LAKELAND CITY COMMISSION

Regular Session
June 3, 2025

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

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Beautification Awards (Beth Sherling)
Residential: Paula Ann Machold - 1514 Easton Drive
Commercial: Prose Lakeland Owner LLC - 1320 Caprice Drive

Parks, Recreation, and Cultural Arts Program Coordinator, Beth Sherling, informed the Commission that Bill Koen will be retiring from the City of Lakeland. She also let everyone know that Monday begins the Teen Adventure Services Camp (T.A.S.C.).

Mayor's Council on the Arts Update (Kerry Falwell, Chairman)

A copy of this presentation is on file in the agenda packet.

Commissioner Sara Roberts McCarley supported the proposal, citing it as an incremental investment that builds on a resolution initially established by Mayor Wiggs.

Commissioner Stephanie Madden praised Kerry's acknowledgment that roads and basic infrastructure must precede appreciation for the arts, especially in Polk County where advocacy for arts funding has historically been challenging.

Mayor Mutz affirmed the importance of creativity in community growth, and Kerry reiterated her excitement about collaborative opportunities moving forward.

PROCLAMATIONS

LGBTQ+ Pride Month
National Garden Week
Faith & Family Month

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC – None

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)

***City Commission Minutes - May 12-19, 2025**

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

REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 05/30/25

Commissioner Mike Musick presented this report to the Commission.

1. **Third Modification of Lease Agreement with Publix Super Markets, Inc. for 3505 Aviation Drive**

Motion: Commissioner Sara Roberts McCarley moved to approve the recommendation. Commissioner Bill Read 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.

2. **Fourth Modification of Lease Agreement with Publix Super Markets, Inc. for 3525 Aviation Drive**

Motion: Commissioner Sara Roberts McCarley moved to approve the recommendation. Commissioner Guy LaLonde 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.

EQUALIZATION HEARINGS

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

Palmer Davis explained that 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 regarding 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 recommendation. 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.

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

PUBLIC HEARINGS

Ordinances (Second Reading)

Proposed 25-010; Amending Article II of Division II of the Charter of the City of Lakeland, Florida to Redesignate the Position of Retirement Services Director to Retirement Services Manager (1st Rdg. 05-05-25, Cont. 05-19-25)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE CITY OF LAKELAND EMPLOYEE PENSION PLAN; AMENDING ARTICLE II OF DIVISION II OF THE CHARTER OF THE CITY OF LAKELAND, FLORIDA TO REDESIGNATE THE POSITION OF RETIREMENT SERVICES DIRECTOR TO THAT OF A RETIREMENT SERVICES MANAGER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Shawn Sherrouse explained that the reason for the continued delay is due to a recent meeting he had with one of the trustees, Chris Diaz. During their productive discussion, Mr. Sherrouse expressed his willingness to provide the General Employees' Pension Board additional time, if needed, to meet and allow Mr. Diaz to relay any messages back to the Board. A meeting has since been scheduled for Wednesday, June 4, 2025.

Motion: Commissioner Bill Read moved to continue this item to the June 16, 2025, Commission Meeting. 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.

Ordinance 6090; Proposed 25-011; Amending Chapter 98 of the City Code to Create Article IV - "School Zone Speed Safety Enforcement" (1st Rdg. 05-19-25)

> AN ORDINANCE OF THE CITY OF LAKELAND, FLORIDA, AMENDING CHAPTER 98 “TRAFFIC AND VEHICLES” OF THE CITY CODE BY CREATING ARTICLE IV ENTITLED “SCHOOL ZONE SPEED SAFETY ENFORCEMENT"; AUTHORIZING THE PLACEMENT, INSTALLATION AND OPERATION OF SPEED DETECTION SYSTEMS ON SPECIFIED ROADWAYS WITHIN THE JURISDICTION OF THE CITY OF LAKELAND MAINTAINED AS SCHOOL ZONES THAT CONSTITUTE A HEIGHTENED SAFETY RISK; ESTABLISHING TRAFFIC ENFORCEMENT AND ADMINISTRATIVE PROCEDURES WHEN SPEED DETECTION SYSTEMS ARE UTILIZED FOR SCHOOL ZONE SPEED LIMIT VIOLATIONS; PROVIDING FOR HEARING PROCEDURES AND APPEALS; ESTABLISHING DEFENSES, PENALTIES AND ADMINISTRATIVE COSTS; SETTING FORTH PROVISIONS RELATED TO THE COLLECTION OF EVIDENCE, PUBLIC RECORDS, RETENTION REQUIREMENTS, AND REMITTANCE OF FINES PURSUANT TO STATE STATUTE; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Guy LaLonde seconded.

