

AGENDA STUDY SESSION
June 12, 2009

The Lakeland City Commission met for the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Justin Troller, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Assistant Community Development Director Steve Bissonnette, Finance Director Greg Finch, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Doug Thomas called the meeting to order at 8:34 a.m.

Doug Thomas covered the Red Light Cameras Public Education Campaign and the preliminaries.

Tim McCausland covered the Public Hearings.

Bruce Kistler explained that he expected opposition to Proposed Ordinance 09-029. He would give a brief presentation on staff's recommendation on Monday.

Tim McCausland updated the Commission on the need to change the run-off date for the upcoming municipal election. The first Tuesday in December fell too close to the Thanksgiving Holidays to allow for precinct set-up. The commission did not oppose the change. Tim will bring an emergency ordinance on July 6, 2009.

Doug Thomas offered the following verbals:

Budget process - departments have opportunities to hit target by cutting costs and services or raising revenue and by utilizing volunteers. He asked Parks & Recreation Director Bill Tinsley to make a presentation on those efforts.

Bill Tinsley gave a presentation on Sustainable Financial Goals and Volunteers in Public Service, a copy of which is on file in the City Clerk's Office.

- Doug Thomas asked if the Commission supported the idea that the individualized activities should pay a higher proportion of the cost of the program. This process would frame the reason the city would charge different rates for different services. They were starting in Parks & Recreation but it could be applied to other departments too.
- Another issue that may come up was subsidizing cemeteries.
- Bill Tinsley updated the Commission on Volunteers in Public Service. He explained the recruiting and screening. This program was also available for other departments to use.

Communications wanted to begin introducing new board members at the City Commission meetings to recognize them for serving on the City's boards. Kevin asked that time be allowed at the very beginning, right after the invocation.

Tim McCausland covered the City Attorney agenda.

Greg James updated the Commission on Proposed Resolution 09-028. He hoped to not use eminent domain proceedings however did not want to delay the project any further.

Doug Thomas covered the Mayor & Members of the City Commission agenda. The Commission would need to choose a voting representative for the Florida League of Cities conference.

Assistant City Attorney Ramona Sirianni covered the agreement with GE Energy and Environmental.

Doug Thomas reminded the Commission about the switch to the new phone system that would take place over the weekend. He also reminded them about the Coleman Bush Building Dedication on Sunday.

The meeting adjourned at 10:27 a.m.

LEGISLATIVE WRAP-UP WORKSHOP
June 12, 2009

The Lakeland City Commission met for the Legislative Wrap-Up Workshop in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Justin Troller, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, City Attorney Tim McCausland, Assistant City Manager Stanley Hawthorne, City Clerk Kelly Koos, and Dave Shepp of Florida Strategic Group were present.

Doug Thomas called the meeting to order at 10:37 a.m.

Dave Shepp distributed and reviewed the 2009 Legislative Wrap-Up, a copy of which is on file in the City Clerk's Office.

The meeting adjourned at 11:30 a.m.

LAKELAND CITY COMMISSION
Regular Session
June 15, 2009

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 a.m.

INVOCATION

Harold Silas of the Lakeland Police Department offered the invocation followed by the salute to the flag.

Municipal Boards Committee Report

The Municipal Boards Committees met in the City Commission Conference Room on Friday, June 12, 2009. Commissioner Glenn Higgins (members) and Commissioner Edie Yates (chair) were present. Commissioner Jim Verplanck was out of town. Mayor Fletcher, Deputy City Manager Tony Delgado, City Manager Doug Thomas, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Commissioner Yates called the meeting to order at 8:15 a.m.

Planning and Zoning Board

Recommendation from Jim Studiale to reappoint Cindy Petterson for an additional three-year term which would expire June 30, 2012.

Historic Preservation Board

Recommendation from Jim Studiale to reappoint Burl Wilson and Mary Ann Zender for additional three-year terms which would expire May 31, 2012.

Zoning Board of Adjustment and Appeals

Recommendation from Herman Blom to appoint Frank Lansford to fill seat vacated by Arthur Mattson. Mr. Lansford was serving as an alternate on the board. If appointed as a regular member, his term would begin June 30, 2009 and expire June 30, 2012.

Code Enforcement Board

Recommendation from Brian Rewis to reappoint Lolita Berrien for a second three-year term, which would expire June 30, 2012.

Action: Commissioner Higgins moved to approve the appointments. Commissioner Yates concurred and the motion carried unanimously.

