

# City Commission Meeting Minutes

October 19, 2021

(APPROVED)

10/19/2021 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:00 p.m. after the invocation and the pledge of allegiance.

4. ROLL CALL

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

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

5. PROCLAMATIONS AND AWARDS

Mayor Fultz read a proclamation establishing October 23 as World Polio Day. Representatives of local Rotary Clubs accepted the proclamation.

5.1. PROCLAMATION - Local Educators Month

Mayor Fultz proclaimed October Local Educators Month. Brenda Wise from Alpha Eta Accepted the proclamation.

6. COMMENTS AND PETITIONS

Ellis Hunt, Business Owner, gave an update on the Citrus industry. Greening has killed many fruit trees in Central Florida. They have gotten rid of 600 acres and replanted 300 acres. The new plants have white bags that will help prevent greening. Selling property near the City allows citrus growers to stay in business. They are committed to the citrus industry and Lake Wales.

Durinda Wells, resident, said she is concerned about speeding on Wiltshire. There was an accident there recently. Something needs to be done to address this.

Sue Northey Cook, Downtown Business Owner, expressed concern about parking downtown. She said she was concerned that the new plans will reduce parking and their business. James Slaton, City manager, said he will meet with her and discuss her concerns and review the plans.

## 7. CITY CLERK

### 7.1. Board Appointments - Census Redistricting Committee

[Begin Agenda Memo]

#### **RECOMMENDATION**

Staff recommends that the Mayor and Commission make the following appointments and reappointments

as deemed appropriate.

1. Appoint Dick Howell to the Census Redistricting Committee
2. Appoint Kajor Lawson to the Census Redistricting Committee

#### **BACKGROUND**

On October 5th the City Commission established a Census Redistricting Committee. The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

Census Redistricting Committee (Res 2020-25)

The committee shall consist of 3-5 members, each of whom will serve until the board expires within the year once their recommendation to the City Commission is complete. A quorum shall require the presence of 3 members. Appointments - Each Commissioner shall recommend one appointment to the Mayor. The Mayor's appointments will then be subject to approval by the City Commission.

- Appointees must be electors and residents of the City of Lake Wales
- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 5 vacancies

Applying for Appointment: Richard "Dick" Howell has applied and is recommended by Robin Gibson

Kajor Lawson has applied and is recommended by Terrye Howell

#### **OPTIONS**

Do not appoint those that have applied.

#### **FISCAL IMPACT**

None. This is volunteer boards.

[End Agenda Memo]

Mayor Fultz appointed Dick Howell and Kajor Lawson to the Census Redistricting committee.

Commissioner Howell made a motion to approve the appointments. Deputy Mayor Gibson seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion Approved 5-0.

#### 8. CONSENT AGENDA

Deputy Mayor Gibson made a motion to approve the Consent Agenda. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion Approved 5-0.

8.I. Minutes - July 6, 2021, October 5, 2021

8.II. Construction Contract Agreement With Ajax Paving Industries Of Florida, LLC.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving an agreement with Ajax Paving Industries of Florida, LLC for construction services for the East Apron Rehabilitation project at the Lake Wales Municipal Airport.

#### **RECOMMENDATION**

Authorize the mayor to execute an agreement with Ajax Paving Industries of Florida, LLC in the amount of \$831,283.20 for construction services for the East Apron Rehabilitation project at the Lake Wales Municipal Airport.

#### **BACKGROUND**

In 2020, the commission approved Hoyle, Tanner and Associates, Inc. for the engineering design phase for the East Apron Rehabilitation at the Lake Wales Municipal Airport. The design project was to investigate if the existing asphalt ramp that was placed over twenty (20) years ago requires rehabilitation or full reconstruction. It has been determined that the ramp requires full reconstruction.

In February 2021, notice was given that the City of Lake Wales was seeking a qualified contractor to construct the East Apron project at the Lake Wales Municipal Airport. On Tuesday, March 23, 2021, bids were opened and were as follows.

Ajax Paving Industries of Florida, LLC	\$ 831,283.20
CW Roberts Contracting, Inc.	\$ 938,327.70
Cobb Site Development, Inc.	\$1,002,197.03
Hubbard Construction Company	\$1,022,460.30
Ranger Construction Industries	\$1,070,785.96

#### **OTHER OPTIONS**

The City Commission has already accepted funding from the Federal Aviation Administration (FAA) for the design phase of this project.

#### **FISCAL IMPACT**

This project is funded 100% by the Federal Aviation Administration (FAA).

[End Agenda Memo]

#### 8.III. Construction Administration Agreement With Hoyle, Tanner And Associates, Inc.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving an agreement with Hoyle, Tanner and Associates, Inc. for professional engineering services pertaining to construction administration services for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

#### **RECOMMENDATION**

Authorize the mayor to execute an agreement with Hoyle, Tanner and Associates, Inc. in the amount of \$161,600.00 for professional construction services for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

#### **BACKGROUND**

In 2020, the commission approved Hoyle, Tanner and Associates, Inc. for the engineering design phase for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

The design project was to investigate if the existing asphalt ramp that was placed over twenty (20) years ago requires rehabilitation or full reconstruction. It has been determined that the ramp requires full reconstruction.

The total construction administration cost for this project is \$161,600.00.

