

City Commission Meeting Minutes
May 15, 2018
(APPROVED)

5/15/2018 - 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 - National Safe Boating Week

Mayor Fultz presented a Proclamation to Mr James Mulligan of the US Coast Guard Auxiliary establishing May 19-25, 2018 as Safe Boating Week.

5.II. PROCLAMATION - Building Safety Month May 2018

Mayor Fultz presented a Proclamation establishing May as Building Safety Month to Mike Tripp, City Building Inspector.

5.III. PROCLAMATION - Code Enforcement Officers Week

Mayor Fultz presented a proclamation establishing June 4-8, 2018 as Code Enforcement Officers' appreciation week to Brian Nadeau, Code Compliance Officer.

6. PRESENTATION/REPORT

Mayor Fultz introduced Ron Bowlin, US Police Canine Association, and Lakeland Police Sergeant Peterman. Mr. Bowlin described his background with the Canine unit in Lakeland and explained about their certifications competitions. Lake Wales Police Officer Jared Joyner won "Top Dog" for Lake Wales and Sgt Peterman presented Officer Joyner with a trophy.

6.I. PRESENTATION - Citrus Connection

Erin Killebrew, Director of External Affairs for Citrus Connection, gave a power point presentation requesting Year 2 funding. Ms. Killebrew reviewed the Fair Share Program to get Cities to pay more of the costs to cover transit in their City. She described the 2 routes through Lake Wales and the number of riders on each since November. These riders were tracked via the use of Smart Cards.

For Route 30 there were 4,487 total rides, 2,601 Smart Card Trips and 200 unique users. For Route 35 there were 9,453 total rides, 5,857 Smart Card trips, and 152 unique riders. There were also 23 ADA trips and 123 Transportation Disadvantaged Trips or for those with no income or car. She compared Lake Wales routes to routes in other cities. Differences are reflective of the different populations. The

numbers are based on operating revenue miles. More miles are traveled in Auburndale than Lake Wales hence their costs are higher. The year 2 cost for Lake Wales will be \$63,820. Because of the upcoming vote on homestead exemption year 3 may be different which they will have to figure out.

Deputy Mayor Robin Gibson asked if there are distinctions made between city residents and county residents. Mr. Fields explained that the city was paying \$5400 a year until this year when we budgeted \$34,000. Eventually the goal is for Cities to pay 20% of the costs. Ms. Killebrew explained that the county pays a share of the costs. The costs between county and city are based on miles not riders.

Commissioner Howell asked about the difference in costs between Auburndale in Lake Wales. Ms. Killebrew said that Auburndale is more spread out than Lake Wales. Mr. Fields said that the catchup to 20% started at different places. Commissioner Howell asked if we pay for Frostproof. Ms. Killebrew said that Frostproof pays for miles in its cities. Commissioner Howell says that we need the transit system for folks to get to jobs and such.

Commissioner Curtis Gibson asked for clarification regarding next year. Ms. Killebrew says that after November if the exemption passes we will then decide year 3 as we look at how it will affect both the county and city.

7. COMMUNICATIONS AND PETITIONS

Becky Wynkoop, non-resident, said that she is concerned about the lack of plantings at Dinner Lake Shores. She said that the request for the berm was not recorded in the minutes of the Planning & Zoning Board meeting when this was discussed. She was on that board and requested the berm along that development. Kathy Bangley, Planning & Zoning, said that the new piece of Dinner Lake Shores, South, is not beholden to the requirements of the other portions. The berm from the entrance onto Scenic North as part of 3 & 4 is there. The developer was asked to put in a landscape buffer to the south, there is a grade separation between the lots but they did not agree to put in the same thing to the south. It won't look like the plantings to the North. Ms. Wynkoop asked that when construction happens in the Lake of the Hills area that the residents of the area be notified.

Clint Johnson, resident, this past weekend they had an installation service for the officers of the African-American Chamber of Commerce. He is coming to say thanks to the City for their support and asked for possible help with their budget. Their organization is county wide. They want to help business owners to market themselves. They are a non-profit and gave his website and email address for more information. Mayor Fultz said that their event was well attended and thanked him for the information.

8. CONSENT AGENDA

Commission Howell made a motion to approve the consent agenda. Commissioner Stewart seconded the motion.

