

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**June 1, 2004**

The Lakeland City Commission met 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 Mike Brossart, and City Clerk Kelly Koos were present.

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 9:03 a.m.

**INVOCATION**

Pastor Alonzo Watkins of Refuge Church of our Lord offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Community Development – Sector Planning (Jim Studiale and Bruce Kistler)**

**Employee Service Awards**

enter table

Mayor Fletcher and Doug Thomas presented these awards.

**Beautification Awards**

Commercial: 1015 Sikes Blvd ~ Florida Baptist Children's Home  
Residential: 723 Orange Park St ~ Evelyn Hall Bark

Frankie Martin and Eileen Claussen presented these awards.

**Certified Municipal Clerk Designation**

FACC District Director Teresa McMaster presented this certification to Debbie Cason.

**Advanced Institute for Elected Municipal Officials Certificate – Commissioner Wiggs**

Mayor Fletcher presented this certificate to Commissioner Wiggs.

**PROCLAMATIONS**

## **Code Enforcement Officer's Week**

Mayor Fletcher presented this proclamation to Brian Rewis and the Code Enforcement staff.

### **CONSENT AGENDA**

- \* City Commission 05/18/07-05/21/07
- \* Utility Committee 05/21/07
- \* Memo re: Vacation of a Portion of a Sanitary Sewer Easement
- \* Appropriation – Fleet Management Fund

**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 05/18/07-05/21/07**

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

- \* Utility Committee 05/21/07

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

### **REQUESTS TO APPEAR FROM THE PUBLIC**

#### **Alice Hunt and Mike Hickman presenting PCBA Foundation Video re Noah's Nest Project**

Alice Hunt introduced Mike Hickman. Florida Home Builders is working to establish chapters in the school to introduce students to this career field. They have established 60 chapters statewide. They are nationally trademarked and based in Tallahassee. There are 10 chapters in Polk County.

Alice introduced a video on the Noah's Nest project.

### **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 unanimously.

Assistant City Attorney Michael Craig presented the lot clearing assessments to the Board.

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

Steven Lukin came forward to contest the assessment for job # 07-0075

Brian Rewis recommended the Commission pull the item from the roll. He explained that Mr. Lukin did not get notice and Brian would issue a credit.

**Amended Motion:** Commissioner Verplanck moved to approve the assessments with the removal of Job No. 07-0075. Commissioner Yates seconded and the motion carried unanimously.

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

## **PUBLIC HEARINGS**

### **Ordinances (Second Reading)**

**Ordinance 4859; Proposed 07-041; Amending the City of Lakeland Employees' Pension Plan to Provide for Retroactive Benefit for Disability Retirement (1st Rdg 5/21/07)**

AN ORDINANCE RELATING TO THE CITY OF LAKELAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 23.4.7 OF ARTICLE II OF DIVISION II OF THE CHARTER OF THE CITY OF LAKELAND, FLORIDA; RELATING TO DISABILITY RETIREMENT; PROVIDING FOR RETROACTIVE PAYMENT OF BENEFITS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Michael Craig 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.

### **Ordinances (First Reading)**

**Proposed 07-042; Annexation of Property Located North of Griffin Road, South of Sleepy Hill Road, East of the CSX Railroad and West of Mall Hill Road**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 74.78 ACRES LOCATED NORTH OF GRIFFIN ROAD, SOUTH OF SLEEPY HILL ROAD, EAST OF JULIA COURT AND WEST OF MALL HILL ROAD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on this ordinance.

Mayor Fletcher asked for comments and there were none.

**Action:** The Commission did not act on this ordinance. It will return for the second reading and public hearing on June 18, 2007.

**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**

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 LAKE LAND 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.

Michael Craig read the short title. He announced the public hearing. The Commission would not take action today. Anyone wishing to speak should provide their name and address for the record.

Celeste Deardorff introduced Rick Perez, senior planner, of Community Development.

Rick Perez gave a brief presentation on this ordinance. This ordinance was exempt from review by the Department of Community Affairs (DCA).

