

**City Commission Meeting Minutes**  
**March 6, 2018**  
**(APPROVED)**

3/6/2018 - Minutes

1. INVOCATION

Mayor Fultz 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 - Armed Forces Recognition

Mayor Fultz presented a proclamation commending those currently serving in the Armed Forces to Capt Brandi Thorpe of the United States Army. Captain Thorpe read a list of those currently serving and those who have recently served in the military.

5.II. PROCLAMATION -Ronald Cain

Mayor Fultz presented a Proclamation commending Ronald Cain for his idea for a City Flag.

5.III. City Flag Award

Mayor Fultz presented monetary prizes to the flag design winners and thanked the Lake Wales Arts Council for organizing the design contest.

6. PRESENTATION/REPORT

6.I. PRESENTATION - Chamber Of Commerce/EDC

Kevin Kieft, Director of the Chamber of Commerce and President of the EDC, distributed a packet of information including statistics on the current state of the economy. He said the employment rate is steady and that population will continue to rise. Tourism rates are steady and housing permits are up which helps drive retail and restaurants to Lake Wales. He shared some the efforts by the CFDC to market this area and bring business into the county. He shared updates on Aldi's, Wawas and other upcoming developments. He said that MainStreet is moving forward with a new director. He discussed the importance of the quality of life and quality of place. Why would someone move to Lake Wales over our neighbors. Recreation and other amenities are important. He invited the Commission to their upcoming events including the awards ceremony out at River Ranch.

Commissioner Curtis Gibson asked about the Grand Hotel. Mr Kieft said he has not heard any updates.

Commissioner Howell asked if there was any other retail coming to Lake Wales. Mr. Kieft said that

Wawas and Aldis are the only ones right now.

7. COMMUNICATIONS AND PETITIONS

Tina Peak, Library Director, announced that there will be two community workdays at the Depot Museum on March 10th & 17th.

8. CONSENT AGENDA

Commissioner Curtis Gibson said he had some questions about agenda item 8.4. Mayor Fultz agreed to pull it from the agenda.

Commissioner Howell made a motion to approve the agenda except item 8.4. Commissioner Curtis Gibson seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

8.I. Minutes - February 6, 2018 And February 16, 2018

8.II. Preliminary Financial Statements For January 31, 2018

[Begin Agenda Memo]

**SYNOPSIS:**

The preliminary financial statements report revenues received and expenditures made through the end of January 31, 2018.

The unaudited financial statements for the City of Lake Wales for the Period Ending January 31, 2018 are presented to the City Commission for review.

General Fund (001), page 2:

The General Fund appears to be materially on target with revenue and expenditure expectations.

Transportation Fund (102), page 7:

The Transportation Fund appears to be materially on target with revenue and expenditure expectations.

CRA Fund (105), page 12:

The CRA fund appears to be materially on target with revenue and expenditure expectations.

Library Fund (110), page 17:

The Library Fund appears to be materially on target with revenue and expenditure expectations.

Utility System Fund (403), page 27:

The Utility System Fund appears to be materially on target with revenue and expenditure expectations.

Airport Authority (404), page 29:

The Airport Authority appears to be materially on target with revenue and expenditure expectations.

[End Agenda Memo]

8.III. Motorola Radio Purchase Model APX6000XE

[Begin Agenda Memo]

**SYNOPSIS:**

Approval of the purchase will authorize the ordering of 5 radios.

**RECOMMENDATION**

It is recommended that the City Commission take the following action(s):

1. Approve the purchase of Motorola Radios for the Fire Department

**BACKGROUND**

The current Motorola Radios Model XTS2500 will reach their end of life cycle December 31, 2019. This doesn't mean that the radios will stop working, but it does mean that if any of these radios fail they will likely not be repairable. We will be adding 6 radios to our CIP Budget over the next few years until all 30 of our XTS2500 radios are replaced. This will alleviate the need to purchase a large number of radios during a single budget year.

**OTHER OPTIONS**

Purchase all 30 radios during a single budget year.

**FISCAL IMPACT**

The fire department budgeted \$23,800 for radios in the CIP. The cost of 5 radios is \$23,785.90

[End Agenda Memo]

8.IV. Award Proposal For The Installation Of Five (5) Scoreboards.

