

LAKELAND CITY COMMISSION
Regular Session
September 4, 2007

The Lakeland City Commission met in Regular Session on Tuesday, September 4, 2007 in the Commission chambers. Commissioners Glenn Higgins, Dean Boring, 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 – 9:03 a.m.

INVOCATION

Pastor Tim Sizemore of The Lakeland Fellowship offered the invocation followed by the salute to the flag.

PRESENTATIONS

P&R – Lakeland’s Urban Forest (Bill Tinsley, Brian Dick & Larry Leggett)

Commissioner Wiggs asked about the process of removing trees from the right-of-way. Brian explained that after the inspection a contractor removed the tree including the stump.

Brian explained the City diversifies their trees so that if they lose a species, the entire inventory is not lost.

Employee Service Awards

10 Years

Brown, Latrenda R	08-31-1997	Lakeland Electric
Hilliard, Tamika L	08-04-1997	Community Development

20 Years

Bibby, James W	08-24-1987	Lakeland Electric
Ek, Sos	08-10-1987	Public Works
Stewart, Stephen W	08-16-1987	Parks & Recreation

25 Years

Wheatley, Thomas A	08-02-1982	Parks & Recreation
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35 Years

Bradley, Donald E	08-14-1972	Lakeland Electric
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Mayor Fletcher and Doug Thomas presented these awards.

Certified Chief Information Officer Award - Tracy Kirkpatrick

Mayor Fletcher and Doug Thomas presented this award.

EQUALIZATION HEARINGS

Recess: Commissioner Wiggs moved to recess as the City Commission and convene as the Equalization Board. Commissioner Verplanck seconded and the motion carried six to zero. Commissioner Higgins was absent at that time.

Lots Cleaning and Clearing

Orangewood Community Subdivision Infrastructure Improvement

Tim McCausland presented these items to the Commission.

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

Tim McCausland asked for comments.

Stephanie Jackson and Willie Jackson came forward to object to the assessment on their property in the Orangewood Community.

Commissioner Fields explained the history of the property and the reason for the assessment.

Brian Rewis explained that the retention pond was on cycle for mowing four times a year. He hoped to increase that to a monthly cycle next fiscal year.

Doug Thomas explained that the projects improved all the properties in Orangewood.

Vicki Davis of Orangewood spoke against the assessment. She did not see a problem with the drainage in the neighborhood.

Meddleston Clay explained that the problem was that people were not attending the meetings. He understood from the first meeting that the sanitary system was bad and was going to back up into the homes. He was here to support the plan but he thought there needed to be another meeting.

Commissioner Fields was happy to have another meeting to itemize the costs for the community.

Tony Holt asked if he could pay his share as a one-time bill.

Katrina Russell asked why the City put this on the taxes.

Tim McCausland explained that what the Commission just did was assess the lien. Later in the meeting, the Commission will impose the lien on the tax bill.

Doug Thomas explained why these improvements were being assessed to the property owners.

Steve Bissonnette explained the cost of the wastewater was \$200,000 and the stormwater improvement was \$42,000 and the annual mowing was \$2,600.

Commissioner Fields hoped to hold the meeting within the next two weeks.

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

Beautification Awards

- Commercial: 4025 S Pipkin Road – Marcobay Construction
- Residential: 1410 Montrose – George Lewis Jr.

Frankie Martin presented the awards.

PROCLAMATIONS

Constitution Week

CONSENT AGENDA

- * City Commission Minutes 8/20/07
- * Utility Committee 8/20/07
- * Memo re: Waiver of 5:01 p.m. Hearing
- * Memo re: Amendment to Site Agreement with Sprint for Tower Lease at Hemphill Substation
- * Memo re: Approval of Short Listed Electric Power Engineering Firms and Proposed Continuing Contract

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

APPROVAL OF MINUTES (with any amendments)

- * **City Commission 8/20/07**

Action: The Commission approved these minutes on the Consent Agenda.

* **Utility Committee 8/20/07**

Action: The Commission approved these minutes on the Consent Agenda.

Transportation – Airport committee 8/31/07

The Lakeland Transportation-Airport Committee met in the Commission conference room on Friday, August 31, 2007. Members Gow Fields and Glenn Higgins and Chair Jim Verplanck were present. Commissioners Edie Yates, Dean Boring and Mayor Fletcher were also present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Economic Development Coordinator Jason Willey, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne, and City Clerk Kelly Koos were present along with administrative staff.

Commissioner Verplanck called the meeting to order at 9:45 a.m.

REQUEST TO VACATE SEVERAL PORTIONS OF A PUBLIC RIGHT-OFWAY LOCATED NORTH OF OLIVE STREET, SOUTH OF THE CSX RAILROAD and WEST OF BROOKLYN AVENUE.

