

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

AGENDA

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. ROLL CALL

V. AUDIENCE

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

- A. Staff Reports
- B. City Manager Report
- C. Consideration of the reappointment of Jennifer Aleman to the Planning Commission

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

VIII. OLD BUSINESS

IX. NEW BUSINESS

- A. Consideration of License for Use of City Building by Keep Polk County Beautiful Calendar Year 2024
- B. Consideration of Lease Agreement with Mid Florida Community Services, Inc. (Senior Center)

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

XI. AUDIENCE

XII. CITY ATTORNEY

XIII. CITY COMMISSION

XIV. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statute 286.0105).

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839s or phone (863) 293-4141 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON TUESDAY, NOVEMBER 28, 2023
BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

FROM THE DESK OF THE CITY MANAGER

Memo To: Mayor and Commissioners

Date: December 4, 2023

Ref: Monthly Report

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Candy Canes for Kids – For the first time since 2007, we have been approached by Pennoni and their sponsors to help provide Christmas gifts to the children of local **TEACHERS, VETERANS, AND FIRST RESPONDERS**. We have identified several families with the hopes of providing the gifts on or around December 21st.

Cameras – Spectrum has installed the internet drops for the Eagle Lake Park and at Public Works. We just need them to come back for the City Hall Park and then the cameras will be activated for the sheriff department to monitor.

Eagle Lake Playground – Work continues on the new park and the equipment should be should be completed within a week. The soft play area will then be scheduled for installation.

Get Seafood – Phil Thomas has indicated that he will be submitting an application to annex into the city for his existing 5-acre business on Bomber Road.

Multi-Family Development – The 72-unit townhome development located across from the post office is ready to begin construction. We are scheduling a preconstruction conference and they hope to start after the new year.

Polk County Ballot Question – Polk County is once again considering adding a ballot question for approval of a .5 cent sales tax increase to fund transportation.

Ranches Commercial Area – When we approved the Planned Development for the Ranches on Bomber Road, we included a 5-acre commercial area and they have agreed to begin the planning process to get this approved.

Street Paving – We included \$300,000 within the budget pave streets this year and we are finalizing the list of streets and will be asking permission to bid hopefully in January.



CITY OF EAGLE LAKE

"GROWING WITH PEOPLE IN MIND"

75 NORTH SEVENTH STREET, P O BOX 129, EAGLE LAKE, FLORIDA 33839

APPLICATION FOR BOARD APPOINTMENT

BOARD/COMMISSION Planning Commission

NAME: Jennifer Aleman PHONE: 803-399-5259

HOME ADDRESS: 27 Lake McLeod Dr Eagle Lake FL 33839

BUSINESS ADDRESS: _____ BUSINESS PHONE: _____

CITY RESIDENT

☒ YES ☐ NO

OWN PROPERTY IN CITY

☒ YES ☐ NO

CITY BUSINESS LICENSE

YES ☒ NO

REGISTERED VOTER

YES ☒ NO

OCCUPATION/TYPE OF BUSINESS: _____

SPECIAL KNOWLEDGE OR EXPERIENCE APPLICABLE TO FUNCTION OF BOARD/COMMISSION:

Respectfully seeking reappointment as I have been on the board for years and been a reliable asset. Florida Notary

OTHER INFORMATION (CIVIC ACTIVITIES, ETC.): _____

NOTE: IF YOU ARE APPROVED TO ANY BOARD, COMMISSION OR COMMITTEE YOU WILL BE REQUIRED TO COMPLETE A FINANCIAL DISCLOSURE FORM IN ACCORDANCE WITH THE REQUIREMENTS OF FLORIDA LAW FOR EVERY YEAR DURING WHICH YOU SERVE AS AN APPOINTEE.

SIGNATURE: _____

DATE: _____

10/4/23

IF YOU ARE NOT APPOINTED AT THE NEXT MEETING, SCHEDULED FOR PURPOSE OF MAKING APPOINTMENTS, WOULD YOU LIKE TO MAINTAIN THIS APPLICATION ON FILE? ☒ YES ☐ NO

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 East, Eagle Lake, Florida 33839) "Williams Business Park"

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, delegated the responsibility to local governmental units the power to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City of Eagle Lake received an application dated October 3, 2023 to amend the Zoning district to Planned Development – Commercial (PD-C) to the property described herein; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, and Division VI of the Eagle Lake Land Development Code, after due public notice the City of Eagle Lake Planning Commission, as the "Local Planning Agency," held a public hearing on December 4, 2023 to consider making a recommendation to the City Commission regarding the application for an amendment to the Future Land Use Map and PD-C zoning; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Eagle Lake City Commission held a public hearing on December 4, 2023 to consider the adoption of the proposed amendment to its Zoning Map, and

WHEREAS, the Eagle Lake City Commission considered all oral and written comments received during such public hearing, including the data and analysis provided for this amendment, and the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eagle Lake, Florida, as follows:

SECTION I. PURPOSE AND INTENT,

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. ZONING ASSIGNMENT.

The City of Eagle Lake City Commission hereby adopts the following amendment to the Zoning Map, which will be updated consistent with the action of the Eagle Lake City Commission set forth in this Ordinance.

1. The rezoning application requests an amendment to the Zoning Map designated as the amendment area described herein and consisting of 1.94+/- acres.
2. The amendment area is specifically described by a legal description and location map attached hereto as Exhibit "A" and includes the following Parcel Identification Numbers: 262907-682000-095010 and 262907-682000-094061
3. Upon the legal effective date of this Ordinance, the Eagle Lake Zoning Map category for the amendment area will be designated as Planned Development-Commercial as shown in Exhibit B, attached hereto. Any future development of the amendment area will be required to meet the standards of the Eagle Land Development Regulations.

The City of Eagle Lake City Commission hereby adopts the following amendment to the Eagle Lake Zoning Map which will be updated consistent with the action of the Eagle Lake City Commission set forth in this Ordinance.

Upon the legally effective date of this Ordinance, the Zoning Classification for the amendment area will be designated as Planned Development-Commercial (PD-C) as shown in Exhibit B, attached hereto, pursuant to the provisions of the Eagle Lake Land Development Code. Additionally, the Planned Development-Commercial zoning designation shall be subject to the following conditions:

1. No more than 12 parking spaces shall be allowed in the public right-of-way on South 6th Street.
2. The west entrance along East Brookins Avenue shall not be less than 57 ft from the curb line of US 17.
3. All development shall be in general accordance with the conceptual PD plan.
4. The impervious surface ratio shall not exceed of 70.4%.
5. All other code requirements shall apply.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of Ordinances of the Code of Ordinances of Eagle Lake, Florida, in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. SEVERABILITY

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION V. EFFETIVE DATE.

This Ordinance shall become effective on the 31st day after its adoption by the Eagle Lake City Commission.

ADOPTED ON THIS _____, 2024

EAGLE LAKE CITY COMMISSION

ATTEST:

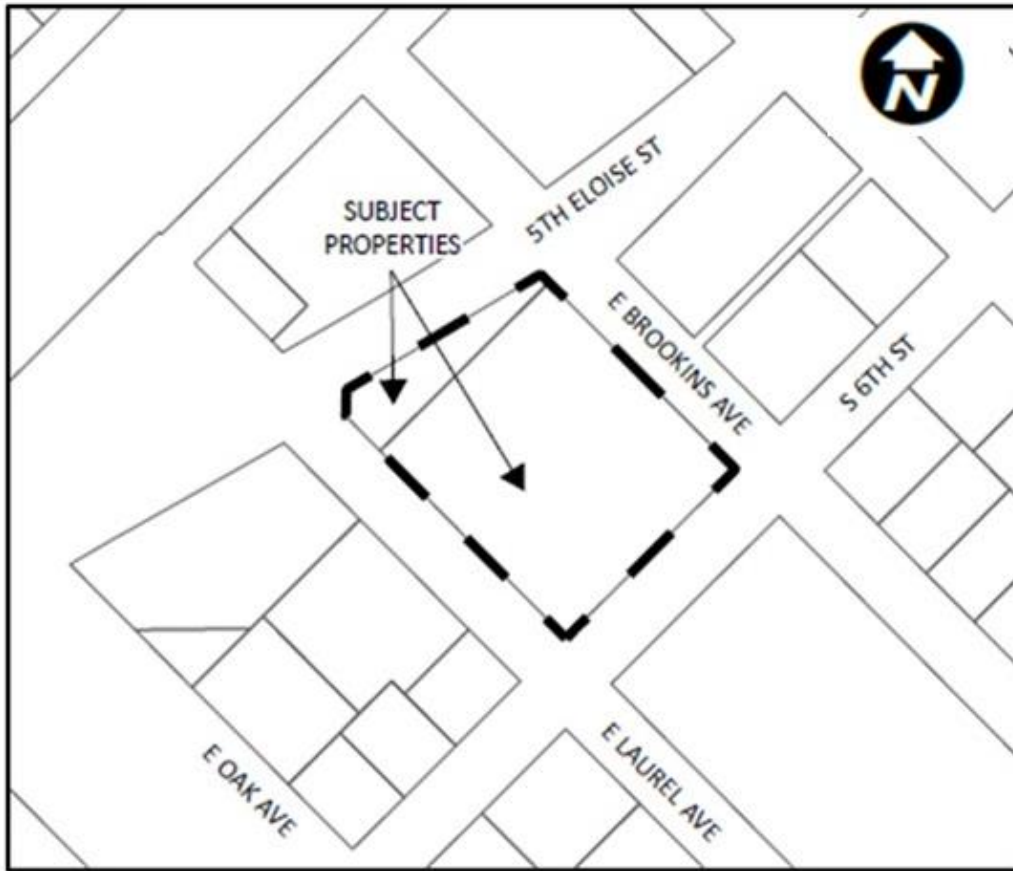
DAWN WRIGHT
CITY CLERK

BY: _____
CORY COLER, MAYOR

Approved as to Form:

