

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**December 1, 2008**

The Lakeland City Commission met in Regular Session in the Commission chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, and Mayor Fletcher were present. Commissioners Gow Fields and Edie Yates were out of town. Deputy City Manager Tony Delgado, City Attorney Tim McCausland, Finance Director Greg Finch, and City Clerk Kelly Koos were present.

**CALL TO ORDER – 9 a.m.**

**INVOCATION**

Chaplain Dan Harvey of the Lakeland Police Department offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Raffle Winner – 2008 Growth Management Online Survey**

**Communications - Electronic Media**

Kevin Cook gave this presentation, a copy of which is on file in the City Clerks Office. (GET COPY)

Commissioner Troller asked if Lakeland was on the same level as other communities that budget more money for their communications department. Kevin Cook responded that his staff worked well over 40 hours a week. They were very creative but eventually he would need additional personnel.

Mayor Fletcher asked when the commission meetings were aired. They are aired on the same Monday at 6 p.m. on Brighthouse 615 or Verizon Fios 43 and at [www.lakelandgov.net](http://www.lakelandgov.net). Go to LGN to view the meeting you want to see.

**Employee Service Awards**

10 Years

Broadhead, Derek L	11-08-1998	Police Dept.
Davis, Delton D	11-09-1998	Public Works
Davis, Fredrick J	11-08-1998	Parks & Recreation
Martenev, Patricia L	11-08-1998	Human Resources
Meredith, Wade E	11-09-1998	Water Utilities
Schuler, Larry	11-23-1998	Public Works
Scott, Mary E	11-16-1998	The Lakeland Center
Wansley Kimberly D	11-22-1998	Parks & Recreation

20 Years

Chadwell, Christine N	05-15-1988	Mayor's Office
Hacker, Edward P	11-14-1988	Performance Excellence

25 Years

Hayes, Mary C	11-14-1983	Lakeland Electric
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Tony Delgado and Mayor Fletcher presented these awards.

**Beautification Awards**

**Residential: 5645 Mallard Drive – George Roskowic**

**Commercial: 3020 South Florida Avenue – Abbey Business Park**

Frankie Martin and Eileen Clawson presented these awards. Frankie announced the Garden Lecture Series the first and third Monday at 6:30 p.m. at the Main Library and the Larry Jackson Branch respectively.

**PROCLAMATIONS - None**

**COMMITTEE REPORTS AND RELATED ITEMS - None**

**EQUALIZATION HEARINGS**

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

**Lots Cleaning and Clearing**

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

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

Mayor Fletcher asked for comments.

Nigel Hendricks came forward concerning 08-0466 and 08-0484 to request additional time to pay.

Brian Rewis, Neighborhood Services Manager, came forward and explained that Mr. Hendricks could arrange to pay the assessments in Customer Service Billing.

Mayor Fletcher asked Brian to help Mr. Hendricks contact Customer Billing.

**Action:** Mayor Fletcher called for the vote and the motion carried unanimously.

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

### **APPROVAL OF CONSENT AGENDA**

**Consent Agenda:** The Commission considered all items listed with an asterisk (\*) as routine by the City Commission and were enacted by one motion. There was no separate discussion of these items unless a City Commissioner or Citizen so requested, in which event the item was removed from the consent agenda and considered in its normal sequence.

- \* City Commission 11/14/08 – 11/17/08
- \* Utility Committee 11/17/08

**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 11/14/08 – 11/17/08
- \* Utility Committee 11/17/08

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

#### **Carol Castagnero re Permit Change and Lakeland Police Department**

Ms. Castagnero called to say she could not attend the meeting. She would reschedule.

### **PUBLIC HEARINGS**

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

**Ordinance 5056; Proposed 08-126; Amending Section 22.4 of Article II of Division II of the Charter of the City of Lakeland, Florida; Relating to Qualification of Members for the City of Lakeland Employees' Pension Board (1<sup>ST</sup> Rdg 11/17/08)**

AN ORDINANCE RELATING TO THE CITY OF LAKELAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM; AMENDING SECTION 22.4 OF ARTICLE II OF DIVISION II OF THE CHARTER OF THE CITY OF

LAKELAND, FLORIDA; RELATING TO QUALIFICATION OF MEMBERS FOR THE CITY OF LAKELAND EMPLOYEES' PENSION BOARD; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: five. Nays: Zero. The motion carried unanimously

## **COMMUNITY REDEVELOPMENT AGENCY - None**

### **CITY MANAGER**

#### **Recommendation re City of Wauchula Police Department Donation**

The City of Lakeland occasionally received requests from sister municipalities to donate used or surplus equipment removed from service to assist them in initiating specific programs or supplement ongoing efforts. Recently, the City of Lakeland received a request through the Lakeland Police Department to assist the City of Wauchula with their implementation of a police motorcycle division and provide used or out-of-service lighting and siren equipment.

The City of Lakeland Fleet Division checked inventory of potentially available police motorcycle equipment and compiled a list of items that were formerly used and removed from out-of-service units. Additionally, there was a small amount of equipment that were new replacement equipment used as excess inventory that were no longer compatible with the current model of motorcycle deployed in the LPD fleet. The surplus inventory and values follow:

<b>Unit</b>	<b>Price</b>	<b>Total</b>
One (1) Whelen Siren	\$395.00	\$395.00
One (1) Whelen Amplifier	\$395.00	\$395.00
One (1) Speaker Mount	\$ 28.00	\$ 28.00
Three (3) TIR6 Red Old Style Lights	\$142.00	\$426.00
Three (3) TIR6 Blue Old Style Lights	\$156.00	\$468.00
Eight (8) TIR6 Surface Light Mounts	\$ 12.00	\$ 96.00
One (1) Squad Fitter Storage Box	\$350.00	\$350.00
Two (2) Code 3 Front Round Lights	\$140.00	\$280.00
Two (2) Code 3 Rectangle Side Mounts	\$136.00	\$272.00
	<b>Total Value</b>	<b>\$2,710.00</b>

The City of Lakeland Public Works Department requested that the City Commission consider the donation of this surplus and non-compatible equipment to the City of Wauchula for the initiating of a police motorcycle unit in their community.

