

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
May 17, 2022
6:00 p.m.**

**Municipal Administration Building
Commission Chambers
201 W. Central Avenue
Lake Wales, FL 33853**

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. ROLL CALL
5. PROCLAMATIONS AND AWARDS
 - 5.I. PROCLAMATION - Safe Boating Week May 21-27, 2022

Documents:

[2022-NSAFEBOATINGWEEK-PROCLAMATION.PDF](#)

- 5.II. PROCLAMATION - Community Action Month

Documents:

[COMMUNITY ACTION MAY MONTH PROCLAMATION 2022.PDF](#)

- 5.III. PROCLAMATION - Public Works Week 2022

Documents:

[2022 PWW PROCLAMATION.PDF](#)

- 5.IV. PROCLAMATION - Ace Outlaw Weightlifter

Documents:

[WEIGHTLIFTING ACE OUTLAW PROCLAMATION.PDF](#)

6. COMMENTS AND PETITIONS

Public participation from residents, taxpayers, business owners, and utility customers is encouraged. The City Commission welcomes information that would assist them in considering agenda items, City business, and otherwise fulfilling the City's mission to make Lake Wales "a bit better or more beautiful" for its citizens.

Anyone wishing to speak should give their name, state if they are a resident, taxpayer, business owner, or utility customer and they will have 5 minutes. Courtesy and respect is the hallmark. Speakers are expected to address the

Commission and not audience members, and not engage in back and forth discussions that can deteriorate into argument, debate and accusations.

Questions about subject matter are best directed to city staff during normal business hours

7. Appointment - Charter Schools Representative

The Mayor will nominate a person to serve as a representative to the Lake Wales Charter School Board

8. CONSENT AGENDA

Any member of the public can ask the City Commission to pull a consent item for separate discussion and vote that they would like to make comment on.

8.I. Minutes - January 12, 2022, May 3, 2022, May 11, 2022

Commission Work Session Minutes [JANUARY 12, 2022](#)

Commission Meeting Minutes [MAY 3, 2022](#)

Commission Work Session Minutes [MAY 11, 2022](#)

8.II. Approval Of The Florida Midland Railroad Lease

Staff seeks commission approval to enter into two railroad right-of-way lease agreements associated with the Northwest Watermain Extension project.

Documents:

[AGENDA MEMO-NW WATERMAINRR LEASE AGREEMENTREV.PDF](#)
[LINCOLN AVE.PDF](#)
[NORTH FIRST STREET.PDF](#)

8.III. Lease Agreement With Boys & Girls Clubs Of Polk County

The City Commission will consider approving a Lease Agreement with the Boys & Girls Clubs of Polk County.

Documents:

[BOYS AND GIRLS CLUB LEASE MEMO 2022.PDF](#)
[LEASE BGC POLK JPA 2022.PDF](#)

8.IV. Lease Purchase Of A 2022 F150

Staff is requesting Commission approval to lease purchase one utility vehicle to be added to the city's Master Lease Agreement.

Documents:

[2022 F150 AGENDA MEMO.PDF](#)
[5322 W1P F150 RESPONDER WORKSHEET.PDF](#)
[BANCORP LEASE SCHEDULE.PDF](#)

9. OLD BUSINESS

- 9.I. Appointment - Alternate Representative Of The Polk Regional Water Cooperative
The Commission will appoint an alternate representative to the Polk Regional Water Cooperative

Commissioner Daniel Williams is the current representative

Mayor Fultz was the representative and Daniel Williams the Alternate

10. NEW BUSINESS

- 10.I. Ordinance 2022-17 Repealing And Reenacting Subsections (A) And (B) Of Section 20-3 Of The City's Code Of Ordinances Dealing With Obstruction Of Public Streets, Highways And Roads, Which Cited Sections Allegedly Run Afoul Of The Constitution's First Amendment Free Speech Provisions

On April 18, 2022, the City received correspondence from Southern Legal Counsel asserting that § 20-3 of the Lake Wales Code of Ordinances runs afoul of the free speech provisions of the United States Constitution. The letter cites numerous recent cases which have found Code provisions similar to those of the City which are unconstitutional.

Documents:

[MEMO ORDINANCE 2022-17.PDF](#)
[ORD2022-17-FINAL VERSION.PDF](#)

- 10.II. Ordinance 2022-12 Annexation – 1st Reading And Public Hearing 10.02 Acres Of Land North Of Linda Street And East Of Tangelo Street

Ordinance 2022-12 proposes the voluntary annexation of approximately 10.02 acres of land north of Linda Street and east of Tangelo Street, and contiguous to the incorporated City limits.