HEATHER R. MAXWELL, ESQ.
CITY ATTORNEY

EXHIBIT A – LOCATION MAP AND LEGAL DESCRIPTION

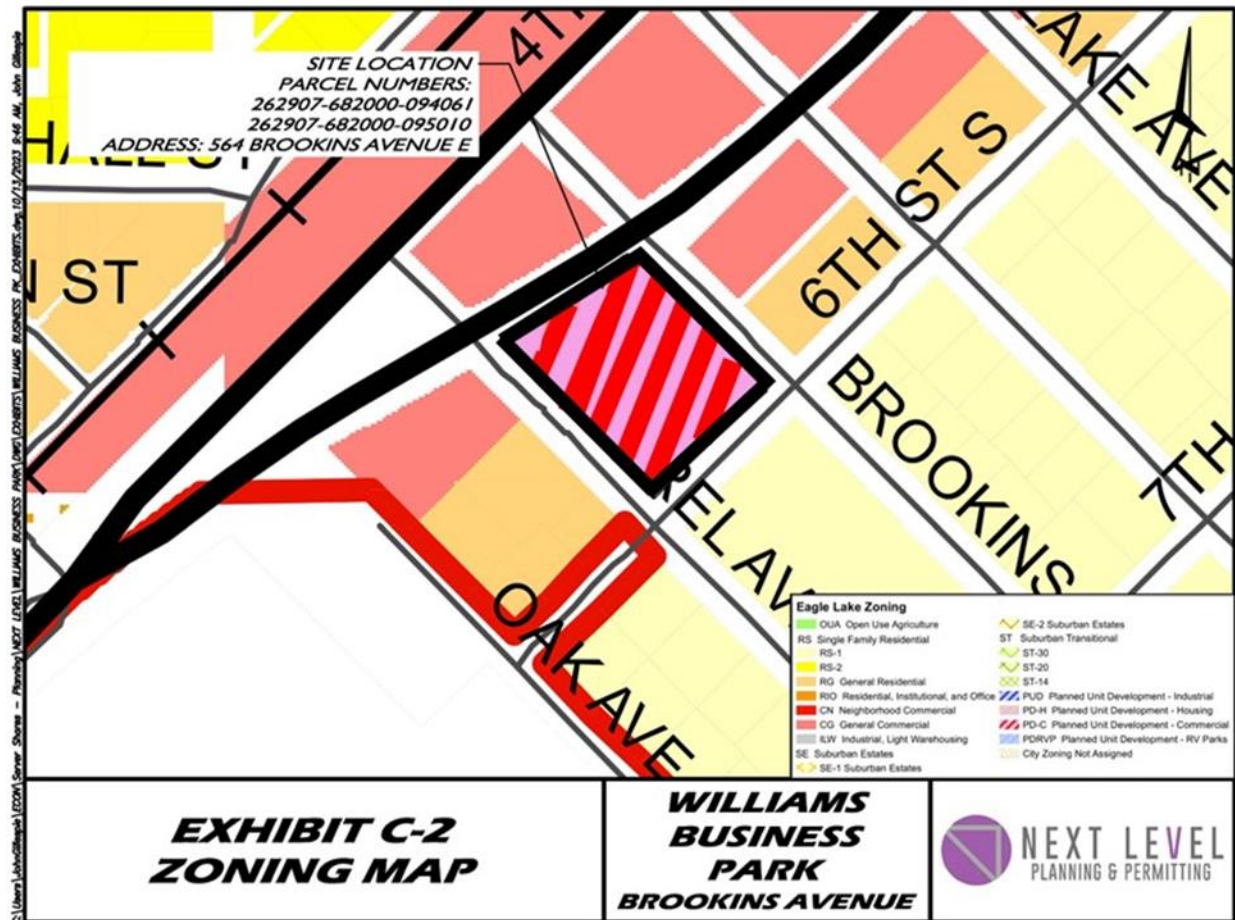


LEGAL DESCRIPTION:

Lot (s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, Block 5, Tier 9, Wordens Resubdivision, according to the map or plat thereof, as recorded in Plat Book 9, Page(s) 38, of the Public Records of Polk County, Florida, together with Easterly 1/2 of vacated Fifth Street lying between Laurel Avenue and Brookins Ave.

Those portions of Lots 6, 7 and 8, Block 4, Tier 9, Worden's Re-Subdivision, a subdivision according to the plat thereof recorded in Plat Book 9, Page 38, of the Public Records of Polk County, Florida, all lying Southerly of State Road S-555, together with Westerly 1/2 of vacated Fifth Street lying between Laurel Avenue and Brookins Avenue as vacated in Ordinance No. 95-10 recorded in Official Records Book 3565, Page 798, Public Records of Polk County, Florida.

EXHIBIT B - PLANNED DEVELOPMENT-COMMERCIAL ZONING DESIGNATION



MEMORANDUM

TO: Tom Ernharth, City Manager, City of Eagle Lake
FROM: Hetty C. Harmon, AICP, Senior Planner
DATE: October 26, 2023
SUBJECT: Williams Business Park Rezoning application (O-24-01)
PROJECT NO: 566-001001

In response to the City's request, we have completed our review of the Zoning Application submitted on 10/03/23 to the City of Eagle Lake for the Williams Business Park development.

BACKGROUND:

Applicant: Sarah Case
Next Level Planning & Permitting
3825 S. Florida Ave.
Lakeland, FL 33813

Owners: SAW Properties
P.O. Box 280
Eagle Lake, FL 33839-0280

Annen Corporation
580 E. Laurel Ave
Eagle Lake, FL 33839-3485

Property Location: 564 Brookins Ave. E
Eagle Lake, FL 33839

Parcel IDs: 262907-682000-095010
262907-682000-094061

Total Site Size: 1.94± acres

Current Land Use: Vacant / one single family house (Parcel 262907-682000-095010)

Proposed Zoning Districts: Planned Unit Development-Housing (PD-C) – 1.94± acres
The PD site plan indicates a total of 6 commercial buildings totaling 20,650 sf.

Existing Zoning Designation:
General Residential and General Commercial



SURROUNDING ZONING DISTRICTS:

NW – Commercial General (CG)	N – Commercial General (CG)	NE – Commercial General (CG) and Residential General (RG)
W – Commercial General (CG)	Subject Property Commercial General (CG) and Residential General (RG)	E – Single Family Residential (RS-1)
SW – Commercial General (CG) and Residential General (RG)	S – Single Family Residential (RS-1)	SE – Residential General (RG)

The applicant requests the City amend the zoning map by assigning a zoning designation of Planned Development-Commercial (PD-C) pursuant to Division III, Chapter 1 of the Land Development Code.

LAND DEVELOPMENT REGULATION (LDR):

The application generally meets the LDR requirements for a Planned Development, which are outlined in Division III, Chapter 1. Section 3.1.1.10, *Provisions*, identifies general requirements of a Planned Development described, in part, below:

1. PD districts are of a nature involving a form of development not adapted to the schedule district regulations. The City Commission recognizes there are substantial public advantages to PD. It is the intent of these regulations to promote and encourage development in this form, where appropriate in location and character, so as to further the purpose of the Comprehensive Plan.
2. Within PD districts, regulations adapted to such unified planning and development are intended to accomplish higher purposes of zoning and other applicable development regulations to promote economic and efficient land use and to provide an improved level of amenities appropriate and harmonious variety in physical development, creative design and better urban environment.
3. The general intention of a PD is to provide for a unique/innovative development design.

The requested Planned Development-Commercial (PD-C) zoning and proposed site plan has deviated from the Land Development Code as follows:

1. Sec. 2.3.1.30 .(1) RG - General Residential.

Statement of intent. This zoning district is intended to include lands that are vacant, partially developed, or developed for medium to high density residential uses.

The proposed PD is for commercial use and does not include residential uses.

2. Sec 4.6.6.20. (1) Parking on certain right-of-ways.

In order to allow property owners abutting certain of these streets reasonable use of land for development within the business district of the City, the right-of-way on the below listed streets located between Fourth and Fifth Streets may be used for off-street parking subject to the below stated requirements: Only on Laurel Avenue. and Brookins Avenue.

The PD is proposing the use of South 6th Street for additional 12 parking spaces.

3. Sec. 4.5.2.10. - Streets serving commercial development.

Streets serving commercial developments or subdivisions and accessory parking areas shall be planned to connect with arterial or collector streets so as not to generate traffic on minor streets nor to provide principal access through residential developments. The intersections of driveways from parking areas with arterial or collector streets shall be located so as to cause the least possible interference with traffic movement on the street, and shall be located not less than 100 feet from the intersection of an arterial

or collector street with any other street, and shall be spaced not less than 100 feet from each other. The city commission may require marginal access streets to provide maximum safety and convenience.

The PD is proposing a distance of 57 ft from the curb line of US 17 along East Brookins Avenue which is 43 ft shorter than the required 100 ft.

4. Sec. 3.1.14.10 (6) Planned Development - Commercial

Maximum impervious surface. Maximum impervious surfaces permitted for all land occupancy within the PD-C district shall be 65 percent.

The PD is proposing and impervious surface ratio of 70.4%. The existing General Commercial (CG) zoning district regulation would allow for 70% Impervious surface ratio and General Residential (RG) would for 55%.

COMPATIBILITY:

The proposed PD is compatible with the adjacent uses. The portion of the property which is currently zoned for General Residential does not allow for Commercial uses, however the Future Land Use classification which covers this portion of the property is Commercial Transitional does allows for commercial uses.

CONCLUSION:

The application to assign a zoning designation of PD-C to the property has been reviewed as required by Section 6.1.2.10 of the City's Land Development Regulations. Per the review, the following conditions are satisfactorily met:

- A. The rezoning application is consistent with the City of Eagle Lake Comprehensive Plan;
- B. The rezoning petition will not result in a lowering of the adopted level of service below the minimum level of service as set forth in the Comprehensive Plan for any public facilities or services;
- C. The proposed rezoning and all permitted uses within the category sought will be compatible with the development of surrounding properties;
- D. The need and justification for the change has been satisfactorily demonstrated by the applicant;
- E. There will be no detrimental effect of the change on the property and on surrounding properties;
- F. There is not sufficient undeveloped land in the general area and in the City with the same classification as the request to allow for the proposed development; and
- G. The proposed rezoning and permitted uses are compatible with development on surrounding property.

RECOMMENDATION:

The requested Planned Development - Housing (PD-C) is hereby recommended for approval with the following conditions:

1. No more than 12 parking spaces shall be allowed in the public right-of-way on South 6th Street.
2. The west entrance along East Brookins Avenue shall not be less than 57 ft from the curb line of US 17.
3. All development shall be in general accordance with the conceptual PD plan.
4. The impervious surface ratio shall not exceed of 70.4%.
5. All other code requirements shall apply.

ATTACHMENTS:

- EXHIBIT A – Location Map
- EXHIBIT B – Aerial Photograph
- EXHIBIT C – Existing Zoning Map
- EXHIBIT D – Proposed Zoning Map
- EXHIBIT E – Legal Description

