



CITY OF BARTOW  
**CITY COMMISSION REGULAR MEETING**  
MONDAY, MARCH 16, 2026 AT 6:00 PM  
OR AS SOON THEREAFTER AS POSSIBLE  
CITY HALL COMMISSION CHAMBERS  
450 NORTH WILSON AVE., BARTOW, FL 33830

**AGENDA**

1. CALL TO ORDER AND ROLL CALL
2. INVOCATION
  - a. Pastor Dianne Watson, Praise Temple Deliverance Church
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. PROCLAMATIONS AND SPECIAL PRESENTATIONS
  - a. Issuance of a proclamation recognizing March 28, 2026 as Luster African American Heritage Museum Jazz Party & Tour Day. Being accepted by Mr. Charles Luster, Founder, Luster African American Museum.
  - b. Issuance of a proclamation recognizing March 2026 as Child Gun Safety Education Month. Being accepted by Robert Dummett, Executive Director, In-Gauge of Polk County.
  - c. Issuance of a proclamation recognizing March 16–20, 2026 as Government Finance Professionals Week. Being accepted by Peter Lear, City of Bartow Finance Director and Finance Staff.
  - d. Issuance of a proclamation recognizing March 2026 as Procurement Month. Being accepted by Danielle Rose, City of Bartow Procurement Manager & Procurement Staff.
  - e. Issuance of a proclamation recognizing March 2025 as Women’s History Month. Being accepted by staff and audience members.
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. Fort Fraser Trail Signage
2. Electric Apprentice Graduation — Michael Poucher, Electric Utility Director
- b. City Attorney Communications
- c. Legislative Updates
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 consideration of Resolution No. 26-4257-R - A RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 ANNUAL BUDGET OF THE CITY OF BARTOW.
  - b. First reading and consideration of Ordinance No. 2026-03 - AN ORDINANCE RELATING TO THE CITY OF BARTOW'S ANTI-LITTER ORDINANCE; AMENDING CERTAIN SECTIONS OF CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH DEFINITIONS AND THE CLEANLINESS OF THE EXTERIOR OF COMMERCIAL BUSINESS SPACES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.
11. CONSENT AGENDA
  - a. Approval of March 2, 2026 City Commission Regular Meeting minutes.
  - b. Approval of February 2, 2026 City Commission Workshop minutes. (Communications Plan)
  - c. Approval of City Staffing Reorganization Plan.
  - d. Approval of City Commissioner absence(s) for March 2, 2026: None.
12. OTHER COMMISSION BUSINESS
  - a. OLD BUSINESS
  - b. NEW BUSINESS
    1. Consideration and approval of Application #S-26-02-PSP - CORTA Commons at Stuart Crossing Preliminary Subdivision Plat, a multi-parcel, retail commercial development. The development area consists of 121.8 acres (+/-) of the overall Stuart Crossing Planned Development project,

which is 692 acres (+/-) in size. The property is owned by J.K. Stuart Properties, LLC, and is located on the northeast corner of the intersection of US Highway 98 North and Ernest M. Smith Jr. Blvd, in Section 30, Township 29S, Range 25E, Polk County, Florida.

### 13. RESOLUTIONS

- a. RESOLUTION NO. 26-5258-R - A RESOLUTION REVISING THE CITY OF BARTOW'S TABLE OF CIVIL PENALTIES FOR CIVIL CODE VIOLATIONS, AS ESTABLISHED IN ORDINANCE NO. 2016-02, ORIGINALLY CREATED BY RESOLUTION 16-3920-R, AND PREVIOUSLY AMENDED BY RESOLUTION 19-4036-R; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

### 14. COMMISSIONER COMMENTS

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

### 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](http://www.cityofbartow.net) and Facebook page on March 12, 2026.

PAGE INTENTIONALLY LEFT BLANK.



## 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.

Sincerely,

Tanya Tucker  
Mayor

## **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, rezonings, 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.



# PROCLAMATION

**WHEREAS**, March 28, 2026, marks the 2nd Annual Jazz Day Party and Museum Tour Celebration hosted by the Luster African American Heritage Museum, honoring the universal language of music, art, and literature and the enduring legacy of Black musicians and authors who have shaped American culture; and

**WHEREAS**, the famed “Blue Room,” once located above Tom Burnett’s Palm Theater Building at Wabash Avenue and 3rd Street in East Bartow, was a vibrant Jim Crow–era venue that welcomed celebrated performers including Cab Calloway, Louis Armstrong, Duke Ellington, B.B. King, and many others who toured the historic “Chitlin’ Circuit”; and

**WHEREAS**, the “Chitlin’ Circuit” provided critical opportunities for Black artists during segregation, and Bartow served as a key stop for many traveling performers thanks to its Atlantic Coast Line and Seaboard Air Line railroad connections and the nearby Union Depot; and

**WHEREAS**, this year’s celebration also honors Black authors, poets, and storytellers—past and present—whose powerful words capture the rhythm of history and the spirit of resilience, from Zora Neale Hurston and Langston Hughes to contemporary voices; and

**WHEREAS**, reflecting Bartow’s rich cultural heritage and community pride, the free event will feature live music, food vendors, children’s activities, and special exhibits celebrating Black creativity in both sound and story;

**NOW, THEREFORE**, I, Tanya Tucker, by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby proclaim March 28<sup>th</sup>, 2026 as:

## JAZZ DAY PARTY & MUSEUM TOUR DAY

and encourage all residents and visitors to honor the artistic legacy of African American musicians, authors, and performers by joining in this joyful community celebration.

**DATED** at Bartow, Florida, this 16<sup>th</sup> day of March, 2026.

**CITY OF BARTOW**

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

PAGE INTENTIONALLY LEFT BLANK.



# PROCLAMATION

**WHEREAS**, unintentional shootings involving children have increased significantly nationwide over the past two decades, becoming a growing public safety concern; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC), in its 2023 report “*Unintentional Firearm Injury Deaths Among Children and Adolescents Aged 0–17,*” identified these incidents as a public health crisis requiring urgent attention; and

**WHEREAS**, children aged 11 to 15 years account for the largest share of these deaths, most of which occur in homes, often the child’s own, demonstrating the need for responsible firearm storage and awareness; and

**WHEREAS**, research shows that nearly two-thirds of these shootings happen when a child is playing with or showing a firearm to others, emphasizing the importance of keeping firearms secured and out of children’s reach; and

**WHEREAS**, the CDC and child safety experts agree that unintentional firearm injuries among children are entirely preventable through safety education and community engagement; and

**WHEREAS**, the City of Bartow recognizes the importance of working with parents, schools, law enforcement, and youth organizations to promote firearm safety and prevent avoidable tragedies; and

**WHEREAS**, by observing Child Gun Safety Education Month, the City of Bartow encourages responsible firearm practices, safety education, and public awareness to protect the lives of children in our community.

**NOW, THEREFORE, I**, Tanya Tucker, by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby proclaim April 2026 as:

## **CHILD GUN SAFETY EDUCATION MONTH**

in the City of Bartow and encourage all residents, schools, and community organizations to join in promoting firearm safety and injury prevention efforts.

**DATED** at Bartow, Florida, this 16th day of March 2026.

**CITY OF BARTOW**

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

PAGE INTENTIONALLY LEFT BLANK.



# PROCLAMATION

**WHEREAS**, The Florida Government Finance Officers Association (FGFOA) is a professional association founded in 1937 and serves more than 3,300 professionals from state, county and city governments, school districts, colleges and universities, special districts and private firms; and

**WHEREAS**, the FGFOA is dedicated to being your professional resource by providing opportunities through education, networking, leadership and information; and

**WHEREAS**, this Government Finance Professionals Week, sponsored by the FGFOA and all its member governmental organizations, is a weeklong series of activities aimed at recognizing government finance professionals and the vital services that they provide to our state and our community; and

**WHEREAS**, during this week, government finance professionals throughout the State of Florida will be acknowledged for their hard work, dedication and leadership.

**NOW, THEREFORE**, I, Tanya Tucker, by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby proclaim March 16-20, 2026 as:

## GOVERNMENT FINANCE PROFESSIONALS' WEEK

in the City of Bartow, Florida and extend our appreciation to all government finance professionals throughout the state for their hard work, dedication and leadership.

**DATED** at Bartow, Florida this 16th day of March 2026.

**CITY OF BARTOW**

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

PAGE INTENTIONALLY LEFT BLANK.



# PROCLAMATION

**WHEREAS**, the public procurement profession plays a significant role in the efficiency and effectiveness of both government and business; and

**WHEREAS**, procurement professionals add value to the organization by performing such functions as executing, implementing and administering contracts for goods, services and construction, developing strategic procurement strategies, and cultivating working relationships with suppliers and other departments within the organization; and

**WHEREAS**, the procurement professionals in the City of Bartow and other public organizations are uniquely positioned to build public trust in our government institutions by diligently ensuring fair and open bidding opportunities to the vending community and providing transparency in government contracting; and

**WHEREAS**, the procurement professionals in the City of Bartow are instrumental in executing the City Manager, Mayor and Commission’s vision for contract related programs such as the Supplier Diversity for all Local, Veteran, Woman and Minority suppliers; and

**WHEREAS**, the procurement professionals in the City of Bartow recognize, support, and practice the Public Procurement Values and Guiding Principles of Accountability, Ethics, Impartiality, Professionalism, Service, and Transparency, established by NIGP – The Institute for Public Procurement (NIGP) as fundamental tenets of the public procurement profession; and

**WHEREAS**, NIGP has proclaimed the month of March as Procurement Month to further expand the awareness of the procurement professional’s role to governmental officials, the general public, business and corporate leaders.

**NOW, THEREFORE**, I, Tanya Tucker, by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby the month of March, 2026 as:

## PROCUREMENT MONTH

and March 18, 2026 as *Procurement Professionals’ Day* in the City of Bartow and urge all citizens to join the City of Bartow in recognizing the role of the purchasing and materials management profession within business, industry and government.

**DATED** at Bartow, Florida this 16th day of March 2026.

**CITY OF BARTOW**

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

PAGE INTENTIONALLY LEFT BLANK.



# PROCLAMATION

**WHEREAS**, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

**WHEREAS**, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

**WHEREAS**, American women have played a unique role throughout the history of the Nation by providing most of the volunteer labor force of the Nation; and

**WHEREAS**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

**WHEREAS**, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS**, American women have served our country courageously in the military; and

**WHEREAS**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**WHEREAS**, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

**NOW, THEREFORE**, I, Tanya Tucker by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby proclaim March 2026 as:

## WOMEN'S HISTORY MONTH

in the City of Bartow.

**DATED** at Bartow, Florida this 2nd day of March 2026.

**CITY OF BARTOW**

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

PAGE INTENTIONALLY LEFT BLANK.



**City Of Bartow**  
*Polk County's Capital City*





## CITY OF BARTOW, FLORIDA

**TO:** Honorable Mayor and City Commissioners, City of Bartow City Commission

**THROUGH:** Mike Herr, City Manager

**FROM:** Pete Lear - Finance Director

**DATE:** March 16, 2026

**SUBJECT:** Public hearing and consideration of Resolution No. 26-4257-R - A  
RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 ANNUAL  
BUDGET OF THE CITY OF BARTOW.

### **SUMMARY AND BACKGROUND**

Florida Statute 166.241 allows a municipality to amend its budget at any time during the fiscal year or within 60 days following the end of the fiscal year. Budget amendments may be adopted in the same manner as the original budget. This resolution represents the first amendment for the City of Bartow's fiscal year ending September 30, 2026.

### **STAFF ANALYSIS**

This amendment covers expenditures related to the Digital Communication Specialist. This is a new position in the Communications Department designed to help provide better video and digital communication with the community and the City of Bartow. This position will be funded from excess revenues brought by the City for the current year.

### **FISCAL IMPACT**

The General Fund budget will be increased by \$55,000 in both revenue and expenditures to recognize the additional funding being received as well as to fund the salary and related expenses for the Digital Communications Specialist.

### **RECOMMENDATION**

City Staff recommends the City Commission approve the resolution amending the 2025-26 budget as submitted.

### **ATTACHMENTS**

1. 26-4257-R Budget Amendment FY 2025-2026 Amendment #3

**RESOLUTION NO. 26-4257-R**

**A RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 ANNUAL BUDGET OF THE CITY OF BARTOW.**

**WHEREAS**, the City Manager has certified that there are other financing sources available for appropriation and expenditures not originally proposed in the fiscal year 2025-2026 annual budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA:**

That the fiscal year 2025-2026 budget of the City of Bartow is hereby amended per Exhibit "A".

PASSED on this 16th day of March 2026.

CITY OF BARTOW

By: \_\_\_\_\_  
Mayor Tanya Tucker

ATTEST:

By: \_\_\_\_\_  
City Clerk Jacqueline Poole

(seal)

Approved as to correctness and form:

Approved as to Substance:

By: \_\_\_\_\_  
City Attorney Sean R. Parker

By: \_\_\_\_\_  
City Manager Mike Herr

Resolution amending the 2025-2026 Budget for the fiscal year ending September 30, 2026

<b>1.) To adjust estimated projected ending fund balances (pre-audit).</b>				Amended	Amended	Amended	
				From	To	Difference	
<u>Effect on Projected 2024-25 Ending Fund Balances</u>							
001	-	271000	- 000 - 000	Projected Fund Balance Forward (Decrease)-General Fund	13,531,040	13,531,040	-
<hr/>							
<b>2.) General Fund</b>							
To appropriate funding for:							
a. Digital Communications Specialist							
				Amended	Amended	Amended	
				From	To	Difference	
<u>Revenue Detail</u>							
001	-	361100	- 003 - 000	Interest Earnings	305,965	360,965	55,000
						<u>55,000</u>	
<u>Expenditure Detail</u>							
a.	001	-	512101 - 112 - 101	Regular Salaries & Wages	849,964	904,964	55,000
						<u>55,000</u>	
<u>Effect on Projected 2024-25 Ending Fund Balance</u>							
001	-	271000	- 000 - 000	Projected Fund Balance Forward (Decrease) General Fund	13,531,040	13,531,040	-

PAGE INTENTIONALLY LEFT BLANK.

# ITEM NO. 10.b

ORDINANCE NO: 2026-03

AN ORDINANCE RELATING TO THE CITY OF BARTOW'S ANTI-LITTER ORDINANCE; AMENDING CERTAIN SECTIONS OF CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH DEFINITIONS AND THE CLEANLINESS OF THE EXTERIOR OF COMMERCIAL BUSINESS SPACES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bartow has a series of ordinance sections related to the environment and the overall cleanliness of the City, which are codified in Chapter 38 of the Code of Ordinances and specifically the City's Anti-Littering ordinance that begins at Section 38-56 of the Code; and

WHEREAS, from time to time there is a need to review, revise, modify, delete, and/or add particular Sections to this Chapter as part of an overall update to the Chapter and in response to various events and conditions that exist in the City's facilities; and

WHEREAS, the Office of Code Compliance and Neighborhood Services, its staff, senior management, the City Attorney and the City Commission have had various discussions, operations and updates related to the overall level of cleanliness of the City, and have evaluated certain provisions of the Code that need updating and will provide additional resources to the City staff as well as guidance for the City's commercial businesses; and

WHEREAS, the City Commission finds that these updates to Chapter 38 are necessary and will serve to provide the City and its citizens with necessary updates and revisions to the Code;

NOW THEREFORE

BE IT ENACTED BY THE PEOPLE OF THE CITY OF BARTOW:

SECTION 1. This ordinance shall be commonly known as the "Anti-Litter Chapter 38 Update Ordinance of 2026" and may be so cited.

SECTION 2. Various Sections of Chapter 38 of the Code of Ordinances shall be revised and

modified, as set forth in Exhibit 'A' to this ordinance, a copy of which is attached hereto and incorporated herein, such copy consisting of two (2) numbered pages. In accordance with §166.041(2), Florida Statutes, added language to existing code provisions shall be underlined and deleted language from existing code provisions shall be ~~stricken through~~.

SECTION 3. All existing ordinances of the City of Bartow in conflict with this ordinance are repealed to the extent necessary to give this ordinance full force and effect.

SECTION 4. If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining portions, provisions, and regulations of this ordinance shall remain in full force and effect.

SECTION 5. Any scrivener's error created as a result of the passage of this ordinance may be corrected by City of Bartow staff, without further legislative action, so long as the intent of this ordinance is preserved, by filing a revised copy thereof with the City Clerk's office with the terms "Staff Revised" and the revision version number in the style of the ordinance.

SECTION 6. It is the intent of the City Commission that the provisions of Exhibit 'A' to this ordinance shall be codified as and become and be made a part of the permanent Code of Ordinances of the City of Bartow. The provisions of Exhibit 'A' to this ordinance may be renumbered or relettered to accomplish such intention and the word "ordinance", or similar words, may be changed to "section," "article", or other appropriate word. Further, it is the intent of the City Commission that the implementation and instructional sections of this ordinance, Sections 1 through 7, shall not be codified. The Code codifier is granted liberal authority to codify the provisions of Exhibit 'A' to this ordinance, including the authority to modify cross-references as he or she may see fit to capture the intent of this ordinance.

SECTION 7. This ordinance shall take effect upon final passage.

INTRODUCED AND PASSED on first reading at the Regular meeting of the City of Bartow

City Commission held this \_\_\_\_ day of March, 2026.

PASSED AND ADOPTED on second reading at the Regular meeting of the City of Bartow City Commission held this \_\_\_\_ day of April, 2026.

CITY OF BARTOW

\_\_\_\_\_  
Tanya Tucker, Mayor

ATTEST:

\_\_\_\_\_  
Jacqueline Poole, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

\_\_\_\_\_  
Sean R. Parker, City Attorney

\_\_\_\_\_  
Mike Herr, City Manager

**EXHIBIT “A”**

**Sec. 38-57 – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

.....

Exterior trash receptacle. Any outdoor trash can, bin, or other similar container located on commercial property and which has the primary purpose of being utilized for the disposal of garbage, litter, refuse or rubbish.

.....

Exterior areas. Includes the following spaces over which a commercial business has ownership or control: sidewalks, parking lots, entryways, service alleys, stormwater ponds, stormwater retention areas, dumpster confinement zones, and other customer-facing or access zones.

.....

Stormwater pond / retention area. For purposes of this section – a manmade basin or designated depression on commercial property designed to collect and retain rainwater or runoff for flood prevention or water quality treatment.

**Sec. 38-62. Merchants Commercial Businesses, duty to keep sidewalks premises free of litter.**

~~No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the City the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the City shall keep the sidewalk in front of their business premises free of litter.~~

- (a) This section applies to all commercial businesses within the City of Bartow.
- (b) On each day that a commercial business is open to the public, and prior to the close of business for the day, the owner or operator shall:
  - 1. Empty all exterior trash receptacles into an appropriate dumpster or other container owned by the City for routine solid waste pickup.

2. Remove all loose trash, litter, debris, or refuse from parking areas, entryways and walkways, dumpster zones, stormwater ponds and stormwater retention areas, and any other areas owned or controlled by the business.

(c) During its regular business hours, the commercial business must keep all exterior areas free from visible garbage, litter, refuse or rubbish and ensure exterior trash receptacles remain covered, sanitary, and do not overflow, leak, or attract pests.

(d) No person owning or occupying a commercial business shall sweep into or deposit in any gutter, street or other public place within the City any accumulation of garbage, litter, refuse or rubbish from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying a commercial business within the City shall keep the sidewalk in front of their premises free of garbage, litter, refuse or rubbish.

PAGE INTENTIONALLY LEFT BLANK.



CITY OF BARTOW  
**CITY COMMISSION REGULAR MEETING**  
MONDAY, MARCH 2, 2026, AT 6:00 P.M. (EST)  
*OR AS SOON THEREAFTER AS POSSIBLE*  
BARTOW CITY HALL COMMISSION CHAMBERS  
450 N. WILSON AVE, BARTOW, FL 33830

## MINUTES

The City Commission of the City of Bartow met at a Regular Meeting on March 2, 2026, at 6:00 p.m. at Bartow City Hall, Commission Chambers, 450 N. Wilson Avenue, Bartow, FL 33830. Notice of this meeting was posted at City Hall, Bartow Public Library, and on the City's website [www.cityofbartow.net](http://www.cityofbartow.net) and Facebook page on February 26, 2026.

### 1. **CALL TO ORDER**

Mayor Tucker called the meeting to order at 6:03 p.m.

City Clerk Poole called roll, attendance was as follows:

Commissioners Present: Commissioner Gary Ball, Commissioner Leo E. Longworth, Commissioner Trish Pfeiffer, Vice Mayor Laura Simpson and Mayor Tanya Tucker.

Commissioners Absent: None

Staff Members Present: City Manager Mike Herr, City Attorney Sean Parker, Assistant City Attorney Drew Crawford, Finance Director Peter Lear, Planning Director Bob Wieggers, Fire Chief Jay Robinson, Deputy Fire Chief Byron Moore, Deputy Fire Chief James Schall, PRCA Director Jason Hargrove, Communications Director Laurie Hayes, Water Utilities Director John Hall, Electric Utilities Director Michael Poucher, Assistant Electric Director Tony McDuffie, Electric Engineer Brent Fockle, Public Works Director Billy Groover, Code Compliance & Neighborhood Services Director Tray Towles, Customer Service Manager Shaun Gelissen, IT Director Frank Canovaca, Officer Paul, Assistant PRCA Director Kyle Lasek, Assistant City Clerk Kaylee Fussell, and City Clerk Jacqueline Poole.

### 2. **INVOCATION**

Pastor Andrew Farley, Mount Olive Freewill Baptist Church gave invocation.

### 3. **PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE**

The Commissioners and audience gave the Pledge of Allegiance to the Flag of the United States of America.

### 4. **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

a. **Issuance of a proclamation recognizing the 55th Annual Bloomin' Arts Festival, March 7-8, 2026. Being accepted by Bloomin' Arts Co-Chairpersons, Michell Githens and Lara Frederickson.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation. She stated said this is a truly exciting event for Bartow, one of the city's longest-running and best-attended community traditions.

Bloomin' Arts Co-Chairperson Githens thanked the commission for the proclamation and shared details about the upcoming weekend. The festival will run from 9 a.m. to 4 p.m. on both Saturday and Sunday, featuring about 90 artists from across the country showcasing works in painting, woodworking, ceramics, fabric, and textiles, offering something for everyone. Saturday will also feature the Antique Classic Car Show along Broadway and Summerlin, and a quilt show will take place both days in the upstairs of the Kincart Building on Central Avenue. There will be three children's activity stations with hands-on arts & crafts, as well as local vendors, including Peace Creek Farm with produce, Arbuckle Ranch with beef, and TaylorMade Florals' new bouquet bar, Bulldog Landscaping will offer trees, ornamentals, and dish gardens, adding to the "everything in bloom" theme. Guests can also enjoy about 11 food trucks alongside downtown restaurants. She described the weekend as a wonderful time to be in Bartow, with "Chamber of Commerce weather", sunshine and temperatures in the 80s. She expressed a heartfelt thanks to all city departments for their invaluable support in making Bloomin' Arts possible and for what they do for Bartow daily.

b. **Issuance of a proclamation recognizing March 2026 as American Red Cross Month. Being accepted by Tina Sweeten. Executive Director, American Red Cross of Mid-Florida.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation.

Director Sweeten expressed sincere gratitude to the City of Bartow, noting that Bartow is the only municipality in Polk County that has offered the organization space to open "no-notice" shelters. She shared that during a recent Thunderbolt emergency exercise; they received a call to open four shelters within their area that same morning, a challenge they successfully met. The team achieved a 75% score on the exercise, which was especially meaningful given the addition of new staff and volunteers since July 1. She explained that this success was possible thanks to strong partnerships, particularly with the City of Bartow. She thanked the city for allowing use of municipal facilities, which made it possible to simulate the full process by opening four shelters, delivering supplies, staffing each one, and even registering mock residents all within four hours. She also highlighted the organization's ongoing collaboration with the Bartow Fire Department. She

noted the American Red Cross has responded to every fire in the city. Last year alone, volunteers responded to 130 fires countywide, 19 of which occurred in Bartow, assisting families affected by those incidents. She closed by again thanking the City of Bartow for its continued partnership and support in serving residents during emergencies and times of need.

c. **Presentation of March 2026 Beautification Awards – PRCA Assistant Director Kyle Lasek.**

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Residential Beautification Award to Ms. Stacy Threatt, who accepted the honor on behalf of her parents, Corneilus and Yolanda, who reside at 2295 Martin Luther King Jr., Blvd.

Assistant Director Lasek noted that the photos displayed were taken before the recent frost and commended the Threatt family for their excellent lawn care, emphasizing how well-maintained and carefully pruned their property is.

Ms. Stacy Threatt expressed sincere gratitude to the City of Bartow for recognizing her parents, saying it was an honor to accept the award on their behalf. She mentioned this may be their second or third Beautification Award and thanked the City once again for its ongoing recognition of community pride and effort.

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Residential Beautification Award to Yolanda Floyd who resides at 1080 S. Oak Avenue. PRCA Assistant Director Lasek noted that the photos show newly installed planter boxes in front of the property and a picture of the recipient with her family. He remarked that the plants appear to be thriving in a happy and well-cared-for environment, reflecting the joy and pride of the family. He congratulated Yolanda and thanked her for her efforts in beautifying the area. Mrs. Floyd was thankful for the recognition.

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Commercial Beautification Award to Amanda and Ron Cabanas of Legacy Dance located at 1195 Luke Avenue.

Mrs. Cabanas expressed her appreciation for the opportunity and thanked the City of Bartow for its support.

PRCA Assistant Director Lasek said that the April awards would be presented during the April 6 City Commission meeting.

5. **GENERAL PUBLIC COMMENT**

At this time, the Commission received comments from the public regarding matters not appearing on this agenda.

City Attorney Parker made a couple of announcements regarding public comment procedures. He reminded all speakers addressing the City Commission to refrain from personal attacks, derogatory remarks, or comments related to matters in litigation, under investigation, or outside the Commission's jurisdiction. He also noted that, although many attendees were present and several public hearings would occur later in the meeting, this portion was designated for general public comment only. He advised that individuals wishing to speak on the CRA agenda items or the Emilie Project would have separate opportunities to do so during their respective public hearings. He emphasized that the Commission would work to ensure an efficient and orderly process for all public comment periods throughout the meeting.

Mayor Tucker opened the public comment period.

