

LAKELAND CITY COMMISSION**Regular Session
September 3, 2024**

The Lakeland City Commission in Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, and Guy LaLonde were present. Commissioner Bill Read was absent. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER – 9 A.M.**PRESENTATIONS**

Pension Preservation (Cherie Watson, Retirement Services Director)

Heroism Award: Carlee Steele - Parks, Recreations & Cultural Arts

Certified Public Manager Program Graduates (Mike Brown, Mark Kaczmarek, Robby Kniss and Toni Panaou)

Beautification Awards (Bill Koen)

- Residential: Glenn and Sharon Steffy - 749 Hollingsworth Road
- Commercial: Family Worship Center Churches Inc. – 1350 E. Main Street

PROCLAMATIONS – None**COMMITTEE REPORTS AND RELATED ITEMS**

Municipal Boards & Committees 08/30/24

Commissioner Stephanie Madden presented this report to the Commission. The Youth Council will be sworn in on September 16, 2024.

Motion: Commissioner Mike Musick moved to approve the appointments. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

APPROVAL OF CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the City Commission and will be enacted by one motion following an opportunity for public comment. There will be no

separate discussion of these items unless a City Commissioner or Citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. For items listed with an asterisk (*) under the Community Redevelopment Agency portion of the agenda, the City Commission shall be deemed to be acting in its capacity as the Community Redevelopment Agency of the City of Lakeland when approving the consent agenda.

Motion: Commissioner Mike Musick moved to approve the Consent Agenda. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

APPROVAL OF MINUTES (with any amendments)

- * Commission Budget Workshop Minutes – Aug. 12, 2024
- * Commission Minutes – Aug. 16-19, 2024

Action: The Commission approved these minutes as part of the Consent Agenda.

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC – None

EQUALIZATION HEARINGS

Recess/Convene: The Commission recessed the Regular Session and convened at the Equalization Board.

Palmer Davis explained the City Charter requires that prior to recording a lien against private property, the City Commission convene as the Equalization Board and grant those property owners the opportunity to object to the recording of the lien or ask any questions they might have. If someone present received a notice to appear before the City Commission re a lot cleaning/clearing or demolition assessment, this is the time to address the Commission.

Lots Cleaning and Clearing

Motion: Commissioner Mike Musick moved to approve the assessments. Commissioner Stephanie Madden seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Adjourn/Reconvene: The Equalization Board adjourned, and the Commission reconvened in Regular Session.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6048; Proposed 24-029; Amending Ordinance 5895 to Add the Remaining 198-Acre Portion of the Hawthorne Mill Planned Unit Development to the Hawthorne Mill North Community Development District (1st Rdg. 08-19-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO COMMUNITY DEVELOPMENT DISTRICTS; AMENDING ORDINANCE 5895 TO EXPAND THE BOUNDARIES OF THE HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; ADOPTING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Ordinances (First Reading)

Proposed 24-030; Voluntary Annexation of Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard

AN ORDINANCE RELATING TO THE VOLUNTARY ANNEXATION OF PROPERTY; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA 10.82 ACRES OF PROPERTY LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33 AND EAST OF EPICENTER BOULEVARD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read title. He explained that this ordinance and its corresponding ordinances listed later on the agenda were for property located in the Green Swamp

Area of Critical State of Concern and required additional notice. He asked that the ordinance be continued to September 16, 2024.

Motion: Commissioner Sara Roberts McCarley moved to continue the hearing to September 16, 2024. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Palmer Davis explained that the following twelve ordinances were text amendments to the City's Comprehensive Plan and required two public hearings. The Commission would not act today except to accept public comments.

Proposed 24-031; Proposed Text Amendment CPA24-001 to the Lakeland Comprehensive Plan to Correct a Typographical Error Pertaining to the Percentage of Residential Uses Allowed within Regional Activity Center (RAC), Community Activity Center (CAC), Neighborhood Activity Center (NAC) and Interchange Activity Center (IAC) Future Land Use Districts and the Percentage of Commercial Uses Allowed within Business Park (BP) Future Land Use Designations

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT CPA24-001 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030, TO CORRECT TYPOGRAPHICAL ERRORS PERTAINING TO THE PERCENTAGE OF RESIDENTIAL USES ALLOWED WITHIN REGIONAL ACTIVITY CENTER (RAC), COMMUNITY ACTIVITY CENTER (CAC), NEIGHBORHOOD ACTIVITY CENTER (NAC) AND INTERCHANGE ACTIVITY CENTER (IAC) FUTURE LAND USE DESIGNATIONS AND THE PERCENTAGE OF COMMERCIAL USES ALLOWED WITHIN BUSINESS PARK (BP) FUTURE LAND USE DESIGNATIONS; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Chuck Barmby explained that this ordinance does need to be transmitted to the Department of Commerce (DOC) for a 60-day review. It will probably return in November.