EXHIBIT A – LOCATION MAP

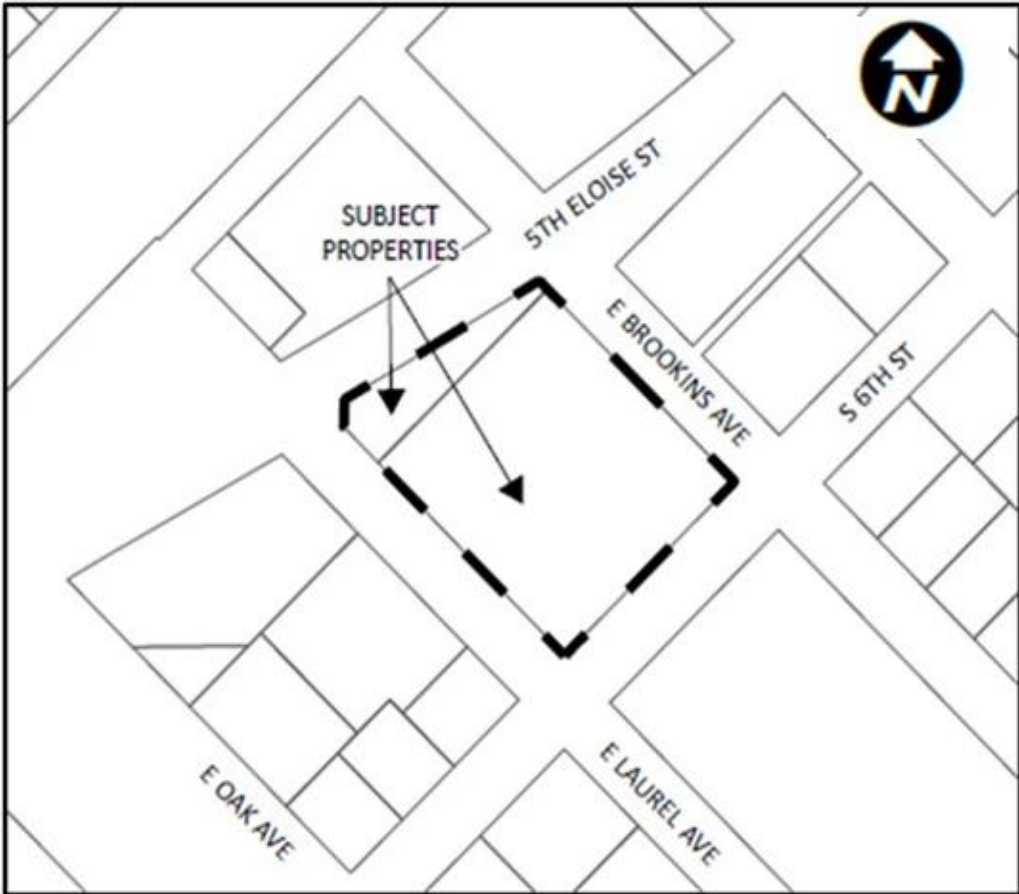


EXHIBIT B – AERIAL PHOTOGRAPH



EXHIBIT C – EXISTING ZONING MAP

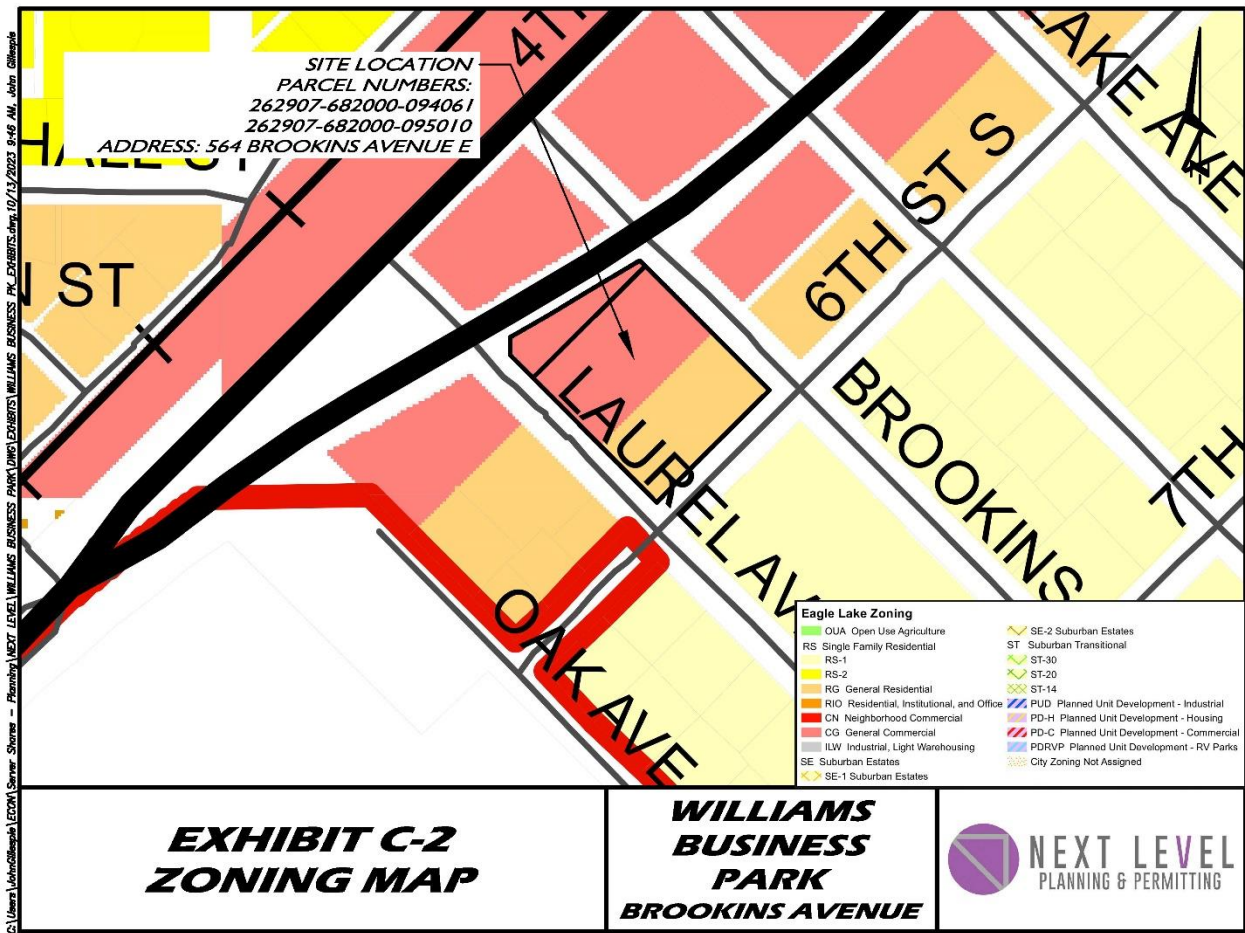


EXHIBIT D – PROPOSED ZONING MAP

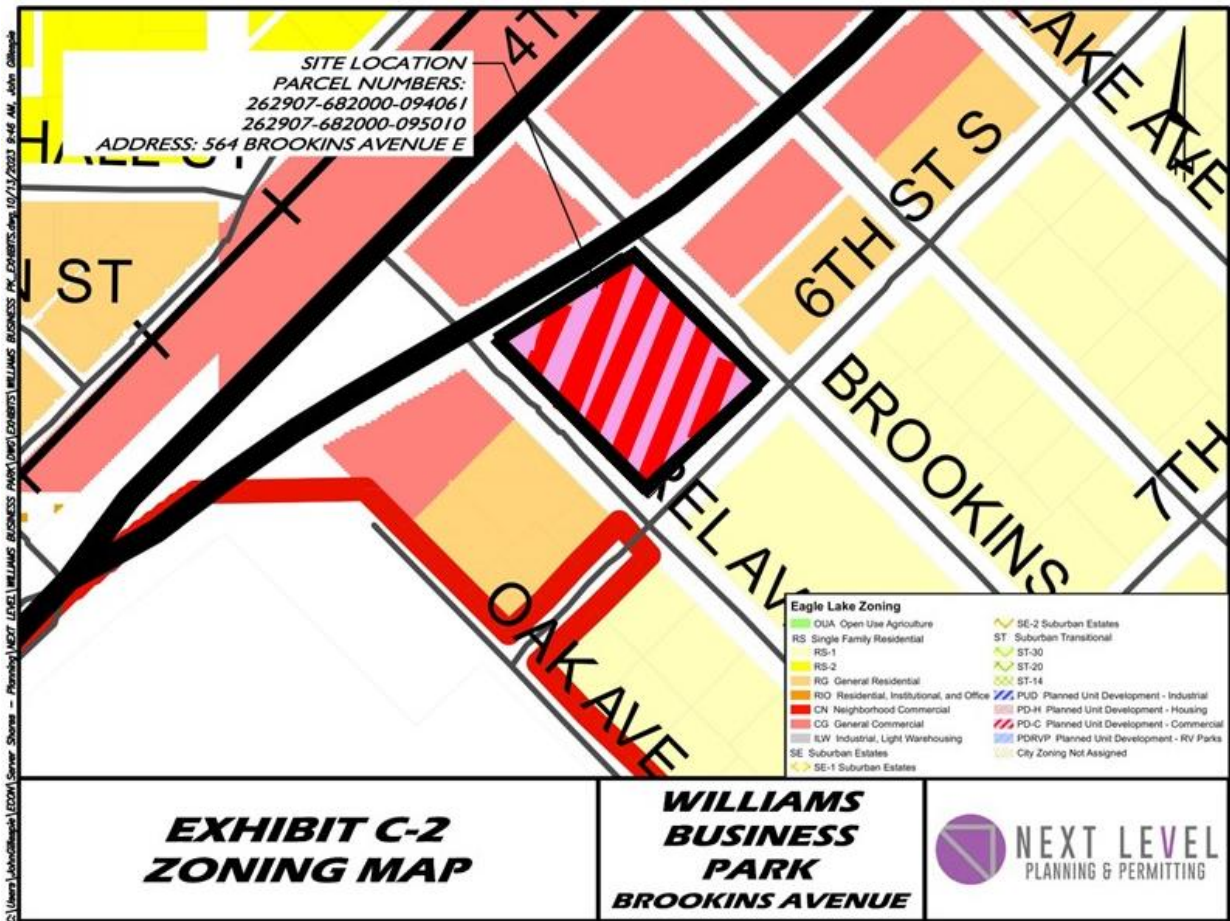


EXHIBIT E – LEGAL DESCRIPTION

Lot (s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, Block 5, Tier 9, Wordens Resubdivision, according to the map or plat thereof, as recorded in Plat Book 9, Page(s) 38, of the Public Records of Polk County, Florida, together with Easterly 1/2 of vacated Fifth Street lying between Laurel Avenue and Brookins Ave.

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NEXT LEVEL PLANNING & PERMITTING

LETTER OF TRANSMITTAL

TO: Tom Ernharth
City of Eagle Lake
P.O. Box 129
Eagle Lake, FL 33839

DATE: October 3, 2023
PROJECT: Williams Business Park
RE: Planned Development Zoning

WE ARE SENDING YOU THE FOLLOWING ITEMS:

<u>COPIES</u>	<u>DATE</u>	<u>NO.</u>	<u>DESCRIPTION</u>
	9/27/2023	2429	Check in the amount of \$500 – Zoning Amendment
			Zoning Application
			Letter of Authorization
			Map Exhibits – Location, Topo, Land use, Soils, Aerial, FEMA, & Wetlands

<input checked="" type="checkbox"/> FOR YOUR APPROVAL	<input checked="" type="checkbox"/> FOR REVIEW AND COMMENT	<input checked="" type="checkbox"/> HAND DELIVERED	<input type="checkbox"/> OTHER
<input type="checkbox"/> FOR YOUR FILE	<input type="checkbox"/> FOR YOUR INFORMATION	<input type="checkbox"/> REGULAR MAIL	<input type="checkbox"/>
<input type="checkbox"/> FOR YOUR SIGNATURE	<input type="checkbox"/> PER YOUR REQUEST	<input type="checkbox"/> OVERNIGHT	
<input type="checkbox"/> FOR YOUR USE	<input type="checkbox"/> OTHER	<input type="checkbox"/> ELECTRONIC MAIL	

RECEIVED BY: _____ DATE: _____

REMARKS:

Sarah E. Case

COPY TO: _____

SIGNED: _____
Sarah Case

sarah@nextlevelpolk.com

COMPREHENSIVE PLAN AMENDMENT (CPA)/ZONING APPLICATION

CITY OF EAGLE LAKE, FLORIDA

"Growing With People In Mind"

75 N. 7th Street, P.O. Box 129, Eagle Lake, FL 33839

Phone: (863) 293-4141

Fax: (863) 294-3590

FOR OFFICIAL USE ONLY

Date Received: _____ Fee Received: _____

Case/Ordinance Number(s): _____ Date Found Complete: _____

Planning Commission Hearing Date: _____

City Commission Hearing Date(s): _____

Date of Application: October 3, 2023 Type of Application: CPA Large Scale ☐
(check any that apply) CPA Small Scale ☐
Zoning ☒

I. CONTACT INFORMATION

Name of Applicant/Property Owner: SAW Properties/Annen Corporation

Mailing Address: P.O. Box 280, Eagle Lake, FL 33839

Phone: 863.398.9651 E-mail: sarah@NextLevelPolk.com

Name of Agent (if applicable): Sarah Case, Next Level Planning & Permitting

Mailing Address: 3825 S. Florida Ave., Suite 4, Lakeland, FL 33813

Phone: 863.398.9651 E-mail: sarah@NextLevelPolk.com

II. PROPERTY INFORMATION

Property Location (include location map): _____

Brookins Ave. & 5th Street - See Exhibit A - Location Map

Parcel I.D. Number(s)¹: _____

262907-682000-094061 & -095010

Legal Description (attach if more space is needed): _____

WORDENS RESUB PB 9 PG 38 TIER 9 BLK 4 LOTS 6 7 & 8 ALL LYING SLY OF SR S-555 R/W VACATED FIFTH ST LYING BETWEEN LAUREL AVE & BROOKINS AVE & WORDENS RESUB PB 9 PG 38 TIER 9 BLK 5 LOTS 1 THRU 10 & ELY 1/2 OF VACATED FIFTH ST LYING BETWEEN LAUREL AVE & BROOKINS AVE

Size of Property (acres): +/- 1.94 Acres

Existing Use of the Property: Home built in 1948 and a detached garage

III. AMENDMENT INFORMATION

Existing Future Land Use Category: NAC & Commercial Transitional

Requested Future Land Use Category: (SAME)

Existing Zoning District(s): Commercial General

Requested Zoning District(s): Planned Development

IV. SITE INFORMATION

A. Surrounding properties existing land use (vacant, residential/density, commercial, etc.)

Provide a discussion of how the proposed future land use/zoning and how the proposed residential density or non-residential intensity is compatible with the surrounding property; or how compatibility can be achieved.

