

# City Commission

## Meeting Minutes

March 15, 2022

(APPROVED)

3/15/2022 - Minutes

### 1. INVOCATION

Dr. James Moyer gave the invocation.

### 2. PLEDGE OF ALLEGIANCE

### 3. CALL TO ORDER

Deputy Mayor Gibson called the meeting to order at approximately 6:00 p.m. following the invocation and the pledge of allegiance

### 4. ROLL CALL

**Commission Members Present:** Terrye Howell, Jack Hilligoss, Deputy Mayor Robin Gibson, Daniel Williams

**Commission Members Absent:** Mayor Eugene Fultz

**Staff Present:** James Slaton, City Manager; Jennifer Nanek, City Clerk; Albert C. Galloway, Jr., City Attorney

### 5. PROCLAMATIONS AND AWARDS

#### 5.I. Heartland Proclamation

Deputy Mayor Gibson proclaimed April Child Abuse Prevention Month. Representatives from Heartland for Children accepted the proclamation.

#### 5.II. Women Who Made History Proclamation

Deputy Mayor Gibson proclaimed March Women's History month. Representatives from America Association of University Women (AAUW) accepted the Proclamation.

### 6. PRESENTATION/REPORT

### 7. COMMENTS AND PETITIONS

Dorothy Scott Wilson, resident, said she has put together a petition concerning the Afro-American historical

and genealogical society. She has been trying to get this for 6 years. She has been offered a building in town to have artifacts in. This would be good stuff. She would like this to be part of the CRA. She would like to have City participation. She hopes the commission will consider her proposal. Deputy Mayor Gibson recommended she submit this request to the City Manager.

Ben Wiles, resident, shared concerns about land use changes. He also asked that the City support Ukrainian refugees if possible. He thanked the Commission for the work they do.

James Wells, resident, asked about the status of the roof of the Austin Center. He asked if the name of the building has changed. Deputy Mayor Gibson recommended he talk with City Manager James Slaton about these issues.

## 8. CONSENT AGENDA

Commissioner Howell made a motion to approve the Consent Agenda. Commissioner Williams seconded the motion.

by voice vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

### 8.1. Interlocal Agreement Between The City Of Lake Wales And Polk County For The Billing Of Sewer Services For The Crooked Lake Park Sewer Company Service Area.

[Begin Agenda Memo]

**SYNOPSIS:** The Crooked Lake Park Sewer Company service area is currently being billed for sewer service by Polk County and for water by the City of Lake Wales. This agreement would allow for the billing of all services on one bill using the meter reading that the city already collects for the water billing.

#### **RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve the interlocal agreement between the City of Lake Wales and Polk County for billing of sewer services for the Crooked Lake Park Service Area.
2. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

The Crooked Lake Park Sewer Company service area is currently being billed for sewer by Polk County and for water by the City of Lake Wales. These residents currently receive a bill based on a flat rate for sewer and a water bill based on a meter reading. The consolidation of both bills into one document will give the residents a more streamline billing. It will also ensure the residents are being billed based on actual usage instead of a base rate bill regardless of use. Polk County has agreed to use the City of

Lake Wales outside city limit rates for this purpose. The residents in the area have been coming in expressing interest for the City to take over billing ever since the City purchased Park Water Company last February. City Staff and Polk County Staff worked together to come to an agreement that would be beneficial to both parties, and give the residents a more streamline billing process.

Staff recommends the Commission take the following action, approve the interlocal agreement between the City of Lake Wales and Polk County for billing and delinquency processing of sewer services for the Crooked Lake Park Service area and authorize the Mayor to execute the appropriate documents, on the City's behalf.

#### **OTHER OPTIONS**

The Commission could deny the interlocal agreement and those residents affected will continue to receive two bills for utility service.

#### **FISCAL IMPACT**

The City will receive 10% of the sewer fees collected as compensation for the billing and collection of sewer fees that will then be passed on to Polk County.

[End Agenda Memo]

#### 8.II. Approval Of The Duke Energy Market Plaza Alley Easement

[Begin Agenda Memo]

#### **SYNOPSIS:**

Commission approval to grant an easement to Duke Energy regarding utility work on the Market Plaza / Park Avenue Streetscape project.

#### **RECOMMENDATION**

It is recommended the City Commission take the following action(s):

1. Approve the easement agreement
2. Authorize the Mayor to execute the agreement on the City's behalf

#### **BACKGROUND**

In accordance with the Lake Wales Connected Plan, the City has designed significant improvements to Market Plaza as part of the Park Avenue Streetscape. As part of the new Market Plaza design, the overhead power lines that cut through the plaza will be relocated underground to allow for new cathedral live oaks.

Duke Energy's relocation of power lines requires an easement from the City of Lake Wales for the work taking place within the alley.

#### **OTHER OPTIONS**

The City Commission may decide to deny the easement.

#### **FISCAL IMPACT**

There is no fiscal impact associated with the easement.

[End Agenda Memo]

## 9. OLD BUSINESS

- 9.I. ORDINANCE 2022-04 Annexation – 2nd Reading And Public Hearing Approximately 208 Acres Of Land South Of Lake Mabel Loop Road, East Of Scenic Highway North, North Of Masterpiece Road, And West Of Tower Road

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2022-04 proposes the voluntary annexation of approximately 208 acres of land located south of Lake Mabel Loop Road, east of Scenic Highway North, north of Masterpiece Road, west of Tower Road, and contiguous to the incorporated City limits.

