

**CITY OF FROSTPROOF  
CITY COUNCIL  
REGULAR MEETING MINUTES  
Monday, September 10, 2018**

The City Council of the City of Frostproof held a Regular Meeting on Monday, September 10, 2018, in the Council Chambers at the Frostproof City Hall, 111 West 1st Street, Frostproof, Florida.

**Call to Order:** Mayor Sullivan called the meeting to order at 6:00 p.m.

**Invocation:** Given by Council Member Cannon.

**Roll Call:** Council Members present: Mayor Martin Sullivan, Vice Mayor Jon Albert, Council Members Leslie Brewer, Austin Gravley and Rodney Cannon.

**Others Present:** City Manager Lee Evett, City Clerk Nicole McDowell, City Attorney Chuck Galloway, Public Works Director James Keene, Library Director Missy Hadden, and Deputy Mills of the Polk County Sheriff's Office.

**Approval of Minutes**

- Council Member Cannon motioned to approve the August 20, 2018 Budget Workshop minutes, seconded by Vice Mayor Albert. The motion passed unanimously.
- Vice Mayor Albert motioned to approve the August 20, 2018 Regular City Council minutes, seconded by Mayor Sullivan. The motion passed unanimously.

**Acknowledgements**

Alberto Montalvo – Honored with the Dr. A.P. Black award from the Florida Water and Pollution Control Operators Association.

Greg Dale – Passed Florida Department of Environmental Protection Water Distribution Certificate exam.

**PUBLIC COMMENTS**

There were no public comments.

**OLD BUSINESS**

**I. Ordinance 2018-06 – Amending Unified Land Development Code Relating to Tiny Homes – Second Reading**

City Manager Evett read Ordinance 2018-06 by title.

**ORDINANCE 2018-06**

**AN ORDINANCE OF THE CITY OF FROSTPROOF,  
FLORIDA, AMENDING THE FROSTPROOF UNIFIED**

**LAND DEVELOPMENT CODE; AMENDING ARTICLE 2, SPECIFICALLY ADDING AND AMENDING CERTAIN DEFINITIONS RELATED TO TINY HOMES; AMENDING ARTICLE 3, SPECIFICALLY ADDING A NEW SECTION 3.16.00, PROVIDING FOR MINIMUM SPACE AND USE REQUIREMENTS; AMENDING ARTICLE 5, SPECIFICALLY AMENDING SECTION 5.06.00, REMOVING PROVISION "M" AND ADDING A NEW SUBSECTION 5.06.07, PROVIDING FOR ACCESSORY DWELLING UNITS; AND AMENDING ARTICLE 6, SPECIFICALLY ADDING A NEW SUBSECTION 6.13.00, PROVIDING DEVELOPMENT AND DESIGN STANDARDS FOR TINY HOMES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance 2018-06 is a city-initiated amendment to the Unified Land Development Code to provide regulations for tiny homes within the City limits. Jeff Schmucker, Central Florida Regional Planning Council, was present for questions. Mayor Sullivan opened the Public Hearing for comments; with no comments the Public Hearing was closed. Council Member Cannon motioned to approve seconded reading of Ordinance 2018-06, amending the Unified Land Development Code Relating to tiny homes, seconded by Vice Mayor Albert. With a roll call vote, the motion passed unanimously.

### **NEW BUSINESS**

#### **II. Drew Wilcox, Nucor Steel Florida, Inc.**

Drew Wilcox, Vice President/General Manager of Nucor Steel Florida, Inc. was present to introduce himself and Nucor Steel Florida, Inc. Mr. Wilcox stated Nucor will begin construction on their new site at the beginning of 2019 with high expectations of the plant to be functioning in July 2020. Mr. Wilcox also stated that Nucor is environmentally friendly, and it is a corporation that is involved in the community through volunteer hours and donations.

#### **III. Ordinance 2018-07 – Medical Marijuana Dispensaries – First Reading** City Manager Evett read Ordinance 2018-07 by title.

### **ORDINANCE 2018-07**

**AN ORDINANCE OF THE CITY OF FROSTPROOF, FLORIDA, RELATING TO PHARMACIES AND MEDICAL MARIJUANA DISPENSING FACILITIES; AMENDING THE FROSTPROOF UNIFIED LAND DEVELOPMENT CODE, ARTICLE 4, TABLE 4.10.01, LAND USES AND ZONING DISTRICTS, AND ADDING SECTION 4.15.00, MEDICAL MARIJUANA DISPENSING FACILITIES, AND AMENDING**

**ARTICLE 2 DEFINITIONS TO INCLUDE RELATED DEFINITIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance 2018-07 is a city-initiated amendment to the City's Land Development Code relating to the definitions and pharmacy uses included medical marijuana dispensing facilities within the Commercial Office, Central Business District, Commercial Neighborhood, Commercial General and Light Industrial zoning districts within the City of Frostproof. On August 20, 2018, the Planning and Zoning Commission held a public hearing and unanimously voted to forward the proposed amendments to the City Council with a recommendation of approval. Jennifer Codo-Salisbury, Central Florida Regional Planning Council, was present for questions. Council Member Gravley motioned to approve the first reading of Ordinance 2018-07, seconded by Vice Mayor Albert. With a roll call vote the motion passed unanimously.

