# City of Bartow
# City Commission

# POLICIES AND PROCEDURES

APPROVED August 2, 2021
REVISED June 5, 2023
PRINTED December 17, 2024

## COMMISSION MEETING PROTOCOL AND PROCEDURES

The following Meeting Procedures were approved by the Commission to provide civility and respect to all citizens, Commission members and City staff. The procedures apply to both Work Sessions and Regular Commission Meetings.

1. Each speaker shall provide his/her name and address to the City Clerk prior to the beginning of the meeting, if possible, before addressing the Commission.

2. Those who wish to speak are ***ENCOURAGED*** to do so at the appropriate time on the agenda.

3. Comments pertaining to ordinances shall be made ***ONLY*** at the proper time after the reading of such ordinances.

4. Only speakers addressing the Commission from the podium will be acknowledged.

5. Each speaker will be allowed a maximum of three (3) minutes to speak, except for presentations authorized by the Commission. In the event of many speakers, said speakers may be limited to a lesser number of minutes. Those speakers exceeding the maximum number of minutes may be called "out of order" by the Mayor and requested to return to their seats.

6. While speaking, speakers shall refrain from personal attacks, abusive language, issues in litigation or under investigation, and issues that the Commission deems to be inappropriate.

7. Individuals may provide comments during Commission work sessions ***ONLY*** when recognized by the Mayor or Commission. Those allowed to comment will be subject to the same limit imposed during regular meetings.
8. Public documents discussed or referred to during any Commission meeting or work session is available through the City Clerk's Office.

THE INTENT OF THESE POLICIES IS NOT TO CONFINE OR DISTRACT FROM THE PARTICIPATION OF OUR CITIZENS IN THE DEMOCRATIC PROCESS, BUT ONLY TO PROVIDE STRUCTURE THROUGH GUIDELINES TO THAT PROCESS.

(These Meeting Procedures shall be printed on the back of all City Commission agendas made available to the public.)

## COMMITTEE/BOARD APPOINTMENT AND REAPPOINTMENT PROCEDURES

The Commission appoints citizens to Boards and Committees with various qualification requirements and terms of service. To ensure appointments are made in a timely manner, the City Clerk's Office will keep the Commission informed of expirations of members' terms and resignations.

CITY OF BARTOW

**CITY COMMISSION REGULAR MEETING**

MONDAY, DECEMBER 16, 2024 AT 6:00 P.M. (EST)

OR AS SOON THEREAFTER AS POSSIBLE

CITY HALL COMMISSION CHAMBERS, 450 NORTH WILSON AVE., BARTOW, FL 33830

**AGENDA**

1. CALL TO ORDER

2. INVOCATION – Rev. Barry Gray, First Presbyterian Church

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PROCLAMATIONS AND SPECIAL PRESENTATIONS - NONE

5. GENERAL PUBLIC COMMENT – At this time, the Commission will receive comments from the public regarding matters not appearing on this agenda.

6. CITY ANNOUNCEMENTS

7. REPORTS OF CHARTER OFFICERS

   a. City Manager Communications

      1. South Jackson Avenue Safety Study

   b. City Attorney Communications

   c. Legislative updates

      1. 2025-2026 Legislative Priorities

8. AGENDA MODIFICATION/APPROVAL

9. PUBLIC COMMENT ON AGENDA ITEMS – At this time, the Commission will receive comments from the public regarding matters that appear on this agenda, not otherwise scheduled for a separate Public Hearing.

10. HEARINGS – FIRST AND SECOND READINGS AND PUBLIC HEARINGS

    a. Public hearing and final reading of Ordinance No. 2024-37 – AN ORDINANCE ANNEXING UPON THE PETITION OF THE OWNER THEREOF APPROXIMATELY 10.1 ACRES OF PROPERTY LOCATED AT 3050 HIGHWAY 60 EAST IN SECTION 3, TOWNSHIP 30S, RANGE 25E, POLK COUNTY FL; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

    b. Public hearing and final reading of Ordinance No. 2024-38 – AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT #CPA-24-06-SS"; SPECIFICALLY ASSIGNING COMMERCIAL AND CONSERVATION LAND USES TO RECENTLY ANNEXED

