



CITY OF EAGLE LAKE  
 REGULAR CITY COMMISSION MEETING  
 MONDAY, AUGUST 18, 2014  
 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 appointment of Aaron “Myric” Hosegood to the Planning Commission

**VII. PUBLIC HEARINGS**

- A. Consideration of the first reading of Ordinance No.: O-14-05; An Ordinance of the City Commission of the City of Eagle Lake, Florida, Amending the City of Eagle Lake Land Development Regulations, Division VIII, Definitions; Article 1: General Provisions; Section 8.1.1.20, Words and Specific Terms Defined; to Add a Definition for the word “Fence”; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.
- B. Consideration of the first reading of Ordinance No.: O-14-06, An Ordinance of the City Commission of the City of Eagle Lake, Florida, Amending Chapter 16, Article II, Section 16-27, Water Rates, of the Code of Ordinances of the City of Eagle Lake, Florida, Providing an Increase in Residential and Commercial Water Rates Inside and Outside the City; And Amending Chapter 16, Article III, Sewers, Section 16-59, Rates, of the Code of Ordinances, Providing an Increase in Residential and Commercial Sewer Rates Inside and Outside the City; Providing a Conflict and Severability Clause and an Effective Date.
- C. Consideration of the first reading of Ordinance No.: O-14-07, An Ordinance Amending the City of Eagle Lake Code of Ordinances, More Specifically, Chapter 12 Solid Waste, Section 12-54 Service Fees-Regular Garbage and Trash Collection Increasing the Residential and Commercial Collection Rate; Providing a Conflict and Severability Clause and an Effective Date.

**VIII. OLD BUSINESS**

**IX. NEW BUSINESS**

**X. CONSENT AGENDA**

- A. Approval of the Regular City Commission Minutes -----08/04/14
- B. Approval of the Emergency City Commission Minutes -----08/07/14

**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 33839 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 THURSDAY, AUGUST 14, 2014  
BY DEPUTY CITY CLERK LISA FREEMAN

**LIBRARY STATISTICS**  
**july 2014**

<b>PATRONS USING LIBRARY</b>	<b>1713</b>
<b>TOTAL BOOKS CIRCULATED, RETURNED, RENEWED AND RESERVED</b>	<b>1064</b>
<b>PATRONS USING COMPUTERS</b>	<b>418</b>
<b>INQUIRIES OVER PHONE OR HOUSE</b>	<b>205</b>
<b>INTERNET ACCESS APPLICATIONS</b>	<b>10</b>
<b>NEW CARDS ISSUED</b>	<b>16</b>
<b>SUMMER CAMP: TOTAL 14 CHILDREN EA. TIME</b>	<b>7:30 HOURS</b>



August 13, 2014

## Manager Report

To: Mayor and Commission  
From: Pete  
Subject: Agenda for August 18 Commission Meeting: Rate Increase Ordinances; Ordinance on Fence Definition; Budget Developments

### Rate Increase Ordinances

Monday the Commission will be requested to approve the first reading of Ordinances 0-14-06 on Water and Sewer Rates and 0-14-07 on Sanitation Rates. These ordinances authorize the 8% increase for water and sewer rates, and the 8% increase on sanitation rates plus the cost of living increase of 26 cents per residential and 62 cents per month increase for commercial sanitation charges. I have not included in any ordinances the landfill fee because I have not met yet with Florida Refuse about the review of service. These two ordinances accurately reflect the utility increase notification sent to our customers with the August 1 bills.

### Fence Definition Ordinance

The Planning Commission met on Tuesday, August 12 and reviewed the proposed definition of a fence. After a good discussion, the Planning Commission approved the proposed fence definition, and voted to recommend to the City Commission adoption of Ordinance 0-14-08 adopting this fence definition for the Land Development Regulations. Our planner, Joel Ivey has reviewed and approved the fence definition and recommends adoption of the ordinance by the Commission.

