

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
MONDAY, DECEMBER 4, 2023
7:00 P.M.
COMMISSION CHAMBERS
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Mayor Coler called the meeting to order at 7:00 p.m.

II. INVOCATION

Commissioner Metosh gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag.

IV. ROLL CALL

PRESENT: Billings, Wilson, Metosh, Coler

ABSENT: Clark

City Clerk Wright advised that Commissioner Clark notified her last week that he would be unable to attend the meeting tonight.

MOTION was made by Commissioner Billings and seconded by Commissioner Wilson to excuse Commissioner Clark from tonight's meeting.

The vote was as follows:

AYES: 4

NAYS: 0

V. AUDIENCE

Justin Newberry 691 Brookins Ave. he advised he was speaking on behalf of his grandmother, expressed concern with the rezoning of the property on Brookins. He stated the residents aren't contesting the right to build but would prefer building in moderation.

Manager Ernharth stated he attempted to call the developer to invite him to the meeting, but his calls went straight to voice mail and the mailbox was full and he was unable to leave a message.

Mr. Newberry asked the commission to speak to the developer and see if compromises can be made on this development. Mr. Newberry had many concerns with development including infrastructure, green space, recreation, existing oak trees and plant back procedure, well-being of community and mitigation of negative impacts to the community, traffic, long-term maintenance plan of development, and oversite post construction.

Michael Kienast 617 Oak Ave. stated he is concerned with the development. He opposes 20 additional houses in that neighborhood.

Mayor Coler advised he had the City Clerk pull the minutes from the August meeting and he stated that as zoned the property is zoned for 15 houses; low density allows for 5 dwellings per acre. Mr. Conales stated he is looking to have 17 or 18 houses on the property; the houses will be high-end houses that will cost in the \$300,000 range with the smallest being 1600 sq ft. He stated that it did not come before the commission as 20 houses. He stated the application that Mr. Conales submitted as part of the development was for 14 to 18 houses.

Mr. Ernharth stated he hasn't heard from the developer since the August meeting.

Rudy Miller 385 S 6th St. stated it doesn't seem clear what the developer is going to do. Mr. Miller expressed concern about the houses being rental property. He expressed concern about the roads and not being able to have two-way traffic on this road.

Mayor Coler stated no site plan has been submitted and the developer still must follow the code and meet all setbacks.

Attorney Maxwell stated the City doesn't regulate rental properties.

Mr. Miller expressed concern about the rumors of the proposed boat ramp on Lake McLeod.

Mr. Ernharth stated the boat ramp is a conceptual plan the developer put together for the development. He advised plans haven't been submitted nor have they been approved. He stated a draft plan was given to him regarding a recreation area within that neighborhood, one of which is the potential boat ramp. He stated moving forward with the understanding there are eagles and ospreys in that area they can get ahead of this and talk to the state and see what can be done to protect the area.

Attorney Maxwell stated the point the city is at is this particular property was rezoned in August from RS-1 to RG; she stated there are some set back variations and narrower lots. She stated originally it allowed 15 houses and now it may be up to 20 houses; the property owner/developer will need to submit a plat for the property which will lay out the lots and this will be a duly noticed meeting to the public. The plat will need to be approved by the city commission. She stated access, retention and drainage will all have to be considered.

Mayor Coler stated the city advertises in the Winter Haven Sun, we post agendas at the City Hall, Commission Building and Post Office. He stated the full agenda with backup material is posted on the City's website.

Bobby Williams 2537 Bomber Rd. expressed concern about developments and Bomber Rd. He stated the developers don't care about Eagle Lake. He stated a 25-foot berm was supposed to be between his property and the development; he stated no berm was put up. He stated the developer pushed over his trees. He stated he sees the eagles daily. He expressed concern about the traffic on Bomber Rd. He reported the fence that was supposed to be between his property and the development has been removed.

Mr. Williams stated his brother owns Williams Construction and he is here for the community. He wants to do what Mike Arrington, the owner of A & E Auto Body, and WCM Construction have done.