**Gerald J. Cochran, 1615 N Street, Bartow.** Mr. Cochran addressed the Commission regarding recent increases in his utility bills, stating that his charges have reached the highest levels he has seen in the past ten years. He shared that his most recent bill totaled \$168.96, with \$66.88 of that amount attributed to water usage now exceeding his electric costs. He expressed concern that this appeared disproportionate and noted that a plumber inspected his property and confirmed there were no leaks. He explained that these rising costs place a strain on his limited Social Security income. He also voiced concerns about the city's golf course operations, stating that after ten years, the facility still had not broken even financially. He questioned the management of the golf course budget, including staff compensation, and suggested that utility rate increases should not be used to offset losses from other city operations. He concluded by reminding the audience that public comments are limited to three minutes per speaker

**April Loew, 2055 S. Floral Ave., Lot #235, Bartow.** Ms. Loew addressed the Commission regarding what she described as the City of Bartow's lack of a comprehensive Emergency Management Plan. She referenced a recent fire southwest of the city near a 55-plus community, noting that many elderly residents were concerned about the fire and resulting smoke, especially given potential respiratory health risks. She shared her personal experience evacuating wildfire in California and expressed concern that the city's website provides little to no actionable information on emergency preparedness beyond basic hurricane and flood guidance. Ms. Loew said that when she contacted the City, staff were unable to identify anyone responsible for emergency management, and she was informed that no formal plan currently exists. She emphasized the importance of having clear points of contact and an established structure for communication during emergencies, noting that in large-scale incidents, the Fire Chief may not be available to answer public inquiries. She pointed out that with Bartow's anticipated population growth and industrial traffic along Highway 60 and nearby rail lines, the city faces increased risk of events such as wildfires or chemical spills. She concluded by encouraging the Commission to consider developing a comprehensive Emergency Management Plan for the City of Bartow, observing that it was particularly fitting to

raise the issue during Red Cross Month, as the Red Cross often fills emergency response roles that municipalities typically address.

With no further comments, Mayor Tucker closed the public comment period.

6. **CITY ANNOUNCEMENTS**

Mayor Tucker reminded the audience that the Bloomin' Arts Festival is this weekend.

7. **REPORT OF CHARTER OFFICERS**

a. **CITY MANAGER COMMUNICATIONS**

City Manager Herr thanked Ms. Loew for her comments, stating that they were thoughtful and well-intended. He explained that the City's Fire Chief also serves as Bartow's Emergency Management Director and oversees the city's emergency planning and response efforts. He assured Ms. Loew that Fire Chief Robinson, who has served the department for 38 years, is accessible and responsive to residents' concerns. He advised that if Chief Robinson is unavailable, Deputy Chief Byron Moore or Deputy Chief James Schail may also be contacted as part of the department's leadership team. He added that staff from his office would follow up with Ms. Loew to arrange a discussion with the Fire Chief and his team to further address her concerns. He again thanked Ms. Loew for bringing the matter forward and for her interest in the city's emergency management efforts.

b. **CITY ATTORNEY COMMUNICATIONS**

City Attorney Parker had no report.

c. **LEGISLATIVE UPDATES**

Commissioner Pfeiffer provided an update on the current legislative session, noting that two Fridays remain before the scheduled conclusion on March 13, though it appears the session may extend beyond that date. She reported that several concerning bills are still under consideration and that legislators are currently conferencing to reconcile differences between the House and Senate budgets. She stated that the next two weeks will focus on reaching agreement on budget items and related legislation. She added that the Commission would remain on standby for any updates or alerts and referenced the report from the Monday morning legislative call, which outlined the status of several key bills.

8. **AGENDA MODIFICATION / APPROVAL**

City Attorney Parker requested moving Item 10.k, concerning Ordinance 2026-01, to the first position under Public Hearings. He noted that all remaining items would follow in their original sequence thereafter.

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to move Item 10.k, Ordinance No. 2026-01, to be the first item under Public Hearings, with all other items to follow in their original order.

**VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

9. **PUBLIC COMMENT ON AGENDA ITEMS**

At this time, the Commission received comments from the public regarding matters appearing on this agenda, not otherwise scheduled for a separate public hearing.

Mayor Tucker noted that the Commission would be discussing several topics about which many people feel strongly and emphasized the need to keep the meeting professional and efficient. She asked attendees to refrain from clapping, shouting, or other outbursts so that everyone in the chamber and those watching the recorded livestream could clearly hear the discussion and comments. She added that limiting disruptions also helps ensure that nothing said by speakers is missed.

City Attorney Parker clarified that the current public comment period was reserved for matters not otherwise scheduled for a public hearing. He noted that, while most items on the agenda would have their own dedicated public hearings, members of the public could use this time to address agenda items or not set for separate hearings. He added that those who have attended previous meetings are familiar with the speaker sign-in sheets, which are located on the table on the west side of the room. Anyone wishing to speak at any point during the meeting was asked to complete a card and submit it to the Clerk so she can track the speakers, and to state their name and address when beginning their remarks.

Mayor Tucker opened the public hearing.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski asked for information about plans to relocate electric lines underground and whether a map is available showing the areas where this might occur. She noted that she lives in the historic district and believes her homeowners insurance is significantly higher than that of many others, despite her home being of lower value, and said that removing the risk of overhead power lines or poles falling on her house could help reduce her insurance costs.

With no further comments, Mayor Tucker closed the public comment period.

10. **HEARINGS – FIRST AND SECOND READINGS AND PUBLIC HEARINGS**

- a. **Public hearing and final reading or Ordinance 2026-01 — AN ORDINANCE RELATING TO ELECTRIC SERVICE UTILITIES; AMENDING CERTAIN SECTIONS OF CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH THE PAYMENT OF BILLS AND INSTALLATION OF UNDERGROUND FACILITIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *This item was originally listed last in Section 10 of the agenda but was moved to be heard first (see Agenda Modification and Approval).***

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE RELATING TO ELECTRIC SERVICE UTILITIES; AMENDING CERTAIN SECTIONS OF CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH THE PAYMENT OF BILLS AND INSTALLATION OF UNDERGROUND FACILITIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Longworth, seconded by Vice Mayor Simpson to adopt on final reading Ordinance No. 2026-01, an ordinance relating to Electric Service Utilities; amending certain sections of Chapter 78 of the Code of Ordinances of the City of Bartow; specifically updating sections dealing with the payment of bills and installation of underground facilities; repealing ordinances in conflict; providing for severability; providing for codification; providing for the administrative correction of scrivener’s errors; providing for an effective date.

Director Poucher explained that the proposed amendments to Section 78 of the electric ordinances address two areas. The first change involves Section 78-153, Payment of Bills, which currently lists certain fees that also appear in the electric tariffs approved by the Commission. He stated that the proposal is to remove the fee provisions from the ordinance and rely solely on the tariffs, with no change to the actual fee amounts at this time, so that all fees are contained in a single, easier-to-update document. The second change concerns Section 78-156 Underground Installation of Electric Distribution Facilities. Director Poucher said the amendment would require all new developments to install electric facilities underground, with limited exceptions for large residential or agricultural parcels greater than one-acre, temporary facilities, certain electric utility facilities, and locations where underground installation would create operational problems, such as flood-prone areas

Mayor Tucker opened the public hearing.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski said she appreciates the requirement for underground utility lines in all new developments and expressed regret that similar improvements are not being made in existing neighborhoods. She asked the Commission to consider extending underground installation to existing developments in the future.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried

- b. **Public hearing and consideration of RESOLUTION NO. 26-4253-R – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING AND ADOPTING THE AUGUST 2025 REPORT OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ENTITLED 2025 BARTOW CRA FINDING OF NECESSITY; MAKING SUPPLEMENTAL LEGISLATIVE FINDINGS AND A SUPPLEMENTAL FINDING OF NECESSITY PURSUANT TO SECTION 163.355, FLORIDA STATUTES, FOR THE EXERCISE OF COMMUNITY REDEVELOPMENT AUTHORITY, PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, OVER TWO (2) PARCELS OF REAL PROPERTY COMMONLY KNOWN AND REFERRED TO AS CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE; ADDING THE CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE PROPERTIES TO THE EXISTING COMMUNITY REDEVELOPMENT AREA OF THE CITY OF BARTOW, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING AND ADOPTING THE AUGUST 2025 REPORT OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ENTITLED 2025 BARTOW CRA FINDING OF NECESSITY; MAKING SUPPLEMENTAL LEGISLATIVE FINDINGS AND A SUPPLEMENTAL FINDING OF NECESSITY PURSUANT TO SECTION 163.355, FLORIDA STATUTES, FOR THE EXERCISE OF COMMUNITY REDEVELOPMENT AUTHORITY, PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, OVER TWO (2) PARCELS OF REAL PROPERTY COMMONLY KNOWN AND REFERRED TO AS CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE; ADDING THE CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE

PROPERTIES TO THE EXISTING COMMUNITY REDEVELOPMENT AREA OF THE CITY OF BARTOW, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Longworth, seconded by Vice Mayor Simpson to adopt Resolution No. 26-4253-R, a resolution of the City Commission of the City of Bartow, Florida relating to Community Redevelopment; approving and adopting the August 2025 Report of the Central Florida Regional Planning Council entitled 2025 Bartow CRA Finding of Necessity; making supplemental Legislative Findings and a Supplemental Finding of Necessity pursuant to Section 163.355, Florida Statutes, for the exercise of Community Redevelopment Authority, pursuant to the Community Redevelopment Act of 1969, over two (2) parcels of real property commonly known and referred to as Carver Recreation Center and Tuscan Masonic Lodge; adding the Carver Recreation Center and Tuscan Masonic Lodge properties to the existing Community Redevelopment Area of the City of Bartow, Florida; providing for severability; providing for conflicts; providing for an effective date.

Assistant City Attorney Crawford explained that the Bartow Community Redevelopment Agency has been working to add the Carver Recreation Center and the Tuscan Masonic Lodge parcels to the CRA Community Redevelopment Area. This change would make both parcels eligible for CRA spending from tax increment revenues in the redevelopment trust fund, opening the door to various programs, including expanded recreation opportunities on the east side of town and potential redevelopment of the fraternal social club site if a new vision for that property moves forward. He stated that staff had provided Polk County with the required written report and that no comments had been received. He noted that, during a county work session he attended, county commissioners indicated these parcels should have been included in the CRA boundaries long ago. He concluded by reminding the Commission that this is a public hearing required by law to receive comments and that, if the Commission adopts the finding of necessity, the two parcels will be automatically added to the Community Redevelopment Area.

Mayor Tucker opened the public hearing.

**Gerald Cochran, 1615 North St., Bartow.** Mr. Cochran stated that, to his knowledge, his neighborhood is not included in the CRA district and questioned why, noting that residents there pay taxes as well. He remarked that the CRA is intended to address blighted areas and said his neighborhood fits that description but has not seen any results or improvements. He added that there is no park in or near the neighborhood other than Carver, and that children are forced to play in the street, even as city traffic cuts through the area day and night as a shortcut. He concluded by saying the neighborhood should at least be included in the CRA district and shown on the CRA map.

Assistant City Attorney Crawford explained that when the CRA was first established, it covered only the downtown area and has been expanded several times since then to include additional areas that were legally determined to be blighted. He noted that the two parcels under consideration were found by the Central Florida Regional Planning Council to meet the statutory definition of blight, emphasizing that, although people often “know blight when they see it,” state law requires that blight meet specific technical criteria. He added that any further expansion of the CRA would require a formal study to determine whether the additional areas legally qualify as blighted or as a slum.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- c. **Public hearing and consideration of RESOLUTION NO. 26-4254-R – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING THE RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF BARTOW, FLORIDA; APPROVING THE 2026 BARTOW CRA COMMUNITY REDEVELOPMENT PLAN UPDATE DATED JANUARY 2026 FOR THE BARTOW COMMUNITY REDEVELOPMENT AREA PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969; PROVIDING FINDINGS REGARDING THE COMMUNITY REDEVELOPMENT PLAN UPDATE AND AGENCY ACTIVITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING THE RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF BARTOW, FLORIDA; APPROVING THE 2026 BARTOW CRA COMMUNITY REDEVELOPMENT PLAN UPDATE DATED JANUARY 2026 FOR THE BARTOW COMMUNITY REDEVELOPMENT AREA PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969; PROVIDING FINDINGS REGARDING THE COMMUNITY REDEVELOPMENT PLAN UPDATE AND AGENCY ACTIVITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Vice Mayor Simpson, seconded by Commissioner Ball to adopt Resolution No. 26-4254-R, a resolution of the City Commission of the City of Bartow, Florida relating to Community Redevelopment; approving the recommendations of the Community Redevelopment Agency of the City of Bartow, Florida and the Planning and Zoning Commission of the City of Bartow, Florida; approving the 2026 Bartow CRA Community Redevelopment Plan Update dated January 2026 for the Bartow Community Redevelopment Area pursuant to the Community Redevelopment Act of 1969; providing findings regarding the Community Redevelopment Plan Update and agency activity; providing for severability; providing for conflicts; providing for an effective date.

Assistant City Attorney Crawford explained that the resolution before the Commission concerns the Community Redevelopment Plan, which is the formal document adopted by the City Commission to guide the CRA's efforts to redevelop designated blighted and slum areas in Bartow. He noted that the plan was developed by the Community Redevelopment Agency in coordination with the Central Florida Regional Planning Council, with work occurring over the past year and the document finalized in January 2026. He stated that the CRA Board unanimously recommended the new plan, and the Planning and Zoning Commission recommended approval on a 4–1 vote after finding, as required by law, that it is consistent with the City's Comprehensive Plan. Crawford added that the plan's major elements are detailed in the materials provided and that the Community Development Director was present to answer specific questions. He concluded that adoption of the resolution would formally confirm and implement the new Community Redevelopment Plan, which will guide redevelopment activities going forward, with the expectation that it will be updated again in approximately three to five years.

City Manager Herr directed attention to page 3 of the agenda materials, which identifies redevelopment sites and opportunities included in the modified Community Redevelopment Plan. He highlighted the 15 potential projects listed there, noting they had been reviewed by the CRA Board and originated from recommendations by the CRA Director and City Manager. He referenced the recent joint session between the City Commission and CRA Board where these projects were discussed, emphasizing that while the CRA Board makes formal recommendations, the city faces a choice between bold or conservative action. He stated that the plan addresses blighted conditions across businesses and neighborhoods, including vacant sites, some with buildings, some without and specifically praised the inclusion of the cement factory and cigar factory. He explained that loan proceeds could fund the CRA Innovation Center, enabling a cash transfer to the general fund for incentives to attract developers to the cigar factory site. He emphasized that the Community Redevelopment Plan is flexible and that while 15 projects have been identified, final agreements with property owners on purchase prices remain uncertain. He stressed the need to move these projects forward, noting that current underutilization of properties limits job creation and tax increment revenue growth needed to fund ongoing

redevelopment. He advocated bold action, stating that the CRA has served the city well historically but should now focus on future opportunities rather than past missed chances. He clarified that changes to the project list would require recommendations from the CRA Director and City Manager to the CRA Board for approval, followed by a recommendation to the City Commission. He noted that he wanted to ensure the rules of engagement are clearly documented for the record, so all understand how operations will proceed: with the department reporting to the City Manager, and the City Manager serving the City Commission.

Assistant City Attorney Crawford followed up stating that not only are those individual properties addressed, which is excellent for including them in the plan, but legal staff have also reviewed the plan, ensuring the full suite of economic development and redevelopment tools will be available to the CRA as a result.

Mayor Tucker opened the public hearing.

With no comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- d. **Public hearing and consideration of RESOLUTION NO. 26-4255-R – A RESOLUTION OF THE CITY OF BARTOW, FLORIDA, AUTHORIZING THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA (THE "AGENCY") TO ENTER INTO LOAN AGREEMENTS WITH THE LENDER AND OBTAIN A LOAN THEREUNDER; DESIGNATING THE 2026A NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986; APPROVING AN INTERLOCAL AGREEMENT; APPROVING THE ACTIONS TAKEN BY THE AGENCY WITH RESPECT TO ITS APPROVAL OF THE LOAN AGREEMENT AND THE LOAN; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY OF BARTOW, FLORIDA, AUTHORIZING THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA (THE "AGENCY") TO ENTER INTO LOAN AGREEMENTS WITH THE LENDER AND OBTAIN A LOAN THEREUNDER; DESIGNATING THE 2026A NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986; APPROVING AN INTERLOCAL AGREEMENT; APPROVING THE ACTIONS

TAKEN BY THE AGENCY WITH RESPECT TO ITS APPROVAL OF THE LOAN AGREEMENT AND THE LOAN; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to adopt Resolution No. 26-4255-R, a resolution of the City of Bartow, Florida, authorizing the Community Redevelopment Agency of the City of Bartow, Florida (the "agency") to enter into loan agreements with the lender and obtain a loan thereunder; designating the 2026A Note as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Internal Revenue Code of 1986; approving an interlocal agreement; approving the actions taken by the agency with respect to its approval of the loan agreement and the loan; and providing severability and an effective date.

Assistant City Attorney Crawford explained that this resolution authorizes an \$18 million loan for the CRA to fund the redevelopment projects outlined in the CRA plan. He walked through key loan details: the Redevelopment Increment Revenue Trust Fund serves as the primary repayment source, backed by increment revenues from the city and county; an interlocal agreement between the City Commission and CRA will cover any shortfalls via budgeted appropriations; and the bank secures repayment through these mechanisms. The loan splits into a nontaxable portion of \$5.4 million at 4.35% interest and a taxable portion of \$12.6 million at 5.5% interest, with projected annual debt service of \$1,472,97.31, slightly above current increment revenue to the trust fund. To proceed, Florida law requires the City Commission to approve the CRA Board's pledge of increment revenue via this resolution, which also fulfills public hearing notice requirements. All notices that are required to be issued to the county and to the citizens have been published and mailed.

Commissioner Longworth expressed concern about potential adverse legislative changes to tax funding. He asked what would happen if tax funding took an adverse direction from the legislature while locking in this \$18 million pledge before year-end. He asked if there is any flexibility.

Assistant City Attorney Crawford clarified that adopting the resolution now allows the CRA Board's vote on March 4 at 8:30 AM, with loan closing anticipated on March 10. He said while House Joint Resolution 203 (if passed by voters) would reduce city property/sales tax collections and doubly impact increment revenue alongside county effects, he believes the remaining CRA increment would still cover payments.

Finance Director Lear added that current city/county increment revenue totals about \$4 million, with 31% residential property in the CRA. Even in a worst-case loss of all residential increment, over \$2.7 million would remain, enough to cover the under \$1.5 million annual debt service, allowing projects to proceed with limited surplus funds.

Mayor Tucker opened the public hearing.

**Gerald J. Cochran, 1615 North St., Bartow.** Mr. Cochran cautioned that \$18 million sounds insignificant when stated quickly, but without budget guarantees, he questioned who would cover a loan default. He asked if federal funds would back any portion, noting the city's budget could not sustain it, and cited the subsidized golf course and restaurant as examples of businesses unable to break even.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- e. **Public hearing and final reading of Ordinance No. 2025-17 - AN ORDINANCE ANNEXING UPON THE PETITION OF THE OWNERS THEREOF APPROXIMATELY 369.3 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 60 EAST; SOUTH SIDE OF GERBER DAIRY ROAD; AND 3,600' WEST OF RIFLE RANGE ROAD IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.**

City Attorney Parker outlined housekeeping procedures. He welcomed the audience, many of whom were familiar from prior Planning and Zoning meetings regarding the Emilie projects. He committed to ensuring everyone had a chance to speak, mirroring the successful public comment process used there. He noted a court reporter is present, so speakers must address one at a time for accurate transcription. He explained that the Mayor controls meeting conduct including breaks, and all should defer to her direction. He outlined the order: Planning Director Wieggers presents for the city, followed by Attorney Allen for the developer, then a combined public hearing on all five interrelated items using a 5-minute speaking limit. After public input, commissioners will handle motions, discussions, and individual votes. He added that all comments constitute sworn testimony, asking potential speakers to stand for the clerk-administered oath to tell the truth.

City Clerk Poole then swore in the audience members, staff, and project representatives.

City Attorney Parker reminded commissioners that, due to quasi-judicial items on the agenda, they must disclose any ex parte communications such as emails, phone calls, or site visits related to Emilie development.

Disclosures by Commissioners:

**Vice Mayor Simpson:** Received emails addressed to the city commission address (no separate conversations); visited nearby roadways and areas but not the site itself.

**Commissioner Longworth:** Received two letters (one from Colleen Williams) and two emails (copied to the clerk); visited both sites with city personnel (no conversations about the projects).

**Mayor Tucker:** Received an anonymous packet via city mailbox with maps, public notices, and hearing info; attended developer's initial presentation at Polk State Bartow Campus and a citizens' meeting at Oak City Church (listened only); spoke with Cindy Barrow, Susan Private, and Pam Luce (who opposed the project); got opposing comments on her public Facebook post; all other communications via city email.

**Commissioner Ball:** Attended developer's presentation at Polk State Bartow Campus, received emails via city email; received Dania Lovett's handout tonight via clerk; spoke briefly with Cindy Barrow and husband at Civic Center on the same night as the first hearing, they voiced the same concerns during that public meeting, no further conversations have occurred.

**Mayor Tucker (addendum):** Also received Dania Lovett's handout.

**Commissioner Pfeiffer:** Disclosed prior list (November) including Colleen Williams and Pam Luce; received recent emails from Brittany Villa, Lynette Walters, and Angela Foley; skipped public hearings to wait; met George Lindsey (February last year) who provided an 11x14 sheet introducing the project; received info from Dania Lovett; drove by properties and reviewed aerials.

**Planning Director Wieggers** explained that the items before the Commission have been under discussion for approximately a year, with multiple rounds of review, public notices, and procedural steps. Tonight's hearings represent the culmination of that extensive process. The agenda includes five public hearing items covering annexation, comprehensive plan amendments, and zoning for two contiguous areas referred to as Emilie East and Emilie West projects.

#### Background and Review Process

Planning Director Wieggers stated over the past year all operating departments have carefully reviewed the proposed amendments to ensure sufficient technical and procedural information was available for consideration. Several

studies have been completed, most notably a transportation impact analysis that remains under review by the Florida Department of Transportation. The applicant has also performed significant utility verification work to confirm that existing and future infrastructure will adequately serve the project area. The Planning and Zoning Commission held its public hearing on October 27, 2025. The City Commission approved the first reading on November 17, 2025. Following that action, two amendments related to the Emilie project were transmitted to the Florida Commerce Division of Community Planning for statutory review under Chapter 163, Florida Statutes. Comments were returned by January 23, 2026.

### Project Overview

Planning Director Wieggers gave a project overview. He said Emilie East: 369 acres of unincorporated land proposed for annexation and designated as Planned Development (PD).

Emilie West: The corresponding Clear Springs property located west of Emilie East, designated as Planned Industrial but proposed for transition to Planned Residential under the Clear Springs Sector Plan.

He stated that both tracts together represent a combined total of 2,245 residential units, 1,094 in Emilie East and 1,151 in Emilie West. The overall residential density is projected at roughly 2 to 3 units per acre, based on gross acreage. Development will occur in four phases:

Phases 1–2: Emilie West (2027–2032)

Phases 3–4: Emilie East (2030–2035)

### Infrastructure, Utilities, and Coordination

The project is designed as a coordinated development extending the design and connectivity principles of the Clear Springs Sector Plan. Shared features will include integrated roadways, multiuse trails, sidewalks, and utilities. The applicant has agreed to donate land for a future City public safety substation (fire or police), which will be incorporated into the project's infrastructure.

The annexed areas fall within both the City of Bartow's electric service territory and its Chapter 180 utility service area, giving the City jurisdiction to provide water, sewer, and electric services.

### Conditions of approval require the developer to:

- Construct all improvements identified as necessary by transportation and utility studies.

- Provide a navigation easement recognizing proximity to the Bartow Executive Airport.
- Enter into a development agreement with the City establishing timing and obligations for infrastructure improvements for each phase.

### Comprehensive Plan and Agency Comments

Comprehensive plan amendments were transmitted to all required review agencies.

Southwest Florida Water Management District (SWFWMD): Requested verification of potable water capacity and confirmation of water conservation measures. The City provided detailed capacity data and confirmed compliance with existing conservation ordinances and policies.

Florida Department of State, Division of Historical Resources:

For Emilie East – reported no known archaeological or historic sites but noted that further review would occur before site development.

For Emilie West – identified an already documented archaeological site known as the Bosco Site (8PO00441), determined eligible for listing on the National Register. The City confirmed that policies within its comprehensive plan and the Clear Springs Sector Plan provide protection and evaluation of such resources.

No adverse comments were received from the Department of Transportation, Department of Education, Polk County School Board, Polk County Board of Commissioners, Central Florida Regional Planning Council, or Florida Commerce Division of Community Planning.

All comments were technical in nature, not objections and were addressed in the City's responses. The Florida Commerce Division found no adverse impacts to state resources, confirming the amendments meet statutory requirements.

### Public Notices and Next Steps

All required public notices were issued, including publication in the local newspaper, posting at City Hall, and mailed notifications to affected property owners. Technical documentation and correspondence from reviewing agencies are on file in the City Clerk's office for public inspection.

If the Commission adopts the proposed ordinances tonight, the amendments will be sent to the Florida Commerce Division for final administrative review. State statute provides a 30-day period during which any challenge may be filed before the amendments become final.

Planning Director Wieggers concluded by acknowledging the participation of Mr. Joshua Macklemore from the Polk County School Board's Planning Staff, present to address school planning issues if necessary.

**Attorney Bart Allen of Peterson & Myers Law Firm** appeared representing the applicant, CBD Land Investments appeared before the City Commission on behalf of the applicant, CBD Land Investments, to present the companion items related to the Emilie at Bartow project, consisting of five separate but interrelated requests: annexation, two comprehensive plan amendments, and two planned development (PD) rezonings collectively covering the Emilie East and Emilie West properties. He concurred with City Attorney Parker's outlined process for the meeting, requesting one modification: that the applicant team be allowed to present their materials in full before public comment, followed by citizen remarks, and then receive several minutes for a brief rebuttal and response period to address questions afterward.

Attorney Allen began his presentation by extending the apologies of Mr. Waronker, who has served as the applicant's primary representative for nearly two years but was unable to attend due to a family emergency. Mr. Allen conveyed Mr. Waronker's regrets and disappointment at missing what is hoped to be one of the final hearings for this long-anticipated project. Attorney Allen introduced members of the applicant's consultant team, acknowledging the range of technical expertise involved in the Emile East and Emilie West development proposals:

Mr. George Lindsey, Lindsey Development – consulting on land development strategy and coordination with the applicant over the past year.