Voice Vote:

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

8.I. Minutes - May 1, 2018

8.II. Grant Application: Division Of Cultural Affairs, General Program Support Grant For \$25,000

[Begin Agenda Memo]

SYNOPSIS:

A grant application to the State of Florida, Division of Cultural Affairs for \$25,000. The grant would require a 1:1 matching city contribution of \$25,000 in fiscal year 2018-2019.

STAFF RECOMMENDATION:

Staff recommends that the City Commission approve a grant application to the State of Florida, Division of Cultural Affairs for money that will be allocated to the new 2019 -2020 Regional Public Program. The Regional Public Program will feature programs and events for all ages including a new exhibit presentation series, guest speakers, historic tours, special museum night events, a book club, Pioneer Days Festival, workshops, hands-on history and summer camp. The grant will provide funds to help underwrite programmatic staffing.

BACKGROUND:

The State of Florida, Department of State, Division of Cultural Affairs (DCA) provides annual funds in the form of grants that support cultural organizations including museums through the Florida Legislature and National Endowment for the Arts.

If our application is approved, the grant money will be used to help underwrite a portion of programmatic staffing for the museum. The museum manager and museum curator both spend a portion of their time developing and implementing public programs for the community. These funds would help support City's investment in current museum staffing.

The grant program is an annual award from July 1 – June 30. Any grant funds received from this application would be applicable for the 2019 – 2020 fiscal year. The grant requires a minimum 1:1 match of funds. The Museum will cover the cost of the match from monies allocated towards museum staffing and programming in its 2019 – 2020 budget.

OTHER OPTIONS:

Do not apply for this grant. No appropriations needed.

FISCAL IMPACT:

Staff is requesting to host a series of programmatic offerings at the Lake Wales Museum in 2019 – 2020. A portion of the funds to carry out the Lake Wales Museum Regional Public Program would come from the State of Florida, DCA. \$25,000 of the funds allocated to this project will be spent on programmatic staffing.

[End Agenda Memo]

8.III. Commission Financials April 2018

[Begin Agenda Memo]

SYNOPSIS:

The preliminary financial statements report revenues received and expenditures made through the end of April 30, 2018.

The unaudited financial statements for the City of Lake Wales for the Period Ending April 30, 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]

9. OLD BUSINESS

10. NEW BUSINESS

- 10.I. Resolution No. 2018-11, Approving The Form Of The Federally-Funded Subaward And Grant Agreements With Florida Department Of Emergency Management

[Begin Agenda Memo]

SYNOPSIS:

Approving the Form of the Federally-Funded Sub-award and Grant Agreements with Florida Department of Emergency Management and authorizing the Mayor to execute these agreements on behalf of the City.

RECOMMENDATION

It is recommended that City Commission adopt Resolution No. 2018-11 approving the Form of the Federally-Funded Sub-award and Grant Agreements with Florida Department of Emergency Management and authorize the Mayor to execute these agreements on behalf of the City.

BACKGROUND

Grants to local government for debris removal, emergency protective measures and repair or replacement of disaster-damaged facilities relating to Hurricane Irma are reimbursed through the Florida Department of Emergency Management. This resolution would approve the form of the contracts for pass-through funds from the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA).

OTHER OPTIONS

Do not approve form of the federal funded sub-award and grant agreements.

FISCAL IMPACT

These contracts are needed in order to be able to receive federal and state funds awarded relating to Hurricane Irma.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2018 - 11** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, APPROVING THE FORM OF THE FEDERALLY-FUNDED SUB-AWARD AND GRANT AGREEMENTS TO BE ENTERED INTO BY THE CITY FROM TIME TO TIME, AND AUTHORIZING THE EXECUTION OF THESE AGREEMENTS ON BEHALF OF THE CITY

Dorothy Ecklund, Finance Director, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2018-11**. Commissioner Howell seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

10.II. Resolution 2018-12 Adoption Of The Community Redevelopment Plan

[Begin Agenda Memo]

SYNOPSIS

Resolution 2018-12 proposes formal adoption of the updated Community Redevelopment Plan that was approved by the Community Redevelopment Agency on April 17, 2018.

RECOMMENDATION

Staff recommends the approval of approval of Resolution 2018-12. Public notice and agency notice requirements have been met.

BACKGROUND

The City has been engaged in the process of updating the Community Redevelopment Plan for the last

several months. Activities have included workshops and public meetings. Consultant S&ME of Orlando has spearheaded the efforts with staff's assistance. The CRA Citizens Advisory Board recommend adoption in March 2018. The Community Redevelopment Agency approved the plan in April 2018 and recommended adoption by the City Commission.

