

REGULAR SESSION
November 6, 2006

The Lakeland City Commission met on Monday, November 6, 2006 in Regular Session 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

Mayor Fletcher called the meeting to order at 9 a.m.

INVOCATION

Captain Edward Lee of the Salvation Army offered the invocation followed by the salute to the flag.

PRESENTATIONS

Strategic Operating Plan FY2006 Year End Report

Doug Thomas gave this report. It will be available on the webpage within a few days.

Employee Service Awards

<u>10 Years</u>		
Lane, Billy J.	10-06-1996	LPD
Schultz, Pamela R	10-21-1996	Legal
Vidal, Jr., George A.	10-21-1996	LPD
<u>20 Years</u>		
Allison, Timothy A.	10-27-1986	Electric Utilities
Gordon, Lori A.	10-29-1986	Finance
Platt, Jimmy L.	10-31-1986	Information Technology
<u>25 Years</u>		
Henson, Debra A.	10-15-1981	LPD
Kader, Mickey Claude	10-26-1981	Public Works

Beautification Awards

Commercial: 3039 Drane Field Road - Ruthven Business Park

Residential: 2256 Collins Lane - Greg & Christina Sale

Michelle Githens presented these awards. She also directed the public to Lakelandgov.net for Florida Friendly Landscape information.

EQUALIZATION HEARINGS – 9:30 AM

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

Tim McCausland presented the Lots Cleaning & Clearing Assessments for equalization. This equalization roll is on file in the record copy of the agenda packet.

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

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

CONSENT AGENDA

- * City Commission Minutes 10/13/06-10/16/06 with any amendments
- * Utility Committee Minutes 10/16/06 with any amendments
- * Recommendation re: FY 2007 Table of Organization Modifications
- * Memo re: Memorandum of Understanding on the Implementation of a Uniform Transportation Concurrency Management System and Proportionate Fair-Share Program for Polk County
- * Memo re: Grant Agreement with State of Florida Division of Emergency Management for Design of Basin A Stormwater Drainage Improvements in North Lakeland
- * Memo re: Driveway Agreement with Drane Field, LLC for Lot 12 of Parkway Corporate Center
- * Memo re: License Agreement with MGW Development Corporation, LLC for Construction of Parking Lot on Lot 7 of Parkway Corporate Center
- * Appropriation and Increase in Estimated Revenue – Various Funds for FY 2006
- * Appropriation and Increase in Revenue – Budget Carryovers
- * Appropriation for First Tee of Lakeland Annual Grant

Action: Commissioner Wiggs moved to approve the Consent Agenda. Commissioner Verplanck seconded and the motion carried six to zero. Commissioner Yates declared a conflict and that form will be made a part of these minutes.

APPROVAL OF MINUTES (with any amendments)

* **City Commission 10/13/06-10/16/06**

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

* **Utility Committee 10/16/06**

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

Land Acquisition & Disposition Committee 11/03/06

The Land Acquisition & Disposition Committee met on Friday, November 3, 2006 in the Commission conference room. Chairman, Commissioner Higgins and Members Commissioner Boring and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Attorney Tim McCausland, Community Development Director Jim Studiale and City Clerk Kelly Koos were present.

Commissioner Higgins called the meeting to order at 8:02 a.m.

The purpose of this meeting is to discuss the proposed acquisition of the Oxford Lumber Company Property located at 530 West Main Street, Lakeland Florida.

This property recently became available and was important to the future plans for the Lakeland Center. The material considerations were:

1. PROPERTY - The Property consisted of Lots 3, 4, 5, and a portion of Lot 9, and Lots 10, 11, and 12 of Block 1, Lake Beulah Addition. Consisting of just over 2.5 acres, it was divided east and west by a 15' alley. There were several buildings that previously housed other operations of the Oxford Lumber Company.

2. PURCHASE PRICE - The purchase price was for the appraised price of \$950,000.00 or \$8.79 per square foot. The terms were \$600,000.00 down with a note for the balance payable in two years at 3½% interest.