## **OTHER OPTIONS**

The City Commission has already accepted funding from the Federal Aviation Administration (FAA) for the design phase of this project.

## **FISCAL IMPACT**

This project is funded 100% by the Federal Aviation Administration (FAA).

[End Agenda Memo]

### 8.IV. Special Event Permit Application - YMCA Turkey Trot 5k November 25, 2021

[Begin Agenda Memo]

## **SYNOPSIS:**

The approval of the special event permit application will allow the Lake Wales YMCA to hold their Annual "Turkey Trot 5K" on Thanksgiving Day, November 25, 2021 and allow for the temporary closing of a portion of the Marketplace downtown and several city intersections.

## **RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve the special event permit application from the Lake Wales YMCA to hold the annual "Turkey Trot 5K" on Thanksgiving Day, November 25, 2021 between the hours of 8:00 a.m. and 9:00 a.m.
2. Approve the temporary closing of a portion of the Marketplace on Park Avenue for staging of the event between 7:00 a.m. and 8:00 a.m. and for the closing ceremonies beginning at 9:00 a.m. to approximately 10:00 a.m.
3. Approve the temporary closing of several intersections along the route as the runners approach, the temporary closing of a city street and the route as follows:

Park Avenue from 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lakeshore Blvd. crossing Lakeshore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to Lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to 3rd Street and then to Stuart Avenue, Stuart Avenue to 1st Street and back to the Marketplace on Park Avenue where the 5K ends.

## **BACKGROUND**

The Lake Wales YMCA submitted a special event permit application to hold the annual "Turkey Trot 5K" on Thanksgiving Day, November 25, 2021 between the hours of 8:00 a.m. and 9:00 a.m. This application includes a request for the temporary closing of a portion of the Marketplace on Park Avenue to allow for the staging of the event which will begin at 7:00 a.m. to 8:00 a.m. with the 5K beginning at 8:00 a.m. At the conclusion of the event there will be a closing ceremony in the Marketplace at 9:00 a.m. to approximately 10:00 a.m. The YMCA has also requested the temporary closing of several intersections along the route for the protection of the runners as they approach and the temporary closing of Lakeshore Blvd. from 8th Street to Polk Avenue. The route and streets involved will include the following:

Park Avenue from 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lakeshore Blvd. crossing Lakeshore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to Lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to 3rd Street and then to Stuart Avenue, Stuart Avenue to First Street and back to the Marketplace on Park Avenue where the 5K ends

City departments have reviewed the permit application and approved the event. There will be no cost to the City for in-kind services. The Lake Wales Police Department will use off-duty officers to be positioned on the route at intersections where runners will cross. Lake Wales Police Department VOICE and cadets will also be assisting with this event. The sponsor will be responsible for all costs associated with this event and providing sanitary facilities and clean up services along the route and at the Marketplace. Certificate of Liability Insurance is provided as required.

#### **OTHER OPTION**

Do not approve this special event permit application or the temporary intersection closings

#### **FISCAL IMPACT**

There will be no cost to the City for in-kind services associated with this event. The sponsor will pay 100% of the cost for off-duty officers and provide all clean up services.

[End Agenda Memo]

#### 8.V. Special Event Permit Application "Orange Blossom Revue" December 3 - December 4 2021

[Begin Agenda Memo]

**SYNOPSIS:** Approval of this request will allow the Blossom Charitable Foundation to hold the annual "Orange Blossom Revue" event in Lake Wailes Park on Friday, December 3 and Saturday, December 4, 2021, allow a designated area for wine and craft beer sales, and allow the set up to begin on Thursday, December 2, 2021.

#### **RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve the Special Event Permit Application from the Blossom Charitable Foundation to hold an "Orange Blossom Revue" in Lake Wailes Park December 3 and 4, 2021 with set up beginning on Thursday, December 2, 2021
2. Approve the hours as follows:
  - Thursday, December 2, 2021 - Begin set up at 8:00 a.m.
  - Friday, December 3, 2021 – The event will be open to the public at 4:00 p.m. and end at 10:00 p.m.
  - Saturday, December 4, 2021 - The hours will be 11:00 a.m.–10:00p.m.
  - Sunday December 5th and Monday December 6th - Clean up and removal of tents and booths will take place

3. Approve the request from the Blossom Charitable Foundation to have wine and craft beer sales and consumption in a designated area in the Park on both Friday and Saturday.
4. Approve the request for RV's to set up in the areas approved and designated by City staff beginning on Thursday night.

## **BACKGROUND**

The Blossom Charitable Foundation submitted a Special Event Permit Application to hold its "Orange Blossom Revue" a music festival in Lake Wailes Park.

The event has been approved by staff with the following stipulations:

- The RV's will be parked in the designated area only.
- The designated parking area for the public must be clearly identified on site.
- No vehicles shall be parked within 15 feet of the trunk of any trees within the park. No vehicles shall drive or park on the bike path or cross the bike path
- The Blossom Charitable Foundation is responsible for ensuring that the vendors and artists

bringing in RV's adhere to the conditions for parking.

