give me the opportunity to put some townhomes". She said she did not know if that was misstated on his part because that is not what she understood to be said and the intent of what was said.

Community Development Director Amy Palmer said that was not her understanding. We can look at the recording for the minutes and make sure that is stated correctly.

Commissioner Dorothea Taylor Bogert said it is exactly the opposite of what was implied.

Upon vote, all ayes.

Staff listened to the recorded Minutes for August 6, 2018 and determined the time stamp for the recordings to be 7:25:35. Complete wording has been inserted below for the highlighted sentences for clarification.

Will Carson said he is not asking for a zoning change that is above and beyond anything that was already in place. He said ~~IN OTHER WORDS it is not A single family and I am LIKE HEY GIVE ME THE OPPORTUNITY asking you to give me the opportunity~~ to put some townhomes HERE. He said he was only going for the zoning CHANGE that was the Future zoning for the City, as approved IN THE FIRST PLACE. He said we did this because that is what is in place.

City Manager Green reminded the Commission of the Ridge League of Cities meeting in Haines City on September 13 and the opening of the Auburndale Youth Soccer at Lake Myrtle on September 15. He said last week, we announced the change in the Police Department with Police Chief Chris Nelson leaving to take employment with the State Attorney's Office after 12 years with the City. He said it was with regret that we make such an announcement. He said the State Attorney's Office is getting a fine Executive Director. The position oversees several hundred employees and the day-to-day operations of the Department. With applause, everyone congratulated Chris Nelson for the 12 years of service to the City. A reception for him will be held at 3:30 p.m. on Friday and all are welcome to attend. He thanked Julie Nelson for allowing us to have 12 years of Chris Nelson in the Auburndale Police Department.

Mayor Tim Pospichal asked for public comment. There was no public comment.

## **1. ORDINANCE #1568 AMENDING CITY CODE CHAPTER 6 – PARKS AND RECREATION**

City Manager Green said Chapter 6 of the City Code of Ordinances currently provides outdated regulations for boats, fishing nets and rules related to the former bathing beach on Lake Ariana. As part of the review of each chapter in the Code of Ordinances, City Staff is proposing to amend and restate Chapter 6 to provide current and consistent regulations for use of all City maintained park facilities, including special events. Specific measures provided in the proposed Ordinance includes:

- . Hours of operation – sunrise to sunset for each city and neighborhood park;
- . Refuse and trash – proper disposal of garbage, trash and other litter;
- . Alcoholic beverages – prohibited in public parks and playgrounds;
- . Merchandising and vending – prohibited unless being provided by, or under authority of the City;
- . Special Events – requiring permit and insurance for events with more than 50 persons and
- . Boats, waterways, fishing nets – utilizes current Code with updated text.

The proposed Ordinance was prepared by the Police Chief and Parks and Recreation Director and reviewed by the City Manager and City Attorney. Many of the regulations for the use of parks and facilities, including special events were patterned after policies adopted in other cities. The proposed Ordinance was approved on first reading August 6, 2018 and is being presented for second and final reading. Staff recommended approval of Ordinance #1568 Amending City Code.

City Attorney Kee read Ordinance No. 1568, as passed on first reading on August 6, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was no citizen comment.

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Ordinance No. 1568, as read on second reading by title only. Upon vote, all ayes.

## **2. ORDINANCE #1569 ANNEXING PROPERTY INTO CITY LIMITS – JULIANA VILLAGE**

City Manager Green said the City has received a petition from Walkers Grove Land Partners LLC to annex 90.24 acres of property into the City limits. The property is located on SR 559 at the intersection of Cone Road and SR 559, across the street from the Sutton Place subdivision. The property is contiguous with existing City limits, Lake Juliana, and the annexation does not create an enclave. The property is being developed as a single-family residential subdivision and has received all development approvals, including subdivision platting approval through the Polk County Board of County Commissioners. The proposed annexation is as a result of the owner's request for city utilities. Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City. The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading on August 6, 2018 and is being presented for second and final reading. Staff recommendation was approval of the Ordinance annexing the property into the City limits.

