

# CITY OF POLK CITY

## City Council Meeting

December 9, 2008

Polk City Government Center  
123 Broadway Blvd

7:30 P.M.

### AGENDA

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**CALL TO ORDER** Mayor Donald L. Penton

**INVOCATION** Pastor Walter Lawlor  
Polk City Assembly of God Church

**PLEDGE OF ALLEGIANCE** Mayor Donald L. Penton, Sr.

**ROLL CALL** Interim City Clerk Pam Peterson

#### ESTABLISHMENT OF A QUORUM

- A. **APPROVE CONSENT AGENDA**
- B. **PRESENTATIONS AND/OR RECOGNITIONS**

Certificates of Completion to Councilor Ames and Councilor Eilertsen—Institute for Elected Officials

C. **PUBLIC HEARINGS**

**ORDINANCE 1245**, AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING ORDINANCE 1230 WHICH ADOPTED THE FINAL BUDGET FOR FISCAL YEAR 2007-2008; AND PROVIDING FOR AN EFFECTIVE DATE.

1. **Mayor to open the public hearing**
2. **Mayor to close the public hearing**
3. **Review, discuss and take action on Ordinance 1243**

**ORDINANCE 1238-A**, AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF THE CITY OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED ON SMITH ROAD (JOSHUA LAND, L.L.C. PROPERTY) WHICH IS LOCATED IN SECTION 28, TOWNSHIP 26 SOUTH, RANGE 25 EAST, AND SECTION 33, TOWNSHIP 26 SOUTH AND RANGE 25 EAST, CONSISTING OF FIVE PARCELS; AND CERTAIN REAL PROPERTY LOCATED ON SMITH ROAD (C.C. CALHOUN, INC. PROPERTY) WHICH IS LOCATED IN SECTION 33, TOWNSHIP 26 SOUTH, RANGE 25 EAST CONSISTING OF A TOTAL OF SEVEN PARCELS; AND THE ADJACENT RIGHTS-OF-WAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Mayor to open the public hearing
2. Mayor to close the public hearing
3. Review, discuss and take action on Ordinance 1238-A

**ORDINANCE 1239-A**, AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF POLK CITY, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT #08-01"; SPECIFICALLY, ASSIGNING LAND USE TO THE JOSHUA LAND, LLC AND C.C. CALHOUN PROPERTY; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Mayor to open the public hearing
2. Mayor to close the public hearing
3. Review, discuss and take action on Ordinance 1239-A

**ORDINANCE 1240-A**, AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF POLK CITY, SPECIFICALLY ASSIGNING A ZONING CLASSIFICATION OF "MIXED RESIDENTIAL USE – R4" TO 128.87 ACRES; AND A ZONING CLASSIFICATION OF PUBLIC BUILDINGS AND GROUNDS (PB) TO 44.82 ACRES; TO THE JOSHUA LAND, LLC AND C.C. CALHOUN PROPERTY, LOCATED ON SMITH ROAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. Mayor to open public hearing
2. Mayor to close the public hearing
3. Review, discuss and take action on Ordinance 1240-A

**D. UNFINISHED BUSINESS**

**E. NEW BUSINESS**

1. **RESOLUTION 2008-13**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA, ESTABLISHING A 457 DEFERRED COMPENSATION PLAN ADMINISTERED BY THE ICMA RETIREMENT CORPORATION

2. **RESOLUTION 2008-14**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE POLK COUNTY COMMISSION FOR DISPOSAL OF SOLID WASTE AND PROVIDING AN EFFECTIVE DATE

3. **RESOLUTION 2008-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY TO REVISE WATER AND SEWER RATES PURSUANT TO ORDINANCE 2002-04 ARTICLE 2 – WATER, SECTION 2 – WATER RATES AND ORDINANCE 97-5 SECTION 9 RATES; AND PROVIDING AN EFFECTIVE DATE

4. **RESOLUTION 2008-16**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLK CITY, FLORIDA, APPROVING THE PROJECT LISTING OF THE UPDATED

POLK COUNTY REGIONAL WATER SUPPLY PLANS, AUTHORIZING THE SUBMISSION OF THE COMPLETE PROJECT LISTING TO THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT FOR INCLUSION AS PART OF THE REGIONAL WATER SUPPLY PLAN, MAKING FINDINGS AND PROVIDING AN EFFECTIVE DATE

**5. Request to construct a walkway and dock at 551 Narrow Pond Road**

**F. CITY MANAGER ITEMS**

**G. CITY CLERK ITEMS**

Skate Park Update

**H. CITY ATTORNEY ITEMS**

**I. COUNCIL MEMBER ITEMS**

Councilor Adorno-  
National League of Cities Update  
FLC Legislative Day Update

Councilor Ames-  
Planning Commission Appointments

Councilor Eilertsen-

**J. VICE MAYOR ITEMS**

**K. MAYOR ITEMS**

**L. PUBLIC COMMENTS/REQUEST**

1. Martin Luther King Celebration

**M. ANNOUNCEMENTS**

1. Ridge League of Cities Meeting December 11 in Auburndale  
2. Polk City Christmas Holiday Schedule  
3. Institute for Elected Municipal Officials January 23-25, 2009, Gainesville

**N. ADJOURNMENT**

Please note: Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the city council with respect to any matter considered during this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the American with Disabilities Act, a person with disabilities needing any special accommodations to participate in city meetings should contact the Office of the City Clerk, Polk City Government Center, 123 Broadway, Polk City, Florida 33868 Telephone (863)984-1375. The City of Polk City may take action on any matter during this meeting, including items that are not set forth within this agenda.

Minutes of the city council meetings may be obtained from the city clerk's office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may arrange with the city clerk to duplicate the recordings, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

Persons who wish to appeal any decision made by the city council with respect to any matter considered in this meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

## **CONSENT AGENDA**

MAY ALL BE APPROVED BY ONE VOTE OF COUNCIL TO ACCEPT CONSENT AGENDA. Council Members may remove a specific item below for discussion, and add it to the regular agenda under New or Unfinished Business, whichever category best applies to the subject.

### **A. CITY CLERK**

1. Accept Minutes from November 12, 2008 City Council Meeting

### **B. REPORTS**

1. Building Department-October/November 2008-accept
2. Code Enforcement-October/November 2008-accept
3. Sheriff Department-November 2008- accept

### **C. APPROVAL OF PLANNING BOARD ACTIONS**

1. Recommendation to approve Site Development Plan Review—322 Broadway Blvd. (old bait shop)

### **D. OTHER**

1. First Amendment to Pre-Annexation Agreement—Joshua Land, LLC and C.C. Calhoun, Inc.
2. Project Request Update List