The Law Office of Frank Comparetto Jr. requested the vacation of several portions of public right-of-way located north of Olive Street, south of the CSX railroad and west of Brooklyn Avenue. The property referenced as the Florida Favorite Fertilizer Plant was located on parcels 232823-100500-002090, 232823-100500-002010, 232823-100500-001010, 232823-100500-003090 and 232823-100500-003010. More specifically, the request entailed the vacation of Montana Avenue, Oregon Avenue, Commerce Street and the accompanying alleys as they lie north of Olive Street. The applicant represented the current property owner who owned all of the properties adjacent to the requested portions of right-of-way to be vacated. This request would accommodate the consolidation of the applicants existing adjacent properties. The various City and private utilities reviewed this request and had no objections to the vacation. However, Lakeland Electric indicated that there were several facilities within the proposed area that would require removal or relocation. The Applicant would have to reimburse the City for the cost to remove and/or relocate any facilities within the area.

The Community Development Department estimated the value of the existing right-of-way to be \$2.00 per sq. ft. Since the subject area contained 47,853 sq. ft. the estimated value of the area was \$95,706. As part of this request, the applicant would like to recognize that this property lies within an existing Superfund site. While there was no apparent liability to the City of Lakeland, the applicant had concerns about the overall redevelopment activities on this site, which also lay within the City's Enterprise Zone. That is an area created to stimulate redevelopment and employment opportunities. With that, the applicant would likely request some type of consideration for a reduction or wavier of fees as established in the City policy governing the vacation of right-of-way.

Staff recommended that the Committee approve the requested 47,853 sq. ft. right-of-way vacation, subject to the conditions established by Lakeland Electric concerning the reimbursement of relocation costs for the existing facilities within the subject area.

He asked Jason Willey to update the committee on this request.

Jason announced that Frank Comparetto Jr. was present representing the applicant.

Mr. Comparetto felt this property did not have a lot of commercial value because it was a superfund. The roads only existed on paper. Those roads had increased the fee for the vacation of right of way. He suggested that these roadways do not have a value of \$2 per sq ft.

Lat Varn updated the committee on what the development plans were for the property. Florida Favorite Fertilizer was a blending plant. The new developer would keep a reduced number of products and do no blending. There would be six materials stored in a warehouse. It would serve as a supply point to other vendors.

The Committee discussed the vacation of the other ROWs, the benefits of the Enterprise Zone and an environmental indemnification for the City.

Recommendation: Commissioner Fields moved to recommend the Commission approve the ROW vacation for \$1 per sq ft, (\$47,853), the re-imbursement cost of the utility relocation and an environmental indemnification for the City of Lakeland. Commissioner Higgins seconded and Commissioner Verplanck concurred.

St Josephs Downtown Project

Jason Willey had been working on this project. Several utilities were unable to move from the New York Avenue area but could work with easements as long as the church built the structures around the easements. Jason explained they were pulling together the utilities to help facilitate the project.

The meeting adjourned at 9:56 a.m.

Action: Commissioner Verplanck presented these minutes and the Commission approved them unanimously.

Municipal Boards & Committees

The Lakeland Municipal Boards Committee met in the Commission conference room on Friday, August 31, 2007. Commissioners Glenn Higgins and Jim Verplanck (members) and Commissioner Dean Boring (chair) were present. Commissioners Edie Yates, Gow Fields and Mayor Fletcher were present. Deputy

City Manager Tony Delgado, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present.

Commissioner Boring called the meeting to order at 9:56 a.m.

Beautification Board:

Recommendation from Brian Dick to reappoint Eileen Clawson whose first term expires August 31, 2007. Her second term would be for three years and will expire August 31, 2010.

Recommendation: Commissioner Verplanck moved to recommend the Commission approve the appointment. Commissioner Higgins seconded and Commissioner Boring concurred.

Citizens' Advisory Committee:

Recommendation from Steve Bissonnette to reappoint the following members:

- Don Conord whose first term expired March 31, 2007. His second term would be for three years and would expire March 31, 2010.
- Barbara Giles whose first term expired April 30, 2007. Her second term would be for three years and would expire April 30, 2010.

Recommendation: Commissioner Verplanck moved to recommend the Commission approve the appointment. Commissioner Higgins seconded and Commissioner Boring concurred.

Historic Preservation Board:

Recommendation from Jim Studiale to reappoint LaBron Taylor and Marlon Lynn whose first terms expire August 31, 2007. Mr. Taylor and Mr. Lynn's second term would be for three years and would expire August 31, 2010.

Recommendation: Commissioner Verplanck moved to recommend the Commission approve the appointment. Commissioner Higgins seconded and Commissioner Boring concurred.

Nuisance Abatement Board:

Recommendation from Mayor Buddy Fletcher to reappoint Arnold Denson whose second term expires August 31, 2007. His third term would be for three years and would expire August 31, 2010.

Recommendation: Commissioner Verplanck moved to recommend the Commission approve the appointment. Commissioner Higgins seconded and Commissioner Boring concurred.

Commissioner Higgins acknowledged that Jessica Hawks was leaving. She was going to work for Summit in their marketing department.

The meeting adjourned at 10:07 a.m.

Action: Commissioner Boring presented these minutes and the Commission approved them unanimously.