Traffic Operations Manager Tess Schwarz provided a public presentation which is on file in the agenda packet.

Commissioner McCarley suggested that the enforcement area be extended to include Rochelle School of the Arts, particularly along 10th Street, a high-traffic area. Tess Schwarz responded that while Rochelle had been evaluated, some zones lacked the necessary infrastructure to qualify.

Palmer Davis confirmed for the record that Tess Schwarz met the qualifications through her title as a licensed traffic engineer to support the ordinance.

Raydene Read from the public asked the City Commission to consider Academy Prep on Memorial Blvd due to its high pedestrian traffic.

Mayor Bill Mutz asked for further comments from the Commission and the audience. There were none.

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

Resolutions

Resolution 5996; Proposed 25-035; Lots Cleaning and Clearing

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

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to approve the resolution. Commissioner Bill Read seconded.

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

Action: Upon roll call vote Commissioners Bill Read, 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

Task Authorization with Springer Voss Construction, Inc., for the Retention Pond Grading & Security Fencing Upgrades Project at Lakeland Linder International Airport

Staff seeks approval of a Task Authorization with Springer Voss Construction, Inc. under the terms and conditions of the City's Continuing Contract for Construction Trade Professionals entered into on December 16, 2024, in accordance with Request for Qualifications 2024-RFQ-289.

This proposed Task Authorization in the amount of $142,021.55 which includes the following scope of work:

1. Restoration of the retention pond's bank to its original elevation, along with the placement of 850 square yards of bahia sod to prevent further erosion.
2. Removal and replacement of approximately 795 feet of non-standard security fencing with new eight (8) foot tall security fencing (inclusive of three (3) strands of barbwire) along the perimeter of the retention pond.
3. Removal of approximately 391 feet of non-standard security fencing and the reinstallation of 196 feet of new eight (8) foot tall security fencing (inclusive of three (3) strands of barbwire) along the perimeter of the airport facilities warehouse.

Funding for this scope of work is included in the Public Transportation Grant Agreement issued by the Florida Department of Transportation (FDOT) for the Security Enhancements and Upgrades Project at Lakeland Linder International Airport.

Funding for this portion of work provided by FDOT is in the amount of $113,617.24 (80% of the construction costs), and the City (Airport Fund) in the amount of $28,404.31 (20% of the construction costs). No additional appropriations are needed to fund this request.

Staff recommended the approval of this Task Authorization with Springer Voss Construction, Inc. in the amount of $142,021.55 to complete the Retention Pond Grading & Security Fencing Upgrades as part of the Security Enhancements and Upgrades Project at Lakeland Linder International Airport, authorizing appropriate City officials to execute all corresponding documents on behalf of the City.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the recommendation. Commissioner Bill Read 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.

CITY ATTORNEY

Ordinances (First Reading) Proposed 25-014; Amending Ordinance 5391; Major Modification of a Conditional Use to Allow a Bookstore on Property Located at 737 S. Missouri Avenue

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5391 TO PROVIDE FOR A MAJOR MODIFICATION OF AN EXISTING CONDITIONAL USE FOR A NEIGHBORHOOD CONVENIENCE CENTER (NCC) TO EXPAND THE BOUNDARIES OF THE CONDITIONAL USE TO ALLOW A BOOKSTORE ON PROPERTY LOCATED AT 737 S. MISSOURI AVENUE; 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 June 16, 2025.