Motion: Commissioner Mike Musick moved to transmit the ordinance to the DOC. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Proposed 24-032; Proposed Text Amendment CPA24-002 to the Lakeland Comprehensive Plan to Evaluate the Feasibility of Connecting On-Site Private Septic Systems to City Sanitary Sewer Service

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT CPA24-002 TO THE INFRASTRUCTURE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; TO EVALUATE THE FEASIBILITY OF CONNECTING ON-SITE PRIVATE SEPTIC SYSTEMS TO CITY SANITARY SEWER SERVICE; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Chuck Barmby explained this ordinance is tied to HB1379 and staff will request an expedited review.

Motion: Commissioner Sara Roberts McCarley moved to transmit the ordinance to the DOC. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Proposed 24-033; Proposed Text Amendment LDC24-001 to the Land Development Code to Allow Ground Floor Residential Uses within Existing Non-Residential Buildings in C-6 and C-7 Zoning Districts, Define Restaurant and Retail Uses and Allow within Certain Zoning Districts, and Revise Definitions Pertaining to Outdoor Storage

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-001 TO ARTICLE 2 (USE STANDARDS), SECTION 2.3 (PERMITTED USES) AND SECTION 2.6 (MASTER USE LIST) OF THE LAND DEVELOPMENT CODE TO ALLOW GROUND FLOOR RESIDENTIAL USES

WITHIN EXISTING NON RESIDENTIAL BUILDINGS IN C-6 AND C-7 ZONING DISTRICTS, DEFINE RESTAURANT AND RETAIL USES SUCH AS “GHOST KITCHENS” AND “DARK STORES” AND ALLOW WITHIN CERTAIN ZONING DISTRICTS, REVISE DEFINITIONS PERTAINING TO THE OUTDOOR STORAGE OF BOATS, MOTOR HOMES, TRAILERS AND OTHER EQUIPMENT, ADD A NEW USE SPECIFIC TO THE OUTDOOR STORAGE OF MEDIUM-DUTY AND HEAVY DUTY TRUCKS, SEMI-TRAILERS, MULTI-TRAILERS, CONSTRUCTION EQUIPMENT, TOOLS AND VEHICLES, AND AMEND THE ZONING DISTRICTS IN WHICH SUCH USES ARE PERMITTED BY RIGHT AND THROUGH A CONDITIONAL USE; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-034; Proposed Text Amendment LDC24-002 to the Land Development Code to Revise the Development Standards for Residential Uses in Urban Neighborhood Context Districts, Define the Minimum Front Yard Setback for Infill Properties Located within Established Residential Neighborhoods and Define the Frontage Buildout as a Percentage of the Overall Width of the Principal Structure

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-002 TO ARTICLE 3 (URBAN FORM STANDARDS), SECTION 3.5 (EXCEPTIONS TO URBAN FORM STANDARDS) OF THE LAND DEVELOPMENT CODE TO REVISE THE DEVELOPMENT STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL USES TO REDUCE THE MAXIMUM LOT COVERAGE FROM 55% TO 45% IN URBAN NEIGHBORHOOD CONTEXT SUB-DISTRICTS, DEFINE THE MINIMUM FRONT YARD SETBACK FOR INFILL PROPERTIES LOCATED WITHIN ESTABLISHED RESIDENTIAL NEIGHBORHOODS, AND DEFINE THE FRONTAGE BUILDOUT AS A PERCENTAGE OF THE OVERALL WIDTH OF THE PRINCIPAL STRUCTURE; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-035; Proposed Text Amendment LDC24-003 to the Land Development Code to Establish a Footprint for Accessory Structures on Single-Family or Two-Family Residential Lots, Prohibit the Installation of Secondary Electric Meters on Accessory Structures, Define Accessory Structures with Greater than 1,000 sq. ft. of Floor Area as Principal Structures and Provide Clarification Regarding Zoning Compliance for Certain Accessory Structures which do not Require a Building Permit

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-003 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.3 (ACCESSORY STRUCTURES) OF THE LAND DEVELOPMENT CODE TO ESTABLISH A MAXIMUM FLOOR AREAS AND TOTAL CUMULATIVE FOOTPRINT FOR ACCESSORY STRUCTURES ON SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL LOTS OR PARCELS, PROHIBIT THE INSTALLATION OF SECONDARY ELECTRIC METERS ON ACCESSORY STRUCTURES WHEN LOCATED ON PROPERTIES ZONED FOR SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL USES, DEFINE ACCESSORY STRUCTURES WITH GREATER THAN 1,000 SQUARE FOOT OF FLOOR AREA AS PRINCIPAL STRUCTURES WHEN LOCATED ON A LOT OR PARCEL ZONED FOR OFFICE, COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL USES, AND PROVIDE CLARIFICATION REGARDING ZONING COMPLIANCE FOR CERTAIN ACCESSORY STRUCTURES WHICH DO NOT REQUIRE A BUILDING PERMIT; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-036; Proposed Text Amendment LDC24-004 to the Land Development Code to Establish Permitting Requirements for New and Existing Fences and Walls