3. LEASE BACK - The City will lease back to Oxford the north half of the block, or Lots 3, 4 and 5, where their retail showroom, specialty lumber storage, and parking was located. The term of the lease was for four years at \$1.00 per year. The tenant was responsible for ad valorem taxes, provided liability coverage, and an environmental indemnification. The south half of the property was subject to an existing lease with Cement Products for three years with an option to renew for an additional three years at \$500.00 per month.

4. DUE DILIGENCE - Prior to closing, the City would perform a boundary survey, obtain a title commitment, and an environmental inspection. Subject to the successful completion of those tasks, closing would occur as soon as practical thereafter, which was estimated to be early to mid December.

The balance of the contract contained the typical terms and conditions. Staff recommended that the Commission authorize the appropriate city officials to execute this Agreement.

Recommendation: Commissioner Boring moved to recommend the Commission approve buying the Oxford Lumber Company located at 530 W Main St. Mayor Fletcher seconded and Commissioner Higgins concurred.

The meeting adjourned at approximately 8:16 a.m.

Commissioner Higgins presented these minutes to the Commission.

Commissioner Higgins has been receiving complaints on the maintenance of the old north side building, now owned by GTE Federal Credit Union. Jim Studiale will ask Code Enforcement to check on the situation.

Tim McCausland expected to close on the Oxford property in thirty days.

The meeting adjourned at approximately 8:16 a.m.

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

Transportation-Airport Committee 11/03/06

The Transportation-Airport Committee met on Friday, November 3, 2006 in the Commission conference room. Members Commissioner Fields and Commissioner Higgins were present. Chairman, Commissioner Verplanck was out of town. Commissioner Boring and Mayor Fletcher were present. City Attorney Tim McCausland, City Manager Doug Thomas, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Jason Willey and City Clerk Kelly Koos were present.

Commissioner Fields called the meeting to order at 8:18 a.m.

The purpose of this meeting was to review the following:

Request to vacate an unimproved public right-of-way known as Poplar Street, generally located west of Lakeland Hills Boulevard, south of N. Florida Avenue and north of E. Edwards Street.

Jason Willey explained the history on this request. The intent was to pass a resolution declaring that according to the original plat there was a perceived 25 ft right-of-way for Poplar Street. The City would vacate their interest in Poplar Street and let the land fall to the law suits between the different neighbors.

Recommendation: Commissioner Higgins moved to recommend the Commission approve the vacation of the unimproved public right-of-way known as Poplar Street. Commissioner Fields concurred.

The meeting adjourned at 8:27 a.m.

Commissioner Fields presented these minutes to the Commission.

Action: Commissioner Fields moved to approve the recommendation. Commissioner Yates seconded and the motion carried unanimously.

PUBLIC HEARINGS

Resolutions

Resolution 4570; Proposed 06-076; Amending the Local Housing Assistance Plan

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA APPROVING THE AMENDMENT TO THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, PROVIDING FOR AN AMENDMENT TO ADOPT THE DISPLACEMENT ASSISTANCE AND THE MY SAFE FLORIDA HOME STRATEGIES; AUTHORIZING THE SUBMISSION OF THE AMENDMENT TO THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; 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, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Commissioner Boring was absent at that time. Ayes: six. Nays: zero. The motion carried unanimously.

