

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
June 7, 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 - Responsible Fatherhood Month

Documents:

[RESPONSIBLE FATHERHOOD MONTH 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. 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.

7.I. Minutes - January 18, 2022 & June 1, 2022 Work Session

Commission meeting [JANUARY 18, 2022](#)

Work Session Meeting [JUNE 1, 2022](#)

7.II. WWTP Chlorination Tanks Replacement

Staff seeks commission approval to expend funds for the replacement of an Aurora

split case horizontal pump for Water Treatment Plant #2 (WTP #2)
from Barney's Pumps for \$26,246.00.

Documents:

[AGENDA MEMO-WTP PUMP REPLACEMENT .PDF](#)
[CHEMICAL CONTAINERS QUOTE.PDF](#)
[ODYSSEY QUOTE.PDF](#)

7.III. Elevated Water Storage Tank Maintenance

Staff is seeking commission approval for the expenditure of funds or \$127,500.00 for maintenance and inspection for the City's for water storage towers by Tank Rehab.

Documents:

[AGENDA MEMO-ELEVATED STORAGE TANK MAINTENANCE.PDF](#)
[TANK REHAB QUOTE.PDF](#)

7.IV. Mountain Lake Cutoff Rd Watermain Extension

Staff proposes to install approximately 2100 lf of 12" water main to assist in the expansion of the water system along Mountain Lake Cutoff Road.

Documents:

[AGENDA MEMO - MOUNTAIN LK CUTOFF EXTENSIONREV1.PDF](#)
[DAYLN QUOTE - OPEN CUT .PDF](#)
[LOPEZ - DIRECTIONAL DRILL.PDF](#)
[LOPEZ QUOTE_OPEN CUT.PDF](#)
[MARTIN PAVING - OPEN CUT QUOTE.PDF](#)
[MOUNTAIN LK - SUMMARY COST - BORING.PDF](#)
[MOUNTAIN LK - SUMMARY COST - OPEN CUT.PDF](#)

7.V. DW53037 Northwest Water Main Extension Application Submittal

The funds for this project have been committed by the State Revolving Loan Fund Agency (SRF). It is now time for City Staff to submit the application for drafting of the contract for the Mayor's signature.

Documents:

[AGENDA MEMO-DW53037 NORTHWEST WATERMAIN EXTENSION SRF APPLICATION.PDF](#)
[DW53037 FUNDING APPLICATION COMPLETE.PDF](#)

7.VI. Southside Force Main Cleaning

Staff is recommending the approval to expend funds for \$51,399.60 for the force main cleaning services provided by Professional Piping Services.

Documents:

[AGENDA MEMO-SOUTHSIDE FORCE MAIN CLEANING 2022.PDF](#)
[QUOTE 5022-3004.PDF](#)

7.VII. WTP #2 Aurora Split Case Pump Replacement

Staff seeks commission approval to expend funds for the replacement of an Aurora split case horizontal pump for Water Treatment Plant #2 (WTP #2) from Barney's Pumps for \$26,246.00.

Documents:

[AGENDA MEMO-WTP .PDF](#)
[BARNEYS PUMP.PDF](#)
[FLORIDA ARMATURE.PDF](#)
[KAMAN DISTRIBUTION.PDF](#)

7.VIII. WW53036 Septic To Sewer Force Main Ext. SRF Funding Application

The funds for this project have been committed by the State Revolving Loan Fund Agency (SRF). It is now time for City Staff to submit the application for drafting of the contract for the Mayor's signature.

Documents:

[AGENDA MEMO-WW53036 SEPTIC TO SEWER CONVERSION
FORCEMAIN EXTENSION SRF APPLICATION.PDF](#)
[WW53036LOANAPPLICATION.PDF](#)

7.IX. Daly Pines Final Plat Approval

The Daly Family requests approval of the Daly Pines Final Plat.

Documents:

[CC MEMO DALY PINES FINAL PLAT 6.7.2022.PDF](#)
[DALY PINES FINAL PLAT.PDF](#)
[DALY PINES TITLE OPINION LETTER.PDF](#)

7.X. Community Firework Display – 4th Of July

The City Commission will consider a piggyback agreement to Collier County contract for the 4th of July Firework Display.