Mr. John McVay, Elite Designs – lead land planner overseeing the site design and community layout for both Emilie East and Emilie West.

Stantec Consulting Team – engaged across several disciplines:

Mr. Andy Mikulski, planning specialist;

Mr. Rob Engel, P.E., professional engineer;

Mr. Keith Wetzel P.E., professional engineer focusing on stormwater, drainage, and floodplain management;

Mr. Christian Kline, transportation analyst responsible for preparing the traffic impact study now under review by the Florida Department of Transportation;

Ms. Diane Chadwick, previously part of the planning team, was unable to attend due to other obligations. Mr. Allen expressed appreciation for her long-standing involvement despite her absence.

GAI Consultants – represented by Mr. Greg Kolb, who previously presented to the Commission on the site’s water and sewer service capacity and remains available for related technical questions.

Stillwater Environmental – represented by Ms. Jessica Azpurua, lead environmental consultant responsible for species studies, wetland delineations, and environmental impact assessments associated with both project tracts.

Attorney Allen noted that Mr. Patrick Carroll, representing Clear Springs Development, was also present in the audience as a stakeholder and project partner.

Attorney Allen stated that he had delivered a very detailed presentation during November 17, 2025, transmittal hearing, and therefore did not intend to restate those materials in full. Instead, he provided a focused update on the major components of the project, including:

- A brief review of the prior transmittal and comments received from state agencies.
- An in-depth discussion of the land use plan and planned development design.
- Key considerations of concurrency, or the City’s ability to provide necessary public services.
- Closing remarks and request for approval.

### Overview of Applications

Attorney Allen summarized that while there are five separate items before the Commission, they together constitute one coordinated project known as “Emilie at Bartow.” The terms “East” and “West” simply distinguish the two ownership tracts and their current jurisdictional status.

**Emilie West:** Already within the City of Bartow, has an existing Planned Industrial land use designation under the Clear Springs Sector Plan.

**Emilie East:** Currently in unincorporated Polk County, requires annexation, assignment of a Low Density Residential future land use designation, and adoption of PD zoning consistent with Emilie West.

Together, the two sites total approximately 2,245 residential units on around 740 acres, averaging 2.5 units per gross acre or 3.6 units per net acre. The project is designed with significant open space, amenity centers, and conservation areas, maintaining alignment with the City’s existing growth framework.

He reiterated that Polk County’s review agencies, the Florida Commerce Department, and other state entities had all completed coordinated review under Chapter 163, Florida Statutes, with no objections and only minor technical

comments. These comments, already addressed by staff, related to water capacity, reclaimed water use, and archaeological review, none of which changed the City's or applicants' conclusions.

### Record Incorporation

Attorney Allen stated that since the November transmittal hearing was stenographically recorded, he wished to formally incorporate the certified court transcript from that hearing into tonight's record as an exhibit, along with the City's official minutes from November 17, 2025. Copies were offered to the City Clerk for inclusion in the permanent file.

### Annexation and Land Use Context

Turning to the annexation request for Emilie East, Attorney Allen explained that the property satisfies Chapter 171, Florida Statutes, regarding being both contiguous and compact to current municipal boundaries. The annexation represents a logical eastward extension of Bartow's service area.

The property is already located within both the City's electric service territory and its Chapter 180 utility service boundary, meaning it will automatically receive Bartow municipal utilities upon annexation. Mr. Allen displayed the City's long-term utility service boundary map, highlighting the red star marking Emilie East's location, showing it well within the City's planned eastern growth corridor.

He noted that Bartow's geographic opportunities for growth are constrained to the west by Highland City and south Lakeland, and to the south by phosphate mining operations, leaving the east corridor as the logical direction for sustainable expansion. The proposed annexation and land use assignment align with the City's documented planning intent dating back decades.

### Comprehensive Plan Amendments

Attorney Allen recapped the current proposed land use designations:

- **Emilie West** (under the Clear Springs Sector Plan): Presently Planned Industrial (FAR 0.5) originally mapped when the Polk Parkway was anticipated to extend through the area with a nearby interchange. Since those plans changed, industrial development no longer suits the site. The applicant now proposes Low Density Residential to create continuity with surrounding neighborhoods.
- **Emilie East:** Currently designated Residential Low (R-L1X) in unincorporated Polk County, allowing up to five dwelling units per acre with PD approval. The applicant requests that this property also be designated Low Density Residential upon annexation.

The southern 800 acres of conservation land depicted in pink on City maps will remain unchanged and undeveloped. The northern natural basin known as “the bowl” will continue to serve as stormwater retention, with no structures proposed there. The project thus works entirely within previously designated development envelopes, maintaining consistency with existing regional planning frameworks and environmental conservation designations.

### Planned Development (PD) Design

Attorney Allen then turned to the Planned Development ordinance that accompanies both the East and West parcels. He explained that the PD document is intentionally conceptual at this stage, showing development zones, street hierarchy, and regulatory notes, with detailed designs to follow during the preliminary and final subdivision plan stages.

The PD specifies:

- Lot size ranges and housing mix.
- Requirements for buffering and perimeter landscaping.
- Streetscape standards, including lighting and sidewalk placement.
- Integration of the Clear Springs Design Standards and Pattern Book to maintain continuity across both tracts.

He presented visuals depicting how the project’s spine road a major internal boulevard will travel from State Road 60 eastward through Clear Springs and into Emilie East, intersecting with neighborhood streets and connecting to multiple community amenity centers. Four phases are planned, beginning in the west and progressing eastward as infrastructure extends.

### Amenities and Pedestrian Networks

The project includes four major amenity centers featuring recreational spaces such as pools, pickleball courts, large open lawns, playgrounds, and community mail kiosks. These facilities will double as safe school bus stop locations, coordinated with the Polk County School District, and will include shelters, lighting, and internal pedestrian access from all neighborhoods.

In addition to neighborhood parks and tot lots, Emilie at Bartow will feature an integrated multimodal and trail system, including:

- Over 3 miles of continuous multiuse path along the main spine road.
- Approximately 3.5 additional miles of stabilized nature trails—for walking, biking, and nature viewing—located along wetlands and floodplain edges.
- Over 6 miles of total interconnected trail network, enabling residents to traverse the community safely without using main roads.

Rendering slides showed landscaped corridors, internal sidewalks on both sides of local streets, and examples of dog parks, bike racks, and passive open spaces to support a pedestrian-oriented design.

### Compatibility and Buffering

Responding to concerns raised during earlier hearings, Mr. Allen presented detailed exhibits illustrating how compatibility will be achieved between Emilie's perimeter and neighboring areas, particularly along Gerber Dairy Road.

Key commitments include:

- A 50-foot landscaped buffer with 4-foot earthen berms and 6-foot fences atop the berms, together providing approximately 10 feet of opaque screening.
- Retention of existing natural vegetation wherever feasible, recognized as the "best buffer available."
- No vehicular or pedestrian access to or from Gerber Dairy Road or Logan Lane including emergency access.
- Design restrictions preventing residential rear lots from backing directly onto Gerber Dairy Road; instead, these areas will include ponds, open spaces, or greenbelts.

Attorney Allen displayed side-section diagrams of the landscaping and elevation treatments, characterizing them as comparable to those successfully implemented on EF Griffin Road. He also described how the project will maintain wildlife corridors, linking the conserved 800-acre area with interior wetlands and floodplain segments, and confirmed that culvert and bridge designs across Peace Creek would follow FDOT and Fish and Wildlife guidelines for wildlife crossings.

### Concurrency and Impact Fees

Addressing concurrency, Attorney Allen explained that tonight's action concerns entitlement-level approvals annexation, land use, and zoning but not final development permits. The City's concurrency review will be reconfirmed at each subsequent stage: preliminary plat, construction plans, and final platting. He said Florida statute allows concurrency to be finalized no later than issuance of a Certificate of Occupancy, but Bartow's ordinances require earlier checkpoints. He reiterated the key policy: the City of Bartow "shall not issue a development permit if it results in a failure to maintain service level standards," ensuring that adequate capacity exists before development proceeds. Projected start of construction is at least two years away, with further permitting, engineering, and developer agreements required beforehand. Regarding impact fees, he stressed that the project is not exempt. Based on current 2026 rates:

- City of Bartow: \$8,000 per single-family unit

- Polk County: \$4,900 per unit
- Polk County School Board: \$11,124 per unit

Total combined impact fees amount to approximately \$24,000 per home, yielding an estimated \$54 million over the life of the 2,245-unit project. This does not include ad valorem taxes or recurring revenue for the City and County.

### Conclusion and Requests

Attorney Allen concluded by outlining next steps and restating the formal requests for approval:

- Annexation of Emilie East (369 acres).
- Assignment of Low Density Residential future land use to Emilie East.
- Adoption of Planned Development zoning for Emilie East.
- Change of use for Emilie West from Planned Industrial to Low Density Residential.
- Adoption of companion Planned Development zoning for Emilie West.

Attorney Allen reaffirmed that all five items are fully supported by City planning staff, have received favorable Department of Commerce reviews, and are consistent with City policy and growth direction. In conclusion, he thanked the Commission and City staff for their collaboration throughout the process and stood by ready, along with his consultant team, to answer questions from the Commission following public comments.

Mayor Tucker recessed the meeting at 8:34 p.m.

Mayor Tucker reconvened the meeting at 8:45 p.m.

Mayor Tucker asked if there were any questions from the Commission. There were none.

City Attorney Parker reiterated how the public hearing would take place on the five action items on the Emilie. Will conduct one singular hearing on all five items with a five-minute clock instead of three.

Mayor Tucker opened the public hearings for Ordinance Nos. 2025-17, 2025-18, 2025-19, 2025-21 and 2025-22.

**Marcia Davis, 2650 Alturas Rd., Bartow.** Ms. Davis stated that she has been a resident of Bartow for 25 years and has lived in Central Florida for 51 years. She expressed concern that land development is the leading cause of species

decline and habitat loss, noting that roughly 450,000 acres in Florida have been developed over the past decade, impacting species such as the Gopher Tortoise, Florida Panther, Wood Stork, and Snail Kite. She said that large suburban developments like Emilie Springs contribute to stormwater runoff, pollution, algae blooms, and wetland loss, which affect the Peace Creek and Peace River systems. She noted that natural lands absorb rainfall, while roads and roofs increase runoff and flooding. She added that HOA managed neighborhoods often remove old-growth trees and require frequent lawn watering, leading to more fertilizer runoff and water pollution. She estimated the project would add thousands of new homes and over 8,000 vehicles, worsening traffic and roadkill while fragmenting wildlife habitat. She concluded by questioning who truly benefits from the project, stating that overdevelopment harms both residents and Central Florida's environment.

**Ashlei Lung, 1060 S. Oak Ave., Bartow.** Ms. Lung stated that she is a lifelong Bartow resident, as were her parents. After moving to Illinois for a short period, she returned to Bartow because she loves the community and wants to ensure that future growth is smart and responsible. She said her comments were based on facts rather than emotion. She expressed concern about the developer, David Warnoker of CBD Real Estate, stating that developers often collect their payments and leave without long-term commitment to the community. She referenced his other projects near Champions Gate and Highway 27, noting that traffic congestion in those areas has significantly worsened and cautioning against similar impacts along Highway 60. She also noted that Mr. Warnoker is affiliated with Lennar Homes, which is currently facing a lawsuit filed by the Seminole Tribe over allegedly defective housing construction. The case involves hundreds of homes, and she added that Lennar has a low customer rating of 1.2 out of 5 from the Better Business Bureau. D.R. Horton, another builder active in the region, also holds a 1.1 rating and is not BBB-accredited. Regarding environmental conditions, Ms. Lung observed that the area is under drought restrictions allowing lawn watering only once per week, yet the proposed site is prone to flooding during heavy rains. She questioned whether adding 2,000 to 4,000 homes would worsen existing flooding and resource strains. She also reminded the Commission that the county has already denied the project twice and that the Lake Wales Planning Committee recently rejected similar developments at Iron Mountain and Steeplechase. She stated in May 2025 a whistleblower lawsuit was filed alleging that Polk County failed to follow the school concurrency agreement by omitting reserve capacity data from developer submissions. She reported that local schools already have large class sizes averaging about 23 students per class and over 300 teacher vacancies, which would be exacerbated by new housing demands. She questioned how public services would be funded if proposed property tax cuts take effect, expressing concern that future homeowners and residents would bear the costs after developers depart. She concluded by stating that she supports annexation of the property only if it is used for wildlife preservation rather than large-scale residential development.

**Gerald Cochran, 1615 North St., Bartow.** Mr. Cochran said he had several questions regarding public health impacts associated with the proposed development. He stated that much of the land being considered was formerly used for phosphate mining and that such land is often reclaimed and potentially contaminated. He emphasized that phosphate lands can be radioactive, and he was concerned this issue was not addressed in the developer's presentation. Drawing on his experience collecting air, water, and soil samples at phosphate mine sites, he said that while testing contaminants were common, Geiger counters were generally not used to check for radioactivity. He cautioned that radiation could affect soil, air, and water quality, and that people living on or near contaminated land could be exposed through air or well water. He added that radioactivity cannot simply be filtered out and can contaminate homes and materials permanently. He warned that approving development on such land could pose long-term health risks to residents, including increased cancer risk, particularly lung cancer. He urged decision-makers to consider these concerns before approving new development, noting that while impact fees may provide short-term revenue, the long-term health risks could lead to serious consequences for families and property owners.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski stated that while the developer indicated there would be no impact on residents on Gerber Dairy Road, constructing a four-foot berm could trap stormwater during hurricanes, causing flooding on nearby properties. She added that diverting water away from wetlands could cause them to dry out, harming local ecosystems. She further observed that while the proposed development includes amenities such as a pool and recreational facilities, these will likely result in high HOA fees. Residents may also be required to maintain non-native St. Augustine lawns that need heavy watering and fertilizer, contributing to nutrient runoff and further damage to wetlands. She expressed concern that habitat loss could force wildlife into residential areas, creating safety risks. She noted that the distance for fire and emergency services would add further challenges, and that construction of a new fire station, though proposed, would take time. As a lifelong Floridian, she asked that the city focus on maintaining Bartow's small-town character, stating that those new residents would likely shop and dine in nearby Winter Haven rather than supporting local businesses.

**Colleen Williams, Gerber Dairy Rd., Winter Haven.** Ms. Williams stated that the Commission's decision is not merely a zoning matter but one that will affect the health, safety, and future of all families and wildlife living near or on the proposed development site. She urged the Commission to recognize both their legal and moral responsibility to protect public health. She explained that the property in question was permitted for the dumping of biosolids and liquid sewage between 2013 and 2024, resulting in more than a decade of contamination. She said the land remains toxic and unsafe for residential use. she described biosolids as the product of sewage sludge, containing industrial toxins, pharmaceuticals, pathogens, and "forever chemicals" that do not break down and can persist in soil, air, and dust for decades or longer. She said these

contaminants have been linked to cancer, neurological disorders, autoimmune disease, developmental issues in children, and respiratory illness. She emphasized that children are particularly vulnerable and that once homes are constructed, exposure will be constant and unavoidable. She said no disclosure or lawsuit could reverse the harm caused by living on contaminated soil and warned that approving the project would knowingly place people in danger. She stated that if the development proceeds, future health problems, cancer clusters, or respiratory illnesses could lead to investigations and lawsuits against the city. She cautioned that while developers may profit and move on, elected officials would remain accountable for approving residential construction on contaminated land. She urged the commissioners to prohibit any residential development on property previously treated with biosolids or sewage sludge. She said economic growth must never come at the expense of human life and reminded the Commission of their oath to protect public health, safety, and welfare.

**Dania Lovett, 3980 Gerber Dairy Rd., Winter Haven.** Ms. Lovett stated that she lives on Gerber Dairy Road and provided a handout showing a flood zone map. She said the proposed development site lies within several identified flood zones, marked in green and red on her map, and noted that her home, indicated by a star, is just 500 feet from the property. She shared photos showing flooding in her front yard, explaining that Peace Creek frequently overflows and has caused significant flooding in nearby communities. She added that the city has previously purchased flooded homes in this area, demonstrating that the risk is well known. She said developers often claim stormwater will be properly managed, but such assurances frequently fail after construction. The soil in this area drains poorly and is unsuitable for dense housing. She cautioned that raising the site's elevation will displace floodwaters into neighboring rural properties like hers. She referenced similar post-development flooding in Flagler and Lee counties, Plant City and Kathleen, where homes, farms, and roads were inundated after large subdivisions were built. She cited the city's own comprehensive plan policies 1.5 and 1.8, which require new development to be compatible with existing land uses. She argued that this high-density project does not meet that standard, as surrounding properties consist of 1 to 5-acre agricultural lots and cannot coexist safely with increased runoff and flooding. She said paving over land in this area would worsen stormwater issues, pollute the aquifer, and strain the water supply, especially amid current countywide drought restrictions. She raised questions about drinking water capacity, asking whether the project will need a new Southwest Florida Water Management District pumping permit or if the existing one is sufficient. She noted that local elementary schools are already near capacity, referencing the school board's statement at an October Planning and Zoning meeting that they cannot accommodate additional K–5 students from this project. She reminded the Commission that Polk County had twice denied this development, citing flooding as a primary concern, and that Bartow's own Planning and Zoning Committee does not recommend approval. She concluded by stating this issue is not simply about housing, but about flooding, water security, and land-use compatibility.

She urged the city to prioritize commercial development and job creation, consistent with statements made by City Manager Herr at a city prayer breakfast and respectfully asked the Commission to deny the ordinances for Emilie East and West.

**Becky Niles, 845 S. Oakwood Loop, Bartow.** Ms. Niles shared concerns about public safety, city infrastructure, and the economic strain of new developments. She reported that, according to the Polk County Sheriff's Office, there are currently 103 deputy vacancies for road patrol and 19 positions open at the detention center. In Bartow, she stated there are 10 vacant officer positions, with three new hires currently in training, leaving 13 positions unfilled, equivalent to roughly three officers per shift. She also noted that Polk County Fire Rescue has more than 100 positions vacant, with the greatest shortages among paramedics, and questioned how a new fire station could be staffed under those conditions. She shared an example of a recent incident in which a woman reported being accosted near Bartow High School and waited approximately 30 minutes for law enforcement to arrive, which she said demonstrates current public safety challenges. She further expressed frustration that while the developer stands to gain an estimated \$100 million from the project, city residents face rising costs and are being asked to fund water and infrastructure improvements. She said many long-time Bartow families are struggling to remain due to affordability issues. Calling the proposed "affordable housing" model a form of gentrification, she cited local wages typically \$14 to \$27 per hour, or about \$56,000 annually and questioned how those earning such incomes could afford homes priced near \$300,000. She also described recent wildlife sightings, including coyotes in her Oakwood Loop neighborhood and a reported Florida Panther along Highway 555, saying that overdevelopment is pushing wildlife into residential areas, creating safety risks. She voiced concern that increased traffic will lengthen emergency response times, sharing that an ambulance from Auburndale recently required 30 to 40 minutes to reach a cardiac arrest call in Bartow. She stated that new developments do not benefit existing residents, locals cannot access private amenities such as pools or parks, yet ratepayers must help subsidize the cost of utilities and infrastructure. She cited a transportation report showing an 11% increase in rural road traffic and an 18% increase in fatalities, saying that residents are the ones affected. She concluded by noting that Bartow currently has 81 foreclosures and referenced a Peace Creek water report quoting Mr. Lindsey, who stated that "the days of cheap water are over" and that even proposed aquifer drilling will not adequately meet future water needs. She urged the Commission to stop approving developments that overextend city resources and harm existing residents.

**Pam Luce, 1808 Charleston Lane, Bartow.** Ms. Luce stated that in 2021, the State of Florida overhauled growth management laws under Florida Statute Chapter 163, limiting the ability of state agencies, regional planning councils, and counties to provide comments on development proposals. She said this change has weakened growth management oversight statewide, leading to

rapid high-density expansion in Polk County. She noted that developers have become major political donors and that some state agency staff regret being unable to provide the same level of review as before. She said that Chapter 163 still requires developments to align with local comprehensive plans. She cited the city's objectives and policies regarding urban sprawl, compatibility, and land use (Objectives 1.1, 1.10, Policies 1.10.1, 1.5.2, and 1.8.1), stating that the Emilie Springs project represents "leapfrog" development into rural farmland and flood-prone areas, inconsistent with orderly growth and the city's comprehensive plan. She emphasized that the proposal is incompatible with surrounding agricultural land, floodplains, and even an archaeological site. She stated that no financial feasibility analysis has been provided to demonstrate how the project benefits the city, particularly if property tax reductions are enacted. She also noted that fire services in northwest Bartow remain incomplete despite prior concurrency commitments. Identifying herself as the whistleblower referenced earlier, Ms. Luce said that while working for the school district, she was instructed to issue school concurrency determination letters to developers even when school capacity was unavailable. She said she presented evidence in past meetings that such letters were issued repeatedly for Spessard Holland Elementary and noted that the same developer previously built in Eagle Lake without applying for concurrency review, leaving unknown impacts on nearby schools. She concluded by urging the Commission to reject the Emilie Springs development, stating that it is inconsistent with city growth policies, poses infrastructure challenges, and continues a pattern of poor planning. She encouraged commissioners to "follow reason and vote no."

**Tom Palmer, 1805 26<sup>th</sup> St. NW, Winter Haven.** Mr. Tom Palmer, Chair of the Ancient Islands Group of the Florida Sierra Club, representing Polk, Hardee, Highlands, DeSoto, and Sumter Counties, stated that the Commission should require an updated floodplain analysis to account for the effects of climate change, as future flood levels are uncertain. He noted that portions of the proposed development already appear to sit within retention areas and could face increased flooding. He commended the inclusion of internal wildlife crossings but questioned their effectiveness, noting that berms and fencing would block animals from entering or exiting the site, undermining the purpose of wildlife corridors. He said that the lack of State comments on the project was unsurprising given recent changes in state law limiting agency input, and noted that even when comments are made, local governments are no longer required to address them. As an example, he cited a prior case near the Avon Park Air Force Range where local officials disregarded state environmental guidance. He concluded that growth management oversight in Florida has been weakened and described the proposed project as an example of urban sprawl. He urged the Commission to seriously consider denying the development proposal.

**Teri Markley, 1650 Margaret Ave., Bartow.** Ms. Markley stated that she is a second-generation Bartow native who has lived in the area most of her life. She shared that she submitted a public information request to the Polk County School Board in November and received a response indicating that school

buses currently make approximately 34 stops along U.S. Highway 60 between the Peace River Bridge and Rifle Range Road. She said this shows how heavily the corridor is already traveled. She asked if any traffic impact studies had been completed related to this proposed development. She noted recent and future additions of multiple traffic signals along U.S. 60, including at 80 Foot Road, Alturas Road, near the distribution center, and potentially at the Polk Parkway and Wilson Ranch Road intersections. She expressed concern that continued residential growth would lead to worsening congestion, requiring further widening of U.S. 60 and reducing mobility between Bartow, Winter Haven, and Lake Wales. She reflected on how travel times within Polk County have increased dramatically over the years and said that excessive traffic threatens Bartow's small-town character. She said she loves Bartow's community events, art festivals, and friendly neighborhoods and does not want to see the city lose its sense of connection and identity to large, impersonal subdivisions. She concluded by thanking the Commission for its work and careful consideration of the issue.

**Margaret Anderson, 960 E. George St., Bartow.** Ms. Anderson urged the Commission to vote against all proposed Emilie Springs developments. She stated that she is a sixth-generation Floridian and has lived in Bartow for 46 years since marrying a third-generation resident. She said she values Bartow's small-town charm, historic character, and sense of community, which are increasingly threatened by large-scale development. She noted that high-density housing projects add traffic, lengthen commute times, and diminish the qualities that make Bartow desirable. She said U.S. Highway 60 already experiences congestion and safety issues from existing developments in Lake Wales, and that adding more than 2,200 new homes will worsen these conditions. While roadway improvements are being discussed, she said they would be inadequate to offset the impacts. She added that some of the proposed development areas include floodplains and land previously used for waste dumping, creating potential health and environmental risks for future residents. She also pointed to ongoing water restrictions and said it is irresponsible to expand beyond the city's resource capacity. She suggested that additional housing is needed, Bartow should instead encourage small-scale, affordable developments for seniors such as single-story villas or condominiums constructed by local builders rather than by large national developers such as Lennar. She cited poor customer satisfaction reports associated with Lennar projects and questioned why the city would support an outside developer with no long-term ties to the community. She further stated that there is no housing shortage, noting that local listings already include hundreds of new homes, many of which remain on the market for months. She concluded that the Emilie Springs proposal represents unnecessary high-density growth on land ill-suited for it and benefits only out-of-state developers, not Bartow residents.

**Kathryn Eldridge, 365 80 Foot Rd., Bartow.** Ms. Eldridge stated that she is a lifelong resident of Bartow and that her family has lived in the area for five generations. She said she has lived most of her life on or near 80 Foot Road

and that her daughter is being raised on the same family property. She shared that many in attendance know her personally from the community and her longtime employment at Sonny's. She described firsthand knowledge of flooding in the area, explaining that during the rainy and hurricane seasons, nearby fields fill with water and the low-lying "bowl" area quickly floods. She said that water flows across property lines and roads, up to Highway 60 and beyond, affecting properties including her own. She noted that culverts along 80 Foot Road and adjacent wooded areas channel stormwater under Highway 60, contributing to overflow in residential areas. She said that long-term residents have witnessed repeated flooding along Peace Creek, 91 Mine Road, and Rifle Range Road, and that anyone familiar with the area can see how saturated the land becomes during storms. She argued that building in such flood-prone areas is unsafe and inconsistent with common sense. She stated that she is not opposed to growth but opposes what she described as "reckless development." She said Bartow lacks sufficient road capacity, schools, and fire protection to support the proposed development and that much of the land is reclaimed mine property and former dumping ground. She noted that the project had previously been denied by the County. She urged commissioners to think of their residents and future generations, saying that rapid, high-density development would destroy the community's character and natural landscape. She expressed her belief that responsible growth is possible, but the Emilie Springs project does not meet that standard.