[Begin Agenda Memo]

**Synopsis:**

The City Commission will consider awarding a proposal for the installation of baseball/softball scoreboards at the Larry Linton Little League Complex.

**Recommendation**

Staff recommends that the City Commission take the following action:

1. Award the proposal for the installation of five (5) new baseball/softball scoreboards and prepping and painting five (5) sets of existing supports at the Larry Linton Little League Complex in Lake Wales

Florida to BSN Sports, Passon's Sports & US Games.

2. Authorize the expenditure of \$34,014.40.

## **Background**

On January 27, 2018 the City of Lake Wales advertised a Request for Proposals that the City was seeking qualified proposers to install five (5) new baseball/softball scoreboards and prepping and painting five (5) sets of existing supports at the Larry Linton Little League Complex in Lake Wales Florida due to damages sustained during Hurricane Irma.

A mandatory pre-proposal meeting was held on Monday, February 5, 2018 at 10:00 a.m. prevailing time and proposals were opened on Tuesday, February 13, 2018 at 2:00 p.m. prevailing time in the City Commission Chambers.

The City's proposal request resulted in five (5) qualified proposals:

- BSN Sports, Passon's Sports & US Games Score: 273
- Bliss Products and Services 249
- Grove Construction 225
- SEMCO Construction 184
- Cypress Signs 175
- LED Tranquility 0

LED Tranquility did not attend the pre-proposal meeting as per the RFP solicitation so they were disqualified.

In accordance with Sec. 2-417(d)(3) of the City's Code of Ordinances, all purchases in excess of Category 1 (\$20,000.00) require City Commission Approval.

## **Fiscal Impact**

Funding source will be city insurance proceeds and seeking FEMA disaster relief proceeds.

## **Other Options**

The City Commission can choose not to accept the proposals and seek additional proposals.

[End Agenda Memo]

Commissioner Curtis Gibson asked if the City is paying this or FEMA. James Slaton, Assistant City Manager, said that the City will pay all of it upfront and request reimbursement from FEMA. Commissioner Curtis Gibson asked about the scoring process. Mr. Slaton explained that the scoring process ensures that we are getting the best deal and not just going with the lowest price.

Commissioner Howell said that we should invite more tournaments to Lake Wales. She asked if we can get new seating or other upgrades. Mr. Slaton said that they are going through a Recreation Master Plan process and meeting with Little League leaders regularly to discuss these ideas.

Mr. Fields stated that we need to be more aggressive on going after marketing dollars for our events. Efforts to bring more sports events to Lake Wales were discussed.

Commissioner Curtis Gibson made a motion to approve Agenda Item 8.4. Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

8.V. Purchase Authorization – Asphalt Paving Systems (APS), Inc.

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider authorizing staff to expend funds for a street resurfacing project.

**RECOMMENDATION**

It is recommended that the City Commission take the following action(s):

1. Authorize the expenditure of \$215, 960.
2. Authorize the piggyback agreement with APS, Inc.
3. Authorize a budget amendment in the amount of \$15,960.
4. Authorize the City Manager to execute the piggyback agreement on behalf of the City.

**BACKGROUND**

The City's Public Services department is requesting Commission approval to expend funds for a street resurfacing project. In accordance with Sec. 2-417(d)(3) of the City's Code of Ordinances, all purchases in excess of Category 1 (\$20,000) require City Commission approval. Public Services staff recommends resurfacing the following streets with this project:

Street	Between	Approx. Distance (CLMiles)
Central Ave.	MLK Blvd. Lakeshore Blvd.	0.75
N Wales Dr.	Springer Dr. Burns Ave.	0.5
Hillside Ave.	7th St. N 9th St. N	0.4

The replacement of all pre-existing roadway striping and thermoplastic pavement markings is also included in the scope of the project.

The proposal submitted by APS, Inc. is based on a competitively bid contract with the Polk County BoCC for similar services and staff is requesting approval to piggyback the contract. Section 2-404 of the City Code and F.S. §287.057 exempts the City from competitive seal bid requirements when piggybacking another public entity's previously competitively bid contract. APS, Inc. provides pavement preservation and resurfacing services for the BoCC, the City of Lakeland, and many other municipalities around the state.

The City Commission approved \$200,000 in the FY18 capital improvement budget for a street resurfacing project and this project cost exceeds that amount by \$15,960. Staff is requesting the City Commission to approve a budget amendment in the amount of \$15,960 for the overage. The overage funding will come from the Streets department's operating budget.