**IV. Ordinance 2018-08 – Evaluation and Appraisal Report (EAR) – First Reading**  
City Manager Evett read Ordinance by title.

**ORDINANCE 2018-08**

**AN ORDINANCE OF THE CITY OF FROSTPROOF, FLORIDA, AMENDING THE FROSTPROOF COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT, AND DEFINITIONS SECTIONS OF THE COMPREHENSIVE PLAN BASED ON THE RECOMMENDATIONS OF THE EVALUATION AND APPRAISAL REPORT (EAR) LETTER; PROVIDING FOR TRANSMISSION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

The EAR amendments pertain to updating a portion of the Future Land use element and the definitions section. On August 20, 2018, the Planning and Zoning Commission held a public hearing and unanimously voted to forward the proposed EAR-based comprehensive plan amendments to the City Council with a recommendation of approval. Jennifer Codo-Salisbury, Central Florida Regional Planning Council, was present for questions. Vice Mayor Albert motioned to approve the first reading of Ordinance 2018-08, seconded by Mayor Sullivan. With a roll call vote, the motion passed unanimously.

**V. Approval of Fiscal Year 2018-19 Planning Advisory Services Agreement with Central Florida Regional Planning Council**

The Planning Advisory Services contract allows for Central Florida Regional Planning Council to provide professional planning services to the City of Frostproof for the 2018-

19 Fiscal Year. The contract is for \$30,000, with no change in cost from the previous year. Council Member Gravley motioned to approve the Planning Advisory Services agreement with Central Florida Regional Planning Council for Fiscal Year 2018-19, seconded by Mayor Sullivan. With a roll call vote, the motion passed unanimously.

**VI. Approval of Lakeland Area Mass Transit District Agreement for Bus Service in City Limits**

This agreement provides bus service in City limits for a period of two years commencing on October 2, 2018 through and including September 30, 2020. The transit service and frequency will be five routes per day, with no Saturday service. The fee charged to the City by the District for transit service for Fiscal Year 2018-19 will be \$7,702.14 and for Fiscal Year 2019-20 the fee will increase to \$11,565.00. Council Member Cannon motioned to approve Lakeland Area Mass Transit District Agreement for business service in the city limits, with no second the motion failed.

**VII. Approval of Chastain Skillman Payment Request No. 3 for Water Storage Tank #6**

Staff recommended approval of Chastain Skillman payment request No. 3 in the amount of \$86,249.15 for the Water Storage Tank #6. Ted Fylstra, Project Funding Specialist, reviewed for accuracy and recommended approval. Vice Mayor Albert motioned to approve Chastain Skillman Payment Request No. 3 for Water Storage Tank #6, seconded by Mayor Sullivan. The motion passed unanimously with a roll call vote.

**VIII. Approval of Volunteer Fire Department Officers for Fiscal Year 2018-19**

Chief Cofer presented the slate of Volunteer Fire Department Officers for Fiscal Year 2018-19; President – Ronnie Grose; Vice President – John Stanton; Secretary/Treasurer – Jerry Riner; Fire Chief – Clifford Cofer. Council Member Gravley motioned to accept the Volunteer Fire Department Officers for Fiscal year 2018-19, seconded by Mayor Sullivan. The motion passed unanimously.

**IX. Discussion on Direction on Purchasing Orange Grove Property**

On September 29, 2018, ALICO is holding an auction for 13 parcels of land in the City. City Manager Evett thought two of the parcels may be of interest to the City. The two parcels being 1.11 acres adjacent to the Library for a Children's Library or to incorporate the Tennis Courts and Playground from Wall Street Park and 2.03 acres adjacent to City Hall that was recently offered to the City by the Frostproof Chamber. Due to lack of discussion, there was no direction given to staff.

