

**MINUTES
CITY COMMISSION MEETING
HAINES CITY, FLORIDA**

March 15, 2018

7:00 PM

Commission Chambers

1. CALL TO ORDER

At 7:00 p.m. Mayor H.L. Roy Tyler called the City Commission meeting to order in the City Commission Chambers located in City Hall, at 620 E. Main Street, Haines City, Florida.

Mayor H.L. Roy Tyler, Commissioner Horace West, and Commissioner Don Mason were in attendance. Vice Mayor Morris West and Commissioner Anne Huffman were excused.

Also in attendance were the following staff members: City Manager Deric Feacher, City Attorney Fred Reilly, and City Clerk Linda Bourgeois.

2. INVOCATION

The invocation was provided by St. Mary Primitive Baptist Church Elder Jeffery Herrington.

3. PLEDGE OF ALLEGIANCE

Mayor Tyler led the Pledge of Allegiance.

4. PRESENTATIONS AND DISCUSSIONS

4.A. RELAY FOR LIFE PROCLAMATION

Staff Contact: Linda Bourgeois, City Clerk

City Clerk Bourgeois read the Proclamation into record and it was accepted by the City of Haines City's Relay for Life Team.

RESULT: PRESENTED

5. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

Mayor Tyler presented the consent agenda for approval and opened the floor for public comments.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the floor to public comments.

Commissioner West moved to approve the consent agenda. The motion was seconded by Commissioner Mason.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Horace West, Commissioner
SECONDER:	Don Mason, Commissioner
AYES:	Don Mason, Horace West, Roy Tyler
EXCUSED:	Morris West, Anne Huffman

5.A. MINUTES FROM CITY COMMISSION WORKSHOP – MARCH 1, 2018

Staff Contact: Linda Bourgeois, City Clerk

5.B. MINUTES FROM CITY COMMISSION MEETING – MARCH 1, 2018

Staff Contact: Linda Bourgeois, City Clerk

5.C. CEMETERY DEEDS

Staff Contact: Linda Bourgeois, City Clerk

5.D. CITY ATTORNEY INVOICE FOR THE BILLING PERIOD ENDING FEBRUARY 28, 2018

Staff Contact: Margie Wells, Senior Executive Assistant

Disposition: Approve as recommended in the City Manager memorandum dated March 15, 2018.

6. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA

Public participation is encouraged. If you wish to address the City Commission regarding items not on the agenda, please sign your name on the list located in the City Hall Chambers entrance.

Mayor Tyler opened the floor to public comments.

The following members of the public came forward to speak with the Mayor and City Commissioners:

Randy Alexander, Vice President of the Northeast Rattlers, wanted to know if there was any other discussion regarding the primary use of Cook Field. He went on to say he had other entities willing to assist with events this season.

Mayor Tyler asked the City Manager if there had been any movement internally or was it the City Commission that needed to make the decision.

City Manager Feacher replied it was the City Commission's decision.

Mayor Tyler addressed Mr. Alexander and requested for the City Clerk to make sure it was on the next agenda so they can give him an answer.

Janet Jolly Smith asked the City Clerk what the qualifications were to become a City Commissioner.

City Clerk Bourgeois read an excerpt from the City Charter into record.

Sec. 9.03. - Qualifying for place on ballot.

Candidates for office of city commissioner shall qualify to become such candidate by filing with the city clerk, not less than forty-six (46) days previous to the day of election, their application to have their name printed upon the ballot as a candidate for election to the office for which they aspire. Such applications shall be sworn to, shall state the name and place of residence of such candidate, and that they are a qualified elector of Haines City, Florida, and has been a resident of said city for one (1) year immediately prior to the date of such election. With each such application there shall be posted and paid a qualifying fee of twenty-five dollars (\$25.00) and the applicable municipal candidate's election assessment to the city clerk by such candidate; otherwise, their name shall not be printed upon the ballot.

Charmeythia Streeter requested a follow-up on whether or not anyone from the City had contacted Polk County regarding her road concerns.

Mayor Tyler replied that her calling would probably have more weight with the County since she was the one most affected by the road. He said the Public Works Director would provide her with the phone number.

Sharon Garrett thanked Public Works Director Javed for helping to get the piles of tires and trash removed from the side of the road. She went on to say the road Ms. Streeter was referring to was not a pothole issue, rather she thought it may be due to a sinkhole or the city sewer or city water lines running underneath the road. She continued and asked if the city was considering the infusion of treated wastewater into the aquifer. She concluded by commenting about the wastewater not being healthy due to plastic water bottle particles acting as estrogen and also prescriptions that were not being removed during the treatment process.

Mayor Tyler closed the floor to public comments.