The meeting adjourned at 8:26 a.m.

Edie Yates, Chair

Commissioner Yates presented this report.

Action: The Commission approved the appointments unanimously.

Kevin Cook called forward the appointees.

The appointees introduced themselves. Burl Wilson, Lolita Berrien, Mary Ann Zender, and Frank Lansford were present.

Kevin Cook thanked them for volunteering.

PRESENTATIONS

Communications Department – Red Light Cameras Public Education Campaign (Kevin Cook & Sgt. Mike Link)

American Society of Civil Engineers - Project of The Year Award (Doug Gleckler, Lakes & Stormwater and Jack Breed, Keith & Schnars P.A.)

Jack Breed of Keith & Schnars presented this award to the City.

Certificate of Appreciation for Student Volunteers (Kelly Koos)

City University Graduates (Lynn Chisholm)

PROCLAMATIONS

Aquatics Week

NAACP Centennial Month

COMMITTEE REPORTS AND RELATED ITEMS

Finance Committee 06/12/09

The Lakeland Finance Committee met in the Commission conference room. Commissioners Howard Wiggs & Edie Yates (members) and Commissioner Gow Fields (chair) were present. Commissioner Justin Troller and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Assistant City Manager Stanley Hawthorne, City Clerk Kelly Koos, Finance Director Greg Finch, and Investment Manager Jeff Stearns were present.

Commissioner Fields called the meeting to order at 11:33 a.m.

Jeff Stearns gave a presentation, "Update on Finance Issues," a copy of which is on file in the City Clerk's Office. The presentation covered:

Review of Investment Strategies

- Interest Rate Hedges (Swaps)
- Term Asset-Backed Loan Facility (TALF) program

Debt Issues

- Variable Rate Bonds – SunTrust Downgrade
- Warrant Refunding

Jeff reviewed the proposed New Interest Rate Hedges. There was support from the Finance committee to move forward with the interest rate swaps when the time was right.

Jeff reviewed the TALF Investment Opportunity. There was a resolution on the City Commission agenda to authorize the City to move forward with a TALF investment. The max would be \$10 million.

Action: Commissioner Wiggs moved to approve the recommendation. Commissioner Yates seconded and Commissioner Fields concurred.

Debt Management Issues

- Problem With Existing Variable Rate Bonds
- Potential Issue With Warrant Refunding

Problem with existing Variable Rate Bonds:

SunTrust's rating was downgraded in April. It could cost the City an additional \$800,000 per year in additional interest expense. A long-term solution would be required. The options were

- The City could obtain new replacement letter of credit. That would be costly.
- The City could replace the bonds with fixed rate bonds at 5.6%. That would involve cancelling some swap agreements.
- The City could issue 1-year notes and try to come back to the market when conditions were more favorable. The interest would be 5% and that was only a 1-year solution.

They were not making a recommendation today but just keeping the Finance Committee informed. Staff was going to start putting together the generic bond documents to allow them to choose any of the three options.

Warrant Refunding:

The problem was that there were not any AAA bond insurers left. The City could not fulfill their portion of the contract, if Goldman exercised their option. Staff had been exploring options. It was not a critical problem right now but staff wanted to keep the Finance Committee informed.

The meeting adjourned at 12:04 p.m.

Gow Fields, Chair

Commissioner Fields gave the Finance Committee report.

Action: The Commission approved the recommended action unanimously.

EQUALIZATION HEARINGS

Recess/convene: Commissioner Wiggs moved to recess as the City Commission and convene as the Equalization Board. Commissioner Verplanck seconded and the motion carried unanimously.

Demolition of Buildings

Tim McCausland presented the assessments, a copy of which is attached to the end of these minutes.

Motion: Commissioner Wiggs moved to approve the assessments. Commissioner Yates seconded.

Mayor Fletcher asked for comments.

Carol Castegnero asked if the City noticed the owners before the buildings were demolished. She wanted the City to obtain written consent prior to demolishing the buildings.

Tim McCausland explained the City was not required to obtain written consent before demolishing the buildings.

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

Adjourn/reconvene: Commissioner Wiggs moved to adjourn as the Equalization Board and reconvene as the City Commission. Commissioner Verplanck seconded and the motion carried 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.