**Mike Hancock, 3520 E. Gaskins Rd., Bartow.** Mr. Hancock stated that after listening to the discussion, two key concepts stood out to him, rural character and compatibility. He defined rural character as areas dominated by open space, natural landscapes, and agricultural uses rather than manmade structures, and compatibility as the ability for two things to exist together without conflict. He said the proposed Emilie Springs development clearly conflicts with both definitions. He cited numerous community concerns including water, roads, funding, police, fire, and school capacity. He said longtime residents who have built their lives in the area now face loss of peace and quiet, increased light and noise pollution, and diminished rural quality of life. Comparing sound levels, he said rural homes typically experience 30–40 decibels while developments of the proposed scale could reach 85–90 decibels. He added that light pollution, measured by the Bortle scale, would also dramatically increase, obscuring the night sky that residents currently enjoy. He described existing traffic congestion on Highway 60 and 91 Mine Road, saying travel times have already increased by 15–20 minutes during peak hours. He said adding thousands of new residents would overwhelm local roads and create unsafe conditions. Drawing on his 30 years as a firefighter, he compared traffic capacity to "friction loss" in a hose, explaining there is only so much flow that can move safely through a limited channel. He also recalled seeing significant flooding in the area during his career and said additional construction would worsen runoff and strain drainage systems. He questioned why the city would replace its scenic rural highway with dense development and said the project would create suburban "villages" inconsistent with the countryside's character. He emphasized that he

loves rural living and does not oppose growth, but believes this development is incompatible with the surrounding community. He said it would take away the quiet lifestyle residents have worked to preserve and urged commissioners to consider the long-term impact on families who have lived there for generations. He concluded by asking the Commission to reject the project for the sake of preserving Bartow's rural environment and community values.

**John Phillips, 2645 Gerber Dairy Rd., Winter Haven.** Mr. Phillips stated that he owns the home located closest to the proposed development, approximately 150 feet from the property line. He said during heavy rainfall, all areas around his property flood except the house. He explained that his home had to be built higher than the surrounding land due to persistent flooding and poor soil drainage. He said that by the developer's own demonstration, his residence represents the nearest existing home to the project and that his livestock of goats, cows, horses, and donkeys are within about 50 feet of the development boundary. He expressed concern that both his animals and the area's wildlife would be directly impacted. He regularly observes coyotes and gopher tortoises on his property, which borders the proposed site and serves as part of a local wildlife corridor. He recalled witnessing trucks dumping biosolids approximately 50 feet behind his home several years ago, during the period when the land was permitted for such materials. He said that just two weeks ago, around 11:30 p.m., he again saw a tanker truck enter the site and remain for about 20 minutes, raising new concerns about what was being discharged. He explained that stormwater currently flows southwest across his property through a shallow canal that leads into a pond and then into nearby wetlands. He warned that if development berms are constructed along the property line, they will block this flow, preventing water from draining and causing flooding on his property and neighboring lands. He urged commissioners to visit his property to observe the conditions firsthand, emphasizing that flooding issues are already severe and would only worsen with this development. He said the land is not suitable for dense housing, would harm wildlife and livestock, and cannot handle the water impacts. He concluded by asking the Commission to vote against the proposed development

**Melvin Blackford, 740 Grove Dr., Bartow.** Mr. Blackford stated that he lives in Connersville and must travel along Gandy Cemetery Road to reach his home. He said that development has steadily surrounded his neighborhood, with nine new subdivisions built nearby since the 1970s, and now the proposed project would further expand north of Peace Creek Valley. He has lived on his property since 1971 and described how flooding has long been an issue. He said that during hurricane seasons, the area can become completely covered in water, recalling times when it was deep enough to boat across. Currently, however, the region is in drought, and his neighbor's well recently went dry after the water table dropped from 15 feet to 37 feet, reflecting the area's extreme water fluctuations. He expressed concern about the additional traffic the project would bring, estimating thousands more vehicles using Highway 60 once construction is complete. He noted that the Polk Parkway extension and other regional

projects are already adding congestion and that traffic near the Peace River Bridge and local commercial areas, such as Walmart and Publix, has worsened to the point that he must take detours via 91 Mine Road and Highway 17. He also mentioned frequent semi-truck traffic and said these impacts will intensify as new developments are added along Gaskin Road and near the rail and truck terminals. He referenced his personal connection to the area, saying he has hunted and fished on the property for years and regularly sees wildlife, including alligators, coyotes, scrub jays, gopher tortoises, deer, and wild hogs. He said continued development is forcing these animals into town and endangering them citing an example of a deer recently struck and killed in front of local businesses. He concluded by urging the City Commission to deny the proposed development, stating that it threatens the area's environment, wildlife, road safety, and water resources, and that residents have already borne the cumulative impacts of surrounding subdivisions.

**Clay Rollins, 615 Morgan Rd., Winter Haven.** Mr. Rollins thanked the Commission for allowing residents the opportunity to speak and said he wished the proposal had not progressed this far, as he views the process as a costly waste of city resources. He expressed concern that the city already faces financial challenges and that the proposed development would add further strain, especially regarding water supply. Citing data showing average water use in Florida at approximately 77 gallons per person per day, he estimated the project would require more than half a million additional gallons of water daily. He said this is troubling given current reports of water contamination, including the presence of uranium and radium. He cautioned that these contaminants do not degrade over time and that expanding demand would only worsen water quality and availability. He said with national and local economic uncertainty, the city should not take risks that could harm residents for the sake of developer profits. He questioned whether it was worth endangering even one child's health for financial gain and concluded by urging the Commission to reject the development. He also asked commissioners to consider the public's clear opposition to the project and the impact their decision could have on future elections.

**Harvey Prevatte, 7000 SR 60 E, Bartow.** Mr. Prevatte stated that he owns the property adjacent to the east side of the proposed Emilie East development. He reminded the Commission that during Hurricane Ian in 2022, flooding was so severe that it submerged a recently constructed county bridge on his property, illustrating the vulnerability of the area to major flood events. He noted that the same experts speaking on behalf of the developer tonight also testified in support of the project when the county previously denied it. He cautioned that, should the city approve the development, future homeowners may someday wish that developers had guaranteed reimbursement for any flood-damaged properties. He further warned that once access to U.S. Highway 60 is established, the developer could later seek rezoning of adjacent land to commercial use to add gas stations or retail, altering the rural character of the

area. He concluded by urging commissioners to “beware of the wolf in sheep’s clothing.”

**Tony Waters, 2900 Gerber Dairy Road, Winter Haven.** Mr. Waters stated that he has been involved in opposing the proposed development for five years and described the process as mentally and emotionally draining for residents who live in and rely on the area for their livelihoods. He said the project has been repeatedly rejected as a bad idea, with no significant improvements since its initial proposal. Only the developers and their representatives, he noted, continue to promote it. He stated that the project would require construction of a 300-foot bridge across Peace Creek, rerouting of streams and wildlife corridors, and new intersections all of which would disrupt the natural environment, increase flooding, and alter the character of the community. He argued that if so, much alteration is needed to make the site buildable, the project should not be pursued at all. He criticized developers for citing State statutes to justify the project, asserting that Bartow’s elected officials have both the right and responsibility to protect residents’ best interests. He asked the Commission to prevent the city from becoming another sprawling metropolitan area, noting that residents choose to live there for its open space, peace, and rural charm not for crowded neighborhoods or heavy traffic. He said the 10-year construction period would bring continuous noise, dust, and pollution affecting property, wells, and air quality, and would worsen flooding in an already flood-prone area. He questioned the need for additional subdivisions when several nearby developments remain unfinished or unsold. He also highlighted ongoing water shortages and increased wildlife displacement due to existing construction along Bomber Road, warning that new development would push animals even further into populated areas. He quoted a statement from former County Commissioner Randy Wilkerson, who noted that officials would later be forced to fix flooding problems caused by such projects, and referenced Mark Twain’s quote, “Buy land; they’re not making it anymore,” emphasizing the need to preserve natural land. Mr. Waters raised two additional points: first, that earlier school board estimates projected roughly 700 new students from about 2,100 homes, which he believed understated the true impact; and second, that a state letter identified archaeological site P000441 within the project area as potentially eligible for the National Register of Historic Places. He said development could damage this protected resource. He concluded that the project is neither needed nor wanted, would cause irreversible harm to the community and environment, and should be denied, as previous boards have done.

**Amity McGee, 3900 Gerber Dairy Road, Winter Haven.** Ms. McGee stated that she has lived on her property for 25 years, which has been home to four generations of her family. When she purchased the land, she was informed that the area across the street was designated as flood zone property. She said that both Mr. Gerber and his attorney confirmed this, and that she and other residents bought their land with that understanding. However, the county later changed the zoning, and citizens had no ability to stop it. She explained that

residents have already fought this development twice at the county level and won both times, yet the proposal continues to return in new forms. She expressed frustration that the only county commissioner who supported the project now works for the developer, saying that this undermines public trust. She said that citizens are following all appropriate channels to oppose the project, while developers appear to operate by a different set of rules. She stated that she feels unheard and disadvantaged as a taxpayer who must pay both county property taxes and high city electric bills yet does not have the right to vote in city elections. She said the proposed development will border her property on the county side, creating flooding risks with no clear accountability between city and county jurisdictions. She described how her property can flood severely and how at times her family must park at the road because they cannot access their driveway during heavy rains. She asked whether the city would assume responsibility for drainage, ditch maintenance, and road repairs if flooding worsens once the property is annexed. Ms. McGee noted that the county previously denied the project twice due to flooding concerns and said approval by the city would blur jurisdictional responsibilities, leaving nearby county residents without support. She also recounted a prior hurricane during which her household went 19 days without electricity and said she was told that being one of the last homes in the city's service area meant restoration would be delayed. City services, she said, have already been reduced since the pandemic, yet this proposal would add thousands of new residents and strain resources further. He questioned conflicting statements about the project's density, citing figures ranging from 3 to 5.5 homes per acre, and raised concerns about whether the homes could be used as rentals or short-term Airbnb-type properties. She said communication between the city and county appears inconsistent, particularly regarding flooding and drainage management, and warned that residents in her area would suffer the consequences. She concluded by asking the Commission not to approve the development, stressing that residents will bear the financial and environmental impacts of flooding and inadequate planning.

**Daryl Phillips, 2635 Gerber Dairy Road, Winter Haven.** Mr. Phillips stated that most of his neighbors have already expressed concerns like his and that the county previously denied this development multiple times. He recalled that when Cassidy Holmes originally proposed building in the same area years ago, approval was ultimately limited to one home per acre after several attempts. He said he was present at that meeting and questioned how the proposed density has now increased to three to five homes per acre, which he believes violates prior determinations for that property. He said the existing electrical substation serving Gerber Dairy Road is already outdated, and residents frequently experience power outages even during normal weather conditions. He said he has had to purchase a generator due to the loss of electricity being so common. Addressing school capacity, he stated that the Polk County School Board plans to move students to Lake Region and other nearby schools because local campuses are already at or near capacity. He warned that those schools will soon also be full if additional developments are approved. He added that wildlife

is still abundant in the area, despite development studies suggesting otherwise. He noted that eight subdivisions are already located within five miles of his property, and that nearby development in both the county and city such as along Ernest Smith Boulevard has dramatically reduced open space. He urged the Commission to reject the proposal, saying the area has already seen enough growth and should remain rural and agricultural. He concluded by asking commissioners to deny all phases of the Emilie Springs development, stating that it is neither necessary nor compatible with the area's character.

**Kenny Meeks, 175 Cecile Ct., Bartow.** Mr. Meeks stated that he opposes the Emilie Springs development and urged the Commission to consider who the project is really being built for. He said existing Bartow residents are generally satisfied and that current subdivisions already provide sufficient housing, making thousands of additional units unnecessary. He expressed concern that large-scale growth would bring in many new residents from outside the community, along with different values and priorities, potentially changing Bartow's political and cultural character. He questioned how local schools could absorb the resulting increase in students, noting that the projected population has risen significantly since earlier versions of the plan. He emphasized his long-standing ties to Bartow and said he wants to "keep Bartow, Bartow," preserving its small-town identity and close-knit community. He concluded by thanking the Commission for its work and asking members to consider the community's character and wishes when deciding on the project.

**Susan Prevatte, 7000 SR 60 E, Bartow.** Ms. Prevatte thanked the commissioners and acknowledged that they are likely to be as tired of dealing with the Emilie Springs proposal as the residents are. She said she is praying that they will listen to their constituents and do what is best for the City of Bartow. She added that she has never been more proud of Bartow's citizens for repeatedly attending meetings and speaking up about what they believe is right for their community.

**Adrian Perez, 2950 Gerber Dairy Rd., Winter Haven.** Mr. Perez stated that he was speaking in support of his neighbors and thanked the Commission for listening to residents' concerns. He said Gerber Dairy Road is being heavily impacted and reiterated issues previously raised about flooding and lighting. As a county resident, he echoed with others on who should they contact when problems arise, since they cannot call the City of Bartow directly. He asked the commissioners to consider the concerns of citizens on both sides of the line and to help protect the neighborhood.

**Drew Davis, 1075 E. Mann Road, Bartow.** Mr. Davis stated that, in a time of political division, the Emilie Springs proposal has managed to unite nearly the entire Bartow community in opposition. He said the many concerns raised about wildlife, flooding, biosolid dumping, water supply, archaeological resources, and prior denials are important, but that commissioners ultimately need only listen to their residents. He emphasized that the people are what make Bartow unique

and that they have clearly and repeatedly voiced their objection to the project. He said he is angry and tired of feeling bullied and being told that growth is inevitable. He urged the Commission to use its authority to “end this madness” by denying the development and to “keep Bartow, Bartow” by honoring the community’s wishes.

**Tiffany Ponds, 2355 S. Tee Circle, Bartow.** Ms. Ponds stated that she is known as “the Oreo cookie lady” and operates a small business selling deep-fried Oreos. She expressed support for the Emilie Springs development and said she may stand alone in that position but prefers to focus on positive opportunities and future growth. She commented that many people are resistant to change, but she places her faith in God, whom she believes is ultimately in control of infrastructure, nature, and circumstances such as flooding and power outages. She said that when she lost power during hurricane season, she relied on her faith rather than focusing on the inconvenience. She concluded that she is looking forward to new development and growth that could benefit her small business and affirmed that she proudly stands in favor of the project.

With no further comments, Mayor Tucker closed the public hearings for Ordinance Nos. 2025-17, 2025-18, 2025-19, 2025-21 and 2025-22.

Attorney Allen noted there had been extensive discussion about school capacity and concurrency. He asked Joshua Macklemore from the Polk County School Board’s planning staff if he had anything to add beyond the nonbinding concurrency letter provided, which indicates that school capacity is available. Mr. Macklemore stated he had nothing further to add.

Mr. Rob Engel, a civil/drainage engineer with Stantec, stated he had previously appeared before the Commission in November. He addressed concerns about Gerber Dairy Road, explaining that while exhibit drawings may give the impression of a “dam,” the project is required to receive and convey off-site water through the property. He said he had reviewed FEMA flood maps, recognized the low areas shown in the flooding photos, and indicated that those conditions would be addressed through the stormwater management design and permitting process.

Attorney Allen stated that contrary to public comments, the subject property has not been mined for phosphate, the land is considered undisturbed. On concurrency, he explained that if the project is approved, it must meet all concurrency requirements at each stage of development, as mandated by the city’s comprehensive plan, land development code, and state law. He acknowledged the lawsuit referenced by Ms. Luce involving the School Board and said the applicants intend to follow the concurrency process correctly. Addressing biosolids, Attorney Allen stated that Class B biosolids were previously applied under a valid Florida Department of Environmental Protection permit and that this use was identified and reviewed in Phase I and Phase II environmental assessments. He said DEP has cleared the site and that there

are no outstanding issues related to prior biosolids use, adding that any allegation of illegal dumping is unfounded and not authorized by the developer or current owner. Regarding potable water, he said the analysis reviewed by city staff and utility consultants shows Bartow currently has sufficient permitted capacity to serve the entire project without modifying its existing water permits. In addition, there is a separate agreement for irrigation water from Clear Springs, which will keep irrigation demand off the city's potable water system. He noted that all water-conservation measures required by the Southwest Florida Water Management District incorporated into the city's plans will be met, and that countywide conservation has already reduced average potable water use. Lastly, he addressed maintenance costs, stating that all internal subdivision roads will be private, with only the main spine road potentially becoming public, subject to possible shared-maintenance arrangements. He said the homeowners' association, not the City of Bartow, will be responsible for maintaining all amenities within the development.

**George Lindsey, 3020 S. Florida Ave., Lakeland.** Mr. Lindsey stated that he previously served on the Citizens Advisory Committee that helped draft Polk County's first comprehensive plan and observed the evolution of Florida's 1985 Growth Management Act for many years. He said the growth management process is tedious but not complicated, and that the central challenge is balancing present public interests with private property rights, the rule of law, and a growing population. He explained that the first step is the local government's adoption of a comprehensive plan, which sets the community's vision and standards for land use, conservation, housing, and infrastructure. Once adopted after workshops, public hearings, and state review the plan becomes "the law of the land" and effectively creates a social contract between the city, the community, and property owners. He stated that when a property owner later asks what can be done with their land, staff applies the adopted plan and codes. If the proposed application does not comply, the owner must revise or withdraw it. Once staff determines that an application is consistent with the plan and ordinances, the matter proceeds to a quasi-judicial hearing, like the current one, where commissioners act in a judge-like role and simply apply the law to the evidence presented. He emphasized that infrastructure concurrency and regulatory permits are not preconditions to a land-use decision; rather, they are required before any development can proceed. He noted that multiple agencies such as U.S. Fish and Wildlife, FDOT, the Army Corps of Engineers, the Southwest Florida Water Management District, and the Polk County School Board each have their own jurisdiction, and no construction can begin until all required approvals and concurrency obligations are met. He addressed the concern that existing residents would have to pay for new infrastructure, stating that at full buildout, the Emilie project is projected to generate substantial impact fees and annual tax revenues. He said the development would provide millions of dollars in impact fees to the City of Bartow, Polk County, and the Polk County School Board, and that the city would receive several million dollars per year in property taxes, including significant funding dedicated to public safety. He added that each new homeowner would pay a sizable impact-fee contribution

up front and, thereafter, annual homesteaded property taxes that exceed the current citywide average, meaning they would pay their “fair share” rather than burden existing residents. He then discussed school concurrency and referenced Ms. Luce’s pending lawsuit against the School Board, noting that her complaint seeks more accurate accounting of reserved classroom capacity so that development either pauses or contributes proportionate share mitigation when seats are lacking. He said the applicants agree that accurate capacity numbers are important and that, if any capacity issue arises, the law requires either a pause or mitigation before further development can proceed. Regarding urban sprawl and compatibility, he explained that the city’s predecessors designated an urban service area around Bartow as the planned area for future growth and extension of urban services. He noted that the Emilie project lies entirely within this urban service area and therefore is, by definition, not urban sprawl. In his view, a master-planned community with coordinated infrastructure represents “smart growth,” whereas widespread one-acre lots on wells and septic systems without unified stormwater management would better fit the description of sprawl. He added that in a past Polk County land-use case, it was found acceptable for development to locate at the perimeter of an urban service area and extend improvements inward, with the first development paying for oversized infrastructure and later projects reimbursing those costs, like how a major force main in Bartow was funded. He stated that the city’s professional planning staff has already found that the application complies with 24 separate comprehensive plan policies, is compatible with the surrounding area, and meets the standards for approval, and that a recent state review raised no objections. He urged commissioners, in their quasi-judicial role, to identify any specific comprehensive-plan policy the project fails to meet; he said the applicants stand ready to address any such citation. He concluded by saying that while growth is inevitable, progress is optional, and he and the applicants believe the Emilie master-planned project would provide long-term economic and community benefits for the City of Bartow.

City Attorney Parker read the ordinance by title only:

“AN ORDINANCE ANNEXING UPON THE PETITION OF THE OWNERS THEREOF APPROXIMATELY 369.3 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 60 EAST; SOUTH SIDE OF GERBER DAIRY ROAD; AND 3,600’ WEST OF RIFLE RANGE ROAD IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA; PROVIDING FOR SCRIVENER’S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Mayor Tucker to deny on final reading Ordinance No. 2025-17, an ordinance annexing upon the petition of the owners thereof approximately 369.3 acres of property located on the north side of Highway 60 east; south side of Gerber Dairy Road; and 3,600’ west of Rifle Range Road in Sections 29 thru 32, Township 29S, Range 26E,

Polk County Florida; providing for scrivener's error; and providing for an effective date upon final passage.

Commissioner Pfeiffer stated that the city welcomes new development opportunities but takes such decisions very seriously given their long-term implications. She emphasized that growth must align with fiscal reality, describing the proposal as more than a land-use decision but a major financial commitment. She noted that approving annexation and more than 2,200 new homes would effectively create a "city within a city" comparable in population to Fort Meade within Bartow's existing 5,400 residents. Commissioner Pfeiffer expressed concern about ongoing state legislative changes, including potential elimination of non-school property taxes, restrictions on municipal utility revenues, revenue-sharing adjustments, funding preemptions, and mandates for services outside city limits without annexation requirements. She said residential growth increases demands for police, fire, road maintenance, stormwater management, and infrastructure replacement, while impact fees are one-time payments and homesteaded residential properties often fail to generate surplus revenue beyond service costs. She added that shifting police services to the sheriff's office would not be cost-free and could increase response times, and that cities with heavy residential expansion bear disproportionate financial burdens. She cautioned that annexation creates permanent obligations for utilities, roads, stormwater, and public safety, which the city currently struggles to maintain. With uncertain future property tax structures, utility surcharges, and revenue-sharing formulas, approving such a large development now, amid state fiscal restructuring, creates significant structural risk. She highlighted additional physical risks, including floodplain development along Peace Creek, where engineering reduces but does not eliminate flood risk, and high-density residential conversion of industrial-zoned land. She said expanding utilities beyond current service areas compounds these concerns, and that good governance requires evaluating total risk rather than isolated factors. She concluded that this is fundamentally a resilience decision, not just a land-use change. While acknowledging the developers' interest in Bartow, she described the Emilie Springs project as a "square peg in a round hole" unsuitable for this location. She said growth cannot be stopped in sensible areas but emphasized that this proposal does not make sense given floodplain location, density, service obligations, and financial uncertainties. She affirmed that her comments were accurate and true, despite the difficulty of the situation.

Commissioner Ball stated that annexation is one of his strongest priorities, particularly bringing enclaved properties within city limits as the city expands outward. He described the Emilie Springs proposal as "leapfrog" development that skips over substantial undeveloped land between current city boundaries, essentially stopping at the Peace River Bridge, with only limited exceptions near Gandy Cemetery Road and a 60-acre project. He said extending services from the current city edge near the air base out to Rifle Range Road and U.S. Highway 60 represents a considerable distance that would strain public safety

response times. He noted his prior experience working in public safety and said reaching the interior of the proposed "bowl" area from any direction would overtax existing resources. He emphasized that while cities have discretion to annex, statutory eligibility does not compel approval, annexation must firmly serve the public interest. He said planning consistency and revenue potential alone cannot justify the decision, and that annexation must ensure adequate capacity for public safety, transportation, drainage, and utilities without shifting long-term financial burdens onto existing citizens and businesses. He acknowledged ongoing state-level uncertainty about municipal funding, stating that there are no guaranteed revenues to support such significant population growth at this time.

Mayor Tucker stated that she is a fifth-generation Bartowan whose family has lived in the area for generations, including a long period in the Alturas area where she has firsthand knowledge of local conditions. She shared that in her county job following the 2004 hurricanes, she personally oversaw the demolition of 17 homes in Peace River Heights due to severe flooding, giving her direct experience of the area's vulnerabilities. She agreed with her colleagues that the city currently lacks the infrastructure, emergency resources, and school capacity to support more than 2,200 new homes. Mayor Tucker noted that her daughter, a schoolteacher, regularly discusses the ongoing teacher shortage and classroom overcrowding. She affirmed that residents have been heard throughout the process, even if they sometimes feel otherwise, and emphasized the uncertainty of impending state tax cuts, which would make it difficult to maintain existing city services let alone accommodate major expansion. She concluded by stating that she will vote no on the proposed items tonight.

Commissioner Longworth first commended Ms. Tiffany Ponds for having the courage to speak in favor of the proposed development as the only speaker to do so, calling it an act of strength. He thanked her for expressing her perspective. He acknowledged that no commissioner agrees with every public comment but emphasized that development brings benefits like economic growth, job creation, and support for local businesses like Ms. Ponds's. As a business owner himself, he said growth helps businesses thrive through increased customers, though he recognized that Bartow's growth has been rapid. He reflected on traffic congestion worsening over the years citing lines on U.S. 98 that now extend far beyond what they were in 1987 and noted that growth is inevitable, with developers continuing to propose projects regardless of who serves on the Commission. On public safety, he expressed concern about current vacancies in the police department, saying existing officers are stretched thin. He noted that annexation would immediately make the city responsible for the area, even before homes are built, and questioned how police and fire could plan and budget for additional assets like a new fire station during construction. He said the staff report acknowledges these challenges but offered no clear solutions. Regarding flooding, he cited existing issues in the Tee Circle area east of Bartow, where homes flood during hurricanes or prolonged rain, to the point that the city is considering buying one property for a

retention pond. He said development near Peace River would likely worsen these conditions rather than improve them. He voiced opposition to residential development near airports, particularly when the airport predates the project. He noted the staff report's condition requiring an avigation easement. He concluded that the proposal is not a reasonable annexation or boundary extension due to public safety demands, flooding risks, and airport proximity, and that he does not support it.

Vice Mayor Simpson stated that speaking last on this topic is challenging since many concerns have already been thoroughly addressed by residents and fellow commissioners, but she wanted to focus specifically on the airport-related issues, public safety challenges, and particularly the unintentional downstream consequences that development on this property would create. She described the site as both critical watershed land and designated floodplain, where engineering might protect the new homes from direct flooding, but the reality, as demonstrated during Polk County's severe 2024 storms, is that older, established developments downstream receive the additional runoff and displaced water. She noted specific examples from Lakeland, where flooding impacted legacy neighborhoods rather than the newer subdivisions, because development upstream alters natural drainage patterns and pushes excess water further along Peace Creek and into the Peace River system. Vice Mayor Simpson emphasized that these ripple effects create long-term burdens for existing residents who did not choose this change. While acknowledging that development will continue to come to Bartow as the region grows, she concluded that this specific property does not provide sufficient economic, infrastructural, or otherwise benefits to justify the environmental, safety, and financial risks it would impose on the broader community.

Commissioner Pfeiffer explained the airport flight paths, noting that planes taking off from the southern runway bank right over the proposed residential area, while those from the northern runway bank left. She said maps at the airport clearly show this pattern, raising safety issues there have also been noted by the airport director.