- Sanitary facilities and dumpsters are the responsibility of the sponsor. A separate dumpster will be required for disposal of ash by the vendors.
- Tent permits are required in advance by the sponsor and can be obtained from the City's Planning Department so that inspections can be completed by the Fire Marshall during set up times.
- The alcohol permit application must be completed by the sponsor and submitted to the Planning Department for review and approval before submitting to the Department of Alcohol Beverage & Tobacco. Once the final permit is obtained, a copy must be provided to the City no later than November 29, 2021.
- The required Certificate of Liability Insurance with an alcohol insurance rider has been received by the City.
- In-Kind Services will be provided by the City's Field Operations Divisions for clean up services on Saturday and Sunday and costs associated with these services will be paid by the sponsor at 25%. Off- duty officers from the Lake Wales Police Department will be hired by the sponsor for security purposes.

## **OTHER OPTIONS**

Do not approve the event

## **FISCAL IMPACT**

This BBQ event is part of the FY21/22 special events budget. In-Kind services will cost the City approximately \$1,979 with the sponsor paying 25% of the cost or \$495. Off-duty officers from the Lake Wales Police Department will be hired for security and will be paid by the sponsor.

[End Agenda Memo]

9. OLD BUSINESS

9.I. Ordinance D2021-11- 2nd Reading And Public Hearing Future Land Use 61+/- Acres North Of Mammoth Grove Road And East Of Masterpiece Road

[Begin Agenda Memo]

**SYNOPSIS:** Everything and All LLC, owner, requests to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on 61+/- acres of land.

**RECOMMENDATION**

At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission to re-assign the following zoning and land use designations:

Current Land Use: Polk County RS (6.4 acres) & A/RR (54+/- acres)

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: NAC Neighborhood Activity Center (6.4 acres)/R-1A SFR (54+/- acres)

Proposed Zoning: C-4 Neighborhood Commercial (6.4 acres)/R-1A(54+/- acres)

**BACKGROUND**

Everything and All LLC, owner, petitioned annexation into the corporate city limits of Lake Wales on May 13, 2021. First reading of the annexation took place on June 1, 2021, and was approved by City Commission. First reading of the Land Use and Zoning took place on June 20, 2021 and was approved. It was then transmitted to DEO which had no objections to the plan amendment.

The western 6.4 acres of the site is proposed as non-residential, Neighborhood Commercial. This zoning district is designed to permit the development of local commercial areas to serve surrounding residential areas with small-scale convenience goods and personal services. Such uses, which are permitted by right, include a day care center, nursery with plant sales, an eat-in restaurant or outdoor café, medical or professional office, or a small grocery store. Mixed land uses are encouraged and it is considered a smart growth tool, as it promotes walkable neighborhoods and less dependency on vehicles.

The current maximum density under the County’s Future Land Use of A/RR is 1 dwelling unit per 5 acres of land. The residential designations of Low Density and R-1A are the City’s least intense residential land use and zoning categories; therefore, staff finds that they are most compatible with the surrounding area. Low Density residential provides for a maximum of 5 units per 1 acre, while R-1A zoning contains standards for the largest lots and homes within the city. Although the density supports a maximum of 5 per acre, the engineer has mentioned that a density of 1.79 single-family homes per 1 acre is conceptually planned.

The nearest residential subdivision to the subject site, Country Oaks, is to the south/southeast and is built out at a density of roughly 1.36 dwelling units per 1 acre, including duplexes, which is in excess of the County’s current 1 per 5 acre standard. The County does have a provision called a “Suburban Planned Development”, which allows a subdivision to be built out at a maximum of 3 dwelling units per acre. The City serves Country Oaks with municipal water; however, the subdivision remains in the County and on septic tanks. The City’s R-1A zoning does not provide for the construction of duplexes.

The City Commission assigns Future Land Use and zoning 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**

A recommendation of re-assignment would enable the future development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 97 dwelling units based on the conceptual density, it could potentially result in over \$19 million in taxable value, and generate \$131,000 in ad valorem taxes.

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

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-11** by title only.

## **ORDINANCE D2021-11**

**(CPA/Future Land Use Map Amendment – 60.09 acres of land north of Mammoth Grove Road and east of Masterpiece Road)**

**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 60.09 ACRES OF LAND LOCATED NORTH OF MAMMOTH GROVE ROAD AND EAST OF MASTERPIECE ROAD, FROM COUNTY DESIGNATION RS TO CITY OF LAKE WALES DESIGNATION NAC, AND FROM COUNTY DESIGNATION A/RR, 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 and the land development process.

Deputy Mayor Gibson said his concern his building where they can access water and sewer. Annexation is one thing. He has given this thought. He opposes septic tanks and spreading out farther. Developers should develop using current infrastructure.

## **OPENED PUBLIC HEARING**

Steve Sloan, Sloan Engineering, said they are annexed in the City and need zoning. Plans are not concrete yet. They plan a mixture of residential and commercial. There is infrastructure there. Mayor Fultz said the concern is adding septic systems when they would like to get rid of them. He asked where the nearest connection to sewer is. Mr. Sloan said the County allows septic tanks and will follow state rules. Mayor Fultz asked about the cost to extend to connect to sewer lines. Mark Bennett said the closest connection is at Burns Avenue at a mile and a half away. Mayor Fultz said the county would allow septic tanks if they developed outside of the City. Mark Bennett said this zoning district has a minimum lot size of 12,000 which is allowed under health department requirements. Staff will review the site plan to be sure they comply with all our codes.