REQUESTS TO APPEAR FROM THE PUBLIC

Ron Garl, Airport Tenants Association re Increase in City T-Hangars

Ron Garl came forward to object to the rent increase. He also wanted access to the airport budget and how it was established.

Frank Baker, hangar tenant, objected to the proposed increase. He did not know what they were getting for the increase other than mowing.

Michael Stedham, hangar tenant, asked what they were paying for with the increase. He felt the increase was unreasonable.

Sal Capro, was in the old city t-hangars. He paid a \$50 increase when he moved into the new t-hangars. Now he was facing a new \$50 increase. That was over \$100 in three years. He also objected to the price of fuel at the airport.

Brian Parrish, hangar tenant, said that if the expenses kept increasing, he would be forced out.

Mike Berry, Airport Tenant, felt the increase was unfair. If the rates continued to increase then he would have to go some place else. The price of the fuel had gone up to where they could barely afford to fly the planes.

Doug Thomas gave an over view of the Airport budget. The budget for next year was \$5.2 million. The current budget was available on-line at www.lakelandgov.net.

John DuBose, Manager of Lakeland Linder Regional Airport (LLRA), reviewed the rates of other airports in the local areas. The hangars were paid for with FDOT Economic Development grants. They were granted to assist airports in becoming self-sufficient. FDOT required airports to charge t-hangar rents at or above fair market value. The City waited **too** long to increase the rent. That would be changed in the future.

Commissioner Wiggs asked if airport staff had refused to provide the budget. John DuBose said he had one request for a copy of the budget, which he provided.

Commissioner Wiggs asked if there was a connection between the increase and the maintenance cost for the hangars. John DuBose responded no. He did consider what the rents would have been if a CPI had been in place.

Commissioner Boring asked about the cost of fuel at the airport.

John DuBose explained that Bartow and Zephyrhills act as their own FBO and were able to charge a lower price. Hawthorne was required to stay within 5% of the average. The City may need to review the list of airports that are used to establish that 5%. The City would include an annual CPI going forward for the T-Hangar rents.

Commissioner Wiggs asked if there was support for \$285 monthly rental and then add the CPI.

Doug Thomas asked to be able to calculate those numbers and discuss the issue at the budget hearing.

Jeff Kincard, a T-Hangar tenant and an Airport Advisory Board member, came forward. Nobody wants to see hangar rents go up but he understood that expenses go up and the rents cannot remain the same forever. He was in support of the increase because he wanted to see the Airport prosper in the future. He felt it was a necessary increase.

Ron Garl asked the Commission to postpone the CPI to allow people to adjust to the increase.

Frank Jersey suggested bringing the 1997 hangar prices up to the 2003 hangar prices first and then increasing the hangar rent as a whole. He felt there needed to be preventative maintenance on the hangars.

Mike Berry understood there was a waiting list of 60-80 people wanting a hangar at the airport. He asked if the City planned to build additional hangars.

John DuBose explained there were 60 people on the waiting list for a hangar. FDOT was no longer funding T-hangar construction.

Commissioner Wiggs thought it was a fair request to have preventative maintenance.

Doug Thomas will be discussing that with John DuBose.

Randy Smith, airport tenant, said the tenants were overwhelmed with the increasing expenses.

Action: The Commission did not act on this item.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 4893; Proposed 07-043; Large Scale Amendment #LS-07-004 to Future Land Use Map Assigning Use to Approximately 38 Acres Located East of County Line Road and North and West of Carillon Lakes (1st Rdg 6/4/07, cont 8/20/07)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-004 TO THE FUTURE LAND USE MAP FOR 38 ACRES LOCATED EAST OF COUNTY LINE ROAD AND NORTH AND WEST OF CARILLON LAKES, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Commissioners Yates and Wiggs were absent at that time. Ayes: five. Nays: zero. The motion carried unanimously.

Ordinance 4894; Proposed 07-056; Text Amendment #T-07-001 to the Recreation and Open Space Element and the Capital Improvements Element of the Lakeland Comprehensive Plan to Update Level of Service (1st Rdg 6/4/07, cont 8/20/07)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-07-001 TO THE RECREATION AND OPEN SPACE ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE LEVEL OF SERVICE; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Ordinance 4895; Proposed 07-057; Text Amendment #T-07-002 to the Future Land Use Element of the Lakeland Comprehensive Plan to Update the Concurrency Management System Text and Add Policies to Include Provisions for Proportionate Share (1st Rdg 6/4/07, cont 8/20/07)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-07-002 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE THE CONCURRENCY MANAGEMENT SYSTEM TEXT AND POLICIES TO INCLUDE PROVISIONS FOR PROPORTIONATE SHARE; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Ordinance 4896; Proposed 07-059; Text Amendment #T-07-013 to the Conservation Element of the Lakeland Comprehensive Plan to Add Illustration (1st Rdg 6/4/07, cont 8/20/07)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-07-013 TO THE CONSERVATION ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO ADD ILLUSTRATION; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Ordinance 4897; Proposed 07-060; Text Amendment #T-07-014 to the Future Land Use Element of the Lakeland Comprehensive Plan to Add Policy 8F (1st Rdg 6/4/07, cont 8/20/07)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-07-014 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO ADD POLICY 8F; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Ordinance 4898; Proposed 07-080; Amending Ordinance 3841; Relating to Design Review Criteria for Redevelopment Areas (1st Rdg 8/20/07)