Chuck Young 1203 Spruce Rd. stated we have enough rental units on Highway 17. He has concerns about semi's being parked on railroad property.

Sgt. Turner stated he has been working with the railroad police to get the property posted.

Mr. Young stated the Williams Business Park fronts US 17. He stated he knows Steve Williams and anything he develops would be nice.

Nancy Young 1203 Spruce Rd. she stated the city needs more officers for speeding. Mrs. Young commented on how clear Lake McLeod is and is opposed to the additional boat ramp. Mrs. Young is opposed to the home development on Brookins, and she is opposed to the 2-story commercial building on the Williams Business Park. She also expressed concern about the increased traffic.

Robin Dunham 725 S. Terrace questioned the number of homes allowed on the Brookins property.

Attorney Maxwell stated the number of homes allowed on the property will be governed by the Land Development Regulations.

Attorney Maxwell stated the issue with the houses will be coming before the city commission as a quasi-judicial matter; the commission will be acting as judges to determine and make sure the land development regulations are being met. She expressed concern that the property owner is not present, and the items being discussed by residents weren't noticed for this meeting. Attorney Maxwell advised the Commission that any decision they make in an upcoming quasi-judicial meeting must be made based on competent substantial evidence.

Ms. Dunham asked if a park was being put in on Crystal Beach Rd.

Mr. Ernharth stated the city isn't installing a park on Crystal Beach Rd.; the city cleared out a homeless camp.

Susan Gann 107 N Terrace Dr. is opposed to the housing development. She expressed concern with runoff as she has trash issues and runoff issues at her property. She is also concerned with overcrowding at the schools. She stated she would like the developer to be responsible for road improvements.

Scott Gridley 213 3rd St. expressed concern for emergency vehicles on the road where the houses are proposed; he stated the roads will need to be wider.

Michael Kienast asked if chemical testing of the property needed to be done.

City Manager Ernharth stated this was not required.

Linda Hughes 1485 Spruce Rd. discussed concurrency and managed growth. She stated development is rampant. She stated development needs to be managed and not ruin the quality of life for Eagle Lake. Ms. Hughes mentioned the need for green space for children.

Mayor Coler stated the city is looking at every opportunity for green space and having recreational opportunities for the children.

Geoffery Roe 518 S 7th St. asked if there was a pathway to have zoning reversed.

Attorney Maxwell stated the decision was made and the 30-day appeal period has passed.

Brenda O'Quinn 634 E Laurel Ave stated she spoke with Mr. Canales and he will be building 18 homes and they will all be rentals.

Mayor Coler thanked everyone for coming and sharing this evening.

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

A. Staff Reports

Code Enforcement Officer Nadeau updated the Commission regarding the Code Enforcement cases in the city and permits issued in the city.

Sgt. Turner updated the Commission regarding the events that have occurred in the city.

B. City Manager Report

Manager Ernharth stated today he received State Revolving Fund Amendment 1 to Loan Agreement DW530911; Mr. Ernharth stated this amendment is for an extension of time until August 15, 2024, for the Green Acres Water Plant.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve State Revolving Amendment 1 to Loan Agreement DW530911.

Mayor Coler asked for audience and commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

Mayor Coler stated the new playground at Eagle Lake Beach is installed; we are waiting for the topper to be delivered.

Mr. Ernharth stated the work being done at Lake McLeod is the result of a Pollution Mitigation Drainage Grant the city received for the lake.

Mayor Coler announced the city is working on identifying the streets that will be paved this fiscal year.

Manager Ernharth stated we budgeted \$300,000 paving.

C. Consideration of the reappointment of Jennifer Aleman to the Planning Commission

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to reappoint Jennifer Aleman to the Planning Commission.

