

City Commission Meeting Minutes
January 16, 2018
(APPROVED)

1/16/2018 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The Mayor called the meeting to order at approximately 6:00 p.m. after the invocation and pledge of allegiance.

4. ROLL CALL

Commission Members Present: Eugene Fultz - Mayor, Curtis Gibson, Flora "Tonya" Stewart, Terrye Howell, Robin Gibson - Deputy Mayor

Staff Present: Kenneth Fields, City Manager; Albert C. Galloway, Jr., City Attorney; Jennifer Nanek, City Clerk

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION - School Choice Week

Mayor Fultz read a proclamation establishing January 21 - 27, 2018 as School Choice week.

6. PRESENTATION/REPORT

6.I. PRESENTATION: SBDC Report

Carl Hadden, Assistant Director at SBDC at USF, gave a presentation on the Small Business Development Council. He explained what they do and services offered including training and providing bridge loans for small businesses damaged by the hurricanes. He explained what bridge loans are that they are for businesses suffering from Hurricane Irma effects. Polk County had 25 bridge loans including several businesses in Lake Wales. They have had an office here in the City Administration Building for the past 4 years. They do consulting at no charge to help the business succeed. They have various resources of data available as needed.

Deputy Mayor Robin Gibson said he was glad their office was in the City Administration Building.

Commissioner Curtis Gibson asked if he is available to speak to civic groups. Mr. Hadden confirmed that he is and has done that.

7. COMMUNICATIONS AND PETITIONS

Tina Peak, Director of Library and Museum, gave a report from the Arts and Culture Committee of the Tourist Development Council. She distributed a spreadsheet of total grants distributed. The City of Lake Wales received \$3990 and the in Lake Wales got \$160,000. Other events to apply for in the future were discussed such as skydiving. Cindy Rodriguez reviewed the requirements and goals of the grants programs.

8. CONSENT AGENDA

Deputy Mayor Robin Gibson made a motion to approve the consent agenda. Commissioner Howell seconded the motion.

Voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.I. Minutes

The minutes of [NOVEMBER 21, 2017](#), [DECEMBER 5, 2017](#), and [JANUARY 2, 2018](#)

8.II. Grant Application - Safe Routes To School

[Begin Agenda Memo]

SYNOPSIS

The City of Lake Wales would like to partner with Spook Hill Elementary to apply for a Safe Routes to Schools Grant Application for \$72,000 from the Florida Department of Transportation (FDOT). This application requests funding for a new sidewalk on North Wales Drive (Spook Hill) from Burns Avenue to Dr. JA Wiltshire.

RECOMMENDATION

City staff recommends approval of the Safe Routes to School grant application to the Florida Department of Transportation and authorizing the City Manager to sign all grant related documents.

BACKGROUND

City staff in conjunction with Ms. Michelle Browning and Spook Hill Elementary School Staff have developed a proposal to request funding for a sidewalk on the west side of N. Wales Drive/Spook Hill from Burns Avenue to Dr. JA Wiltshire Avenue. This will make it safer for students walking or biking to school. This project will not only benefit students at Spook Hill Elementary but students walking to Lake Wales High School as well.

Upon approval, design and construction will be handled by FDOT. Maintenance will be handled by the City of Lake Wales. Spook Hill Elementary staff will assist with evaluation of the project upon completion. If granted this project would begin in the 2022-2023 fiscal year.

OTHER OPTIONS

Do not approve the grant application

[End Agenda Memo]

9. OLD BUSINESS

10. NEW BUSINESS

10.I. Code Enforcement Lien Amnesty Program

[Begin Agenda Memo]

RECOMMENDATION:

Staff recommends that Commission discuss and approve the Code Enforcement Lien Amnesty Program to begin on June 1st, 2018.

BACKGROUND:

Code enforcement focuses on the expectation that citizens have the ability to live in housing that meets reasonable standards of safety and habitability and that neighborhoods, citizens, and property values should not suffer from the blight of nearby neglected premises.

The City of Lake Wales currently has outstanding code enforcement liens in excess of \$ 20 million dollars. The Code Enforcement Board imposed the liens after property owners failed to bring their properties into compliance after notifications and board proceedings. Several of the liens date back to the 2000's.

Absent intervention efforts by the City Commission and City staff, neighborhoods and citizens will likely continue to suffer from neglected premises. In an effort to remove liens from public record, recover administrative costs over the life of the lien, and encourage revitalization of substandard properties staff proposes the following plan.

Plan Focus:

1. Those cases currently in compliance but with unpaid outstanding administrative liens.
2. Those cases currently out of compliance where fines continue to accrue daily and administrative liens have been recorded.

The Code Compliance Division is in the process of assessing files to determine which properties within the city have outstanding code enforcement administrative liens. A re-inspection of properties will be conducted to determine whether the owner has brought the property into compliance but failed to contact the city to dispose of the administrative lien. When properties are found to be in compliance the owner will be contacted and given an opportunity to participate in the program.