### **RECOMMENDATION**

Staff recommends adoption after second reading of Ordinance 2022-04, following a public hearing.

Public Hearing notice requirements have been met.

Commission approved Ordinance 2022-04 at first reading on February 1, 2022. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

### **BACKGROUND**

Gardinier Florida Citrus, Inc., owner, petitioned annexation into the corporate city limits of Lake Wales on November 30, 2021.

“Attachment A” to the ordinance shows the property’s location. It is contiguous to the City Limits along its western boundary.

### **OTHER OPTIONS**

Decline to annex the property.

### **FISCAL IMPACT**

The annexation will add to the City’s tax roll. The properties are valued at a total of \$1,690,775, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential residential development.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-04** by title only.

### **ORDINANCE 2022-04**

**(Annexation – 208 acres of land south of Lake Mabel Loop Road, east of Scenic Highway North, north of Masterpiece Road, and west of Tower Road.)**

**Parcel ID: 272914-000000-000502, 272914-000000-000513, 272914-000000-031030, 272914-000000-031040, 272914-000000-031010, 272914-860590-013300, 272914-860590-013201, 272914-860590-012900, 272914-000000-013030, 272914-000000-013020, 272914-000000-013010, 272914-000000-**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 217.94 ACRES OF LAND, CONTIGUOUS TO THE INCORPORATED TERRITORY OF THE CITY OF LAKE WALES, SHOWN ON ATTACHMENT "A" AND SPECIFICALLY DESCRIBED HEREIN; GIVING THE CITY OF LAKE WALES JURISDICTION OVER THE LAND ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

Deputy Mayor Gibson said that growth is a big topic right now. We have not yet defined our footprint. Planning for the future is important. This is a good design. This project will be developed in phases over the years to come. He asked if this is the 1st step. Mr. Bennett said this is the first step of many. Next is designating land use and zoning. Then there will be site plan approvals.

James Slaton, City Manager, said that the next steps will all come before Commission. This is consistent with the master Annexation agreement approved last year.

Deputy Mayor Gibson asked how long until we determine our City footprint. He is concerned with additional residents and use of our infrastructure. He does not want to leave behind putting houses in the current city limits. Our footprint is within our service area.

Mr. Bennett said the kickoff for the land use study is tomorrow. Related to this annexation city infrastructure is nearby.

Deputy Mayor Gibson asked what the purpose of the land use study. Mr. Bennett said its to determine the development pattern between city limits and service area. Deputy Mayor Gibson asked if we should annex before that is complete. Mr. Bennett said these decisions are up to the Commission.

Mr. Slaton said there are 5 developments in process in the Lake Wales area in the county. Growth will not stop. If we annex then we have some say over what the growth looks like.

Deputy Mayor Gibson said that this is a perplexing problem. He said we are getting pressure from the citizens concerned about the development of our town.

Commissioner Williams said our staff has brought forth items compatible with what the Commission has asked in combatting urban sprawl. We need to be fair the developers. He has not heard concerns about the character of Lake Wales from the citizens. This is a quality development. This is what we are looking for.

Commissioner Howell said she agreed that we need a plan. She thinks the annexation is a good idea. This is not all at one time. She wants infill or inside building but there are not options for large developments. This growth means more income, more jobs, and more opportunity. She would like more affordable homes in the City.

Commissioner Hilligoss said that he has heard concerns about growth as well. For him this comes to who is in control of growth. He prefers the City be in charge. He sees no reason not to move forward.

Shelton Rice, with law firm of Peterson & Myers, said this is a balancing act between private property rights and what is best for the City. All municipalities struggle with this. They need to cooperate with the City to do anything with the property. This is an opportunity for the City. It will bring \$30 million of investment to Lake Wales and more revenue for the City. There is development in each direction from this property. Now is the time for development of this property.

Jack Brandon, Petersen & Myers Law Firm, shared a past event concerning State Farm and the Mall. If Lake Wales had not annexed the Mall area then Winter Haven would have. He is glad the City is going

through the planning process. Several areas up there are in the City. This needs to work with the City and the developer. Can it be an asset to Lake Wales.

#### OPENED PUBLIC HEARING

Al Goldstein, resident, said we were at a standstill as far as growth a few years ago. We might lose this to the county and those tax dollars. This money can help with the upcoming \$18.5 million loan. This is an opportunity for Lake Wales.

Ben Wiles, resident, recommending approving the annexation but holding off on next steps until the land use study is complete. He said we should protect scenic spots in that area. We should put land to its highest and best use.

#### CLOSED PUBLIC HEARING

Deputy Mayor Gibson said he is glad the property is being developed in stages. He is glad that there will be mixed use including commercial. The owners want to be in the City due to the higher quality. He is inclined to bring them into the City. He is not sure about the rest of it.

Commissioner Howell made a motion to adopt **ORDINANCE 2022-04** after 2nd Reading and Public Hearing. Commissioner Hilligoss seconded the motion.

By roll call vote:

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

### 10. NEW BUSINESS

#### 10.I. ORDINANCE 2022-08 Establishment Of A Tree Advisory Board

[Begin Agenda memo]

#### **SYNOPSIS:**

The Lake Wales City Commission will consider adopting Ordinance 2022-08, creating the Lake Wales Tree Advisory Board.