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-004 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.4 (FENCES AND WALLS) AND ARTICLE 12 (ADMINISTRATION AND ENFORCEMENT) OF THE LAND DEVELOPMENT CODE TO ESTABLISH PERMITTING REQUIREMENTS FOR FENCES, SPECIFY THE THRESHOLD FOR WHEN REPAIR OR REPLACEMENT OF AN EXISTING FENCE WILL REQUIRE A PERMIT, SPECIFY HOW MUCH OF A NONCONFORMING FENCE OR WALL MAY BE REPAIRED OR REPLACED BEFORE THE FENCE OR WALL MUST BE BROUGHT INTO COMPLIANCE, REQUIRE FENCING

MATERIALS WHICH HAVE BOTH A FINISHED AND UNFINISHED SIDE TO ORIENT THE FINISHED SIDE OUTWARDS WHEN ADJACENT OR DIRECTLY VISIBLE FROM STREETS OR ALLEYS, ADDRESS THE PLACEMENT OF CERTAIN MATERIALS ON FENCING, REVISE AN ILLUSTRATION WHICH ADDRESSES THE HEIGHTS OF FENCES AND WALLS WITHIN THE VISIBILITY TRIANGLE AT UNSIGNALIZED INTERSECTIONS, AND ALLOW FOR THE ADMINISTRATIVE APPROVAL OF PRIVACY FENCES UP TO EIGHT FEET IN HEIGHT SUBJECT TO THE WRITTEN CONSENT OF ADJACENT PROPERTY OWNERS WHEN LOCATED IN REAR YARDS AND NOT VISIBLE FROM ADJACENT STREETS OR ALLEYS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Commissioner Mike Musick asked if citizens will have to go and get permits for existing fences?

Chuck Barmby explained this is a way to clarify and state that fences do require a permit with a review by building staff. It will make sure the fence placement and height comply with the LDC. If it is existing and must be repaired, they would have to go through the permitting process.

Action: Mayor Bill Mutz asked for additional comments from the Commission and the audience. There were no additional comments.

Proposed 24-037; Proposed Text Amendment LDC24-005 to the Land Development Code to Apply the Tree Preservation Requirements to Unplatted Parcels of Land which are Zoned for Single-Family or Two-Family Residential Uses of Greater than One Acre, Adopt a New list of Qualified Plantings and Incorporate Certain Florida-Friendly Landscaping Requirements for Irrigation Systems

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-005 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.5 (LANDSCAPING, TREES AND BUFFERING) OF THE LAND DEVELOPMENT CODE TO APPLY THE TREE PRESERVATION REQUIREMENTS TO UNPLATTED PARCELS OF LAND WHICH ARE ZONED FOR SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL USES AND GREATER THAN ONE ACRE IN AREA, ADOPT A NEW LIST OF QUALIFIED TREE, PALM, SHRUB, GROUND COVER AND FLOWER PLANTINGS, AND INCORPORATE CERTAIN FLORIDA-FRIENDLY LANDSCAPING REQUIREMENTS FOR IRRIGATION SYSTEMS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-038; Proposed Text Amendment LDC24-006 to the Land Development Code to Revise the Payment in Lieu of Construction Where a Sidewalk Network Does Not Exist on Local Streets and Where a Sidewalk Would Not be Feasible Due to Site Constraints

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-006 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.7 (PEDESTRIAN, BICYCLE AND TRANSIT FACILITIES) OF THE LAND DEVELOPMENT CODE TO REVISE THE PAYMENT IN LIEU OF CONSTRUCTION WHERE A SIDEWALK NETWORK DOES NOT EXIST ON LOCAL STREETS AND WHERE A SIDEWALK WOULD NOT BE FEASIBLE DUE TO SITE CONSTRAINTS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-039; Proposed Text Amendment LDC24-007 to the Land Development Code to Remove Development Standards Pertaining to Electric Vehicle Charging Facilities, Remove Application Requirements for a Business Tax Receipt for Food Trucks and Provide Clarification Regarding the Documentation of Property Owner Authorization and Access to Permanent Restroom Facilities

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-007 TO ARTICLE 5 (STANDARDS FOR SPECIFIC USES), SECTION 5.9 (ELECTRIC VEHICLE CHARGING FACILITIES) AND SECTION 5.24 (FOOD TRUCKS) OF THE LAND DEVELOPMENT CODE TO REMOVE DEVELOPMENT STANDARDS PERTAINING TO ELECTRIC VEHICLE CHARGING FACILITIES, REMOVE APPLICATION REQUIREMENTS FOR A BUSINESS TAX RECEIPT FOR FOOD TRUCKS AND PROVIDE CLAIRIFICATION REGARDING THE DOCUMENTATION OF PROPERTY OWNER AUTHORIZATION AND ACCESS TO PERMANENT RESTROOM FACILITIES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Chuck Barmby explained the State preempted cities from regulating electric vehicle charging stations. LE will still review development prior to connection to the grid.

Action: Mayor Bill Mutz asked for comments from the audience and the Commission. There were no comments.