The resurfacing project will begin mid-summer, if approved by the Commission.

## **OTHER OPTIONS**

The City Commission may direct staff to solicit sealed proposals for pavement preservation in lieu of utilizing the piggyback agreement with APS, Inc.

## **FISCAL IMPACT**

The project cost is \$215,960. \$200, 000 is currently budgeted in the adopted FY18 CIP for street resurfacing. A budget amendment in the amount of \$15,960 is requested. The entire project will be funded out of the the City's transportation fund.

[End Agenda Memo]

### 8.VI. Lease Agreement With Mears Motor Leasing/The Bancorp

[Begin Agenda Memo]

#### **SYNOPSIS:**

Staff is requesting Commission approval to lease-purchase eighteen (18) vehicles and equipment for various City departments through the City's master lease agreement with Mears Motor Leasing/The Bancorp.

#### **RECOMMENDATION**

It is recommended that the City Commission take the following action(s):

1. Approve the sixty (60) month lease-purchase of the vehicles and equipment listed on the attached Schedule A's from Mears Motor Leasing/The Bancorp.
2. Authorize the City Manager to execute the necessary documents on behalf of the City.
3. Classify the obsolete equipment listed on the Disposal Schedule as surplus.
4. Authorize staff to dispose of the surplus equipment.

#### **BACKGROUND**

The City Commission approved funds for the vehicle and equipment lease-purchases within the FY2018 adopted budget. The proposed new vehicles are as follows:

1. Quantity ten (10) 2018 Ford F150 pickup trucks for the Cemetery, Parks, Streets, Airport, Facilities, and Water departments.
2. Quantity one (1) 2018 Ford F250 pickup truck for the Parks department.
3. Quantity one (1) 2018 Ford Explorer SUV for Public/Support Services and Facilities.
4. Quantity one (1) 2018 Peterbilt claw/grapple truck for the Streets department.
5. Quantity two (2) 2018 John Deere tractors for Recreation Facilities and Parks.
6. Quantity one (1) 2018 John Deere front-end loader for the Parks department.
7. Quantity one (1) 2018 Vactron portable vacuum trailer for the Water department.
8. Quantity one (1) 2018 Toyota forklift for inventory/utilities administration.

The new vehicles will be replacing:

1. Quantity two (2) 1995 Ford F150 pickup trucks
2. Quantity two (2) 1997 Ford F150 pickup truck
3. Quantity one (1) 1998 Ford F150 pickup trucks
4. Quantity two (2) 1999 Ford F250 pickup trucks
5. Quantity one (1) 2000 Ford F150 pickup truck
6. Quantity one (1) 1983 Ford tractor
7. Quantity one (1) 1984 Massey tractor
8. Quantity one (1) 2006 International grapple/claw truck.

#### 9. Quantity one (1) forklift.

Six of the new vehicles and equipment are not replacements, but are additions needed due to increased staffing levels over the past 12 months or due to a shortage of vehicles or equipment that existed within a department.

Staff recommends the lease-purchase of these vehicles for the following reasons:

- If these new vehicles were purchased outright under the State of Florida/FSA Contract, the total purchase price would be \$803,962. Under the Mears Motor Leasing/Bancorp agreement, these vehicles can be financed at an annual cost of \$177,084. An outright purchase would result in a current-year decrease in cash flow of \$803,962 compared to \$177,084.
- If these vehicles are replaced, the annual maintenance cost assessed by Polk County Fleet Management will be reduced by \$18,254.
- As with all purchases, if the City were able to purchase items without the use of financing this would result in the lowest overall cost, but the greatest single annual cash flow decrease.

All of the vehicles and equipment will be purchased under State of Florida Contracts or, in some cases, the Florida Sheriff's Association contract. Purchases made from State of Florida and FSA contracts are exempted from the competitive sealed bid requirement outlined in our Purchasing Ordinance, Sec. 2-418, which allows the City to capitalize on the State's economy of scale and reduces the timeline of acquisition.

In accordance with Sec. 2-476 of the City Code, the City Commission may classify as surplus any property that is obsolete or the continued use of which is uneconomical or inefficient or which serves no useful function or purpose.