#### **RECOMMENDATION**

It is recommended the City Commission take the following action(s):

1. Approve Ordinance 2022-08 after first reading

#### **BACKGROUND**

It is the City's goal to become an officially recognized "Tree City" by the Arbor Day Foundation.

To qualify for this designation, the City is required to have a tree board or department. The Lake Wales Tree Advisory Board will meet quarterly and provide analysis & recommendations to the City's Horticulturist.

Responsibilities include providing analysis & recommendations for the following:

- a. Inventory of trees on city maintained property
- b. Development and maintenance of a written plan for the care, preservation, pruning, planting, replanting, removal of trees in parks, in city ROW and other public areas.
- c. Promote awareness of the city's tree canopy and develop educational programs to communicate the benefits of trees
- d. The beautification of the City through maintenance of the city's trees
- e. Aide the City in its goal to achieve membership in organizations such as Tree City USA, and America in Bloom
- f. Aide the City in pursuit of relevant grant opportunities
- g. Advise city Horticulturist on matters concerning trees and related resources
- h. Keep abreast of current trends in urban forestry through appropriate training and development

#### **OTHER OPTIONS**

The City Commission may direct staff not to move forward with Ordinance 2022-08.

#### **FISCAL IMPACT**

Significant fiscal impact is not anticipated. Minor expenses related to Tree Advisory Board members may be incurred.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-08** by title only.

#### **ORDINANCE 2022-08**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CREATING THE "LAKE WALES TREE ADVISORY BOARD" ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Howell made a motion to approve **ORDINANCE 2022-08** after first reading. Commissioner Williams seconded the motion.

By Roll call vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

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

[Begin Agenda Memo]

**SYNOPSIS:** Collier Engineering & Design, agent representing Belleview Drive LLC, owner, is requesting a recommendation of approval to City Commission, of a 155-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 43 acres of land just west of 11th Street South, and north and south of Belleview Drive.

**RECOMMENDATION**

The applicant requests approval of City Commission of a 155-lot single family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP, with conditions of approval, as recommended by the Planning and Zoning Board at a regular meeting on January 22, 2022.

**BACKGROUND**

General:

The 43-acre vacant grove land is located just west of and south of Belleview Drive, and south of the Whispering Ridge Subdivision. A portion of the subject properties were annexed into the City through petition by the owners on October 5, 2021. At a regular meeting on October 26, 2021, Planning Board made a recommendation to City Commission to approve a zoning of R-1B, and a future land use designation of LDR low-density residential at a maximum of 5 units per gross acre. The request to amend

land use and zoning designations were approved by City Commission at first reading on November 11, 2021 and adopted at second reading on December 7, 2021.

The proposed single-family subdivision is designed as a Planned Development Project, including requested Waivers of Strict Compliance.

Maximum density allowed on the site is calculated at 5 units per gross acre, or 217 homes, under the Comprehensive Plan for LDR Low-Density Residential; a density of only 3.6 dwelling units per acre, or 155 homes, is proposed.

Typical lot sizes range from 5,175 square feet to 6,900 square feet, with lot widths ranging from 45-foot-wide to 60-foot-wide. All lots meet the standard R-1B standards for rear setbacks at 20 feet and the 60' lots meet the standard side setback of 10 feet. The 50' and 60' lots meet the minimum street frontage of 50 feet. Waivers are being requested for all other standards of the R-1B zoning district.

Proposed Standards

45' wide lot / 55' wide lot / 60' wide lot:

Minimum lot size – 5,175 sq. ft. / 6,325 sq. ft. / 6,900 sq. ft.

Minimum lot width – 45 ft. / 55 ft. / 60 ft.



Minimum lot depth – 115 ft. Minimum front setback – 20 ft.

Minimum side setback – 7.5 ft. / 7.5 ft. / 10 ft. Minimum rear setback – 20 ft.

Minimum corner front-side setback – 15 ft. Minimum living area – 1,400 sq. ft.

Maximum lot coverage – 55%

#### Roadways & Access:

The northern portion of the development will have an entrance from Belleview Drive. The southern portion will have two entrances, one on Belleview Drive and another on Grove Road Three. G R Road to the west will be closed to limit the amount of access points along Belleview.

Five-foot-wide sidewalks will be constructed on both sides of interior streets, as well as along both sides of Belleview Drive west of the trail. Five-foot-wide sidewalks will also be provided along project boundaries for 11th Street South and Grove Road Three.

Lastly, the development designates additional right-of-way for Belleview Drive and Grove Road Three. Grove Road Three will be required to be improved and will be included in the developer's agreement.

#### Landscaping and Buffering:

A landscape plan will be required at Site Development Plan submittal, and will be reviewed and approved by Staff after consultation with the City's horticulturist. The proposed buffer may be a wall or berm, and will be planted with shrubs, canopy trees, and understory trees.

Residential tree density requirements will be enforced at building permit issuance, pursuant to section 23-307.2.a.3: a minimum of two, two-inch caliper shade trees, minimum of eight feet at planting. Amendments to this code section, which propose to increase the minimum tree density standards, were approved at second and final reading by City Commission at the March 1, 2022 Commission Meeting.