City Attorney Kee read Ordinance No. 1569, as passed on first reading on August 6, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was no citizen comment.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1569, as read on second reading by title only. Upon vote, all ayes.

## **3. PUBLIC HEARING – LAND USE AND ZONING MAP AMENDMENTS – BERKLEY RANCH**

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Public Hearing.

City Manager Green said the purpose of the Public Hearing is to consider changes to the City's Ordinance No. 752, the Comprehensive Plan and Future Land Use Map, and Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map.

Community Development Director Amy Palmer said the City has received a request for a Large Scale Future Land Use Map Amendment and Zoning Map Amendment for the Berkley Ranch Investors, LLC. The vacant property is located on Berkley Road and Pearce Road. The current Polk County Future Land Use is Residential Low-2 (RL-2); Residential Low-4X (RL-4X); and Preservation-X (Presv-X). The proposed City Future Land Use is Low Density Residential and the proposed City Zoning is Planned Development-Housing 2 (PD-H2). The Berkley Ranch Investors, LLC properties consists of +/- 43.57 acres that was annexed into the City Limits on May 21, 2018. The property is currently vacant and is proposed for a 130 lot single-family residential subdivision. The development will have access on Pearce Road and will also have access to Berkley Road by crossing the TECO-Auburndale Trail. Average lot size requested is 60'x120' to 60'x145'. Setbacks for the subdivision are as follows: 25' front, 5' side, and 10' rear. At the entrance to the subdivision, the applicant has proposed a recreation/open space area on 2.9 acres, which will have access to the trail, a parking area, and seating areas. The proposed Future Land Use Amendment is consistent with the City's Comprehensive Plan, Land Development Regulations, the Joint Planning Agreement with Polk County, and with surrounding development. On June 18, 2018, the City Commission approved a Transmittal Resolution submitting the proposed Amendment to the State for a compliance review. The City received noticed from the State on August 1, 2018 of no comments or objections to the Amendment. The proposed City Zoning is Planned Development – Housing 2 (PD-H2). As required by Chapter 6 of the City's Land Development Regulations, this proposed PD-H2 is accompanied by a binding site plan that demonstrates the appropriate buffering, setbacks, open space, access and other requirements. The proposed binding site plan was reviewed by City staff and meets the requirements of the City's Land Development Regulations. The Planning Commission recommended approval of the Land Use Map Amendment – June 5, 2018 with a vote of 7 for and 0 against. They also recommended approval of the Zoning Map Amendment to PD-H2 – June 5, 2018 with a condition to apply best management practices regarding the TECO Trail crossing over the entrance road. She displayed a drawing for the lot size and setbacks. Staff recommendation was approval of the Future Land Use Map Amendment and Official Zoning Map Amendment. She introduced the applicant George Lindsey with Highland Homes and Bart Allen with Peterson and Myers.

Bart Allen, Land Use Attorney with Peterson Myers Law Firm, said he was here tonight on behalf of the applicant Highland Equities LLC. He introduced the applicant George Lindsey and Brian Hunter, with Hunter Engineering. He said he was looking at his notes as Ms. Palmer was going through her presentation and realized we are basically going to say the exact same thing. He said rather than restate everything; he would say he appreciates Amy's diligence and work on this project. He said it has been a really good process to work through. He said he agrees with her conclusions that the request is consistent with the City's Comprehensive Plan. What was in the County were similar densities, as what we are asking for in the City. The PD meets your Land Development Requirements. He asked for a favorable vote tonight and recognized they would have to come back again for a second vote. He opened up for questions regarding the site plan, the proposed development or any details.

Mayor Tim Pospichal asked for public comment. There was no public comment.

Mayor Tim Pospichal closed the Public Hearing and reopened the Commission Meeting.

#### **4. ORDINANCE #1570 AMENDING FUTURE LAND USE MAP – BERKLEY RANCH**

City Manager Green said the Planning Commission recommended approval of the Land Use Map Amendment on June 5, 2018 and staff recommended approval.