Commissioner Howell asked if we move forward with this we will have more control over this. James Slaton, City manager, said yes. Mr. Bennett reviewed the different standards between the County and City regulations.

## **CLOSED PUBLIC HEARING**

Commissioner Howell made a motion to adopt **ORDINANCE D2021-11** after 2nd 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 "NO"

Mayor Fultz "YES"

Motion passed 4-1.

9.II. Ordinance D2021-12 Zoning Designation – 61+/- Acres North Of Mammoth Grove Road And East Of Masterpiece Road

[Begin Agenda Memo]

**SYNOPSIS:** Everything and All LLC, owner, requests to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on 61+/- acres of land.

**RECOMMENDATION**

At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission to re-assign the following zoning and land use designations:

Current Land Use: Polk County RS (6.4 acres) & A/RR (54+/- acres)

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: NAC Neighborhood Activity Center (6.4 acres)/R-1A SFR (54+/- acres)

Proposed Zoning: C-4 Neighborhood Commercial (6.4 acres)/R-1A(54+/- acres)

**BACKGROUND**

Everything and All LLC, owner, petitioned annexation into the corporate city limits of Lake Wales on May 13, 2021. First reading of the annexation took place on June 1, 2021, and was approved by City Commission. First reading of the Land Use and Zoning took place on June 20, 2021 and was approved. It was then transmitted to DEO which had no objections to the plan amendment.

The western 6.4 acres of the site is proposed as non-residential, Neighborhood Commercial.

This zoning district is designed to permit the development of local commercial areas to serve surrounding residential areas with small-scale convenience goods and personal services. Such uses, which are permitted by right, include a day care center, nursery with plant sales, an eat-in restaurant or outdoor café, medical or professional office, or a small grocery store. Mixed land uses are encouraged and it is considered a smart growth tool, as it promotes walkable neighborhoods and less dependency on vehicles.

The current maximum density under the County's Future Land Use of A/RR is 1 dwelling unit per 5 acres of land. The residential designations of Low Density and R-1A are the City's least intense residential land use and zoning categories; therefore, staff finds that they are most compatible with the surrounding area. Low Density residential provides for a maximum of 5 units per 1 acre, while R-1A

zoning contains standards for the largest lots and homes within the city. Although the density supports a maximum of 5 per acre, the engineer has mentioned that a density of 1.79 single-family homes per 1 acre is conceptually planned.

The nearest residential subdivision to the subject site, Country Oaks, is to the south/southeast and is built out at a density of roughly 1.36 dwelling units per 1 acre, including duplexes, which is in excess of the County's current 1 per 5 acre standard. The County does have a provision called a "Suburban Planned Development", which allows a subdivision to be built out at a maximum of 3 dwelling units per acre. The City serves Country Oaks with municipal water; however, the subdivision remains in the County and on septic tanks. The City's R-1A zoning does not provide for the construction of duplexes.

The City Commission assigns Future Land Use and zoning 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**

A recommendation of re-assignment would enable the future development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 97 dwelling units based on the conceptual density, it could potentially result in over \$19 million in taxable value, and generate \$131,000 in ad valorem taxes.

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

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-12** by title only.

### **ORDINANCE D2021-12**

**(Zoning Map Amendment – 60.09 acres of land north of Mammoth Grove Road and east of Masterpiece Road)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP DESIGNATIONS ON 60.09 ACRES OF LAND LOCATED NORTH OF MAMMOTH GROVE ROAD AND EAST OF MASTERPIECE ROAD, TO CITY OF LAKE WALES DESIGNATION C4, AND TO CITY OF LAKE WALES DESIGNATION R-1A SINGLE-FAMILY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE D2021-12** after 2nd 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 "NO"

Mayor Fultz "YES"

Motion passed 4-1.

9.III. Ordinance D2021-16 Amendments To The Future Land Use Map Of The Comprehensive Plan, And To The Zoning Map – 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** MOW Groves LLC, Changcocco Family Trust, and Nancy D. Kahler Trust, owners, request approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on three parcels of land totaling 28.13 acres.

**RECOMMENDATION**

Staff recommends approval at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Current Land Use: Polk County RSX

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: MDR Proposed Zoning: R-1D

**BACKGROUND**

MOW Groves LLC, and Changcocco Family Trust, owners, petitioned annexation into the corporate city limits of Lake Wales on July 21, 2021. Nancy D. Kahler Trust petitioned annexation on February 8, 2021. The properties are contiguous to the City Limits along the northern boundary of the Kahler property. The next step in the process is to assign Land Use and Zoning.

A Future Land Use Designation of MDR – Medium Density Residential, and a Zoning designation of R-1D is compatible with the surrounding area and will complement the built environment. At a special meeting on August 31, 2021, the Planning and Zoning Board recommended approval of the request.

On September 21, 2021, the City Commission approved Ordinances D2021-16 & D2021- 17 on First Reading.

**CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns future Land Use and zoning 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 development of this property and the potential increase in property value. Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 337 dwelling units based on maximum density, it could potentially result in over \$59 million in taxable value, and generate \$399,000 in ad valorem taxes.

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

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-16** by title only.

