CITY OF AVON PARK

Highlands County, Florida
110 East Main Street
Avon Park, Florida 33825

October 6, 2015

Avon Park City Council
110 East Main Street
Avon Park, Florida 33825

Dear Council Members:

Pursuant to City Ordinance No. 874, you are hereby notified of a Regular Meeting of the City Council on Monday, October 12, 2015, at 6:00 PM in the City Council Chambers located at 123 East Pine Street, Avon Park, Florida. If you are unable to attend, please contact me at 452-4403 or email the City Clerk: Sutherland@avonpark.cc

Sincerely,

Julian Deleon
City Manager

CITY OF AVON PARK
Highlands County, Florida

CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
123 E. Pine St., Avon Park, FL
October 12th, 2015, 6:00 PM

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B. CITIZENS / OUTSIDE AGENCIES

4. Chamber of Commerce event plans and street closure requests
   - A. Fifth Annual Harvest Festival-- 10/17/15
   - B. Annual Christmas Parade -- 11/30/15
   - C. Christmas on Main Street-- 12/7/15
   - D. Springtime on The Mall-- 3/18- 3/19, 2016

C. CONSENT AGENDA

5. Approve Special Meeting Minutes, September 25, 2015
6. Approve Special Meeting Minutes, October 2, 2015

D. COMMITTEE REPORTS/ ATTY UPDATES/ ANNOUNCEMENTS

E. ADMINISTRATIVE

7. Central Florida Regional Planning Council contract renewal

8. Brickell Building Transfer from City to Main Street CRA

9. Knuckle Boom Truck purchase/ Bid award $136,967

10. Ordinance 23-15 Crews Groves Annexation -- **First Hearing**

F. CITIZENS PARTICIPATION

Any person who might wish to appeal any decision made by the City Council of the City of Avon Park, Highlands County, Florida, in public hearing or meeting is hereby advised that he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. Any person with disabilities requiring accommodations in order to participate should contact the City Manager prior to the meeting.

Rule 14-65.0035(1)(c), F.A.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TEMPORARY CLOSING OF STATE ROAD PERMIT

850-040-65
MAINTENANCE
12/11

4A

Date: 9/6/2015

Permit No. _____

Governmental Entity

Approving Local Government: City of Avon Park
Contact Person: Maria Sutherland
Telephone: 863-452-4411
Email: sutherland@avonpark.cc

Organization Requesting Special Event

Name of Organization: Avon Park Chamber of Commerce
Contact Person: Melissa Hayes
Telephone: 863-453-3350
Email: director@theapcc.net

Description of Special Event

Event Title: 5th Annual Harvest Festival
Date of Event: 10/17/2015
Start Time: 3 pm
End Time: 5 pm
Event Route (attach map): See map

Detour Route (attach map): See map

Law Enforcement Agency Responsible for Traffic Control

Name of Agency: City of Avon Park

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable ☒

Copy of USCG Approval Letter Attached ☐

Bridge Location _____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator: Maria Sutherland — Signature: [signature] — Date: 9/6/2015

Law Enforcement Name/Title: Jason Liston, Public Safety Director — Signature: [signature] — Date: 9/6/2015

Government Official Name/Title: Julian Delfern, City Mgr — Signature: [signature] — Date: 9/6/2015

FDOT Special Conditions

_____

FDOT Authorization

Name/Title _____ Signature _____ Date _____

City of Avon Park Event Planning Guide

Road closure Permit Application MUST be submitted at least 3 months in advance of the event.
State Road closure permits require DOT Road Closure Permit form.

Today's Date: 9/30/2015

Event Organizer/Sponsor: Avon Park Chamber of Commerce

Contact information: Melissa Hayes, 863-453-3350

Location of Event Donaldson Park + main Street (Lake to Donaldson Park)

Date(s) 10/17/15 **Time(s) of Proposed Event:** 3p-9p

Description of event: 5th Annual Harvest Festival - Parade on main

From Lake Ave to Donaldson Park. Event @ Donaldson Park. (See attached)

Will you be requesting City staff for any of the following (circle one):

Dumpster: Y (N) **Quantity** _____

Garbage receptacles: (Y) N **Quantity** _____

Traffic Cones/ MOT: (Y) N **Quantity** 15 ** Blocking West bound Main St From Lake Ave to Donaldson Park

(This includes delivery, installation and pick-up of cones by City staff and charge of $20 per City "block". Weekend work may require additional charges.
Sponsor needs to stack cones at end of event

Police Y N **$100 per officer (minimum 4 hours)**
(Additional hours require prior approval with additional rates)

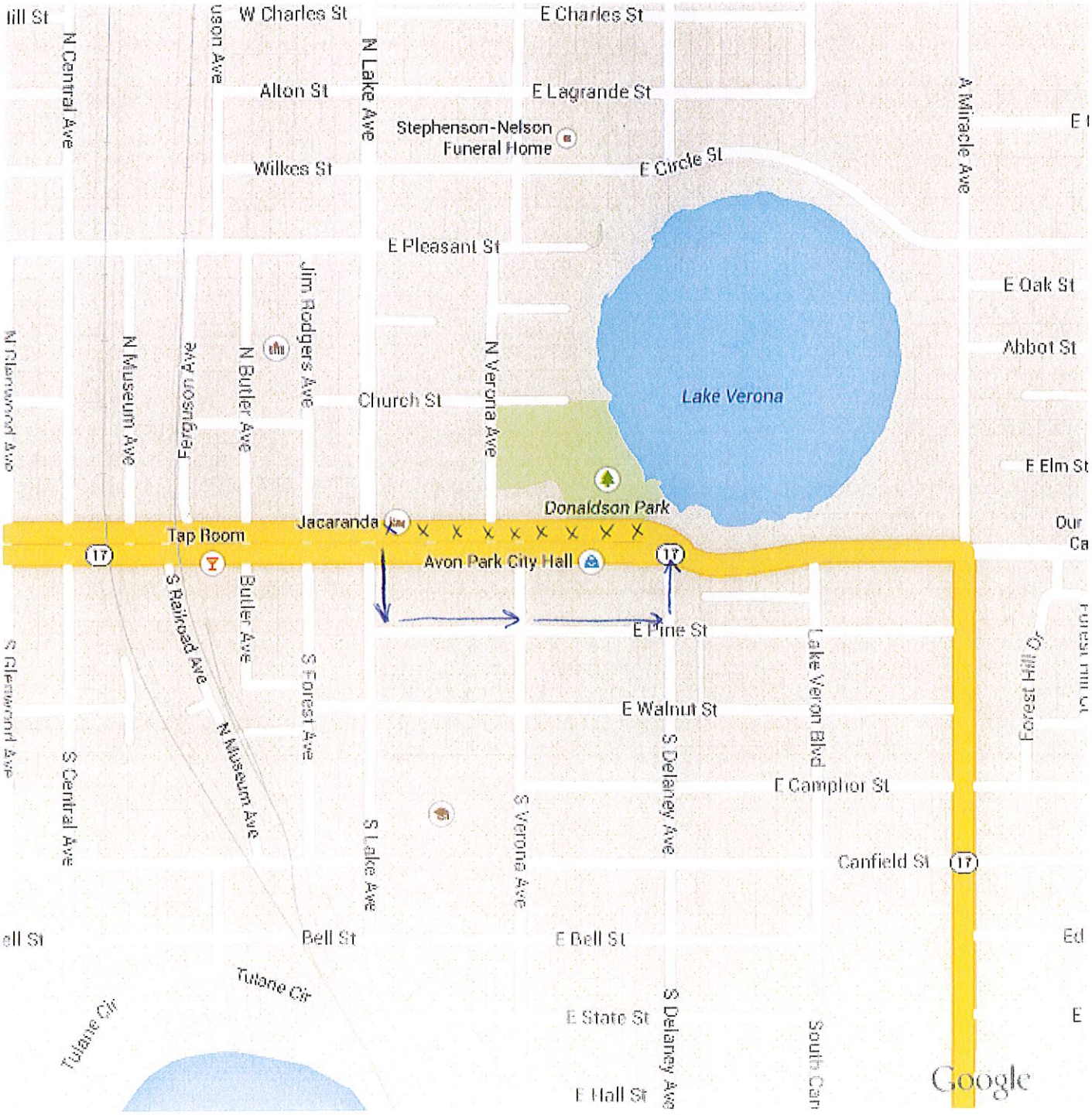
Road Closure (Y) N If yes, attach map of specific roads to be closed

Will you require city water for your event? Y (N)

Will you require city electricity for your event? Y (N)

Please provide copy of your event insurance. The City of Avon Park needs to be placed as "Additional Insured" on your policy for date of event and proof of insurance needs to be provided at least 2 weeks in advance of the event date.