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City Attorney Kee read Ordinance No. 1570 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE FUTURE LAND USE MAP BY RECLASSIFYING A PARCEL OF LAND TOTALING +/- 43.57 ACRES FROM POLK COUNTY FUTURE LAND USE RESIDENTIAL LOW-2 (RL-2); RESIDENTIAL LOW-4X (RL-4X); PRESERVATION-X (PRESV-X) TO CITY OF AUBURNDALE LOW DENSITY RESIDENTIAL; AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: BERKLEY ROAD AND PEARCE ROAD),** by title only.

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1570, as read on first reading by title only.

Mayor Tim Pospichal asked the distance from Berkley Road and the development.

Community Development Director Amy Palmer said probably 300 feet, from looking at the site plan.

City Manager Green said the right of way of the trail, which would have been a railroad right-of-way, would be 100 feet. He said the estimate of 300 feet was pretty close.

Commissioner Bill Sterling asked about the signalization related to crossing the trail and if there would be a stop sign advising the people using the trail.

Bart Allen said yes, there would be stop signs to stop the flow of traffic and going east to west there will also be stop signs. He said the road will be stripped and marked, similar to the Fort Fraser Trail running parallel to US 98. There will be markers to warn the pedestrians and bikers and slow traffic on the road. We have met with the TECO Land Use Committee and Mr. Lindsey has presented this crossing, amenity center and three acres of recreation open-space and they have approved it conceptually. We have not done full detailed engineering drawings, which they will have to approve. We have also coordinated with TECO.

Upon vote, all ayes.

## **5. ORDINANCE #1571 AMENDING OFFICIAL ZONING MAP – BERKLEY RANCH**

City Manager Green said Ordinance No. 1570 amended the Land Use Map establishing the land use designation. Ordinance No. 1571 amends the Official Zoning Map on the same property including the binding site plan. The Planning Commission voted 7-0 on June 5<sup>th</sup> to recommend approval with condition to apply the best management practices regarding the TECO Trail Crossing over the entrance road. Staff recommended approval of the Zoning Map Amendment.

City Attorney Kee read Ordinance No. 1571 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE OFFICIAL ZONING MAP ESTABLISHING A CITY OF AUBURNDALE ZONING MAP CLASSIFICATION OF PLANNED DEVELOPMENT – HOUSING 2 (PD-H2) AND ON A PARCEL OF LAND TOTALING +/- 43.57 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Berkley Road and Pearce Road),** by title only.

**Motion** by Commissioner Bill Sterling, seconded by Commissioner Keith Cowie, to approve Ordinance No. 1571, as read on first reading by title only.

Commissioner Dorothea Taylor Bogert asked if the recommendation for the TECO best practices was automatically included in this, as the Planning Commission motion stated.

Mayor Tim Pospichal said yes.

Upon vote, all ayes.

City Manager Green said the Ordinance will come back at the next meeting set for September 6, 2018.

#### **6. APPROVE APPOINTMENT TO POLICE OFFICERS' PENSION BOARD**

Manager Green said the Police Pension Board consists of five members: two City residents, appointed by the City Commission for a term of four years; two full-time police officers that are elected by a majority of the police officers that are members of the Plan for a four year term; and the fifth member chosen by a majority of the previous four members and approved by the City Commission, for a four year term. The Police Officers' Pension Board received the resignation of Trustee and former Officer Ryan Astronskas on May 18, 2018. Officer Astronskas served as the Fifth Member and was originally appointed in 2006. The Pension Board on August 14, 2018 chose Deputy Chief Andy Ray to fill the unexpired term through September 2020. Staff had no objection to the Appointment.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Bill Sterling, to appoint Andy Ray as the 5<sup>th</sup> Member of the Police Pension Board. Upon vote, all ayes.