PARCELS OWNED BY NOW & THEN FURNITURE, LLC; TRANSMITTING SAID AMENDMENT TO FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

c. Public hearing and final reading of Ordinance No. 2024-39 – AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, REZONING APPROXIMATELY 10.1 ACRES OF LAND OWNED BY NOW & THEN FURNITURE, LLC AND LOCATED IN SECTION 3, TOWNSHIP 30 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA, AS C-3, HIGHWAY COMMERCIAL AND CONSERVATION; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

d. Public hearing and final reading of Ordinance No. 2024-33 – AN ORDINANCE RELATING TO WATER RATES; MAKING FACTUAL FINDINGS IN SUPPORT THEREOF; AMENDING §78-51 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW TO ADJUST WATER RATES AND SET THOSE RATES FOR THE NEXT FOUR (4) FISCAL YEARS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

e. Public hearing and final reading of Ordinance No. 2024-34 – AN ORDINANCE RELATING TO SANITARY SEWER RATES; MAKING FACTUAL FINDINGS IN SUPPORT THEREOF; AMENDING §78-121 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW TO ADJUST SANITARY SEWER RATES AND SET THOSE RATES FOR THE NEXT FOUR (4) FISCAL YEARS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

f. First reading and consideration of Ordinance No. 2025-01 – AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT #CPA-24-07-LS"; SPECIFICALLY TO CHANGE THOSE PARCELS OF LAND OWNED BY NUSTAR ENTERPRISES, INC., FROM COMMERCIAL, LOW DENSITY RESIDENTIAL AND RECREATION & OPEN SPACE TO INDUSTRIAL AND CONSERVATION; AND AMEND THE FUTURE LAND USE ELEMENT TO DELETE OBJECTIVE 2.8; TRANSMITTING SAID AMENDMENT TO THE FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

g. First reading and consideration of Ordinance No. 2025-02 – AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, REZONING APPROXIMATELY 176.2 ACRES OF LAND OWNED BY NUSTAR ENTERPRISES, INC., AND LOCATED IN SECTIONS 1 AND 12, TOWNSHIP 30 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, FROM PD, PLANNED DEVELOPMENT TO I-2, HEAVY INDUSTRIAL AND CONSERVATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

h. First reading and consideration of Ordinance No. 2025-03 – AN ORDINANCE DISCONTINUING, CLOSING AND VACATING A SEGMENT OF PLATTED RIGHT OF WAY (MAIDEN LANE) EXTENDING BETWEEN OAK AVENUE AND ORANGE AVENUE; AND LYING BETWEEN LOTS 3 AND 4; BLOCK 4; HOOKERS ADDITION; DB I, PG 433; PUBLIC RECORDS OF POLK COUNTY, FLORIDA; AND LOTS 1, 2, 7 AND 8 AND THAT PART OF CLOSED 12' ALLEY LYING BETWEEN LOTS 1 AND 2 AND 7 AND 8; BLOCK 2; THE HARVEY LAND & IMPROVEMENT CO'S SUBDIVISION; PB 1, PG; PUBLIC RECORDS OF POLK COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

## 11. CONSENT AGENDA

a. Approval of December 2, 2024 City Commission Regular Meeting minutes.

b. Approval of August 23, 2024 City Commission Special Meeting #2 minutes. *(Impact fees)*

c. Approval of July 26, 2024 City Commission Workshop minutes. *(aquatics survey results)*

d. Approval to ratify election of Gordon Green as Chair and Anthony Ghent as Vice Chair of the Bartow Community Redevelopment Agency for FY 2024-2025.

e. Approval of Amended and Restated Interlocal Agreement between the Bartow Community Redevelopment Agency and the City of Bartow for city related services.

f. Approval of Bartow Community Redevelopment Agency Project Memorandum for the Downtown District and Historic District Maintenance Plan.

g. Authorization for the Mayor to Execute Federally Funded Subaward and Grant for Hurricane Milton.

h. Approval of City Commissioner absence(s) for December 2, 2024 excusal(s): None.

## 12. OTHER COMMISSION BUSINESS

a. OLD BUSINESS – NONE

b. NEW BUSINESS

1. Consideration and approval of #S-24-17-PSP, Crown Properties Preliminary Subdivision Plat, a 36 lot, single family residential development, approximately 3.9 acres in size. The property is owned by JR Holdings Group, LLC and is located on the southwest corner of the intersection of Crown Avenue and Polk Street in Section 1, Township 30S, Range 25E, Polk County Fl.

2. Determination of procedure to appoint a new member to the Zoning Board of Adjustment for a three-year term ending November 2027.

## 13. RESOLUTIONS – NONE

## 14. COMMISSIONER COMMENTS

a. GARY BALL
b. LEO E. LONGWORTH
c. LAURA SIMPSON
d. TANYA TUCKER
e. TRISH PFEIFFER

## 15. ADJOURNMENT

Please be advised that if you desire to appeal from any decisions made because 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). The City Commission may continue the public hearing(s) to other dates and times as it deems necessary. Any interested party shall be advised that the date, time, and place of any continuation of these or continued public hearings may be announced during the hearing and that no further notices regarding this matter will be published. If you are a person with a disability who needs any accommodation 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 450 N. Wilson Avenue, P.O. Box 1069, Bartow, Florida 33831-1069 or phone (863) 534-0100 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, Bartow Public Library, the City's website: www.cityofbartow.net and Facebook page on December 12, 2024.