Annual Harvest Festival
October 17, 2015



X = Parade route and request for road closure. West bound lane.

→ = Detour route for west bound traffic.

4B

September 2, 2015

Mr. Julian Deleon
City Manager
110 E Main St
Avon Park FL 33825

Dear Mr. DeLeon:

The Avon Park Chamber of Commerce would like to schedule the upcoming event planned for the 2015 Christmas Parade. The parade is scheduled for Monday , November 30,2015 at 7:00 PM with float line up beginning at 5:30 PM. We request the use of N. Anoka and the east-bound side of Main Street to use for line-up and the parade.

We are asking City Council to consider granting the Avon Park Chamber of Commerce permission to hold the annual Christmas Parade and request a permit from FDOT to close Main Street (east-bound only) from Anoka to Delaney between the hours of 5:30 and 8:30 PM for the event.

We request coordination with all law enforcement and public works that is needed for the event.

I want to thank you in advance for your consideration of this request.

Best Regards,

Melissa Hayes
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

Rule 14-65.0035(1)(c), F.A.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TEMPORARY CLOSING OF STATE ROAD PERMIT

850-040-65
MAINTENANCE
12/11

Date: _____ Permit No. _____

Governmental Entity

Approving Local Government: City of Avon Park Contact Person: Maria Sutherland
Telephone: 863-452-4411 Email: sutherland@avonpark.cc

Organization Requesting Special Event

Name of Organization: Avon Park Chamber of Commerce Contact Person: Melissa Hayes
Telephone: 863-453-3350 Email: director@theapcc.net

Description of Special Event

Event Title: Annual Christmas Parade Date of Event: 11/30/2015
Start Time: 5 pm End Time: 9 pm
Event Route (attach map): See map

Detour Route (attach map): See map

Law Enforcement Agency Responsible for Traffic Control

Name of Agency: City of Avon Park

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable [X]
Copy of USCG Approval Letter Attached [ ]
Bridge Location _____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator: Maria Sutherland Signature: [signature] Date: _____
Law Enforcement Name/Title: Jason Liston, Public Safety Director Signature: [signature] Date: _____
Government Official Name/Title: Julian Delfer, City Mgr Signature: [signature] Date: _____

FDOT Special Conditions

_____

FDOT Authorization

Name/Title _____ Signature _____ Date _____

September 2, 2015

Mr. Julian Deleon
City Manager
110 E Main St
Avon Park FL 33825

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Best Regards,

Melissa Hayes
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

City of Avon Park Event Planning Guide

Road closure Permit Application MUST be submitted at least 3 months in advance of the event.
State Road closure permits require DOT Road Closure Permit form.

Today's Date: 9/30/15

Event Organizer/Sponsor: Avon Park Chamber of Commerce

Contact information: Melissa Hayes 453-3350

Location of Event Main Street Avon Park between Anoka to Delaney (eastbound)

Date(s) 11/30/15 **Time(s) of Proposed Event:** 5pm 8:30pm

Description of event: Annual Christmas Parade, float line up begins at 5pm (See attached)

Will you be requesting City staff for any of the following (circle one):

Dumpster: Y (N) **Quantity** _____

Garbage receptacles: (Y) N **Quantity** 7

Traffic Cones/ MOT: (Y) N **Quantity** 20 **

(This includes delivery, installation and pick-up of cones by City staff and charge of $20 per City "block". Weekend work may require additional charges.
Sponsor needs to stack cones at end of event

Police (Y) N **$100 per officer (minimum 4 hours)**
(Additional hours require prior approval with additional rates)

Road Closure (Y) N If yes, attach map of specific roads to be closed

Will you require city water for your event? Y (N)

Will you require city electricity for your event? Y (N)

Please provide copy of your event insurance. The City of Avon Park needs to be placed as "Additional Insured" on your policy for date of event and proof of insurance needs to be provided at least 2 weeks in advance of the event date.

Christmas Parade

November 30, 2015

⊗——⊗ = Parade route + request for road closure - East bound lane.

——→ = Detour route for east-bound traffic.

4C

September 2, 2015

Mr. Julian DeLeon
City Manager
110 E Main St
Avon Park FL 33825

Dear Mr. De Leon

Christmas on Main Street is scheduled for Monday December 7, 2015 between the hours of 6:00 and 9:00 in front of the Hotel Jacaranda.

We are requesting a permit from FDOT to close Main Street (westbound only) between North Verona Avenue and North Lake Avenue between the hours of 5:00p.m. and 10:00p.m. for this event.

We also request Law enforcement assistance with traffic control, use of trash cans placed on the mall, use of city cones to block traffic flow and possible use of the city bucket truck during the parade.

I want to thank you in advance for your consideration of this request.

Sincerely

Melissa Hayes
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

Rule 14-65.0035(1)(c), F.A.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TEMPORARY CLOSING OF STATE ROAD PERMIT

850-040-65
MAINTENANCE
12/11

Date: _____ Permit No. _____

Governmental Entity

Approving Local Government City of Avon Park Contact Person Maria Sutherland
Telephone 863-453-4411 Email sutherland@avonpark.cc

Organization Requesting Special Event

Name of Organization Avon Park Chamber of Commerce Contact Person Melissa Hayes
Telephone 863-453-3350 Email director@theapcc.net

Description of Special Event

Event Title Christmas on Main Date of Event 12/7/2015
Start Time 5 pm End Time 10 pm
Event Route (attach map) See map

Detour Route (attach map) See map

Law Enforcement Agency Responsible for Traffic Control

Name of Agency City of Avon Park

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable ☒
Copy of USCG Approval Letter Attached ☐
Bridge Location _____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator Maria Sutherland Signature [signature] Date _____
Law Enforcement Name/Title JASON LISTON, PUBLIC SAFETY DIRECTOR Signature [signature] Date _____
Government Official Name/Title JULIAN DELFOR, CITY MGR Signature [signature] Date _____

FDOT Special Conditions

_____

FDOT Authorization

Name/Title _____ Signature _____ Date _____

September 2, 2015

Mr. Julian DeLeon
City Manager
110 E Main St
Avon Park FL 33825

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I want to thank you in advance for your consideration of this request.

Sincerely

Melissa Hayes
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

City of Avon Park Event Planning Guide

Road closure Permit Application MUST be submitted at least 3 months in advance of the event.
State Road closure permits require DOT Road Closure Permit form.