Proposed 24-040; Proposed Text Amendment LDC24-008 to the Land Development Code to Adopt Changes Mandated by the Florida Department of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) Pertaining to the National Flood Insurance Program (NFIP)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-008 TO ARTICLE 6 (NATURAL RESOURCE PROTECTION STANDARDS), SECTION 6.1 (GENERAL) AND SECTION 6.3 (GREEN SWAMP AREA OF CRITICAL STATE CONCERN) OF THE LAND DEVELOPMENT CODE TO ADOPT CHANGES MANDATED BY THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PERTAINING TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP); MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-041; Proposed Text Amendment LDC24-009 to the Land Development Code to Require a Signed and Sealed Analysis Prepared by a Professional Traffic Engineer and Additional Safety Analyses that will be Required for Major Traffic Studies

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-009 TO ARTICLE 10 (CONCURRENCY STANDARDS) TO THE LAND DEVELOPMENT CODE TO REQUIRE A SIGNED AND SEALED ANALYSIS PERPARED BY A REGISTERED TRAFFIC ENGINEER AND ADDITIONAL SAFETY ANALYSES THAT WILL BE REQUIRED FOR MAJOR TRAFFIC STUDIES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Proposed 24-042; Proposed Text Amendment LDC24-010 to the Land Development Code to Clarify Terminology and Correct Scrivener's Errors Throughout, Provide Clear Terminology and Organizational Clarity, Consistent with Historic Preservation Policies, Standards, and Design Guidelines, Add Review Criteria for the Relocation of Historic Buildings, and Add Formal Procedures for Processing Appeals of Decisions of the Historic Preservation Board and the Design Review Committee

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-010 TO ARTICLE 11 (HISTORIC PRESERVATION STANDARDS) OF THE LAND DEVELOPMENT CODE TO CLARIFY TERMINOLOGY AND CORRECT SCRIVENER'S ERRORS THROUGHOUT THE ARTICLE, ADD DEFINITIONS FOR CERTIFICATE OF REVIEW, DESIGN REVIEW COMMITTEE, HISTORIC PRESERVATION BOARD, AND RELOCATION, REDUCE THE TOTAL NUMBER OF MEMBERS ON THE HISTORIC PRESERVATION BOARD FROM 13 TO 9, CLARIFY MEMBERSHIP COMPOSITION ALONG WITH A REQUIREMENT THAT MEMBERS MUST BE CITY RESIDENTS, CLARIFY THE ROLE AND PURPOSE OF THE DESIGN REVIEW COMMITTEE, REVISE THE DEFINITION OF HISTORIC DISTRICT TO INCLUDE ASPECTS OF HISTORIC INTEGRITY, REVISE TERMINOLOGY PERTAINING TO THE NOMINATION OF LOCAL HISTORIC LANDMARKS, ADD REVIEW CRITERIA FOR THE RELOCATION OF HISTORIC BUILDINGS, AND ADD FORMAL PROCEDURES FOR PROCESSING APPEALS OF DECISIONS OF THE HISTORIC PRESERVATION BOARD AND THE DESIGN REVIEW COMMITTEE; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Resolutions

Resolution 5930; Proposed 24-055; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTIES 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.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the resolution. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Resolution 5931; Proposed 24-056; Authorizing the Execution of an Amended Grant Agreement with the Florida Department of Transportation for Financial Project No. 445718-1-94-01 to Add State and Local Funding for Upgrading to a Category III Instrument Landing System at Lakeland Linder International Airport

A RESOLUTION RELATING TO THE AIRPORT; AUTHORIZING EXECUTION OF AN AMENDMENT TO A MULTI-YEAR GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ADD STATE FUNDING FOR THE CATEGORY III INSTRUMENT LANDING SYSTEM PROJECT AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Stephanie Madden moved to approve the resolution. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5932; Proposed 24-057; Authorizing the Execution of a Grant Agreement with the Federal Aviation Administration to Provide Funding for the Terminal Area Master Plan at Lakeland Linder International Airport

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION TO PROVIDE FUNDING FOR A

TERMINAL AREA MASTER PLAN AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Airport Director, Kris Hallstrand showed a map focusing on the terminal master plan.

Motion: Commissioner Stephanie Madden moved to approve the resolution. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Resolution 5933; Proposed 24-058; Authorizing the Execution of a Grant Agreement with the Federal Aviation Administration to Provide Funding for the Design of the Consolidated Fuel Farm Project at Lakeland Linder International Airport

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION TO PROVIDE FUNDING FOR THE DESIGN OF A CONSOLIDATED FUEL FARM AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Kris Hallstrand gave a brief presentation and showed a map.

Motion: Commissioner Mike Musick moved to approve the resolution. Commissioner Stephanie Madden seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5934; Proposed 24-059; Approval of Project Pomelo for the Polk County Bonus Incentive Program

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ECONOMIC DEVELOPMENT; FINDING THAT PROJECT POMELO BE APPROVED AS A QUALIFIED APPLICANT FOR THE POLK COUNTY BONUS INCENTIVE PROGRAM; PROVIDING AN APPROPRIATION OF \$250,000 PAYABLE OVER SEVEN YEARS AS LOCAL PARTICIPATION IN THE POLK COUNTY BONUS INCENTIVE PROGRAM; PROVIDING CONDITIONS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the resolution. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

Commissioner Stephanie Madden pointed out that Lakeland will have 100 jobs at 200% of our AMI. This was an exciting opportunity.