7. NEW BUSINESS

7.A. RESOLUTION NO. 18-1299 : A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; UPDATING COMPLIANCE WITH SECTION 504 OF THE REHABILITATION ACT OF 1973 BY PROVIDING FOR THE ADOPTION OF A HANDICAP ACCESSIBILITY SELF EVALUATION PLAN; A TRANSITION PLAN FOR HANDICAP ACCESSIBILITY AND THE ADOPTION OF A SECTION 504 GRIEVANCE PROCEDURE; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR THE CITY CLERK TO KEEP A COPY OF THE POLICY ON FILE; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Addie Javed, Public Works Director

City Manager Feacher presented on the 504 Plan Resolution. He said this agenda item confirmed compliance with the Section 504 Handicap Accessibility Requirements of the Community Development Block Grant program. He continued and said one of the requirements for funding of the Community Development Block Grant was that the City owned and utilized public buildings were ADA compliant. He concluded by saying staff recommended approval of the Resolution.

Commissioner Mason asked if the City was compliant, and the City Manager replied yes.

Mayor Tyler opened the floor to public comments.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the floor to public comments.

City Attorney Reilly read the Resolution into record by title only.

Commissioner Mason moved to approve Resolution 18-1299. The motion was seconded by Commissioner West.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Mason, Commissioner
SECONDER:	Horace West, Commissioner
AYES:	Don Mason, Horace West, Roy Tyler
EXCUSED:	Morris West, Anne Huffman

7.B. RESOLUTION NO. 18-1301 : RED SQUARE PRELIMINARY PLAT - A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; GRANTING A PRELIMINARY PLAT APPROVAL FOR THE REDBRIDGE SQUARE SUBDIVISION LOCATED NORTH OF HOLLY HILL CUTOFF ROAD AND WEST OF FDC GROVE ROAD IN HAINES CITY, FLORIDA; SETTING FORTH CONDITIONS; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING IN THE PUBLIC RECORDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Richard Greenwood, Development Services Director

City Manager Feacher presented on the Resolution. He said the requested action was to approve the Preliminary Plat for Redbridge Square. He continued and said the proposed Redbridge Square subdivision, f/k/a Holly Hill Cutoff Road RPUD, contained 38± acres and consisted of the following parcels in your packet. [272706-726500-032200, 272706-726500-032500, 272706-726500-032100]

Currently, the site is vacant and being used for citrus. He went on to say that on January 8, 2018, the parcels for this project were rezoned to City Residential Planned Unit Development (RPUD) and has a City Future Land Use designation of Low Density Residential-North Ridge (LDR-NR).

Further, he highlighted the following:

- Maximum number of lots was 152
- All City codes for landscaping would be met or exceeded
- Single-Family Residential - 22.89 acres
- Recreation/Open Space - 3.76 acres
- The Preliminary Plat was reviewed and approved by the Haines City Technical Review Board (TRB) on February 28, 2018
- Estimated City Tax Receipts - \$1,153,604 (based on Estimate Taxable Value)
- The Planning Commission heard the request March 12, 2018
- There was no budget impact as a result of the request.

He concluded by saying staff's recommendation was for approval of the Redbridge Square Preliminary Plat, f/k/a the Holly Hill Road Cutoff RPUD.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commissioners.

Mayor Tyler closed the public hearing.

City Attorney Reilly read the Resolution into record by title only.

Commissioner West moved to approve Resolution 18-1301. The motion was seconded by Commissioner Mason.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Horace West, Commissioner
SECONDER:	Don Mason, Commissioner
AYES:	Don Mason, Horace West, Roy Tyler
EXCUSED:	Morris West, Anne Huffman

7.C. RESOLUTION NO. 18-1302 : HIDDEN LAKE PRESERVE FINAL PLAT - A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; GRANTING A FINAL PLAT OF THE HIDDEN LAKE PRESERVE SUBDIVISION LOCATED ON SOUTHEAST CORNER OF POWER LINE ROAD AND JOHNSON AVENUE, HAINES CITY, FLORIDA; SETTING FORTH CONDITIONS; PROVIDING FOR FINDINGS; PROVIDING FOR RECORDING IN THE PUBLIC RECORDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Richard Greenwood, Development Services Director

City Manager Feacher presented on the Hidden Lake Preserve Final Plat Resolution formerly known as Hidden Lake Estates, Phase 1. He said an application for a final plat approval of the Hidden Lake Preserve subdivision had been submitted to the Development Services Department. This project is located at the southeast corner of Power Line Road and Johnson Avenue and had originally been approved with infrastructure put in place before the recession of 2008. He continued and said the final plat was never approved and the project was reactivated in 2017 by a new developer, Starlight Homes.