FISCAL IMPACT

The plan is a master document that does not expend funds. All projects that are a result of the plan will go through the approval and budget process individually.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2018-12** by title only.

A RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; MAKING FINDINGS; ADOPTING A COMMUNITY REDEVELOPMENT PLAN; PROVIDING AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this item. She said that all public notice requirements were met.

Commissioner Howell asked if the money listed was attached to this plan. Ms. Bangley said no that each item and the dollar amount will be approved separately.

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2018-12**. Commissioner Howell seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

10.III. Preliminary Subdivision Plat - San Juan Citrus

[Begin Agenda Memo]

Recommendation:

Approval of preliminary subdivision plat for a 68-lot single family residential subdivision.

At a regular meeting on April 24, 2018, the Planning and Zoning Board voted to recommend approval of San Juan Citrus Residential Subdivision to City Commission, as shown on Preliminary Plat for San Juan Citrus prepared by Knight, Mucro & Associates, Inc., signed March 14, 2018.

Background:

Request: The owner, San Juan Citrus, LLC, is proposing a 68-lot residential subdivision on 33.41 acres along Bellview Drive.

The subject property was annexed into the City in 2012 and given a Low Density Residential land use designation. Eighteen-hundred citrus trees had been planted on site, irrigated with City reuse water, and no development was proposed in the near term at that time.

The proposed 68-lot subdivision is irregularly shaped and is configured along Bellview Drive and 11th Street South. Over 39,000 square feet of recreation area is designed, along with an internal 5-foot sidewalk system. The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The minimum lot size of 9,697 square feet exceeds the standard required for R-1B zoning.

Development impacts:

Traffic – 719 daily trips

Water & Sewer – 16,750 GPD

Other options: Subdivision of property is a right, provided the plan meets City requirements.

[End Agenda Memo]

Kathy Bangley, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson asked how far south the city limits go from here. Ms. Bangley, said this property is the end of the City limits it was annexed in 2012.

Commissioner Curtis Gibson made a motion to approve the preliminary subdivision plat for San Juan Citrus. 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.IV. Preliminary Subdivision Plat – Scenic Bluff Single-Family Residential – PID 27-29-35-000000-023030

[Begin Agenda Memo]

Recommendation:

Approval of preliminary subdivision plat for a 38-lot single family residential subdivision.

At a special meeting on April 2, 2018, the Planning and Zoning Board voted to recommend approval of the preliminary subdivision plat for Scenic Bluff Residential Subdivision prepared by Sloan Engineering Group, received February 20, 2018.

Background:

Request: The developer, AG Investments of Polk County, LLC proposes a phased, 38-lot subdivision on 9.17 acres fronting on Old Scenic Highway, City Limits Road North, and Summit Avenue.

In April of 2017, City Commission approved a request by the property owner, with a recommendation from Planning and Zoning Board, to re-zone the land from R-1B single-family residential to R-1D single-family residential. The Future Land Use designation is MDR – Medium Density Residential. The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date.

Lots will be developed to exceed the requirements of the R-1D zoning district. Phase One includes 9 – 7,500 square-foot lots and 1 – 10,800 square-foot corner lot, fronting on Summit Avenue. Phase Two will also include 9 – 7,500 square-foot lots and 1 – 10,800 square-foot corner lot, fronting on City Limits Road North, and 18 – 8,100 square-foot-minimum lots. A new interior road and cul-de-sac will be built to meet local road standards providing frontage to the 18 interior lots in Phase Two.

Development impacts:

Traffic – 297 daily trips

Water – 15, 236 GPD

Sewer – 11, 648 GPD

Other options:

Subdivision of property is a right, provided the plan meets City requirements.

[End Agenda Memo]

Kathy Bangley, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson asked what the price range and size of these houses are. Ms. Bangley said that the prices are yet to be determined and the sizes will not be smaller than 1200 square feet due to zoning regulations. She said they will most likely be 2 or 3 bedroom homes.

Commissioner Curtis Gibson made a motion to approve the preliminary subdivision plat for for Scenic Bluff Residential Subdivision. 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.V. Appointment - Library Board

[Begin Agenda Memo]

SYNOPSIS:

Appointments to fill a vacancy on the Library Board

RECOMMENDATION

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

Staff Recommends the Mayor make this appointment with the consent of the City Commission.

BACKGROUND

Margaret Swanson has moved out of the City and has had to step down from the Library Board. Library Board (City Code Sec. 2-26,(b)) – The board consists of five (5) members. Four members must reside in the City, own property in the City or hold a valid business tax receipt issued from by the City.