- * Joint City Commission/Chamber of Commerce Minutes 05/21/09
- * Airport Advisory Board Minutes 05/26/09
- * City Commission Minutes 05/29/09-06/01/09
- * Utility Committee Minutes 06/01/09

- * Memo re: Consideration of Request for Extension of Closing Date on Lot 4, Lakeland Airpark Subdivision

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

REQUESTS TO APPEAR FROM THE PUBLIC

Carol Castagnero re Code Enforcement and Fuel Adjustment

Carol Castagnero came forward and stated that she did not plan to cover the fuel adjustment today. She wanted access to the code enforcement files and she wanted the commissioners to meet with her at her properties.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5098; Proposed 09-012; Large Scale Amendment #LS-09-003 to Future Land Use Map Assigning Use to 129.8 Acres Located North and South of Swindell Road, East of County Line Road (1st Rdg 4/20/09)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-09-003 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 129.8 ACRES LOCATED NORTH AND SOUTH OF SWINDELL ROAD, EAST OF COUNTY LINE ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; 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 5099; Proposed 09-020; Text Amendment #T-09-005 to the Intergovernmental Coordination Element of the Lakeland Comprehensive Plan to Update the Certification Area Illustration (1st Rdg 4/20/09)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-09-005 TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE THE CERTIFICATION AREA ILLUSTRATION TO THE INTERGOVERNMENTAL COORDINATION ELEMENT; 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 5100; Proposed 09-028; Small Scale Amendment #SS-09-007 to Future Land Use Map Assigning Land Use to 1.16 Acres Located at the Southwest Corner of Kathleen Road and Prine Road (3240, 3250, 3252 and 3260 Kathleen Road) (1st Rdg 5/4/09, Contd 5/18/09))

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-09-007 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 1.16 ACRES LOCATED AT THE SOUTHWEST CORNER OF KATHLEEN ROAD AND PRINE ROAD (3240, 3250, 3252 AND 3260 KATHLEEN ROAD), ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2000-2010; 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 5101; Proposed 09-029; Application of O-1 Zoning on 1.16 Acres Located at the Southwest Corner of Kathleen Road and Prine Road (3240, 3250, 3252 and 3260 Kathleen Road) (1st Rdg 5/4/09)

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 1.16 ACRES LOCATED AT THE SOUTHWEST CORNER OF KATHLEEN ROAD AND PRINE ROAD (3240, 3250, 3252 AND 3260 KATHLEEN ROAD) WITHIN THE CITY OF LAKELAND, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKELAND, 1993"; MAKING FINDINGS; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 5102; Proposed 09-030; Small Scale Amendment #SS-09-008 to Future Land Use Map Assigning Land Use to 1.53 Acres Located at 3225 Kathleen Road (1st Rdg 5/4/09, Contd 5/18/09)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-09-008 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 1.53 ACRES LOCATED AT 3225 KATHLEEN ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2000-2010; 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 5103; Proposed 09-031; Application of O-1 Zoning for an Existing Church on 1.53 Acres Located at 3225 Kathleen Road (1st Rdg 5/4/09)

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 1.53 ACRES LOCATED AT 3225

KATHLEEN ROAD WITHIN THE CITY OF LAKELAND, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKELAND, 1993"; MAKING FINDINGS; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 5104; Proposed 09-033; Conditional Use to Allow a Camouflaged Cell Tower on the Campus of the Presbyterian Church in the Highlands, 1010 Lake Miriam Drive (1st Rdg 6/1/09)

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE TO ALLOW A CAMOUFLAGED CELL TOWER ON THE CAMPUS OF THE PRESBYTERIAN CHURCH IN THE HIGHLANDS LOCATED AT 1010 LAKE MIRIAM DRIVE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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.

Bruce Kistler came forward and gave a presentation on the staff recommendation.

Laura Bellflower represented Verizon Wireless. Verizon proposed to add trees on the north boundary of the church's property to help conceal the tower. They proposed to plant 15 trees to help conceal the tower.

The group discussed the camouflaging of the tower.

The number of carriers that could co-locate on this tower had dropped as Verizon dropped the height. The 105 feet would limit enough room for the additional carriers. By reducing the height from 155 to 105, Verizon gave up approximately 25% of the additional coverage.

The group discussed how the ability to co-locate could increase demand for additional towers. That would require zoning approval. Other companies would most like find a different location. Freestanding towers, by right, cannot be placed next to each other. The cellular companies tend to find a way to work within the regulations.

Mayor Fletcher asked for anyone in the audience that wanted to speak.

