

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
April 18, 2017
6:00 p.m.**

**Municipal Administration Building
Commission Chambers
201 W. Central Avenue
Lake Wales, FL 33853**

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. ROLL CALL
5. SETTLEMENT AND STRATEGY SESSION - The City Commission Will Recess For A Settlement And Strategy Session

5.I. Settlement And Strategy Session Concerning The City's Eminent Domain Actions For State Road 60 Utility Expansion

The City Commission will convene at 6:00 p.m. and will then recess for a Settlement and Strategy Session concerning the City's Eminent Domain Actions for State Road 60 Utility Expansion immediately following Roll Call.

Litigation Settlement and Strategy Session Pursuant to Section 286.011(8), Florida Statutes. This Session is not open to the Public.

Those in attendance will be:

Mayor Eugene Fultz
Deputy Mayor Jonathan Thornhill
Commissioner Terrye Y. Howell
Commissioner Pete Perez
Commissioner Robin Gibson
City Manager Kenneth Fields
City Attorney Albert C. Galloway, Jr.
Thomas Drage, Jr., Special Counsel

Documents:

[2017-04-18, LITIGATION STRATEGY SESSION.PDF](#)

6. MAYOR

6.I. Proclamation: VOICE And Cadet Appreciation Week; April 23-29, 2017

Documents:

[VOICE AND CADET 2017 PROCLAMATION.PDF](#)

6.II. Proclamation: Building Safety Month; May 2017

Documents:

[PROCLAMATION-BUILDING SAFETY MONTH 2017.PDF](#)

6.III. Proclamation: Aviation Appreciation Month In Florida By Governor Rick Scott; April 2017

Documents:

[GOV. SCOTT_2017 AVIATION APPRECIATION MONTH.PDF](#)

7. PRESENTATION/REPORT

7.I. Presentation Of Comprehensive Annual Financial Report 9/30/2016

Transmittal of Comprehensive Annual Financial Report, For Fiscal Year Ended September 30, 2016

Documents:

[2017 04 18 AUDIT AGENDA MEMO 15-16.PDF](#)
[CAFR - CITY OF LAKE WALES 2015-16.PDF](#)

8. COMMUNICATIONS AND PETITIONS

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and whether your address resides inside or outside City limits. Please limit your discussions to five (5) minutes.

9. CONSENT AGENDA

Any member of the public can ask the City Commission to pull a consent item for separate discussion and vote that they would like to make comment on.

9.I. Approval Of Minutes: April 4th, 6th, & 13th, 2017 Canvassing Board Meeting Minutes

Documents:

[2017-04-04CAN.PDF](#)
[2017-04-06CAN.PDF](#)
[2017-04-13CAN.PDF](#)

9.II. Disposal Of Surplus Property

Staff is seeking approval to dispose of surplus property – mowers.

Documents:

[AGENDA ITEM DISPOSALS2017.PDF](#)
[SCHEDULE.PDF](#)

9.III. Polk County Tourism And Development Council Grant

A grant application to the Polk County Tourism and Development Council Grant for \$3,500

Documents:

[COMMISSION AGENDA ITEM TDC 2018.PDF](#)
[FINAL-FY-17-18-APPLICATION_2.PDF](#)
[005-POLK COUNT TOURISM GRANT.PDF](#)

9.IV. Modification And Ratification Of Airport Ground Lease

The City Commission will consider modifying the lease agreement with Phoenix Air, Inc./Betty Hill for ground space at the Lake Wales Municipal Airport.

Documents:

[AGENDA MEMO FOR THE MODIFICATION AND RATIFICATION OF AIRPORT GROUND LEASE - PHOENIX AIR-BETTY HILL.PDF](#)
[PHOENIX AIR, INC. MODIFICATION LEASE \(AIRCRAFT PARKING\).PDF](#)

9.V. SR 60 Duke Energy Encroachment

To facilitate the expansion of the city's utilities to the west, easements had to be acquired. Duke Energy has an existing easement on Parcel No. 1936 that the city would need to install utility lines in to continue the expansion of utilities to the western boundary.

Documents:

[AGENDA MEMOSR 60 DUKE ENERGY ENCROACHMENT AGREEMENT.PDF](#)
[DUKE ENERGY ATTORNEY REVIEW.PDF](#)
[SR 60 DUKE ENERGY ENCROACHMENT AGREEMENT PARCEL 1936.PDF](#)

10. OLD BUSINESS

10.I. Ordinance 2017-05 – 2nd Reading And Public Hearing Zoning And Land Use Regulations For Medical Marijuana Dispensaries

Ordinance 2017-05 proposes Medical Marijuana Dispensaries as a conditional use in the PF – Professional and C-3 Highway Commercial zoning districts.