The surplus vehicles will be sold at public auction or to the highest bidder after the solicitation of sealed bids.

#### **OTHER OPTIONS**

- 1) An outright purchase would result in a current year decrease of cash flow of \$803,962.
- 2) Retain the existing vehicles and equipment.

#### **FISCAL IMPACT**

If the City Commission approves the vehicle lease agreements, the City is committed to yearly lease payments totaling \$177,084. If revenues are insufficient in future years, an option would be to return the vehicles under the non-appropriation of funds clause. If it becomes necessary to exercise this option, however, the individual departments would suffer the loss of the vehicles and equipment.

[End Agenda Memo]

#### 9. OLD BUSINESS

#### 10. NEW BUSINESS

##### 10.I. City Flag Selection

Mr. Fields reviewed this item. The various entries to the flag design contest were posted online. The commission may pick any design submitted or choose something else.

Mayor Fultz said that he liked the design with the sandhill crane as we see them everywhere. He loves Bok Tower but it is not in the city. Commissioner Curtis Gibson said that design has a lot of meaning. He liked that one too. Deputy Mayor Robin Gibson said that design was what he voted on. He said that design stands out and looks the same front and back. Commissioner Howell said she liked the designs especially from the Spook Hill Elementary students. The sandhill crane design is a simple design. Commissioner Stewart says it definitely catches the eye and is unique and we are unique.

Commissioner Curtis Gibson made a motion to approve resident Submission Design #3. Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

10.II. ORDINANCE 2018-04: Repeal Ordinance 2017-10 - First Reading

[Begin Agenda Memo]

**SYNOPSIS:**

The subject Ordinance serves to repeal Ordinance 2017-10 which initiated the proposed amendment to the Lake Wales Charter for the purpose of extending the terms of office of the city commissioners and mayor from two years to three years. The repeal is necessary due to cancelation of the municipal election scheduled for April 3, 2018.

**RECOMMENDATION:** Adoption of Ordinance 2018-04.

**BACKGROUND:** There is no need for the municipal election to fill seats on the City Commission. Commissioner Robin Gibson was reelected without opposition and no candidate qualified for election to Seat 3. The only remaining matter was the proposed Charter amendment. The proposal called for the matter to be put to the electorate at the April 3, 2018, election. The enabling legislation for the proposed Charter amendment must be rescinded.

**FISCAL IMPACT:** None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2018-04** by title only.

**ORDINANCE 2018-04**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, REPEALING ORDINANCE 2017-10 AND PROVIDING FOR AN EFFECTIVE DATE**

Kenneth Fields, City Manager, reviewed this item.

Commissioner Howell made a motion to approve **ORDINANCE 2018-04** after first reading. Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

10.III. RESOLUTION 2018-02 - Supplemental Joint Participation Agreement-G0B57

[Begin Agenda Memo]

**SYNOPSIS:**

The adoption of Resolution 2018-02 authorizes the execution of an agreement with the Florida Department of Transportation (FDOT) for the final phase of funding to rehabilitate and extend Runway 06/24 at the Lake Wales Municipal Airport.

**RECOMMENDATION**

Staff recommends that the City Commission approve the following actions:

1. Adopt Resolution 2018-02 authorizing the execution of Supplemental Joint Participation Agreement G0B57 by the Mayor with the Florida Department of Transportation (FDOT) in the amount of \$1,168,121.00.

**BACKGROUND**

In 2014, the City Commission adopted Resolution 2014-14, which provided additional funding from FDOT to complete the construction phase of airfield improvements to rehabilitate airport road, perform runway 24 safety improvements and to realign taxiway A.

Then in 2015, the City Commission adopted Resolution 2015-20 which provide funding of \$485,000.00 to update the environmental assessment, mitigation, permitting, design update, and related activities necessary to bid the runway 6/24 rehabilitation and extension project.

Then in 2016, the City Commission adopted Resolution 2016-15 which provided funding of \$488,000.00 to rehabilitate and extend Runway 06/24.

Then in 2017, the City Commission adopted Resolution 2017-10 which provided funding in the amount of \$460,402.00 to rehabilitate and extend Runway 06/24.

Resolution 2018-02 provides the final phase of funding from FDOT in the amount of \$1,168,121.00 to rehabilitate and extend Runway 06/24.