Today's Date: 9/30/15

Event Organizer/Sponsor: Avon Park Chamber of Commerce

Contact information: Melisse Hayes 453-3350

Location of Event Main Street (Between N. Verona & N. Lake Ave

Date(s) 12/7/15 **Time(s) of Proposed Event:** 5pm - 10pm

Description of event: See Attached letter

Will you be requesting City staff for any of the following (circle one):

Dumpster: Y (N) **Quantity** _____

Garbage receptacles: (Y) N **Quantity** 2

Traffic Cones/ MOT: (Y) N **Quantity** 10 **

(This includes delivery, installation and pick-up of cones by City staff and charge of $20 per City "block". Weekend work may require additional charges.
Sponsor needs to stack cones at end of event

Police (Y) N **$100 per officer (minimum 4 hours)**
(Additional hours require prior approval with additional rates)

Road Closure (Y) N If yes, attach map of specific roads to be closed

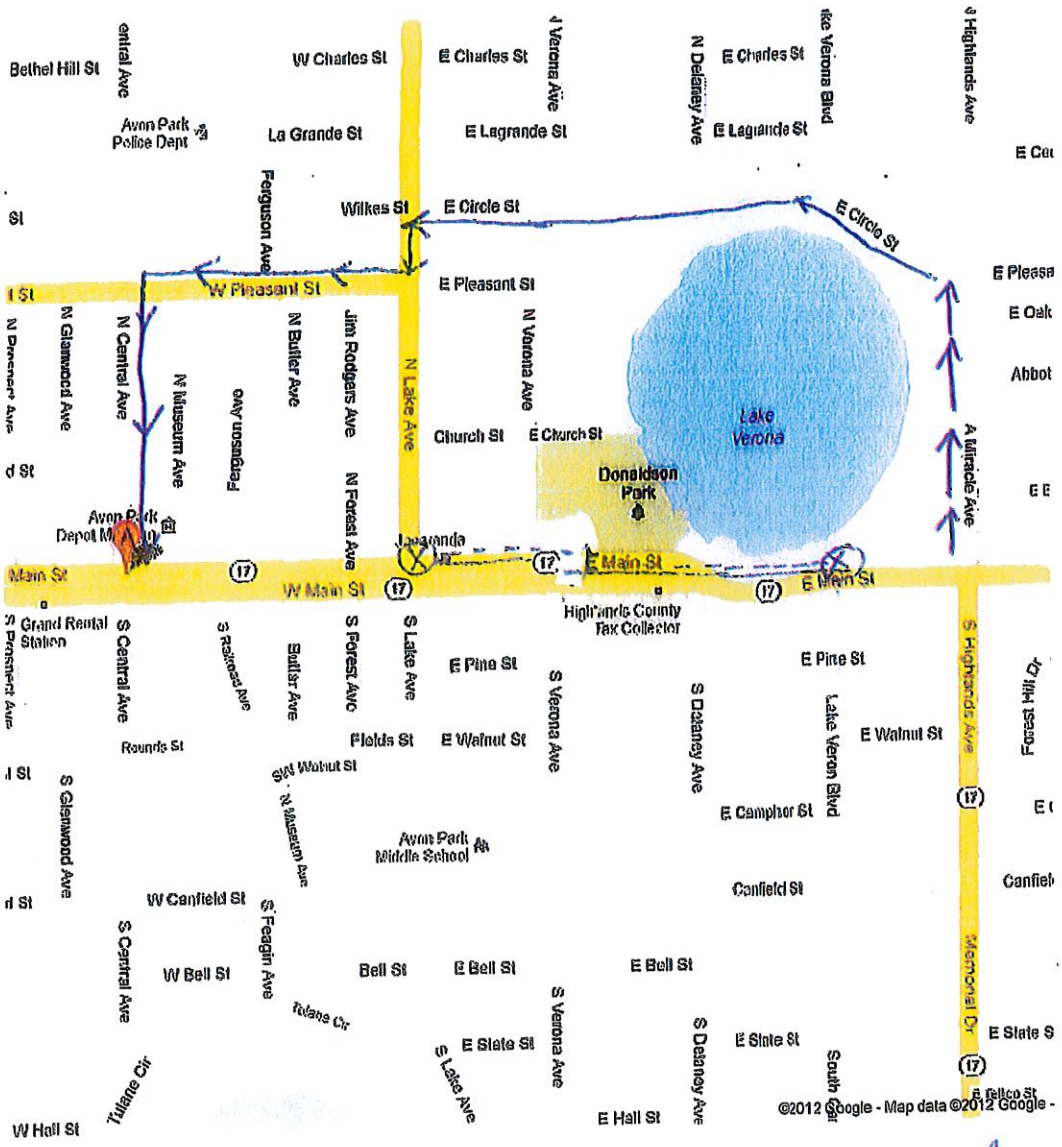
Will you require city water for your event? (N) NO

Will you require city electricity for your event? Y (N)

Please provide copy of your event insurance. The City of Avon Park needs to be placed as "Additional Insured" on your policy for date of event and proof of insurance needs to be provided at least 2 weeks in advance of the event date.

Christmas on Main St.

December 7, 2015



(X) - - - - (X) = area of St Rd 17 to be closed (west bound only)

→ = Detour Route

4D

September 2, 2015

Mr Julian DeLeon
City of Avon Park
110 E Main ST
Avon Park FL 33825

Dear Mr DeLeon,

The Avon Park Chamber of Commerce requests the City council's consideration on the following items we feel will promote a successful 36th Annual "Springtime on the Mall" festival to be held March 18 & 19, 2016.

The following Items are requested:

1. Permission to hold the 36th Annual Mall Festival, Friday, March 18, 2016 from 9:00am - 5:00 pm and Saturday, March 19, 2016 from 9:00 -4:00pm. Set-up time will start at 5:00am Friday.
2 We would request the city to obtain a permit from FDOT to close the inside lanes traveling East and West on Main Street between Central Avenue and Delaney Avenue.
3 We also request the crossovers between Central Avenue and Delaney Avenue to be closed to promote safety.
4 Trash receptacles placed in appropriate areas to keep the Mall clear of trash with scheduled pick-up each day of the festival.
5 Law enforcement cooperation with traffic control
6 APCI work crew to clean up trash Monday morning following the festival.
7 Permission to park recreational vehicles for vendors in the Union Congregational Church parking lot on Pleasant Street, Thursday night March 17, 2016 and Friday night March 18, 2016. The vehicles will leave Saturday at the end of the festival.

We want to thank you for your consideration of this request and welcome the City of Avon Park's participation in the 36th Annual "Springtime on the Mall".

Sincerely

Melissa Hayes
Executive Director

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

Rule 14-65.0035(1)(c), F.A.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TEMPORARY CLOSING OF STATE ROAD PERMIT

850-040-65
MAINTENANCE
12/11

Date: _____ Permit No. _____

Governmental Entity

Approving Local Government: City of Avon Park Contact Person: Maria Sutherland
Telephone: 863-452-4411 Email: sutherland@avonpark.cc

Organization Requesting Special Event

Name of Organization: Avon Park Chamber of Commerce Contact Person: Melissa Hayes
Telephone: 863-453-3350 Email: director@theapcc.net

Description of Special Event

Event Title: Spring Time on the Mall Festival Date of Event: 3/18 - 3/19, 2016
Start Time: 9 am End Time: 5 pm
Event Route (attach map): See map

Detour Route (attach map): See map

Law Enforcement Agency Responsible for Traffic Control

Name of Agency: City of Avon Park

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable [X]
Copy of USCG Approval Letter Attached [ ]
Bridge Location _____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator: Maria Sutherland Signature: [signature] Date: _____
Law Enforcement Name/Title: Jason Liston, Public Safety Director Signature: [signature] Date: _____
Government Official Name/Title: Julian Delfer, City Mgr Signature: [signature] Date: _____

FDOT Special Conditions

_____

FDOT Authorization

Name/Title _____ Signature _____ Date _____

September 2, 2015

Mr Julian DeLeon
City of Avon Park
110 E Main ST
Avon Park FL 33825

Dear Mr DeLeon,

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7 Permission to park recreational vehicles for vendors in the Union Congregational Church parking lot on Pleasant Street, Thursday night March 17, 2016 and Friday night March 18, 2016. The vehicles will leave Saturday at the end of the festival.

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Sincerely

Melissa Hayes
Executive Director

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

City of Avon Park Event Planning Guide

Road closure Permit Application MUST be submitted at least 3 months in advance of the event.
State Road closure permits require DOT Road Closure Permit form.