Vice Mayor Simpson followed up that airport encroachment would worsen existing runway flooding by displacing water that should naturally flow into the property from the creek and river. She said this creates additional hazards for airport operations, reinforcing that the site is unsuitable for development.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- f. **Public hearing and final reading of Ordinance No. 2025-18 - AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT NO. CPA-25-01-LS – EMILIE EAST"; SPECIFICALLY ASSIGNING LOW DENSITY RESIDENTIAL LAND USE TO RECENTLY ANNEXED PARCELS OWNED BY SMITH GERBER, 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.**

City Attorney Parker read the Ordinance by title only:

"AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT NO. CPA-25-01-LS – EMILIE EAST"; SPECIFICALLY ASSIGNING LOW DENSITY RESIDENTIAL LAND USE TO RECENTLY ANNEXED PARCELS OWNED BY SMITH GERBER, 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."

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-18, an ordinance amending the Comprehensive Plan Future Land Use Map of the City of Bartow, Florida; said amendment being known as "Amendment No. CPA-25-01-LS – Emilie East"; specifically assigning Low Density Residential land use to recently annexed parcels owned by Smith Gerber, 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.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- g. **Public hearing and final reading of Ordinance No. 2025-19 - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW,**

**FLORIDA, ZONING APPROXIMATELY 369.3 ACRES OF LAND OWNED BY SMITH GERBER, LLC AND LOCATED IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER’S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 369.3 ACRES OF LAND OWNED BY SMITH GERBER, LLC AND LOCATED IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER’S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-19, an ordinance amending the Zoning Map of the City of Bartow, Florida, zoning approximately 369.3 acres of land owned by Smith Gerber, LLC and located in Sections 29 thru 32, Township 29S, Range 26E, Polk County Florida, as PD, Planned Development; providing for scrivener’s error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- h. **First reading and public hearing of Ordinance No. 2025-21 - AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT NO. CPA-25-02-LS – EMILIE WEST”; SPECIFICALLY TO CHANGE THOSE PARCELS OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC., FROM CLEAR SPRINGS PLANNED INDUSTRIAL TO CLEAR SPRINGS RESIDENTIAL; 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. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT NO. CPA-25-02-LS – EMILIE WEST”; SPECIFICALLY TO CHANGE THOSE PARCELS OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC., FROM CLEAR SPRINGS PLANNED INDUSTRIAL TO CLEAR SPRINGS RESIDENTIAL; 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.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-21, an ordinance amending the Comprehensive Plan Future Land Use Map of the City of Bartow, Florida; said amendment being known as “Amendment No. CPA-25-02-LS – Emilie West”; specifically to change those parcels of land owned by Clear Springs Land Company, LLC., from Clear Springs Planned Industrial to Clear Springs Residential; 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.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- i. **Public hearing and final reading of Ordinance No. 2025-22 - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 556 ACRES OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC AND LOCATED IN SECTION 25, TOWNSHIP 29S, RANGE 25E AND SECTION 30, TOWNSHIP 29S, RANGE**

**26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 556 ACRES OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC AND LOCATED IN SECTION 25, TOWNSHIP 29S, RANGE 25E AND SECTION 30, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-22, an ordinance amending the Zoning Map of the City of Bartow, Florida, zoning approximately 556 acres of land owned by Clear Springs Land Company, LLC and located in Section 25, Township 29S, Range 25E and Section 30, Township 29S, Range 26E, Polk County Florida, as PD, Planned Development; providing for scrivener's error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- j. **Public hearing and final reading of Ordinance No. 2025-23 – AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT #CPA-25-03-TEXT”; SPECIFICALLY TO AMEND POLICY 3.2.7 AND 3.3.38 OF THE FUTURE LAND USE ELEMENT TO: 1) EXTEND THE BUILDOUT YEAR OF THE CLEAR SPRINGS SECTOR PLAN DETAIL SPECIFIC AREA PLAN #1; 2) INCORPORATE THE CLEAR SPRINGS LAND USE EQUIVALENCY MATRIX; AND 3) ALLOW RENEWABLE ENERGY SOURCES (SOLAR POWER) IN ALL CLEAR SPRINGS LAND USE DESIGNATIONS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA**

**DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT #CPA-25-03-TEXT”; SPECIFICALLY TO AMEND POLICY 3.2.7 AND 3.3.38 OF THE FUTURE LAND USE ELEMENT TO: 1) EXTEND THE BUILDOUT YEAR OF THE CLEAR SPRINGS SECTOR PLAN DETAIL SPECIFIC AREA PLAN #1; 2) INCORPORATE THE CLEAR SPRINGS LAND USE EQUIVALENCY MATRIX; AND 3) ALLOW RENEWABLE ENERGY SOURCES (SOLAR POWER) IN ALL CLEAR SPRINGS LAND USE DESIGNATIONS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Vice Mayor Simpson, seconded by Commissioner Longworth to adopt on final reading of Ordinance No. 2025-23, an ordinance amending the Comprehensive Plan of the City of Bartow, Florida; said amendment being known as “Amendment #CPA-25-03-TEXT”; specifically to amend Policy 3.2.7 and 3.3.38 of the Future Land Use Element to: 1) extend the buildout year of the Clear Springs Sector Plan Detail Specific Area Plan #1; 2) incorporate the Clear Springs Land Use Equivalency Matrix; and 3) allow renewable energy sources (solar power) in all Clear Springs Land Use designations; transmitting said amendment to the Florida Department of Economic Opportunity (DEO) for a finding of compliance; providing for severability; providing for scrivener's error; and providing for an effective date upon final passage.

Planning Director Wieggers stated that this item, like the previous five, underwent mandatory state review and returned with no comments, recommendations, or objections. He explained that Clear Springs Land Company, represented tonight by Mr. Tim Campbell, is requesting three specific amendments:

First, to extend the buildout year of the Clear Springs Sector Plan Detailed Specific Area Plan #1 to align with recent state legislation on "phasing periods."

Second, to incorporate the Clear Springs land equivalency use matrix into the sector plan framework, enabling administrative flexibility to adjust development intensities based on traffic counts, a common industry practice. He noted that

both this and the first request would be memorialized directly in the comprehensive plan text rather than in a separate DSAP document.

Third, to permit renewable energy sources, such as solar power, across all Clear Springs land use designations. He said this mirrors policies already adopted for the Silver and Wilson Ranch developments and does not approve any specific projects, it simply enables future requests. For example, if Clear Springs wanted photovoltaic arrays in a specific area, they would need to return for zoning approval and full development review before the Commission.

Wiegers concluded that these are the three items under consideration tonight, and Mr. Campbell is available to speak further on behalf of the applicant.

**Tim Campbell, Land Use Attorney with Clark, Campbell, Lancaster, Workman & Airth, located at 500 S Florida Ave., Lakeland.** Attorney Campbell clarified that this request is unrelated to the Emilie development but pertains to the larger 18,000-acre Clear Springs mixed-use master plan. He noted that extending the buildout year from 2030 to 2041 is a statutory allowance under Florida law that would apply regardless, but incorporating it into the comprehensive plan, as Director Wiegers is doing, ensures consistency in a single document. He described it as a straightforward administrative update. On the second item, Attorney Campbell explained that large master-planned developments commonly include a land equivalency use matrix based on Institute of Transportation Engineers (ITE) data. This table allows trading uses (e.g., from office to commercial) without increasing traffic trips beyond planned levels. He said staff would review any such requests using this standard methodology anyway, so formalizing the table simply provides clarity and a predefined schedule. He reiterated that the request is to add utility-owned renewable generation systems (such as solar) as an allowed use within Clear Springs land designations. No specific locations are proposed; any future project would require returning for zoning, approvals, and Commission review.

Mayor Tucker opened the public hearing.

With no comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- k. **Public Hearing — Review and consideration by the City Commission of the City of Bartow of a request by Clear Springs Land Company, LLC, to amend a previously approved Development Agreement with the City of Bartow.**

Attorney Campbell stated that this item pertains to the Emilie Springs development and that the applicants are hereby withdrawing the request, as it is no longer relevant at this time.

11. **CONSENT AGENDA**

- a. **Approval of February 16, 2026, City Commission Regular Meeting minutes.**
- b. **Approval of February 16, 2026, City Commissioner absence(s): None**
- c. **Consideration and approval of updated Electric Utilities Cost in Aid of Construction Guidelines.**
- d. **Consideration and approval of State Appropriate funded Fire Truck Purchase through Sourcewell Cooperative with Oshkosh Corporation/Pierce Manufacturing (Ten-8). (Cooperative Purchasing/Governmental Contracts that exceed \$100,000.00).**
- e. **Consideration and approval, authorizing staff to enter contract negotiations starting with the highest ranked firm CityVitae, LLC, for Electric Vehicle Charging Station Infrastructure Implementation.**
- f. **Approval of staff request to apply for and the use of the FY 2026-2027 Community Development Block Grant (CDBG) in the amount of \$102,630.19**

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to approve Consent Agenda as presented.

**VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker  
**NAY:** None

Motion carried.

12. **OTHER COMMISSION BUSINESS**

- a. **OLD BUSINESS – NONE**
- b. **NEW BUSINESS – NONE**

13. **RESOLUTIONS – NONE**

14. **COMMISSIONER COMMENTS:**

- a. **GARY BALL**

Commissioner Ball had no further comments.

b. **LEO E. LONGWORTH**

Commissioner Longworth had no further comments.

c. **TRISH PFEIFFER**

Commissioner Pfeiffer had no further comments.

d. **LAURA SIMPSON**

Vice Mayor Simpson had no further comments.

e. **TANYA TUCKER**

Mayor Tucker had no further comments.

15. **ADJOURNMENT**

With no further business to discuss, Mayor Tucker adjourned the meeting at 11:02 p.m.

---

Mayor Tanya Tucker

ATTEST:

---

City Clerk Jacqueline Poole

(City Seal)

PAGE INTENTIONALLY LEFT BLANK.



**CITY OF BARTOW  
CITY OF BARTOW CITY COMMISSION WORKSHOP MEETING  
MONDAY, FEBRUARY 2, 2026, AT 4:30 PM OR AS SOON THEREAFTER AS POSSIBLE  
CITY HALL COMMISSION CHAMBERS  
450 NORTH WILSON AVE., BARTOW, FL 33830**

## MINUTES

The City Commission of the City of Bartow met at a Workshop on February 2, 2026, at 6:00 p.m. at Bartow City Hall, Commission Chambers, 450 N. Wilson Avenue, Bartow, FL 33830. Notice of this meeting was posted at City Hall, Bartow Public Library, and on the City's website [www.cityofbartow.net](http://www.cityofbartow.net) and Facebook page on January 29, 2026.

### 1. **CALL TO ORDER**

Mayor Tucker called the meeting to order at 4:33 p.m.

City Clerk Poole called the roll; attendance was as follows:

Commissioners Present: Commissioner Gary Ball, Commissioner Leo E. Longworth, Commissioner Trish Pfeiffer, Vice Mayor Laura Simpson and Mayor Tanya Tucker.

Commissioners Absent: None

Staff Members Present: City Manager Mike Herr, City Attorney Sean Parker, Finance Director Peter Lear, PRCA Director Jason Hargrove, PRCA Asst. Director Kyle Lasek, Fire Chief Jay Robinson, Customer Service Manager Shaun Gelissen, Communications Director Laurie Hayes, Electric Utilities Director Michael Poucher, CRA Director Howard Smith, Code Compliance & Neighborhood Services Director Tray Towles, IT Director Frank Canovaca and City Clerk Jacqueline Poole.

### 2. **REVIEW AND DISCUSSION**

City Manager Herr stated that the purpose of the workshop is to align communication priorities, highlight recent initiatives, and outline key community engagement efforts planned for 2026. The meeting included reviewing the Communications Plan, Award of FCCMA Next Generation Intern, status of new logo roll-out and 2026 community engagement focus areas.

#### a. **2026 Citizen Engagement — Mike Herr, City Manager**

City Manager Herr stated the 2026 Community Engagement Focus areas are topics intended to generate ideas and guide future discussions. He invited input from the commissioners on areas such as property tax reform, budgeting for outcomes, and a public safety roundtable. The roundtable would focus on

community engagement within public safety services including police, fire, code compliance, and neighborhood services. He suggested structuring community conversations around these focus areas along with growth management and annexation.

City Manager Herr discussed the new logo rollout. He noted that the logo received mixed reactions some staff and community members were enthusiastic, while others were less so. At that time, he directed staff to focus only on updating smaller items such as stationery, business cards, or similar materials to allow time for further discussion on how to move forward. Unless he receives different directions, this will remain the city's official logo. He further explained that as new items are ordered, the old logo will gradually be phased out. For example, new uniforms, hats, shirts, vehicles, and other materials will feature the new logo as replacements occur. This gradual transition will help manage costs.

City Manager Herr stated the city received a Next Generation Intern grant from the Florida City and County Management Association (FCCMA) in December 2025, one of four local governments selected (alongside Dunedin, Fort Walton Beach, and Jupiter Inlet Colony). The May–September 2026 internship emphasizes communication strategies such as creating social media content, assisting with event planning; producing staff features; and analyzing platform metrics. The intern will collaborate across departments like CRA, Public Works, Utilities, Public Safety, and Parks & Recreation, aligning with focus areas in municipal management, finance/budgeting, public safety, and community engagement.

City Manager Herr recommended removing the strategic plan process from the 2026 Community Engagement Focus Areas, citing the City's heavy existing workload and lack of available staff.

Vice Mayor Simpson concurred, noting that even developing it would require time and effort, only to potentially scrap it due to uncertainties from tax reform.

City Manager Herr identified the impact of property tax reform as the number one topic of concern. He stated that while the city can provide information to residents about proposed legislative changes, it cannot engage in lobbying. He explained that the worst-case scenario would be a proposal exempting all homestead properties from property taxes. At this stage, he said it is too early and complex to determine what that outcome might look like, and too much speculation could create public confusion. Staff will therefore continue monitoring the situation and discussing it internally until more clarity emerges later in the legislative process. He also mentioned that by the end of the current or any potential special legislative session, additional proposals may surface such as complete exemptions of property tax on homestead properties which would further affect municipal revenues. He added that there are nearly as many bills proposing to limit or eliminate transfers from enterprise fund revenues as there are property tax reform bills, posing another challenge for city budgeting.

Commissioner Pfeiffer asked when he would like input from the Commissioners.

City Manager Herr suggested the commission revisit the topic later in the evening's meeting or when time allows, especially regarding growth management, which remains a broad but important area needing council guidance and structured conversation. He reiterated that the commission should not devote the current meeting to an in-depth discussion of property tax reform impacts, as that topic would require significant time and attention. He confirmed that the issue would be brought up again later that evening to focus on how the city communicates information about property tax reform to the public. He stated that his preliminary communication strategy would combine both digital and in-person outreach. While social media platforms such as Facebook and the city's website will serve as important informational tools, he emphasized his preference for hosting three or four community engagement meetings where residents can meet with city representatives in person. These meetings would help explain the impact of property tax reform on general fund services and allow residents to hear directly from staff in an open, informational setting. He further noted that the timing of these efforts will be important, neither too early to create confusion nor too late to inform voters effectively. Tentatively, he suggested scheduling community engagement meetings in the June-to-November timeframe, with social media messaging beginning earlier to gauge public interest and awareness. He said that, in addition to city-led outreach, departments could collaborate with local organizations such as Rotary, Kiwanis, and other civic groups to share information. He also mentioned opportunities to connect with local churches and community associations by distributing informational materials, noting that face-to-face engagement remains essential in effective public communication.

Mayor Tucker asked whether video recordings or live streaming could be used for residents unable to attend public meetings in person, particularly seniors.

City Manager Herr responded that staff would incorporate such options as part of the outreach effort and that the commission would have opportunities to review and provide feedback on draft messaging before it is released.

Mayor Tucker added that he had already spoken with the Rotary Club and invited city staff to present information on the topic at an upcoming meeting.

Commissioner Pfeiffer reported that she has been viewing the City of Winter Haven City Manager Stavres' video updates and noted that while the videos are well produced, the public comments are largely negative. She observed that many commenters express misunderstanding about city operations and criticize government spending, demonstrating the need to anticipate and prepare for similar reactions when communicating locally about property tax reform and other issues. She added that negative perceptions have been amplified by individuals accusing cities of spending taxpayer dollars wastefully.

City Manager Herr remarked that the Governor and the State Chief Financial Officer deserve credit for their effective political strategy surrounding the property tax reform issue.

Commissioner Pfeiffer emphasized the importance of demonstrating fiscal responsibility through public messaging. She cited Winter Haven's experience with public backlash over a \$10 million parking garage and stressed the need to show that this city spends funds wisely, without "pet projects." She encouraged staff to highlight ongoing infrastructure work, such as the major sewer project and annual roadway resurfacing efforts exceeding \$1 million.

City Manager Herr added that, despite the city's paving efforts, it remains difficult to stay ahead of roadway deterioration because resurfacing costs today are higher while the City has the same amount to spend on roads as it did eight years ago. The city now focuses on resurfacing entire roadways rather than isolated blocks. He noted that additional funding sources, such as a sales tax for roads or a special streets, curbs, and sidewalks assessment, would be needed to expand the program.

Vice Mayor Simpson agreed and suggested producing short video segments to explain complex topics in a way residents can view at their convenience. She said such videos could help create a more informed audience prior to community roundtable discussions. She clarified that she believes this will help create a more well-informed constituency.

Mayor Tucker concurred, noting that residents often lack understanding of how infrastructure projects are funded. She cited the pedestrian bridge project as an example, explaining that some residents mistakenly believe the city is paying for it when, in fact, it is funded by the Florida Department of Transportation. She said clarifying such details would help address misconceptions and improve transparency.

Commissioner Longworth suggested that churches could help with outreach, noting that pastors he knows, including his own, might be willing to host informational sessions after services, particularly to reach residents on Bartow's east and west sides. He added that staff could also network with Seniors on the Move and the Bartow Deacons and Stewards Alliance and recommended creating palm cards to distribute that clearly explain the difference between receiving the proposed tax revenues and losing them. He noted his understanding that once the legislation is approved, the City must be careful not to provide information in a non-compliant manner, and he asked what would constitute non-compliant communication. He stated that once the legislative session ends in March and the matter is transmitted to the Secretary of State, that is when any prohibited activities must cease.

Commissioner Pfeiffer stated that the legislation will need to address implementation plans, which have not yet been developed, and to prepare the 75-word ballot language. She explained that Representative Miller's bill phases in over 10 years, but approximately two-thirds of the tax would be fully phased out by year three, with some portions eliminated in year one for very poor counties. She emphasized that this makes the "10-year phase-in" description misleading, and that because the ballot language will not fully explain this impact, it will fall to local officials to communicate it to the public.

Vice Mayor Simpson stated that ballot language for other measures may include fiscal impact, but that this one will not, because the effect will vary widely among municipalities and counties. She said it will therefore be up to each jurisdiction to explain its specific fiscal impact, and that once the ballot language is available, the City can present real-life scenarios showing how the measure would affect Bartow's budget. She stressed that this effort would not be lobbying but rather sharing factual budget information.

Commissioner Pfeiffer noted that, if the change applied entirely to homestead, the impact on the City would be approximately \$9 million.

Commissioner Longworth then asked when the City must stop lobbying against the measure.

Vice Mayor Simpson replied that she does not believe they must stop sharing their message, because they are not asking residents to vote against the measure, but are instead providing information.

City Manager Herr proposed consulting his staff to develop a timetable for addressing property tax reform, growth management, and annexation, emphasizing the need for careful timing. He suggested prioritizing growth management and annexation discussions after the election.

Commissioner Pfeiffer countered that current bills threaten local control by limiting public input and fast-tracking certain projects, expressing reluctance to delay action until after the legislative session.

City Manager Herr acknowledged the importance of publicizing these impacts—particularly the erosion of local decision-making authority—but cautioned about potential backlash if the City criticizes state legislators directly. He reiterated his plan to return with a proposed timetable, while noting that evolving legislation could alter priorities.

Vice Mayor Simpson viewed this as meriting a broader discussion, clarifying that the City Manager was talking "bigger picture" for a growth management and annexation strategy rather than specific legislation.

City Manager Herr shared an attachment detailing the City's communication accomplishments from FY 2023-2024 to FY 2024-2025.

Mayor Tucker recommended publicizing the City's recent communication accomplishments, noting that achievements often get overlooked amid competing priorities and timelines. She suggested creating a synopsis highlighting "This is what we committed to do for you this year, and this is what we delivered."

City Manager Herr highlighted an item from the Strategic Planning Process that would invite Peter Kageyama, author of *For the Love of Cities*, to facilitate a community conversation. This would help establish a shared vision and mission that honors Bartow's rich heritage while embracing a bold, progressive future. He noted that even though the broader strategic planning process is being sidelined for now, this specific initiative could move forward independently at any time.

b. **2-Year Communications Plan — Laurie Hayes, Communications Director**

City Manager Herr and Communications Director Hayes reviewed the two-year Communications Plan. City Manager Herr noted that green-highlighted items on the placemat represent completed tasks, while those in black remain on the to-do list.

City Manager Herr acknowledged commissioners' prior discussions about strengthening the City's communications efforts and expressed support for doing so. He proposed that the team first defines the necessary mechanics and technology, then solicited commissioners' input on specific priorities. As an interim measure, he suggested leveraging Police Department crime prevention analyst/recruiter Henry Clagett, who holds a communications degree, to assist the Communications Director until a long-term solution is identified. He advocated hiring a dedicated communications/media specialist with competitive pay to attract top talent, proposing to include the position in next year's budget.

Vice Mayor Simpson said she appreciated that there's already a short-term solution in place and thanked staff for listening to her input, as well as others who had shared similar concerns. She added that having both short-term and long-term plans is important, noting that short video formats are becoming an increasingly effective way to share information with the public.

Mayor Tucker agreed and said videos are more eye-catching than words.

Commissioner Pfeiffer noted that a former Parks and Recreation Director used to record short weekly update videos, which were very well received by the community. Staff simply filmed her with a phone as she shared brief updates on Parks and Recreation activities. She added that the process was simple and didn't require much equipment.

Director Hayes agreed that producing videos is a good approach and noted that the only part of his previous two-year plan that hadn't been completed was creating a citywide video magazine. She explained that producing a quality product takes more time and resources than his team currently has. She mentioned that at Temple Terrace, they addressed a similar need by hiring someone dedicated to video production who could work flexibly in the community and with departments. She expressed strong support for implementing a similar approach but said equipment and staffing limitations have prevented progress so far.

Vice Mayor Simpson said that her vision, aligning with what others had shared, would be to work toward a video magazine approach eventually. She acknowledged that such a project would be a significant undertaking and suggested starting more simply by creating short "man-on-the-street" style videos recorded on a phone to help get the message out.

Commissioner Ball commented that people are moving away from books, audiences today prefer brief video content. He noted that even five-minute videos may be too long, as many viewers prefer short clips, similar in length to a 30-second commercial. He added that attention spans are shorter now and that producing quick reel-style videos would be an effective way to share information and reach the community. He also suggested that the videos could come in small snippets from individual departments rather than being produced solely by the Communications Department.

Director Hayes said there are endless possibilities for expanding in that area. She noted that during her two years with the city, the social media following on Facebook has doubled and now totals about 9,030 followers, which she described as remarkable for a city of 20,000 residents. She added that Facebook provides tools for benchmarking and monitoring performance and that, compared to similar government agencies in the region, the city's engagement is at or above average.

Commissioner Pfeiffer stated that this effort represents a major engagement initiative, which is why having a consistent flow of content is so important. She added that she understood the intern would likely be helping to develop some of that content.

City Manager Herr said there are many areas where the city can improve and emphasized the need to identify priorities and focus investments where they will have the greatest impact in reaching residents. He added that he planned to contact the County Manager to explore the possibility of using PGTV studio time, noting that this could allow the city to produce certain content without additional budget cost

Regarding the city website, Director Hayes reported that last year the site had approximately 167,000 users, a significant increase from previous years. The

most frequently visited pages were the home page, utilities, employment, calendar, permitting, and library. She also highlighted the strong engagement with the Bartow Now magazine, noting that it has been converted into an interactive flipbook format that allows users to bookmark pages, use a table of contents, download the publication, add notes, and access embedded links directly from their smartphones. She plans to continue converting forms and content to meet ADA compliance standards. She also hopes to obtain updated headshots of department heads, possibly in partnership with Main Street and the Chamber of Commerce, by hiring a photographer and offering community members an opportunity to participate as a value-added service. She mentioned that she plans to distribute a weekly news brief to local media and that she regularly contacts outlets to pitch stories. In terms of community engagement, she said she would like to expand the city's event roster. She noted that the city assumed responsibility for the Fourth of July celebration last year, which was highly successful, and expects it to continue growing. She is currently working with Parks and Recreation to develop sponsorship packages, citing that last year's Eli Mosley concert was sponsored by Thunder Dodge. All sponsorship proceeds are directed toward supporting the event. She noted that internal communications such as messaging from the City Manager and highlights of staff achievements on the intranet have been very well received. For staff who prefer printed materials, she is working with them to develop handouts that explain city processes. She collaborated with DR Media to produce the Bartow Guide, which they printed 2,500 copies of for free (selling the ads themselves) while the city provided content and photos; a second, undated edition is now underway and will be reprinted as needed. She also assisted the Golf Course with a full-page ad in the Bartowian magazine and said advertising represents another avenue for getting the word out. Ultimately, she still wants to pursue a video magazine to give all departments a platform to showcase their accomplishments and activities.

Mayor Tucker asked if staff had contacted the high school, noting that they have a media production class and studio that could provide students with valuable experience while offering the city access to production resources.

Commissioner Pfeiffer added that the CRA has a small studio in the Innovation Building, which should still be available and would serve as another excellent resource.

Director Hayes concluded by saying she doesn't like to make firm promises, but the communications plan presented today includes initiatives that could be realistically accomplished without overextending staff, given the many other priorities that are ongoing or currently underway.

Commissioner Pfeiffer commended Director Hayes for her many accomplishments over the past two years, particularly appreciating the ad placed in the Bartowian magazine. She noted that the Bartowian has been well-received and will soon transition to a digital format, describing the quarterly ad rate of

\$1,395 as a bargain for promoting both the city and CRA. She mentioned that the next edition is scheduled for March and shared that she personally delivers print materials to open houses in her neighborhood. She also highlighted her own restaurant list as another valuable publication, calling these materials timeless resources that effectively tell the city's story.