James Goetz came forward. He did an antenna search on line and there were already 44 towers near this address. He knew the residents near the tower on the golf course were concerned about the resale value of their homes. Other countries had done health studies and cancer around towers had increased by 8%. He asked if it was possible to find a better location and get more coverage.

Carol Castegnero came forward. She felt people do develop cancer from these towers.

The group discussed the public good versus the neighborhood's needs, Verizon's need for additional towers, and the Commission's comfort with frequent shorter towers or fewer taller towers. Staff preferred the more frequent shorter towers. If the Commission wanted to go with taller towers, they would need to redirect staff as two other cell towers were in the planning process.

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.

Ordinance 5105; Proposed 09-034; Repealing Ordinance 5083, Relating to Prohibition Against Open Burning (1st Rdg 6/1/09)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO OPEN BURNING; ADOPTING FINDINGS; REPEALING ORDINANCE NO. 5083, WHICH PROHIBITED OPEN BURNING IN THE CITY OF LAKELAND; PROVIDING FOR SEVERABILITY; 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 5106; Proposed 09-035; Repealing Ordinance 5017; Adopting New Investment Policy for Certain Designated Funds (1st Rdg 6/1/09)

AN ORDINANCE RELATING TO INVESTMENT POLICIES; REPEALING ORDINANCE NO. 5017; ADOPTING AN AMENDED CITY OF LAKE LAND INVESTMENT POLICY, AUTHORIZING AN INCREASE IN INVESTMENT IN CERTAIN CATEGORIES; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Fields 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.

Proposed 09-017; Amending Section 102 of the Lakeland City Code; Providing for Amendments to the Industrial Pretreatment Program (1st Rdg 4/6/09, Contd 4/20/09)

Tim McCausland explained that staff requested the Commission continue this public hearing until July 6, 2009.

Action: Commissioner Verplanck moved to continue the public hearing until July 6, 2009. Commissioner Higgins seconded and the motion carried unanimously.

Miscellaneous

Memo re: Application to Construct Addition onto Dock at 1014 Lake Hollingsworth Drive

This was an application by Frank Fore for the extension of a dock located at 1014 Lake Hollingsworth Drive. Because Lake Hollingsworth was a parkway lake under the City's Land Development Regulations, a public hearing and approval by the City Commission was required before the applicant may proceed with construction.

The proposed addition would add 60 feet in length to the existing dock at this location and terminate in two 4' X 8' platforms on either side of the 5-foot wide deck, forming a "T" at the end. With the addition, the dock would have a total length of 135 feet. The addition would conform in materials and style to the existing structure. Vertical elements of the dock would not exceed 20 inches from the top of the deck. The total surface area would be 997 square feet. The justification for this request was the need

to reach adequate water depths for boat access to Lake Hollingsworth. According to the applicant, recurring low water conditions made it difficult to launch a boat from the existing dock.

The Lakes & Stormwater Division and Community Development Department reviewed the application and had no objections. In addition, the City mailed notice letters to property owners within 250' of the proposed dock and did not receive any objections.

Staff recommended that the City Commission approve the construction of an addition to the existing dock at 1014 Lake Hollingsworth Drive in accordance with the plans and specifications set forth in the applicant's request to the City.

Mayor Fletcher asked for comments and there were none.

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

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER – None

CITY ATTORNEY

Ordinances (First Reading) – None

Resolutions

Resolution 4761; Proposed 09-027; Demolition of Buildings

A RESOLUTION PROVIDING FOR THE ASSESSMENT OF A LIEN AGAINST PROPERTY FOR EXPENSE INCURRED IN THE REMOVAL OF DILAPIDATED AND HAZARDOUS BUILDINGS; 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 Yates, Fields, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Commissioner Wiggs was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously

Resolution 4762; Proposed 09-028; Authorizing Eminent Domain Proceedings – East-West Connector (Edgewood Drive Extension Project)

A RESOLUTION RELATING TO EMINENT DOMAIN: AUTHORIZING EMINENT DOMAIN PROCEEDINGS TO ACQUIRE CERTAIN INTERESTS IN PARTICULAR REAL PROPERTY GENERALLY LOCATED ALONG THE PROPOSED EXTENSION OF EDGEWOOD DRIVE (EDGEWOOD ALLEY CORRIDOR) AND SAN GULLY ROAD BETWEEN SOUTH FLORIDA AVENUE (SR 37) AND HARDEN BOULEVARD (SR 563) FOR THE PURPOSE OF ROAD CONSTRUCTION, MAINTENANCE AND THE DEVELOPMENT OF RELATED FACILITIES AUTHORIZING CONDEMNATION OF THE PROPERTY DESCRIBED HEREIN; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS; 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, Fields, Yates, and Mayor Fletcher voted aye. Commissioner Wiggs was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously.