### Budget developments

As you know, our first budget hearing is Wednesday, September 3, 2014. It is my intention to give you a paper copy of the budget on Monday. There is one development that has positively affected our numbers. In preparing the proposed budget I expected health insurance costs to rise by 10% in 2014-15. In fact, Clyde tells me that our health insurance costs will decline by 7%. That development has provided \$21,000 of the \$45,000 needed for the 3% wage increase. I will find the other \$24,000 and give you a revised document Monday.

ORDINANCE NO.: O-14-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, AMENDING THE CITY OF EAGLE LAKE LAND DEVELOPMENT REGULATIONS, DIVISION VIII, DEFINITIONS; ARTICLE 1: GENERAL PROVISIONS; SECTION 8.1.1.20, WORDS AND SPECIFIC TERMS DEFINED; TO ADD A DEFINITION FOR THE WORD "FENCE"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle Lake Planning Commission recommended approval to amend the City of Eagle Lake Land Development Regulations, to amend Section 8.1.1.20 at a public hearing on \_\_\_\_\_, 2014; and

WHEREAS, the City Commission has determined it is in the best interest of the City to amend the Land Development Regulations to amend the Land Development Regulations to define the term "fence," as specifically set forth in Exhibit "A" hereto; and

WHEREAS, the City of Eagle Lake City Commission finds that this Ordinance is in the best interest of the health, safety and welfare of the citizens of Eagle Lake.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, AS FOLLOWS:

1. The City of Eagle Lake Land Development Regulations Section 8.1.1.20, Words, and Specific Terms Defined, is amended to add a definition for the term "fence" as shown on Exhibit "A" attached hereto and made a part hereof (~~striketrough~~ language deleted, underline language added).

2. It is the intent of the City Commission that the provisions of this Ordinance shall become codified and made a part of the Land Development Regulations of the City of Eagle Lake, Florida, and the sections of this ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

3. All ordinances in conflict herewith are hereby repealed.

4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any part hereof, not so declared to be invalid.

5. This Ordinance shall take effect \_\_\_\_\_, 2014.

INTRODUCED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

PASSED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF EAGLE LAKE, FLORIDA

ATTEST

\_\_\_\_\_  
J.R. SULLIVAN, MAYOR

\_\_\_\_\_  
CITY CLERK DAWN WRIGHT

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY HEATHER R. CHRISTMAN

ORDINANCE NO.: O-14-05

Exhibit "A"

(~~strikethrough~~ language deleted, underline language added)

**Sec. 8.1.1.20. Words and specific terms defined.**

*Fence.* Artificial barrier installed or constructed for the purpose of screening or enclosing property. All fences shall be appropriate for use in an urban area. Fences in Residential Districts shall be fabricated from materials which are compatible with surrounding properties, including, but not limited to, chain link, wood stockade panels, or masonry. In all Residential Districts, electrified fences, barbed wire, chicken wire, hog wire, and razor wire fences are prohibited. The Building Official shall approve all fences erected in the City of Eagle Lake.

ORDINANCE NO.: O-14-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EAGLE LAKE, FLORIDA, AMENDING CHAPTER 16, ARTICLE II, SECTION 16-27, WATER RATES, OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE LAKE, FLORIDA, PROVIDING AN INCREASE IN RESIDENTIAL AND COMMERCIAL WATER RATES INSIDE AND OUTSIDE THE CITY; AND AMENDING CHAPTER 16, ARTICLE III, SEWERS, SECTION 16-59, RATES, OF THE CODE OF ORDINANCES, PROVIDING AN INCREASE IN RESIDENTIAL AND COMMERCIAL SEWER RATES INSIDE AND OUTSIDE THE CITY; PROVIDING A CONFLICT AND SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the government, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, following due and proper notice as required by Florida Statute Section 180.136, the City Commission held a public hearing to consider a water and sewer rate increase at the City Commission meeting on \_\_\_\_\_, 2014; and

WHEREAS, at said hearing, the City Commission considered testimony of all interested persons and the documents in the file; and

WHEREAS, pursuant to Section 180.13(2), Florida Statutes, the City Commission is authorized to establish just and equitable rates and charges to be paid for the use of the municipal utility by each person, firm, or corporation whose premises are served thereby.