Vice Mayor Simpson thanked Director Hayes for her past work, future plans, and for incorporating commission feedback into the communications strategy. She suggested one tweak: elevating property tax reform to the top priority under community engagement, noting it would remain an ongoing effort but deserves prominence in the most relevant public conversations. She added that the plan and strategy look strong otherwise.

Commissioner Pfeiffer expressed concern about commissioners not being notified of city events and community engagement activities, such as speed dating, reopening of the Civic Center tennis courts, swearing-in ceremonies, the father-daughter dance, etc. She emphasized that as lifelong residents with deep community ties, the commissioners want to participate to demonstrate their commitment, noting that their absence can create a perception of disinterest. She cited specific examples like the tennis court project where she had been involved since the 2018 hurricane damage. She urged staff to proactively inform commissioners through direct invitations or mentions when planning stories or events, rather than relying on public social media posts that they might miss.

Mayor Tucker suggested adding these events to the commissioners' calendars so they can attend when available and stay informed about what's happening.

City Manager Herr agreed, noting that implementing this would be straightforward.

c. **Rendering concepts for Public Restrooms Mural Installation — Mike Herr, City Manager & Howard Smith, CRA Director**

CRA Director Smith provided an overview of the proposed mural renderings for the public restroom installations, which will be presented to the CRA Board for consideration and approval at its next meeting. To ensure a thorough review, staff met with the Beautification Committee last week and will meet with the Recreation Committee this week to gather comments and feedback. Director Smith stated two months ago, following completion of the restroom design process (one located at the corner of Summerlin and Wilson and the other at Polk Street) an independent Art in Public Places selection board was formed. Members included Director Smith, PRCA Director Hargrove, Commissioner Pfeiffer, Communications Director Hayes and several community representatives. Eligible artists were required to have at least five years of experience, reside in the Central Florida region, and submit renderings of their proposed designs.

For the Polk Street restroom at Over the Branch Park, Director Smith presented two mural renderings. Both designs reflect community themes and Bartow's identity as the "Home of Champions." The artwork will be installed on the building's front façade and will integrate existing features such as doors and the water fountain for a cohesive appearance.

- The first concept celebrates Bartow's agricultural heritage, featuring citrus imagery, azaleas, and intergenerational community elements.
- The second concept focuses on Bartow's history and community pride, incorporating images of azaleas, citrus, the L.B. Brown House, phosphate industry haystacks, and sports motifs celebrating local champions.

Director Smith noted some discussions around diversity representation but emphasized that the mural's theme centers on Bartow's sports legacy. In response, he asked the artist to include additional figures representing softball, basketball, and soccer.

Mayor Tucker inquired whether the Commission was being asked to choose a preferred design.

Director Smith responded that the purpose was informational and encouraged Commissioners to contact him with any comments or concerns.

Director Smith also presented three proposed mural designs for the downtown restroom located at the corner of Summerlin and Wilson. While the building's front façade will remain unpainted, the design may include color highlights and accents around the structure.

- The first concept depicts two women enjoying coffee in a downtown scene, with the courthouse in the background.
- The second celebrates Bartow through images of children, flowers, and citrus.
- The third features a colorful pop art interpretation of the courthouse as the main focal point.

Director Smith added that the CRA Board will determine final selections and staff will negotiate with the chosen artists. If there are three clear choices and if the budget permits, a third mural may also be installed at the MLK Gazebo Park restroom.

City Manager Herr confirmed that the CRA is the approving body, as CRA funds were used to construct the facilities and will cover mural expenses. He asked whether the Beautification Committee had provided input, to which Director Smith reported that comments were positive and supportive.

PRCA Director Hargrove clarified that while the MLK Park restroom was built using the \$3.3 million capital improvement fund, the mural's cost, if approved, would be covered by available CRA funds since the site lies within the CRA District.

Commissioner Longworth expressed support for adding a mural at the MLK Gazebo Park in the future. He asked about costs for the murals.

Director Smith stated that the CRA has budgeted \$50,000 for the Arts in Public Places program, and final mural costs will depend on artist experience and negotiations.

3. **ADJOURNMENT**

With no further business to discuss, Mayor Tucker adjourned the meeting at 5:50 p.m.

---

Mayor Tanya Tucker

ATTEST:

---

City Clerk Jacqueline Poole

(City Seal)

PAGE INTENTIONALLY LEFT BLANK.

## CITY OF BARTOW, FLORIDA

**TO:** Honorable Mayor and City Commissioners, City of Bartow City Commission

**THROUGH:** Mike Herr, City Manager

**FROM:** Peter Lear, Finance Director

**DATE:** March 16, 2026

**SUBJECT:** Approval of City Staffing Reorganization Plan.

### **SUMMARY AND BACKGROUND**

The City Manager has evaluated the current organizational structure of the leadership team and has created a new organization plan as shown on the attached Organization Chart. While several departments will be moving from a direct report to the City Manager to reporting to either a Deputy City Manager or Assistant City Manager, the overall plan as displayed is cost neutral. This plan is also to create a Director of Community Affairs & Special Projects, which is being funded from the previous Assistant City Manager position.

### **STAFF ANALYSIS**

The City of Bartow currently has an organizational chart that is being redone to change the current reporting structure of several departments and also create a new position of Director of Community Affairs & Special Projects. Under the new plan, the Deputy City Manager will oversee the departments of Human Resources, Information Technology, Finance and Grants/Risk Management. There will also be an Assistant City Manager – Infrastructure which will oversee Public Works, Utilities and Electric. This position will also serve as the Director of Utilities. All other departments will report directly to the City Manager as displayed in the attached organizational chart. The cost this reorganization is being paid for out of current funding in the budget.

### **FISCAL IMPACT**

The FY 25-26 budget is not being increased due to the changes in this change in the organizational chart.

### **RECOMMENDATION**

Approval of the new Organizational Chart

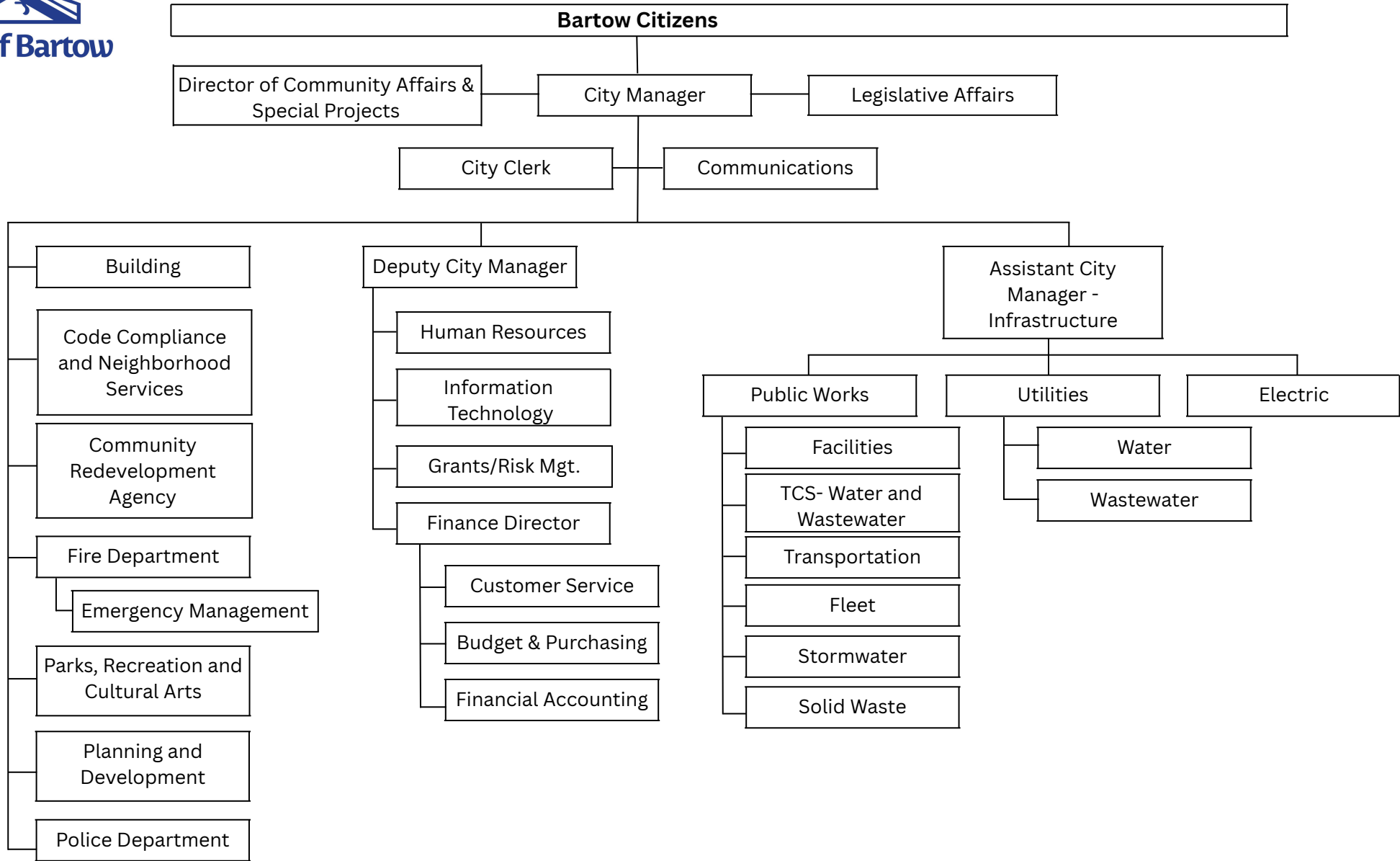
### **ATTACHMENTS**

1. New Organizational Chart



City of Bartow

# CITY OF BARTOW ORGANIZATIONAL CHART



# ITEM NO. 12.b.1

## Case No. S-26-02-PSP / CORTA Commons at Stuart Crossing PSP

### Planning Department Staff Report

**P & Z Hearing Date: February 23, 2026**

**City Commission Date: March 16, 2026**



---

## GENERAL INFORMATION

Request:	Review and recommendation to the City Commission of a request to approve the CORTA Commons at Stuart Crossing Preliminary Subdivision Plat (PSP)
Owner:	J.K. Stuart Properties, LLC
Applicant:	Cory Presnick, CORTA MYTHRI Bartow LLC
Location:	Northeast corner of the intersection of US Highway 98 North and Ernest M. Smith Jr. Blvd, in Section 30, Township 29S, Range 25E, Polk County Florida. ( <i>See Location Map</i> )
FLUM Designation:	Commercial and Recreation Open Space
Zoning Classification:	PD, Planned Development (Stuart Crossing PD)
Tract Size:	121.8 acres (+/-)
Development Program:	CORTA Commons at Stuart Crossing PSP is a multi-parcel, retail commercial development ( <i>See Attached PSP</i> ). Initial development will consist of a multi-tenant shopping center on Parcel B, and up to 11 individual out-parcels along the projects western and southern boundaries. Development within Parcels A, E and F are not contemplated at this time.
Development History:	The Stuart Crossing Planned Development (PD) was approved by the City Commission in November 2015 by Ordinance No. 2015-12. The PD is a 692 acre mixed use development consisting of single and multi-family residential units, commercial, business park, institutional, recreation and open space and conservation uses. The PD was subsequently amended in November 2021 by Resolution No. 21-4097-R; August 2023 by Resolution No. 23-4151-R; June 2025 by Resolution No. 25-4226-R; and September 2025 by Resolution No. 25-4242-R. In June 2022 the City Commission approved a CDD application for <i>The Grove at Stuart Crossing</i> project area and approved an expansion of the district in June 2025 to include <i>The Terraces at Stuart Crossing</i> project area.

## PROJECT ANALYSIS

### Environmental Analysis:

The project acreage has been in agricultural use for decades and was originally converted to pastureland for a cattle operation dating back to 1952. The cattle operation was maintained through the 1970's and 1980's as shown on historic aerials and was maintained in agricultural use until 2022 at which time cattle were removed from the site to accommodate surrounding development.

*Terrain:* The elevation of the developable site generally lies between 108' MSL and 97' MSL. The highest point is near the western edge of the project site, adjacent to the Ft Frasier Trail and US Highway 98 corridor, and its lowest is near the wetland areas.

*Vegetation:* The property is a mixture of grass pastureland, native trees, wetlands and exotic species.

*Surface Water:* The site contains six surface water features that are considered man-made ditches. The ditches do not appear to convey water for an extended duration or frequency to create an ordinary high-water line but may be periodically inundated sufficient to be considered jurisdictional other surface waters. During field surveying efforts in July and August 2025, all ditches were dry. These areas may be impacted by site development subject to jurisdictional agency review.

*Wetlands:* The site contains six wetlands areas ranging in size from 0.103 acres to 29.4 acres. The largest wetland extends offsite to the north and east and will remain relatively unchanged. The remaining wetlands are either isolated or connected to other wetlands via the ditches that were described previously. Smaller and isolated wetlands may be impacted by development and removed subject to jurisdictional agency review. The larger wetlands will be avoided and preserved. A 25-foot average buffer will be maintained around the large wetland consistent with SWFWMD requirements which will provide additional protection from surrounding development.

*Flood Plain:* Approximately 10.7 acres of the site lie within the 100 year flood plain designated by the Federal Emergency Management Agency (FEMA) FIRM. The floodplain boundary will be impacted by development and require jurisdictional agency review and approval.

*Soil Types:* The primary type of soil located in the developable portion of the site is Pomona and Tavares Fine Sand. These are poorly drained and associated with broad areas on flatwoods. They have limitations for urban development but can be used if proper water control measures are incorporated into site design during the development process. The remaining soils associated with the surface water and wetland areas is Placid and Myakka fine sands as well as Kaliga Muck on the edge of the larger wetland area. These soils take additional effort to manage if used for development purposes.

*Endangered Plant and Animal Species:* There are no known endangered plant or animal species within the developable limits of the project. These are or may be present within the areas not intended for development and will be identified as necessary during subsequent site investigation and permitting activities as part of other jurisdictional agency review.

Transportation/Access:

Development of the site will have sufficient access to the surrounding road network via connections to J.K. Stuart Boulevard and Ernest M. Smith Hr. Boulevard. These connections will be individually permitted by the City of Bartow during the construction plan review and approval process. The internal access drives will remain private and be owned and maintained by a mandatory property owners association.

A new connection to US Highway 98 will be permitted for the construction of J.K. Stuart Boulevard and involve a crossing of the Ft Frasier Trail. The developer and FDOT District 1 staff are discussing this improvement with the final decision made before any work commences.

Existing Conditions			
Street/Thoroughfare	Functional Classification	Current LOS	Adopted LOS
Ernest M. Smith Jr. Boulevard	Urban Collector	C	D
US Highway 98	Urban Principal Arterial	D	D

Future Conditions			
Street/Thoroughfare	Functional Classification	Future LOS	Adopted LOS
Ernest M. Smith Jr. Boulevard	Urban Collector	C	D
US Highway 98	Urban Principal Arterial	C	D

According to the Polk Transportation Planning Organization's 2025 Roadway Network Database Ernest M. Smith Jr. Boulevard's roadway Annual Average Daily Traffic count was 9,200 (E) and 9,200 (W) trips with a projected growth rate of 2%. US Highway 98's roadway Annual Average Daily Traffic count was 52,500 (N) and 52,500 (S) trips with a projected growth rate of 2%. There is no existing deficiency in capacity nor is there a projected deficiency within a 5-year period.

The applicant is responsible for all access improvements associated with the project's connection to US Highway 98 and Ernest Smith Boulevard. Connections to US Highway 98 shall be consistent with the current US Highway 98 Corridor Access Management Plan (CAMP). Access improvements may include but not be limited to turn lanes, median improvements and traffic control devices. All such improvements shall be permitted through the appropriate jurisdictional agency prior to approval of site construction plans that rely on access to these roadways. The developer is in the process of conducting an updated traffic study prior to development occurring within the project limits. If the updated study indicates that there are required improvements to meet concurrency, the necessary extension(s) along with associated intersection improvements shall be completed in its entirety prior to issuance of any project CO's.

Utility Services:

*Water and Wastewater:* The property is located in the City's service area. Potable water and wastewater services will become available when planned extensions are completed and capacity exists in each system to accommodate the proposed development. Each system will be owned and maintained by the City of Bartow provided it is constructed to City standards for public improvements.

*Stormwater Management:* Stormwater management facilities will be constructed concurrent with future development. These facilities will be constructed according to guidelines and standards established by the Southwest Florida Water Management District and the City of Bartow and will be owned and maintained by the property owner. These facilities will be owned and maintained by a mandatory property owners association.

*Solid Waste:* Solid waste and recycling services will be provided by the City of Bartow. Capacity currently exists at the Polk County Central Landfill to meet the needs of this development in the future. The adopted level of service of 8.0 pounds per person per day will be maintained.

*Electrical Distribution:* The property is located in the City's service area and capacity currently exists in the City's distribution system.

**Emergency Response:** Law Enforcement and Fire Protection will be provided by the City of Bartow Police and Fire Departments. Both agencies will be tasked with planning and budgeting for additional assets, for approval by the City Commission, to ensure satisfactory coverage is provided in future years as the project develops. The City is cooperating with Polk County Fire Services to fund and construct a joint use station on Smith Lane, approximately 1½ miles north of this project.

**Public Schools** No impact to the Polk County School system is anticipated with the commercial development of this property. Should residential development be proposed in the future on other parcels a developer will be required to apply for and receive the appropriate binding determination for school capacity and pay the appropriate impact fees at the time of development.

**Public Notice:** Public notice of the request was published in the local newspaper and posted on the City website and City Hall bulletin board. Three property owners within a 500' notification radius were notified of the request.

## **IMPACT ANALYSIS**

**Land Use Compatibility:** The CORTA Commons at Stuart Crossing PSP will allow development that is compatible with the existing and future development in the area. Development of this site for single family residential use is compatible with the goals of the City of Bartow.

**Consistency w/ CPP:** The CORTA Commons at Stuart Crossing PSP is consistent with the City's Future Land Use Map and with the Goals, Objectives and Policies of the City's Comprehensive Plan. Specifically, the following:

*Future Land Use Policy 1.1.3:* Approval of development proposals will be conditioned on the availability of public facilities and services necessary to serve the proposed development and that the facilities meet the City's established level of service standards established within all elements of the City of Bartow Comprehensive Plan, including the level of service standards listed within the following elements: Infrastructure Element; Transportation Element; Capital Improvements Element; and Public School Facilities Element.

*Future Land Use Policy 1.2.1:* The City will approve the location of new development on the basis of the suitability of the land to support development without adversely affecting the natural environment resources, potable water well protection areas and environmentally sensitive land, through the use of a development review process and appropriate mitigation measures. Specifically, the densities and intensities of land uses in wetlands, flood prone areas, and areas with severe soil limitations to development shall be regulated accordingly.

*Future Land Use Policy 1.2.2:* The City will encourage development in areas where public facilities and services are available or are projected to be available. High intensity, higher density uses will be encouraged where the greatest level of public facilities exist. Low density, low intensity development will be encouraged where low public facility capacities exist.

*Future Land use Policy 1.7.2:* Prior to the issuance of a development order, the City shall require developers to confirm that required utility services are available or will be available concurrent with the impacts of the development.

*Housing Policy 1.4:* The City will develop schedules to provide municipal services to those areas designated on the Future Land Use Map for residential development.

*Transportation Policy 1.4:* The City shall continue to review all development proposals and require that such proposals contain sufficient information to determine their impacts on the adopted LOS standards.

*Transportation Policy 2.3:* The City will implement land use policies in support of increased transit, which includes encouraging mixed use developments and medium or higher residential densities within ¼ mile of any transit route.

*Transportation Policy 4.4:* During the development review process, the City will coordinate with the FDOT and the TPO when reviewing development proposals within the City limits abutting a State or County roadway to ensure state and regional consistency.

*Transportation Objective 7 - Access Management:* The City of Bartow shall coordinate access point, median openings, and street intersection locations associated with adjacent existing and future development to promote a safe and orderly pattern of access and preserve the capacity of arterial and collector roads.

*Transportation Objective 10:* The City will encourage non-automotive mobility.

*Infrastructure Policy 3.5:* No development permit will be issued if it will result in the inability of the City to maintain the Levels of Service at or above the levels established in this plan.

*Recreation Policy 4.1:* The City shall promote the use of open space for protection of natural vegetation and for landscaping, buffering, or greenbelts.

## **STAFF ANALYSIS**

The applicant submitted this request in order to facilitate the construction of a new addition to a larger, mixed use planned community (e.g. Stuart Crossing). CORTA Commons at Stuart Crossing will be connected to the balance of the Stuart Crossing development by utilizing the common themes that are currently in place (e.g. multi-model features, unified architecture, common signage and creative open space utilization).

Internal vehicular access within this development will utilize interconnecting driveways and a parallel access road along US Highway 98. Consideration has been given to a future connection to the north consistent with the US Highway 98 Corridor Access Management Plan (aka CAMP). The proposed drainage system will be constructed to City of Bartow and SWFWMD standards and incorporate the relocation of a design stormwater pond that currently serves the drainage needs of Ernest M. Smith Jr. Boulevard. The internal bicycle/pedestrian system will also connect with similar improvements along J.K. Stuart Boulevard, Ernest M. Smith Jr. Boulevard and the Fort Frasier Trail.

The PSP identifies the proposed configuration of the development to include points of connection for potable water and sewer service; identification of access points connecting to the surrounding road network; general location and size of stormwater management, open space and conservation areas; and bicycle/pedestrian improvements. The City will be given the right to access internal project driveways using access and utility easements for the purpose of providing municipal utility services. Other public service and utility providers will also be given the right to access.

The PSP was reviewed by the Development Review Committee pursuant to the provisions of Sections 7.04.00 and 7.06.00 of the Unified Land Development Code (ULDC) and associated design standards contained in Article 3. The PSP, as shown, is consistent with all these standards.

The PSP was also reviewed to ensure consistency with the approved PD Land Use Plan and its associated conditions of approval.

### **STAFF RECOMMENDATION**

The Development Review Committee recommends approval of CORDA Commons at Stuart Crossing for the following reasons:

1. The request is consistent with the City of Bartow's Comprehensive Plan; and
2. The request is consistent with the City of Bartow's Unified Land Development Code.

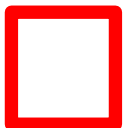
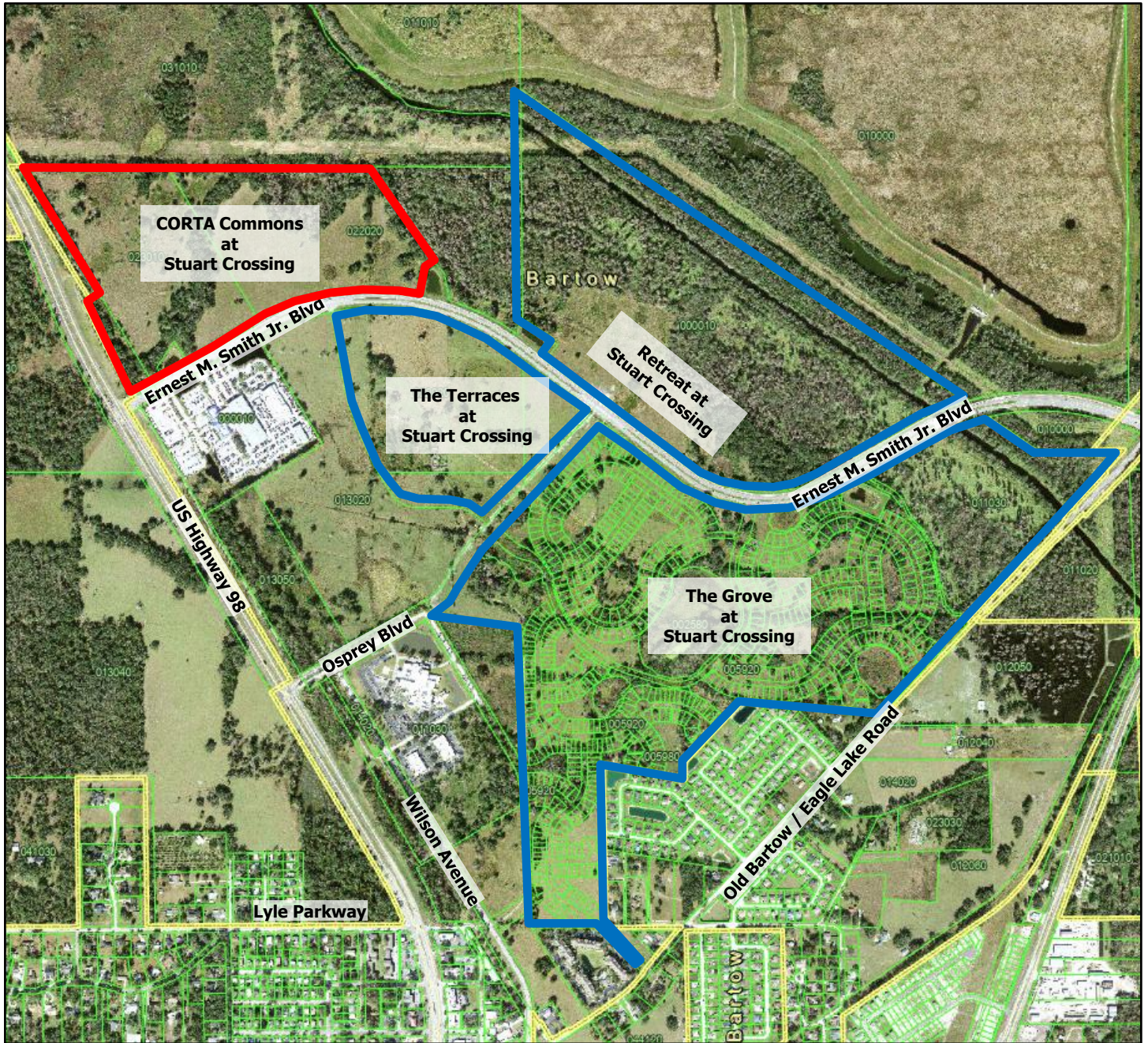
Subject to the following conditions:

1. Development shall conform to the CORTA Commons at Stuart Crossing PSP, dated "Received February 11, 2026"; and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and local laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City of Bartow. This Preliminary Subdivision Plat approval shall remain valid for one year from the date of approval, in accordance with the Section 7.06.05.02(A) of the ULDC.
2. The development shall obtain water, wastewater, electrical, and solid waste services as applicable from the City of Bartow subject to applicable City rate resolutions and ordinances. Master water, wastewater, electrical distribution, and stormwater plans, including preliminary calculations for the entire project shall be required to be submitted for review and approval concurrent with the construction plan.