In those cases, where a re-inspection shows the property is still in violation the owner will be contacted and this program will be fully explained, with the objective of making the owner fully aware of all options that are available. If property owner cannot be identified or reached, the property may go into foreclosure per Chapter 162 Florida Statute.

Fiscal Impact:

The proposed \$50 administrative fee will cover the costs of the program for things such as recording fees.

Options:

Commission could choose not to approve the program

[End Agenda Memo]

Kathy Bangley, Director of Planning, reviewed this item. Brian Nadeau, Code Compliance Officer, gave an example of where this amnesty program would be beneficial.

Commissioner Curtis Gibson said that this is great and is glad we are proactive.

Commissioner Howell asked about some ongoing problem properties. Ms. Bangley reviewed a few of them and said yes they are working on those. The Seminole Hotel was discussed.

Ms. Bangley said she will report on the results of this program to the Commission.

Deputy Mayor Robin Gibson asked about reasonable fees. Ms. Bangley said the Code Enforcement Board will decide that. There will be a small application fee to cover costs.

Commissioner Howell made a motion to approve the Code Enforcement Lien Amnesty Program. Commissioner Curtis Gibson seconded the motion.

Voice Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10.II. Extension Of Time – Approval Of PDP Plans For Serenity At Lake Wales Apartment Home Community

[Begin Agenda Memo]

SYNOPSIS

The applicant met the required deadline with the request letter being received by staff September 14, 2017. Staff has met with the applicant and their extended development partners. They anticipate submittal of full engineering in February/March 2018 and are planning to be moving dirt by June 2018.

RECOMMENDATION

Approval of a one-year extension of time on the planned development project (PDP) plan approval for Serenity at Lake Wales, as shown on the plan titled Serenity at Lake Wales Apartment Home Community PDP plans, dated 09/08/2014.

BACKGROUND

Equinox of Florida, LLC has requested a one-year extension on the referenced project, originally approved by City Commission October 21, 2014 and extended each year thereafter.

There have been no significant changes in the ordinances pertaining to the type of development proposed or in the conditions of the neighborhood. A reduced copy of the plan and the conditions of approval are attached for your information.

OTHER OPTIONS

Decline to extend the approval. If Equinox of Florida, LLC wishes to proceed with the project, a new PDP plan approval would be required.

[End Agenda Memo]

Kathy Bangley, Director of Planning, reviewed this item.

Commissioner Howell made a motion to approve the one-year extension of time on the planned development project (PDP) plan approval for Serenity at Lake Wales. Commissioner Curtis Gibson seconded the motion.

Voice Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10.III. State Road 60 Westerly Utility Expansion - Approval Of Stipulated Settlement

[Begin Agenda Memo]

SYNOPSIS:

An additional Stipulated Settlement Agreement has been entered into related to the acquisition of easements for the installation of infrastructure for the subject utility expansion project which requires approval by the City Commission.

RECOMMENDATION: Approve the Stipulated Settlement Agreement reached with the Board of County Commissioners of Polk County and AJM Capital, LLC, as to Parcel 1924.

BACKGROUND:

The City has acquired the necessary easements for the project which is proceeding. Acquisition of some of the project easements has required additional effort to reach agreement as to the value of the easement taken for the project.

FISCAL IMPACT:

The impact is set forth separately in the subject Agreement.

[End Agenda Memo]

Albert Galloway, Jr., City Attorney, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve the Stipulated Settlement Agreement reached with the Board of County Commissioners of Polk County and AJM Capital, LLC, as to Parcel 1924. Commissioner Howell seconded the motion.

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

11. CITY MANAGER

Kenneth Fields, City Manager, said he plans to schedule some CRA meetings to review a draft of the Plan.

Mr. Fields announced that flag design submissions are on display at the Arts Center for public viewing and voting.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Schedule

11.IV. Other Meetings & Events Calendar

12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson said he is glad to see the trail under construction downtown. This could be considered a linear park and our only downtown park.

Commissioner Curtis Gibson said that there are a lot of things going on in Lake Wales and is happy. The MLK events over the weekend were great and commended the committee for their efforts. The two groundbreaking ceremonies were great but had to miss our trail one. In the future lets try to avoid a conflict. He recommended some sort of welcoming or orientation for new commissions. He would like to see what goes on and meet directors.

13. MAYOR COMMENTS

Mayor Fultz thanked Deputy Mayor Gibson for stepping in for him at the trail groundbreaking ceremony.

He was glad how well things went over Martin Luther King Day weekend. He thanked staff and the organizers. There was no problems down there.

14. ADJOURNMENT

The meeting was adjourned at 6:58 p.m.

Chair/Vice-Chair

ATTEST:

City Clerk