**ORDINANCE D2021-16**

**(CPA/Future Land Use Map Amendment – 28.13 acres of land south of State Road 60 East, and East of Tangelo Street)**

**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 28.13 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, AND EAST OF TANGELO STREET, FROM COUNTY DESIGNATION RSX TO CITY OF LAKE WALES DESIGNATION MDR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE D2021-16** after 2nd reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll call vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 9.IV. Ordinance D2021-17 Amendments To The Future Land Use Map Of The Comprehensive Plan, And To The Zoning Map – 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** MOW Groves LLC, Changcocco Family Trust, and Nancy D. Kahler Trust, owners, request approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on three parcels of land totaling 28.13 acres.

**RECOMMENDATION**

Staff recommends approval at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Current Land Use: Polk County RSX

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: MDR Proposed Zoning: R-1D

## **BACKGROUND**

MOW Groves LLC, and Changcocco Family Trust, owners, petitioned annexation into the corporate city limits of Lake Wales on July 21, 2021. Nancy D. Kahler Trust petitioned annexation on February 8, 2021. The properties are contiguous to the City Limits along the northern boundary of the Kahler property. The next step in the process is to assign Land Use and Zoning.

A Future Land Use Designation of MDR – Medium Density Residential, and a Zoning designation of R-1D is compatible with the surrounding area and will complement the built environment. At a special meeting on August 31, 2021, the Planning and Zoning Board recommended approval of the request.

On September 21, 2021, the City Commission approved Ordinances D2021-16 & D2021-17 on First Reading.

## **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns future Land Use and zoning 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 development of this property and the potential increase in property value. Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 337 dwelling units based on maximum density, it could potentially result in over \$59 million in taxable value, and generate \$399,000 in ad valorem taxes.

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

[End Agenda Memo]

## **ORDINANCE D2021-17**

(Zoning Map Amendment – 28.13 acres of land south of State Road 60 East, and East of Tangelo Street)

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-17** by title only.

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING ZONING MAP TO CHANGE ZONING DESIGNATIONS ON 28.13 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, AND EAST OF TANGELO STREET, TO CITY OF LAKE WALES DESIGNATION R-1D; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE D2021-17** after 2nd reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll call vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9.V. Ordinance 2021-24, 2nd Reading And Public Hearing Approving The Continued Existence Of The Lake Wales Community Redevelopment Agency

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider an ordinance to approve the continued existence of the Lake Wales Community Redevelopment Agency (CRA) through September 30, 2051.

**RECOMMENDATION**

After second reading and separate public hearing, it is recommended that the City Commission take the following action:

1. Approve Ordinance 2021-24, approving the continued existence of the Lake Wales Community Redevelopment Agency through September 30, 2051.

**BACKGROUND**

The Community Redevelopment Agency is considering the issuance of a Revenue Note, Series 2021 in an amount not to exceed \$18,500,000 to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan. The Series 2021 Note is expected to be issued later this year and have a term of at least twenty years, in which case it would mature in 2041. In order to issue such long-term debt, the City will be required to extend the life of the CRA (set to expire September 30, 2029) since tax increment will be used to repay the debt.

The Florida Legislature recently amended the redevelopment statutes to provide that redevelopment agencies will generally terminate no later than September 30, 2039 unless the governing body of the city which created the agency approves its continued existence by a majority vote. The attached ordinance would constitute the City Commission's majority approval for continued existence of the CRA.

The City Commission approved the ordinance on first reading on October 5, 2021.

**OPTIONS**

Decline to adopt the ordinance and direct staff to pursue alternative funding options for implementation of the Lake Wales Connected Plan.

**FISCAL IMPACT**

By extending the life of the CRA from September 30, 2029 to September 30, 2051, the CRA will be

eligible to facilitate issuance of long-term debt for purposes of financing redevelopment activities related to implementation of the Lake Wales Connected Plan.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read ORDINANCE 2021-24 by title only.

**ORDINANCE 2021-24**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA APPROVING THE CONTINUED EXISTENCE OF THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY THROUGH SEPTEMBER 30, 2051; AMENDING CITY ORDINANCE NO. 85-10 TO PROVIDE THAT THE AGENCY SHALL SUNSET OR TERMINATE ON SUCH DATE; PROVIDING FINDINGS IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson made a motion to adopt **ORDINANCE 2021-24** after 2nd reading and public hearing. Commissioner Howell seconded the motion.

By Roll call vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. NEW BUSINESS

10.I. Resolution 2021-22, Amending The Lake Wales Community Redevelopment Plan Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider a resolution amending the Redevelopment Plan to include certain capital improvement projects to be undertaken by the Lake Wales Community Redevelopment Agency prior to September 30, 2051 and to extend the time certain for completion of all redevelopment activities to September 30, 2051.

**RECOMMENDATION** After public hearing, it is recommended that the City Commission take the following action:

1. Adopt Resolution 2021-22 amending the Redevelopment Plan to include certain capital improvement projects and to provide the time certain for completion of redevelopment activities funded by tax increment in Areas 1, 2 and 3, respectively.

**BACKGROUND** The Community Redevelopment Agency is considering the issuance of a Revenue



Note, Series 2021 in an amount not to exceed \$18,500,000 to provide financing for redevelopment activities related to the implementation of the Lake Wales Connected Plan. The Series 2021 Note is expected to be issued later this year and have a term of at least twenty years, in which case it would mature in 2041. The attached Resolution would amend the City's Redevelopment Plan to describe the following capital improvement projects to be financed with proceeds of the Series 2021 Note.