The buffer proposed on the plan designates one overstory tree every 30 linear feet in excess of our required standard of one overstory tree every 50 linear feet.

#### Recreation:

The project is designed with 2.93 acres of recreation tracts, including parks for both portions of the development and a trail which interconnects with the interior and exterior sidewalk system. The neighborhood park will feature playground equipment, and the trail will include some benches.

More than 25% of the site will remain as open space, where 20% open space is required at a minimum by code.

#### Waivers of Strict Compliance:

The applicant requests the following Waivers of Strict Compliance from certain dimensional and area standards in the R-1B zoning district:

- 1.) Minimum lot size: 5,175 square feet for 45' lots, 6,325 square feet for 55' lots, and 6,900 square feet for 60' lots is requested where 9,000 square feet is required by code.
- 2.) Minimum street frontage: 45 feet wide is requested for specific lots where 50 feet wide is required by code.

- 3.) Minimum lot width at building line: 45 feet wide, 55 feet wide, and 60 feet wide is requested where 75 feet wide is required by code.
- 4.) Minimum living area: 1,400 is requested where 1,500 is required by code.
- 5.) Front building setback: 20 feet is requested where 30 feet is required by code.
- 6.) Side building setback: 7.5 feet is requested for 45' and 55' lots where 10 feet is required by code.
- 7.) Corner lot functional side-yard setback of 15 feet is requested where 30 feet is required by code.
- 8.) Maximum Lot Coverage: 55% is requested where 40% is required.
- 9.) Allow the neighborhood park to be further than 600 feet from some lots it serves.
- 10.) Eliminate the visitor parking requirement at recreation areas.

(Code reference: 23-443.1.d. Parking spaces. In single-family and duplex PDPs where reductions in minimum lot size are granted, and in all multi-family PDPs, visitor parking areas with spaces in a ratio of one space per 10 dwelling units shall be provided in each neighborhood in addition to the minimum of 2 parking spaces for each dwelling unit. In projects of 100 units or more, parking spaces shall be provided at the recreation area in a ratio of one space per ten dwelling units. Recreation area parking in projects with less than 100 units may be used to meet the visitor parking requirement.)

#### Proposed Superior Design Standards:

In exchange for the consideration of the above-mentioned Waivers of Strict Compliance requested, the applicant provided justification within the project narrative delineating the ways in which the plan is superior to a standard subdivision:

"The Belleview Subdivision will be superior to a standard subdivision in many ways. Most significantly, this project will add a variety of single-family unit types and lot sizes to the housing stock and extensive recreation options for a subdivision of its size.

The lot sizes, lot widths and setbacks are varied, providing housing options and a visual aesthetic to avoid monotony. To compensate for lot widths narrower than the traditional R-1B measurement, the lot depths are 115-120 at a minimum, allowing for roomier backyards, which exceeds the norm and contributes to the low density despite the narrower lot widths.

Even with the challenging shape of the overall tract, the design respects and leverages the surrounding uses and provides an interconnecting park to the adjacent subdivision. This will create more of a neighborhood feel. The layout mitigates the existence of the railroad by placing one of the ponds, the trail and two parks as buffers. The road design also provides visual interest and avoids long monotonous blocks.

The large amount of greenspace, four parks and a trail nearly one-half mile long, are benefits that this PDP offers above traditional R-1B subdivisions. Most lots face or abut a park or pond so that virtually every lot has added value. The trail is substantial and offers an opportunity to connect to other trails and neighborhoods as well as providing a buffer from the tracks".

Additionally, the plan will provide recreation and open space in excess of the minimum standards.

- Recreation required: 0.68 acres; Recreation provided: 2.93 acres

- Open space required: 20% of site; Open space provided: 25.72% of site

#### Staff Findings

1. The use is compatible with the intentions of Policy I.1.2.12 Low Density Residential of the

City's Comprehensive Plan.

2. This site is located within the City's utility service area and will connect to municipal water and sewer.

3. The development will maximize existing infrastructure investments by connecting to municipal water, sewer, and reuse lines.

4. Recreation trail and sidewalk system promotes walkability and bike-ability.

5. Lots sizes are reduced so to minimize the area of land consumed for new development.

#### Recommended Conditions of Approval

6. Staff recommends the following plan revisions:

a. Waiver #7 shall exclude the words 'the front setback' as the request from 30' to 15' applies only to the corner lot functional side yard and as waiver #6 already requests the front setback to be reduced from 30' to 20'.

b. A waiver shall be included for the proposed maximum lot coverage of 55% from the standard 40%.

c. Note #1 shall include corner lot conditions of one tree per each frontage.