(Sec. 6.1.2.10(4)(G), Land Development Regulation, City of Eagle Lake)

North: Light Manufacturing

South: Local Road (6th St S) and Vacant Residential

East: School/Private

West: Daycare Center & Sales/Leasing

B. Natural Features (You may attach maps that help describe the physical features listed)

1. Topography: Please see Exhibit B - Topographical Map

2. Soils: Site falls entirely within the Candler-Urban Land Complex soil classification. Please see Exhibit D - Soils Map

3. Vegetation: Please see Exhibit E - Aerial Map

4. Flood Prone Areas: No flood zones on site; refer to Exhibit F - F.E.M.A. Map

5. Wetlands: No wetlands on site; refer to Exhibit G - Wetlands Map

6. Wildlife Habitat: None

C. Proposed Land Use

1. Current Development Potential: Uses within the General Commercial Zoning

2. Proposed Development Potential: 20,650 SF of commercial buildings with associated parking & stormwater

3. Current Population: N/A - Non-Residential Site

4. Estimated Population Projection: N/A - Non-Residential Site

D. Public Facilities and Services

1. Potable Water

- a. Estimated Incremental Demand: 315 GPD p/2,000 SF - 315 x 10.325 - 3,252 GPD Water
- b. Impact on Level of Service (LOS)²: (Footnote 2 is for per capita; above is from COL)
- c. Improvements needed: None

2. Sanitary Sewer

- a. Estimated Incremental Demand: 315 GPD p/2,000 SF - 315 x 10.325 - 3,252 GPD Sewer
- b. Impact on Level of Service (LOS)³: (Footnote 3 is for per capita; above is from COL)
- c. Improvements needed: None

3. Transportation

- a. Roadway(s) impacted: Two ingress/egress points; E. Brookins Ave. and E. Laurel Ave.
- b. Roadway functional classification: Local Road
- c. Estimated incremental traffic generation⁴: ITE Code 770 - 12.76 AADT p/1,000 SF = 20.65 x 12.76 = 263 AADT
- d. Impact on Level of Service (LOS)⁵: None
- e. Improvements Needed: Driveway Removal on Highway 17
- f. Is the property on a fixed mass transit route (Citrus Connection)? Winter Haven/Bartow Route 22XW
- g. If yes, where is the closest transit stop? Bomber Road (#3 Stop) and Snively Ave. (#2 Stop)

4. Drainage

- a. Facilities Servicing the Site: Please refer to Civil Engineering Plans previously submitted
- b. Impact on Level of Service (LOS)⁶: _____
- c. Improvements Needed: _____

5. Recreation

- a. Incremental Demand: Not applicable; Non-Residential
- b. Impact on Level of Service (LOS)⁷: _____
- c. Improvements Needed: _____

V. Required Attachments

1. Location Map
2. Conceptual Site Plan
3. Impact Statement – The following developments are required to submit an impact statement: (Sec. 4.7.1.30, Land Development Regulations, City of Eagle Lake)
 - a. Institutional, commercial, office, or industrial development involving land in excess of 2-acres.
 - b. Residential development involving one or more of the following:
 - i. More than 5-acres;
 - ii. More than 20 dwelling units
 - iii. More than 3-acres at a density of six to eight dwelling units per acre;
 - iv. More than 2-acres at a density greater than 8 but not more than 12 dwelling units per acre;
 - v. More than 12 dwelling units per acre;
 - vi. Planned Unit Developments (PUD) as applicable to the specific PUD classification.
 - vii. Mixed use developments.
4. Large Scale Comprehensive Plan Amendments (Expedited Review Process):
 - a. Existing Future Land Use Map showing the property's existing Future Land Use classification.
 - b. Zoning Map showing the properties existing zoning designation.
 - c. Future Land Use Map showing the property's requested Future Land Use classification.
 - d. Zoning Map showing the property's requested zoning designation.

The above application for an amendment to the City of Eagle Lake's Comprehensive Plan Future Land Use Map and/or Zoning Map is submitted for the City's review by the legal owner(s) or authorized agent of the property subject to the request, whose name(s) and signature(s) follows and that the foregoing statements and answers herein contained and other information attached hereto are in all respects true and correct to the best of (my) (our) knowledge.

OWNER(S) OR AGENT:

Signature <input type="checkbox"/> Owner <input type="checkbox"/> Agent	Sarah Case, Next Level Planning & Permitting	10/3/2023
	Name Printed	Date
Signature <input type="checkbox"/> Owner <input type="checkbox"/> Agent	Name Printed	Date
Signature <input type="checkbox"/> Owner <input type="checkbox"/> Agent	Name Printed	Date

End Notes:

¹Parcel Identification Numbers are available from the Polk County Property Appraiser (polkpa.org)

²Potable Water LOS: 110 gallons per day (gpd) per capita (person) (Policy 2.5-B. *Potable Water*, Eagle Lake 2030 Comprehensive Plan)

³Sanitary Sewer LOS: 110 gpd per day per capita (Policy 2.5-C., *Sanitary Sewer*, Eagle Lake 2030 Comprehensive Plan)

⁴Use Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition: alternative trip generation estimates may be provided from documented trip counts of the same or similar uses.

⁵See Policy 2.5-A., *Traffic Circulation*, Eagle Lake 2030 Comprehensive Plan; County and State Road information available from Polk TPO Roadway Database 2020 (March 16, 2020)

⁶See Policy 2.5-E, *Drainage*, Eagle Lake 2030 Comprehensive Plan, and Article 2 – *Stormwater Management*, Eagle Lake Land Development Regulations.

⁷Recreation LOS: 4.5 acres per 1,000 population (Policy 2.5-F., *Recreation*, Eagle Lake 2030 Comprehensive Plan)

LANDOWNER AUTHORIZATION

**If the applicant is not the landowner, the following authorization
from the landowner must be signed and notarized**

I hereby authorize _____

To act on my behalf on the following action:

Comprehensive Plan Amendment ____; Zoning Change ____; Conditional Use ____.

Landowner signature

Date

Print Name

Address of Landowner

State of: _____

County of: _____

The foregoing instrument was acknowledged before me by _____

on this _____ day of _____, 20____.

Notary

**S
E
A
L**



William Business Park
Brookins Avenue

LETTER OF AUTHORIZATION


Parcel 262907-682000-095010

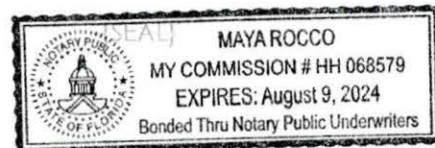
I hereby authorize Sarah Case of Next Level Planning & Permitting to apply for and sign any necessary applications needed for the PUD Zoning process through the City of Eagle Lake, Polk County, Florida regarding the above referenced Property.

Signature  Pres.
S.A.W. Properties LLC Title

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 14 day of September 2023, by Steve Williams, who is ☒ personally known to me or ☐ has produced _____ as identification and who (did) (did not) take an oath.


SIGNATURE OF NOTARY PUBLIC
Maya Rocco
PRINTED NAME OF NOTARY PUBLIC STAMP & DATE



MY COMMISSION EXPIRES 8/9/24



NEXT LEVEL PLANNING & PERMITTING

Williams Business Park
Brookins Avenue

LETTER OF AUTHORIZATION

Parcel 262907-682000-094061

I hereby authorize Sarah Case of Next Level Planning & Permitting to apply for and sign any necessary applications needed for the PUD Zoning process through the City of Eagle Lake, Polk County, Florida regarding the above referenced Property.

Signature Carolyn Oswalt Title Owner
The Annen Corporation

STATE OF FLORIDA
COUNTY OF POLK

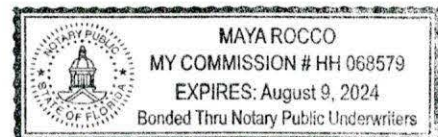
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 14 day of September 2023, by Carolyn Oswalt, who is ☐ personally known to me or ☒ has produced drivers license as identification and who (did) (did not) take an oath. 0243-117-54-645-0

Maya Rocco
SIGNATURE OF NOTARY PUBLIC

Maya Rocco
PRINTED NAME OF NOTARY PUBLIC STAMP & DATE

MY COMMISSION EXPIRES 8/9/24

{SEAL}



This Instrument prepared by:
Sean R. Parker
Boswell & Dunlap LLP
Post Office Drawer 30
Bartow, Florida 33831
(863) 533-7117
OFFICE BOX

INSTR # 2023196438
BK 12808 Pg 2055 PG(s)1
08/22/2023 08:02:48 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 10.00
DEED DOC 0.70

Parcel ID # 26-29-07-682000-094061

Special Warranty Deed

This Special Warranty Deed made this 16 day of August, 2023, by THE ANNEN CORPORATION, a/k/a ANNEN CORPORATION, a Florida Corporation, whose address is 580 East Laurel Avenue, Eagle Lake, FL 33839, Grantor, to SAW PROPERTIES, LLC, a Florida limited liability company, whose address is P.O. Box 280, Eagle Lake, FL 33839, Grantee:

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Polk County, Florida to-wit:

Those portions of Lots 6, 7 and 8, Block 4, Tier 9, Worden's Re-Subdivision, a subdivision according to the plat thereof recorded in Plat Book 9, Page 38, of the Public Records of Polk County, Florida, all lying Southerly of State Road S-555, together with Westerly 1/2 of vacated Fifth Street lying between Laurel Avenue and Brookins Avenue as vacated in Ordinance No. 95-10 recorded in Official Records Book 3565, Page 798, Public Records of Polk County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2022.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

In Witness Whereof, Grantor has hereunder set his hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness: [Signature]

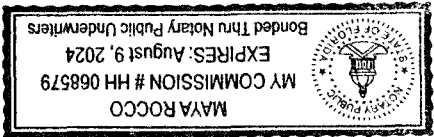
Carolyn Oswalt (SEAL)
The Annen Corporation,
By Carolyn Oswalt, Director

Witness: [Signature]

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me, X by means of physical presence or online notarization, this 16 day of August, 2023 by Carolyn Oswalt as Director of The Annen Corporation, who is personally known to me or has produced Drivers License as identification. # 0243-117-54-645-0

(Seal)



[Signature]
Notary Public, State of Florida

INSTR # 2023052170
BK 12604 Pgs 2084-2086 PG(s)3
03/06/2023 04:37:13 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 27.00
DEED DOC 1,260.00

Prepared by and return to:
Lisa Vitale
Insured Title Agency, LLC
13029 West Linebaugh Ave, Ste 102
Tampa, FL 33626

File Number: **91062ITA23**
Consideration: **\$180,000.00**

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this **22nd** day of **February, 2023**, between **Dania D. Traylor, a single person and Maria Braden, a married person**, whose post office address is, **13761 Devonshire Ln, Grand Haven, MI 49417**, Grantor, and **SAW Properties LLC a Florida Limited Liability Company**, whose post office address is **P.O. Box 280, Eagle Lake, FL 33839**, Grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **Polk, FL**, to-wit:

Lot (s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, Block 5, Tier 9, Wordens Resubdivision, according to the map or plat thereof, as recorded in Plat Book 9, Page(s) 38, of the Public Records of Polk County, Florida, together with Easterly 1/2 of vacated Fifth Street lying between Laurel Avenue and Brookins Ave.