Mayor Fletcher asked for comments and there were none.

**Action:** The Commission did not act on this item.

**Proposed 07-044; Annexation of Approximately 44 Acres Located East of S.R. 572 (Airport Road) and Gay Road, South of C.R. 542 (Old Tampa Highway)**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 44 ACRES LOCATED EAST OF S.R. 572 (AIRPORT ROAD) AND GAY ROAD, SOUTH OF C.R. 542 (OLD TAMPA HIGHWAY); FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title. He explained this item would return June 18, 2007.

Celeste Deardorff had no comment on the annexation ordinance.

**Action:** The Commission did not act on this item.

**Proposed 07-045; Large Scale Amendment #LS-07-006 to Future Land Use Map Assigning Use to Approximately 44 Acres Located East of S.R. 572 (Airport Road) and Gay Road, South of C.R. 542 (Old Tampa Highway)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-006 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 44 ACRES LOCATED EAST OF S.R. 572 (AIRPORT ROAD) AND GAY ROAD, SOUTH OF C.R. 542 (OLD TAMPA HIGHWAY), ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKE LAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on this ordinance.

Mayor Fletcher asked for comments and there were none.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-046; Change in Zoning on 43.95 Acres Located East of the Intersection of Gay Road and Airport Road**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 43.95 ACRES OF RECENTLY ANNEXED PROPERTY LOCATED EAST OF THE INTERSECTION OF GAY ROAD AND AIRPORT ROAD WITHIN THE CITY OF LAKE LAND, 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.

Michael Craig read the short title. He explained this was the first reading and a public hearing for public comment.

Celeste Deardorff did not have a comment on this item.

**Action:** The Commission did not act on this item.

**Proposed 07-048; Large Scale Amendment #LS-07-007 to Future Land Use Map Assigning Use of Approximately 13.3 Acres Located West of Kathleen Road and North of Griffin Road**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-007 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 13.3 ACRES LOCATED WEST OF KATHLEEN ROAD AND NORTH OF GRIFFIN ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title. He explained this was a public hear and the appropriate action would be a motion to transmit.

Celeste Deardorff gave a brief presentation on this ordinance.

Mayor Fletcher asked for comments and there were none

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-050; Large Scale Amendment #LS-07-008 to Future Land Use Map Assigning Use to Approximately 19 Acres Located on North Griffin Road, West of Mall Hill Road and East of Kathleen Road (1906 Griffin Road)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-008 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 19 ACRES LOCATED NORTH OF GRIFFIN ROAD, WEST OF MALL HILL ROAD AND EAST OF KATHLEEN ROAD (1906 GRIFFIN ROAD), ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff made a brief presentation on the ordinance.

Mayor Fletcher asked for comments and there were none.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-051; Change in Zoning on 19 Acres Located at 1906 Griffin Road**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 19 ACRES OF RECENTLY ANNEXED PROPERTY LOCATED AT 1906 GRIFFIN 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.

Michael Craig read the short title.

Mayor Fletcher asked for comments and there were none.

**Action:** The Commission did not act on this ordinance.

**Proposed 07-052; Annexation of Approximately 437.8 Acres Located North of Ewell Road and West of Yates Road**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA, THAT CERTAIN 437.8 ACRES LOCATED NORTH OF EWELL ROAD AND WEST OF YATES ROAD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on the land use, which was proposed ordinance 07-053.

**Proposed 07-053; Large Scale Amendment #LS-07-010 to Future Land Use Map Assigning Use to Approximately 437.8 Acres Located North of Ewell Road and West of Yates Road**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-010 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 437.8 ACRES LOCATED NORTH OF EWELL ROAD AND WEST OF YATES ROAD, ATTACHED TO

ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title. was a public hearing and asked for comments on proposed ordinances 07-052 and 07-053.

Mayor Fletcher asked from comments on either ordinance. There were none.