**NOW, THEREFORE**, be it ordained and enacted by the people of the City of Eagle Lake, Florida:

1. Chapter 16, Utilities, Article II, Water, Section 16-27, Water Rates, of the Code of Ordinances of the City of Eagle Lake, Florida is hereby amended to provide an increase in residential and commercial water rates inside and outside the City as shown on Exhibit "A" attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The changes provided in Exhibit "A" shall be implemented on billing statements scheduled to be received by customers the first week of \_\_\_\_\_, 2014, for usage during the immediately preceding billing cycle.

2. Chapter 16, Utilities, Article III, Sewers, Section 16-59, Rates, of the Code of Ordinances of the City of Eagle Lake is hereby amended as shown on Exhibit "B" attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The changes provided in Exhibit "B" shall be implemented on billing statements scheduled to be received by customers the first week of \_\_\_\_\_, 2014, for usage during the immediately preceding billing cycle.

2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

3. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall

not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

4. This ordinance shall take effect immediately upon its adoption by the City Commission of the City of Eagle Lake, Florida.

INTRODUCED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

PASSED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF EAGLE LAKE, FLORIDA

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JR SULLIVAN, MAYOR  
COMMISSIONER

ATTEST:

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CITY CLERK DAWN WRIGHT

Approved as to form:

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CITY ATTORNEY HEATHER R. CHRISTMAN

## Sec. 16-27. Water Rates.

The rates and the charges for the use and service of the water system for the city shall be based on the minimum charges or the amount of water supplied to the user by the city waterworks system as shown on the meter readings for each month. The rates are as follows: (~~strikethrough~~ language deleted, underline language added)

## WATER RATE STRUCTURE

*Based on Gallons*

	<i>Residential</i>	<i>Residential</i>	<i>Commercial</i>	<i>Commercial</i>
	<i>Inside City</i>	<i>Outside City</i>	<i>Inside City</i>	<i>Outside City</i>
0-4,000	\$11.80 <u>\$12.75</u>	\$14.75 <u>\$15.93</u>	\$13.30 <u>\$14.36</u>	\$16.62 <u>\$17.95</u>
4,001-8,000	<u>\$2.00/1,000</u> <u>\$2.16/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$2.00/1,000</u> <u>\$2.16/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>
8,001-12,000	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$3.13/1,000</u> <u>\$3.38/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$3.13/1,000</u> <u>\$3.38/1,000</u>
12,001-18,000	<u>\$3.25/1,000</u> <u>\$3.51/1,000</u>	<u>\$4.06/1,000</u> <u>\$4.39/1,000</u>	<u>\$3.25/1,000</u> <u>\$3.51/1,000</u>	<u>\$4.06/1,000</u> <u>\$4.39/1,000</u>
18,001-over	<u>\$4.00/1,000</u> <u>\$4.32/1,000</u>	<u>\$5.00/1,000</u> <u>\$5.40/1,000</u>	<u>\$4.00/1,000</u> <u>\$4.32/1,000</u>	<u>\$5.00/1,000</u> <u>\$5.40/1,000</u>

## IRRIGATION RATE STRUCTURE

*Based on Gallons*

	<i>Residential</i>	<i>Residential</i>	<i>Commercial</i>	<i>Commercial</i>
	<i>Inside City</i>	<i>Outside City</i>	<i>Inside City</i>	<i>Outside City</i>
010-4,000	\$11.80 <u>\$12.74</u>	\$14.75 <u>\$15.93</u>	\$13.30 <u>\$14.36</u>	\$16.62 <u>\$17.95</u>
4,001-8,000	<u>\$2.00/1,000</u> <u>\$2.16/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$2.00/1,000</u> <u>\$2.16/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>
8,001-12,000	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$3.13/1,000</u> <u>\$3.38/1,000</u>	<u>\$2.50/1,000</u> <u>\$2.70/1,000</u>	<u>\$3.13/1,000</u> <u>\$3.38/1,000</u>
12,001-18,000	<u>\$3.25/1,000</u> <u>\$3.51/1,000</u>	<u>\$4.06/1,000</u> <u>\$4.38/1,000</u>	<u>\$3.25/1,000</u> <u>\$3.51/1,000</u>	<u>\$4.06/1,000</u> <u>\$4.38/1,000</u>
18,001-over	<u>\$4.00/1,000</u> <u>\$4.32/1,000</u>	<u>\$5.00/1,000</u> <u>\$5.40/1,000</u>	<u>\$4.00/1,000</u> <u>\$4.32/1,000</u>	<u>\$5.00/1,000</u> <u>\$5.40/1,000</u>