Mayor Bill Mutz clarified payment was based on performance. The jobs must exist before the City pays. It is not a burden on the taxpayers.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5935; Proposed 24-060; Vacating an Existing Public Utility Easement Located at 3075 Whitten Road

A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING AN EXISTING PUBLIC UTILITY EASEMENT LOCATED AT 3075 WHITTEN ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Stephanie Madden moved to approve the resolution. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Proposed 24-061; Authorizing Heatherpoint Drive Roadway Improvements and Levy of Non-Ad Valorem Assessment to Recoup Improvement Costs

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE MAKING OF LOCAL IMPROVEMENTS; ADOPTING FINDINGS OF FACT; AUTHORIZING CERTAIN ROADWAY IMPROVEMENTS TO HEATHERPOINT DRIVE NORTH OF AUDUBON OAKS CIRCLE IN LAKELAND, FLORIDA; APPROPRIATING A NOT-TO-EXCEED AMOUNT FOR THE IMPROVEMENTS AND PROVIDING FOR THE LEVY OF A NON-AD VALOREM ASSESSMENT AGAINST EACH LOT ABUTTING HEATHERPOINT DRIVE IN ORDER TO RECOUP THE COSTS OF SAID ROADWAY IMPROVEMENTS; PROVIDING A SCHEDULE AND TERMS FOR THE PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE COLLECTION OF SAID ASSESSMENTS UTILIZING THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, OR OTHER LEGALLY AVAILABLE COLLECTION METHODS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title. To ensure proper notice, he requested the Commission continue this resolution until September 16, 2024.

Motion: Commissioner Stephanie Madden moved to continue the resolution to September 16, 2024. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5936; Proposed 24-062; Authorizing the Issuance of City of Lakeland, Florida Revenue Note, Series 2024 (AMT), in an Amount Not to Exceed \$20,000,000 for the Purpose of Financing and Refinancing the Costs of Acquiring, Constructing, Extending, Improving or Enlarging Certain Airport Facilities Located at Lakeland Linder International Airport

A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$20,000,000 CITY OF LAKELAND, FLORIDA REVENUE NOTE, SERIES 2024 (AMT), FOR THE PURPOSE OF FINANCING AND REFINANCING THE COSTS OF ACQUIRING, CONSTRUCTING, EXTENDING, IMPROVING OR ENLARGING CERTAIN AIRPORT FACILITIES LOCATED AT THE LAKELAND LINDER INTERNATIONAL AIRPORT AND PAYING COSTS OF ISSUANCE

NECESSARY AND INCIDENTAL THERETO; APPROVING THE FORM OF A REVENUE NOTE, SERIES 2024 (AMT), AND A LOAN AGREEMENT; PROVIDING OTHER DETAILS WITH RESPECT THERETO; AND PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title and the TEFRA notice as required by the IRS.

Kris Hallstrand reviewed the projects and displayed slides.

Commissioner Stephanie Madden clarified this was a short term note and the Commission would vote again to approve the bond in the future.

Motion: Commissioner Sara Roberts McCarley moved to approve the resolution. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for further comments from the Commission and the audience. There were no further comments.

Action: Upon roll call vote Commissioners Chad McLeod, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER

Approval of Shortlisted Firms Responsive to Request for Qualifications No. 2024-RFQ-244 for Park Planning Continuing Contract Consultants Services

The Purchasing Division of Risk Management advertised Request for Qualifications (RFQ) #2024- RFQ-244 Statement of Qualifications for City of Lakeland Park Planning Consultant Services. The Florida Legislature created Statute 287.055 in 1973 that requires state government agencies, municipalities or political subdivision, school boards and school districts to select a professional consulting firm based on qualifications rather on a “lowest bid” basis which is known as the Consultant’s Competitive Negotiation Act (CCNA).

Ten (10) responses to the RFQ were received on June 24, 2024. A five-member selection committee evaluated and scored each response, utilizing the qualifications submitted in the proposal. The submitting firms are listed below by the selection committee ranking.

Firm Office	Location	Ranking
Catalyst Design Group	Winter Park FL	1
GAI Consultants	Orlando FL	2
Dix.Hite & Partners	Longwood FL	3

Pennoni Associates	Tampa FL	4
Ayres Associates	Tampa FL	5
Straughn Trout	Lakeland FL	6
Furr, Wegman & Banks	Lakeland FL	7
CPH LLC	Lakeland FL	8
Kimley-Horn	Lakeland FL	9
Hitchcock Design	Clearwater FL	10

The selection committee recommends that contracts be offered to the top four (4) ranked firms which demonstrated significant qualifications in planning and design of municipal parks. These firms may be selected to provide Park Planning Services to the City of Lakeland for the duration of the CCNA contract. No firm is guaranteed that their professional services will be utilized.