Project Type Project LWCP Action Step Anticipated Cost Allocation Streetscape Park Avenue

Streetscape Construction 1, 4, 5, 12 \$ 7,500,000

Streetscape 1st Street Streetscape Design 2, 12 \$ 515,000

Streetscape 1st Street Streetscape Construction 45, 52, 56 \$ 5,000,000

Streetscape Lincoln Avenue Design 12, 46 \$ 325,000

Mobility Scenic Highway Roundabouts Design 12, 50, 51 \$ 500,000

Mobility Central Avenue Improvements Construction 47, 56 \$ 500,000

Mobility Northwest Neighborhood Sidewalks & Street Tree Improvements 11, 65 \$ 2,500,000 Trail

Network Park Avenue Connector Trail Construction 3, 66 \$ 750,000

Trail Network Crystal Lake Park Trail Construction 3, 66 \$ 750,000 Trail Network Bok Tower

Connector Trail Design 3, 66, 69 \$ 100,000

Other CRA Area Improvements & Streetscape Accessories 3, 12, 56, 57 \$ 60,000

\$ 18,500,000

The Redevelopment Plan currently provides that the time certain for completion of all redevelopment activities funded by tax increment is 2029. The attached Resolution would also extend the time certain for completion of all redevelopment activities funded by tax increment as follows:

- September 30, 2045 for all redevelopment activities financed by increment revenues in Area 1.
- September 30, 2049 for all redevelopment activities financed by increment revenues in Area 3.
- September 30, 2051 for all redevelopment activities financed by increment revenues in Area 2.

Tax increment contributions by all taxing authorities for Areas 1, 2 and 3 will terminate as outlined above. By adopting the times certain described above and in the Resolution, the City will ensure that tax increment contributions from affected taxing authorities for Areas 1, 2 and 3 continue as necessary to support redevelopment activities, including repayment of the Series 2021

Note, without exceeding the maximum collection term authorized by law for each area.

**OPTIONS** Decline to adopt the attached Resolution, which will maintain 2029 as the time certain for completion of redevelopment activities in Areas 1, 2 and 3, and direct staff to pursue alternative funding options for implementation of the Lake Wales Connected Plan.

**FISCAL IMPACT** By adopting the Resolution amending the Redevelopment Plan, the City will extend the time period during which tax increment is collected and thereby facilitate issuance of long-term debt

for purposes of financing redevelopment activities related to implementation of the Lake Wales Connected Plan.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2021-22** by title only.

**RESOLUTION 2021-22**

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA AMENDING THE LAKE WALES COMMUNITY REDEVELOPMENT PLAN TO RATIFY AND PROVIDE CURRENT INFORMATION AND COST ESTIMATES FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS TO BE UNDERTAKEN BY THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY AND TO PROVIDE THAT THE DATE CERTAIN FOR COMPLETION OF ALL REDEVELOPMENT ACTIVITIES CONTEMPLATED IN THE REDEVELOPMENT PLAN SHALL BE SEPTEMBER 30, 2051; AND PROVIDING AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson said this is huge and will make a big difference.

Deputy Mayor Gibson made a motion to approve **RESOLUTION 2021-22** after a Public Hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10.II. RESOLUTION 2021-24 - City Bond

[Begin Agenda Memo]

**SYNOPSIS:**

The CRA is considering issuance of the Note to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan. Section 163.385, Florida Statutes, provides that the CRA has power to issue redevelopment revenue bonds or notes to finance the undertaking of community redevelopment, when authorized or approved by resolution of the City Commission. The attached Resolution authorizes the Agency to have the ability to issue a Note. The Resolution also approves execution of an interlocal agreement between the CRA and the City pursuant to which the City will agree, subject to certain requirements therein, to budget and appropriate non-ad valorem revenues in amounts sufficient to pay principal of and interest on the Note not being paid from tax increment revenues or from other amounts as the same shall become due.

## RECOMMENDATION

It is recommended that the City Commission take the following action:

1. Adopt Resolution 2021-24 recommending that the City Commission of the City of Lake Wales (the "City") adopt a resolution approving issuance of the CRA's Redevelopment Revenue Note, Series 2021, in a principal amount not to exceed \$18,500,000, and approving an interlocal agreement between the CRA and the City pertaining to the Note.

## BACKGROUND

The CRA is considering issuance of the Note to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan, as further described below. The Note will have a term of at least twenty years and be secured by the tax increment revenues deposited to the redevelopment trust fund and available to the CRA to pay for redevelopment activities contemplated by the Lake Wales Community Redevelopment Plan adopted on June 1, 1999 by City Resolution 99-06 (as amended from time to time, the "Redevelopment Plan"), and by the City's covenant to budget and appropriate non-ad valorem revenues in amounts sufficient to pay principal of and interest on the Note not being paid from tax increment revenues or from other amounts as the same shall become due.