Mayor Coler asked for audience and commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

VII. PUBLIC HEARINGS

- A. Consideration of the first reading of Ordinance No.: O-24-01, An Ordinance amending the City of Eagle Lake, Florida Zoning Map for Two (2) Parcels by Changing the Zoning from General Residential (RG) and General Commercial (CG) to Planned Development-Commercial (PD-C); Repealing all Ordinances in Conflict Herewith; and, Providing an Effective Date. (General Location: Two (2) parcels of land totaling approximately 1.94 acres in size and comprising one city block lying between Laurel Avenue, East and Brookins Avenue, East; and 6th Street South and 5th Street South; with a street address of 564 Brookins Avenue E., Eagle Lake, FL 33839) Williams Business Park**

Attorney Maxwell read Ordinance No.: O-24-01 by title only.

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve Ordinance NO.: O-24-01.

Sarah Case of Next Level Planning 3825 S Florida Ave., Lakeland. Ms. Case stated she was representing the property owner. She stated they are asking for a zoning change to a Planned Development-Commercial (PD-C).

Mayor Coler asked for audience discussion.

Geoffrey Roe, 518 S 7th St. expressed concern about changing zoning prior to knowing what is being built on the property.

Nicole Roe, 518 S 7th St. expressed concern for the additional traffic this will bring to the area and the aesthetics of the residents looking at the back of buildings and dumpsters. She stated to scale back development and business park; she stated allow growth but keep it manageable.

Bobby Williams, 2537 Bomber Rd. stated his family lives in Eagle Lake and his brother wants to do the same thing Mike Arrington, the owner of A & E Auto Body has done on US 17.

Attorney Maxwell asked if they are taking two (2) independent parcels and combining them into one so that they could be used for a unified use.

Ms. Case stated yes.

Mayor Coler asked for additional discussion from the audience and commission; there was none.

City Manager Ernharth stated for the record; the Planning Commission recommended denial of this rezoning request.

The roll call vote was as follows:

AYES: Billings, Wilson, Metosh, Coler

NAYS: None

VIII. OLD BUSINESS

There was no old business.

IX. NEW BUSINESS

A. Consideration of License for Use of City Building by Keep Polk County Beautiful Calendar Year 2024

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve License for Use of City Building by Keep Polk County Beautiful Calendar Year 2024.

Mayor Coler asked for audience and commission discussion; there was none.

The roll call vote was as follows:

AYES: 4

NAYS: 0

B. Consideration of Lease Agreement with Mid Florida Community Services, Inc. (Senior Center)

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve Lease Agreement with Mid Florida Community Services, Inc. (Senior Center).

Mayor Coler asked for audience and commission discussion; there was none.

The roll call vote was as follows:

AYES: 4

NAYS: 0

X. CONSENT AGENDA

A. Approval of the Regular City Commission Minutes -----11/06/2023

B. Approval of 2024 Holiday Schedule and Christmas Luncheon on December 20, 2024

MOTION was made by Commissioner Wilson and seconded by Commissioner Metosh to approve the Consent Agenda: Items A. the Regular City Commission Meeting Minutes of 11/06/2023, B. the 2024 Holiday Schedule and Christmas Luncheon on December 20, 2024.

Mayor Coler asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

XI. AUDIENCE

There were no comments from the audience.

XII. CITY ATTORNEY

Attorney Maxwell stated that at the last meeting the commission discussed acquiring a piece of property for the Green Acres Water System Improvements. She stated the city will need to obtain an appraisal for that property to comply with the statutory requirements of Chapter 73 F.S. She advised this is not your standard appraisal it will be more in depth.

MOTION was made by Mayor Coler and seconded by Commissioner Billings to authorize the City Attorney and City Manager to engage appraiser for the Green Acres Water System acquisition contingent on procurement thresholds and approval limit.

Mayor Coler asked for audience and commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

XIII. CITY COMMISSION

Commissioner Wilson had no report.

Commissioner Metosh had no report.

Commissioner Billings had no report.

Mayor Coler stated he will be representing the city at the Ridge League of Cities Dinner on December 14th in Plant City.




XIV. ADJOURNMENT

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to adjourn at 8:51 p.m.

The vote was as follows:

AYES: 4

NAYS: 0

 
MAYOR CORY COLER
ATTEST: 
CITY CLERK DAWN WRIGHT