Today's Date: 9/30/15

Event Organizer/Sponsor: Avon Park Chamber of Commerce

Contact information: Melisse Hayes 453-3350

Location of Event Main Street - See Attached

Date(s) Fri 3/18 - Sat 3/19/16 **Time(s) of Proposed Event:** 3/18 9AM - 3/19 5pm

Description of event: See Attached letter

Will you be requesting City staff for any of the following (circle one):

Dumpster: Y (N) **Quantity** _____

Garbage receptacles: (Y) N **Quantity** 10

Traffic Cones/ MOT: (Y) N **Quantity** 75 ** 7
(This includes delivery, installation and pick-up of cones by City staff and charge of $20 per City "block". Weekend work may require additional charges.
Sponsor needs to stack cones at end of event

Police Y (N) **$100 per officer (minimum 4 hours)**
(Additional hours require prior approval with additional rates)

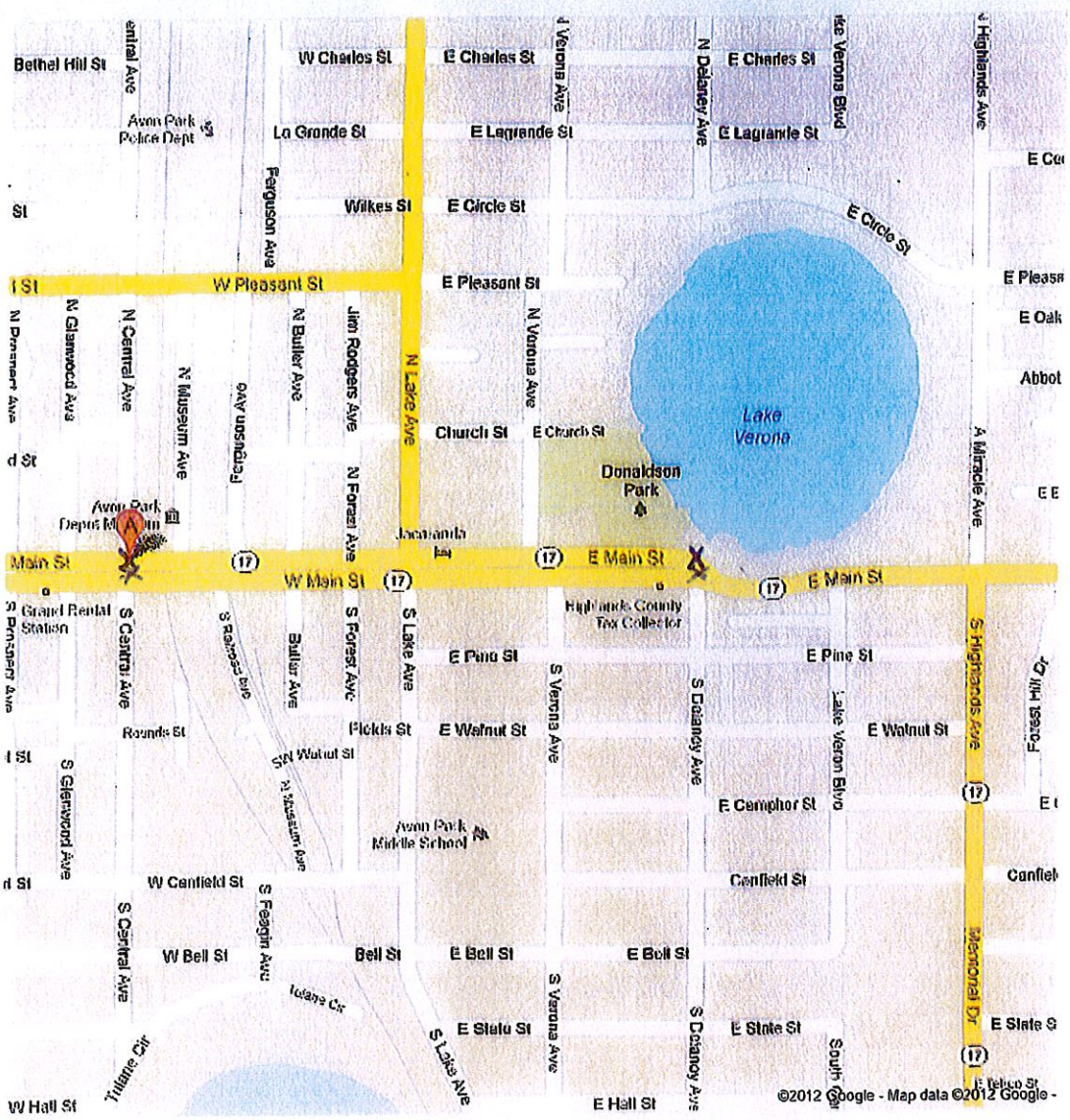
Road Closure (Y) N If yes, attach map of specific roads to be closed

Will you require city water for your event? Y (N)

Will you require city electricity for your event? Y (N)

Please provide copy of your event insurance. The City of Avon Park needs to be placed as "Additional Insured" on your policy for date of event and proof of insurance needs to be provided at least 2 weeks in advance of the event date.

Mall Festival, March 18 + 19, 2016



Inside lanes between Central Ave. and Delaney Ave. will be closed, as well as the crossovers located at Central Ave + Delaney Ave.
(No detour route needed)

C5

CITY COUNCIL SPECIAL MEETING MINUTES
City Community Center
310 W. Main Street, Avon Park
September 25, 2015
6:00 PM

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles Councilman Parke Sutherland Councilman Terry Heston, Councilman Garrett Anderson
Members Absent: None

Others Present: City Manager Julian Deleon, Administrative Services Director/City Clerk Maria Sutherland, Attorney Gerald T. Buhr, Members of Press and Audience.

Mayor Sharon Schuler called the meeting to order at 6:15 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

CITIZENS/OUTSIDE AGENCIES

City Clerk Maria Southerland, made an announcement regarding the Fall Festival on October 2nd and 3rd. She stated the Main Street would be closed off from Central Ave. to Verona, but there would be plenty of parking on side streets.

City Manager Julian Deleon stated that he had heard from FDOT, and Avon Park was going to be part of their road way system.

CONSENT AGENDA

Approve Regular Meeting Minutes, September 14, 2015
Approve Special Meeting Minutes September 22, 2015.
Councilman Garrett Anderson had some questions regarding the minutes.
Motion by Councilman Deputy Mayor Brenda Giles, Seconded by Councilman Parke Sutherland to approve consent agenda as presented by City Manager Julian Deleon. Motion passed 4 to 1 with Councilman Garrett Anderson voting no.

ADMINISTRATIVE:

SECOND PUBLIC HEARING TO ADOPT MILLAGE RATE AND FISCAL YEAR 2015-2016 BUDGET:

Resolution 15-22 Final Millage Rate:

City Attorney Gerald Buhr read Resolution 15-22 setting the Final Millage Rate into the record.
Mayor Sharon Schuler opens the public hearing. Seeing no show of hands she closed the public hearing.
Motion made by Councilman Parke Sutherland, Seconded by Councilman Terry Heston to approve Resolution 15-22 as presented. Motion passed unanimously.

SECOND READING ORDINANCE 18-15 ADOPTING FINAL BUDGET FOR 2015-2016 FISCAL YEAR.

