



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, MARCH 09, 2023, 5:30 P.M.
CITY HALL, LAKE LAND, TENNESSEE 38002**

- I. **CALL TO ORDER BY MAYOR:** The meeting was called to order by Mayor Josh Roman at 5:30 p.m. on Thursday, March 09, 2023.
- II. **INVOCATION:** Offered by Mayor Roman.
- III. **PLEDGE:** Mayor Roman led the pledge to the flag.
- IV. **ROLL CALL BY RECORDER:** Mayor Josh Roman, Vice-Mayor Wesley Wright, Commissioner Jim Atkinson, and Commissioner Michele Dial were present. Commissioner Connie McCarter was present at 5:35 p.m.

Staff personnel in attendance were City Manager Michael Walker, City Engineer Emily Harrell, Planning Director Paul Luker, Parks & Recreation Director Patrick O'Mara, Finance Director Carlin Stuart, City Recorder Debra Murrell and City Attorney Will Patterson.

V. **PUBLIC HEARING:**

1. **Ordinance – Second and Final Reading** – amending Article III. Section 14 of the Lakeland Land Development Regulations in order to regulate the placement of wireless transmission facilities.
2. **Ordinance – Second and Final Reading** – amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022 and O-13-2022.

For the record:

- No comments were heard at the public hearing.
- Without objection, the order of business was changed to move the Sheriff's Report up on the agenda.

Sheriff's Report: Summary report for the month of February (*Given by Sheriff's Department Representative*)

PUBLIC COMMENTS: (*Moved up on the agenda*)

For the record: Comments were heard from the following:

Lew Wardlaw, Attorney representing SGA Communications – Opposition to amending cell tower ordinance.

Richard Gonzales – 5000 block of Conifer View – Hwy 70 Development

REGULAR AGENDA: (*Taken out of order without objection*)

1. **Ordinance – First Reading** – amending Ordinance O-8-2022 establishing sewer user rates and sewer charge adjustments. (*Previously item # 3*)
Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.



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Discussion ensued.

For the record: Comments were heard from the following:
John Clarkson – MTAS Representative

When the question was called the first reading of the ordinance passed, as presented, roll call vote, 4 in favor 1 against (4-1).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Nay

2. Ordinance – Second and Final Reading – amending Article III. Section 14 of the Lakeland Land Development Regulations in order to regulate the placement of wireless transmission facilities. (Previously item # 1)

Commissioner Dial moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

Commissioner McCarter moved to amend Section 2 of Ordinance O-4-2023 to state “Notwithstanding the foregoing, the MPC may approve a lower minimum distance, in any district, so long as the applicant’s engineer can demonstrate that the minimum distance per code is unnecessary pursuant to the national standards recognized by the American National Standards Institute (ANSI)”, seconded by Commissioner Atkinson.

When the question was called the motion to amend the resolution carried, roll call vote, 4 in favor 1 against (4-1).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Nay

Commissioner Atkinson moved to amend the amendment to ordinance to state “any commercial district”, seconded by Vice-Mayor Wright.

When the question was called the motion to amend the amendment carried, roll call vote, 5 in favor 0 against (5-0).

For the record: Comments were heard from the following:
Lew Wardlaw, Attorney representing SGA Communications



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When the question was called the second and final reading of the ordinance passed as amended, roll call vote, 5 in favor 0 against (5-0).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

3. **Resolution** – authorizing the engagement of Watkins Uiberall PLLC to audit the City of Lakeland financial activities for the fiscal year ending June 30, 2023. (Originally item # 5)

Commissioner Dial moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

For the record: Comments were heard from the following:
Trey Watkins – Uiberall PLLC

When the question was called the resolution passed, as presented, roll call vote, 5 in favor 0 against (5-0).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

4. **Resolution** – approving an agreement with Encor, LLC for International Harvester Managerial Park Parking Improvements. (Originally item # 6)

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

For the record: Comments were heard from the following:
Jeff Smith – Encor, LLC

When the question was called the resolution passed, as presented, roll call vote, 5 in favor 0 against (5-0).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea



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For the record: The meeting was back to regular order.

VI. TREASURER'S REPORT:

February 2023 – Presented by Finance Director Carlin Stuart

VII. REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:

- Sheriff's Report: *(Moved up - Taken out of order)*
- City Manager's Report: City Manager Michael Walker offered a report.

For the record: Without objection an additional item was added to the agenda under regular business item # 9 as "Discussion and possible action on adding lights to the Memphis-Arlington Sport Fields".