#### **7. DISCUSS CHANGES TO PROPOSED FY 2018-2019 & FY 2019-2020 BIENNIAL BUDGET**

City Manager Green said the proposed Fiscal Year 2018-2019 and Fiscal Year 2019-2020 Biennial Budget was presented to the City Commission on August 6, 2018. The balanced Budget was presented with a Contingency Line Item balance of \$249,336 in FY 2018-2019 and \$239,443 in FY 2019-2020. Subsequent changes in the Budget can be made with offsetting changes to the Contingency Line Item. This allows all other budgeted items to stay fully funded. After the Budget is adopted and put into practice, a necessary and unexpected expense can be charged to the Contingency Line Item, also allowing all other budgeted items to stay fully funded. The proposed changes being presented to the Contingency Line Item in each year suggests modest reductions to other expense line items, resulting in an increase to the proposed Contingency Line Item amounts. He went over the proposed contingency changes for FY 18/19. The line-items discussed and "New Proposed Budget Balance" for the line-items were: Fire Dispatch Services at \$29,850, Code Book Supplements at \$2,500; General Fund Reserve at \$185,000; Radio Reserve at \$50,000; PRWC Administrative Legal at \$30,000; and Payroll Adjustments in all departments represented a \$1,764 increase in the contingency.

Police Chief Chris Nelson said several years ago, the County upgraded their 800 MHz radio system and we were able to take advantage of that and upgrade our radios. The current radios have reached or are about to reach their end of life cycle, where we will not be able to get them repaired. All the parts for repairs are proprietary to Motorola and cannot be purchased anywhere else. Motorola has a new line of radios and over the next few years, we will start reserving about \$50,000 annually for replacement. He said we have become dependent on the radios as we discussed on Commission Day. Cell phones do not work in an emergency. All the Departments in the City are now on the County-wide system. We need to start reserving so when we need those radios, we have the money in the bank to purchase the radios.

City Manager Green went over the proposed changes to the FY 19/20 contingency. The FY 19/20 Contingency was proposed to move to \$242,365. The changes discussed and "New Proposed Budget Balances" were: Fire Dispatch Services at \$31,350; Code Book Supplements at \$2,500; General Fund Reserves at \$260,000; Radio Reserves at \$50,000; and Payroll Adjustments All Departments at \$2,386. Staff recommendation was approval of the Proposed Adjusted Contingency Line item.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Keith Cowie seconded by Commissioner Bill Sterling, to approve the Proposed Adjusted Contingency Line Item, as presented. Upon vote, all ayes.