The public improvements have been completed as identified in the subdivision construction plans and a bond has been provided. The total acreage for this project is 38.62± acres and has 113 lots with R-1 zoning lot standards which have been provided in your packet. With regard to the Recreation/Open Space .68± of an acre was approved and constructed several years ago. This area will have a play area for children with benches and there is a small scenic lake area. He concluded by saying there was not a budget impact therefore city staff was requesting approval of the Resolution.

Commissioner Mason commented he was glad that this project was coming back to life.

Mayor Tyler opened the public hearing.

Sharon Garrett said she believed the Central Polk Parkway Project Development and Environment (PD&E) study showed that the project was slated to go across or near the eastern boundary of the development area and the interchange was also depicted to be within

the vicinity. She said she thinks the information should be disclosed to the developer and requested a certified copy of the minutes. She said she was not sure if the project would go through another PD&E study process but the area had already been surveyed for that section of the toll road. She went on to read the organizational goal of Infrastructure *to maintain, protect and design infrastructure that ensures a desired level of service and provides for future needs* and concluded by saying if you build over the footprint of the proposed toll road then you are not doing what you stated here in this goal.

Mayor Tyler closed the public hearing.

City Attorney Reilly read the Resolution into record by title only.

Commissioner Mason moved to approve Resolution 18-1302. The motion was seconded by Commissioner West.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Mason, Commissioner
SECONDER:	Horace West, Commissioner
AYES:	Don Mason, Horace West, Roy Tyler
EXCUSED:	Morris West, Anne Huffman

7.D. DEVELOPER AGREEMENT FOR HIDDEN LAKE PRESERVE

Staff Contact: Richard Greenwood, Development Services Director

City Manager Feacher presented on the Hidden Lake Preserve developers agreement formerly known as Hidden Lake Estates, Phase 1. He said the intent of this agenda item was to request approval to enter into a Developer Agreement with Starlight Homes Florida, LLC.

The purpose of this Developer Agreement is to be in compliance with the City's regulations and to set forth the responsibilities of the parties as follows:

1. Developer shall construct offsite improvements off Power Line Road consisting of a turn lane(s) connector road into the subdivision.
2. Developer shall install stormwater improvements on Power Line Road to be installed prior to the issuance of Certificates of Occupancy.
3. Upon recording of the Final Plat, Building Permits shall be able to be issued.
4. Developer/Owner(s) shall convey to the City all water, sewer, and storm sewer lines that have been installed in the dedicated public rights-of-way and/or easements.
5. Developer shall maintain and repair all public streets constructed by the Developer within the subdivision for a period of one (1) year after completion of same, and prior to the acceptance of maintenance by the City.

The Developer Agreement had been reviewed and approved by the City Attorney. He concluded by saying staff's recommendation was to enter into the Developer Agreement with Starlight Homes Florida, LLC, Daljit Gill, Satinder Gill, Harjite Gill and Summer Pal Gill with regard to the Hidden Lake Preserve subdivision.

Mayor Tyler opened the public hearing.

Sharon Garrett said she had the same issues as before and wanted the City Commission to take into account the footprint because she believes it is also an important part of their responsibility. She said she thinks it should have been brought up to the owners since there should be due diligence when you buy a piece of property.

Mayor Tyler closed the public hearing.

Commissioner West moved to approve the Developers Agreement. The motion was seconded by Commissioner Mason.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Horace West, Commissioner
SECONDER:	Don Mason, Commissioner
AYES:	Don Mason, Horace West, Roy Tyler
EXCUSED:	Morris West, Anne Huffman

8. CITY MANAGER'S REPORT

City Manager Feacher announced an upcoming absence and said the senior executive in charge would be Police Chief Jim Elensky.

9. CITY CLERK'S REPORT

City Clerk Bourgeois announced the upcoming election date.

10. CITY ATTORNEY'S REPORT

There was not a report from the City Attorney.

11. COMMISSION COMMENTS

Commissioner West

Commissioner West announced his participation as a magician at the Relay for Life event this weekend and encouraged attendance.

Commissioner Mason did not have any comments.

Mayor Tyler

Mayor Tyler shared with Commissioner Mason his suggestion about disciplining themselves during the commission comments section with imposing a five minute speaking limitation.

Commissioner Mason said he supports the proposed time limit.

Mayor Tyler concluded by saying that we would bring this up at the next meeting and see what direction the panel intended to take.

12. ADJOURNMENT

Without any further discussion, at 7:28 p.m. the City Commission meeting was adjourned.

APPROVED:

BY:

ATTEST:

Linda Bourgeois
City Clerk