(a) There are hereby established rates and the charges for the use and service of the sewerage system of the city. Such rates shall be based on the minimum charges stated or the amount of water supplied to the user by the city waterworks system as shown on the water meter readings for each month as follows:

(1) For system users who are water customers, the rate shall be:

a. *Residential rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$20.70~~ \$22.36
- ii. Over 1,000 gallons, per 1,000 gallons..... ~~\$ 3.54~~ \$3.82

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$25.88~~ \$27.95
- ii. Over 1,000 gallons, per 1,000 gallons..... ~~\$ 4.43~~ \$4.78

b. *Commercial rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$20.70~~ \$22.36
- ii. Over 1,000 gallons, per 1,000 gallons..... ~~\$ 4.48~~ \$4.84

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$25.88~~ \$27.95
- ii. Over 1,000 gallons..... ~~\$ 5.60~~ \$6.05

c. Amounts charged for the first 1,000 gallons are minimums regardless of the usage.

(2) For those who use the sewerage system but not water, the rate shall be as

ORDINANCE NO.: O-14-07

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE CODE OF ORDINANCES, MORE SPECIFICALLY, CHAPTER 12 SOLID WASTE, SECTION 12-54 SERVICE FEES—REGULAR GARBAGE AND TRASH COLLECTION INCREASING THE RESIDENTIAL AND COMMERCIAL COLLECTION RATE; PROVIDING A CONFLICT AND SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Eagle Lake provides a franchise for the collection of its solid waste; and

WHEREAS, the City of Eagle Lake and its citizens are experiencing an increase in service costs for solid waste collection services and necessary changes to collection services provided; and

WHEREAS, the City of Eagle Lake desires to increase its fee charged for solid waste collection services to cover all or part of the increased cost.

NOW, THEREFORE, BE IT ORDAINED by the people of the City of Eagle Lake, Florida:

1. That Chapter 12, Solid Waste, Section 12-54, Service Fees—Regular Garbage and Trash Collection, of the Code of Ordinances of the City of Eagle Lake, Florida, is hereby amended as shown on Exhibit "A" attached hereto and made a part hereof.

2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

3. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall

not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

4. This ordinance shall take effect immediately upon its adoption by the City Commission of the City of Eagle Lake, Florida.

INTRODUCED on first reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

PASSED on second reading this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF EAGLE LAKE, FLORIDA

\_\_\_\_\_  
JR SULLIVAN, MAYOR  
COMMISSIONER

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK DAWN WRIGHT

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY HEATHER R. CHRISTMAN

**ARTICLE III. COLLECTION AND DISPOSAL****Sec. 12-54. Service fees--Regular garbage and trash collection.**

The following fees shall be charged for collection services described at Section 12-53 above, for each single-family residential dwelling unit and for each licensed commercial establishment, without regard to whether or not the service is actually used:

(1) *Single-family residential dwelling unit:*

- a. ~~\$14.00~~ \$15.38 per month for service once per week.
- b. Additional service beyond the service established by City or City's duly authorized service provider is subject to additional charge by City or City's duly authorized service provider.

(2) *Commercial collection rates:*

- a. Two 95-gallon containers collected weekly, ~~\$34.00~~ \$37.34 per month.
- b. Any commercial account requiring additional service beyond the service established by the City or City's duly authorized service provider is subject to additional charge by City or City's duly authorized service provider.