AN ORDINANCE RELATING TO HISTORIC PRESERVATION; AMENDING ORDINANCE 3841; ESTABLISHING SPECIAL CRITERIA FOR REDEVELOPMENT AREAS WITHIN HISTORIC DISTRICTS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Proposed 07-081; Relating to Pole Attachment Licenses (1st Rdg 8/20/07)

AN ORDINANCE RELATED TO POLE ATTACHMENTS; PROVIDING DEFINITIONS; REQUIRING LICENSE FOR EXISTING ATTACHMENTS AND FOR INITIAL, RENEWAL, OR MODIFICATION OF A LICENSE OR RELIEF FROM THIS ORDINANCE; PROVIDING A LICENSE APPROVAL PROCEDURE AND LICENSE FEES; ESTABLISHING STANDARDS FOR INSTALLATION, MAINTENANCE, RELOCATION, IDENTIFICATION AND LOCATION OF ATTACHMENTS; DESIGNATING FINANCIAL RESPONSIBILITY OF LICENSEES; DISCLAIMING CITY'S RIGHTS IN RIGHT-OF-WAY; PROVIDING THERE IS NO ACQUISITION OF PROPERTY RIGHTS BY LICENSEE, NO EXCLUSIVITY AND THAT A LICENSE HEREUNDER IS NOT A LICENSE FOR WIRELESS COMMUNICATION FACILITIES; RESERVATION OF THE CITY'S RIGHTS; PROVIDING FOR A LICENSEE'S LIABILITY INSURANCE AND INDEMNIFICATION; WORKPLACE CONDITIONS; DISCLAIMING ACCURACY OF CITY MAPS; APPROVAL, INSPECTION STANDARDS; POLE ALTERNATIVES; BILLS AND PAYMENT FOR WORK; VIOLATIONS; RIGHT TO APPEAL; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Action: Commissioner Verplanck moved to continue the hearing to September 17, 2007. Commissioner Boring seconded and the motion carried unanimously.

Resolutions

Resolution 4631; Proposed 07-051; Adopting Non-Ad Valorem Assessment Roll for Orangewood Community Subdivision

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ASSESSMENTS; ADOPTING FINDINGS OF FACT; PROVIDING FOR THE LEVY OF A SPECIAL ASSESSMENT AGAINST EACH BENEFITED PARCEL WITHIN THE ORANGEWOOD COMMUNITY SUBDIVISION TO PAY FOR INFRASTRUCTURE IMPROVEMENTS; PROVIDING A SCHEDULE AND TERMS FOR THE REPAYMENT OF SAID ASSESSMENT; ADOPTING A NON-AD VALOREM ASSESSMENT ROLL; ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING THE ASSESSMENT; AUTHORIZING THE CITY ATTORNEY TO CERTIFY THE ASSESSMENT ROLL TO THE TAX COLLECTOR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Resolution 4632; Proposed 07-052; Adopting Non-Ad Valorem Assessment Roll for Lot Clearing and Demolition Special Assessments

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING UNPAID NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED BY THE CITY COMMISSION; ADOPTING FINDINGS OF FACT; ADOPTING A NON-AD VALOREM ASSESSMENT ROLL; AUTHORIZING THE CITY ATTORNEY TO CERTIFY THE ASSESSMENT ROLL TO THE TAX COLLECTOR; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments.

Joan Bertagnoli came forward concerning the assessments on her property.

Tim McCausland read a letter into the record requesting relief of an assessment for Suzie Dyson Johnson, 1027 Martin Luther King Jr. Av.

Action: The Commission wanted a payment arrangement for this property.

Audry Oliver of 235 Crescent Av. objected to the assessment on her property.

Palmer Davis explained that the Commission had already equalized these assessments and the only purpose of the hearing today was to send the liens to the tax collector. If the lien were invalid, the City would issue a credit and instruct the tax collector to remove the lien from the tax bill.

Daryl Gardner of 330 W 9th St. came forward to object to the assessment on his property.

The Commission referred everyone with objections to this resolution to Palmer Davis and instructed Mr. Davis to investigate the validity of each lien.

Brian Rewis, Code Enforcement Manager, came forward re Ms. Bertagnoli's property. He explained that these lot cleanings & clearings occurred over a period of time. The charges

for the demolition were not included today.

Ms. Bertagnoli did not want to meet with Palmer Davis.