Staff recommended that authorization be provided to appropriate city staff to proceed with Continuing Contract Agreements with the top four (4) listed firms for Park Planning Consultant Services. The agreements will be executed for a period of three years with two one year mutually agreeable options for extension.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Ratifying and Authorizing the Execution of CBA extension with Fraternal Order of Police, Lakeland Lodge 185

The City and Fraternal Order of Police, Lakeland Lodge 185, ("FOP") are parties to collective bargaining agreements ("CBA") for 3 bargaining units (Police Officers, Police Sergeants, And Police Lieutenants), effective December 19, 2022, and expiring September 30, 2025.

Representatives from the Lakeland Police Department, Human Resources, Finance, and City Attorney's Office have engaged in discussions with the FOP to amend the existing collective bargaining agreements for the purpose of implementing wage increases in exchange for a two-year extension to the contracts.

On August 23, 2024, the Parties publicly met, bargained, and tentatively agreed on the proposed amendments that are now subject to approval of the City Commission. These amendments are set forth in a Memorandum of Understanding ("MOU") for each bargaining unit, which includes the wage adjustments, a CBA extension, and procedural clarifications. Below is a summary of the tentatively agreed terms and changes that will be implemented over the upcoming fiscal years.

Key Amendments to the CBA upon Ratification:**Extension of Agreement**

- The expiration date of each CBA is extended from September 30, 2025, to September 30, 2027.
- Parties will forgo collective bargaining for successor agreement until Summer 2027.

Wage Amendments

- Wages for FY24-25, FY25-FY26, and FY26-27 will be amended as generally outlined below and summarized in the wage comparison table.

Procedural Clarifications

- A new section was added to allow the parties, under specific circumstances, to mutually clarify or amend certain terms of the CBA via MOU without requiring formal ratification.

Ratification and Implementation

- The amended articles will be incorporated into the existing CBA and supersede any previous versions once ratified.
- The FOP held a ratification vote for each respective MOU, and each bargaining unit voted in favor of the tentative agreement.
- The MOU will become effective upon approval by the City Commission.

Wage Adjustments Overview:

The wage amendment comparison chart summarized the key changes for Officers, Sergeants, and Lieutenants over the next 3 fiscal years. Below is an overview of relevant dates and changes/initiatives under the wage adjustment in each MOU:

- **September 30, 2024:** A one-time market adjustment will address pay compression issues for eligible employees based on years of service in their current role.
- **October 1, 2024:** FOP members will transition to a similar pay plan as general employees, with varying step increases based on their current pay range.
- **FY24-25, FY25-26, & FY26-27:** Across the Board and Merit Increases will be applied with specific percentages depending on rank and step within the pay grade.
- **Pay Study prior to FY26-27:** By April 15, 2026, the City will perform another pay study to compare median wages with similarly situated agencies. If the median wages of the comparators exceed the median wages of the bargaining unit employees by 6% or more, the City will agree to reopen the CBA for the limited purpose of negotiating Article 25 (Wages) for FY26-27.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Sara Roberts McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience. Commissioner Chad McLeod appreciated the support and relationship with the Police Department. Chief Taylor hoped this would enable LPD to hire more experienced officers. Commissioner Guy LaLonde congratulated the team for their hard work.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Shawn Sherrouse offered the following comments:

1. He recognized Mike Brossart and Alex Landback who worked on this agreement with the FOP. They were supported by Mark Farrington and Cindy Marsh from Human Resources.
2. He commended the members of the FOP. They work in a difficult and heroic profession. We need to remain competitive so that we can better recruit and retain officers.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-045; Large Scale Amendment #LUL24-003 to the Future Land Use Map to Apply Business Park (BP) Land Use on Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR LARGE SCALE AMENDMENT #LUL24-003 TO THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; PROVIDING FOR THE APPLICATION OF A FUTURE LAND USE DESIGNATION OF BUSINESS PARK (BP) ON APPROXIMATELY 10.82 ACRES LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33, AND EAST OF EPICENTER BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read title.

Proposed 24-046; Application of I-2 (Medium Industrial) Zoning and Suburban Special Purpose (SSP) Context District Designation on Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR I-2 (MEDIUM INDUSTRIAL) ZONING AND SUBURBAN SPECIAL PURPOSE (SSP) CONTEXT DISTRICT DESIGNATION ON APPROXIMATELY 10.82 ACRES LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33, AND EAST OF EPICENTER BOULEVARD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read title. He requested that both Ordinances 24-045 and 24-046 be continued to September 16, 2024.