Resolution 4571; Proposed 06-077; Amending the Hurricane Housing Assistance Plan

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA APPROVING AN AMENDMENT TO THE HURRICANE HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HURRICANE HOUSING RECOVERY (HHR) PROGRAM, STATE HOUSING INITIATIVES PARTNERSHIP

PROGRAM ACT; AUTHORIZING THE SUBMISSION OF THE AMENDMENT TO THE HURRICANE HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; 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, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

CITY MANAGER

* Recommendation re: FY 2007 Table of Organization Modifications

Over the past 6-months, the Cleveland Heights Golf Club administration has reviewed options to offset the revenue impacts associated with the vacation of "Gosh! Restaurant" from the clubhouse lounge and restaurant. The investigation provided that the restaurant concept, as provided by "Gosh!" was successful in not only extending the visits of the normal clientele (golfers and regular evening patrons), but also brought in many new patrons that traditionally would not have visited the golf course establishment. In an effort to maintain the positive revenue impacts associated with the operation of a specialty restaurant on site, staff began implementing the necessary lounge modifications to open a similar specialty food service operation highlighting new seafood and specialty sandwich based items called "Traps Restaurant." The proposed operation would require the employment of an additional full-time Food Supervisor (Pay Grade 22) and one Regular Part-Time kitchen utility (Cook) employee (Pay Grade 11) to staff the associated extended hours of operation. The proposed salaries for the two new positions were projected to be offset by the revenues of the new restaurant operation based on the historical revenue stream associated with "Gosh!"

Also proposed was the upgrade of the current Credit and Collections Manager position (Pay Grade 54) to an Assistant Customer Billing Manager (projected Pay Grade 56-TBD following a final position audit). The upgraded position would place additional emphasis on the ability to extract, manipulate and analyze data from the City's automated billing system, coupled with additional supervisory responsibilities. Internal staff time would be shifted towards ensuring that the customer deposit policies were refined and administered, with the intent to minimize the dollar value of net uncollected receivables that were ultimately turned over to a collection agency. Associated with this request was the addition of an Account Clerk IV position (Pay Grade 33) to perform the task of continuously monitoring the collection activity. It should be noted that 92% of the cost of the Collections

budget was allocated to funds other than the General Fund; therefore the cost of the reorganization was minimal to the General Fund. Given that the Credit and Collections function manages a \$2 million annual budget (i.e. bad debt expense) coupled with the responsibility for the accurate billing of at least \$35 million in annual revenues, staff believed that the projected incremental costs of the reorganization was warranted.

Lastly, Lakeland Electric historically financed the cost of part-time PPM employee who worked in the City Treasurer's office opening the mail. Being able to schedule this person to perform this task during the busy mail days of the week enabled the City to keep the higher paid Cashiers on duty in their stations. The position was eliminated late in the final stages of the FY 2007 Lakeland Electric Budget process and the Finance Department was desirous of retaining the position as a Part-Time Temporary Office Associate I (Pay Grade 17). The conversion of a PPM position to a Part-Time Temporary position would not change the hourly rate for the subject individual; however it would eliminate PPM overhead charges and when coupled with some incremental pro-rated benefit costs, would still be lower than the historical costs for the position.

Staff recommended that the City Commission authorize the proposed Fiscal Year 2007 Table of Organization modifications to include a full-time Food Supervisor and a Regular Part-Time Kitchen Utility (Cook) employee to be added to the staff of Cleveland Heights Golf Club, the upgrade of the Credit & Collections Manager position to Assistant Customer Billing Manager, an additional Account Clerk IV position in the Collections and the addition of a Part-Time Temporary Office Associate I position in the Treasurer's Office.

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

Miscellaneous Reports and Communications

Doug Thomas gave the executive summary of the Utility Committee of 10/16/06.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 06-087; Relating to the Concurrency Management System and Proportionate Fair-Share Program

AN ORDINANCE OF THE CITY OF LAKELAND, FLORIDA, RELATING TO THE CONCURRENCY MANAGEMENT SYSTEM AND PROPORTIONATE FAIR-SHARE PROGRAM; REPEALING ORDINANCE 4243; ADOPTING THE LAKELAND PROPORTIONATE FAIR SHARE PROGRAM; PROVIDING FOR APPLICATION, PROCESSING AND APPROVAL PROCEDURES; MAKING FINDINGS; ESTABLISHING 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 November 20, 2006.