(3) *Unusual locations, accumulations.* Reasonable charges for unusual locations, types and accumulations of garbage and trash shall be determined by the City Manager and subject to approval by the City Commission.

(4) *Commercial bulk containers:*

- (a) \$9.00 per cubic yard per pickup.
- (b) Cubic yard rates for commercial bulk containers shall be based on container size. Commercial bulk container customers are required to utilize containers adequately sized to service the commercial account.

(5) *Rate Adjustments.* The City Manager shall increase or decrease each of the above rates in an amount equal by percentage to the amount of each appropriate increase or decrease imposed or assessed by the City's service provider.

follows:

a. *Residential rate:*

- 1. Inside city, per month..... ~~\$65.00~~ \$70.20
- 2. Outside city, per month..... ~~\$81.25~~ \$87.75

b. *Commercial rate:*

- 1. Inside city, per month..... ~~\$87.47~~ \$94.46
- 2. Outside city, per month.....~~\$109.34~~ \$118.08

(b) All potential users required by this article or by state law or regulation to connect to the system shall be charged the appropriate monthly user charge regardless of whether or not their structure is actually connected to the system.

(c) Exemptions from sewer charges shall be as follows.

- (1) Users that have a separately metered ice machine shall not be subject to sewer charges for water used in this machine.
- (2) Users that have a separately metered irrigation system shall not be subject to sewer charges for water used in this system.

CITY OF EAGLE LAKE  
REGULAR CITY COMMISSION MEETING  
MONDAY, AUGUST 4, 2014  
7:00 P.M.  
COMMISSION CHAMBERS  
675 E EAGLE AVE  
EAGLE LAKE, FLORIDA 33839

**I. CALL TO ORDER**

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

**II. INVOCATION**

The invocation was dispensed with as it was done at the previous meeting.

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance to the Flag was dispensed with as it was done at the previous meeting.

**IV. ROLL CALL**

PRESENT: Pittman, Wilson, Hosegood, Coler, Sullivan

ABSENT: None

**V. AUDIENCE**

There were no comments from the audience.

**VI. SPECIAL PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS, REQUESTS**

**A. Staff Reports**

Sgt. Navarro updated the Commission regarding the events that have occurred in the City.

Sgt. Navarro advised the speed trailer and decoy car are both at fleet getting maintenance and they are borrowing the maroon car from Frostproof that captures license plate numbers.

Sgt. Navarro stated in the 2014/2015 grant cycle he is requesting to purchase a surveillance system data storage unit that will be able to retain footage for 30 days.

Commissioner Coler asked if Nixel could be also be used specifically to notify Eagle Lake residents of issues occurring in the City.

Sgt. Navarro stated he will get with the communications department and get back to the Commission.

City Clerk Wright asked the Commission to schedule a Special Meeting on August 18<sup>th</sup> at 6 pm or 6:30 pm for the employees to address the hiring of a new city manager. The City Commission set a workshop for August 18<sup>th</sup> at 6:30 p.m. The Commission has requested the employees put all comments, questions and concerns in writing; so that; they have them for when they conduct interviews and it was the consensus of the Commission all comments, questions and concerns could be submitted anonymously.

**B. City Manager Report**

Manager Gardner's report was in the agenda packet.

**C. Consideration of the resignation of Martha Welch from the Planning Commission**

**MOTION** was made by Commissioner Wilson and seconded by Commissioner Pittman to accept the resignation of Martha Welch from the Planning Commission with regret.

Mayor Sullivan asked for audience discussion; there was none.  
Mayor Sullivan asked for Commission discussion.

Commissioner Wilson asked why Mrs. Welch was resigning.  
Mayor Sullivan advised it was due to health issues.

Mayor Sullivan asked that the City Clerk get Mrs. Welch a plaque for her service.

The vote was as follows:

AYES: 5

NAYS: 0

**D. Tom Phillips and Commissioner George Lindsey to present My Ride/My Roads/Referendum Update.**

Polk County Commissioner George Lindsey updated the Commission regarding the My Ride/My Road Referendum.