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# CITY OF BARTOW

Welcome to the City of Bartow's City Commission meeting. We are glad you are here and we appreciate your interest in our Community. We value your comments and participation.

To assist you in making presentations to the City Commission, please consider the following procedural guidelines.

- We do not generally allow comments during our work session unless the Mayor or Commission to clarify an item specifically asks for them. If comments are solicited, we ask you to subject yourself to a maximum three-minute comment. We ask that you be patient and save your comments for the regular Commission meeting.

- Each speaker shall provide his or her name and address to the Clerk on our Speaker's Identification form prior to the beginning of the meeting.

- We encourage you to speak and become active in your city but please do so at the appropriate time on the agenda.

- Comments on items scheduled for Public Hearing will be allowed only during the announced Public Hearing period.

- In the meeting, section titled **"Consideration of Questions from the floor, Petitions and Communications",** you may comment on any other matters, subject to a maximum time limit of three minutes to speak. In the event of a large number of speakers in a particular meeting, your time may be limited in order to allow all an opportunity to speak. Speakers going over the allotted time limit may be called out of order by the Mayor and asked to return to their seats.

- While speaking, speakers shall refrain from personal attacks, abusive language, issues in litigation or under investigation, and issues that the Commission deems as not falling within their area of responsibility.

These guidelines are intended to help us streamline our meeting time so that we may conduct business in an orderly manner on your behalf. It is not our intent to keep our citizens from participating in the democratic process.

We are glad you are here and hope you find your experience with your City Government a good one. Thank you for attending.

Cordially,

Trish Pfeiffer

Mayor Trish Pfeiffer

450 NORTH WILSON AVENUE ~ P.O. BOX 1069 ~ BARTOW, FLORIDA 33831-1069 ~ 863-534-0100

# ORDINANCE ADOPTION PROCEDURE

## First Reading of Ordinances

1. After the caption of the Ordinance is read, the motion should be to set the same for public hearing (or to continue to a time certain - in which event there shall be an immediate vote on the motion to continue; if that motion fails, the following process would continue):

2. After the motion is seconded, the Mayor announces that this is not a public hearing.

3. The Mayor then may upon call on Staff to explain the Ordinance in a reasonable length of time.

4. The City Commissioners may direct questions to Staff.

5. The Mayor asks the Clerk to call the roll for a vote. Only under extraordinary circumstances should this vote be negative (and never regarding a quasi-judicial matter, such as zonings, re-zonings, plat approvals, etc.).

## Second Reading of Ordinances

1. After the caption of the Ordinance is read, the motion should be to adopt or to defeat the Ordinance (or to continue to a time certain - in which event there shall be an immediate vote on the motion to continue; if that motion fails, the following process would continue):

2. After the motion is seconded, the Mayor announces that this is a public hearing and announces the following procedure and that it shall apply to all second readings on the Agenda:

   (a) First Staff shall explain the Ordinance.

   (b) The Applicant and/or his representatives shall then speak.

   (c) Members of the public shall have a maximum of three (3) minutes each to present their views.

   (d) A member of the public who wishes to represent more than two people may at the discretion of the Mayor or Commissioners be allowed additional time to speak.

   (e) City Commissioners may direct questions to any speaker (whose time to speak shall not be affected by the length of their answers).

   (f) Speakers should not be redundant by repeating remarks of previous speakers, although they are welcome to announce their approval of previous remarks by other speakers.

   (g) Addressing the Commissioners without being recognized, clapping, shouting, hooting and the like from the audience will not be tolerated, nor will personal attacks by speakers.

   (h) Within these parameters, everyone who wishes to speak shall be given that opportunity.

3. When all the speakers have been heard, the Mayor closes the public hearing, asks for comments from the Commissioners and then asks the Clerk to call the roll for a vote.

**AGENDA**
**CITY OF HAINES CITY, FLORIDA**
**CITY COMMISSION WORKSHOP**

**December 19, 2024, 6:00 p.m.**
**City Hall Commission Chambers**
**620 E. Main Street, Haines City, FL 33844**
**Phone: 863-421-9921 Web: hainescity.com**

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.

Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office. In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 863-421-9921 for information regarding available aids and services.

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**Pages**

1. **CALL TO ORDER**

2. **PRESENTATIONS AND DISCUSSIONS**

2.a **Draft Resolution Approving Policy Related to City Commissioner-Initiated Meetings** 3

Review draft policy prepared by City Attorney Reilly, in conjunction with City Manager Elensky, related to City Commissioner-initiated meetings for the City Commission to consider as a workshop discussion item.