FY 2015 \$ 485,000.00

FY 2016 \$ 488,000.00

FY 2017 \$ 460,402.00

FY 2018 \$1,168,121.00

**FISCAL IMPACT**

Funding is in the current FY 17/18 budget:

Invoices pertaining to the runway 06/24 extension will be funded as follows:

FDOT: 80%

City: 20%

**OPTIONS**

The City Commission has already accepted the grant offer from the Federal Aviation Administration (FAA) and the Florida Department of Transportation (FDOT) for the engineering design phase and

construction phase for the safety improvements to 6/24, realignment of taxiway A, the update of the environmental assessment, mitigation, permitting, and design update phase of the 6/24 runway extension project.

Adopting **RESOLUTION 2018-02** provides the final funding necessary for the extension project.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2018-02** by title only.

**A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (JPA), ITEM SEGMENT-PHASE-SEQUENCE NUMBER (FINANCIAL PROJECT NUMBER): 438921-1 (REHABILITATE AND EXTEND RUNWAY 06/24) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ALLOW THEIR PARTICIPATION IN AN AVIATION PROJECT AT THE LAKE WALES MUNICIPAL AIRPORT.**

Albert Galloway, Jr., City Attorney, recommended that "Financial" be correctly spelled. Mayor Fultz agreed to the correction.

James Slaton, Assistant City Manager, reviewed this item.

Mr. Fields said they are conducting interviews for a new Airport director. A selection will be made in a few weeks.

Commissioner Curtis Gibson made a motion to approve **RESOLUTION 2018-02** as corrected. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

## 11. CITY MANAGER

Mr. Fields reported that they are making changes to the CRA Plan and bringing it back to the Citizens Advisory Council for approval then it will go back to the CRA board.

Mr. Fields reported that one of our Code Compliance officers was injured on the job and is recovering. Our Code Compliance officers have really stepped up efforts on bringing properties into compliance.

Mayor Fultz expressed concerns about some bills before the legislature that would not be good for the City and encouraged more citizens to express their concerns to legislators in Tallahassee.

### 11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. City Commission Meeting Calendar

11.IV. Other Meetings & Events Calendar

## 12. CITY COMMISSION COMMENTS

Commissioner Curtis Gibson reported on his recent tour of the Hardman 1919 School Building. He said that if that were used as a Performing Arts Center as intended it would be a great asset in Lake Wales. He suggested that we at least address the termites. Mr. Fields said that facility would need to be addressed in the Recreation Master Plan. Mayor Fultz said that getting that building open for a Performing Arts Center would be a great accomplishment. Commissioner Stewart suggested making more use of the Austin Center for Recreation as a Multi-Purpose Center. With the 1919 school and connected by a trail this would be a project worth looking into as there would be parking there. Commissioner Howell said she is glad for this conversation and it is good to make use of the facilities that we have. More events in Lake Wales would be great. Deputy Mayor Robin Gibson said that this vision needs to be backed by solid research, surveys and expertise. Mayor Fultz agreed saying this is just discussion. Deputy Mayor Robin Gibson said this would require a substantial investment and we cannot make a mistake. This needs to be done correctly. Mr. Fields said that we would need to investigate costs before moving forward.

Deputy Mayor Robin Gibson read a letter from Breakfast Rotary about an offer to donate and plant trees in Lake Wailes Park and commended them for their help. Mr. Fields said they will meet with the Rotary Club members and iron out details.

Deputy Mayor Robin Gibson said in regards to the CRA Plan he would like a schedule on getting those items done.

Deputy Mayor Robin Gibson asked about an issue regarding impact fees from new development. He wanted to know more about impact fees on houses being built within the City. The information can be sent to him later.

Commissioner Stewart asked about a privacy fence for Dinner Lake Shores that was supposed to be around the new development. Ms. Bangle, Planning and Development Director, said that a fence wasn't required but a landscaping buffer was. The berm isn't as high as the other subdivision but the buildings are lower than the others. The landscaping hasn't grown in yet but meets Code Requirements.

Commissioner Howell announced that the Chow Down Food Trucks is on the 19th.

Commissioner Curtis Gibson passed on a suggestion from the Airport Authority that the Campground fees be raised. Mr. Fields said he will have the next Airport Manager look into that.

## 13. MAYOR COMMENTS

## 14. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

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Chair/Vice-Chair

ATTEST:

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Secretary