**Action:** Commissioner Verplanck moved to transmit proposed ordinance 07-053 to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-054; Annexation of Approximately 166 Acres Located Northeast of the I-4 and State Road 33 Interchange within the Green Swamp Area of Critical State Concern**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA, THAT CERTAIN 166 ACRES LOCATED NORTHEAST OF THE I-4 AND STATE ROAD 33 INTERCHANGE WITHIN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title. He announced this was a public hearing and asked for comment. There was none.

**Action:** The Commission did not act on this item.

**Proposed 07-055; Large Scale Amendment #LS-07-012 to Future Land Use Map Assigning Use to Approximately 166 Acres Located Northeast of the I-4 and State Road 33 Interchange within the Green Swamp Area of Critical State Concern**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-07-012 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 166 ACRES LOCATED NORTHEAST OF THE I-4 AND STATE ROAD 33 INTERCHANGE WITHIN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Mayor Fletcher asked for comments and there were none.

Rick Perez, senior planner, made a brief presentation on this ordinance. This was a non-exempt comprehensive plan issue and staff recommended the Commission transmit it to

DCA. This was part of the Williams DRI.

Mayor Fletcher asked for comments.

Commissioner Verplanck asked about the fact the property was not contiguous to the city limits. It would be contiguous in 2008 after the Williams property annexed.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**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**

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.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on this ordinance. She asked for any questions.

Commissioner Wiggs asked why they were moving in this direction when the City had already identified that they cannot fund the parks needed today.

Doug Thomas explained this was a timing issue. They did expect to have to make an adjustment after the property tax issue was settled but the Parks & Recreation Master Plan was the only document to measure by at this time. That was the only number they had to rely on at this time and they needed to keep this process moving forward.

Commissioner Fields confirmed that until there was a new set of standards, staff would have to operate by the numbers in the Parks Master Plan.

Mayor Fletcher asked for comments and there were none.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**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**

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.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on this ordinance.

Mayor Fletcher asked for comments and there were none

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-058; Text Amendment #T-07-005 to the Intergovernmental Coordination Element of the Lakeland Comprehensive Plan to Update The Certification Area Illustration**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A TEXT AMENDMENT #T-07-005 TO UPDATE THE CERTIFICATION AREA ILLUSTRATION WITHIN THE INTERGOVERNMENTAL COORDINATION ELEMENT TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010, AS ADOPTED BY ORDINANCE 4140; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff made a brief presentation on this ordinance.

Mayor Fletcher asked for comments and there none.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-059; Text Amendment #T-07-013 to the Conservation Element of the Lakeland Comprehensive Plan to Add Illustration**

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.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation.

Mayor Fletcher asked for comments and there were none.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-060; Text Amendment #T-07-014 to the Future Land Use Element of the Lakeland Comprehensive Plan to Add Policy 8F**

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.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation. This was exempt and did not require action today.

Michael Craig explained that items 15, 16, 18, and 19 (proposed ordinances 07-056, 07-057, 07-059 and 07-060) did not require commission action and would not be transmitted to DCA.

Mayor Fletcher asked for comments.

Commissioner Wiggs asked about flexibility within the PUD.

Celeste Deardorff explained there was some flexibility and it would only apply to residential.

Mayor Fletcher asked for comments and there were none.

**Proposed 07-061; Text Amendment #T-07-015 to the Future Land Use Map to Update Policy X11 relating to the Green Swamp Area of Critical State Concern (ACSC)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A TEXT AMENDMENT #T-07-015 TO THE FUTURE LAND USE ELEMENT TO UPDATE POLICY X11 RELATING TO THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010, AS ADOPTED BY ORDINANCE 4140; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff explained this was non-exempt and was subject to state review because it dealt with a critical area, Green Swamp. She gave a brief presentation.

Mayor Fletcher asked if this could be used for residential development in the Green Swamp.

Celeste Deardorff explained this could be used for any type of development in the Green Swamp. The City's regulations were more stringent than the state. The staff at the state level had changed. This might allow for 1 or 2 acres of impact for development. Permission would not be permitted without SWFWMD approval.

**Action:** Commissioner Verplanck moved to transmit the ordinance to DCA. Commissioner Boring seconded and the motion carried unanimously.