Miscellaneous

Rental Car Concession Agreement with The Hertz Corporation

This proposed Rental Car Concessionaire Agreement is with The Hertz Corporation ("Hertz") to provide rental car services to on and off-site Airport patrons. Pursuant to this Agreement, Hertz will be granted a non-exclusive right to operate its rental car concession in the Airport's facilities.

The initial term of this Agreement is for a period of one year, with five additional one-year renewal options upon mutual written agreement of the parties. Either party reserves the right to terminate the Agreement for any reason upon thirty days prior written notice. In accordance with the Agreement, Hertz will be subject to the following monthly concessionaire fees for "On-Airport" rentals (car rentals from airline passengers) and "OffAirport" rentals (car rentals from non-airline passengers) pursuant to the Agreement:

On-Airport Rental Car Concessionaire Fees

1. 15% of Gross Revenue (Total amount actually charged to a rental car customer)
2. $4.95 Quick Turnaround Area Fee (Location where Hertz will process cars for cleaning/washing)
3. $35.00 Drop Off Fee (Applicable to those vehicles being dropped off in a parking lot controlled by the Airport but do not originate from the Airport)

Off-Airport Rental Car Concessionaire Fees

1. 10% of Gross Revenue (Total amount actually charged to a rental car customer)
2. $35.00 Drop Off Fee (Applicable to those vehicles being dropped off in a parking lot controlled by the Airport but do not originate from the Airport)

The Agreement is non-exclusive, which enables the City to enter similar contracts with other rental car providers. Pursuant to the Agreement, Hertz is required to submit annual independent audits of its Gross Revenue to the City. In addition, Hertz is required to maintain insurance as required by the City, as well as indemnify and hold harmless the City for any liability arising out of Hertz's negligence or intentional misconduct pursuant to the Agreement.

Staff recommended that the City Commission approve this Rental Car Concessionaire Agreement with Hertz and authorize the appropriate City officials to execute all corresponding documents consistent with the above-specified terms.

Ramona Sirianni presented this item to the commission.

Motion: Commissioner Bill Read 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 from the audience.

Mayor Mutz asked why the $4.95 quick turnaround area fee does not apply to off-airport rentals. Assistant Airport Director Adam Lunn explained that if an off-airport rental goes to the Hertz location for cleaning and washing, then the fee would apply.

Commissioner Read inquired about anticipated revenue, to which Adam Lunn responded approximately $200–300 per month.

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

FINANCE DIRECTOR – NONE

UTILITY

Ordinances - None

Resolutions

Resolution 5997; Proposed 25-036; Establishing Fuel Charge Effective July 1, 2025

> A RESOLUTION RELATING TO THE ELECTRIC UTILITY; MAKING FINDINGS; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES FOR METERS READ ON OR AFTER JULY 1, 2025; AMENDING TIME OF DAY FUEL CHARGE FOR APPLICABLE RATE CLASSES; REPEALING RESOLUTION 5978; PROVIDING AN EFFECTIVE DATE.

Palmer Davis presented this item to the Commission.

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 Madde, Bill Read, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Miscellaneous

Approval of a Grant Agreement with the American Public Power Association

This is a proposed Agreement with the American Public Power Association (APPA) for a Demonstration of Energy and Efficiency Developments (DEED) Grant. On April 9, 2025, the APPA approved Lakeland Electric's grant application in furtherance of creating an environmental strategy for new nuclear site permitting for municipal utilities.

Specifically, the DEED Grant will be used by the City to perform research into the process of developing an early site permit to assist the APPA in developing a framework and procedure ("Playbook") for municipal utilities that are presently nonnuclear capable to utilize, with Lakeland Electric as a model, to provide guidance for early site permit applications related to nuclear technology ("Project"). The overall Project will build on research previously conducted by the Electric Power Research Institute. Pursuant to the Grant Agreement, APPA will provide the City with $125,000 to conduct the Project. Lakeland Electric will use the funds to perform research, in conjunction with experienced firms that have significant nuclear experience, to develop an early site permit process.