Proposed 06-088; Change in Zoning on Property Located East of County Line Industrial Park, North and West of Carillon Lakes

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF PROPERTY WITHIN THE CITY OF LAKE LAND LOCATED EAST OF COUNTY LINE INDUSTRIAL PARK, NORTH AND WEST OF CARILLON LAKES, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 1993"; MAKING FINDINGS; 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 November 20, 2006.

Proposed 06-089; Vacating a Portion of Hunter Lane

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF HUNTER LANE, LOCATED SOUTH OF HUNTER STREET, NORTH OF EAST PATTERSON STREET, EAST OF SOUTH NEW YORK AVENUE AND WEST OF SOUTH FLORIDA AVENUE, WITHIN THE CITY OF LAKE LAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; 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 November 20, 2006.

Resolutions

Resolution 4572; Proposed 06-078; Lots Cleaning & 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 Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

Resolution 4573; Proposed 06-079; Vacating Poplar Street

A RESOLUTION RELATING TO PUBLIC RIGHT-OF-WAY; DECLARING INTENTION TO ADOPT AN ORDINANCE VACATING POPLAR STREET LOCATED SOUTH AND EAST OF NORTH FLORIDA AVENUE, WEST OF LAKE LAND HILLS BOULEVARD, AND NORTH OF CAROL DRIVE, WITHIN THE CITY OF LAKE LAND; 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 Yates, Fields, Wiggs, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

Miscellaneous Reports and Communications

- * **Memo re: Memorandum of Understanding on the Implementation of a Uniform Transportation Concurrency Management System and Proportionate Fair-Share Program for Polk County**

This was a proposed Memorandum of Understanding (MOU) between the Polk Transportation Planning Organization (TPO), Central Florida Regional Planning Council (CFRPC), FDOT, and various local municipalities of which Lakeland was one. The purpose of the MOU was to develop, implement and maintain a Concurrency Management System for Polk County to monitor travel conditions and transportation levels of service for the County and provide technical assistance to local governments in connection with same. It also provided for the implementation and application of a Transportation Proportionate Fair-Share Program again aimed at improving and maintaining travel needs and to provide for incremental contributions to transportation facility improvements.

Staff recommended that the Commission authorize the appropriate city officials to execute this Memorandum of Understanding.

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

Memo re: Outside Legal Fees

Following are legal fees and expenses paid to outside law firms July - September of 2006 along with a comparison from the same time frame for 2005 and a comparison of this

fiscal year to last. You will note an increase in FY2005-2006 from the prior fiscal year largely due to an increase in bond activity during this period.

Gray Robinson	Miscellaneous Personal Injury Defense, Eminent Domain & Other Litigation	\$47,229.85
Holland & Knight	Bond Counsel	\$147,172.50
Hopping, Green & Sams	Regulatory Compliance	\$1,706.30
John & Hengerer	Miscellaneous Regulatory Matters with FERC	\$675.24
Putnam & Creighton, P.A.	Miscellaneous Real Estate Matters	\$1,610.00
Ross, Vecchio, & Trussel P.A.	Miscellaneous Workers Comp Defense	\$52,782.23
Ruden, McClosky, Smith, Schuster & Russell, P.A.	Counsel Relating to Union Negotiations	\$7,194.32
JULY - SEPTEMBER 2006 TOTAL		\$258,370.44
JULY - SEPTEMBER 2005 TOTAL		\$105,652.54
FY 2004-2005		\$583,606.84
FY 2005-2006		\$871,831.74

Action: The Commission did not act on this item.

- * **Memo re: Grant Agreement with State of Florida Division of Emergency Management for Design of Basin A Stormwater Drainage Improvements in North Lakeland**

This item was a sub grant Agreement with the State of Florida Division of Emergency Management awarding the City FEMA grant funding for the design of improvements to the existing drainage system serving Basin A in north Lakeland. The City Commission recently approved a similar agreement with the Division of Emergency Management for improvements to Basin C, immediately to the east of Basin A. Basin A roughly encompassed the area east of Market Square Shopping Center and west of Cullman Drive and the Robson Street Bridge. The Agreement was for funding of Phase I of the project, which would involve completion of the design, permitting and geotechnical surveying necessary to determine modifications needed to improve and upgrade the existing system and to develop construction plans. No construction was involved in this phase. Total estimated project costs for Phase I were \$111,830.00, with a required 25% local match, for a total City contribution of \$27,957.00 and a FEMA contribution of \$83,873.00. Upon completion of Phase I, the City would be eligible for Phase II construction funding.