Staff Contact: Fred Reilly, City Attorney and James Elensky, City Manager

**City of Haines City, Florida**

**Exhibit A to Resolution No. 24-XXXX**

**City Commission Policy- Commissioner-initiated meeting**

**Policy No: 2024-YYYY**

**Resolution No: 24-XXXX**

**Approval Date: _____ ____, 202___**

## I. STATEMENT OF POLICY

A. It is the intent of the City to establish rules of procedure to govern the conduct of City Commissioner-initiated public meetings.

B. Matters of procedure not otherwise provided for herein are, insofar as practical, determined by the City Manager.

## II. POLICY AND PROCEDURE

A. City Commissioner-initiated Meetings.

1. A City Commissioner may initiate and hold a public meeting (the "Meeting") at a City-owned facility _____ (___) times each fiscal year. In addition, a City Commissioner may initiate and hold a public meeting at a non-City facility provided there is compliance with the other terms of this policy.
2. Each Meeting shall be for a public purpose.
3. For clarification purposes, a City Commissioner may participate in a meeting or event as an invited guest of a host organization (such as the Chamber of Commerce, a Homeowner's Association, religious organization, social club or other organization). Participation in such a meeting or event does not constitute a public meeting subject to this policy.

B. Notice of Meeting. The City Clerk shall provide notice of the Meeting in accordance with Section 286.011(1), Florida Statutes.

C. Coordination for the Meeting.

1. The City Commissioner shall contact the City Manager at least _____ (___) days prior to the Meeting to coordinate the presence and participation of City staff at the Meeting, coordinate the preparation of the City-owned facility for the Meeting, coordinate the security for the Meeting, coordinate marketing and social media for the Meeting, preparation of a Meeting Agenda and establish the logistics for the Meeting.
2. The City Manager has the sole discretion to finalize the preparation of the City-owned facility, determine which City staff members will be present and participate in

the Meeting, finalize security for the Meeting, approve marketing and social media materials, approve the Meeting Agenda and finalize logistics for the Meeting.

D. Use of City Seal.

1. City Commissioners may use stationery, social media posts and other printed materials depicting the City seal in relation to a Meeting only when acting within the scope of their official duties or employment.
2. Approval of the City Commission is required to use the City seal in any way other than as provided in this policy.

E. Expenditure of Public Funds for City Commissioner-initiated Meeting.

1. If City funds will be expended in relation to the Meeting, the expenditure of City funds shall fulfill a public purpose. The determination of what constitutes a valid municipal purpose for the expenditure of public funds is a factual determination for the City Commission of the municipality. A City Commissioner shall present a request for a City Commissioner-initiated Meeting as an Agenda Item at a regular City Commission meeting.
2. Each fiscal year, the City Commission shall make a budget allocation for individual City Commissioner-initiated Meeting expenditures. In preparing for and conducting their individual City Commissioner-initiated Meeting(s), a City Commissioner shall not exceed their individual fiscal year budget allocation as established by the City Commission.

F. Place of Meetings. A City Commissioner may hold a Meeting at a City-owned facility. A City Commissioner is prohibited from holding meetings at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility (See Section 286.011(6), Florida Statutes).

G. Food and Beverages. The City Clerk may expend City Commission funds for the purchase of food and beverages for the City representatives and attendees of a City Commissioner-initiated Meeting provided such expenditure does not exceed the individual fiscal year budget allocation for each City Commissioner.

H. Promotional Items. A "promotional item" is a tangible merchandise, literature, or other product branded with the City's name, logo, and/or slogan, that is given away to the public.

1. Criteria and Branding. Pens, pencils, cups, flash drives, bags, figurines, and other similar items are examples of items that may be distributed as a promotional item. All

items should display the City's name, logo, and/or seal. Additional imprinting may be used to identify a department, event, or milestone significant to the City.

2. Distribution of Items. The distribution of a promotional item is appropriate when done for marketing purposes at a City Commissioner-initiated Meeting provided the expenditure to purchase such promotional items does not exceed the individual fiscal year budget allocation for each City Commissioner. Marketing is the process used to strategically promote a City project or activity, or to provide information or education to City employees, prospective employees, customer agencies, or the public.

3. Distribution. Promotional items may only be distributed by employees, elected officials, or appointed officials at a City Commissioner-initiated Meeting.

I. Prohibition against holding campaign events. No City Commissioner shall hold a campaign event which would reasonably result in a violation of Section 104.31 (Political activities of state, county, and municipal officers and employees) or Section 106.15 (Certain acts prohibited), Florida Statutes. The City Manager and the City Attorney jointly have the sole discretion to deny a City Commissioner's request to hold a Meeting which would reasonably result in a violation of Section 104.31 or Section 106.15, Florida Statutes.

J. Suspension of Policy. The City Commission may, by majority vote, temporarily suspend any provision of this policy not governed by state law, the City Charter, or the Code of Ordinances of the City of Haines City, Florida.