#### **8. REQUEST TO AMEND RECYCLING SERVICES AGREEMENT – ADVANCED DISPOSAL**

City Manager Green said currently Advanced Disposal has the contract for curbside recycling services. They pick-up on the same day as the City's solid waste pickup. In July 2016, the City entered into a three-year Agreement through September 2019 for curbside recycling. The City piggy-backed a bid from Lake Alfred and awarded the bid to Trash Taxi at the low bid of \$2.53 monthly for recycling services. In 2017, Advanced Disposal picked up the contract, as they had purchased Trash Taxi and assumed the contract and all terms of the original 2016 contract would stay in place through September 30., 2019. In February 2018, Advanced Disposal noticed the City that they needed and were proposing a rate increase effective October 1, 2018 of a \$1.47. This would take our monthly recycling from \$2.53 to \$4.00 monthly. They would suggest an extension of the current contract for at least one year, with a rate increase in October 2019 of \$1.46. This would take the monthly recycling fee to \$5.46. We would go from \$2.53 to \$5.46 over the two-year contract. As a result of that request to the City and presenting the proposal to the Commission, we thank our Chamber of Commerce for hosting a public meeting on recycling on July 26, 2018 at the Civic Center. The City through use of local media, its social media platforms and electronic message boards promoted the event. The forum was to educate the citizens on the rates and changes in the recycling arena. He thanked those involved for their attendance: Advanced Disposal, Republic Disposal, the Public Works Department, and the Chamber. He displayed a picture of the event set up. At the public meeting, a comment card was passed out. The comment card asked how often do you recycle; how much would you be willing to pay for curbside recycling services; if the City suspends curbside recycling services, would you utilize voluntary recycling; and are you satisfied with the current curbside recycling services. With those in attendance filling out the cards, he presented the responses for the questions. The near 40 responses indicated they recycle weekly. The second question regarding how much would you be were willing to pay for recycle services – 11 suggested zero dollars, 14 agreed the \$2.53 was what they were willing to pay, 9 suggested \$5.46, 3 suggested \$7.00, and none suggested they would be willing to pay \$10.00 or more monthly. He said he thought there was some confusion related to the question, as it was a little misleading. For the question, if the City suspended curbside recycling the replies were: 21 would continue curbside recycling. For the question, are you satisfied with your current curbside recycling the replies were: 28 yes and 10 no. He said the 10 no replies provided comments that they did not know what they could recycle properly and the fact that we no longer recycle glass. He went over a few Facebook comments related to recycling. One comment said, "The worlds recycling efforts have drastically changed since China stopped taking the worlds trash. Glass costs more to recycle than to make it new. This forum should help provide an insight to the current market conditions." Another comment said, "So they want to jack up the rate, while performing less of a service". Another comment said, "I think it is great you are working on recycling. I would like a pamphlet or something that explains the project better. What to put where and when. Maybe a place where one could drop off some types of bent aluminum cans or something like that." He said others suggested that if you went up with the rate – come get the can. He said you may have also read where the City of Winter Haven recently took action on their recycling. They are in a very similar situation to us, we pay \$2.53 currently and they pay \$2.50. They own their recycling carts and Auburndale does not own carts, as they are owned by Advanced Disposal. The Winter Haven proposed rates for next year would go up .94 to \$3.44. They own their carts and have a greater number of citizens than Auburndale, which all comes into play when priced. Last week the City of Winter Haven voted to absorb \$160,000 from their solid waste fund or general fund to keep the current rate to the resident at \$2.50. They recognize there would be an increase, but instead of passing that on to the customer, they took those funds from other sources and absorbed the rate increase at \$160,000. Polk County pays recycling at the rate of \$2.64 and pays a disposal fee of \$3.67. A portion of the disposal fee is split between the landfill operations and the recycling tipping fees. We are told by Advanced, that does have a portion of the County's services, that when they bill the County – they bill the County right at \$4.00 per month for recycling services. The County does not bill monthly, but places the fee on the resident's taxes in a Special non-ad valorem assessment in the amount of \$188.50. He said one of the things we did

was review to see if we are missing anything in gathering information for the Commission. We looked to see if the City got into the recycling business, if the contractor gave us a 90-day notice and suggested they were getting out. At the last meeting, we indicated to you that it would probably be between \$800,000 to \$900,000 for the City to get into the equipment, trucks, carts, and labor to provide the service. We could not turn that around by October 1, 2018, when we already know we have a truck to be ordered that is a year in the making. We reached back out to the hauler and suggested if we paid for the tipping fee and the disposal fee at MRF facility where they take it to Republic, what could they do that for – if the City picked up that cost. Also, is there a way to cap the cost to the City. The current land fee is at \$36.50, the Republic Service fee is at \$34.50 - \$2 difference. When the commodities were doing good the vendors suggested they were paying \$8 monthly and now it is up to \$34. He asked how would the City cap the cost. He said to cap the costs - if the cost of recycling exceeds the cost of taking it to the landfill do you not just take it to the landfill. That way you have a cap. If the City were to take over the recycling services and could not find an end market for the commodities and we were paying more than the cost of the landfill and we picked up the tonnage that is now being recycled in the City, it would cost between \$50,000 and \$60,000. He said let's ask the vendor, if we picked up that \$60,000 max and you continue to pick up recycling and if it was less expensive at the MRF facility to recycle and as long as we all want to recycle and we hope the commodities markets change and that market keeps going down, you pick it up and go there. The City will pick up that disposal fee at Republic. If it goes above or equal to the cost of taking it to the landfill, then the City will pick up that cost. He said that is the \$60,000 and we are budgeting maybe \$45,000 optimistically thinking the recycling efforts are going to work there. They came back and suggested they could do that at \$.75 increase in the first year. This would take the recycling fee from \$2.53 to \$3.28. When we met with you before, they were looking at \$1.46 and taking the fee to \$4.00. We would budget for the cost of recycling tipping fees at \$45,000 and somewhat similar to what the City of Winter Haven would do – absorbing that cost into our General Fund. He said the \$45,000 cost would come from the contingency line item, you just saw. The budget has the flexibility to absorb that. The increase to the resident would be .75 monthly or \$9 a year for recycling. At the end of the first year, we are still in the same boat. We still do not own the totes. Advanced Disposal would continue the pickup of recycling and have the option of the Republic MRF facility at \$34.50 or the option of the landfill at \$36.50. As long as one fee stays below the other fee and our tipping fees at the landfill will be at \$36.50 for the next year, maybe that \$45,000 is a good number – but there is a cap of \$60,000. In FY 19-20, Advanced Disposal asked for an extension of the current contract into a new forth year. The City said okay to this, but let us look at it – we are at \$3.28 with the \$.75 proposed increase taking the fee to \$4.03. The original proposal was at \$5.46. The City would continue to absorb the tipping fees for recycling. We suggested if we worked with Advanced Disposal in getting the contract into a second year – the City would agree if the City could ownership of all of the totes. If we purchased the totes, the cost would be about \$99,000. If we were to purchase new totes if we got into the business, the cost would be somewhere between \$250,000 and \$300,000. He said this gets us down the road a little bit to see what the markets will do. We tried to keep the increase from the vendor, as reasonable as it could be. At the end of the day, we would own the totes and that would put us in the same boat as Winter Haven. As we did back in February, we would sit down with the vendor, Winter Haven, and the county to see if there is an economy of scale for a better price. He said then maybe the playing field between all of us would be the same. At the end of the second year, we would be at \$4.03 and the truck would still come on the same day as solid waste. He said there are just so many unknowns in that global market of recycling as to what the commodities will do. He said he did not want to speak for the companies that are represented in the room, but just as Staff in working with them to see what options we could present this evening. He said he would stand for questions or questions from the other companies. He said we do not have an agreement to present, as we wanted to get your direction and bring this back at the next meeting in a contract.