Staff recommended that the Commission authorize the appropriate City officials to execute the Agreement.

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

- * **Memo re: Driveway Agreement with Drane Field, LLC for Lot 12 of Parkway Corporate Center**

This was an agreement with Drane Field, LLC (“Drane Field”) conveying a portion of a lift station site to Drane Field in order to facilitate access to Lot 12 of Parkway Corporate Center. As background, when Parkway Corporate Center was platted, a lift station site was dedicated to the City at the northwest corner of Lot 12. The City operated a lift station at this location which was served by a driveway off of South Pipkin Road. Because of the number and proximity of driveway cuts off of South Pipkin Road, Drane Field was unable to obtain a permit for another driveway to serve Lot 12. Drane Field has approached the City requesting authorization to share the City’s driveway they could access their lot. The City’s Wastewater Division reviewed the request and did not object to such an arrangement provided Drane Field agreed to make certain improvements to the overall site.

Under the Agreement, the City would quit claim the portion of the site containing the driveway to Drane Field and would reserve a perpetual ingress/egress easement as well as receive an additional easement over Drane Field’s property in order to access the lift station facility. Drane Field would also construct improvements to the site, including fencing and paving, in order to facilitate the City’s access to and use of its facility. Drane Field additionally agreed to indemnify the City from and against all incidents occurring on the shared driveway.

Staff recommended that the Commission authorize the appropriate City officials to execute the Agreement.

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

*** Memo re: License Agreement with MGW Development Corporation, LLC for Construction of Parking Lot on Lot 7 of Parkway Corporate Center**

This was a License Agreement with MGW Development Corporation, LLC granting MGW a license to construct a parking lot over a portion of their property encumbered by a City drainage easement. A drainage easement was dedicated to the City over Lot 7 of Parkway Corporate Center at the time this development was platted. MGW desired to construct a warehouse/office facility on Lot 7 but did not have sufficient space on the property for the required parking without utilizing the area encumbered by the City’s easement. Under the attached Agreement, the City would grant MGW a license to construct a parking lot over the drainage easement. MGW, in turn, would install two 39” reinforced concrete pipes to replace the open ditch currently in place. The Agreement was structured to give the City broad rights to require modifications to the parking lot and pipes at MGW’s expense in the event alterations or repairs were necessary.

Staff recommended that the Commission authorize the appropriate City officials to execute the Agreement.

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

Memo re: Contract for Sale and Purchase - Oxford Lumber Company

Commissioner Higgins presented this item to the Commission as the Land Acquisition & Disposition Committee minutes.

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

FINANCE DIRECTOR

*** Appropriation and Increase in Estimated Revenue – Various Funds for FY 2006**

Throughout the fiscal year, the City receives various donations from private individuals that are designated for expenditure on specific projects or operating expenses, at the donor's request. These donations are not included in the original operating budget of the City, because the dollar value cannot be anticipated at the time of budget development. The City also receives reimbursement for certain types of expenses, most notably the reimbursement for overtime duties performed by Lakeland Police Officers. These reimbursements and the associated expenses are not included in the original operating budget of the City, because they cannot be forecasted accurately. The budgeting practice adopted by the City for these types of transactions was to present such donations and expense reimbursements to the City Commission semi-annually, at which time the operating budgets were amended accordingly.

Staff requested that the City Commission authorize an increase in estimated revenue and matching appropriation to the various operating budgets of the City as required based on the listing of donations and expense reimbursements received for the six month period April 1, 2006 through September 30, 2006. This list is on file in the agenda packet.