**Proposed 07-062; Proposed Changes to the Land Development Regulations**

AN ORDINANCE RELATING TO LAND DEVELOPMENT REGULATIONS; ADOPTING VARIOUS AMENDMENTS TO THE CITY OF LAKELAND LAND DEVELOPMENT CODE; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Bruce Kistler made a brief presentation on this ordinance.

The group discussed the low-density housing in the area and Lakeland's cell tower restrictions.

Mayor Fletcher asked for comments and there were none.

**Action:** The Commission did not act on this item.

**Proposed 07-063; Small Scale Amendment #SS-07-003 to Future Land Use Map Assigning Use to 7.37 Acres Located at Highway 33 North Approximately 1,360 Feet East of Lake Luther Road**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-07-003 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 7.37 ACRES LOCATED AT HIGHWAY 33 NORTH APPROXIMATELY 1,360 FEET EAST OF LAKE LUTHER ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2000-2010; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

Celeste Deardorff gave a brief presentation on this ordinance. The State would not review the ordinance unless there was an objection. This was land owned by the City. The property no longer qualified as an NAC because it was not at an intersection of any road.

Mayor Fletcher asked for comments and there were none.

**Action:** The Commission did not act on this item.

**CITY MANAGER**

**Recommendation re: Beacon Road/Lincoln Avenue Intersection Improvement Project**

On May 2, 2007, the City received four sealed bids for the construction contract associated with the Beacon Road/Lincoln Avenue Intersection Improvement Project. The project consisted of the following components:

1. Installation of traffic signal;
2. Construction of left-turn lanes in all quadrants of the intersection;
3. Drainage improvements;
4. Intersection resurfacing;

A tabulation of the received bids were as follows:

<u>Contractor</u>	<u>Office Location</u>	<u>Bid Amount</u>
Lane Construction	Meriden, CT	\$1,588,042.00
Gibbs & Register, Inc.	Winter Garden, FL	\$1,578,042.00
A&M SI Construction, Inc.	Orlando, FL	\$1,642,000.00
Kamminga & Roodvoets, Inc.	Tampa, FL	\$1,283,339.50

The City's project consultant, Chastain-Skillman, Inc., and Lakeland Public Works staff evaluated the bids and agreed that Kamminga & Roodvoets, Inc. represented the most qualified bidder, which fully met the requirements of the specifications. The Engineer's cost estimate for this bid was \$1,514,000. The City issued a Notice of Intent to Award to

Kamminga & Roodvoets. The contract term was 270 days with construction proposed to commence in July 2007. The City would fund this contract through the Transportation Fund (impact fees and gas tax).

Staff recommended that the City Commission authorize the appropriate City officials to execute the contract with Kamminga & Roodvoets, Inc. to construct the Beacon Road/Lincoln Avenue Intersection Improvement Project for the fee of \$1,283,339.50.

Doug Thomas presented this item to the Commission.

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

## CITY ATTORNEY

### Resolutions

#### **Resolution 4614; Proposed 07-034; Lots Cleaning and Clearing**

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

Michael Craig read the short title and asked for approval with the removal of Job No. 07-0075.

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

#### **Resolution 4615; Proposed 07-035; Amending and Restating Resolution 4569 to Amend Terms of a Previously Authorized Letter of Credit**

A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA, AMENDING AND RESTATING IN ITS ENTIRETY RESOLUTION NO. 4569 ADOPTED BY THE CITY ON OCTOBER 16, 2006; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

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

## **Miscellaneous Reports and Communications**

### **Memo re: Application for Dock at 412 East Belvedere Street**

Keith Hilliard made an application for a dock on Lake Hollingsworth at 412 East Belvedere Street. Special approval was required from the City Commission due to the proposed location of the structure on Lake Hollingsworth.