**X. Approval of Disposal of 5 Surplus Pick-Up Trucks**

Staff surveyed the Public Work's vehicle fleet and recommended five surplus pick-up trucks be sold via Insight Auctioneers. Photos were provided to Council of the interior and exterior of the 5 pick-up trucks. With the sale of these vehicles, the City will be able to assign a truck to each Public Works/Utility worker and have a spare. There is no cost to the City for the auctioneer's services. Member Gravley motioned to approve disposing of 5 surplus pick-up trucks via Insight Auctioneers, seconded by Council Member Brewer. The motion passed unanimously.

**XI. Acceptance of Tourism and Sports Grant for 2019**

The City was awarded a Tourism and Sports grant in the amount of \$14,111.00 for the Arts, Culture and Heritage Sponsorship Program for Fiscal Year 2018-19; the activity must take place before September 30, 2019. This is the same type of grant received to advertise the Centennial Celebration. Vice Mayor Albert motioned to approve the Tourism and Sports grant for Fiscal Year 2018-19, seconded by Council Member Gravley. The motion passed unanimously.

**XII. Approval of Edgewood Landscape Invoice # 15734 – “Frostproof Hill”**

Staff recommended approval of Edgewood Landscape invoice # 15734 in the amount of \$19,835.00 for the “Frostproof Hill”. Council voted to accept Edgewood Landscape’s bid at the May 21, 2018 City Council meeting. Vice Mayor Albert motioned to approve Edgewood Landscape Invoice #15734 in the amount of \$19,835.00 for the “Frostproof Hill”, seconded by Council Member Gravley. The motion passed unanimously with a roll call vote.

**XIII. City Manager 12-month Performance Evaluation – Receive and File**

Per City Manager Evett’s contract, Council completed a 12-month performance evaluation for City Manager Evett. The following are the results:

	Sullivan	Albert	Brewer	Gravley	Cannon	Average
I. Management of the Organization	5	5	5	6	4	5.25
II. Execution of Policy	4	5	4	6	4	4.75
III. Financial Management	6	4	4	6	5	5.00
IV. Relationship With Council	5	5	5	6	3	5.25
V. Community Relationship	5	4	4	6	4	4.75
VI. Communication	5	5	5	6	4	5.25
VII. Leadership	4	5	4	6	5	4.75
VIII. Professionalism	6	5	4	6	5	5.25
Overall Rating	5.00	4.75	4.38	6.00	4.25	5.03

0 = Unsatisfactory  
1 = Poor  
2 = Fair  
3 = Good  
4 = Very Good  
5 = Excellent  
6 = Outstanding

**XIV. Public Comments**

Doyce Cotton, 397 Virginia St.

**XV. Sheriff’s Office Report**

Deputy Mills reported for the time period of August 20, 2018 through September 9, 2018. During this time there were 101 traffic stops with 6 citations written, 65 field

interview reports, 1,540 building checks, 1,064 patrol notices and 3 arrests. The arrests consisted of 2 warrants and 1 battery-touch or strike.

**XVI. City Attorney Comments**

City Attorney Galloway congratulated Council and Staff on a successful Centennial Celebration. He and his wife attended.

**XVII. City Manager Comments**

City Manager Evett commented the Centennial Celebration was as much fun as expected and everyone seemed to enjoy the weekend.

**XVIII. City Council Comments**

City Council had no comments.

**XIX. Upcoming Meetings**

Wednesday, September 12, 2018 – Tentative Budget & Proposed Millage Rate Hearing – 5:05 p.m.

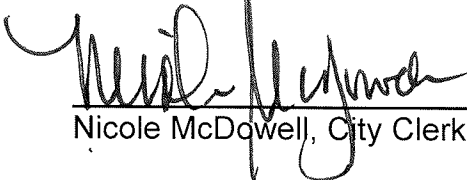
Monday, September 24, 2018 – Final Budget & Proposed Millage Rate Hearing – 6:00 p.m.

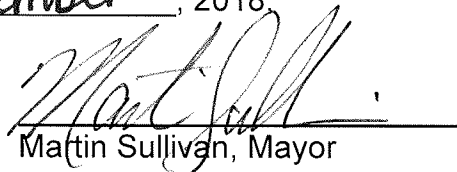
Monday, September 24, 2018 – Regular Council Meeting – 6:00 p.m.

**XX. Adjournment**

Mayor Sullivan adjourned the meeting at 6:29 p.m.

Minutes approved on the 24<sup>th</sup> day of September, 2018.

  
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Nicole McDowell, City Clerk

  
\_\_\_\_\_  
Martin Sullivan, Mayor

Ref. F.S. 286: If an individual decides to appeal any decision made by the City Council in respect to this meeting, a record of the proceeding will be required. The individual should make provisions for a verbatim record of the proceedings to be made. Persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk not later than one day prior to this meeting.