Documents:

[CC MEMO ORD 2022-12 MURPHY PROPERTY ANNEXATION 5.17.2022.PDF](#)
[ORD 2022-12 MURPHY PROPERTY ANNEXATION.PDF](#)
[UTILITY MAPS - ANNEXATION 2022-12.PDF](#)

- 10.III. ORDINANCE D2022-11 Future Land Use Amendment For 10.02 Acres Of Land North Of Linda Street And East Of Tangelo Street

Shelton T. Rice, authorized agent for owner, requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on approximately 10.02 acres of land.

Documents:

[CC MEMO D2022-11 MURPHY PROPERTY CPA 5.17.2022.PDF](#)
[ORD D2022-11 MURPHY PROPERTY CPA SMALL SCALE 5.17.22.PDF](#)

- 10.IV. Ordinance D2022-09 Future Land Use Amendment For 23.66 Acres Of Land South Of Passion Play Road And West Of 11th Street South

The McKenna Family requests approval of City Commission to amend

the Future Land Use Map of the Comprehensive Plan on parcels of land totaling approximately 23.66 acres.

Documents:

[CC MEMO D2022-09 MCKENNA PROPERTY CPA 5.17.2022.PDF](#)
[ORD D2022-09 MCKENNA PROPERTY CPA SMALL SCALE 5.17.22.PDF](#)

- 10.V. ORDINANCE D2022-10 Zoning Map Amendment For 23.66 Acres Of Land South Of Passion Play Road And West Of 11th Street South
The McKenna Family requests approval of City Commission to amend the Zoning Map on parcels of land totaling approximately 23.66 acres.

Documents:

[CC MEMO D2022-10 MCKENNA PROPERTY ZONING 5.17.2022.PDF](#)
[ORD D2022-10 MCKENNA PROPERTY ZONING AMENDMENT 5.17.22.PDF](#)

- 10.VI. Ordinance D2022-15 First Reading And Public Hearing Future Land Use Amendment For 15.98 Acres Of Land North Of State Road 60 E. And East Of Evergreen Drive
Trinity Baptist Church request approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on approximately 15.98 acres of land.

Documents:

[CC MEMO D2022-15 TRINITY BAPTIST CPA 5.17.2022.PDF](#)
[ORD D2022-15 TRINITY BAPTIST CPA SMALL SCALE 5.17.22.PDF](#)

- 10.VII. ORDINANCE D2022-16 First Reading And Public Hearing - Zoning Map Amendment For 15.98 Acres Of Land North Of State Road 60 E. And East Of Evergreen Drive
Trinity Baptist Church requests approval of City Commission to amend the Zoning Map on approximately 15.98 acres of land.

Documents:

[CC MEMO D2022-16 TRINITY BAPTIST ZONING 5.17.2022.PDF](#)
[ORD D2022-16 TRINITY BAPTIST ZONING AMENDMENT 5.17.22.PDF](#)

- 10.VIII. ORDINANCE D2022-17 First Reading And Public Hearing - Zoning Map Amendment For 195.23 Acres Of Land North Of Chalet Suzanne Road And East Of US Highway 27
Hillpointe LLC, authorized agent for owner, requests approval of City Commission to amend the Zoning Map on approximately 195.23 acres of land.

Documents:

[CC MEMO D2022-17 HILLPOINTE ZONING 5.17.2022.PDF](#)
[ORD D2022-17 HILLPOINTE ZONING AMENDMENT 5.17.22.PDF](#)
[HILLPOINTE ZONING BOUNDARY SURVEY AND LEGAL DESCRIPTION.PDF](#)

10.IX. Hunt Club Grove North - Modification Of A Residential Planned Development Project (PDP) Public Hearing

Dave Schmitt Engineering, Inc, agent for owners, is requesting approval of City Commission, of a modification to a 600-lot single-family Residential PDP on approximately 130.38 acres of land just west of Hunt Brothers Road, and south of State Road 60.

Documents:

[CC MEMO HUNT CLUB GROVE NORTH PDP MOD 5.17.22.PDF](#)
[HUNT CLUB GROVE NORTH MODIFIED PDP SITE PLAN.PDF](#)
[ORIGINAL HUNT CLUB NORTH PDP APPROVED.PDF](#)
[CC MEMO HUNT CLUB GROVE NORTH PDP 1.18.2022.PDF](#)

10.X. Hunt Club Grove South - Preliminary Subdivision Plat Approval / Special Exception Use Permit Approval For A Residential Planned Development Project (PDP)

Dave Schmitt Engineering, Inc, agent for owners, is requesting approval of City Commission, of a 542-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 104.36 acres of land just west of Hunt Brothers Road, and south of Post Salter Road.