It is anticipated that the following capital projects will be financed by the Note:

Project Type Project LWCP Action Step Anticipated Cost Allocation Streetscape Park Avenue

Streetscape Construction 1, 4, 5, 12 \$ 7,500,000

Streetscape 1st Street Streetscape Design 2, 12 \$ 515,000

Streetscape 1st Street Streetscape Construction 45, 52, 56 \$ 5,000,000

Streetscape Lincoln Avenue Design 12, 46 \$ 325,000

Mobility Scenic Highway Roundabouts Design 12, 50, 51 \$ 500,000

Mobility Central Avenue Improvements Construction 47, 56 \$ 500,000

Mobility Northwest Neighborhood Sidewalks & Street Tree Improvements 11, 65 \$ 2,500,000

Trail Network Park Avenue Connector Trail Construction 3, 66 \$ 750,000

Trail Network Crystal Lake Park Trail Construction 3, 66 \$ 750,000 Trail Network Bok Tower

Connector Trail Design 3, 66, 69 \$ 100,000

Other CRA Area Improvements & Streetscape Accessories 3, 12, 56, 57 \$ 60,000

\$ 18,500,00

## OPTIONS

Decline to adopt the attached Resolution. In that case, staff will pursue alternative funding options for implementation of the Lake Wales Connected Plan.

## FISCAL IMPACT

If the City Commission adopts the CRA's recommendation to adopt a resolution approving issuance of the Note, the CRA and the City will proceed with the actions required to issue and close on the Note in which case proceeds of the Note are expected to be available to the CRA to pay for the projects outlined above in late 2021 or early 2022.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2021-24** by title only.

**RESOLUTION 2021-24**

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA AUTHORIZING THE ISSUANCE BY THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY OF A REDEVELOPMENT REVENUE NOTE, SERIES 2021 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$18,500,000, TO FINANCE THE COST OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF VARIOUS CAPITAL IMPROVEMENTS WITHIN THE REDEVELOPMENT AREA OF THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY; PROVIDING THAT THE NOTE SHALL BE A LIMITED OBLIGATION OF THE ISSUER PAYABLE FROM CERTAIN TAX INCREMENT REVENUES WHICH DERIVE FROM THE REDEVELOPMENT AREA AND NON-AD VALOREM REVENUES OF THE CITY OF LAKE WALES, FLORIDA BUDGETED AND APPROPRIATED AS PROVIDED HEREIN ON A SENIOR PARITY OR SUBORDINATE POSITION; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

Deputy Mayor Gibson made a motion to adopt **RESOLUTION 2021-24**. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 10.III. ORDINANCE 2021-25 - 1st Reading And Public Hearing-Proposes Amendments To The Following Sections Of The Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code Of Ordinances)

[Begin Agenda Memo]

**SYNOPSIS:** ORDINANCE 2021-25 1st reading and Public Hearing-Proposes amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

? Table 23-421 Permitted and Special Exception Uses in Standard Zoning Districts

? Section 23-802 Definitions

## RECOMMENDATION

At a regular meeting on September 28, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations.

## BACKGROUND

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

### 1.) Permitted Use Chart

a) Currently under the Land Development Regulations, the City only lists the following residential dwelling types:

Single-Family

Two-family (duplex) Multi-Family

Dwelling unit for caretaker employed on premises Accessory dwelling unit

Mixed-use residential and non-residential

Current code does not regulate the placement of mobile, manufactured, or modular homes in any zoning districts within the city. Historically, these dwelling types have been approved as single-family homes, so long as they meet the dimensional and area standards found in the Land Development Code, and so long as they meet the Florida Building Code requirements for a dwelling. Staff has received consistent feedback from the community, as well as Planning and Zoning Board members, regarding the compatibility issues with allowing mobile home-type dwellings to be placed in any residential zoning district.

Part one of addressing these concerns entails defining or re-defining these dwelling types within the definitions section of the code, and then adding it to the Permitted Use Chart as a residential dwelling type not currently permitted in any existing zoning districts. The purpose of creating the category within the chart, but not permitting these dwelling types in any zoning districts, is to impose a short moratorium on new mobile home sets within the city until standards are in place.

Part two will be to develop standards and regulations for manufactured homes, and to denote within the Permitted Use Chart the zoning districts in which manufactured homes may be approved as single-family homes. Once Staff has developed these regulations, the Planning and Zoning Board will review the language for a separate recommendation to City Commission.

### b) Lots of record

Code Definition: A lot which is duly recorded in the office of the clerk of the circuit court or a parcel described by metes and bounds, the description of which has been so recorded on or before the effective date of these zoning regulations or of prior zoning and subdivision regulations governing the creation of lots.

Staff proposes to add Note 12 to the Permitted Use Chart, which will allow lots of record within the CRA III to be subdivided to its originally-platted dimensions, considered buildable single-family lots, so to encourage new single-family development on infill lots and the creation of more affordable housing opportunities.

Because minimum lot widths in current code are in excess of what was originally platted, code prohibits the re-subdivision of lots which would create non-conforming, unbuildable lots under

today's dimensional and area standards.

Staff proposes the following language:

Within CRA3, Lots of Record shall be allowed to have one single-family residence, based on the R-1D zoning district standards. Approval of this use shall be granted by an Administrative Waiver, approved by the City Manager, using the criteria contained in Section 23-422.

## 2.) Definitions

Section 23-802 Definitions, currently defines Manufactured Home as: a building, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes part trailers, travel trailers, and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.

Under the definitions code section for Mobile Home: See manufactured home.

Modular homes are not defined.