Action: Mayor Fletcher called for the vote and upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

CITY MANAGER

Recommendation re: Lakeland Comprehensive Plan - Transportation Element

The City's Comprehensive Plan 2000-2010 Transportation Element was no longer consistent with the recently adopted Polk Transportation Planning Organization (TPO) Long Range Transportation Plan. The City needed to update the Transportation Element to recognize transportation needs that were eligible for State and Federal discretionary funding for economic development or regionally significant transportation projects. Additionally, current and projected transportation conditions required updating due to the rapid growth that the Lakeland Planning Area experience.

In accordance with the City of Lakeland Continuing Contract and Agreement for Planning, Design and Development Services, the City forwarded a request for service to qualified firms to administer the Transportation Update project. The scope of work included:

- * Identification of existing conditions focusing on data collection, mapping and analysis of the conditions currently identified in the Lakeland Planning Area network;
- * Generation of a future needs analysis including factors affecting and addressing projected level-of-service deficiencies;
- * Development and review of current goals, objectives, policies, and outline modifications as necessary;
- * Finalization of future transportation plan and mapping of network data

Staff anticipated project completion in early 2009 to coincide with the update of the City's remaining Comprehensive Plan Elements, including future land use, which was required by 2010. Staff short-listed two firms responding to the request for qualifications: Renaissance Planning Group (RPG), Inc. and GMB Engineers and Planners, Inc. Following consultant team presentations, the Community Development Transportation Element Consultant Selection Team recommended awarding RPG, Inc. the project work and negotiating person-hour fees and fee schedules. In addition to the work required to meet requirements of the Florida Administrative Code, RPG would conduct the following significant planning activities concurrently to address on-going transportation system planning needs in the Lakeland Planning Area:

- * Roadway Functional Classification Update;

- * City Pathways Plan Update and Visioning Process; and
- * Alternatives analysis to determine effectiveness of proposed local/collector road improvements (including southwest Lakeland growth sector)

Staff negotiated a not-to-exceed fee of \$171,100.00 for the primary comprehensive plan services and the additional consultant services. Funding for the consultant work was available in the current Community Development Transportation Element and Planning Consultant Services Budgets.

Staff recommended that the City Commission authorize the appropriate City officials to execute the task authorization with RPG, Inc. under the City of Lakeland Continuing Contract for Planning, Design and Development Services to update the Lakeland Comprehensive Plan Transportation Element and additional service herein outlined for the not-to-exceed fee of \$171,100.00.

Doug Thomas presented this item to the Commission.

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

Recommendation re: Edgewood Drive Extension Project

The City's consultant on the Edgewood Drive Extension Project, TBE Group, Inc. completed 90% construction plans and determined the required right-of-way for the project. The project would extend Edgewood Drive from South Florida Avenue to Harden Boulevard and given the proposed roadway construction award in January 2009, the City needed to commence right-of-way acquisition activities for the affected thirty-five parcels. In accordance with the City of Lakeland Continuing Contract for Right-of-Way Acquisition Professional Services, the Public Works Department solicited proposals from three (3) firms currently designated as qualified. The task authorization would authorize the acquisition firm to provide Project Administration; Title Services; Acquisition Services and Relocation Services.

City staff reviewed and analyzed the submitted proposals and recommended that the City award the task authorization for services associated with the acquisition of right-of-way for the Edgewood Drive Extension project to American Acquisition Group, LLC, Tampa, Florida. Funding for the not-to-exceed fee of \$225,000 was available in the Fiscal Year 2007 Transportation Fund/Edgewood Drive Extension Project.

Staff recommended that the City Commission authorize the appropriate City Officials to execute the task authorization under the Continuing Contract for Right-of-Way Acquisition Professional Services with American Acquisitions Group, LLC for services designated for the Edgewood Drive Extension Project for the not-to-exceed fee of \$225,000.

Doug Thomas presented this item to the Commission.

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

Doug Thomas reminded the Commission the first budget hearing was tonight at 6 p.m.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 07-082; Conditional Use for a Neighborhood Convenience Center on Property Located at 210 West 8th Street

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A NEIGHBORHOOD CONVENIENCE CENTER ON PROPERTY LOCATED AT 210 WEST 8TH STREET; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-083; Conditional Use for a Motor Vehicle Parts and Accessory Store Located at 1580 North Florida Avenue

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A MOTOR VEHICLE PARTS AND ACCESSORY STORE LOCATED AT 1580 NORTH FLORIDA AVENUE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-084; Conditional Use for a Preschool/Childcare Center in Existing Church Facilities Located at 1010 Lake Miriam Drive

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A DAY CARE CENTER IN EXISTING CHURCH FACILITIES ON PROPERTY LOCATED AT 1010 LAKE MIRIAM DRIVE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-085; Establishing PUD Zoning for Warehouse and Office Uses on 166 Acres Located North of Interstate 4, South of the Intersection of North Road 33 and Old Polk City Road

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING ON 166 ACRES LOCATED NORTH OF INTERSTATE 4, SOUTH OF THE INTERSECTION OF NORTH ROAD 33 AND OLD POLK CITY ROAD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-086; Modification of PUD Zoning in Northeast Quadrant of Grasslands