### **PLANNING AND ZONING COMMISSION RECOMMENDATION**

At its meeting of February 23, 2026, the Planning and Zoning Commission voted to recommend approval of this application to the City Commission.

# Location Map



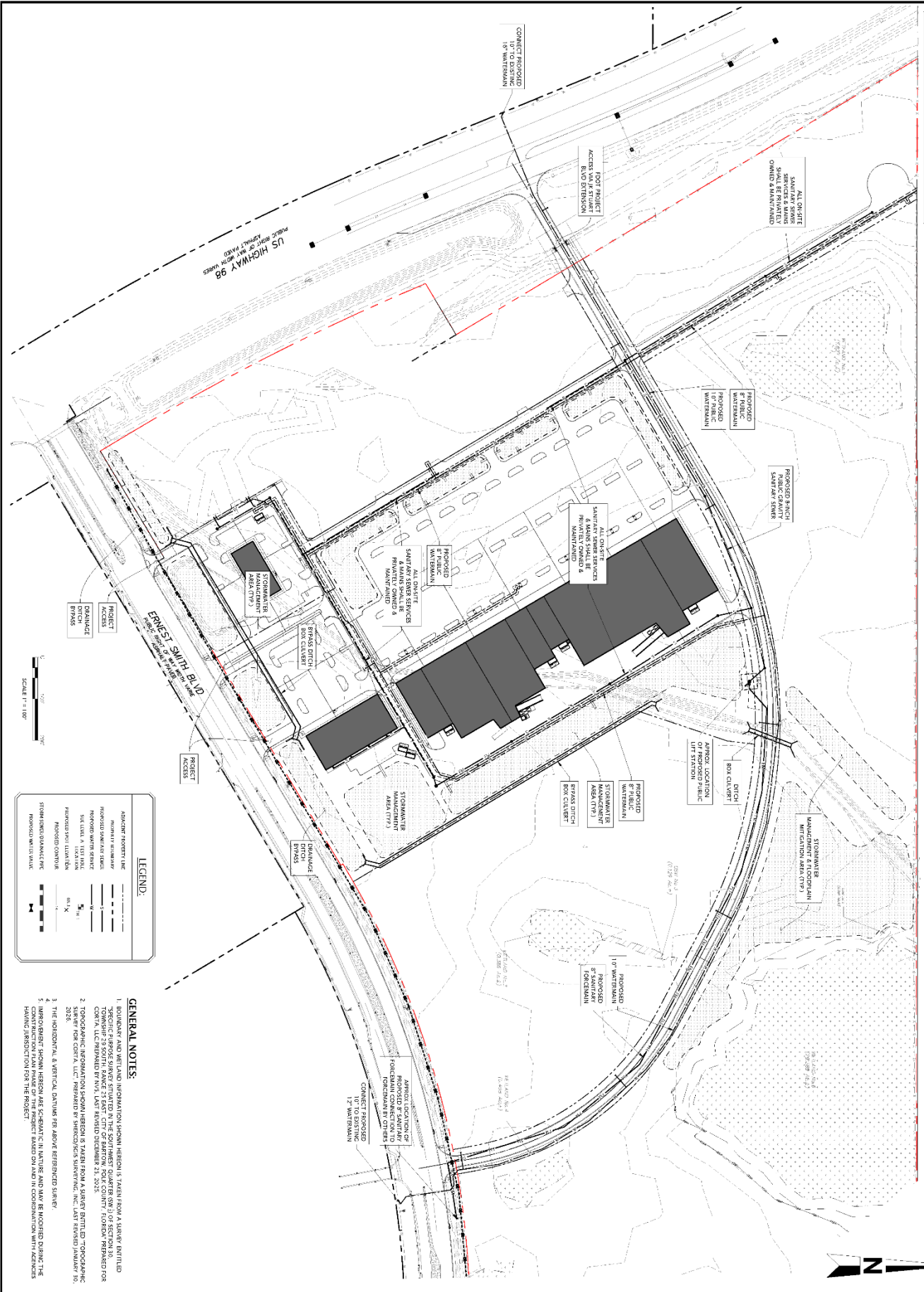
Subject Property







NOTE: THE DEVELOPER WILL WORK WITH THE CITY TO ACCOMMODATE A POTENTIAL WATER TRANSMISSION LINE EXTENSION ALONG THE EAST SIDE OF THE ROADWAY TO THE NORTH OF THIS



SCALE 1" = 100'

**LEGEND**

ADJACENT PROPERTY LINE	---
PROPOSED PROPERTY LINE	---
PROPOSED WATER SERVICE	---
PROPOSED SEWER	---
PROPOSED GAS	---
PROPOSED STORMWATER	---
PROPOSED WATER MAIN	---
PROPOSED WATER VALVE	---

**GENERAL NOTES:**

- BOUNDARY AND WETLAND INFORMATION SHOWN HEREON IS TAKEN FROM A SURVEY ENTITLED "SURVEY AND WETLAND INFORMATION FOR THE CITY OF BARTOW, FLORIDA, PREPARED FOR CORTA, LLC, PREPARED BY NVA, LAST REVISED DECEMBER 21, 2023.
- TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM A SURVEY ENTITLED "TOPOGRAPHIC SURVEY FOR CORTA, LLC, PREPARED BY SHERCROFTS SURVEYING, INC., LAST REVISED JANUARY 20, 2024.
- THE HORIZONTAL & VERTICAL DATUMS ARE AS SHOWN ON THE SURVEY.
- HATCHING SHOWN HEREON IS SCHEMATIC IN NATURE AND MAY BE MODIFIED DURING THE PLANNING AND DESIGN PHASES OF THE PROJECT.
- ALL DIMENSIONS AND LOCATIONS SHOWN ON THIS PLAN ARE BASED ON THE SURVEY AND SHALL BE CONSIDERED THE FINAL BASIS FOR THE PROJECT.

**PROJECT INFORMATION**

PROJECT NAME: CORTA COMMONS AT STUART CROSSING PRELIMINARY SUBDIVISION PLAN FOR CORTA MATTHEW BARTOW, LLC CITY OF BARTOW POLK COUNTY, FLORIDA

SHEET TITLE: SCHEMATIC DRAINAGE & UTILITY PLAN

SHEET NUMBER: 4 OF 4

**DESIGNER INFORMATION**

JOHN J. STOECKEL  
 FLORIDA PROFESSIONAL ENGINEER  
 LICENSE NO. 80738

**CLIENT INFORMATION**

CORTA MATTHEW BARTOW, LLC  
 CITY OF BARTOW  
 POLK COUNTY, FLORIDA

**REVISIONS**

NO.	DATE	DESCRIPTION
01	3/1/24	REVISED PER CITY OF BARTOW STAFF COMMENTS

**APPROVALS**

Signature lines for: JOHN J. STOECKEL, PROJECT ENGINEER; CORTA MATTHEW BARTOW, LLC, CLIENT REPRESENTATIVE.

**MJ STOKES CONSULTING**

P.O. BOX 22821  
 TAMPA, FL 33622  
 813.724.4199  
 INFO@MJSTOKESCONSULTING.COM

FLORIDA BUSINESS REGISTRY NO. 34448

PAGE INTENTIONALLY LEFT BLANK.

# ITEM NO. 13 (a)

## CITY OF BARTOW, FLORIDA

TO: Honorable Mayor and City Commissioners, City of Bartow City Commission

THROUGH: Mike Herr, City Manager

FROM: Tray Towles, Director of Codes Compliance and Neighborhood Services  
Sean R. Parker, City Attorney

DATE: March 13, 2026

SUBJECT: Updates to Civil Penalty Table  
Consider and Approve Resolution 26-4258-R regarding updates to the fine amounts related to littering on the City's Civil Penalty Table

### SUMMARY AND BACKGROUND

In 2016, the City Commission adopted Ordinance 2016-02 creating the Code Enforcement Options system. This included the provision for issuing civil citations and fines for a variety of Code violations. The City simultaneously adopted Resolution 16-3920-R establishing the initial Civil Penalty Table that was referenced as an attachment to the original Ordinance. That table establishes a fine classification system for the various offenses identified in the Code.

In 2019, the City Commission adopted Resolution 19-4036-R making revisions to certain provisions of the Civil Penalty Table. Now, in 2025 and 2026, the City Commission has indicated a desire to enhance the penalties associated with littering and other sections relating to keeping the City clean and encouraging citizens and businesses to do their part to prevent litter, promote clean up and overall enhance the aesthetic nature of the City. The main change is enhancing the fines associated with littering to the maximum allowable under the Code to \$500 per offense.

### STAFF ANALYSIS

The proposed Resolution would formally change the various sections indicated by redline edits on the attachment to the Resolution, changing in most cases the fines for various forms of littering from \$250 to \$500 per offense.

### FISCAL IMPACT

Approval of Resolution 26-4258-R is of no significant fiscal consequence to the City. The goal of the fine is not a revenue generating mechanism. Rather it is a tool used to discourage offenders and to encourage compliance. While various fines may be levied from time to time, and potentially collected from violators, the primary goal is education and encouragement of compliance.

### RECOMMENDATION

City Staff recommends the City Commission approve Resolution 25-4258-R.

# ITEM NO. 13 (a)

## ATTACHMENTS – Resolution 26-4258-R

**A RESOLUTION REVISING THE TABLE OF CIVIL PENALTIES FOR CIVIL CODE VIOLATIONS AS PROVIDED FOR IN ORDINANCE NO. 2016-02 AND ORIGINALLY CREATED BY RESOLUTION 16-3920-R AND PREVIOUSLY UPDATED BY RESOLUTION 19-4036-R; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE. With Attachments**

# ITEM NO. 13.a

## RESOLUTION NO. 26-4258-R

RESOLUTION REVISING THE CITY OF BARTOW'S TABLE OF CIVIL PENALTIES FOR CIVIL CODE VIOLATIONS, AS ESTABLISHED IN ORDINANCE NO. 2016-02, ORIGINALLY CREATED BY RESOLUTION 16-3920-R, AND PREVIOUSLY AMENDED BY RESOLUTION 19-4036-R; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City has previously passed Ordinance No. 2016-02, creating the Code Enforcement Options Ordinance of 2016 and Resolutions 16-3920-R and 19-4036-R, adopting and later revising the Civil Penalty Table, identified as Table A-1; and

**WHEREAS**, the Code Enforcement Options Ordinance of 2016 allows for civil penalties to be levied against individuals who violate the Code of Ordinances of the City of Bartow; and

**WHEREAS**, following recent discussions between the Commission and staff, the City Commission desires to see revisions to the Civil Penalty Table, Table A-1, specifically as it relates to littering and the City's efforts to maintain and improve the cleanliness and aesthetics of the City, with a revised version of the Table attached hereto as Attachment 'A'; and

**WHEREAS**, the City Commission wishes to revise the Civil Penalty Table, as attached as Attachment 'A', in accordance with the Code Enforcement Options Ordinance of 2016, and the same shall be identified as "Table A-1" in the Code of Ordinances and codified accordingly;

**NOW THEREFORE,**

**Be it resolved by the people of the City of Bartow:**

**SECTION 1:** The foregoing recitals are found true by the City Commission, are incorporated herein and are found to form a factual basis for the adoption of this resolution.

**SECTION 2:** The City Commission revises the Civil Penalties Table, as attached hereto as

Attachment 'A', and the same shall be known as "Table A-1" in accordance with the provisions of the Code Enforcement Options Ordinance of 2016, and codified accordingly.

**SECTION 3:** This Resolution shall become effective immediately upon final passage.

**PASSED** and **DULY ADOPTED** with quorum present in voting by the City Commission of the City of Bartow, Florida, this 16th day of March, 2026.

**CITY OF BARTOW, FLORIDA**

---

Mayor Tanya L. Tucker

Attest:

---

Jacqueline Poole, City Clerk

Approved as to form:

Approved as to Substance:

---

Sean R. Parker, City Attorney

---

Mike Herr, City Manager

# APPENDIX A

TABLE A-1 – CIVIL CITATION PENALTY TABLE  
To Code Enforcement Options Ordinance of 2016 (Ord. 2016-02) (As Amended by Resolution 19-4036-R and Resolution 26-4258-R)

<b>Progression of Violations</b>			
Violation Class	Civil Penalty 1 <sup>st</sup> Offense	Civil Penalty 2 <sup>nd</sup> Offense	Civil Penalty 3 <sup>rd</sup> and Subsequent Offense
Class I	\$50.00	\$100.00	Mandatory Magistrate Hearing
Class II	\$150.00	\$250.00	
Class III	\$250.00	\$350.00	
Class IV	\$500.00	\$500.00	

Code Section	Description of Violation	Class	Penalty
6-2	Sale of alcohol in improper area	III	\$250
6-3	Sale of alcohol without a license	IV	\$500
6-5, 6-6	Sale or consumption of alcohol during prohibited hours	III	\$250
6-7	Unlawful possession of an open container of alcohol or public consumption of alcohol	I	\$50
10-1	Violation of 1985 Standard Amusement Device Code	III	\$250
10-2	Putting on a show, theatrical, minstrel, circus, performance or exhibition within 100 yards of a church	III	\$250
10-27	Unlawful possession or operation of coin-operated devices	III	\$250
10-28	Failure to display coin-operated device license	III	\$250
14-1	Violation of Polk County Animal Control Ordinance	III	\$250
14-3	Unlawful killing of bird or squirrel	IV	\$500
14-4	Unlawful keeping of hogs	III	\$250
14-5	Unlawful keeping of domestic fowl; Allowing domestic fowl to run at large	III	\$250
14-6, 14-7	Livestock running at large	III	\$250
14-11	Permanently keeping horses, cows or calves on less than one acre	III	\$250
14-12	Keeping animal enclosures in unsanitary condition	III	\$250
14-13	Nuisance animal noises or odors	I	\$50
14-14	Cruelty to animals	IV	\$500
14-15	Intentional feeding of wild alligators or crocodiles	III	\$250
14-16	Possession of a vicious dog	IV	\$500
18-3	Construction without a permit	III	\$250
18-15, 18-16	Violation of the International Property Maintenance Code, 2009 Edition, and Amendments	III	\$250
18-16(v)	Transferring ownership of property cited for	IV	\$500

	building code violation		
18-16(z)	Occupancy of condemned structure	IV	\$500
18-16(aa)	Boarding up a structure for more than 21 days	III	\$250
18-16(bb)	Entering a structure that has been closed for an emergency when a notice has been posted	IV	\$500
18-16(jj)	Failure to maintain sanitation and proper storage of materials	IV	\$500
18-16(kk)	Failure to maintain weeds and overgrowth	III	\$250
18-16(mm)	Failure to properly identify premises	III	\$250
18-16(nn)	Failure to have required insect screens	III	\$250
18-16(oo)	Failure to maintain doors	III	\$250
18-16(pp)	Failure to maintain skirting	III	\$250
18-16(ss)	Failure to have guardrails and handrails for staircases	II	\$150
18-16(vv)	Failure to arrange units to provide privacy	III	\$250
18-16(xx)	Failure to maintain public toilet facilities	III	\$250
18-16(yy)	Failure to provide proper access to toilet rooms and bathrooms	III	\$250
18-16(zz)	Failure to have proper flooring in toilet rooms	II	\$150
18-16(aaa)	Failure to connect to proper water system	III	\$250
18-16(ccc)	Failure to provide proper heating facilities	II	\$150
18-16(ddd)	Failure of landlords to provide heat supply	II	\$150
18-16(eee)	Failure to provide heat to occupiable spaces	II	\$150
18-16(jjj)	Failure to maintain safe, continuous, and unobstructed travel pat to public way	III	\$250
18-16(III)	Failure to keep all means of egress doors readily openable	II	\$150
18-16(ooo)	Failure to maintain readily openable means of egress	II	\$150
18-16(qqq)	Failure to install approved smoke alarms	II	\$150
18-17	Storing derelict property outdoors	II	\$150
18-51	Violation of National Electric Code	II	\$150
18-52	Improperly Connecting or Maintaining Services	III	\$250
18-53	Improperly Maintaining, operating or bypassing watt-hour meters	III	\$250
18-54	Improperly maintaining, operating, or installing motors	III	\$250
18-55(a)	Failure to properly grounds wiring systems	III	\$250
18-55(b)	Use of armored cable and Type 'C' cord	III	\$250
18-55(c)	Failure to use proper number and size of conductors and circuits	III	\$250
18-56	Tampering with overcurrent protector	III	\$250
18-57	Excavating or working in street or public property without a permit	IV	\$500
18-58	Obstructing sewer	IV	\$500
18-59	Failure to connect building within 200 feet of public	IV	\$500

	sewer to sewer		
18-60	Connecting to sewer without a permit	III	\$250
18-61	Occupancy of structure with hazardous plumbing	III	\$250
18-62	Occupancy of building prior to approval of plumbing inspector	III	\$250
18-63	Failure to install septic tank according to state regulations	IV	\$500
18-64	Failure to have separate water service pipe for each building	III	\$250
18-65	Failure to install and properly connect one water closet and sink per family	III	\$250
18-66	Failure to maintain readily accessible waste and supply connections to bathtubs	III	\$250
18-67(1)	Connection of two (2) water fixtures, bibs, or faucets to one-half inch cold water line	II	\$150
18-67(2)	Failure to install required hose-bib	II	\$150
18-67(3)	Failure to have a separate water meter for each family unit of any remodeled or new apartment houses of two or more family units	III	\$250
18-67(4)	Failure to install backflow devices on irrigation systems and in new commercial buildings	III	\$250
18-68	Failure to install garbage disposal unit in new dwellings	III	\$250
18-69	Abandoning vehicle	III	\$250
18-70	Failure to apply for and display street number	II	\$150
18-306	Development without a permit	IV	\$500
18-307	Failure to comply with Ch. 18 or other applicable rules and regulations	IV	\$500
18-316	Failure to comply with standards for flood hazard reduction	IV	\$500
18-317	Failure to comply with specific standards for flood hazard reduction	IV	\$500
18-318	Failure to comply with standards for streams without established base flood elevation and/or floodways	IV	\$500
18-319	Failure to comply with standards for subdivision proposals	IV	\$500
18-320	Failure to comply with standards for areas of shallow flooding	IV	\$500
22-37	Working at, engaging in, or carrying on general contracting without a Certificate of Competency and Occupational License	III	\$250
22-41	Engaging in specialty contraction without Certificate of Competency	III	\$250
22-43	Transfer or assignment of Certificate or License	IV	\$500

22-65	Failure to obtain required Occupational License and bond	III	\$250
22-82	Plumbing contracting without license or bond	IV	\$500
22-89(1)	Obtaining certificate registration by fraud or misrepresentation	IV	\$500
22-89(2)	Conviction of a crime relating to contracting	IV	\$500
22-89(3)	Violation of F.S. ch. 45	IV	\$500
22-89(4)	Violation of Building Code or laws	III	\$250
22-89(5)	Assisting in uncertified or unregistered contracting	IV	\$500
22-89(6)	Conspiring or allowing unregistered or uncertified person to use certification or registration	IV	\$500
22-89(7)	Acting as a contractor under certificate or registration issued to another	IV	\$500
22-89(8)	Mismanagement/misconduct in contracting causing financial harm to a customer	IV	\$500
22-89(9)	Failure to comply with F.S. 489.129(1)(j) or Rule or Order of CILB	IV	\$500
22-89(10)	Abandonment of construction project	IV	\$500
22-89(11)	Falsely indicating work is bonded, payment made, or insurance provided	IV	\$500
22-89(12)	Fraud or deceit in contracting	IV	\$500
22-89(13)	Incompetency or misconduct in contracting	IV	\$500
22-89(14)	Negligence, repeated negligence, or negligence resulting in danger	IV	\$500
22-89(15)	Proceeding on job without required permits or inspections	IV	\$500
22-89(16)	Intimidating, threatening, coercing or discouraging service of Notice to owner or contractor	IV	\$500
22-89(17)	Failure to satisfy terms of civil judgment	IV	\$500
22-92	Failure of convenience business to have required security devices or adhere to required standards	III	\$250
22-93	Failure to properly train convenience business employees in robbery deterrence and safety	IV	\$500
22-118	Litter and hazards by vendor vehicles	III	<del>\$250</del> \$500
22-119	Peddling in street	III	\$250
22-131	Engaging in business as canvasser, solicitor, peddler, or transient merchant with permit and required licenses	III	\$250
22-134	Canvassing, soliciting, peddling or conducting transient business at any residence prior to 9:00am or after 9:00 pm	III	\$250
22-155	Operation of pain management clinic without a license	IV	\$500
22-158(1)	Providing false information on application for pain management clinic license	IV	\$500

22-158(2)	Failure to file required amended application	III	\$250
22-158(3)	Failure to provide missing application information	III	\$250
22-158(4)	Failure to maintain pain management clinic registration with the State	III	\$250
22-158(5)	Failure of pain management clinic to submit copy of business tax receipt	III	\$250
22-158(7)	Failure to allow inspection of pain management clinic	IV	\$500
22-158(8)	Failure to comply with Art. V, Code of Ordinance	III	\$250
22-158(9)	Allowing person to volunteer or work at pain management clinic who has been convicted of felony for receipt of drugs	IV	\$500
22-158(10)	Ownership, Contract, or Employment with Pain Management Clinic of Physician Whose DEA Number Has Been Revoked, Whose Application for License to Prescribe, Etc., or Who Has Been Convicted of Felony for Receipt of Drugs	IV	\$500
22-158(11)	Dishonored application payment	IV	\$500
22-160(a)	Failure to display pain management clinic license	III	\$250
22-160(b)	Failure to update pain management clinic license	III	\$250
22-160(c)	Assignment or transfer of pain management clinic license	IV	\$500
22-160(d)	Failure to properly maintain or display current business tax receipt in pain management clinic	III	\$250
22-160(e)	Failure to permit inspection of pain management clinic	IV	\$500
22-160(f)	Failure of designated physician of pain management clinic to secure prescription pads	IV	\$500
22-162	Violation of pain management article or owner of real property permitting pain management clinic to operate without a license	IV	\$500
26-28(a)(1)	Selling or offering to sell ammunition or gun during declared state of emergency	IV	\$500
26-28(a)(2)	Intentionally displaying ammunition, gun or other firearm during declared state of emergency	IV	\$500
26-28(a)(3)	Intentionally possessing a firearm in a public place during declared state of emergency, except by law enforcement or military officer in the official performance of his duty	IV	\$500
26-30(1)	Consumption of alcoholic beverages in public street or place or in motor vehicle during declared state of emergency	IV	\$500
26-30(2)	Carrying or possessing rock, bottle, club, brick or weapon with intention to use said object unlawfully against person or property of another during a declared state of emergency	IV	\$500

§26-30(3)	Entrance into Designated Restricted Area Without Permission During Declared State of Emergency	IV	\$500
§26-30(4)	Making, Carrying, Possessing or Using Molotov Cocktail, Gasoline/Petroleum Firebomb or Incendiary Missile During Declared State of Emergency	IV	\$500
§38-26	Overgrowth of Weeds, Accumulation of Debris, Vegetation and Other Matter Constituting Health Hazard Declared a Nuisance	III	\$250
§38-31	Offensive Accumulations and Debris Declared a Nuisance	III	\$250
§38-59	Throwing or Depositing Litter in or upon Street, Sidewalk or Other Public Place	III	<del>\$250</del> <u>\$500</u>
§38-60	Failing to Place Litter in Receptacles so as to Prevent Litter from Being Scattered	III	<del>\$250</del> <u>\$500</u>
§38-61	Sweeping Litter into Gutters	III	<del>\$500</del> <u>\$250</u>
§38-62	Failure of Merchant or Business Owner to Keep Sidewalk in Front of Business Premises Free of Litter	III	<del>\$250</del> <u>\$500</u>
§38-63	Throwing Litter from Vehicle	III	<del>\$500</del> <u>\$250</u>
§38-64	Driving or Moving Truck or Other Vehicle without Preventing Load or Contents from Littering Street, Alley, or Public Place	III	<del>\$500</del> <u>\$250</u>
§38-65	Littering in Public Parks	II	<del>\$500</del> <u>\$150</u>
§38-66	Littering in Fountains, Lakes or Other Bodies of Water	II	<del>\$500</del> <u>\$150</u>
§38-67	Throwing Handbills on Street, Sidewalk, or Public Place ; Distributing Commercial Handbills in Public Place	I	\$50
§38-68	Placing Handbills on Vehicles	I	\$50
§38-69	Throwing, Depositing, or Distributing Handbills on Private Premises When Required Not to Do So	I	\$50
§38-70	Throwing, Depositing, or Distributing Handbill at Private Inhabited Premises Other than by Handing Directly to Occupant	I	\$50
§38-71	Dropping Objects from Aircraft	IV	\$500
§38-72	Posting Notices, Other Than as Authorized or Required by Law	I	\$50
§38-73	Throwing or Depositing Litter on Occupied Private Property	I	<del>\$500</del> <u>\$50</u>
§38-74	Failure of Owner to Maintain Private Property Free of Litter	III	<del>\$500</del> <u>\$250</u>
§38-75	Failure to Clear Litter from Open Private Property	III	<del>\$500</del> <u>\$250</u>
§38-97	Unreasonably Loud, Excessive, Unnecessary and Unusual Noise	III	\$250