Mayor Sharon Schuler stated that before she opened the public hearing, that the Fire Assessment would be addressed at the Special Meeting On October 14, 2015. Also that this was a public hearing on the budget only and asked that anyone that wanted to speak address the Council.
Mayor Schuler then opened the Public Hearing.
Several Residents and Non Residents addressed the Council regarding the Fire Assessment. They also questioned the methodology that Burton and Associates had used. It was explained that on October 14, 2014, all of this would be discussed and Chris Roe, would be present either by phone or in person. It was also explained that the budget could be passed, and after the Public Hearing on the Fire Assessment on October 14, 2015, it could be adjusted to make sure the Fire Dept. is fully funded. Mayor Schuler stated that the Council and listened and heard all the concerns of the Citizens of Avon Park, and realized that no one wanted to lose the Fire Dept. After more comments, Mayor Schuler closed the Public Hearing. This turned back to the City Council to address the issues. Deputy Mayor Brenda Giles addressed questions and concerns that were brought up by the speakers. She went over minutes from previous meetings showing how much the fire assessment was and how many firefighters were employed.
Councilman Garrett Anderson questioned some line items in the Budget. He asked can they use F.B.R. out of reserves, or infrastructure. City Attorney Gerald Buhr will do some research on the infrastructure. Councilman Anderson also questions $600,000. For the CRA and the Brickell Building. He also questions other projects that were being done in the City.
Motion made by Councilman Garrett Anderson to guarantee that there would be $253,000. To keep 15 full time firefighters employed full time. Motion died for lack of second.
After further discussion, with Councilman Parke Sutherland stating that he felt the staff had been doing a good job and if City Manager Deleon ever decided to leave, it would take a lot of the contingency fund to hire another City Manager, because City Manage Deleon could stamp engineering drawings because he had an engineering degree. He stated that they should go back and look and how much money was spent for an engineering firm to stamp drawing before City Manager Deleon was hired.
Motion made by Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to approve Ordinance 18-15 as presented as this time. Motion passed 4 to 1 with Councilman Garrett Anderson voting no.

City Manager Julian Deleon stated that we had annexed and could annex more property to offset the cost of the fire assessment.

UTILITY FEES;

Councilman Garrett Anderson had asked that this item be put on the agenda. He was concerned about the way the late fees were handled. City Manager stated in the case of Mr. Bennett, staff had made a mistake and charged late fees for garbage fees. We are not supposed to charge late fees on garbage fees, because garbage fees are not waived when someone moves out of the house. The Garbage truck goes by a house and the drives has no idea if anyone lives there or not. So the cost is the same. Councilman Anderson wanted to adopt a policy to put a cap on garbage fees.
Motion made by Councilman Garrett Anderson to put a year cap on garbage fees, when someone does not pay the bill. Motion died for lack of second.

There question brought up regarding the Public Safety Directors' qualifications.

Meeting was adjourned at 8:25 PM

ATTEST:

Maria Sutherland, City Clerk

Sharon Schuler, Mayor

C-6

CITY COUNCIL SPECIAL MEETING MINUTES
Council Chambers – 123 E Pine St., Avon Park, Fl.
October 2, 2015

Members Present: Mayor Sharon Schuler, Deputy Mayor Brenda Giles, Councilman Parke Sutherland, Councilman Terry Heston, Councilman Garrett Anderson

Members Absent: None

Others Present: City Manager Julian Deleon, Administrative Services Director /City Clerk Maria Sutherland, and Members of the audience.

Mayor Sharon Schuler called the meeting to order at 8:00 A.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

Motion made by Deputy Mayor Brenda Giles, Seconded by Councilman Terry Heston to allow City Attorney Gerald Buhr not attend this Special Meeting. Motion passed unanimously.

Ordinance 25-14: An ordinance amending Code to consume alcohol on Public Property. City Clerk Maria Sutherland read the Ordinance into the record. She explained exempting those events being held in compliance with a special event agreement between the City and organizing entity or between City and Civic Center user agreement.

Motion made by Councilman Terry Heston, Seconded by Deputy Mayor Brenda Giles to approve Ordinance 25-14 as presented. Motion passed 4 to 1 with Councilman Garrett Anderson voting no

Meeting adjourned at 8:10 A.M.

Attest:

Maria Sutherland, City Clerk

Sharon Schuler, Mayor

E-7

September 28, 2015

Mr. Julian Deleon, City Manager
City of Avon Park
110 E. Main Street
Avon Park, FL 33825

Via Email

RE: Planning Advisory Services Contract

Dear Mr. Deleon:

Enclosed please find a Planning Advisory Services (PAS) Contract for the CFRPC to provide professional planning services to the City of Avon Park for the 2015-2016 Fiscal Year. This contract is consistent with our summer 2015, funding request of $20,000 to provide PAS.

- The PAS Contract is for $20,000 and includes continued professional planning services to the City as indicated in Attachment A, I-III of the contract including but not limited to:

  - Assistance with comprehensive plan amendments, rezonings, and large project review, subdivision review;
  - Minor revisions to the Land Development Regulations;
  - Comprehensive mapping services.

Please contact me if you have any questions or concerns regarding the enclosed contract. In order for the CFRPC to provide these services in the new fiscal year, we request that the City execute these contracts by October 16, 2015.

Please sign two copies of the enclosed contract and return them to the CFRPC to my attention. We will return one original to your attention following signature of the CFRPC officials.

We greatly appreciate the opportunity to be of service to the City of Avon Park.

Sincerely,

Jennifer J. Codo-Salisbury

Jennifer Codo-Salisbury, MPA, AICP
Planning and Administrative Director

Attachment: Planning Advisory Services (PAS) Contract

PLANNING ADVISORY SERVICES AGREEMENT

with the

CITY OF AVON PARK

THIS AGREEMENT is made and entered into this _____ day of _____, 2015, by and between the **Central Florida Regional Planning Council** (hereinafter referred to as the "COUNCIL") and the **City of Avon Park** (hereinafter referred to as the "CITY").

BACKGROUND

A. The CITY desires to engage the COUNCIL to provide professional planning services to assist the CITY in complying with the requirements of growth management laws; to provide technical assistance to the Planning and Zoning Board, elected officials, and CITY staff members on the evaluation and processing of land development proposals; and to maintain the Comprehensive Plan, Future Land Use Map, Unified Land Development Code, and Official Zoning Map; all of which is detailed in Attachment A, I-III – Scope of Work, and is a part of this Agreement.

B. The COUNCIL desires to provide such professional services in accordance with this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto do mutually agree as follows:

I. GENERAL

The CITY engages the COUNCIL to assist the CITY in fulfilling the requirements of Chapter 163, Florida Statutes and all relevant amendments to these statutes, and any other pertinent state law or rule related to Growth Management; and the COUNCIL shall provide the professional services required under this Agreement with the CITY.

II. SCOPE OF WORK

The COUNCIL shall perform, in a satisfactory and proper manner, the work and services detailed in Attachment A - Scope of Work, and shall satisfy all requirements of the guidelines specified therein.

III. COMPENSATION

This is a fixed fee agreement. The fixed fee for General Planning Services (I-III in Attachment A) is **$20,000 (twenty thousand dollars)**. As consideration for performance of all work rendered under this Agreement, the CITY agrees to pay a fixed fee for both the Generalized Planning Services of **$20,000 (twenty thousand dollars)** to be paid in four (4) payments, beginning October 16, 2015 with a final payment due July 1, 2016. Payment shall be made upon receipt of an acceptable completed invoice from the COUNCIL, which shall be presented to the CITY. Payments will be due as follows:

October 16, 2015	$5,000
January 1, 2016	$5,000
April 1, 2016	$5,000
July 1, 2016	$5,000

All fees and payments for additional Scope of Work, if required, shall be negotiated.

IV. PERIOD OF AGREEMENT

The services of the COUNCIL are to commence upon execution of this agreement.

V. MODIFICATION OF AGREEMENT

A. Either party may request changes in the services or Scope of Work to be performed by the COUNCIL pursuant to this Agreement, including adjustments in the funds provided under the Agreement if necessary and appropriate. Such changes mutually agreed upon by and between the CITY and the COUNCIL shall be incorporated in written amendments to this Agreement signed by both parties.

B. Any extensions of the Agreement shall be mutually agreed upon by and between the CITY and the COUNCIL and shall be incorporated in written amendments to this Agreement signed by both parties.