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION OF PUD ZONING FOR AREAS B AND C OF THE NORTHEAST QUADRANT OF OAKBRIDGE; AMENDING ORDINANCE 3432, AS AMENDED BY ORDINANCE 3680; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-087; Establishing Zoning on Property Located South of Lakeland Square Mall, East of Mall Hill Drive, West of Providence Road, and North of Interstate 4

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR ZONING ON 25 ACRES LOCATED SOUTH OF LAKELAND SQUARE MALL, EAST OF MALL HILL DRIVE, WEST OF PROVIDENCE ROAD, AND NORTH OF INTERSTATE 4; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Proposed 07-088; Amending Ordinance 4118; Establishing Revised Stormwater Utility Fee Schedule

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

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 17, 2007.

Resolutions

Resolution 4633; Proposed 07-053; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTY WITHIN THE CITY OF LAKE LAND; PROVIDING FOR THE ASSESSMENT OF LIENS AGAINST SUCH PROPERTY FOR EXPENSES INCURRED IN THE CLEANING AND CLEARING THEREOF; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Proposed 07-054; Vacation of Portions of a Public Right-of-Way Located North of Olive Street, South of the CSX Railroad and West of Brooklyn Avenue

Action: The property owner requested this item be removed from the agenda. The Commission did not act on this item.

Resolution 4634; Proposed 07-055; Establishing Fuel Charge Effective September 4, 2007

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES, COMMENCING SEPTEMBER 4, 2007 AND THEREAFTER; MAKING FINDINGS; REPEALING RESOLUTION 4545; PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Boring moved to approve the resolution. Commissioner Fields seconded.

Mayor Fletcher asked for comments and there were none.

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

Resolution 4635; Proposed 07-056; Accepting Ownership and Maintenance of Dolly Lane

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO TRANSPORTATION; ADOPTING FINDINGS OF FACT; ACCEPTING THE DEDICATION OF DOLLY LANE FOR CITY OWNERSHIP AND MAINTENANCE; PROVIDING FOR THE IMPROVEMENT OF DOLLY LANE TO CITY ROADWAY STANDARDS; PROVIDING FOR THE LEVY OF A SPECIAL ASSESSMENT AGAINST EACH PARCEL ABUTTING DOLLY LANE TO PAY FOR THE NECESSARY IMPROVEMENTS; PROVIDING A SCHEDULE AND TERMS FOR THE REPAYMENT OF SAID ASSESSMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked comments and there were none.

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

Resolution 4636; Proposed 07-057; Authorizing City Manager to Apply for and Enter Into a Highway Beautification Grant Agreement and a Highway Landscape Maintenance Memorandum of Agreement with FDOT

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO APPLY FOR A HIGHWAY BEAUTIFICATION GRANT AND TO ENTER INTO A HIGHWAY LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT AND HIGHWAY BEAUTIFICATION GRANT MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE INSTALLATION AND MAINTENANCE OF LANDSCAPING LOCATED ON A PORTION OF US HIGHWAY 98 NORTH/STATE ROAD 35 AND NORTH FLORIDA AVE BETWEEN EIGHTH STREET AND BELLA VISTA STREET SECTION 161 000 00; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

Memo re: Task Authorization with Black & Veatch for Engineering Services for Construction of Westside Wastewater Treatment Plant

This was a Task Authorization with Black & Veatch to provide engineering and resident services during the construction phase for the Westside Wastewater Treatment Facility. Black and Veatch was the engineering firm chosen to design the Westside Wastewater Treatment Plant. The design criteria was to handle the existing industrial loading with some reserve included and to be capable of being expanded should the need arise. The City Commission previously approved the purchase of a 35-acre site for the construction of the plant, application to the State Revolving Loan Program for a low interest loan, and a Contract for Construction with Vogel Brothers Building Company to construct the plant.

This Task Authorization would permit Black & Veatch to provide Engineering Services during construction. Engineering Services consist of Construction Phase Engineering and Technical Services, and full time Resident Services during the construction period. A detailed outline of services was listed in the Task Authorization and the Consultant's Proposal. The not to exceed costs were as follows:

- Construction Phase Services: \$ 869,300.00
- Resident Services During Construction: \$ 461,700.00
- Total Not to Exceed Cost \$1,331,000.00

Black & Veatch should complete the services under this Task Authorization by June 30, 2009. Staff recommended that the Commission authorize the appropriate city officials to execute this Task Authorization.

Tim McCausland presented this item to the Commission.

Action: Commissioner Verplanck moved to approve the task authorization. Commissioner Boring seconded and the motion carried unanimously.

Memo re: Waiver of 5:01 p.m. Hearing

During the month of September, the Community Development Department will be presenting the Commission with amendments to the Lakeland Comprehensive Plan, which will require at least one hearing after 5:00 p.m. Staff requested that the Commission waive the statutory requirement that at least one of the hearings on these matters be held after 5:00 p.m.