Documents:

[EXPOSHOW AGENDA MEMO.PDF](#)
[PRODUCTION AGREEMENT - 2022 CITY OF LAKE WALES JULY 4TH
FIREWORKS - EXPOSHOWS INC.PDF](#)
[SCIF COLLIER COUNTY 2022-2023.PDF](#)

7.XI. Lake Wales Public Library Treasure Hunt Event

The Lake Wales Public Library is requesting a special event permit for a Treasure Hunt Sand & Foam Party event to be held on July 14th, 2022 from 10:30 a.m. - 11:30 a.m. This event will close Cypress Garden Lane and the parking lot west of the Library across Cypress Garden Lane.

Documents:

[MEMO TREASURE HUNT EVENT 2022.PDF](#)
[SPECIAL EVENT APPLICATION LIBRARY SAND PARTY 2022.PDF](#)

7.XII. Lake Wales Public Library Touch-A-Truck Event

The Lake Wales Public Library is requesting a special event permit for a Touch a Truck event to be held on July 21st, 2022 from 10:30 a.m. - 11:30 a.m. This event will close Cypress Garden Lane and the parking lot west of the Library across Cypress Garden Lane.

Documents:

[MEMO TOUCH A TRUCK EVENT 2022.PDF](#)
[SPECIAL EVENT APPLICATION TOUCH A TRUCK LIBRARY 2022.PDF](#)

8. OLD BUSINESS

8.I. ORDINANCE D2022-03 – Second Reading And Public Hearing: Future Land Use For 236.57 Acres Of Land South Of Belleview Drive, East Of Scenic Highway South, North Of Passion Play Road, And West Of 11th Street South

Dave Schmitt Engineering, authorized agent for owners, requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on the above-mentioned parcels totaling approximately 236.57 acres of land.

Documents:

[CC MEMO D2022-03 2ND R GROVE AT ORCHARD HILLS CPA 6.7.22.PDF](#)
[ORD D2022-03 2ND R GROVES AT ORCHARD HILLS CPA LARGE SCALE 6.7.22.PDF](#)

8.II. ORDINANCE D2022-06 Second Reading And Public Hearing - Zoning For 236.57 Acres Of Land South Of Belleview Drive, East Of Scenic Highway South, North Of Passion Play Road, And West Of 11th Street South

Dave Schmitt Engineering, authorized agent for owners, requests approval of City Commission to amend the Zoning Map on the above-mentioned parcels totaling approximately 236.57 acres of land.

Documents:

[CC MEMO D2022-06 2ND R GROVE AT ORCHARD HILLS ZONING 6.7.22.PDF](#)
[ORD D2022-06 2ND R GROVES AT ORCHARD HILLS ZONING AMENDMENT 6.7.22.PDF](#)

8.III. ORDINANCE D2022-04 Second Reading And Public Hearing - Future Land Use For 97.35 Acres Of Land South Of Chalet Suzanne Road And East Of US Highway 27
Charles Millar with Atwell, authorized agent for owners Lake Wales Realty Investors LLC and Star Lake Inc., requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on the above-mentioned parcels totaling approximately 97.35 acres of land.

Documents:

[CC MEMO D2022-04 2ND R FOREST LAKE CPA 6.7.22.PDF](#)
[ORD D2022-04 2ND R FOREST LAKE CPA LARGE SCALE 6.7.22.PDF](#)

- 8.IV. ORDINANCE D2022-07 Second Reading And Public Hearing - Zoning For 97.35 Acres Of Land South Of Chalet Suzanne Road And East Of US Highway 27
Charles Millar with Atwell, authorized agent for owners Lake Wales Realty Investors LLC and Star Lake Inc., requests approval of City Commission to amend the Zoning Map on the above-mentioned parcels totaling approximately 97.35 acres of land.