Commissioner Pittman left the dais at 7:24 p.m. and returned at 7:27 p.m.

**VII. PUBLIC HEARINGS**

**A. Consideration of the second reading of Ordinance No.: O-14-04, An Ordinance Amending the Code of Ordinances of the City of Eagle Lake, Florida to Designate Certain Land "RIO" (Residential; Institutional, Office) Zoning District (Changed from CG- Commercial General); Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: North of Don Polston Drive; Southeast of 3<sup>rd</sup> Street North) effective upon reading**

Attorney Christman read Ordinance No.: O-14-04 by title only.

**MOTION** was made by Commissioner Wilson and seconded by Commissioner Coler to approve Ordinance No.: O-14-04.

Mayor Sullivan asked for audience discussion; there was none.  
Mayor Sullivan asked for Commission discussion.

Attorney Christman stated at the last meeting she was asked about the zoning and if this would allow for residential use in the future. She stated with this use existing single family homes would be permitted and it is her understanding there aren't any. She advised the zoning would allow hotels, mix use residential/commercial via special exception multi-family/apartments with 3 dwelling units under one roof or more units and semi-detached and attached townhouses. Those are the only type of habitable spaces allowed.

The roll vote was as follow:

AYES: Pittman, Wilson, Hosegood, Coler, Sullivan

NAYS: None

**VIII. OLD BUSINESS**

There was no old business.

**IX. NEW BUSINESS**

There was no new business.

**X. CONSENT AGENDA**

- A. Approval of the City Commission Workshop Minutes-----07/21/14
- B. Approval of the Regular City Commission Minutes -----07/21/14
- C. Approval of Supplement Agreement 14-01 with Envisors - Green Acres Water System  
Emergency Well Replacement EVI No.: 70605300

**MOTION** was made by Commissioner Wilson and seconded by Commissioner Pittman to approve the Consent Agenda, Items: A. the City Commission Workshop Minutes of 07/21/14, B. the Regular City Commission Minutes of 07/21/14, and C. the Supplement Agreement 14-01 with Envisors – Green Acres Water System Emergency Well Replacement EVI No.: 70605300.

Mayor Sullivan asked for audience discussion; there was none.

Mayor Sullivan asked for Commission discussion; there was none.

The vote was as follows:

AYES: 5

NAYS: 0

**XI. AUDIENCE**

Roger Homann, Envisors, stated he has a contractor change order for the CDBG Green Acres Project; he advised the contractor is making good progress; they are three quarters of the way done; they are ahead of schedule. He stated the contractor has run into a conflict; he advised the water main as designed was originally going to connect on the northwest corner of Gerber Dairy Road and Bomber Road; he advised at that corner there is an underground storm structure that extends all the way to the right of way and there is no way to connect at that location. He advised they will have to bore south under Bomber Road and connect on the southwest side. He stated the change order total is \$8,410. Mr. Homann advised the contractor will be at that location later this week.

Commissioner Wilson asked what the difference was on the change; Commissioner Wilson stated she wasn't comfortable with the City Manager being here.

Mr. Homann stated it is a longer bore and more pipe is needed.

Commissioner Pittman asked what the funding source was.

Mr. Homann stated this project was funded 100 percent through CDBG funds; Mr. Homann stated this will be above the grant amount. He advised the bids came in approximately \$60,000 under grant amount so an additional street was added to come to the budgeted amount and went slightly over; therefore, grant funds aren't available for this change order.

Commissioner Pittman expressed concern of a potential delay claim if they don't take action.

**MOTION** was made by Commissioner Pittman and seconded by Mayor Sullivan to approve the Change Order on the Green Acres Water System Improvements in the amount of \$8,410.

Mayor Sullivan asked for audience discussion; there was none.  
Mayor Sullivan asked for Commission discussion.

Commissioner Wilson stated since they don't have the paperwork and a recommendation from the City Manager she isn't comfortable approving. She advised an emergency meeting needs to be called once the information is obtained for the Commission.