Documents:

[CC MEMO ORD 2017-05 2ND READING.PDF](#)
[ORD 2017-05.PDF](#)

10.II. Ordinance 2017-06, Zoning Amendment: 2nd Reading And Public Hearing Southeast Corner Of Old Scenic Highway And City Limits Road

The request for re-zone is being made by the owner, Ag Investments of Polk County to rezone approximately 9.13 acres located at the southeast corner of Old Scenic Highway and City Limits Road from R-1B single family residential to R-1D single family residential zoning designation.

Documents:

[ORD 2017-06 2ND READING STAFF REPORT - RE-ZONING AMENDMENT OLD SCENIC-CITY LIMITS RD.PDF](#)
[ORD 2017-06 SCENIC BLUFF REZONE.PDF](#)
[ORD 2017-06 ATTACHMENT A.PDF](#)

10.III. Ordinance 2017-08 Annexation – 2nd Reading And Public Hearing Southwest Corner Thompson Nursery Road And U.S. Highway 27

Ordinance 2017-08 proposes the annexation of approximately 5.2 acres located at the southwest corner of Thompson Nursery Road and U.S. Highway 27 and contiguous to the incorporated City limits.

Documents:

[CC MEMO 2ND R THOMPSON NURSERY AND US 27.PDF](#)
[ORDINANCE 2017-08 CORNER OF THOMPSON NURSERY AND US27.PDF](#)
[ORD 2017-08 ATTACHMENT A.PDF](#)

10.IV. Ordinance 2017-07, Amending Ordinance 2001-08 Personnel Administration Policies – 2nd Reading & Public Hearing

Ordinance 2017-07 is being presented to include vaping with e-cigarettes into existing smoking policy.

Documents:

[MEMO-ORD2017-07, CHANGESMOKINGTOTOBACCPRODUCTS VAPING.PDF](#)
[ORD2017-07, CHANGESMOKINGTOTOBACCPRODUCTS VAPING.PDF](#)

11. NEW BUSINESS

11.I. Resolution 2017-08, Supplemental Joint Participation Agreement-G0658

The adoption of Resolution 2017-08 authorizes the execution of an agreement with the Florida Department of Transportation (FDOT) to amend the funding for JPA-G0658 to perform environmental assessment, mitigation, permitting, design updates and related activities necessary to bid the Runway 6/24 rehabilitation and extension project at the Lake Wales Municipal Airport.

Documents:

[MEMO-RES2017-08 JPA WITH FDOT 04-05-2017.PDF](#)
[RES2017-08 JPA WITH FDOT 04-05-2017 - COPY.PDF](#)
[FISCAL IMPACT STATEMENT-RES2017-08 JOINT PARTICIPATION AGREEMENT-G0658.PDF](#)
[SUPPLEMENTAL JPA.PDF](#)

11.II. Resolution 2017-09 – Annexation Agreement Between Atlantic Funding Ltd., LLC And The City.

Resolution 2017-09 authorizes the Mayor to execute a binding annexation agreement between Atlantic Funding Ltd., LLC and the City for property not currently contiguous to the city limits.

Documents:

11.III. Appointment - Charter School Board Of Trustees
The Mayor will appointment a member of the City Commission to serve as a member to the Charter Board of Trustees.

11.IV. Status Update On Building Inspection
An update for City Commission on how Staff is handling the provision of Building Division Services.

Documents:

[BUILDING DIVISION SERVICES APRIL 2017.PDF](#)

12. CRA MEETING - The City Commission Will Recess And Conduct A CRA Meeting.

12.I. Approval Of Contract With S&ME For The Update Of The Community Redevelopment Plan

A contract with S&ME of Orlando, Florida for \$56,298.00 is recommended to update the city's Community Redevelopment Plan. The last plan was written in 1999 with revisions in 2002, 2003, 2006 and 2007.

Documents:

[MEMO CRA UPDATE CONTRACT.PDF](#)
[LAKE WALES CRA PLAN UPDATE_SCOPE AND FEE LETTER_REVISEDV2_4_11_17.PDF](#)

13. CITY CLERK MATTER

14. CITY MANAGER

14.I. Tracking Report

Documents:

[TRACKING.PDF](#)

14.II. Social Media Tracking Report

Documents:

[SOCIAL MEDIA TRACKING.PDF](#)

14.III. City Commission Meeting Calendar

Documents:

[COMMISSION MEETING CALENDAR, 4-18-2017.PDF](#)

15. CITY COMMISSION COMMENTS

16. MAYOR COMMENTS

17. ADJOURNMENT

(The staff memos are incorporated into the official record)

Minutes of the City Commission meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the City Commission with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.