One member shall be a resident of the unincorporated Greater Lake Wales area having a Lake Wales address or a resident of the City of Lake Wales if the Lake Wales Public Library is a member of the Polk County Cooperative and receives operating funds from Polk County Board of County Commissioners (Ordinance 2008-07; 02/19/08). (5-year term)

- There is no interview process requirement for applicants applying for appointment to this board.

- Members are not required to file an annual Form 1, Statement of Financial Interests

- Current Vacancies: 1 vacancy, resident, due to an expired term

Current Meeting Schedule: 1st Wednesday @ 4:00 p.m.; Lake Wales Library

Primary Duties: Operate the public library; control expenditures of all monies collected or donated to the

Library Fund; appoint the library staff and establish rules and regulations for operation and use of the Library subject to the supervision and control of the City Commission.

Current Members: Jolene Lake, outside 08/02/16 -07/1/21, 1
Paula Alford, resident 08/15/17 – 07/01/22, 1
Michalkiewicz, Brystal, resident 08/04/15 - 07/01/21, P+1
Jacquie Hawkins, resident 06/21/16 - 07/01/18, 1
Margaret Swanson, resident 06/21/16 – 07/01/19, 1 (vacant)

Applying for Appointment: Allison Kapphan, resident 05/15/18 - 07/01/19, P

OPTIONS

Do not appoint those that have applied.

FISCAL IMPACT

None. These are volunteer boards.

[End Agenda Memo]

Mayor Fultz appointed Allison Kapphan to the Library Board for a partial term ending 7/1/19.

Commissioner Howell made a motion to approve the appointment. Deputy Mayor Robin Gibson 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.

11. CITY MANAGER

Mr. Fields reported that the Polk County Water Coop is filing legal action against the Water Management District to oppose a permit taking water from Peace River without sufficient notice to Polk County. Lake Wales is involved as part of the Water Coop but is not directly affected. The City will have to contribute to some of the legal costs.

Mr. Fields reported on the new median at US HWY 27 and Thompson Nursery Road. This median is creating traffic problems and may be a safety hazard. The County and State are re-examining the intersection to find solutions to make that intersection safer. Mayor Fultz said many residents are concerned about that barrier as it blocks access to the Walgreens. Ms. Bangle said we were not aware that it was being installed. The median is related to the incoming Aldi's for delivery trucks. The incoming Wawa will make the intersection even busier. There is dialogue going on and we are looking for ways to improve the situation. Mr. Fields said that as Aldi's and Wawas moves forward they will pay more attention to any changes to the intersection.

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 asked to see Charter Amendments planned for the 2019 election. One is the extending of terms for Commissioners and status of City Clerk.

Deputy Mayor Robin Gibson encouraged the staff to look into use of Solar Power as other cities are taking steps towards using Solar Power. Mr. Fields said staff has already been looking into it.

Commissioner Howell thanked Karen Thompson for meeting with representatives of the Northwest area and the start of developing a plan for that area.

Commissioner Curtis Gibson announced that all charges against him were dropped by the State Attorney Office last week. He thanked everyone including friends, family, and citizens for their support.

Commissioner Curtis Gibson said that he attended the African-American Chamber of Commerce inaugural event and that it was a very good event and commended the organizers for putting this together.

Commissioner Curtis Gibson asked about a lien on a title where someone owes the City money. This has been over 10 years since this money hasn't been paid. He said that we need to think about this before the

upcoming CRA meeting and put our foot down as this money is owed to Lake Wales.

Commissioner Stewart is glad for all the positive things going on and invited everyone to the Grand Opening of her office on Thursday on Park Avenue.

Pete Perez, resident, suggested that the African-American Chamber of Commerce invite Hispanic business leaders as well. He said that Lake Ashton residents are concerned about the median and the residents of Traditions are as well. They did not know about it and it is a problem for them.

13. MAYOR COMMENTS

Mayor Fultz announced his Chat & Chew with the Mayor out at Eagle Ridge Mall tomorrow at 10am. He will listen to residents about their concerns and he will tell them about his concerns about the homestead exemption amendment on the ballot.

Jennifer Nanek, City Clerk, displayed the new city flag to the Commission.

14. CITY ATTORNEY

15. ADJOURNMENT

The commission meeting was adjourned at 7:30 p.m.

Mayor/Deputy Mayor

ATTEST

City Clerk