Grantor, Dania D. Traylor and Maria Braden, warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

Parcel Identification Number: 26-29-07-682000-095010

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2022

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Donna Brinkman
Witness Name: Donna Brinkman

Maria Braden
Maria Braden

Christine Vrugink
Witness Name: Christine Vrugink

State of Michigan
County of Ottawa

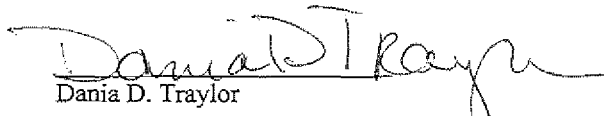
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st CO 22nd CO day of February, 2023, by Maria Braden, he/she ☐ is personally known to me or ☒ has produced Driver's License as identification.

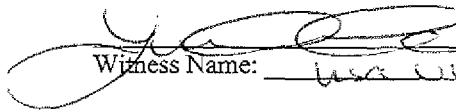
Christine Vrugink
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF Ottawa
My Commission Expires September 6, 2027
Acting in the County of Ottawa

Christine Vrugink
Notary Public
Printed Name: Christine Vrugink
My Commission Expires: 9-6-2027

Signed, sealed and delivered in our presence:


Witness Name: Cathy G. Giddens

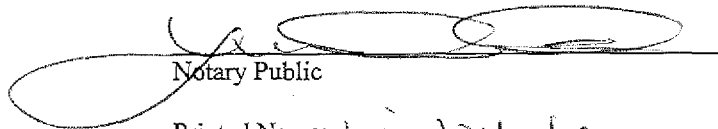

Dania D. Traylor


Witness Name: Lisa Vitale

State of FL

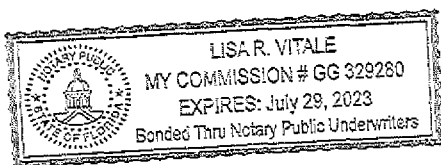
County of Alachua

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 22nd day of February, 2023, by Dania D. Traylor, he/she ☐ is personally known to me or ☒ has produced **Driver's License** as identification.