VI. TERMINATION

A. This Agreement may be terminated by the written mutual consent of the parties.

B. Either party may terminate this Agreement upon written notice of thirty (30) days. Written notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery.

C. In the event the Agreement is terminated, the COUNCIL shall be reimbursed in the amount commensurate with the work satisfactorily accomplished on the effective date of termination.

VII. COMPLIANCE WITH LAWS

The COUNCIL warrants, represents, and agrees that it will comply with all federal, state, and local laws, rules, and regulations applicable to the fulfillment of the requirements of this Agreement.

VIII. PERSONNEL

A. The COUNCIL represents that it has, or will secure at its own expense, personnel necessary to perform the services under this Agreement.

B. The COUNCIL shall continuously staff the project with personnel as deemed necessary by the COUNCIL to fulfill its obligations under this Agreement. Qualified persons may be added, deleted, or substituted at any time during the period of this Agreement, as the COUNCIL may deem necessary or appropriate.

IX. DATA TO BE FURNISHED TO COUNCIL

Upon reasonable request of the COUNCIL, the CITY shall provide to the COUNCIL, at no cost, all information, data reports, records, and maps in its possession, or which become available to it, that are necessary for the execution of work of the COUNCIL under this Agreement.

X. RIGHT TO WORK PRODUCTS

Copies of all work products shall become the property of the CITY.

XI. ASSIGNMENT

This Agreement shall not be assignable.

XII. TERMS AND CONDITIONS

This Agreement and attachments incorporated by reference constitute all the terms and conditions agreed upon by the parties.

IN WITNESS WHEREOF, the CITY and the COUNCIL have caused this Agreement to be executed by their undersigned officials as duly authorized.

CITY OF AVON PARK

By: _____

_____
Witness

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

By: _____
Patricia M. Steed, Executive Director

_____
Witness

Approved as to legal form and sufficiency:

_____
City Attorney

_____
Council Attorney

Attachment A

City of Avon Park
SCOPE OF WORK FOR FY 2015-2016

GENERAL PLANNING SERVICES

I. GROWTH MANAGEMENT ADMINISTRATION

A. The COUNCIL shall advise and assist the CITY in the preparation of small scale and large scale Comprehensive Plan amendments made necessary by annexations, citizen requests, State statute changes, and CITY initiated requests.

B. The COUNCIL shall provide technical assistance to the elected officials, Planning and Zoning Board and CITY staff members on the evaluation and processing of land development proposals (i.e., comprehensive plan amendments, zoning applications, subdivision plats, site plans, etc.).

C. The COUNCIL shall provide technical assistance on occasional and minor revisions to the Land Development Regulations.

D. The COUNCIL shall prepare the staff portion of the Planning and Zoning Board agenda packets, coordinate with the Planning and Zoning Board members to schedule meetings, and attend the CITY Planning and Zoning Board meetings.

E. The COUNCIL shall coordinate training sessions on State statute and rule changes that effect the CITY'S compliance with Chapter 163, F.S., as necessary.

II. ROUTINE MAPPING (ON GIS BASE MAP)

A. The COUNCIL shall prepare updates to the Map Series for the Comprehensive Plan made necessary by annexations, land use changes and text amendments.

B. The COUNCIL shall prepare updates to the Official Zoning Map made necessary by annexations, requests for re-zonings and Comprehensive Plan amendments.

III. LARGE SCALE PLAN REVIEW

The COUNCIL shall advise and assist the CITY on matters concerning the review of proposed large scale development projects on such subjects as, (a) the contents of proposed plans, (b) the processes for development review, (c) the integration of the development and its infrastructure plans into the CITY'S Comprehensive Plan, (d) coordination of review and (e) consistency with the Land Development Regulations and Comprehensive Plan.

Agenda Item Summary
October 12, 2015

Subject: Brickell Building Transfer from City to Main Street CRA

Item No. E-8

Placed on Agenda by: **Maria Sutherland**

Total Amount of Project:

Staff Review: Yes

Attorney Review: **Yes**

Background:
Initially, the Brickell Building was purchased from Infrastructure. At that time, the impression was that another government unit would rehabilitate the building. Based on Council's direction, the Brickell advisory committee was formed to create a marketing solution for private/public development of the Brickell building. Based on discussions and the new vision, the infrastructure fund is not to be utilized for the purchase. Instead the CRA will "redevelop" the building and market the building as individual units.

Attached for your consideration, please find the quit claim deed required for the CRA to attain ownership of the building. The Main Street CRA purchased the building from the City through an interfund loan from the General Fund to the Main Street CRA, where repayment begins next fiscal year.

This instrument prepared by and return to:
Tabitha S. Etlinger, Esq.
SAXON GILMORE & CARRAWAY, P.A.
201 East Kennedy Boulevard, Suite 600
Tampa, Florida 33602

Property Tax Folio No. A223328-01004200040

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED is made as of this ____ day of _____, 2015, by the **City of Avon Park,** a Florida municipal corporation, whose address is 110 E. Main Street, Avon Park, Florida 33825 ("Grantor"), to the **Community Redevelopment Agency of the City of Avon Park, Florida**, a public body corporate and politic, created pursuant to §163.356, Florida Statutes, whose address is 110 E. Main Street, Avon Park, Florida 33825 ("Grantee").

Witness that Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, grants, bargains, and quit-claims to Grantee, all of the estate, right, title, lien, equity, interest, claim, and demand which Grantor has in and to all of that certain real property located in Highlands County, City of Avon Park, Florida, and described in **Exhibit A**, attached hereto and incorporated herein by reference.

> **THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH REPORT OR SURVEY, WHICH WOULD SHOW MARKETABILITY OF TITLE, ENCROACHMENTS, EASEMENTS, AND OTHER MATTERS.**

together with all the improvements thereon, and all easements, appurtenances, and fixtures which are a part thereof. TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of Grantor, either in law or equity unto Grantee and Grantee's successors, legal representatives and assigns, to their proper use, benefits and behoof, in fee simple, forever.

IN WITNESS WHEREOF, Grantor has signed, sealed, and delivered this Deed the day and year first above written.

GRANTOR:

Attested by:_____
Maria Sutherland, City Clerk

CITY OF AVON PARK, FLORIDA

By: _____
Sharon Schuler, Mayor

APPROVED AS TO FORM AND CONTENT

_____
Gerald T. Buhr, City Attorney

Exhibit A

Legal Description

A portion of Lot 5 and a portion of the West 110.00 feet of Lot 4, Block 42, TOWN OF AVON PARK in Section 22, Township 33 South, Range 28 East, as recorded in Plat Book 1, Page 58, of the Public Records of Desoto County, Florida, of which Highlands County was formerly a part, more particularly described as follows:

Commence at the Southwest corner of said Lot 5; thence run South 89° 19' 17" East along the South line of said Lot 5 for 80.00 feet to the POINT OF BEGINNING: Thence North 00° 05' 41" East for 55.76 feet; thence North 89° 45' 03" West for 7.80 feet; thence North 00° 05' 41" West for 27.62 feet; thence North 89° 41' 28" West for 12.00 feet; thence North 00° 05' 41" East for 74.84 feet; thence South 89° 35' 12" East for 1.10 feet; thence North 00° 05' 41" East for 11.35 feet; thence North 89° 54' 19" West for 4.90 feet; thence North 00° 05' 41" East for 8.80 feet; thence North 89° 54' 19" West for 38.70 feet; thence North 00° 05' 41" East for 4.10 feet; thence North 89° 54' 19" West for 17.70 feet to the West line of said Lot 5; thence North 00° 05' 41" East, along said West line, for 88.06 feet to the Northwest corner of said Lot 5; thence South 89° 43' 01" East along the North line of said Lot 5 and a portion of Lot 4 for 145.23 feet; thence South 00° 16' 59" West along a common line between a two story and one story building, for 75.57 feet; thence South 89° 43' 01" East for 43.42 feet; thence South 00° 05' 01" West for 25.56 feet; thence South 89° 43' 01" East for 41.85 feet to a point 10.00 feet West of the East line of said Lot 4; thence South 00° 05' 18" West and parallel to said East line of Lot 4, for 170.24 feet to the South line of said Lot 4; thence North 89° 19' 17" West along the South line of said Lots 4 and 5 for 150.26 feet to the POINT OF BEGINNING.