7. Staff and Planning & Zoning Board recommends the following conditions of approval:

a. Fences must be setback a minimum of 15 feet behind the front building expression line.

b. Housing will adhere to the City's anti-monotony standards.

c. Landscape Plan is required at Site Development plan submittal and will be reviewed and approved by Staff and the City's horticulturist.

d. Decorative, dark sky friendly street lighting to minimize glare and reduce light pollution. Street lighting design/type to be approved by the City, and maintained by the HOA.

e. Garages shall be recessed from the front building expression line unless oriented away from the street.

f. Mechanical equipment shall be located at the rear of the home and not permitted within side yards.

g. Staggered front building setbacks at a minimum of two feet difference between adjacent lots.

h. A street tree plan is required at landscape plan submittal.

i. Park D shall remain open and unobstructed along the western property line to allow for future community connectivity through open space.

j. The traffic study must be approved by the Administrative Official prior to issuance of the Site Development Permit.

k. A development agreement is required for all off-site improvements, including, but not limited to, sidewalks installed on both sides of Belleview Drive – west of the trail; sidewalks installed

along project boundaries for 11th Street South and Grove Road Three; and the roadway improvement of Grove Road Three.

l. The developer shall vacate G R Road and dedicate the additional right-of-way, designated on plans, for Belleview Drive and Grove Road Three.

m. The development shall enter into a utility capacity queue agreement.

n. A utility agreement shall include, but is not limited to, the transfer of wells if any exist on site and the required instillation of reuse lines.

o. The entrance on Grove Road Three shall be moved further west from the intersection, location to be determined by staff.

p. An enhanced traffic calming device shall be utilized for the crosswalk on Belleview Drive.

#### **OTHER OPTIONS**

Decline to recommend approval of the preliminary subdivision plat and PDP.

#### **FISCAL IMPACT**

Approval of the preliminary plat and PDP would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, it could potentially result in over \$31 million in taxable value, and generate \$209,860 in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

Deputy Mayor Gibson said that going down the list as to how this applies to urban sprawl was helpful.

Commissioner Howell made a motion to approve the 155-lot single family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP, with conditions of approval for the Belleview subdivision. Commissioner Hilligoss seconded the motion.

By Voice vote:

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

10.III. ORDINANCE 2022-07 Annexation – 1st Reading And Public Hearing 15.98 Acres Of Land North Of State Road 60 East And East Of Evergreen Drive

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2022-07 proposes the voluntary annexation of approximately 15.98 acres of land located north of State Road 60 East and east of Evergreen Drive, and contiguous to the incorporated City limits.

**RECOMMENDATION**

Staff recommends approval at first reading, and adoption after second reading of Ordinance 2022-07 following a public hearing. Public Hearing notice requirements have been met.

A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

**BACKGROUND**

Trinity Baptist Church of Lake Wales Inc, owner, petitioned annexation into the corporate city limits of Lake Wales on January 11, 2022.

“Attachment A” to the ordinance shows the property’s location. It is contiguous to the City Limits along its southern boundary.

**OTHER OPTIONS**

Decline to annex the property.

[End Agenda Memo]

**FISCAL IMPACT**

The approval of the annexation would allow the applicant to sell a portion of their property for potential development in the city limits. The entire property is currently valued at \$2,455,040, which would bring in additional property taxes upon subdivision of the lot which will add to the City’s tax roll.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-07** by title only.

**ORDINANCE 2022-07**

**(Annexation – 15.98 acres of land north of State Road 60 East and east of Evergreen Drive)**

**Parcel ID: 283005-000000-044020**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 15.98 ACRES OF LAND, CONTIGUOUS TO THE INCORPORATED TERRITORY OF THE CITY OF LAKE WALES, SHOWN ON ATTACHMENT “A” AND SPECIFICALLY DESCRIBED HEREIN; GIVING THE CITY OF LAKE WALES JURISDICTION OVER THE LAND ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

## OPENED PUBLIC HEARING

Ben Wiles, resident, said that as the city grows we might create utility corridors and bury power lines.

## CLOSED PUBLIC HEARING

James Slaton, City Manager, said the church has requested annexation not a developer.

Commissioner Howell made a motion to approve **ORDINANCE 2022-07** after 1st Reading and Public Hearing. Commissioner Williams seconded the motion.

by Roll call vote

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

### 10.IV. ORDINANCE D2022 -07 1st Reading And Public Hearing Zoning For 97.35 Acres Of Land South Of Chalet Suzanne Road And East Of US Highway 27

[Begin Agenda Memo]

**SYNOPSIS:** 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.

#### **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following Zoning designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Zoning: C-2 Proposed Zoning: R-3

#### **BACKGROUND**

The subject property is located south of Chalet Suzanne Road and east of US Highway 27. This parcel is between Eagle Ridge Mall and Carlsburg Estates, across the street from the Preserve townhomes. The property owner petitioned annexation of 0.16 acres into the corporate city limits of Lake Wales on December 2, 2021 and was officially annexed on February 15, 2022.

These parcels will become part of a larger residential development that would come before the Planning Board for recommendation of approval to City Commission for a Planned Development Project.

A Zoning designation of R-3 is compatible with the surrounding area and serves as a transitional zoning from commercial to residential.

## CODE REFERENCES AND REVIEW CRITERIA

The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

## FISCAL IMPACT

Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-07** by title only.

## ORDINANCE D2022-07

**(Zoning Map Amendment for approximately 97.35 acres of land south of Chalet Suzanne Road and east of US Highway 27)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 97.35 ACRES OF LAND LOCATED SOUTH OF CHALET SUZANNE ROAD AND EAST OF US HIGHWAY 27, FROM CITY OF LAKE WALES DESIGNATION C-2 TO R-3; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

Deputy Mayor Gibson asked where city property is on the map. Mr. Bennett said all the colored areas.

## OPENED PUBLIC HEARING

Chuck Millar from Atwell representing the owners thanked staff for working with them and said this change is appropriate and they look forward to bringing this wonderful development to Lake Wales.