In accordance with the Grant, Lakeland Electric will prepare and submit quarterly reports as well as a final report to the APPA. The APPA will provide payment to the City based on invoices for work completed, with no more than 25% of the total Grant award provided at the beginning of the Project. The Grant also permits Lakeland Electric to utilize subcontractors to assist with work on the Project. The final work product will become the property of the APPA, with the City retaining a license to utilize the Playbook for Lakeland Electric's own purpose. All work for the Project must be completed by April 1, 2026.

Staff recommended that the appropriate City officials be authorized to execute this DEED Grant Agreement with the APPA for development of a Playbook for municipalities to use for guidance related to early site permit applications to employ nuclear technology.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Bill Read 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 from the audience.

Commissioner Musick praised the grant as a forward-thinking step.

Commissioner LaLonde emphasized its potential for new energy generation strategies, and Mike Dammer highlighted the goal of adapting a traditionally rigid industry into a more flexible framework.

Commissioner Madden noted the importance of presenting at the Nuclear Regulatory Commission (NRC) in February. It was also mentioned that the grant involves a matching obligation, and that the City's intern is a skilled grant writer. Commissioners praised staff for their initiative and the collaborative tone of the project.

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

AUDIENCE

Andrea and Matt Bernal raised concerns about Ordinances 6050 and 6051, which restrict accessory dwelling unit (ADU) size to 10% of the property. They argued the changes significantly impacted property values and flexibility, particularly for those with larger lots. Matt claimed conflicting feedback from staff prior to the ordinance change and stated they were not alone in being affected.

Brian Rewis, Director of Community and Economic Development explained that staff reviewed ordinances from several other local governments to establish a reasonable standard for ADU size and compatibility. The review was prompted by oversized ADUs that rivaled or exceeded the main residence. The updated ordinance formally defines ADUs as subordinate to the primary home. Since its adoption, only the Bernals have formally objected.

Mayor Mutz and staff acknowledged the concerns and expressed a willingness to further evaluate the ordinances.

Commissioner Madden expressed regret over her vote and moved to reconsider.

City Attorney Palmer Davis clarified that since the ordinance was adopted in September 2024, reconsideration within one year requires a motion from someone who voted with the majority and a two-thirds Commission vote. After one year, a simple majority would suffice.

Commissioner Guy LaLonde, who voted against both ordinances, felt they were overreaching. While he supported curbing oversized ADUs, he's open to revising the ordinance.

City Manager Shawn Sherrouse suggested holding a Friday workshop to revisit the issue. Several Commissioners supported the idea, with a follow-up proposed for July or August.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Sara Roberts McCarley reported progress on legislative initiatives and community engagement, and she praised the recent Municipal Boards & Committees Dinner. Representing Commissioner Musick, she attended the opening of Lakeland Regional Health's new behavioral health clinic. She also had a productive meeting with Lake Bonny residents, during which questions arose regarding a permit number change related to Lake Bonny, based on information from SWFWMD. Lastly, she recognized Brian Rewis and Mike Smith for their responsiveness during AHAC meetings.

Commissioner Mike Musick thanked Commissioners Madden and Roberts McCarley for covering duties during his medical appointments.

Guy LaLonde commended the Clerk's Office for the successful dinner.

Commissioner Stephanie Madden announced that next week is the Annual American Public Power Association (APPA) conference. As the incoming Chair in July, she has been invited to serve as a panelist, speaking on advocacy and utility innovation. She expressed gratitude to Lakeland Electric and her colleagues for supporting her in this role.

Mayor Mutz expressed gratitude for Commissioner Madden's engagement in her role.

CALL FOR ADJOURNMENT – 11:09 A.M.

Heather L. Bradman

Heather L. Bradman, Deputy City Clerk

CITY OF LAKELAND FLORIDA
INCORPORATED JAN. 1 1885