Documents:

[CC MEMO D2022-07 2ND R FOREST LAKE ZONING 6.7.22.PDF](#)
[ORD D2022-07 2ND R FOREST LAKE ZONING AMENDMENT 6.7.22.PDF](#)

- 8.V. ORDINANCE D2022-11 Second Reading And Public Hearing - 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 2ND R MURPHY PROPERTY CPA 6.7.2022.PDF](#)
[ORD D2022-11 2ND R MURPHY PROPERTY CPA SMALL SCALE 6.7.22.PDF](#)

- 8.VI. ORDINANCE 2022-12 Annexation – 2nd 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 2ND R MURPHY PROPERTY ANNEXATION 6.7.2022.PDF](#)
[ORD 2022-12 MURPHY PROPERTY ANNEXATION.PDF](#)
[UTILITY MAPS - ANNEXATION 2022-12.PDF](#)

- 8.VII. ORDINANCE 2022-17 2nd Reading Public Hearing - 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](#)

- 8.VIII. ORDINANCE D2022-17 Second 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 2ND R HILLPOINTE ZONING 6.7.2022.PDF](#)
[ORD D2022-17 2ND R HILLPOINTE ZONING AMENDMENT 6.7.22.PDF](#)
[HILLPOINTE ZONING BOUNDARY SURVEY AND LEGAL DESCRIPTION.PDF](#)

9. NEW BUSINESS

- 9.I. ORDINANCE D2022-12 – First Reading And Public Hearing - Zoning Map 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 Zoning Map on approximately 10.02 acres of land.*

Documents:

[ORD D2022-12 MURPHY PROPERTY ZONING AMENDMENT 6.7.22.DOCX.PDF](#)
[CC MEMO D2022-12 MURPHY PROPERTY ZONING 6.7.2022.DOCX.PDF](#)

- 9.II. ORDINANCE 2022-30 LDR Updates Chapter 23 Land Development Regulations –1st Reading And Public Hearing

Staff proposes amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

- a. Section 23-306 Off-street and vehicular areas
- b. Section 23-421 Permitted Uses
- c. Section 23-302 Definitions

Documents:

[CC MEMO 6.7.2022 2022-30 LDR UPDATES 1ST R.PDF](#)
[ORDINANCE 2022-30 LDR AMENDMENTS 6.7.2022.PDF](#)

- 9.III. RESOLUTION 2022-14, Preliminary Rate Resolution – Brookshire Street Lighting District.

It is recommended that City Commission adopt Resolution 2022-14 providing the Preliminary Rate Resolution for the Brookshire Street Lighting District.

Documents:

[MEMO - PRELIMINARY RATE RESOLUTION BROOKSHIRE.PDF](#)
[RESOLUTION 2022-14 BROOKSHIRE STREET LIGHTING - PRELIMINARY RATE RESOLUTION.PDF](#)

9.IV. RESOLUTION 2022-15 Preliminary Rate Resolution Fire Assessment
Preliminary Rate Resolution for Fire Protection Services Assessment

Documents:

[MEMO - PRELIMINARY RATE RESOLUTION - FIRE PROTECTION ASSESSMENT.PDF](#)
[RESOLUTION 2022-15 FIRE ASSESSMENT - PRELIMINARY RATE RESOLUTION.PDF](#)

9.V. Resolution 2022-11 – Resolution To Utilize The Uniform Method Of Collecting Non-Ad Valorem Assessments And Adopting The Special Assessment Roll.

Resolution 2022-11 declares the City's intent to utilize the uniform method of collecting non-ad valorem assessments and adopts the assessment roll for 2022.

Documents:

[2022-CC MEMO RESOLUTION 2022-11 NON-AD VALOREM.PDF](#)
[2022-RESOLUTION 2022-11 NON-AD VALOREM COLLECTION.PDF](#)
[2022-NON-AD VALORAM TAX ROLL - LAKE WALES 2021.PDF](#)
[2022-0124-01 RAY AND SONS EXECUTED CONTRACT.PDF](#)

10. CITY ATTORNEY

11. CITY MANAGER

11.I. Commission Meeting Calendar

Documents:

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

12. CITY COMMISSION COMMENTS

13. MAYOR COMMENTS

14. 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.