The proposed structure was approximately 500 square feet, sat within the side yard setbacks, and had no vertical elements except for 3 ½-foot railings. The deck was 18-24 inches above the Ordinary High Water (OHW) Line. The dock was considered extraordinary under the City's new dock regulations because it extended 80 feet over the water. The applicant's justification for the length of the dock was the shallow water depth at this location on the lake. The Lakes and Stormwater Division had confirmed the shallow depth of the water at that location. There were no structures on the adjacent properties. The closest dock was to the south at 1014 Lake Hollingsworth Drive and extended approximately 60 feet over the water with a boat moored to it.

The Lakes and Stormwater Division reviewed the application and supported the applicant's request. The Building Inspection Division reviewed and approved the proposed structural plans. The Community Development Department also reviewed this request and recommended approval. Letters of notification were mailed to 21 property owners within 250 feet of the subject property and no objections were received.

Staff recommended that the City Commission approve the construction of a dock at 412 East Belvedere Street on Lake Hollingsworth in accordance with the plans and specifications set forth in the applicant's request to the City.

Michael Craig presented this item to the Commission.

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

### **\* Memo re: Vacation of a Portion of a Sanitary Sewer Easement**

This was a proposed quitclaim deed from the City of Lakeland to Genuine Parts Company. The applicant was in the development review stage of constructing a Napa Automotive Parts store on this site. There was a 5-foot sanitary sewer easement located on the south property line of Lot 25, which, at the request of Lakeland's Water Utilities Department, must be vacated to accommodate the new construction. The various City utilities have reviewed this request and had no objections to the vacation of this sanitary sewer easement.

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

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

## **FINANCE DIRECTOR**

### **\* Appropriation – Fleet Management Fund**

One of Solid Waste's front loading garbage trucks caught fire on May 19, 2007 due to the accumulation of debris in the frame rails. The estimated cost of repairing the damage was \$20,000. The subject unit was a 2001 model and was scheduled for replacement in 2008. The Fleet Manager recommended early replacement of this unit at a cost of \$186,000 versus undertaking the associated repairs. The chassis was expected to bring \$30,000 as a trade-in in its present condition. There was \$165,000 accumulated towards the replacement of the unit in the Depreciation Reserve Fund, of which Fleet Management would only need \$156,000.

Staff requested that the City Commission authorize an appropriation for \$156,000 in the Fleet Management Depreciation Reserve Fund for the early replacement of this vehicle.

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

## **AUDIENCE – NONE**

### **MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Yates explained that she was asked to work for Women at Work on a habitat house. It was a rewarding project and she encouraged others to get involved.

Commissioner Wiggs announced the Ridge League meeting this Thursday in Dundee.

Michael Craig introduced himself for the record. He explained the City Attorney desired advice from the Commission concerning litigation with SWFWMD.

Mayor Fletcher read a statement announcing the closed-door session relating to the administrative proceedings with SWFWMD. He read the list of all attendees for the session.

At 11:17 a.m., the Commission moved into a closed-door session.

At 12:31 p.m., the Commission returned to 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, Assistant City Attorney Michael Craig, and City Clerk Kelly Koos were present.

Michael Craig asked Mayor Fletcher to identify that the closed session has ended.

Mayor Fletcher announced that the closed-door session was over.

**CALL FOR ADJOURNMENT - 12:32 p.m.**

**LAKELAND CITY COMMISSION**  
**Agenda Study Session**  
**June 4, 2007**

The Lakeland City Commission met in the Commission conference room. Commissioner Edie Yates, Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, Assistant City Attorney Michael Craig and City Clerk Kelly Koos were present.

Mayor Fletcher called the meeting to order at 7:34 a.m.

Doug Thomas covered the Presentations and Requests to Appear from the Public.

Michael Craig covered the Public Hearings.

Doug Thomas discussed the latest on the Property Tax Reform. He expected to receive additional information by the end of today.

Michael Craig covered the Resolutions.

Palmer Davis covered the dock application.

Michael Craig explained how the closed-door session would work.

Mike Brossart covered the appropriation.

The group discussed the development at the southwest corner of Beacon Rd and Florida Av. and the replacement of the landscaping.

The meeting adjourned at 8:19 a.m.