§38-98(1)	Sound Causing Permanent Hearing Loss	IV	\$500
§38-98(2)	Continuous Airborne Sound Exceeding Decibel Limits	III	\$250
§38-98(3)	Operating a Vehicle that Exceeds Decibel Limits	III	\$250
§38-122	Mining without a Permit	IV	\$500
§38-175	Violation of Chapter 40D-22, Florida Admin. Code	I	\$50
§38-176	Violation of 40D-21, Florida Admin. Code, During Declared Water Shortage or Water Shortage Emergency	I	\$50
§38-204(2)	Failure to Comply with Standards for Land Clearing and Preservation of Native Vegetation	III	\$250
§38-204(3)	Failure to Use Appropriate Plant Selection, Location, and Arrangement, or the Inclusion of Prohibited Plants	III	\$250
§38-204(4)	Failure to Follow Standards for Turf Areas	III	\$250
§38-204(5)	Failure to Follow Standards for Efficient Irrigation, Including Florida Building Code and Florida Irrigation Society Standards	I	\$50
§38-204(6)	Disposal or Storage of Yard Waste by Shorelines, Ditches, Swales, or Storm Drains	III	<del>\$500</del> \$250
§38-204(7)	Failure to Apply Fertilizer in Accordance with Florida Green Industries Best Management Practices for Protection of Water Resources in Florida and Recommendations of UF Cooperative Extension Service (Private Homeowners Excepted)	III	\$250
§38-204(8)	Violation of Florida Green Industries Best Management Practices for Protection of Water Resources, State and Federal Law When Applying Pesticide for Hire	III	\$250
§38-204(9)	Failure to Conform to Federal, State and Local Regulations for Grading and Design of Properties Adjacent to Bodies of Water	III	\$250
§38-204(9)	Directing Chute Toward Body of Water When Mowing	III	\$250
§38-211(a)	Abuse of Street Trees and Park Trees	III	\$250
§38-212	Topping of Street Trees, Park Trees or Trees on Public Property	III	\$250
§41-2	Failure to Register Alarm System	I	\$50
§41-3	Failure to Comply with Alarm System Requirements	I	\$50
§42-46	Violation of Florida Fire Prevention Code	III	\$250
§42-48	Violation of Life Safety Code	III	\$250
§42-54	Failure of Building Owner to Keep Fire Escape in Good Repair	III	\$250
§42-56	Failure to Comply with Order of Officer or Member	IV	\$500

	of Fire Department		
§42-57	Dangerous Fires	IV	\$500
§42-91	Sale of Fireworks	IV	\$500
§42-92	Use of Fireworks	III	\$250
Ch. 43, Generally	Failure to Pay Assessed Fire Protection Assessment	III	\$250
§46-1	Commission of Misdemeanors Recognized by the State	IV	\$500
§46-3(a)	Using or riding skateboard in or on Public Parking Garage, Building Access Ramps, School Crossing Zones, or Public or Private Property Where Prohibited by Signs	I	\$50
§46-3(b)	Parent, Guardian, or Custodian of Minor Child Knowingly Permitting Violation of 46-3(a)	I	\$50
§46-3(c)	Skateboarder to Failing to Yield Right-of-Way to Pedestrian or Endangering or Interfering with Pedestrian Traffic on Street or Sidewalk	I	\$50
§46-3(d)	Skateboarder to Damaging Public or Private Property	I	\$50
§50-1(a)	Seining, Swimming, or Boating in Hacklake, Laguna Serena, Lake Ruth, Azalea Lake or Mobil Lake without a License	I	\$50
§50-1(b)	Swimming, Bathing or Wading in Waters or Waterways In or Adjacent to Any Park	I	\$50
§50-2(c)	Public Meetings or Speaking without a Permit in Parks, Parkways, Playgrounds, and Other Recreational Areas	I	\$50
§50-62(1)	Disfiguration or Removal of Buildings and Other Property in Public Parks	IV	\$500
§50-62(2)	Failure to Cooperate in Maintaining Public Restrooms and Washrooms in Public Parks	III	\$250
§50-62(3)	Removal of Natural Resources from Public Parks	III	\$250
§50-62(4)	Erection of Structures in Public Parks	III	\$250
§50-63(1)	Damaging, Cutting, Carving, Transplanting, Removing, or Injuring Any Tree or Plant in a Public Park; Digging or Disturbing Grass or Injuring or Impairing Natural Beauty in Public Parks	III	\$250
§50-63(2)	Climbing Trees or Walking, Standing, or Sitting Upon Structures in Parks not Designed for that Purpose	I	\$50
§50-63(3)	Tying or Hitching a Horse or Other Animal to Tree or Plant in Public Park	I	\$50
§50-64(1)	Hunting, Molesting, Harming, Frightening, Killing, Trapping, Chasing, Teasing, Shooting or Throwing Missiles at Animals in Public Parks; Removing or	III	\$250

	Possessing the Young of Wild Animals or Eggs, Nests or Young of Any Bird		
§50-64(2)	Giving, Offering, or Attempting to Give Any Animal Tobacco, Alcohol, or Other Noxious Substance	III	\$250
§50-65(1)	Causing Pollution of Waters in Public Parks	III	\$250
§50-65(2)	Bringing in or Dumping Trash in Public Parks	III	\$250
§50-66(1)	Failure to Comply with State Traffic Laws	III	\$250
§50-66(2)	Failure to Obey All Traffic Officers and Authorized City Employees with Regard to Traffic	IV	\$500
§50-66(3)	Failure to Carefully Observe Traffic and Parking Signs in Park	III	\$250
§50-66(4)	Riding or Driving Vehicle Over 15 MPH, Except Where Posted Otherwise	III	\$250
§50-66(5)	Driving In Any Area of Parks Other than Roads or Parking Areas	III	\$250
§50-66(6)a	Parking a Vehicle Other Than in Designated Parking Area and In Accordance with Posted Directions	I	\$50
§50-66(6)b	Leaving a Vehicle Standing or Parked at Night Without Lights, Other Than in Established Parking Area,	I	\$50
§50-66(6)c	Failure to Immediately Notify Attendant or Police of Emergency Breakdown	I	\$50
§50-67(1)	Swimming, Bathing, and Wading in Water or Waterways in or Adjacent to Any Park	I	\$50
§50-67(2)	Dressing or Undressing in Any Vehicle, Toilet or Other Place Except in Structures Designated for That Purpose	I	\$50
§50-68(1)	Bringing or Operating Motor-Powered Boat or Watercraft in Waters in Any Park	III	\$250
§50-68(2)	Bringing or Operating Any Watercraft in Any Waters in Any Park Except at Designated Boating Areas	III	\$250
§50-68(3)	Navigating, Directing, or Handling Boat in a Way to Annoy, Frighten, or Endanger Occupants of Other Boats, or Violating Applicable Regulations,	III	\$250
§50-68(4)	Launching, Docking, or Operating Any Boat, Being in or Remaining in a Boat, or Leaving a Boat in Any Park When Park is Closed	III	\$250
§50-69	Using, Carrying, or Possessing Weapon in Park Inimical to Wildlife or Dangerous to Humans or Shooting a Weapon into Park Areas	IV	\$500
§50-70	Fishing or Seining, Except in Designated Areas and in Accordance with Applicable Rules, Laws, and Regulations,	III	\$250

§50-71(a)	Picnicking or Lunching in Public Parks, Except in Designated Areas,	I	\$50
§50-71(b)	Violating First Come, First Served Rule Without a Permit	I	\$50
§50-71(c)	Leaving Picnic Area Before Extinguishing Fire and Cleaning Up Trash	III	\$250
§50-72(a)	Camping in Park Without Permission	III	\$250
§50-72(b)	Riding a Horse in Park, Except on Bridle Trail; Riding Unbroken or Unrestrained Horse or Riding without Due Care, or Allowing Horse to Graze or Go Unattended	I	\$50
§50-73(1)	Building or Attempting to Build Fire in a Public Park, Except in Designated Areas in Accordance with Regulations	III	\$250
§50-73(2)	Entering "Closed to Public" Areas or Violating Posted Notices	IV	\$500
§50-73(3)	Participating or Abetting in Games of Chance in Public Parks	I	\$50
§50-73(4)	Sleeping or Protractedly Lounging On Seats or Benches or Engaging in Loud, Boisterous, Threatening, Abusive, Insulting, or Indecent Language or Disorderly Conduct	I	\$50
§50-73(5)	Failing to Produce or Exhibit Required Permit	III	\$250
§50-73(6)	Disturbing or Interfering Unreasonably With Any People in Public Park	III	\$250
§50-74(1)	Exposing or Selling Anything in Public Park, Except Regularly Licensed Concessionaire	III	\$250
§50-74(2)	Announcing, Advertising, or Calling the Public Attention to Article or Service for Sale or Hire	I	\$50
§50-74(3)	Placing Any Advertisement on Any Public Lands or Highways or Roads Adjacent to Park	I	\$50
§58-26	Conducting More Than Two Garage Sales Without a Permit	I	\$50
§58-27	Conducting a Garage Sale Over More Than Two Consecutive Days	I	\$50
§62-3(a)	Discarding, Throwing, Sweeping, Placing, or Depositing Any Trash or Waste Upon Street, etc., or Upon Premises of Another, or Other Lands, or in Any Waterway	III	<del>\$150</del> <u>\$500</u>
§62-3(b)	Permitting Accumulation of Garbage Upon Any Premises for Longer than Four Days, Except as Provided	II	\$150
§62-3(c)	Owner or Occupant of Residential Structure Using Premises for Open Storage of White Goods, Building Material, Rubbish, Weeds, Dead Trees, Trash or Garbage, or Failure to Place Such Materials	II	<del>\$150</del> <u>\$500</u>

	at Curb for Collection When Directed to Do So		
§62-4	Burning, Burying, or Dumping of Garbage	IV	\$500
§62-7(1)	Failure to Comply with Requirements for Dumpster Enclosures and Storage of Special Waste	III	\$250
§62-7(2)	Failure to Store Compacted Rubbish in Fire Proof Structures	IV	\$500
§62-7(3)(a)	Failure to have garbage can of adequate size	I	\$50
§62-7(3)(b)	Failure of Construction and Demolition Sites, High Waste Generators, and Commercial Establishments to Comply with Regulations	IV	\$500
§62-8	Installing Compactor without a Permit	IV	\$500
§62-21(a)	Failure of Property Owner to Notify Solid Waste Department of Extended Vacancy; Failing to Return Assigned Residential Refuse Container After Terminating or Transferring Utility	I	\$50
§62-21(b)	Failure to Properly Place and Remove Refuse Containers	I	\$50
§62-24(a)	Failure of Householder to Maintain City-Provided Residential Refuse Container in Good Order	I	\$50
§62-24(b)	Placing Garbage in Condemned Container or Receptacle	I	\$50
§62-25	Failure to Properly Prepare Refuse, Rubbish, and Garden or Yard Waster for Disposal and Collection	I	\$50
§62-26	Failure to Place Accumulations of Garden or Yard Waste within Three Feet of the Curb or Edge of Roadway for Collection	I	\$50
§62-27	Failure to Properly Prepare Tree Limbs and Cuttings for Disposal and Collection	I	\$50
§62-28	Use or installation of compaction equipment without a Permit	IV	\$500
§62-30	Failure to Properly Prepare Cardboard Boxes and Paper Containers for Disposal and Collection	I	\$50
§62-31	Failure of Owner of Multifamily or Multiple Dwellings to Use City-Provided Refuse Containers; Failure to Keep Lids of Containers Closed; Placement of Materials to Be Collected Outside Container	I	\$50
§62-45	Failure of Owner or Tenant or Contractor to Remove Refuse from Vacant Property or to Remove Building Materials	III	\$250
§62-61(a)	Unauthorized Person Removing Refuse, Recyclables, Material, or Construction and Demolition Debris; Failure of Highwaste Generator, Commercial Establishment, Etc., to Fail to Contact SWD for Commercial Container or Roll-Off	IV	\$500

§62-61(d)	Failure to Furnish SWD with Required Copies of Existing Contracts with Private Haulers	I	\$50
§62-62(a)	Commercial Establishment Installing Compactor or Utilizing Services of Private Collector	IV	\$500
§62-62(b)	Failure of Commercial Compactor Service to Construct Required Enclosure, Drain Liquid Accumulation; Permitting Untrained Personnel to Operate Compactor; Failure to Maintain Storage Areas and Keeping Compactor Accessible	IV	\$500
§62-75	Failure of Recovered Materials Dealer to Register with the City	III	\$250
§62-78	Failure of Certified Recovered Material Dealer to Provide Director of Solid Waste with Required Quarterly Report	III	\$250
§62-82	Any Person Not Certified Under FS §403.7046 Doing Business as Recovered Materials Dealer; Providing Services to Noncommercial Establishments or Removing Other Than Recovered Materials	III	\$250
§62-95(1)	Using Recycling Containers for Any Purpose Other Than Storing Recyclable Materials; Failure to Care for City Recycling Containers	I	\$50
§62-95(2)	Failure to Properly Prepare Recyclables	I	\$50
§62-95(3)	Failure to Comply with Recyclable Collection Procedures	I	\$50
§62-96	Failure to Comply with Procedures for Multifamily Recycling	I	\$50
§62-98	Collecting, Picking-Up, or Removing Recyclables; Failure to Make Required Reports to SWD Director	I	\$50
§66-26(a)	Placing or Causing to Be Placed a Sign Designating a Street, etc., by an Incorrect Name or to Refuse to Remove Such a Sign	III	\$250
§66-26(b)	Injuring, Defacing, or Removing Street Sign	III	\$250
§66-27	Dumping Trash in Streets	III	\$250
§66-28(b)	Failure to Maintain Publicly-Owned Parkways and Swales Adjacent to Real Property	I	\$50
§66-28(c)	Failure to Keep Sidewalks, Driveway Aprons, Driveways, Curbing and Pavement Edges on Abutting Publicly-Owned Parkways or Swales Free of Weeds and Vegetation	I	\$50
§66-28(d)	Permitting Nuisance to Exist on Abutting Publicly-Owned Parkway or Swale	I	\$50
§66-51	Construction of Sidewalk or Driveway without Permit and According to Plans and Specifications	IV	\$500
§66-52	Unlawful to Place or Keep Any Merchandise On or	I	\$50

	Over or Under Sidewalks, Parkways, Streets, or Public Property without Permit		
§66-53	Engaging in Business On or Over or Under Sidewalk, Parkway, Street or Public Property without Permit	III	\$250
§66-136	Burying a Person in Undesignated Area	IV	\$500
§70-27	Engaging in Business without Required Business Tax Receipt	III	\$250
§70-28	Failure to Timely Pay Business Taxes	II	\$150
§70-34	Failure to Display Business Tax Receipt	II	\$150
§70-36	Operating a Business without Required Business Tax Receipt	III	\$250
§70-64	Failure of Seller to Collect Levied Service Tax	III	\$250
§70-66	Failure to Keep Complete Purchase Records and Keep them Open for Inspection	III	\$250
§70-76(a)	Willfully Failing, Refusing, or Neglect to Paying Taxes or Willfully Making a False Report or Failing to Make a Report	IV	\$500
§70-76(b)	Obtaining or Using an Exemption Number to Avoid Paying Required Tax	IV	\$500
§70-91	Failure to Timely Pay Insurance Premium Tax	III	\$250
§74-2(b)	Violation of Stopping, Standing, or Parking Standards of FS 316.1945	I	\$50
§74-2(c)	Violation of Handicapped Parking Space Provisions of FS 316.1955 or 316.1956	III	\$250
§74-2(e)	Violation of Florida Uniform Traffic Control Law	I	\$50
§74-3	Violation of Speed Limits as Provided in FS 316.183	III	\$250
§74-4	Violation of One-Way Signs	III	\$250
§74-5	Violation of Stop Signs at Through Streets	III	\$250
§74-6	Parking in Violation of No Parking Signs	I	\$50
§74-7	Parking in Violation of Posted Parking Hours	I	\$50
§74-8	Parking Longer than Posted Time Limit	I	\$50
§74-9	Parking at Parking Meters Longer than Designated Time Period	I	\$50
§74-10(a)	Exceeding Posted Vehicle Limits	III	\$250
§74-10(b)	Operating, Stopping, Standing, or Parking Farm Tractors, Trailers, Semitrailers, Trucks, or Other Commercial Vehicles During Posted Hours	III	\$250
§74-11(a)(1)	Riding Horses on Private Property or Parkways Improved or Maintained By Property Owners Adjoining Public Streets	I	\$50
§74-11(a)(2)	Failure to Keep Horses Under Control and at a Walk; Running or Galloping a Horse On or Along	III	\$250

	City Streets or Parkways		
§74-11(a)(3)	Failure to Keep Horses in Single File	I	\$50
§74-11(a)(4)	Failure to Wear Light-Colored or Reflective Clothing and Carry a Light When Riding a Horse After Dark	III	\$250
§74-11(a)(5)	Person Under 18 Riding a Horse Unchaperoned From an Hour Before Sunset to an Hour After Sunrise	I	\$50
§74-11(a)(6)	Failure to Select and Follow Least Congested Path When Riding in City	I	\$50
§74-11(b)	Failure of Motorists to Slow and Use Caution When Approaching a Horse and Rider	III	\$250
§74-11(c)	Making Unnecessary Loud Noise, Throwing Anything, Striking, or Intentionally Frightening a Horse Being Ridden	III	\$250
§74-12	Parading without a Permit	III	\$250
§74-13(c)	Failure to Properly Display or Remove Combat Automobile Theft Program Decal; Failure to Properly Notify Bartow PD of Sale or Transfer of C.A.T. Car	III	\$250
§78-1	Failure to Connect to Water and Sewer as Required	III	\$250
§78-3	Selling, Wheeling or Providing Electric Utility Services without a Franchise	IV	\$500
§78-36	Making or Having Connection with Any Water Lines	III	\$250
§78-37	Failure to Allow Entry for Inspection of Wells	III	\$250
§78-55	Failure to Pay Charges for Use of City Water	I	\$50
§78-81(a)	Placing, Depositing, or Permitting to Be Deposited Excrement, Garbage, or Objectionable Waste on Private or Public Property	III	\$250
§78-81(b)	Discharging to Any Natural Outlet Sanitary Sewage, Industrial Wastes, or Other Polluted Waters Except as Provided	IV	\$500
§78-81(c)	Constructing or Maintaining Privy, Privy Vault, Septic Tank, Cesspool or Other Facility for Disposal of Sewage, Except as Provided	IV	\$500
§78-81(d)	Failure to Install Required Sanitary Facilities In Accordance with Code	IV	\$500
§78-82	Failure to Connect or Disconnect to Proper Private Sewer Disposal System As Required	IV	\$500
§78-83	Connecting to or Opening Public Sewer without a Permit; Failure to Follow Specifications for Connection	IV	\$500
§78-88(c)	Bypass and Failure to Notify Director of Bypass	IV	\$500
§78-97(a)	Introduction of Any Pollutant or Wastewater Which	III	\$250

	into the WWF Which Causes Pass Through or Interference		
§78-97(b)	Introduction of Introduction into the WWF of Any Specifically Listed Substance	IV	\$500
§78-98	Violation of Pretreatment Standards of 40 CFR Chapter I, Subchapter N, Parts 405-471; Increasing Use of Process Water or Dilute Discharge	III	\$250
§78-99	Discharging Wastewaters Containing Pollutants in Excess of Stated Limits	IV	\$500
§78-101	Failure to Maintain Condition and Free Flow In Building Sewer and Sewer Connection to Sewer Main	III	\$250
§78-102	Failure to Pretreat Wastewater as Necessary and Required	III	\$250
§78-103	Failure to Properly Apply, Obtain, Maintain, and Transfer Wastewater and Industrial Waste Discharge Permits; Failure to Make Required Reports	III	\$250
§78-104	Failure to Properly Install and Maintain Suitable Control Effluent Structure on Any Property Served By Sewer Connection Carrying Industrial Wastewater	III	\$250
§78-106	Failure to Perform Sampling Techniques for Pollutant Analyses in Accordance with 40 CFR Part 136 and 62-160, F.A.C., Failure to Use Appropriate Collection Techniques; and Failure to Install Water Meter	IV	\$500
§78-110	Maliciously, Willfully, or Negligently Breaking, Damaging, Destroying, Uncovering, Defacing or Tampering with Pipe, Structure, Appurtenance, or Equipment Which is Part of Sewerage or Drainage Systems or Waste Treatment Facilities	IV	\$500
§78-111	Failure to Adhere to Reporting Requirements	III	\$250
§78-112	Failure to Allow Director Access for Purposes of Inspection, Sampling, Records Examination, Copying, and Any Other Duty	III	\$250
§78-124	Discharge into Public Sewer of Certain Waters or Wastes	IV	\$500
§78-157	Tampering with Electric Meter	IV	\$500
§82-51	Planting on City Streets, Rights-of-Way or Other City Property without Permission	I	\$50
§82-52	Trimming or Removing Trees or Shrubbery Growing on City Streets, Rights-of-Way or any Other Property Owned by the City	III	\$250
§86-1	Failure to Equip or Operate Ambulance in Compliance with State Law	IV	\$500

§86-36	Operating or Driving a Taxicab In or Upon Streets of the City without a Permit	III	\$250
§86-38	Failure to Display Permit Properly in Taxicab	III	\$250
§86-39	Willfully Altering, Defacing, Obliterating, or Destroying Taxicab Permit or Allowing Same	III	\$250
§§86-41, 86-42, 86-43	Failure of People or Business Engaged in Transportation of Passengers for Hire to Carry and Maintain Required Bond or Alternative Insurance	III	\$250
§86-46	Unlawful to Violate §§86-41 through 86-45	III	\$250
§ 1.03.00	General Rule - Development Must Comply with ULDC	IV	\$500
§ 2.02.01(G)(1)	Construction Activity in Historic District Without Prior Approval	III	\$250
§ 2.02.01(K)(2)	Failure to Comply with Certificate of Appropriateness	IV	\$500
§ 2.02.03	Unlawful Moving of Structure	IV	\$500
§ 2.02.06	Fence Height Limitations Violation	III	\$250
§ 2.02.07	Unlawful Placement of Communications Antenna	III	\$250
§ 2.02.08	Violation of Manufactured or Mobile Home Standards	IV	\$500
§ 2.02.08(E)	Maintaining a Deteriorated or Dilapidated Manufactured or Mobile Home	III	\$250
§ 2.02.09	Violation of Model Home Standards	IV	\$500
§ 2.02.10	Violation of Screen Room or Porch Standards	II	\$150
§ 2.02.11	Violation of Modular Home or Building Standards	IV	\$500
§ 2.03.01	Violation of Adult Entertainment Establishment Standards	III	\$250
§ 2.03.02	Violation of Temporary Tent Standards	II	\$150
§ 2.04.02	Violation of Zoning District Standards	IV	\$500
§2.04.02.01 (E)(6)	Improper Parking in M through R-3 Districts (Longer than 35 feet or More than 1.5 tons of Capacity)	II	\$150
§ 2.05.00	Violation of Accessory Structure Standards	II	\$150
§ 2.05.00(K)	Unlawful Use of Accessory Structure as Living Space	IV	\$500
§ 2.05.01	Violation of Swimming Pool Standards	II	\$150
§ 2.05.01(E)	Failure to Enclose Swimming Pool With Barrier	III	\$250
§ 2.05.01(F)	Unlawful Use of Residential Swimming Pool for Commercial Purposes	IV	\$500
§ 2.05.02	Violation of Dock Standards	IV	\$500
§ 2.05.03	Violation of Antenna and Satellite Dish Standards	III	\$250
§ 2.05.04(6)	Violation of Temporary Portable Storage Container Standards	III	\$250

§ 2.05.05	Violation of Permanent On-Site Storage Container Standards	III	\$250
§ 2.05.06	Violation of Sidewalk Café Standards	III	\$250
§ 2.05.06(A)(1)	Operation of a Sidewalk Café Without a Valid Permit	III	\$250
§ 3.01.02(B)	Unlawful Placement of Structure Forward of Base Building Line	IV	\$500
§ 3.01.02(C)	Unlawful Placement of Structure Forward of State Road Base Building Line	IV	\$500
§ 3.02.03(D)(1)	Unlawful Impediment of Clear Visibility Triangle	IV	\$500
§ 3.03.02(D)(1)	Unlawful Overnight Parking of Trucks, Trailers and Wagons in Residential Districts	III	\$250
§ 3.03.02(D)(2)	Unlawful Parking of Recreational Vehicles and Boats in Residential Districts	II	\$150
§ 3.03.02(F)(1)	Unlawful Off-Street Parking in Front Yards of Single-Family Residences	II	\$150
§ 3.04.01(A)	Potable Water and Wastewater Availability Required	IV	\$500
§ 3.04.01(D)	Electricity, Communication and Community Television Availability Required	IV	\$500
§ 3.04.01(F)	Failure to Screen Centralized Solid Waste Facility	IV	\$500
§ 3.05.01(A)(1)	Unlawful Impairment of U.S. Waters by Stormwater Discharge to Municipal System	IV	\$500
§ 3.05.01(A)(2)	Failure to Pre-Treat Industrial Stormwater Discharge to Municipal System or U.S. Waters	IV	\$500
§ 3.05.01(B)	Illicit Non-Stormwater Discharge to Municipal System or U.S. Waters	IV	\$500
§ 3.06.01	Maintaining or Operating Injurious or Offensive Land Use	IV	\$500
§ 3.06.02.01	Unlawful Generation of Vibration	IV	\$500
§ 3.06.02.02	Unlawful Emission of Smoke	IV	\$500
§ 3.06.02.04	Unlawful Emission of Dust and Dirt	IV	\$500
§ 3.06.02.05	Unlawful Discharge of Dangerous Waste	IV	\$500
§ 3.06.02.06	Unlawful Handling or Discharge of Hazardous Waste	IV	\$500
§ 3.06.02.07	Unlawful Emission of Objectionable or Offensive Odors	IV	\$500
§ 3.06.02.08	Unlawful Emission of Glare	IV	\$500
§ 3.06.02.09	Unlawful Emission of Dangerous Fumes, Vapors or Gases	IV	\$500
§ 3.06.02.10	Unlawful Generation of Adverse Temperature, Humidity or Movement of Air	IV	\$500
§ 3.06.02.11	Unlawful Operation of Use in Violation of Florida Fire Prevention Code	IV	\$500

§ 3.06.02.12	Unlawful Emission of Radiation	IV	\$500
§ 3.06.02.13	Unlawful Operation of Device in Violation of FCC Regulations	III	\$250
§ 3.07.00	Failure to Submit Landscaping Plan; Violation of Landscaping Standards	III	\$250
§ 3.07.06(G)	Failure to Maintain Landscaping in Accordance with Approved Landscaping Plan	III	\$250
§ 3.08.00	Violation of Site Development Plan Submission and Review Standards	III	\$250
§ 3.09.00	Violation of Conditional Use Permit Requirements and Standards	III	\$250
§ 3.10.00	Violation of Special Exception Permit Requirements and Standards	III	\$250
§ 3.10.02(H)	Unlawful Conversion of Dwelling into Boarding or Rooming House	IV	\$500
§ 3.10.03.08(A)	Improper Storage, Collection or Disposal of Refuse in RV Park or Campground	III	\$250
§ 3.10.03.09(E)	Improper Use or Maintenance of Outdoor Cooking or Incinerator Facilities in RV Park or Campground	III	\$250
§ 3.10.03.10(A)	Improper Operation of RV Park or Campground	III	\$250
§ 3.10.03.10(B)	Occupying RV Campground Site for More than 120 Days in 360 Day Period	III	\$250