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

*** Appropriation and Increase in Revenue – Budget Carryovers**

As the Finance Department closes one fiscal year and opens another, they complete a list (on file in the agenda packet) of carryover projects and supplemental appropriations and submit it for approval by the City Commission. Approval of the list would provide budgets for continuing projects which overlap fiscal years. The City Manager's Office has approved the following list of carryover accounts / projects. The balances were preliminary and would be finalized after all year-end accounting adjustments were posted.

Staff requested that estimated revenues be increased where applicable and that funding for the accounts / projects as listed be appropriated retroactive to October 1, 2006.

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

*** Appropriation for First Tee of Lakeland Annual Grant**

On November 4, 2002, the City Commission committed to an annual contribution of \$50,000 for five years to the First Tee of Lakeland. The grant was a necessary component for United States Golf Association support and annual funding from the association to create the First Tee of Lakeland which is managed by the Lakeland Area YMCA. In addition to the City grant, the First Tee program received a generous lease arrangement for the Par Three Golf Course from Publix Supermarkets, Inc. as well as numerous local individual and numerous corporate donations. Since its inception, the program has offered life skill programming to hundreds of Lakeland area children, many whom would not have this opportunity without the scholarships provided by the program and has gained national recognition from the USGA and The First Tee National Association. The fourth installment payment of \$50,000 will require an appropriation from FY 2007 General Fund Unappropriated Surplus.

Staff recommended that the City Commission authorize the appropriate City officials to appropriate \$50,000 from the FY 2007 General Fund Budget Unappropriated Surplus.

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

AUDIENCE

Michael Wiener asked how the items on Consent were approved. Mayor Fletcher explained that they were discussed on Friday at the Agenda Study Session. Because no one objected, they were approved on consent.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Higgins represented the City at Arts on the Park on Friday. Downtown Munn Park was vibrant. It was his privilege to present those awards.

Commissioner Wiggs reminded everyone to go and vote.

Doug Thomas asked about salary for the Manager and Attorney
Mayor Fletcher asked from comments from the group.

Action: Commissioner Higgins moved to increase the City Manager and City Attorney salary by a 3% COLA and a 4% merit increase effective 10/01/06. Commissioner Boring seconded and the motion carried unanimously.

Recess: The Commission recessed at 10:07 a.m. They planned to reconvene after the Utility Committee meeting adjourned.

Reconvene: Commissioner Wiggs moved to adjourn as the Utility Committee and reconvene as the City Commission at 2:39 p.m. Commissioner Boring seconded and the motion carried unanimously.

The Lakeland City Commission reconvened on Monday, November 6, 2006 in Regular Session in the Commission chambers. Commissioners Glenn Higgins, Dean Boring, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. Commissioner Verplanck was absent. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch and City Clerk Kelly Koos were present.

Memo re: Software License and Maintenance Agreement with Itron, Inc. for Load Research Software

The Utility Committee recommended the approval of this item.

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

Memo re: Task Authorization with TJR Consulting for Unit #3 Low NOx Burners and Over-Fire Air Equipment

The Utility Committee recommended approval of this item.

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

Memo re: Agreement with Steam Turbine and Maintenance, Inc. for Repair of Unit 2 Rotors

The Utility Committee recommended approval of this item.

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

CALL FOR ADJOURNMENT – 2:41 p.m.

Ralph L. Fletcher, Mayor

Kelly S. Koos, CMC, City Clerk

AGENDA STUDY SESSION
November 3, 2006

The Lakeland City Commission met in the Agenda Study Session on Friday, November 3, 2006 in the Commission conference room. Commissioners Edie Yates, Gow Fields, Dean Boring, Glenn Higgins and Mayor Fletcher were present. Commissioners Howard Wiggs and Jim Verplanck were out of town. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, City Clerk Kelly Koos and administrative staff were present.