Mayor Sullivan asked how much of a delay will this cause.  
Mr. Homann stated he believes the contractor will be at that point in the project by the end of the week. He advised he might be able to get the contractor to shift over to another part of the project.

Mayor Sullivan asked City Clerk Wright to contact Mr. Gardner on Tuesday and explain the situation and if necessary schedule an emergency meeting.

The vote was as follows:

AYES: Pittman, Hosegood

NAYS: Wilson, Coler, Sullivan

City Clerk Wright asked Attorney Christman if Impact Fees can be used for this.  
City Attorney Christman stated she highly doubts the money can come from that fund.

City Clerk Wright asked about the Commissions' flexibility and do they want the meeting at 5 p.m.

The consensus was they are flexible but later in the day was a better time for the meeting.

**XII. CITY ATTORNEY**

Attorney Christman stated they have mailed out the waivers on the tennis court issue. She advised the waivers were to waiver being served on the Partition Action. She advised they have received almost half back at this time. She advised we have a few people that would like to do Quit Claim Deeds. She advised her office will be moving forward serving those that haven't sent the waivers back.

**XIII. CITY COMMISSION**

Commissioner Coler stated it is supposed to be a rainy week maybe we will have some natural delays on the Green Acres Project.

Commissioner Hosegood had no report.

Commissioner Pittman had no report.

Commissioner Wilson stated she hates to see Martha Welch leave the Planning Commission.  
Commissioner Wilson asked if the Planning Commission has a quorum.

City Clerk Wright advised the Commission at the last meeting appointed Mr. Spofford to the Planning Commission so there are 3 members which constitutes a quorum for most business except variances. She advised for variances the Planning Commission would need at least 4

members and they would all have to vote in favor. She advised at this time if a variance request was submitted the City Commission would have to handle.

Mayor Sullivan stated he understands construction delays.

Mayor Sullivan stated if Mrs. Welch was not able to attend a meeting to receive her plaque he would be willing to deliver it to her.

**XIV. ADJOURNMENT**

**MOTION** was made by Commissioner Wilson and seconded by Commissioner Pittman to adjourn at 7:48 p.m.

The vote was as follows:

AYES: 5

NAYS: 0

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MAYOR JR SULLIVAN

ATTEST:

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CITY CLERK DAWN WRIGHT

CITY OF EAGLE LAKE  
EMERGENCY CITY COMMISSION MEETING  
THURSDAY, AUGUST 7, 2014  
5:00 P.M.  
COMMISSION CHAMBERS  
675 E EAGLE AVE  
EAGLE LAKE, FLORIDA 33839

**I. CALL TO ORDER**

Mayor Sullivan called the meeting to order at 5:00 p.m.

**II. ROLL CALL**

PRESENT: Pittman, Wilson (5:01 p.m.), Hosegood, Coler, Sullivan

ABSENT: None

**III. NEW BUSINESS**

- A.** Consideration of the Change Order for the CDBG Green Acres Water System Improvements Project in the amount of \$8410.00

**MOTION** was made by Commissioner Wilson and seconded by Commissioner Coler to approve the change order for the CDBG Green Acres Water System Improvements Project in the amount of \$8,410.

Mayor Sullivan asked for audience discussion; there was none.  
Mayor Sullivan asked for Commission discussion.

Attorney Christman stated she had a few questions for Roger Homann from Envisors.  
Attorney Christman asked if this was going toward the eventual looping of the system.

Roger Homann, Envisors, stated yes the southeast portion of the system and it is also bring in the City's main Water Plant to that area and will provide additional backup/reliability for that area.

Attorney Christman asked if this was going to provide a benefit to all those users on the system.

Mr. Homann stated yes.

The roll call vote was as follows:

AYES: Pittman, Wilson, Hosegood, Coler Sullivan

NAYS: None

**IV. ADJOURNMENT**

**MOTION** was made by Commissioner Pittman and seconded by Commissioner Wilson to adjourn at 5:03 p.m.

The vote was as follows:

AYES: 5

NAYS: 0

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MAYOR JR SULLIVAN

ATTEST:

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CITY CLERK DAWN WRIGHT