Cindy Landis, resident, said she lives in this area. This development will take away a lot of wildlife area important to our wildlife and wellbeing. She is concerned about all the new development.

Wes Landis, resident, expressed concern that the area is wetlands and that building there may flood areas nearby at times. They have lived in the area for a long time.

Deputy Mayor Gibson asked Mr. Bennett asked to confirm that the property has to contain its own runoff. Mr. Bennett confirmed this and reviewed SWFWMD procedures. The applicant will conduct some neighborhood meetings to explain the development plans and answer questions.

## CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-07** after 1st Reading and Public Hearing. Commissioner Hilligoss seconded the motion.

by Roll call vote

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

- 10.V. ORDINANCE D2022-04 1st Reading And Public Hearing - Future Land Use For 97.35 Acres Of Land South Of Chalet Suzanne Road And East Of US Highway 27

[Begin Agenda Memo]

**SYNOPSIS:** 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.

### **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Land Use: RAC Proposed Land Use: MDR

### **BACKGROUND**

The subject property is located south of Chalet Suzanne Road and east of US Highway 27. This parcel is between Eagle Ridge Mall and Carlsburg Estates, across the street from the Preserve townhomes. The property owner petitioned annexation of 0.16 acres into the corporate city limits of Lake Wales on December 2, 2021 and was officially annexed on February 15, 2022.

These parcels will become part of a larger residential development that would come before the Planning Board for recommendation of approval to City Commission for a Planned Development Project.

A Future Land Use Designation of MDR – Medium Density Residential is compatible with the surrounding area and will act as a transitional land use from RAC to LDR.

### **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns future Land Use designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

### **FISCAL IMPACT**

Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-04** by title only.

**ORDINANCE D2022-04**



**(Large-Scale CPA/Future Land Use Map Amendment for approximately 97.35 acres of land south of Chalet Suzanne Road and east of US Highway 27)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 97.35 ACRES OF LAND LOCATED SOUTH OF CHALET SUZANNE ROAD AND EAST OF US HIGHWAY 27, FROM CITY OF LAKE WALES DESIGNATION REGIONAL ACTIVITY CENTER (RAC) TO MDR MEDIUM- DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

OPENED PUBLIC HEARING

Stephen James, resident, asked about the block of land beneath the proposed property. Mr. Bennett said that area is one of the mall's retention areas.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-04** after 1st Reading and Public Hearing. Commissioner Williams seconded the motion.

by Roll call vote

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

- 10.VI. ORDINANCE D2022-03 1st 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

[Begin Agenda Memo]

**SYNOPSIS:** 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.

#### **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Land Use: Polk County RS/TCC Proposed Land Use: LDR

#### **BACKGROUND**

The subject property is located south of Belleview Drive, east of Scenic Highway South, north of

Passion Play Road, and west of 11th Street South. These parcels are between the Belle Lago and Whispering Ridge subdivisions.

The property owner petitioned annexation into the corporate city limits of Lake Wales on December 9, 2021 and was officially annexed on February 1, 2022. The next step in the process is to assign Land Use and Zoning which has been presented to the Planning and Zoning Board at a regular meeting on February 22, 2022.

These parcels will become part of a larger residential development that would come before the Planning Board for recommendation of approval to City Commission for a Planned Development Project.

A Future Land Use Designation of LDR – Low Density Residential is compatible with the surrounding area.

#### CODE REFERENCES AND REVIEW CRITERIA

The City Commission assigns future Land Use designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

#### FISCAL IMPACT

Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-03** by title only.

#### **ORDINANCE D2022-03**

**(Large-Scale CPA/Future Land Use Map Amendment for approximately 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)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 236.57 ACRES OF LAND LOCATED SOUTH OF BELLEVIEW DRIVE, EAST OF SCENIC HIGHWAY SOUTH, NORTH OF PASSION PLAY ROAD, AND WEST OF 11TH STREET SOUTH, FROM POLK COUNTY RESIDENTIAL SUBURBAN AND TOURISM COMMERCIAL CENTER TO CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

Deputy Mayor Gibson asked if we pick up well rights with this. Mr. Bennett said that is their intent. Mr. Slaton said that we are looking at other properties for well rights too.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-03** after 1st Reading and Public Hearing. Commissioner Hillgoss seconded the motion.

by Roll call vote

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

- 10.VII. ORDINANCE D2022-06 1st 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

[Begin Agenda Memo]

**SYNOPSIS:** 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.

#### **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Zoning: Polk County RS/TCC Proposed Zoning: R-1B

#### **BACKGROUND**

The subject property is located south of Belleview Drive, east of Scenic Highway South, north of Passion Play Road, and west of 11th Street South. These parcels are between the Belle Lago and Whispering Ridge subdivisions.

The property owner petitioned annexation into the corporate city limits of Lake Wales on December 9, 2021 and was officially annexed on February 1, 2022. The next step in the process is to assign Land Use and Zoning which has been presented to the Planning and Zoning Board at a regular meeting on February 22, 2022.

These parcels will become part of a larger residential development that would come before the Planning Board for recommendation of approval to City Commission for a Planned Development Project.

A Zoning designation of R-1B is compatible with the surrounding area.

#### **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

#### **FISCAL IMPACT**

Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-06** by title only.