- Commissioners' Reports:
 - a. Industrial Development Board Special Meeting – Mayor Roman offered a report.
 - b. Lakeland P.U.L.S.E. Comprehensive Plan Public Engagement Workshop – Commissioner McCarter offered a report.
 - c. Lakeland School System Board of Education – Vice Mayor Wright offered a report.
 - d. Municipal Planning & Design Review Commission – Commission Atkinson offered a report.
 - e. Parks and Recreation & Natural Resources Board – Commissioner Dial offered a report.

VIII. PUBLIC COMMENTS:

For the record: No comments were heard at this time.

IX. SEWERAGE COMMISSION BUSINESS:

X. CONSENT AGENDA:

1. Approval of Meeting Minutes from Previous Meetings:

- a. Corrected – Special Meeting Minutes – January 24, 2023
- b. Special Meeting Minutes – February 07, 2023
- c. Regular Meeting Minutes – February 09, 2023
- d. Special Meeting Minutes – February 16, 2023

- 2. **Ordinance – First Reading** – amending section 5-101 of the City of Lakeland municipal code to provide for official depositories for city accounts, as amended by ordinance O-8-2022 establishing sewer user rates and sewer charge adjustments.



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3. **Resolution** – ~~approving an agreement with Tri-State Guardrail & Sign Co., Inc for the Fiscal Year 2023 Guardrail Installation Project.~~
(Removed from the consent agenda without objection)
4. **Resolution** – approving an agreement with Kimley Horn for the development of an update to the Land Development Regulations.
5. **Resolution** – approving an authorized user agreement with Verizon Wireless through State of Tennessee Statewide Contract #32110-32711.
6. **Resolution** – tentatively approving a contract with Eutaw Construction Company for the Clear Creek Interceptor – Sanitary Sewer Phase A.
7. **Resolution** – accepting dedication of public improvements in Winstead Farms Planned Development Lot A and authorizing the reduction of security for public and common improvements in Winstead Farms Planned Development Areas 1 & 2 Phase 1, Area 2 Phase 2, and Lot A.
8. **Resolution** – authorizing the City Manager to engage in real estate and/or financial advisory services in support of economic development within the Lakeland Gateway TIF District.

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

For the record: Corrections were made to minutes of January 24, 2023, that were previously approved on February 9, 2023.

When the question was called the consent agenda was approved, voice vote, 5 in favor 0 against (5-0).

XI. **REGULAR AGENDA:** *(Continued)*

5. **Ordinance – Second and Final Reading** – amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022 and O-13-2022. *(Previously item # 2)*

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the second and final reading of the ordinance passed as presented, voice vote, 5 in favor 0 against (5-0).

6. **Resolution** – amending Resolutions R-134-2022 and R-135-2022 and calendar year 2023 City of Lakeland meeting calendar. *(Previously item # 4)*



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Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the resolution passed as presented, voice vote, 5 in favor 0 against (5-0).

7. Resolution – amending Resolutions R-101-2022 to approve an agreement with Blue Siren for Sanitary Sewer Flow Monitoring.

Vice-Mayor Wright moved to bring this item to the floor, seconded by Commissioner Dial.

When the question was called the resolution passed as presented, voice vote, 5 in favor 0 against (5-0).

8. Resolution – supporting the Mayor to develop strategies and pursue necessary legislative charges for the elimination of cashless bonds and enhancement of consequences for repeat offenders, including juveniles.

Vice-Mayor Wright moved to bring this item to the floor, seconded by Commissioner Dial.

When the question was called the resolution passed as presented, voice vote, 5 in favor 0 against (5-0).

9. Discussion and Possible action on adding lights to the Memphis-Arlington Sport Fields.

Vice-Mayor Wright moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

Mayor Roman moved approve a resolution assigning fund balance of the general fund for lighting existing field at the Lakeland Athletic Complex in the amount of \$400,000, seconded by Vice-Mayor Wright.

For the record: Under relaxed rules the paving and road conditions were discussed.

When the question was called the resolution passed as presented, roll call, 4 in favor 1 against (4-1).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea



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10. **Resolution** – approving an agreement with Tri-State Guardrail & Sign Co., Inc for the Fiscal Year 2023 Guardrail Installation Project. *(Previously item # 3 on the consent agenda)*

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the resolution passed as presented, voice vote, 5 in favor 0 against (5-0).

XII. **ANNOUNCEMENTS:**

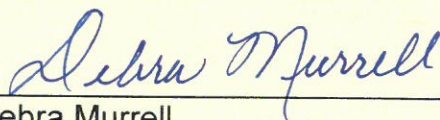
- XIII. **ADJOURNMENT:** There being no other business on which to act, the meeting was adjourned at 8:29 p.m. on Thursday, March 09, 2023.

These minutes were approved on April 06, 2023.



Josh Roman, Mayor

ATTEST:



Debra Murrell
City Recorder