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

Memo re: Amendment to Site Agreement with Sprint for Tower Lease at Hemphill Substation

This was a proposed amendment to the site lease with Sprint PCS at Lakeland's Hemphill substation property. In April of 2004, the City and Sprint entered into an agreement for Sprint to lease ground and tower space at the Hemphill tower site. The deal allowed Sprint to lease 210 square feet of ground space and install up to nine antennas and nine coax lines at the 146' radial on the tower. The price to Sprint was \$10,000 up front costs plus rental at \$2,500.00 per month. The initial term was five (5) years with four (4) – five (5) year renewals.

This Amendment makes the following changes to the Agreement:

1. Increase ground space to 220 square feet;
2. Allow Sprint up to 12 antennas and 15 coax lines (at the same location);
3. Increase rent by \$300.00 per month.

Staff recommended that the Commission authorize the appropriate City Officials to execute the amendment on behalf of the City.

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

Memo re: Renewal of Annual Maintenance Agreement with FDOT

Each year the City enters into an agreement with the Florida Department of Transportation (FDOT) for maintenance of specified FDOT corridors and medians. The maintenance consists of mowing, litter removal, manual weed control, mechanical sweeping, edging and manual sweeping. The renewal of the present agreement, entered into in December 2005, will commence on February 1, 2008 and run until January 31, 2009. The contract provided for a payment to the City of \$207,317.16 to offset costs related to the scope of work. Staff recommended that the appropriate Commission authorize the appropriate City officials to execute the Maintenance Agreement Renewal.

Doug Thomas presented this item to the Commission. He clarified that this agreement did not cover all the City's costs for this maintenance.

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

AUDIENCE – None

MAYOR & MEMBERS OF THE CITY COMMISSION

Commissioner Yates reminded everyone there was a public hearing at 5 p.m. on the FRDAP Grant.

Happy Birthday to Howard Wiggs and Dean Boring

UTILITY – CONSIDERED AFTER 1 PM UTILITY COMMITTEE MEETING

Memo re: Approval of Short Listed Electric Power Engineering Firms and Proposed Continuing Contract

This was a proposed short list of Electric Power Engineering Firms and Continuing Contract. The City issued a request for qualifications to which fifteen (15) firms replied. A selection committee met several times over the past month to select firms with which to enter into a continuing contract for Electric Power Engineering Services. The selection committee short-listed the following firms. They were listed below in ranked order.

- Black & Veatch
- Sargent & Lundy
- Burns & McDonnell Engineering Company, Inc.
- Worleyparsons Group, Inc
- Fred Wilson & Associates, Inc
- Booth & Associates
- Teamworknet, Inc
- Stanley Consultants, Inc
- Jones Edmunds and Associates
- KCI Technologies
- R.W. Beck, Inc.
- HT/DCR Engineering, Inc

The number and diversity of firms offer the City a broad scope of electric power engineering services, experience and competencies. The initial term of the contract would be for three (3) years with an option of two (2) one-year renewals. Staff recommended that the Commission approve the short list and authorize the appropriate City Officials to execute the proposed Continuing Contracts on behalf of the City. A representative contract was attached to the agenda item and is on file in the agenda packet.

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

CALL FOR ADJOURNMENT – 11:50 a.m.

LAKELAND CITY COMMISSION
Public Budget Hearing
September 4, 2007

The Lakeland City Commission met for the Public Budget Hearing on Tuesday, September 4, 2007 in the City Commission chambers. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch and City Clerk Kelly Koos were present.

CALL TO ORDER – 6:03 p.m.

INVOCATION

Mayor Fletcher offered the invocation followed by the salute to the flag.

PUBLIC HEARINGS

Proposed 07-089; Ad Valorem Millage Rate for 2007-2008 Fiscal Year

AN ORDINANCE RELATING TO AD VALOREM TAXATION; ESTABLISHING THE MILLAGE RATE FOR THE CITY OF LAKELAND, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR THE LEVY OF AD VALOREM TAXES; FINDING THE MILLAGE RATE EQUALS THE ROLLED BACK RATE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the proposed ordinance in its entirety.

Proposed 07-090; Appropriations; Budget for 2007 Fiscal Year

AN ORDINANCE RELATING TO APPROPRIATIONS; PROVIDING FOR THE APPROPRIATION OF MONIES FOR THE CITY OF LAKELAND, FLORIDA, FOR VARIOUS PURPOSES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Presentation of Proposed FY 2008 Annual City Budget

Doug Thomas gave this presentation. He began covering the financial challenges, the expenses and the revenues. He then reviewed the FY 2008 Major Budget Initiatives Economic & Community Development, Community Safety, Transportation Services, Environmental & Utility Services, Cultural & Community Services, Parks, Recreation & Properties, Non-Departmental.

The second Public Budget Hearing would be Monday, September 17, 2007 6 p.m.

Audience

Gene Roberts, citizen, asked about the reduced millage. What led to choosing the 3.2 mills? Doug Thomas explained briefly the rollback required by the State. He reviewed for Gene how the City was able to meet the required cuts, through position freezes, vehicle and computer extensions and parks & recreation cuts.