### Proposed Definitions

Manufactured Home: (aka mobile home) shall mean a structure, transportable in one (1) or more sections, which, in the traveling mode, is twelve (12) body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards (§ 320.01, F.S. 1992 supplement)

Modular Home: shall not mean a manufactured home (aka mobile home) but refers to a unit partially constructed off-site (such as trusses and wall sections) and assembled at the site as a standard home or building unit, meeting all the Southern Building Standard Code requirements. Modular homes are indistinguishable from site-built homes.

### CODE REFERENCES AND REVIEW CRITERIA

? Table 23-421 Permitted Uses and Special Exception Uses in Standard Zoning Districts

? Section 23-802 Definitions

? Section 23-422 Dimensional and Area Standards

### FISCAL IMPACT

The lot of record provision would allow for new residential development on infill lots within the CRA III, resulting in an increase in property values.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2021-25** by title only.

### ORDINANCE 2021-25

### AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING

**THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS AMENDING TABLE 23-421 PERMITTED USES; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2021-25** after 1st reading and Public Hearing. Deputy Mayor Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 10.IV. ORDINANCE 2021-26 Ordinance 2021-26 Annexation – 1st Reading And Public Hearing 62.8 Acres South Of State Road 60 E And East Of Hamlin Street

[Begin Agenda memo]

**SYNOPSIS:** Ordinance 2021-26 proposes the voluntary annexation of approximately 62.8 acres of land located south of State Road 60, east of Hamlin Street, and contiguous to the incorporated City limits.

**RECOMMENDATION**

Staff recommends approval after first reading of Ordinance 2021-26, 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**

Hunt Bros, Inc, CBD Real Estate Investments, LLC, Richard McKinley, and Estate of Vivian Pennachio, owners, petitioned annexation into the corporate city limits of Lake Wales on September 17, 2021.

"Attachment A" to the ordinance shows the properties' locations. The parcels abut one another and are contiguous to the City Limits along multiple boundaries.

**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 \$474,299, 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]

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2021-26** after 1st reading and Public Hearing. Deputy Mayor Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 10.V. RESOLUTION 2021-23 Authorizing Submission Of A CDBG Coronavirus Relief Funding Application

[Begin Agenda Memo]

**SYNOPSIS:** RESOLUTION 2021-23 will authorize the submission of an application for funding of a CDBG Coronavirus relief grant

### **RECOMMENDATION**

Staff recommends that the City Commission adopt RESOLUTION 2021-23.

### **BACKGROUND**

Coronavirus relief funding is available from the Florida Department of Economic Opportunity CDBG Program. City Staff has prepared a grant application for funding for the construction and rehabilitation of sidewalks to promote social distancing in the City's

Northwest Neighborhood as a means to prevent, respond to, or assist in the recovery of the COVID-19 pandemic.

Resolution 2021-23 authorizes submittal of the grant application online.

### **OTHER OPTIONS**

Do not approve RESOLUTION 2021-23



## **FISCAL IMPACT**

See attached Fiscal impact Statement

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2021-23** by title only.

## **RESOLUTION 2021-23**

**RESOLUTION OF THE LAKE WALES CITY COMMISSION, FLORIDA, AUTHORIZING THE SUBMISSION OF A FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS RELIEF FUNDING (CDBG-CV) GRANT APPLICATION SPONSORED BY THE CITY OF LAKE WALES TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

Commissioner Howell made a motion to approve **RESOLUTION 2021-23**. Deputy Mayor Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 11. CITY ATTORNEY

Albert Galloway, City Attorney, had no report.

## 12. CITY MANAGER

James Slaton, City Manager, announced the forthcoming closure of Central Avenue at US HWY 27 for 2 weeks.

The traffic study on Buck Moore is under way.

The bid documents on the Park Avenue Trail project are going out soon.

Mr. Slaton announced the Chamber Dinner and asked the commission to let the City Clerk know if they plan to attend. Mayor Fultz reviewed some of the awards presented at that event and encouraged nominations.

### 12.I. Tracking Report

### 12.II. Commission Meeting Calendar

13. CITY COMMISSION COMMENTS

Deputy Mayor Gibson said we have authorized a huge investment in Lake Wales that will enhance property values and benefit our residents for years to come. We have to protect our interests and investments. There are some things we need to say no to. We need good standards.

Commissioner Howell asked for lines and arrows on streets to be repainted.

Commissioner Howell said the Wiltshire sign at Wiltshire and Scenic is missing and asked that it be replaced.

Commissioner Williams asked the City Manager to reach out to the Police to address speeding on Wiltshire. He asked to be sure we are addressing parking concerns in downtown.

Commissioner Williams said we can still be a small city and expand in a careful cautious way. He would like to bring more amenities to Lake Wales.

Commissioner Hillgoss encouraged communication with business owners downtown about their concerns.

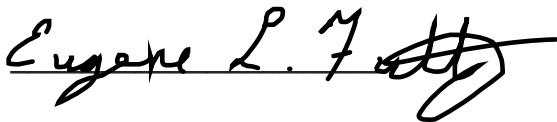
Commissioner Hillgoss commended those working on the events downtown.

14. MAYOR COMMENTS

Mayor Fultz said that the quality of life is a priority. We will not intentionally bring the City down. Things are going in the right direction.

15. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.



Mayor

ATTEST:

---

City Clerk