Notary Public

Printed Name: Lisa Vitale

My Commission Expires: _____



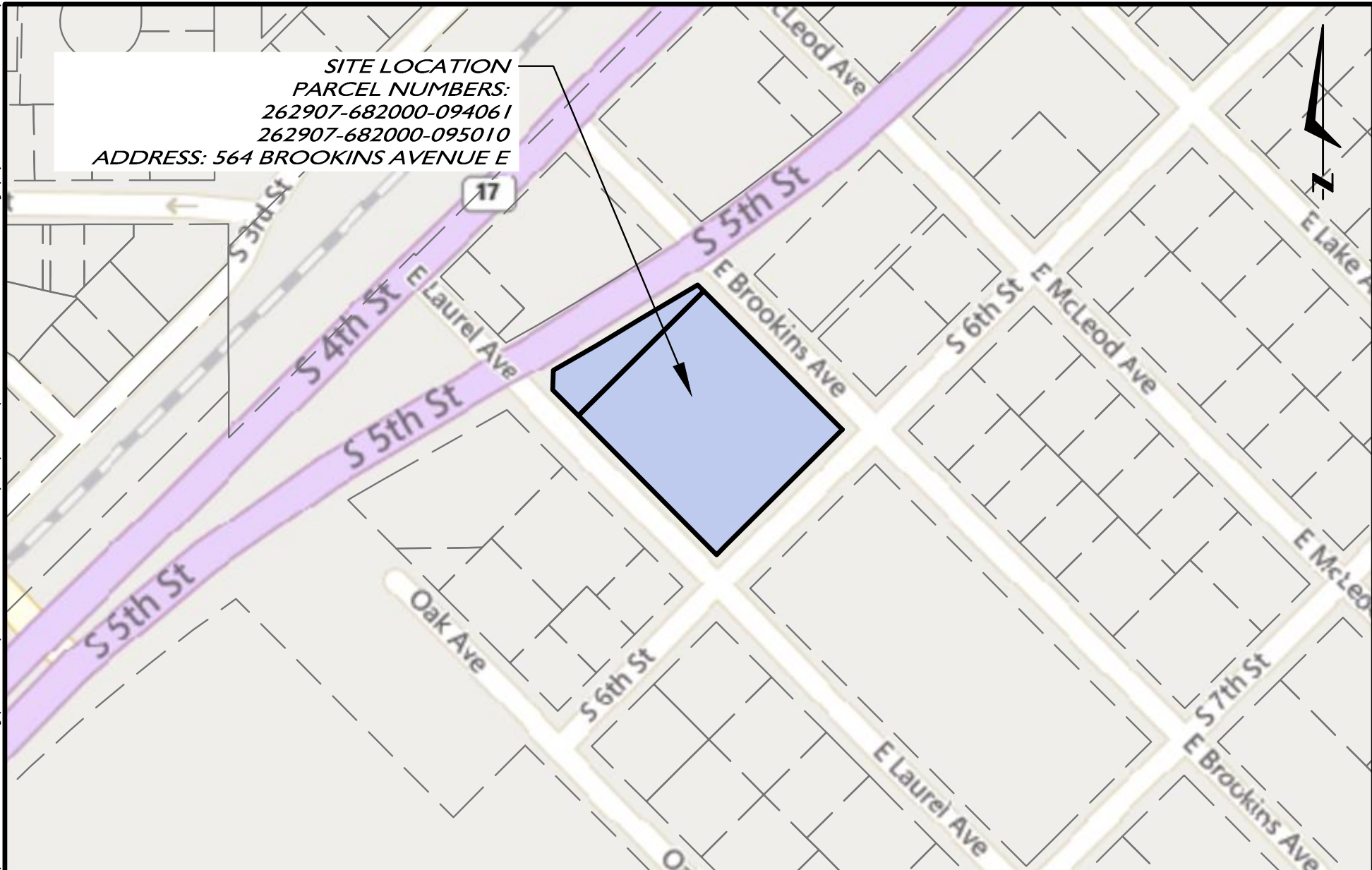


EXHIBIT A LOCATION MAP

**WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE**



NEXT LEVEL
PLANNING & PERMITTING

SITE LOCATION
PARCEL NUMBERS:
262907-682000-094061
262907-682000-095010
ADDRESS: 564 BROOKINS AVENUE E

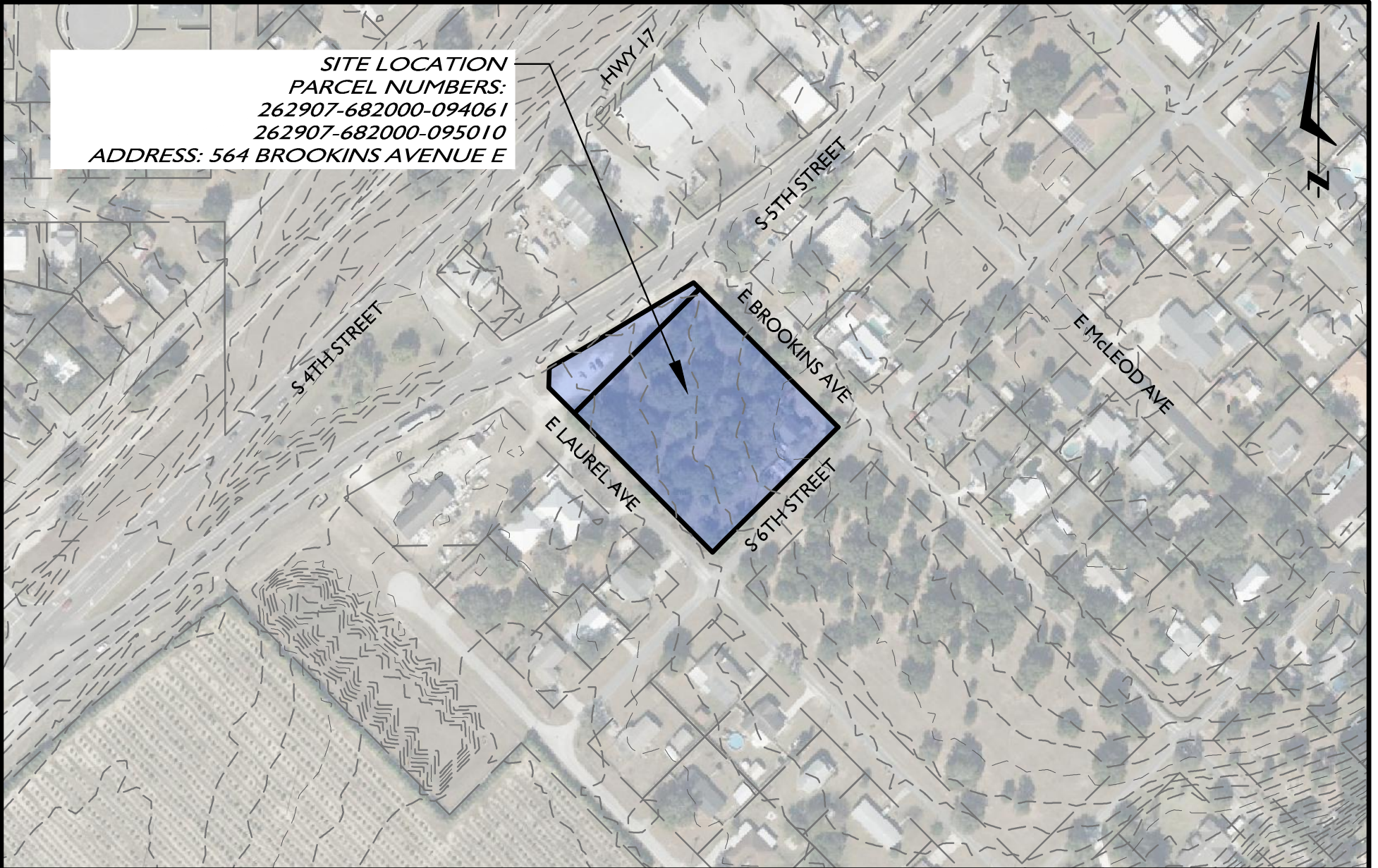


EXHIBIT B

TOPOGRAPHICAL MAP

***WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE***



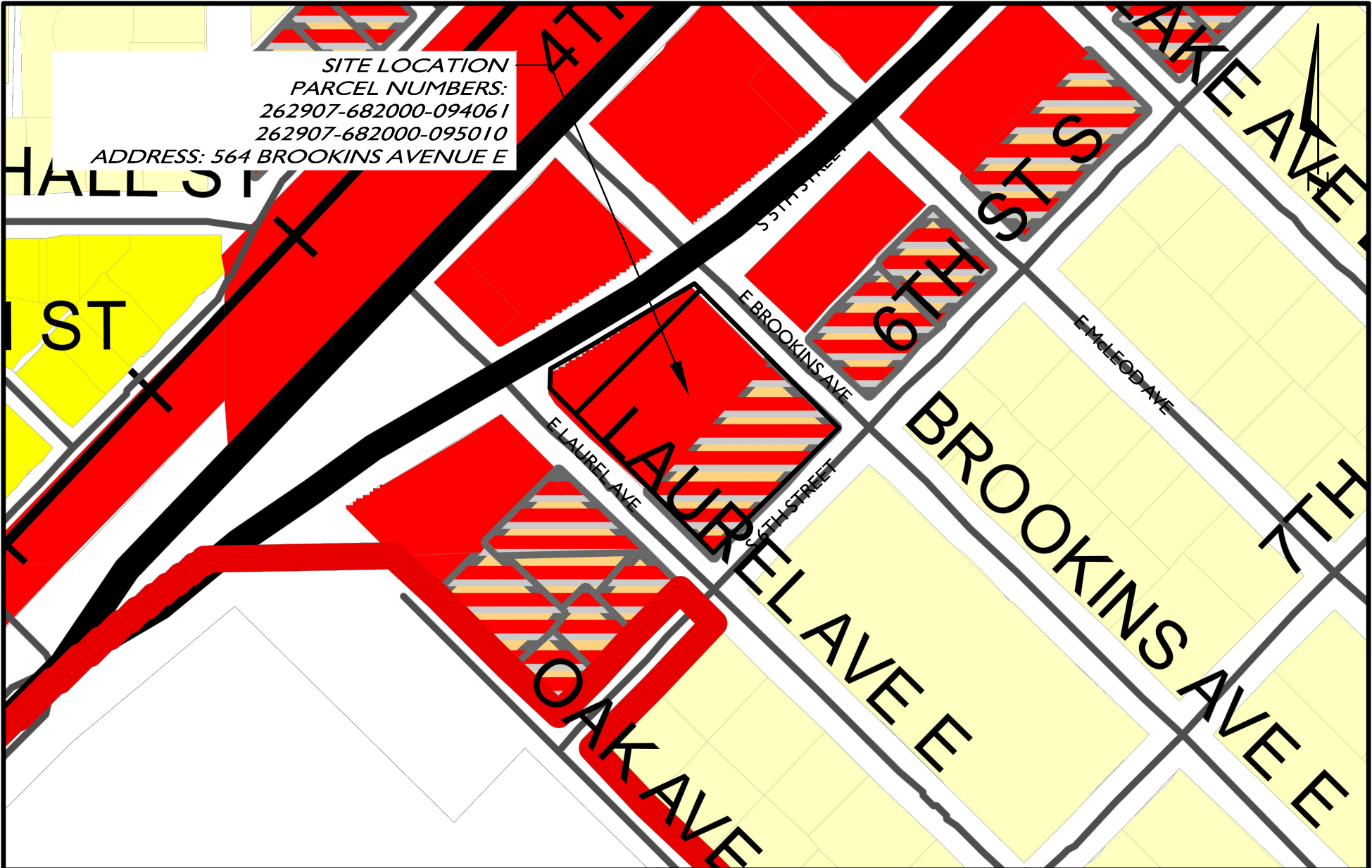


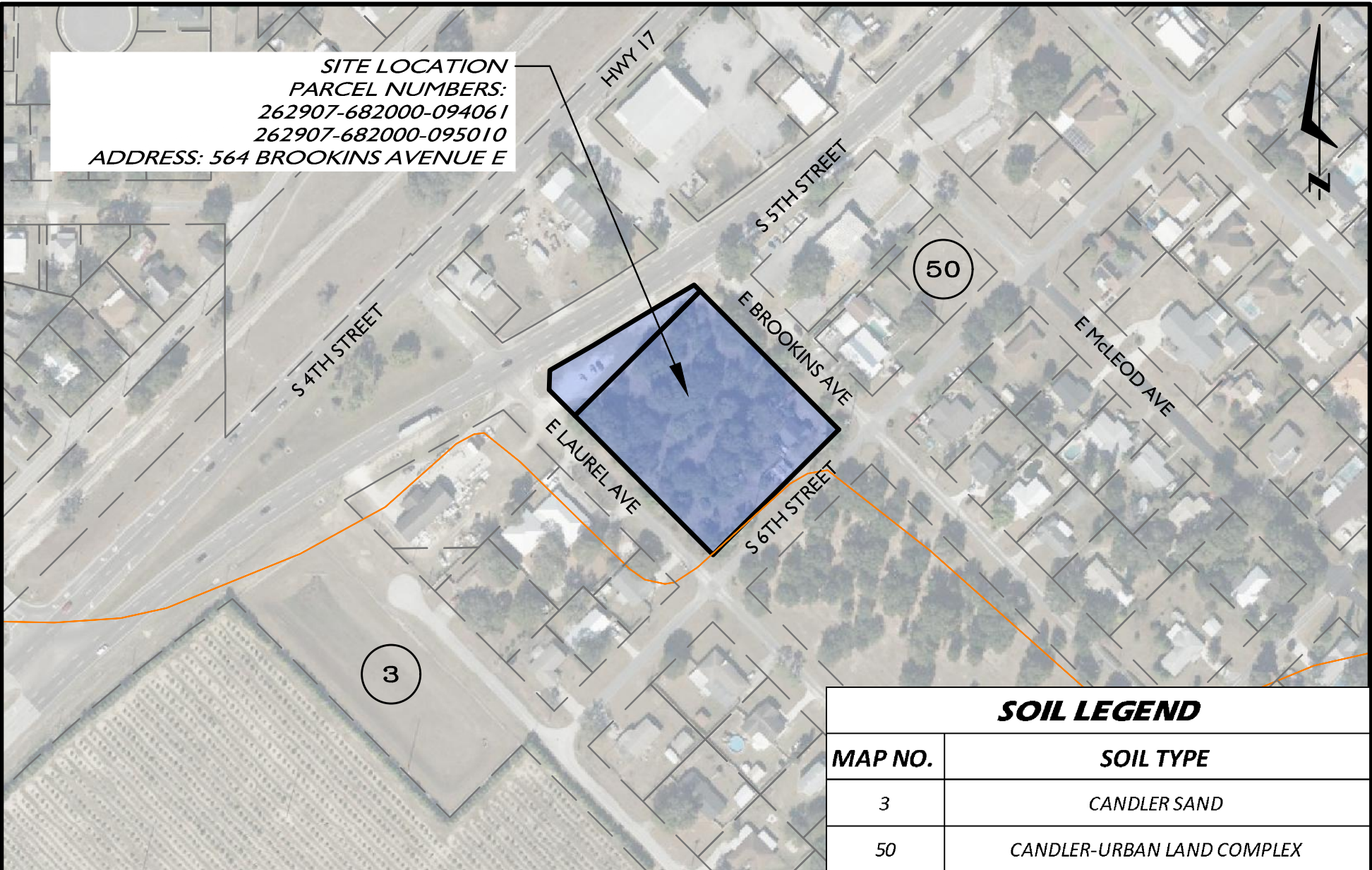
EXHIBIT C
LAND USE MAP

WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE



NEXT LEVEL
PLANNING & PERMITTING

SITE LOCATION
PARCEL NUMBERS:
262907-682000-094061
262907-682000-095010
ADDRESS: 564 BROOKINS AVENUE E



SOIL LEGEND

MAP NO.	SOIL TYPE
3	CANDLER SAND
50	CANDLER-URBAN LAND COMPLEX

EXHIBIT D
SOILS MAP

WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE



SITE LOCATION
PARCEL NUMBERS:
262907-682000-094061
262907-682000-095010
ADDRESS: 564 BROOKINS AVENUE E

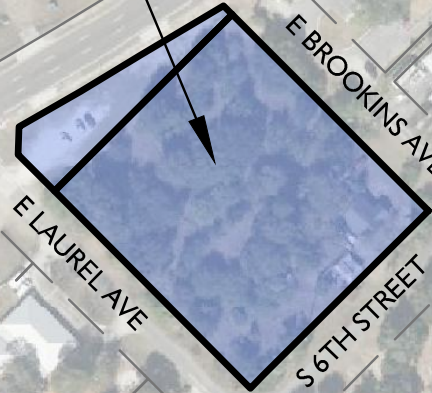


EXHIBIT E

AERIAL MAP

***WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE***



NEXT LEVEL
PLANNING & PERMITTING

SITE LOCATION
PARCEL NUMBERS:
262907-682000-094061
262907-682000-095010
ADDRESS: 564 BROOKINS AVENUE E



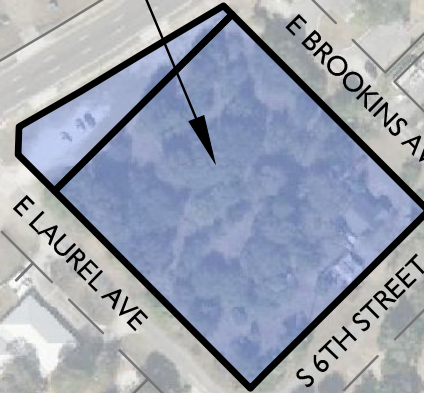
EXHIBIT F
F.E.M.A. MAP

WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE



NEXT LEVEL
PLANNING & PERMITTING

SITE LOCATION
PARCEL NUMBERS:
262907-682000-094061
262907-682000-095010
ADDRESS: 564 BROOKINS AVENUE E



NO WETLANDS WITHIN 1000 FEET

EXHIBIT G WETLANDS MAP

**WILLIAMS
BUSINESS
PARK
BROOKINS AVENUE**



SITE SUMMARY

PARCEL No.: 262907-682000-094061
262907-682000-095010

ADDRESS: 564 BROOKINS AVENUE E.
EAGLE LAKE, FLORIDA 33839

CITY: EAGLE LAKE

COUNTY: POLK

ZONING: CG (COMMERCIAL-GENERAL)

MIN. SETBACKS: FRONT = 15'
SIDE = 10'
REAR = 10'

MAX. BUILDING HEIGHT: 35'

PROPERTY AREA: 84,398 s.f. 1.94 ACRES

IMPERVIOUS SURFACES:

BUILDINGS	20,650 s.f.
ROADWAYS (VSA)	32,723 s.f.
CONCRETE WALKWAYS	6,008 s.f.
	59,381 s.f.