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

Doug Thomas covered the preliminaries.

Nyla Campbell presented Proposed Resolutions 06-076; and 06-077.

Recommendation re: FY 2007 Table of Organization Modifications

Gosh! had closed at The Heights. Staff proposed adding 2 positions for the new restaurant that the City was opening in that space.

The second part of this item was an upgrade of the Credit & Collection Manager to an Assistant Customer Billing Manager. It would also add an Account Clerk IV position. The City had been focusing on collections and the income would pay for the position. The Assistant Manager position would be part of the succession planning program.

The last position had to do with PPM. LE dropped a part-time contract employee from their budget that the Treasurer's Officer utilized. The Treasurer's Office needed the position and wanted to include a part-time temporary position in this budget. The City would save money by dropping the PPM up charge.

Verbal:

Doug Thomas pointed out the section for the Utility Committee. He asked the Commission if they wanted to continue the executive summary of the Utility Committee. The consensus was to drop the summary.

Doug Thomas distributed monthly updates on traffic issues in Lakeland.

Tim McCausland asked for guidance about items to be placed under the Utility Section. Should those items be on the Consent Agenda?

The consensus was to check with the UC re meeting times, dollar thresholds and the consent agenda.

Tim McCausland covered the City Attorney agenda.

Proposed 06-088; Change in Zoning on Property Located East of County Line Industrial Park, North and West of Carillon Lakes

City entered an agreement to sell this property to the Ruthvens. The deal was the Ruthvens would take down parcels as they were ready to develop. The Ruthvens were approaching the need to develop this property. They would like the property to be zoned industrial. The residents of Carillon Lakes showed up in opposition to that change. The real land use issue was that that was property that was adjacent to industrial property. There was only one road into the property that went through industrial property. This ordinance assigned a PUD designation with I-2 uses.

Jim Studiale explained that Aqua Clean was a high industrial use I-3. They were zoned in 1993. They opened in 1996, all of that long before Carillon Lakes.

Tim McCausland explained that a further complication was that the Ruthvens were told the property was zoned I-3 when they entered the contract.

Memo re: Contract for Sale and Purchase - Oxford Lumber Company

The Land Acquisition Committee approved this item this morning. Approving this transaction would include an implied appropriation.

Tim McCausland offered the following verbal:

Negotiation of new cable franchise ordinance – Michael Craig had been working on this item for months now. The relationship between local governments and cable providers were traditionally not positive through out the State. Lakeland planned to maintain the same approach they used in the past.

Appropriation for First Tee of Lakeland Annual Grant

The Commission would like an update from First-T on the program.

The meeting adjourned at 9:57 a.m.

CITY MANAGER/CITY ATTORNEY REVIEW WORKSHOP

November 3, 2006

The Lakeland City Commission met for the City Manager/City Attorney Review on Friday, November 3, 2006 in the Commission conference room. Commissioners Edie Yates, Gow Fields, Dean Boring, Glenn Higgins and Mayor Fletcher were present. Facilitator Larry Ross, City Manager Doug Thomas, City Attorney Tim McCausland, Deputy City Manager

Tony Delgado, City Clerk Kelly Koos, Communications Director Kevin Cook and Diane Allen of The Ledger were present.

Mayor Fletcher called the meeting to order at 10:12 a.m.

Larry reviewed the averages for Doug's review first.

The group discussed

- Communications to the Neighborhood Associations
- One on One Meetings.

City Attorney Portion

Larry Ross reviewed the averages for Tim's review.

The group discussed:

- An outside review of leases and contracts.
- Community Relations category should be relabeled

The group discussed the evaluation process.

Larry Ross asked the Commission what was not being evaluated and what changes they would like to see to the process.

Compensation Discussion

Doug distributed a memo to the group for their review and recommendation. The Commission planned to take action on their salaries on Monday.

The meeting adjourned at 11:05 a.m.

Ralph L. Fletcher, Mayor

Kelly S. Koos, CMC, City Clerk