

CITY OF POLK CITY

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CITY COUNCIL MEETING

May 9, 2006

City Hall/Women's Club Building
203 Lakeshore Drive

7:30 P.M.

AGENDA

CALL TO ORDER

Mayor Donald L. Penton

INVOCATION

Pastor Walter Lawlor
Polk City Assembly of God Church

PLEDGE OF ALLEGIANCE

Mayor Donald L. Penton

ROLL CALL

Acting City Clerk Sylvia Sims

ESTABLISHMENT OF A QUORUM

- I. PRESENTATION BY THE DEVELOPERS OF FOUNTAIN PARK (ARNWINE DEVELOPMENT). REPRESENTED BY TOM VAN DORN AND SCOTT BENSON**
- II. 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. MINUTES**
April 18, 2006 Council Meeting
 - REPORTS:**
Building and Zoning Department April 2006
Code Enforcement Department April 2006
- III. UNFINISHED BUSINESS**
 - A. ORDINANCE 1100 - AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING ARTICLE TWO OF THE UNIFIED LAND DEVELOPMENT CODE ("ULDC") BY ADDING SECTION 2.02.05.04 PROVIDING FOR SETBACKS FOR RESIDENTIAL INFILL; PROVIDING FOR SEVERABILITY, CONFLICTS, INCLUSION IN THE CODE, LIBERAL CONSTRUCTION, AND AN EFFECTIVE DATE.**
 - 1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 - 2. CLOSE PUBLIC HEARING
 - 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
 - B. ORDINANCE 1101 - AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 925 BERKLEY ROAD (WALKER PROPERTY); WHICH IS LOCATED IN SECTION 04, TOWNSHIP 27, RANGE 25 AND IN SECTION 05, TOWNSHIP 27, RANGE 25; AND THE ADJACENT RIGHTS- OF WAY KNOWN AS BERKLEY ROAD AND INTERSTATE 4; AND PROVIDING FOR AN EFFECTIVE DATE**

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- C. **ORDINANCE 1102** – AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 112 CLEARWATER COURT (PEAGLER PROPERTY); AND A PORTION OF RIGHT OF WAY OF CLEARWATER COURT WHICH IS LOCATED IN SECTION 32, TOWNSHIP 26, RANGE 25; AND PROVIDING FOR AN EFFECTIVE DATE
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- D. **ORDINANCE 1103** – AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 949 LAKESHORE DRIVE (KERLEY PROPERTY); AND A PORTION OF RIGHT OF WAY OF LAKESHORE DRIVE WHICH IS LOCATED IN SECTION 33, TOWNSHIP 26, RANGE 25; AND PROVIDING FOR AN EFFECTIVE DATE
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- E. **ORDINANCE 1104** – An ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 136 CLEARWATER COURT (NEWELL PROPERTY); WHICH IS LOCATED IN SECTION 32, TOWNSHIP 26, RANGE 25; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- F. **ORDINANCE 1105** – An ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 378 CLEARWATER AVENUE (ROCKWELL PROPERTY); WHICH IS LOCATED IN SECTION 32, TOWNSHIP 26, RANGE 25; AND A PORTION OF THE RIGHT-OF-WAY KNOWN AS CLEARWATER AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- G. **ORDINANCE 1106** – AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 152 BRIDGES ROAD (WILLIS PROPERTY); WHICH IS LOCATED IN SECTION 33, TOWNSHIP 26, RANGE 25; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