Documents:

[CC MEMO HUNT CLUB GROVE SOUTH PDP 5.17.22.PDF](#)
[EXHIBITS - HUNT CLUB SOUTH PDP.PDF](#)
[HUNT CLUB SOUTH LANDSCAPING PLANS.PDF](#)
[HUNT CLUB SOUTH PDP SITE PLAN.PDF](#)
[INDICATORS OF URBAN SPRAWL - HUNT CLUB SOUTH.PDF](#)
[RESIDENTIAL PDP DESIGN GUIDELINES - HUNT CLUB SOUTH.PDF](#)

10.XI. Forest Lake - Preliminary Subdivision Plat Approval / Special Exception Use Permit Approval For A Residential Planned Development Project (PDP)

Charles Millar, authorized agent for owners, is requesting approval of City Commission, of a 295-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 97.35 acres of land south of Chalet Suzanne Road and east of US Highway 27.

Documents:

[CC MEMO FOREST LAKE PDP 5.17.22.PDF](#)
[EXHIBITS - FOREST LAKE PDP.PDF](#)
[FOREST LAKE PDP PLANS.PDF](#)
[INDICATORS OF URBAN SPRAWL - FOREST LAKE PDP.PDF](#)
[RESIDENTIAL PDP DESIGN GUIDELINES - FOREST LAKE PDP.PDF](#)

10.XII. Preliminary Subdivision Plat Approval / Special Exception Use Permit Approval For A Residential Planned Development Project (PDP) Jewel Ridge

Shelton T. Rice, authorized agent for owner, is requesting approval of City Commission, of a 172-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 43.4 acres of land north of Post Salter Road and east of 11th Street South.

Documents:

[CC MEMO JEWEL RIDGE PDP 5.17.22.PDF](#)
[EXHIBITS - JEWEL RIDGE PDP.PDF](#)
[JEWEL RIDGE LANDSCAPING PLAN.PDF](#)
[RESIDENTIAL PDP DESIGN GUIDELINES - JEWEL RIDGE PDP.PDF](#)
[REVISED JEWEL RIDGE PDP PLAN 4.22.22.PDF](#)
[INDICATORS OF URBAN SPRAWL - JEWEL RIDGE PDP.PDF](#)

10.XIII. RESOLUTION 2022-16 Tangelo Street Transfer Agreement

The Tangelo Street Transfer Agreement contemplates the transfer of Tangelo Street, a public County road, to the City of Lake Wales.

Documents:

[CC MEMO RES 2022-16 TANGELO STREET TRANSFER AGREEMENT 5.17.2022.PDF](#)
[RESOLUTION 2022-16 TANGELO STREET TRANSFER.PDF](#)
[LOCATION MAP - RESOLUTION 2022-16.PDF](#)
[TANGELO PDP PLAN.PDF](#)
[TANGELO STREET AGREEMENT.PDF](#)

10.XIV. RESOLUTION 2022-17 DW53037 Northwest Water Main Extension

In order to receive State Revolving Loan Funds (SRF) for any given project, a resolution must be adopted by the city stating its financial position and its authority to apply for these funds.

Documents:

[AGENDA MEMO-RESOLUTION 2022-17 NORTHWEST WATERMAIN EXTENSION.PDF](#)
[RESOLUTION2022-17.PDF](#)

10.XV. RESOLUTION 2022-18 WW53036 Septic To Sewer Conversion With Forcemain Extension

In order to receive State Revolving Loan Funds (SRF) for any given project, a resolution must be adopted by the city stating its financial position and its authority to apply for these funds.

Documents:

[AGENDA MEMO-RESOLUTION 2022-18 SEPTIC TO SEWER CONVERSION WITH FORCEMAIN EXTENSION.PDF](#)
[RESOLUTION2022-18.PDF](#)

11. CITY ATTORNEY

12. CITY MANAGER

12.I. Commission Meeting Calendar

Documents:

[COMMISSION MEETING CALENDAR, MAY-2022.PDF](#)

13. CITY COMMISSION COMMENTS

14. MAYOR COMMENTS

15. ADJOURNMENT

(The staff memos are not incorporated into the official record)

Minutes of the City Commission meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the City Commission with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.