Motion: Commissioner Sara Roberts McCarley moved to continue ordinances 24-045 and 24-064 to September 16, 2024. Commissioner Stephanie Madden seconded the motion.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Proposed 24-047; Small Scale Amendment #LUS24-009 to the Future Land Use Map to Change Future Land Use from Conservation (C) to Regional Activity Center (RAC) on Approximately 5.71 Acres, from Conservation (C) to Residential Medium (RM) on Approximately 3.22 Acres, from Regional Activity Center (RAC) to Residential Medium (RM) on Approximately 0.57 Acres, from Residential Medium (RM) to Conservation (C) on Approximately 16.30 Acres, and from Residential Medium (RM) to Regional Activity Center (RAC) on Approximately 10.50 Acres Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS24- 009 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030, CHANGING THE FUTURE LAND USE DESIGNATION FROM CONSERVATION (C) TO REGIONAL ACTIVITY CENTER (RAC) ON APPROXIMATELY 5.71 ACRES, FROM CONSERVATION (C) TO RESIDENTIAL MEDIUM (RM) ON APPROXIMATELY 3.22 ACRES, FROM REGIONAL ACTIVITY CENTER (RAC) TO RESIDENTIAL MEDIUM (RM) ON APPROXIMATELY 0.57 ACRES, FROM RESIDENTIAL MEDIUM (RM) TO CONSERVATION (C) ON APPROXIMATELY 16.30 ACRES, AND FROM RESIDENTIAL MEDIUM (RM) TO REGIONAL ACTIVITY CENTER (RAC) ON APPROXIMATELY 10.50 ACRES GENERALLY LOCATED SOUTH OF S. PARKWAY FRONTAGE ROAD AND EAST OF HARDEN BOULEVARD; 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 September 16, 2024.

Proposed 24-048; Amending Ordinance 3440, as amended, Major Modification of PUD Zoning to Allow for the Development of a 400-bed Hospital, 200,000 sq. ft. of Medical Office Uses, 204,000 sq. ft. of retail commercial uses, and 250 multi-family dwelling units on Approximately 218 Acres; Change to Context District from Suburban Corridor (SCO) and Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP) on Approximately 98.21 Acres Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3440, AS AMENDED, TO PROVIDE FOR A MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE

DEVELOPMENT OF A 400-BED HOSPITAL, 200,000 SQUARE FEET OF MEDICAL OFFICE USES, 204,000 SQUARE FEET OF RETAIL COMMERCIAL USES, AND 250 MULTI-FAMILY DWELLING UNITS ON APPROXIMATELY 218 ACRES GENERALLY LOCATED SOUTH OF S. PARKWAY FRONTAGE ROAD AND EAST OF HARDEN BOULEVARD; CHANGING THE CONTEXT SUB-DISTRICT ON APPROXIMATELY 98.21 ACRES OF SAID PROPERTY TO SUBURBAN SPECIAL PURPOSE (SSP); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; 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 September 16, 2024.

Chuck Barmby gave a presentation on the above two ordinances. The project was approximately 218 acres in the southeast quadrant of the Polk Parkway and Harden Bl. It was originally part of the Oakbridge DRI. This was the City's last DRI.

Mayor Bill Mutz asked about parking at this site. Chuck Barmby explained the current code is a parking space for every four beds. The applicant was requesting 1 space for every 2 beds. That will be more than twice the number of spaces required. There would be approximately 1300+ parking spaces at the hospital.

Palmer Davis reminded the Commission that the public hearing will be September 16, 2024.

Attorney Tim Campbell gave a presentation on behalf of the applicant. He agreed to give another presentation at the public hearing. They retained the DRI because it was a good guide for development in the area. They were purposeful not to generate additional trips with these changes. In this case the first hurdle was the DRI, then land use, and then zoning. Drummond had a Right to Administrative Re-Allocation. Hospital use is permitted under region activity center. Advent was purchasing the property from Drummond. They would only develop the medical campus portion of the property. He appreciated the opportunity to present today and will make an improved presentation at the public hearing.

Commissioner Sara Roberts McCarley asked if Advent has closed on the property. Tim Campbell responded no, but they are beyond some thresholds and are planning to close.

Commissioner Sara Roberts McCarley appreciated the DRI history. Was the concurrency for schools ever provided in that DRI? Chuck Barmby explained that through the interlocal between the City of Lakeland and the County, DRIs that were approved before 2008 already had school concurrency. The City provides the information to the school district and they add the information to their database. The school concurrency requirement came after the DRI was approved.

Miscellaneous

*** Waiver of 5:01 p.m. Hearing Requirement**

During the month of September, the Community & Economic Development Department will be presenting the City Commission with amendments to the Land Development Code and the Lakeland Comprehensive Plan which will require that at least one of the two hearings on the matter be held after 5:00 p.m. unless such requirement is waived by a majority plus one vote of the Commission.

Staff recommended that the City 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 as part of the Consent Agenda.

*** Sale of 608 N. Morgan Avenue to Morgan Ave Apartments, LLC**

This was a proposed contract for the sale of 608 N. Morgan Avenue to Morgan Ave Apartments, LLC. The property in question is an approximately 0.30-acre vacant City-owned property that was purchased by the City in 2012 to combine with other City-owned properties in the immediate vicinity for stormwater treatment purposes.

The City's Lakes & Stormwater Division has determined that it no longer has a need for the property. Morgan Ave Apartments, LLC owns a vacant 0.58-acre parcel immediately to the south of the City's property. They propose to combine the two properties and construct multi-family housing on the properties, setting aside 25% of the units for affordable housing.