Gow Fields asked Gene Roberts to write the Governor and legislature and ask them to stop passing down unfunded mandates. In the same year, the State said they were going to lower the property taxes the legislature passed bills that would increase property taxes. It is important to hold the legislatures accountable too.

Lori Robbins spoke on behalf of the aviation unit. She asked if she could assume that the aviation unit had survived one year. Doug Thomas explained the budget he had submitted contained the continuation of the aviation unit for the next year.

Catherine Leonard thanked the Commission for keeping the aviation unit, the DARE program and the PAL program and reminded them that they are still residents.

Justin Troller came forward and spoke.

Commissioner Wiggs explained that the State required the cities to cut back 3%, 6% and 9%. The City of Lakeland was kicked into the 9% category because they had raised the millage rate a few years ago for the aviation unit and additional police officers. They did that at the neighborhood associations' request.

Commissioner Yates thanked everyone for taking the time to attend.

Commissioner Fields thanked everyone for being engaged in the process. The City was not their only elected officials. The Citizens had a decision to make in January and that would have an impact on next year. The most important thing was that the citizens remain engaged and communicate with their elected officials.

Mayor Fletcher encouraged the citizens to stay in touch with their state and federal elected officials. People want infrastructure but appreciate the quality of life that Parks & Recreation provides.

Doug Thomas recognized the staff members that worked on the budget books, Finance employees, Department Directors, Kindle Bowden, and his two assistants.

Proposed 07-089; Ad Valorem Millage Rate for 2007-2008 Fiscal Year

Tim McCausland asked for tentative approval for proposed ordinance 07-089.

Action: Commissioner Boring moved to tentatively approve the ordinance. Commissioner Verplanck seconded and upon roll call vote, Commissioners Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

Proposed 07-090; Appropriations; Budget for 2007 Fiscal Year

Tim McCausland asked for tentative approval of proposed ordinance 07-090.

Action: Commissioner Verplanck moved to tentatively approve the ordinance. Commissioner Boring seconded and upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

Commissioner Howard Wiggs warned the citizens that there was going to be an increase in the stormwater utility fee that would have a significant impact on the businesses and the residents.

Commissioner Yates asked them to keep in mind that the Commission had instructed staff to eliminate subsidies from the transportation fund. There was a reason for that increase in that the stormwater fund needed to stand on its own.

CALL FOR ADJOURNMENT – 7:08 p.m.

LAKELAND CITY COMMISSION
Agenda Study Session
August 31, 2007

The Lakeland City Commission met in the Agenda Study Session on Friday, August 31, 2007 in the Commission conference room. Commissioners Dean Boring, Jim Verplanck, Glenn Higgins, Edie Yates, Gow Fields and Mayor Fletcher were present. Commissioner Howard Wiggs was absent. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff.

Mayor Fletcher called the meeting to order at 8:30 a.m.

Tony Delgado covered the Presentations and Requests to Appear from the Public.

John Dubose, Airport Director, reviewed the Rental Increase for the T-Hangars at the Airport.

Automated Red Light Running Program – Tim McCausland explained that Assistant City Attorney Palmer Davis had been researching the issue. The City would move this item up on the legislative agenda.

Tim McCausland covered the Public Hearings

Michael Craig gave an update on proposed ordinance 07-081 relating to pole attachment licenses.

Bill Reed of Verizon spoke. They would like two more weeks to continue negotiations. They did not agree with four specific issues in the ordinance.

Jim Stanfield did not object to another two weeks for the negotiations.

This public hearing will be continued to September 17, 2007.

Tim McCausland covered the Resolutions under Public Hearings that dealt with the adoption of Non-Ad Valorem assessment rolls. He wanted to know how the Commission wanted to handle this situation. People would come forward and claim they never heard about this lien. The Commission felt they needed to allow the people to speak but the City had allowed an opportunity for due process numerous times before this point.

Tim would guide the Commission through the process on Tuesday.

Tony Delgado covered the City Manager portion of the agenda.

Greg James explained the signal at Harden and Old San Gully Rd.

Tony Delgado updated the Commission on the Cultural Assistance Program. The City would provide a grant of \$5,000 to Platform Florida, Education and Enlightenment Group, and Lakeland Concert Band. For budget purposes, he was looking for a "thumbs up" from the Commission as a whole. The Commission concurred.

Tony Delgado thanked the Fire Department and the crews at LE who worked on the substation fire.

Tim McCausland covered the Ordinances (First Reading).

Tim McCausland covered the Resolutions and the Miscellaneous Reports & Communications.

Parks & Recreation Director Bill Tinsley announced a FRDAP Grant public hearing at 5 p.m. on Tuesday, September 4, 2007 to allow the City to be eligible for the grant.

Greg Finch will not make a recommendation on the gas purchase on September 4, 2007, as the market was not conducive at this time.

The meeting adjourned at 9:35 a.m.