FLOOR AREA RATIO:

$(20,650 \text{ s.f.} / 84,398 \text{ s.f.}) \times 100 = 24.5\%$

IMPERVIOUS SURFACE RATIO: MAX. = 70%

$(59,381 \text{ s.f.} / 84,398 \text{ s.f.}) \times 100 = 70.4\%$

PARKING:

OFFICE - 1 SPACE per 250 S.F. GFA
 $(24,650 \text{ s.f.} / 250) = 98.6 \text{ SPACES}$

REQUIRED SPACES = 99

PROVIDED SPACES = 115 (116% of required)

ON-SITE REGULAR = 73
ON-SITE HANDICAP = 4
OFF-SITE REGULAR = 38

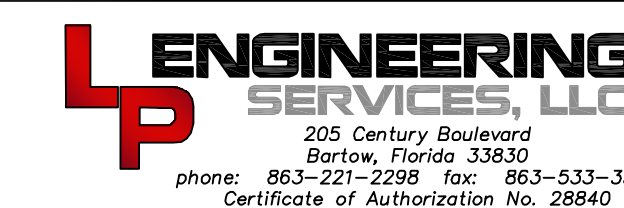
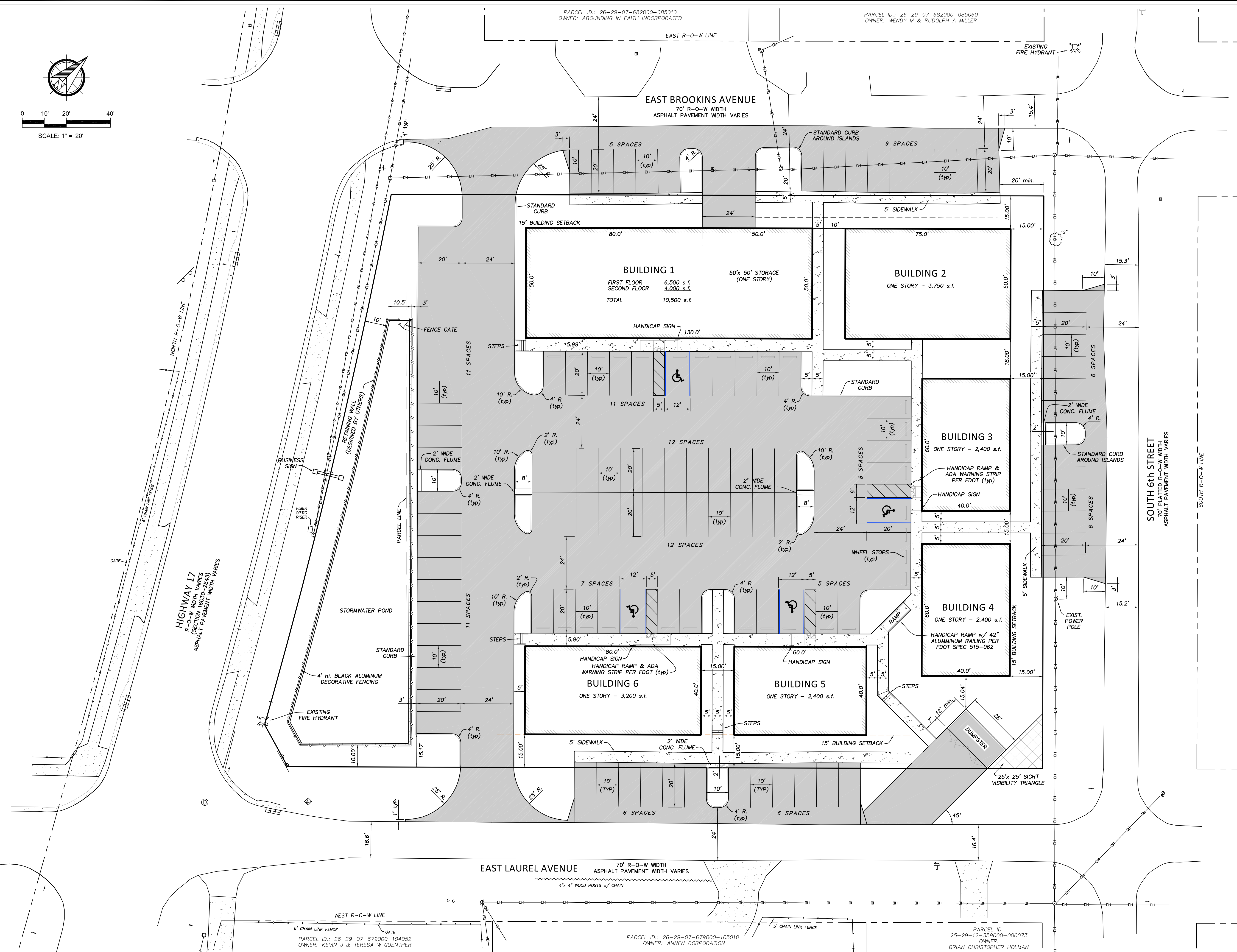
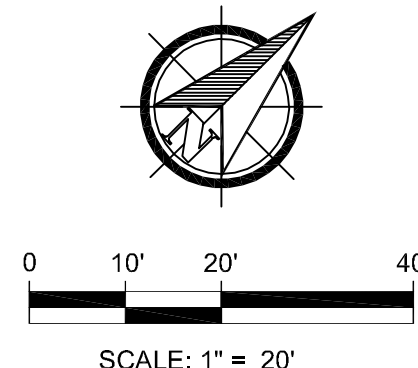
PERMITTING

BEFORE CONSTRUCTION ACTIVITIES COMMENCE, PERMITS FROM THE FOLLOWING AGENCIES ARE REQUIRED:

AGENCY	PERMIT	PERMIT #
CITY OF EAGLE LAKE	ENGINEERING	
F.D.O.T.	DRAINAGE	
FDEP 10/2 SELF CERTIFICATION	STORMWATER	

LEGEND

- PROPOSED BUILDING
- PROPOSED CONCRETE ROADWAY
- PROPOSED CONCRETE WALKWAYS
- EXISTING CONCRETE SURFACE
- R-O-W LINE
- OVERHEAD POWER LINE
- UNDERGROUND FIBER OPTIC
- CHAIN LINK FENCE
- WOOD POSTS w/ CHAINS
- PROPOSED OPAQUE FENCING
- ELECTRIC RISER
- TELEPHONE RISER
- WATER METER
- LIGHT POLE
- UTILITY POLE
- GUY ANCHOR
- FIRE HYDRANT
- SANITARY MANHOLE
- DRAINAGE MANHOLE
- CURB INLET
- MAILBOX
- DOUBLE POST SIGN
- SIGN
- DECID TREE
- PALM TREE
- PINE TREE
- OAK TREE



Filename:	23005 BASE	Horizontal Scale:	1"= 20'
View:	SITE	Vertical Scale:	N.A.
X-Ref:	N.A.	Designed/Drawn by:	DRW
Drawing date:	6-8-23	Checked by:	KSP

WILLIAMS BUSINESS PARK
Site Geometry Plan
564 E. Brookins Avenue, Eagle Lake, Florida 33839

Kendall S. Phillips, P.E.
2023.07.07
10:17:12-0400'

This item has been digitally signed and sealed by Kendall S. Phillips, State of Florida Professional Engineer, License No. 16930 on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

PROJECT No.	23005	SHEET No.	3
		OF	8

C:\PROJECTS\LP_Engineering\23005_Williams Business Park\Drawings\ENGINEERING\23005_Base.dwg, Jun 28, 2023, 12:32 pm

LICENSE FOR USE OF CITY BUILDING BY
KEEP POLK COUNTY BEAUTIFUL, INC.

THIS AGREEMENT entered into this _____ day of _____, 2023 by and between the City of Eagle Lake, a Municipal Corporation (“LICENSOR”), and Keep Polk County Beautiful, Inc. (“KPCB” or LICENSEE”),
WITNESSETH:

WHEREAS, the people of the City of Eagle Lake, through the City Commission, are desirous of permitting Licensee to use the municipal property described as the Chamber of Commerce Building (“Log Cabin”) for use by KPCB for office and storage space; and

WHEREAS, the City Commission recognizes and finds that use by Keep Polk County Beautiful provides public benefits to the citizens of Eagle Lake and vicinity by working to improve the aesthetic and ecological value of the community through various educational presentations and projects involving litter control and prevention, beautification, waste reduction, recycling, and proper handling and disposal of solid waste; and

WHEREAS, Licensee has pledged to assist Eagle Lake in its community cleanup, beautification and revitalization projects and to encourage the participation of all members of the public; and

WHEREAS, Licensee has demonstrated fiscal soundness and responsibility; and,

WHEREAS, the City Commission recognizes that Licensee is able to provide, foster and promote wholesome activities for the citizens of Eagle Lake and vicinity and will use the premises solely for same; and

NOW, THEREFORE, in consideration of the mutual promises, covenants, terms and provisions herein contained, the parties hereto agree:

FINDINGS OF FACT AND PUBLIC PURPOSE

1. The above stated “WHEREAS” clauses are hereby incorporated by reference as if set forth herein verbatim, as finding of fact and public purpose for this agreement.

DEMISED PREMISES

2. The Licensor hereby agrees to permit the Licensee to use the premises known as the Log Cabin at 45 4th Street Eagle Lake, Florida 33839 for office and storage space. Licensee is using the premises in its “as is” condition and shall have no right to direct, control or demand the nature and extent of maintenance, improvements, and/or repairs while said maintenance, improvements and/or repairs are being conducted, if any.

TERM OF AGREEMENT

3. The parties agree that this Agreement shall be effective, and the term shall commence, on January 1, 2024 and shall expire December 31, 2024, unless terminated earlier pursuant to Paragraph 16, herein.

IMPROVEMENTS TO PREMISES

4. Any improvements shall become the property of Licensor.

INSURANCE

5. Commercial General Liability Insurance in the amount of two million dollars shall be provided by Licensee in the type and form acceptable by the City.

LICENSEE ACCESS

6. Except as otherwise provided herein, Licensee shall have access to the building at any time.

LICENSOR ACCESS

7. Licensor shall have access to the building at any time and may perform any repairs or improvements at the premises in the sole discretion of Licensor.

UTILITIES

8. All utilities, phone, internet and fax line shall be provided by Licensee at no cost to the Licensor.

CHARGES FOR ADMISSION

9. Licensee shall not charge members of the public to participate at activities at the premises. Moreover, Licensee shall hold no fundraising events without advance approval of Licensor.

OBLIGATIONS OF LICENSEE

10. Licensee shall conduct its activities upon the premises in a manner that shall not endanger any person, and shall indemnify and hold harmless, Licensor and all of its officers, agents, and employees from any and all claims of any kind occasioned wholly or in part by the acts omissions of the Licensee, its agents, officers, employees, guests, patrons or any other persons admitted to said premises by said Licensee, while said premises are used by or under control of Licensee. Licensee

hereby assumes full responsibility for the character, acts and conduct of all persons admitted to said premises by consent of the Licensee, its officers, employees or agents.

11. The Licensee shall observe and comply with all laws, statutes, ordinances, rules or regulations of the United States Government, the State of Florida, the City of Eagle Lake, and any department or agency of the above.
12. Licensee is solely responsible for day-to-day trash pick-up and shall keep the premises in a clean and sanitary, and aesthetically presentable condition and, shall be responsible to Licensor for any and all damage caused to the premises by Licensee or its members, guests, invitees, etc. Licensee is specifically authorized to paint the interior and/or stain the exterior of the building as needed to maintain the building in a presentable condition, paint color or stain to be approved by the City.
13. Upon termination of this Agreement, Licensee shall surrender the premises to Licensor in the same condition as exists at the commencement of the term of this Agreement, ordinary wear and tear excepted.