**ORDINANCE D2022-06**

**(Zoning Map Amendment for approximately 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)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 236.57 ACRES OF LAND LOCATED SOUTH OF BELLEVIEW DRIVE, EAST OF SCENIC HIGHWAY SOUTH, NORTH OF PASSION PLAY ROAD, AND WEST OF 11TH STREET SOUTH, FROM COUNTY DESIGNATION RS AND TCC, TO CITY OF LAKE WALES DESIGNATION R-1B; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

OPENED PUBLIC HEARING

Ben Wiles, resident, said this area is on the Ridge. This is not the best use of the property. We need more Scenic overlook areas. We need to preserve what we have. The City needs more public input on some of these changes.

Stephen James, resident, said he agreed with need to preserve scenic views. He does not want to lose all our citrus groves like other areas. We need curb appeal on Scenic Highway. Deputy Mayor Gibson said that the property or conservation easements need to be purchased to protect property. Mr. James suggested the City look into doing this.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-06** after 1st Reading and Public Hearing. Commissioner Williams seconded the motion.

by Roll call vote

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

- 10.VIII. Ordinance D2022-05 1st Reading And Public Hearing - Future Land Use For 29.94 Acres Of Land South Of Old Scenic Highway And East Of Scenic Highway North

[Begin Agenda Memo]

**SYNOPSIS:** Story Family Limited Partnership, LLC., owner, requests approval of City Commission to

amend the Future Land Use Map of the Comprehensive Plan on the above-mentioned parcel of land totaling approximately 29.94 acres.

## **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Land Use: Polk County A/RR Proposed Land Use: MDR

## **BACKGROUND**

The subject property is located south of Old Scenic Highway and east of Scenic Highway North. This parcel is south of Mountain Lake Estates and east of Al's Place.

The property owner petitioned annexation into the corporate city limits of Lake Wales on November 22, 2021 and was officially annexed on February 1, 2022. The next step in the process is to assign Land Use and Zoning which has been presented to Planning and Zoning Board at a regular meeting on February 22, 2022.

This parcel will become part of a residential development; however, development plans have not yet been submitted to the City. Plans would need to be presented to the Planning & Zoning Board for recommendation of approval to City Commission for a Planned Development Project.

A Land Use designation of MDR is compatible with the surrounding area and serves as a transitional land use from commercial to residential.

## **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns future Land Use designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

## **FISCAL IMPACT**

Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-05** by title only.

## **ORDINANCE D2022-05**

**(Small-Scale CPA/Future Land Use Map Amendment for approximately 29.94 acres of land south of Old Scenic Highway and east of Scenic Highway North)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 29.94 ACRES OF LAND LOCATED SOUTH OF OLD SCENIC HIGHWAY AND EAST OF SCENIC HIGHWAY NORTH, FROM COUNTY DESIGNATION AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF LAKE WALES DESIGNATION MDR MEDIUM-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

#### OPENED PUBLIC HEARING

Ben Wiles, Resident, said he was confused as to the purpose of the Land Use Study and would like a more detailed explanation at a later point.

#### CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-05** after 1st reading and public hearing. Commissioner Williams seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

#### 10.IX. ORDINANCE D2022-08 1st Reading And Public Hearing Zoning For 29.94 Acres Of Land South Of Old Scenic Highway And East Of Scenic Highway North

[Begin Agenda Memo]

**SYNOPSIS:** Story Family Limited Partnership, LLC., owner, requests approval of City Commission to amend the Zoning Map on the above-mentioned parcel of land totaling approximately 29.94 acres.

#### **RECOMMENDATION**

Approval at first reading, and adoption at second reading, following a public hearing to re-assign the following Zoning designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Zoning: Polk County A/RR Proposed Zoning: R-3

#### **BACKGROUND**

The subject property is located south of Old Scenic Highway and east of Scenic Highway North. This parcel is south of Mountain Lake Estates and east of Al's Place.

The property owner petitioned annexation into the corporate city limits of Lake Wales on November 22, 2021 and was officially annexed on February 1, 2022. The next step in the process is to assign Land Use and Zoning which has been presented to Planning and Zoning Board at a regular meeting on February 22, 2022.

This parcel will become part of a residential development; however, development plans have not yet been submitted to the City. The development plans would need to go through the Planned Development Project procedure to be approved by Planning and Zoning Board and City Commission.

A Zoning designation of R-3 is compatible with the surrounding area and serves as a transitional zoning from commercial to residential.

#### CODE REFERENCES AND REVIEW CRITERIA

The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

#### FISCAL IMPACT

Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2022-08** by title only.

#### ORDINANCE D2022-08

**(Zoning Map Amendment for approximately 29.94 acres of land south of Old Scenic Highway and east of Scenic Highway North)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 29.94 ACRES OF LAND LOCATED SOUTH OF OLD SCENIC HIGHWAY AND EAST OF SCENIC HIGHWAY NORTH, FROM COUNTY DESIGNATION AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF LAKE WALES DESIGNATION R-3; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mark Bennett, Development Services Director, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2022-08** after 1st reading and public hearing. Commissioner Williams seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

10.X. RESOLUTION 2022-04 Museum Collections Management Policy

[Begin Agenda Memo]

#### SYNOPSIS

Resolution 2022-04 approves the Museum Collection Management policy proposed by the Lake Wales History Museum Inc.

## **RECOMMENDATION**

Staff recommends adoption of Resolution 2022-04.