The above described parcel of land is subject to a non-exclusive easement for ingress and egress described as follows: Commence at the Southwest corner of Lot 4, common with the Southeast corner of Lot 5, of Block 42, TOWN OF AVON PARK in Section 22, Township 33 South, Range 28 East, as recorded in Plat Book 1, Page 58, of the Public Records of Desoto County, Florida, of which Highlands County was formerly a part; thence run South 89° 19' 17" East along the South line of said Lot 4 for 12.00 feet to the POINT OF BEGINNING; thence North 00° 05' 18" East for 110.38 feet; thence North 45° 00' 00" East for 36.44 feet; thence North 00° 05' 01" East for 58.85 feet; thence South 89° 43' 01" East for 30.42 feet; thence South 00° 05' 01" West for 25.56 feet; thence South 89° 43' 01" East for 41.85 feet; thence South 00° 05' 18" West for 54.00 feet; thence South 89° 43' 01" West for 64.70 feet; thence South 45° 00' 00" West for 18.83 feet; thence South 00° 05' 18" West for 102.22 feet to the South line of said Lot 4; thence North 89° 19' 17" West along said South line of Lot 4, for 20.00 feet to the POINT OF BEGINNING.

Agenda Item Summary

Subject: Bid 101-15 Award for Knuckle boom truck

Item No. E-9

Placed on Agenda by: **City Manager**

Total Amount of Project: $136,967

Staff Review: Yes

Attorney Review: **Yes**

Recommended Motion(s): Motion to authorize the purchase of a new Knuckle boom truck from Orlando Freightliner.

Approval

Background: The City advertised Bid 101-15. Below are the pricing results.

Lou Backrodt	$136,911	Pompano/Lake Wales
Orlando Freightliner	$136,967	Orlando/Lake Wales
JML Equip	$139,366	Orlando/Lake Wales

Staff recommends award to Orlando Freightliner. They are already setup as a vendor, and warranty issues would be better served in Orlando, rather than Pompano Beach.

Attachments: Bids can be reviewed at the City Clerk's Office

E-10

ORDINANCE 23-15

AN ORDINANCE TO ANNEX APPROXIMATELY 39 ACRES OF LAND OWNED BY CREWS GROVES, INC, LOCATED AT 1900 LITTLE LAKE BONNETT RD, INTO THE CITY OF AVON PARK, HIGHLANDS COUNTY, FLORIDA, PROVIDING FOR FINDINGS OF APPROPRIATENESS OF THE ANNEXATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Avon Park, Florida is a duly incorporated municipality under the laws of the State of Florida; and

WHEREAS, Crews Groves, Inc is the owner as shown by the legal description attached hereto as Exhibit "B"; and

WHEREAS, the City of Avon Park, would like to incorporate the property, described in Exhibit "B" into the City limits of the City of Avon Park, Florida, as shown by the map, Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the City has an Annexation Agreement signed by Crews Groves, Inc, attached hereto and incorporated herein as Exhibit "C"; and

WHEREAS, the City of Avon Park, Florida, finds that the property is contiguous to the existing City Limits as required by Florida Statutes Section 171.044, and has the authority to annex this property; and,

WHEREAS, the City of Avon Park, Florida deems it to be in the best interest of the citizens of the City of Avon Park, Florida, and those entitled to its services, that an Ordinance be passed for the purposes of annexing the said property; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA;

Section 1. Property Suitable for Annexation. The City Council finds that the property is substantially contiguous to the existing city limits, and is otherwise capable of being lawfully annexed into the City.

Section 2. Property Annexed. That the parcel of land with the legal description identified in Exhibit "B" attached hereto and incorporated herein, is hereby voluntarily annexed into the City of Avon Park, Florida, pursuant to Statute 171.044 F.S. The property being annexed is shown on the map attached as Exhibit "A". The City boundaries are hereby redefined so as to include the said described parcel of land.

Section 3. **Effective Date.** This ordinance shall take effect immediately after passage.

INTRODUCED AND PASSED on First Reading the _____ day of _____, 2015.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AVON PARK, FLORIDA ON THE _____ DAY OF _____, 2015.

CITY OF AVON PARK, FLORIDA

_____
Sharon Schuler, Mayor

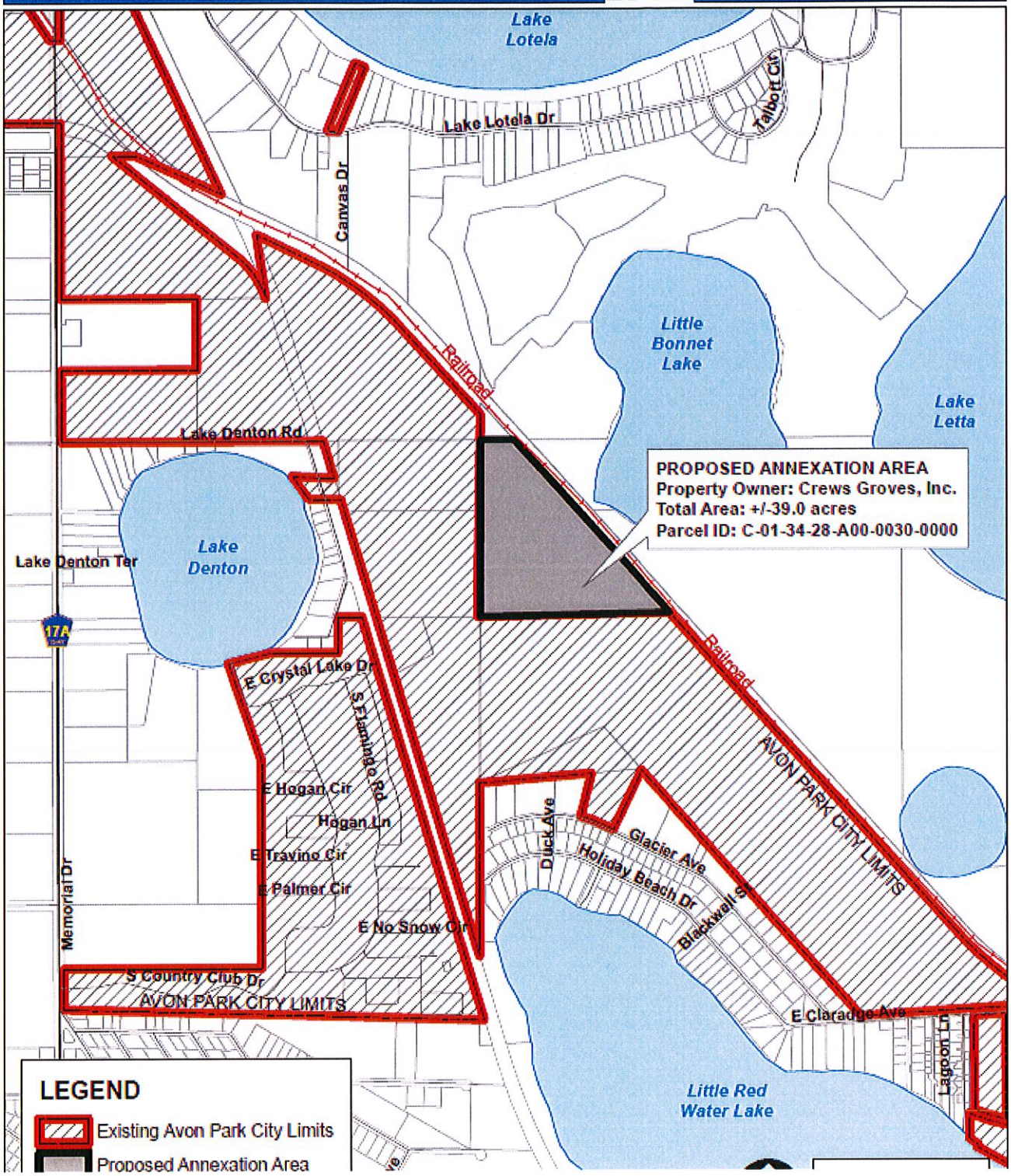
ATTEST:

_____
Maria Sutherland, Adm. Services Director & City Clerk

Approved as to form:

_____
Gerald T. Buhr, City Attorney

Exhibit "A": Highlands County and Avon Park Annexation Ordinance 23-15



Parcel C-01-34-28-A00-0030-0000

1900 LITTLE LAKE BONNETT RD
AVON PARK, FL 33825-

EXHIBIT-B

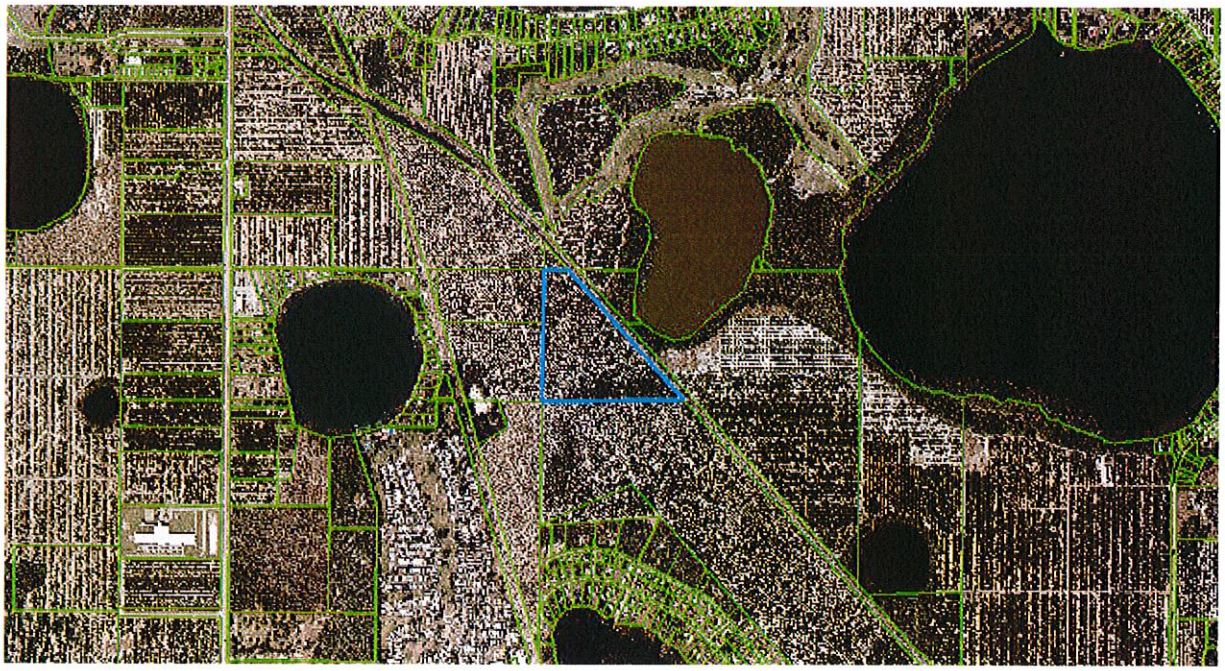
Owners:
CREWS GROVES INC

Mailing Address
P O BOX 1669
AVON PARK, FL 33826-1669

DOR Code: 66 - GROVES/ORCHARDS
Neighborhood: 340.00 - RURAL TRACTS IN 34/28
Millage: 40 - County Southwest Water
Map ID: 46A

Legal Description

NW 1/4 OF NW 1/4 SEC 1
W OF SALRR R/W
1-34-28/3 39.25 ACRES



Value Summary

Total Building Value	$0
Total XF Value	$0
Total Land Value	$199,270
Total Land value - Agri.	$132,797
Income	NA
Total Classified Use Value	$132,797
Total Just Value	$199,270

EXHIBIT "C"

THIS INSTRUMENT PREPARED BY AND SHOULD BE RETURNED TO:

Utility Billing Department
Savitri Latchmansingh
City of Avon Park, Florida
110 East Main Street
Avon Park, FL 33825
(863) 452-4403

For Recording Purposes Only

AGREEMENT TO ANNEX PROPERTY

This Agreement is executed on this 28th day of September, 2015, by Crews Groves, Inc, whose address is P O BOX 1669, AVON PARK, FL 33826-1669 and his /her successors and assigns heirs and personal representatives (hereinafter collectively referred to as "Owner"), for and in favor of the City of Avon Park whose business address is 110 East Main, Avon Park, Florida 33825, and its successors and assigns (hereinafter referred to as "City").

WITNESSETH

Owner, for and in consideration of the receipt of utility service, and Rezoning initiated by the City, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby agree and covenant to annex the property described below ("Property"), into the boundaries of the City.

Parcel C-01-34-28-A00-0030-0000

1900 LITTLE LAKE BONNETT RD
AVON PARK, FL 33825-

Legal Description

NW 1/4 OF NW 1/4 SEC 1
W OF SALRR R/W
1-34-28/3 39.25 ACRES

Owner petitions to voluntarily annex the Property when annexation of the Property is deemed lawful by the City in its sole discretion. The City would not otherwise provide utility service to the Owner but for the expectation that the Property would be annexed when it deems such annexation is lawful. Owner, and any successors, assigns by way of sale of the whole Property, parcels of property, sale of lots through subdivision or any other portion of the Property, all agree to voluntarily allow annexation by the City, and shall execute any documents necessary to accomplish that annexation into the City, and shall in no way hinder or delay such annexation. Owner understands that this

Agreement is perpetual, and is not revocable, and binds the Owner, his/her successors, assigns, heirs and personal representatives. It is expressly understood and agreed that the terms, covenants, and conditions of this Agreement shall be and constitute covenants running with and binding on the property described below including any lots or parcels resulting from subdividing, and shall constitute an obligation on any such individual subdivided lots or parcels, regardless of title or ownership and regardless of any other future changes in ownership or characteristics that may take place.

Owner agrees that if Owner breaches this Agreement, the City's loss of potential future taxes from Owner's project and future annexations based from Owner's parcel would be substantial, and agrees that the City would be entitled to damages for such losses, along with all legal and equitable remedies available under the law, as well as all attorney fees and costs, including without limitation paralegals and expert witnesses, and including appellate attorney fees and costs.

Signed, sealed and delivered before these witnesses:

Sue Walker
(Signed)

Sue Walker
(Printed)

Christy F Crews
(Signed)

Christy F Crews
(Printed)

OWNER:

Crews Groves, Inc.

By: Robert C Crews President

OWNER:

_____

By: _____

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this 28th day of September, 20 15, before me, an officer duly qualified to take acknowledgments, personally appeared Robert C Crews Jr. He is known to me know or who produced _____ as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESSETH my hand and official seal in the state and county named above.

BETTY SUE WALKER
MY COMMISSION # FF 167304
EXPIRES: April 28, 2016
Bonded Thru Notary Public Underwriters

Seal

Notary Public, State of Florida

Signature: Betty Sue Walker
Printed name: Betty Sue Walker
Commission No. FF 167304 My Commission Expires: April 28, 2016

STATE OF FLORIDA
COUNTY OF HIGHLANDS

I HEREBY CERTIFY that on this _____ day of _____, 20_____, before me, an officer duly qualified to take acknowledgments, personally appeared _____. He is known to me know or who produced _____ as identification and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESSETH my hand and official seal in the state and county named above.