Staff recommended that the City Commission authorize the appropriate City officials to administer the donation of these used or non-compatible fleet inventory items, at a value of \$2,710, to the City of Wauchula for their police motorcycle unit.

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

## CITY ATTORNEY

### Ordinances (First Reading)

#### **Proposed 08-127; Annexation of Approximately 159.5 Acres Located North of Old Medulla Road, South of West Pipkin Road and West of the Current City Limits**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA, THAT CERTAIN 159.5 ACRES LOCATED NORTH OF OLD MEDULLA ROAD, SOUTH OF WEST PIPKIN ROAD AND WEST OF THE CURRENT CITY LIMITS; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; 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 December 15, 2008.

**Proposed 08-128; Vacating a Portion of Right of Way – El Paseo and Deleon Way**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED SOUTH OF EL PASEO, EAST OF DELEON WAY, AND WEST OF WEST LAKE PARKER DRIVE, WITHIN THE CITY OF LAKELAND; 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 December 15, 2008.

**Proposed 08-129; Vacating a Portion of Right-of-Way – North Lincoln Avenue and West 5<sup>th</sup> Street**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED NORTH OF WEST 5TH STREET, SOUTH OF WEST 6TH STREET, EAST OF NORTH LINCOLN AVENUE, AND WEST OF NORTH OHIO AVENUE, WITHIN THE CITY OF LAKELAND; 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 December 15, 2008.

**Proposed 08-130; Conditional Use for an Indoor Skateboard Facility on Property Located at 640 East Main Street**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR AN INDOOR RECREATION FACILITY (SKATE PARK) ON PROPERTY LOCATED AT 640 EAST MAIN STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 December 15, 2008.

**Proposed 08-131; Conditional Use for a Child Daycare Center Located at 1731 Mockingbird Lane**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A CHILD DAYCARE CENTER LOCATED AT 1731 MOCKINGBIRD LANE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 December 15, 2008.

**Proposed 08-132; Conditional Use for a K-12 School and Child Daycare Center Located at 511 Montana Avenue and 516 Kansas Avenue**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A K-12 SCHOOL AND CHILD DAYCARE CENTER LOCATED AT 511 MONTANA AVENUE AND 516 KANSAS AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 December 15, 2008.

**Proposed 08-133; Adopting the Florida Fire Prevention Code, 2007 Edition**

AN ORDINANCE RELATING TO FIRE PROTECTION; MAKING FINDINGS; ADOPTING THE FLORIDA FIRE PREVENTION CODE, 2007 EDITION, WITH MODIFICATIONS; REPEALING ORDINANCE NO. 4618; PROVIDING FOR SEVERABILITY; 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 December 15, 2008.

**Resolutions**

**Resolution 4728; Proposed 08-064; Renaming of a Portion of West Bella Vista Street to Kendrick Lane**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO PUBLIC STREETS; RENAMING A PORTION OF WEST BELLA VISTA STREET "KENDRICK LANE"; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, and Mayor Fletcher voted aye. Ayes: five. Nays: Zero. The motion carried unanimously.

**Resolution 4729; Proposed 08-068; 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.

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 Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: five. Nays: Zero. The motion carried unanimously

**Resolution 4730; Proposed 08-069; Approving the Project Listing of the Updated Polk County Regional Water Supply Plan**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA; APPROVING THE PROJECT LISTING OF THE UPDATED POLK COUNTY REGIONAL WATER SUPPLY PLAN; AUTHORIZING THE SUBMISSION OF THE COMPLETE PROJECT LISTING TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR INCLUSION AS PART OF THE REGIONAL WATER SUPPLY PLAN; MAKING FINDINGS; PROVIDING AND EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Higgins seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, and Mayor Fletcher voted aye. Ayes: five. Nays: Zero. The motion carried unanimously.

**Miscellaneous Reports and Communications - None**

**FINANCE DIRECTOR - None**

**AUDIENCE - None**

**MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Troller asked for a workshop re the Employees' Pension.

**UTILITY - CONSIDERED AFTER 1PM UTILITY COMMITTEE MEETING - None**

**CALL FOR ADJOURNMENT – 9:55 a.m.**

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk

Attached Equalization Roll

**Agenda Study Session  
December 1, 2008**

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

Mayor Fletcher called the meeting to order at 7:36 a.m.

Tony Delgado covered the Presentations.

Tim McCausland covered the Public Hearings.

Tony Delgado covered the City Manager agenda.

Tim McCausland covered the City Attorney agenda and offered the following verbal:

- \* Change order for Lakeland Highlands Road Widening project. There was a JPA between the City and the County for this project. The County will now construct storm drainage on both sides of the road to keep from moving the force main water pipe. The County wanted to revise the JPA rather than create a new agreement. There would not be additional cost to the City.

Commissioner Verplanck wanted the Commission to consider not offering a grace period when the red light cameras were up and running. He wanted to give the publicity on the front end and start writing citations right away.

Tony Delgado updated the Commission on Ms. Castagnero's concerns. She was not happy with the Chief Boatner, Jack Gillen and other police officers. He did not know what she planned to discuss at the Commission meeting.

The meeting adjourned at 7:53 a.m.