## **BACKGROUND**

In September 2021 the City Commission voted to lease the Lake Wales History Museum to the Friends of the Lake Wales History Museum to operate the museum and care for the artifacts beginning October 1, 2022. The City Commission chose to retain ownership of the museum's collection.

The board of the Lake Wales History Museum has recommended to the City Commission a draft Collections Management Policy. This policy will guide the acquisition, care and disposal of the more than 20,000 items in the Museum's collection.

## **OTHER OPTIONS**

Recommend changes to the policy.

Do not approve the policy.

## **FISCAL IMPACT**

No immediate fiscal impact.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-04** by title only.

## **RESOLUTION 2022-04**

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA; APPROVING THE MUSEUM COLLECTIONS MANAGEMENT POLICY DEVELOPED BY THE LAKE WALES HISTORY MUSEUM; PROVIDING FOR PROPER ACQUISITION, CARE AND DISPOSITION OF ITEMS; PROVIDING FOR AN EFFECTIVE DATE.**

James Slaton, City Manager, reviewed this item.

Commissioner Howell made a motion to adopt **RESOLUTION 2022-04**. Commissioner Williams seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.



10.XI. RESOLUTION 2022-05 Support Of A SunRail Stop In East Polk County

[Begin Agenda Memo]

**SYNOPSIS**

Resolution 2022-05 expresses City of Lake Wales support for a SunRail stop in East Polk County

**RECOMMENDATION**

Staff recommends the Commission adopt Resolution 2022-05.

**BACKGROUND**

There have been efforts led by Congressman Darren Soto to get a SunRail stop in East Polk County near Haines City. The City of Haines City has passed a resolution of support for this stop.

At the request of members of the commission during the last Commission Work Session this Resolution was added to the agenda.

**OTHER OPTIONS**

Do not adopt Resolution 2022-05.

Recommend changes to the Resolution.

**FISCAL IMPACT**

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-05** by title only.

**RESOLUTION 2022-05**

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, IN SUPPORT OF SUNRAIL, INC., ESTABLISHING A RAIL STOP IN EAST POLK COUNTY, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

James Slaton, City Manager, reviewed this item.

Commissioner Howell made a motion to adopt **RESOLUTION 2022-05**. Commissioner Williams seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Motion passed 4-0.

10.XII. RESOLUTION 2022-03 Support Of New Charter Schools Superintendent Dr. Wayne V. Rodolfich

[Begin Agenda Memo]

**SYNOPSIS**

Resolution 2022-03 expresses support by the City Commission of the newly appointed Superintendent of the Lake Wales Charter Schools.

**RECOMMENDATION**

Staff has no recommendation. This is up to the Commission.

**BACKGROUND**

This resolution was requested by one of the commissioners to support the new superintendent of the Lake Wales Charter Schools after a lengthy and difficult search.

**OTHER OPTIONS**

Do not approve the Resolution.

Recommend changes to the Resolution.

**FISCAL IMPACT**

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-03** by title only.

**RESOLUTION 2022-03**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, SUPPORTING THE LAKE WALES CHARTER SCHOOLS AND ITS NEWLY SELECTED SUPERINTENDENT, DR. WAYNE V. RODOLFICH**

Deputy Mayor Robin Gibson reviewed this item.

Commissioner Williams asked why we would need to this. Deputy Mayor Gibson said this was to unify the community behind the new superintendent. Commissioner Williams asked if this had been done previously. Deputy Mayor Gibson said he did not think the City had.

Commissioner Howell made a motion to adopt **RESOLUTION 2022-03**. Deputy Mayor Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "NO"

Commissioner Hilligoss "NO"

Motion failed 2-2.

#### 11. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, reported on the Estes issue. He refuses to allow access to facility for asbestos survey. He is working on getting permission for the City to proceed with demolition. Deputy Mayor Gibson asked if it could be further delayed. Mr. Galloway said he isn't sure and reviewed the past delays.

#### 12. CITY MANAGER

James Slaton, City Manager, said that there will be a surprise announcement Thursday at 10am at the Tina Peak Gazebo and invited the Commission to attend.

Mr. Slaton reported that with the help of Congressman Soto Lake Wales has been awarded funding to redo Crystal and Orange Avenues Streetscapes and restore Olmsted landscaping along Tillman.

##### 12.I. Tracking Report

##### 12.II. Commission Meeting Calendar

James Slaton, City Manager said there are no Commission meetings or Workshops next week.

#### 13. CITY COMMISSION COMMENTS

Commissioner Williams said that those concerned about losing groves said that at a past meeting the grove owners explained the need to sell groves to maintain their industry. He agrees with possibly improving building designs. City staff will keep a good balance between growth and beautification of Lake Wales.

Commissioner Howell asked when the downtown work will begin. James Slaton, City Manager, gave an update on the Park Avenue project and said late summer for possible groundbreaking.

Commissioner Howell said she is still concerned about lighting in Lake Wales. She said she knows we are working on it.

Commissioner Howell said the Austin Center said the name of the building is still the James P. Austin Community Center but asked when the roof will get started. Mr. Slaton said it will start soon. It was delayed due to supply chain issues.

Deputy Mayor Gibson said this was a difficult meeting as many citizens have concerns about growth.

#### 14. MAYOR COMMENTS

#### 15. ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

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Mayor

ATTEST:

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City Clerk