- H. **ORDINANCE 1107** – AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; MAKING FINDINGS; INCLUDING WITHIN THE CORPORATE LIMITS OF POLK CITY, FLORIDA, CERTAIN REAL PROPERTY LOCATED AT 517 EAST ARBORVITAE LANE (HARFORD PROPERTY); AND THE ADJACENT RIGHTS-OF-WAY KNOWN AS CALLITRIS AND ARBORVITAE WHICH IS LOCATED IN SECTION 33, TOWNSHIP 26, RANGE 25; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- I. **ORDINANCE 1108** – A CORRECTIVE ORDINANCE FOR ORDINANCE 1084 ZONING ANNEXED PARCELS IN THE CITY OF POLK CITY AND BEING KNOWN AS THE HOLLY COVE PARCELS; GENERALLY LOCATED ON SOUTH SIDE OF SR 33 IN SECTIONS 05, 06 and 08; TOWNSHIP 27 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- J. **ORDINANCE 1109** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-01-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL LOW DENSITY” TO THE KERLEY PROPERTY, LOCATED AT 949 LAKESHORE DRIVE, SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- K. **ORDINANCE 1110** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-02-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL MEDIUM DENSITY” TO THE NEWELL PROPERTY, LOCATED AT 136 CLEARWATER COURT, SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
 2. CLOSE PUBLIC HEARING
 3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE
- L. **ORDINANCE 1111** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-03-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL MEDIUM DENSITY” TO THE PEAGLER PROPERTY, LOCATED AT 112 CLEARWATER COURT, SUCH AMENDMENT COMPLYING WITH

THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

M. **ORDINANCE 1112** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-04-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL MEDIUM DENSITY” TO THE ROCKWELL PROPERTY, LOCATED AT 378 CLEARWATER AVENUE, SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

N. **ORDINANCE 1113** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-05-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL LOW DENSITY” TO THE WILLIS PROPERTY, LOCATED AT 152 BRIDGES ROAD, SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

O. **ORDINANCE 1114** – 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, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 06-06-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL LOW DENSITY” TO THE HARFORD PROPERTY, LOCATED AT 517 EAST ARBORVITAE LANE, SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

P. **ORDINANCE 1115** – 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 #06-07"; SPECIFICALLY,

ASSIGNING LAND USE TO THE WALKER 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. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

Q. **ORDINANCE 1116** – 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 “RESIDENTIAL LOW 3 – X (RL3-X)” TO THE WALKER PROPERTY LOCATED AT 925 BERKLEY ROAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

R. **ORDINANCE 1117** –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 “RESIDENTIAL (R-5)” TO THE PEAGLER PROPERTY LOCATED AT 112 CLEARWATER COURT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

S. **ORDINANCE 1118** – 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 “RESIDENTIAL (R-1)” TO THE KERLEY PROPERTY LOCATED AT 949 LAKESHORE DRIVE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

T. **ORDINANCE 1119** – 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 “RESIDENTIAL (R-5)” TO THE NEWELL PROPERTY LOCATED AT 136 CLEARWATER COURT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

U. **ORDINANCE 1120** – 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 “RESIDENTIAL (R-5)” TO THE ROCKWELL PROPERTY LOCATED AT 378 CLEARWATER AVENUE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

V. **ORDINANCE 1121** – 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 “RESIDENTIAL (R-1)” TO THE WILLIS PROPERTY LOCATED AT 152 BRIDGES ROAD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
2. CLOSE PUBLIC HEARING
3. REVIEW, DISCUSS AND TAKE ACTION ON THE FINAL READING OF ORDINANCE

W. **ORDINANCE 1122** – 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 “RESIDENTIAL (R-1)” TO THE HARFORD PROPERTY LOCATED AT 517 EAST ARBORVITAE LANE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1. OPEN PUBLIC HEARING FOR PUBLIC COMMENT
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IV. **NEW BUSINESS:**

V. **CITY MANAGER ITEMS**

- A. **Wastewater Updates**
- B. **Electric Feasibility Study**
- C. **Process to fill Vacant Council Seat**
- D. **School Concurrency**
- E. **New Development Issues – Harper/Country Trails Phase VI & VII**
- F. **Water Alliance**
- G. **Property appraisals**
- H. **Calendar Updates – Travel, Meetings, Etc.**
- I. **Budget Process**
- J. **Ridge League**

VI. **ACTING CITY CLERK ITEMS**

VII. **CITY ATTORNEY ITEMS**

VIII. **COUNCIL MEMBER ITEMS**

Councilor Adorno
Councilor McManigle

IX. **VICE MAYOR ITEMS**

X. **MAYOR ITEMS**

XI. **PUBLIC COMMENTS/REQUEST**

XII. **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 WOMEN'S CLUB, 203 LAKESHORE DRIVE, POLK CITY, FLORIDA 33868 TELEPHONE (863)984-1375.