DEFAULT, TERMINATION, RECOURSE

14. In the event Licensee breaches any of the terms or conditions of this Agreement, the Licensor shall have, in addition to any other legal recourse, the right to terminate this agreement forthwith, to enter and obtain possession of the entire premises, to remove and exclude any and all persons from the premises and to exclude all property of the Licensee therefrom, with or without notice to Licensee, as the law permits.
15. The Licensee shall pay all attorney's fees, costs and expenses incurred by the Licensor in enforcing the provisions of this Agreement, including a reasonable attorney's fee for trial and appeal. The parties shall participate in mediation prior to commencement of litigation or the presentation of a defense in litigation as may be appropriate.
16. Either party may terminate this Agreement, upon thirty (30) days advance written notice to the other, with or without cause.

NOTICES

17. Any notices provided pursuant to this Agreement shall be sent by Certified Mail, Return Receipt Requested or hand delivery to the parties at the following addresses:

Licensors

City Manager
City of Eagle Lake
75 N. 7th Street
Eagle Lake, Florida 33839

Licensee

Executive Director
Keep Polk County Beautiful

ENTIRE AGREEMENT

18. This document constitutes the entire agreement between the parties relating to matters covered herein. There have been no other written or verbal agreements pertaining to same. Any modifications to this Agreement must be in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereunto set their hands and seals the day and year first written above.

CITY OF EAGLE LAKE:

MAYOR CORY COLER


ATTEST:

CITY CLERK DAWN WRIGHT

APPROVED AS TO FORM:

CITY ATTORNEY HEATHER R. MAXWELL

KEEP POLK COUNTY BEAUTIFUL


BY: Katie Hayes, Executive Director

ATTEST:

LEASE AGREEMENT

THIS LEASE AGREEMENT, is made and entered into by and between MID FLORIDA COMMUNITY SERVICES, INC (the "TENANT") AND THE CITY OF EAGLE LAKE (the "LANDLORD"), under the following terms and conditions:

1. PROPERTY. The Landlord agrees to lease to the Tenant part of the building located at:

Eagle Lake Senior Center
655 Eagle Ave
Eagle Lake, FL 33839

2. TERMS. This lease agreement shall be for a specified period of time, that being three years, beginning on January 1, 2024, and ending on December 31, 2027. The Tenant shall be solely responsible for providing sufficient equipment at the facility to operate the Nutrition Program, including any telephone or related equipment.

3. USAGE FEE. The provision of the Nutrition Program activities and meals is a benefit to local City of Eagle Lake residents. Base rental is Seventy-Five dollars and no cents (\$75.00) per month for an annual payment of One Thousand Two Hundred and no cents (\$900.00), due and payable by January 31 of each year.

4. ORDINANCES AND STATUTES. The Tenant shall comply with all statutes, ordinances, and requirements of all municipal, state, and federal authorities now in force, or which hereafter may be in force, pertaining to the premises, occasioned by or affecting the use thereof by the Tenant.

Both parties agree to comply with Title VI and VII of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973. Specifically, in the carrying out of this Lease Agreement, neither party shall discriminate in any way as to race, color, creed, national origin, nor in any other respect which would violate the aforesaid acts.

The Tenant shall be solely responsible for any licenses or permits required by law, and shall pay all costs, required taxes, fees and charges prescribed by law. The Tenant is exempt from the State of Florida sales tax pursuant to Tax Exempt Certificate Number: 85-8012557856C-8.

5. INSURANCE. Tenant, at its expense, shall maintain the following insurance during the entire term of this Lease, and any renewal period, and shall name Landlord as additional insured. Tenant shall maintain commercial general liability insurance, including a contractual liability endorsement, against any and all claims and liabilities for bodily injury or death, property damage occurring upon, in or about the Premises caused by or resulting from any act or omission of Tenant, its employees, agents, contractors, customers, guests, licensees or invitees. Such insurance shall be written on an occurrence basis (not a claims made basis), and shall have minimums as follows: bodily injury or death to any one person - \$300,000.00; bodily injury or death to more than one person arising out of any one occurrence - \$1,000,000.00; and, property damage - \$500,000.00. Such insurance policies shall provide coverage for Landlord's contingent liability on such claims or losses. The policies, certificates, or duplicates thereof shall be delivered to Landlord for keeping within thirty (30) days of the effective date of this agreement. Tenant agrees to obtain a written obligation from the insurers to notify Landlord in writing at least thirty (30) days prior to cancellation or refusal to renew any such policies. Tenant agrees that if such insurance

policies are not kept in force during the entire term of this lease and any extension thereof, Landlord may terminate this lease immediately.

6. INDEMNIFICATION. Without waiving Sovereign Immunity pursuant to Section 768.28, Florida Statutes, each party will indemnify the other from and against any loss or damage sustained as a result of the indemnifying party's failure to comply with the provisions of this agreement, to the extent permissible by Florida Law.

7. TERMINATION OF AGREEMENT. Either party may terminate this Lease Agreement by providing sixty (60) days written Notice of Intent to Terminate. The Tenant may terminate upon twenty-four (24) hours notice for lack of funds. The Tenant shall be the final authority as to the availability of funds. The Landlord agrees to return to the Tenant any payments unearned due to early termination of the Lease Agreement.

8. NOTICE. All required notices shall be provided to:

LANDLORD

Tom Ernharth
City Manager
City of Eagle Lake P.O. Box 129
Eagle Lake, FL 33839

TENANT

Kris J. Bates, CPA, CGMA
Chief Financial Officer
Mid Florida Community Services, Inc.
820 Kennedy Blvd
Brooksville, FL 34601

9. MODIFICATION. Unless otherwise modified in writing, and executed by the parties, all terms and conditions remain in effect for the period set forth above in this Lease Agreement.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement to be duly executed by their authorized representatives the day and year first written above.

ATTEST:

MID FLORIDA COMMUNITY SERVICES

By: Jennifer Krisher

By: K. J. Bates
Chief Financial Officer

Date Signed: _____

ATTEST:

CITY OF Eagle Lake, FLORIDA
A Municipal Corporation

By: _____

By: _____
City Manager

Date Signed: _____

CITY OF EAGLE LAKE
REGULAR CITY COMMISSION MEETING
MONDAY, NOVEMBER 6, 2023
7:00 P.M.
COMMISSION CHAMBERS
675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Vice Mayor Wilson 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, Metosh, Wilson

ABSENT: Clark, Coler

City Clerk Wright advised the Commission that Commissioner Clark notified her that he would be unable to attend the meeting as he had to work.

City Clerk Wright advised the Commission that Mayor Coler notified her that he would be unable to attend the meeting tonight as he had to work.

MOTION was made by Commissioner Billings and seconded by Commissioner Metosh to excuse Commissioner Clark and Mayor Coler from the meeting tonight.

The vote was as follows:

AYES: 3

NAYS: 0

V. AUDIENCE

Sarah Case, Next Level Planning and Permitting, 3825 South Fl. Ave Suite 4, Lakeland, FL, introduced Just Seafood as a potential annexation into the city.

Josh Macon, 459 3rd St. N., he asked about the status of the stormwater issue on 3rd St.

City Manager Ernharth stated he forwarded the information to Jay Jarvis, who is over drainage for the county and was told that this project is too small, and the county wouldn't be addressing it at this time.

Mr. Ernharth stated he would provide Mr. Macon with Mr. Jarvis' contact information.

VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS

A. Staff Reports

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

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

B. City Manager Report

City Manager Ernharth Trick or Treat Lane was a huge success. We had approximately 2000 children.

VII. PUBLIC HEARINGS

There were no public hearings.

VIII. OLD BUSINESS

There was no old business.

IX. NEW BUSINESS

- A. Consideration of Resolution No.: R-24-01, A Resolution of the City Commission of the City of Eagle Lake, Florida Adopting a Budget Amendment for the City of Eagle Lake for Fiscal Year 2022-2023 Reflecting an Amendment to Revenue Generated Together with the Sources of the Revenue; Delineating an Amendment to the Expenditures by Department of Activity; Providing for Conflicts, Severability and Effective Date.**

Attorney Maxwell read Resolution No. R-24-01 by title only.

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Resolution No. R-24-01.

Vice Mayor Wilson asked for audience and Commission discussion, there was none.

The roll call vote was as follows:

AYES: Billings, Metosh, Wilson

NAYS: None

- B. Consideration of Resolution No.: R-24-02, A Resolution of the City Commission of the City of Eagle Lake, Florida, Declaring the Public Purpose and Necessity for Exercising the Right and Power of Eminent Domain to Acquire Certain Real Property for Water System Improvements and Authorize the City Attorney to Institute Condemnation Proceedings.**

Attorney Maxwell read Resolution No. R-24-02 by title only.

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

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve Resolution No. R-24-02.

The roll call vote was as follows:

AYES: Billings, Metosh, Wilson

NAYS: None

Attorney Maxwell stated we will continue attempting to reach the property owner in addition to proceeding with condemnation process.

Mr. Ernharth stated that the city needs the property to expand the Green Acres Water Plant to accommodate growth.

X. CONSENT AGENDA

- A.** Approval of the Regular City Commission Minutes -----10/02/2023
- B.** Approval of Financials
- C.** Approval of Bad Debt List -----\$1271.98
- D.** Approval of Surplus List

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to approve the Consent Agenda: Items A. the Regular City Commission Meeting Minutes of 10/02/2023, B. the Financials, C. Bad Debt List in the amount of \$1271.98 and D. the Surplus List.

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

The vote was as follows:

AYES: 3

NAYS: 0

XI. AUDIENCE

There were no comments from the audience.

XII. CITY ATTORNEY

Attorney Maxwell had no report.

XIII. CITY COMMISSION

Commissioner Metosh had no report.

Commissioner Billings had no report.

Vice Mayor Wilson had no report.

XIV. ADJOURNMENT

MOTION was made by Commissioner Metosh and seconded by Commissioner Billings to adjourn at 7:20p.m.

The vote was as follows:

AYES: 3

NAYS: 0

VICE MAYOR SUZY WILSON

ATTEST:

CITY CLERK DAWN WRIGHT

**CITY OF EAGLE LAKE
HOLIDAY SCHEDULE 2024**

NEW YEAR'S DAY	JANUARY 1, 2024 (Monday)
MARTIN LUTHER KING JR. DAY	JANUARY 15, 2024 (Monday)
PRESIDENTS' DAY	FEBRUARY 19, 2024 (Monday)
GOOD FRIDAY	MARCH 29, 2024 (Friday)
MEMORIAL DAY	MAY 27, 2024 (Monday)
INDEPENDENCE DAY	JULY 4, 2024 (Thursday) JULY 5, 2024 (Friday)
LABOR DAY	SEPTEMBER 2, 2024 (Monday)
VETERANS' DAY	NOVEMBER 11, 2024 (Friday)
THANKSGIVING	NOVEMBER 28, 2024 (Thursday) NOVEMBER 29, 2024 (Friday)
CHRISTMAS LUNCHEON	DECEMBER 20, 2024 (Friday) *
City hall will close @ 10:30 a.m. for lunch	
CHRISTMAS HOLIDAY	DECEMBER 23, 2024 (Monday)
CHRISTMAS EVE	DECEMBER 24, 2024 (Tuesday)
CHRISTMAS DAY	DECEMBER 25, 2024 (Wednesday)

HOLIDAY SCHEDULE PER PERSONNEL POLICY

***CHRISTMAS LUNCHEON APPROVED BY CITY COMMISSION AT
DECEMBER MEETING**