Commissioner Richard Hamann asked if Advanced agreed to the .75. He asked if this has all been worked out.

Gary Brown, General Manager for Advanced Disposal, 3340 US 92 E, Lakeland, said he agreed.

Mayor Tim Pospichal said there have been questions about what to recycle and what not to recycle. He asked if this was something he would work on to educate the public.

Gary Brown said yes. He said they had some brochures at the last meeting and are working on other items to try to improve on that.

Commissioner Richard Hamann asked if we were to say we were going to hold your feet to the fire on the contract, would you file a 90-day notice that you were suspending services.

Gary Brown said he did not think they would have any other choice, as they are losing about \$11,000 a month picking up the recycling.

Commissioner Keith Cowie asked the City Manager whether Advanced picks it up or that contract were to get cancelled, we would in turn would pick up that \$45,000 to \$60,000 fee regardless.

City Manager Green said yes, that was correct.

Commissioner Richard Hamann asked if we would have to change the way our Sanitation Department operates now. Would we lose our Wednesday pickup?

City Manager Green said we would not want to. He said that gets back into adding capital, trucks, and manpower to do that. He said he thought the Commission was clear on keeping the Wednesday brush pickup. He said he thought our residents have got accustomed to taking the recycling and solid waste on the same day. He said this way there would be no change in the scheduling. The same trucks that drive by there today would pick it up October. 1. He said you are basically back to Commissioner Cowie's comment, you are basically contracting with the vendor to pick that up

Commissioner Keith Cowie said we are using their labor to pick it up and take it.

Commissioner Bill Sterling asked what the residents would pay.

City Manager Green said the residents would go to \$3.28, an increase of .75 per month or \$9 a year.

Commissioner Dorothea Taylor Bogert said on the Polk county resident information at \$188.50 non ad valorem for recycling and disposal fees, how much actually goes to recycling and disposal.

Gary Brown said we charge the County \$12.10 per haul on roughly 65,000 homes. That breakout is roughly, what we bill on proforma. When we presented it to the County, it was a flat rate or \$12.10 for all lines of business – recycling, MSW, yard waste, and bulk collection.

City Manager Green said probably the recycling fee is close to \$4.00.

Gary Brown said yes, it was around \$4.00 and they pay for the disposal, as well. He said they do not pay a disposal.