Resolution 4763; Proposed 09-029; Providing Authority to Participate in Federal Term Asset-Backed Loan Facility Program

A RESOLUTION RELATING TO INVESTMENT POLICIES, AMENDING EXISTING POLICY TO PROVIDE AUTHORITY TO PARTICIPATE IN THE FEDERAL TERM ASSET-BACKED LOAN FACILITY PROGRAM; 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 Yates, Fields, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Commissioner Wiggs was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously

Miscellaneous Reports and Communications

* **Memo re: Consideration of Request for Extension of Closing Date on Lot 4, Lakeland Airpark Subdivision**

The Ruthven Group, who has a contract on Lot 4 in the Lakeland Airpark Subdivision, is requesting a third extension to the closing period for one (1) year, from July 20, 2009 until July 20, 2010. The extension will allow the parties additional time to continue the discussions with the Federal Aviation Agency regarding its desire to have input related to the sales price for Lot 4.

Staff recommended that the City Commission authorize the appropriate City officials to execute the necessary documents to grant this one (1) year extension for the closing period for Lot 4 at the Lakeland Airpark Subdivision.

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

FINANCE DIRECTOR – None

AUDIENCE

Robert Howser, representing the union employees of Lakeland Electric, came forward to discuss the status quo issue.

Doug Thomas recommended the Commission not engage in the conversation outside of the negotiation process.

The Commission did not act on this request.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Designation of Voting Delegate for 2009 Florida League of Cities Annual Conference

Action: Commissioner Higgins moved to appoint Commissioner Wiggs as Lakeland's 2009 Florida League of Cities Voting Delegate. Commissioner Yates seconded and the motion carried unanimously.

Commissioner Yates thanked the young people for their performances at the Coleman Bush Re-dedication .

Commissioner Fields thanked the Coleman Bush boosters for their patience while the City completed that project.

Commissioner Wiggs thanked Doug Thomas and his team for keeping that project on track.

Mayor Fletcher wanted to arrange a tour, as he was unable to attend the ceremony.

Jim Verplanck was happy for Code Enforcement to have a permanent first class facility.

Commissioner Troller thought the Re-dedication was a great event. He also thanked staff and the Sports Marketing Group for their work on the Sunshine State Games. It was a great event happening all around the county.

Recess/reconvene: The Commission recessed at 11:22 a.m. and reconvened at 1:57 p.m.

The Lakeland City Commission reconvened 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.

Resolution 4764; Proposed 09-030; Establishing Fuel Charge Effective July 1, 2009

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES, COMMENCING JULY 1, 2009 AND THEREAFTER; MAKING FINDINGS; REPEALING RESOLUTION 4748; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title. The Utility Committee recommended a charge of \$54.75.

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

Memo re: Agreement with GE Energy and Environmental for Zonal Combustion Monitoring System

This was a proposed Agreement for the purchase and installation of a Zonal Combustion Monitoring System for Unit #3 at the McIntosh Power Plant. The new upper furnace monitoring system would enable the power plant to better balance the boiler oxygen and carbon monoxide (CO) levels to optimize combustion, which would

effectively reduce the amount of nitrogen oxide (NOx), Loss on Ignition (LOI), and excess air in the boiler to improve the heat rate.

Because the technology associated with such a monitoring system was relatively new, few companies had the ability to provide this type of system. The City received two proposals and selected GE Energy & Environmental Research based on the reliability of the equipment, the data available from the system, the ability of the system to function in the boiler control loop and the cost of installation/operation.

The term of this Agreement would be effective upon approval by the City Commission and continue until the complete installation of the equipment, approximately six-months. The total cost of this monitoring system was \$540,000, which included the purchase of the equipment, installation, and applicable warranty coverage.

Staff recommended that the Commission authorize the appropriate City officials to execute this proposed Agreement with GE Energy & Environmental Research on behalf of the City.

Action: The Utility Committee recommended approved of this agreement. The Commission approved unanimously.

CALL FOR ADJOURNMENT – 2 p.m.