The City published a notice of disposition inviting proposals for the development of the City's property, to which Morgan Ave Apartments was the only respondent. Under the Contract, Morgan Ave Apartments will pay a purchase price for the City's property in the amount of \$16,034.00. They will provide a deposit of \$5,000 and have a 60-day due diligence period to assess the suitability of the property for their intended purposes. They may terminate the Agreement in their sole discretion at any time prior to the expiration of the due diligence period and receive a full refund of the deposit. Closing will occur within twenty (20) days of the expiration of the due diligence period, provided Morgan Ave Apartments does not exercise their right to terminate.

The deed for the property will contain a reverter clause allowing the City to regain the property in the event the purchaser fails to obtain a building permit for the construction of multi-family housing within eighteen (18) months of the closing date and a certificate of occupancy within twenty-four (24) months of issuance of the building permit. In addition, the deed will impose a restrictive covenant requiring that at least 25% of the units be leased to tenants whose income does not exceed 80% of the Polk County Area Median Income (AMI).

Staff recommended that the City Commission approve the Contract for the sale of 608 N. Morgan Avenue to Morgan Ave Apartments, LLC and authorize the appropriate City officials to execute all documents necessary to finalize the transaction.

Action: The Commission approved this item as part of the Consent Agenda.

FINANCE DIRECTOR – None

UTILITY

Ordinances (First Reading)

Proposed 24-049; Establishing Lakeland Electric Rate Classifications, Rates and Fees; Miscellaneous Revisions

AN ORDINANCE RELATING TO THE ELECTRIC UTILITY; PROVIDING FOR AVAILABILITY OF SERVICE AND CONDITIONS THEREOF; ESTABLISHING RATE CLASSIFICATIONS; REMOVING DETERMINATION OF BILLING DEMAND CHARGES FOR CERTAIN RATE CLASSES; ESTABLISHING RATES FOR ELECTRIC SERVICE BY THE CITY OF LAKE LAND; ESTABLISHING A SURCHARGE FOR CUSTOMERS RECEIVING SERVICE OUTSIDE THE CORPORATE LIMITS OF THE CITY OF LAKE LAND; ESTABLISHING GENERAL PROVISIONS; ESTABLISHING A METHODOLOGY TO IMPOSE A FUEL CHARGE; PROVIDING RATES AND GENERAL PROVISIONS FOR PRIVATE AREA LIGHTING; PROVIDING FOR AN ENVIRONMENTAL COMPLIANCE COST CHARGE; MODIFYING CUSTOMER PARTICIPATION IN THE SOLAR HOT WATER PROGRAM; PROVIDING GENERAL PROVISIONS OF MEDICALLY ESSENTIAL SERVICE FOR RESIDENTIAL CUSTOMERS; ESTABLISHING A DEMAND CHARGE FOR EXISTING CUSTOMERS WITH SOLAR SYSTEMS AFTER JANUARY 1, 2025; PROVIDING AN ECONOMIC DEVELOPMENT RIDER FOR QUALIFIED CUSTOMERS; PROVIDING RATES FOR MISCELLANEOUS FEES AND CHARGES; ESTABLISHING A RATE INCREASE SUFFICIENT TO SUSTAIN A FINANCIALLY SELF-SUPPORTING ELECTRIC UTILITY; REPEALING ORDINANCE 5994; PROVIDING DEFINITIONS; MAKING FINDINGS; 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 September 16, 2024.

Resolutions – None

Miscellaneous – None

AUDIENCE

Ben Graffin came forward about The Well. He was concerned about their lease not being renewed.

Mayor Bill Mutz clarified that the City was negotiating a new lease with the Stones. What was provided was a 120-day notice which was required by the lease.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Chad McLeod attend the Jim Ryan Cross Country Invitational on September 24, 2024. That was the kick-off of the cross-country season.

Mayor Bill Mutz raised the issue of selecting the entity to conduct the City Attorney and City Manager reviews. Don Selvage suggested some retired elected officials, city managers, respected business leaders, or university professors. The Mayor asked the Commission to get back to him with suggestions.

The Commission discussed:

- * Why they do an evaluation each year. To tweak performance and adjust salaries.
- * The evaluation should not be tied to the contract.
- * The Mayor will email the list of suggested names.
- * The Mayor wanted to decide this week.

Palmer Davis suggested the Commission discuss the issue at the budget hearing on Thursday to comply with sunshine.

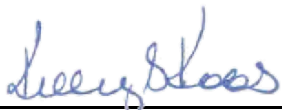
Commissioner Mike Musick clarified it is important to communicate with the City Manager on a regular basis. If we are doing that year-round, there should be no surprises at the review.

Commissioner Sara Roberts McCarley announced she is taking her 14th Congressional Classroom to Washington D.C. They are meeting with Congressman Franklin on Tuesday. There is a World War I war memorial opening, and she hopes it will be open before they arrive.

Commissioner Mike Musick was glad to be home from vacation. He appreciated 2 ½ weeks with his wife without interruption.

Shawn Sherrouse announced a new offering here at City Hall. The Business Resource Office is now available for new businesses. The office is located here at City Hall. They will act as a point of contact for new businesses through the entire development process.

CALL FOR ADJOURNMENT - 11:54 a.m.



Kelly S. Koos, City Clerk