Commissioner Dorothea Taylor Bogert said thank you to Chamber for holding the recycle event. We have approximately 5,100 homes we pick up for in the City and that does not give us a good picture of what our residents want. She said she did not think it provided any type of analytics for us to make a sound decision; however, she did not think that was something they could do in the short time we have either. She said what she likes about this is that it gives us time to actually do a study on what our citizens want. If the market does not get any better, we can pull out all together or make plans to work it. She said she thought recycling is important personally, but we want to know what they want, as we have those on fixed incomes and those who would pay up to \$20 a month. We did not get all that information out of 40

individuals and a lot of them were couples. She said she liked the idea of being a little lower coming in and it not as much of a hit to any resident on a monthly basis and the City handing the rest of it.

City Manager Green said it is proposed as a compromise of the two. If we extend the terms of the contract for an additional year, both parties have the 90 day out clause. If in the second year, something changes on either side there is the clause. One of the reasons we are budgeting the \$45,000 instead of the \$60,000 is because we want to see a cleaner stream in recycling and we want more recyclables. We hope the market turns around to make it more profitable for those in the business and also gives the citizens the opportunity to recycle curbside.

Commissioner Richard Hamann said we do not have a crystal ball telling us what is going to happen in the market. He said to go .75 is probably the best way to go. He said he hated to raise it any, but we have to do something. We are still recycling, they still pick it up, and we continue as we have been.

Mayor Tim Pospichal asked for public comment.

Commissioner Bill Sterling said he would like to have in the proposal that if they decided in one year to pull out of the agreement, those totes become ours. We are planning on in two years those totes will be ours. He said if you pull out in one year, we still will not have totes.

Gary Brown said that was the agreement we have made. He said they still owe about \$98,000 and in two years, we will still owe a little on them. He said that was the agreement they came to with the City Manager - we would forego them and give them to the City in October 2019. They would belong to you at that time.

City Manager Green said you are suggesting in the term of the contract, that if Advanced were to give a 90-day notice, they would also give the totes to the City.

Commissioner Bill Sterling said yes.

Gary Brown said they can do that. He said they were okay with that.

City Manager Green said at the next meeting, we will present a new agreement.

Gene Huckabay, 2117 Kirkland Lake Dr., said he was high on recycling and thought we should be doing more. He said right now we are not spending the \$45,000 for recycling.

City Manager Green said no, it is factored in the \$2.53 - so we are not paying that now.

Gene Huckabay asked for .75 proposal what does that do.

City Manager Green said that allows the same truck to pick up your recycling as we do now and take it to recycling facility. We would have to increase the rate to \$1.46 to turn key everything. This way it is a little less expensive on the resident, as we are splitting the cost.

Gene Huckabay asked if this was going to make them profitable or at least not losing money.

Gary Brown said it will get us real close on the first year and in the second year, the other .75 will get us where we need to be.

Gene Huckabay said he was torn, as he came here to speak on recycling, and he wanted it to work. He said he was very upset with the County because of the way they have done, as far as glass. If it is going to

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take the \$1.46, he would support that personally. If it is the .75, then you will have to face it again next year.

City Manager Green said it would be a two-year agreement that we would enter into, the increase would be .75 this year and .75 next year, and the Agreement would go to September 2020 for the two-year agreement.

Mayor Tim Pospichal asked for public comment. There was no public comment

City Manager Green asked the Commission to agree to terms as proposed tentatively. He said we will bring the agreement back at next meeting.

**Motion** by Commissioner Keith Cowie, second by Commissioner Dorothea Taylor Bogert, to instruct City staff to move forward with the proposed agreement from this evening's presentation.

Commissioner Richard Hamann said for the unknown it was as good as we can get.

Commissioner Dorothea Taylor Bogert said she thought it was a good compromise.

Commissioner Bill Sterling said he kind of thought we were kicking the can down the road, but it gives us an opportunity to see what the market will bear and what will happen.

Mayor Tim Pospichal said we will still have recycling.

Upon vote, all ayes.

Meeting adjourned at 8:05 p.m. I HEREBY CERTIFY that the foregoing Minutes are true and correct.

  
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Shirley Lowrance, Finance Director/City Clerk