

# City Commission Meeting Minutes

July 5, 2017

(DRAFT)

7/5/2017 - Minutes

1. INVOCATION

Mayor Eugene Fultz gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz Called the meeting to order at approximately 6:00 p.m. following the invocation and the Pledge of Allegiance.

4. ROLL CALL

**Commissioners Present:** Curtis Gibson, Robin Gibson, Deputy Mayor; Eugene Fultz, Mayor; Flora "Tonya" Stewart,

**Commissioner Absent:** Terrye Howell

**City Representatives Present:** Kenneth Fields, City Manager; Albert C. Galloway, City Attorney; Jennifer Nanek, Assistant to the City Manager/Acting City Clerk

5. PROCLAMATIONS AND AWARDS

6. PRESENTATION/REPORT

6.I. Housing Authority Presentation - Albert Kirkland, Jr; Director

Al Kirkland, Housing Authority, said he wanted to provide updates to the Commission on Grove Manor and Sunrise Park. First, Grove Manor, built in 1972, will be developed in two phases. First, tenants will need to be relocated before each phase. This will be done with vouchers. They have met with Kathy Bangle to be sure they stay within City regulations concerning building. They will build 186 units. They will apply for grants, loans and tax credits. For Sunrise Park there will be 2 more phases. The goal is to develop a high rise no more than 4 stories with 54 units for the elderly and the final phase will include family units. He described some of the potential funding sources. The goal is to do this over the next 5 years all 5 phases. After that they will look for more properties to develop and a first time home buyer program. Mayor Fultz asked when they hope for the 2nd phase of Sunrise to begin. Mr. Kirkland says he hopes by the end of the year. Mayor Fultz asked about the other one Grove Manor. Mr. Kirkland said they are in preliminary stages for Grove Manor. They are working with Ms. Bangle on what to present to the Planning and Zoning Board. Mayor Fultz asked about relocation of tenants, if they can come back. Mr. Kirkland said they have an option to but no promise or units set aside. Mr. Kirkland said there is less and less money for housing. They want to provide incentives to work and get them into home ownership. Mr. Fields said that they have some vacant lots and housing that will be demolished in residential areas and is interested in working with Housing Authority to do infill housing to help with first time home buyers. Mr. Kirkland said that is something we can work towards. Commissioner Stewart asked if Grove Manor will be totally destroyed and rebuilt. Mr. Kirkland said that it will be reconstructed in phases. Deputy Mayor Robin Gibson said that these are good opportunities to improve our community. He suggested attacking derelict buildings in commercial areas and using those areas for additional houses. Mr. Kirkland said that all things are possible. We can look into these ideas. He will investigate these possibilities and discuss them next time he comes. Mayor Fultz invited

to come back anytime maybe in a workshop to discuss these ideas further. Mr. Fields offered any possible lobbying assistance if needed. Commissioner Curtis Gibson asked for financial information. Mr. Kirkland said he would get something together for them.

## 6.II. PRESENTATION - Lake Wales Museum Association

Rich Thompson, Lake Wales Museum Association, said that the museum is a great example of a partnership with the City of Lake Wales and the Lake Wales Museum Association. Monica Drake-Pierce has done a good job with the museum and they have thoughts on enhancing the partnership.

Robert Connors, Lake Wales Museum Association, said that a past goal identified by Mr. Fields back in 2015 was for the Museum Association to take over operations of the Museum. He reviewed a past presentation for goals for each of the buildings. He said that most museums are managed by a not-for-profit as they can care for the collections and raise money more effectively for the museum if they operate it. The organization and community can feel a sense of ownership. This will give them more flexibility in establishing partnerships with other entities. The board has invested over 2000 hours into the museum. They hope to reduce the financial burden to the city. The timing is appropriate and they are ready to sit down and negotiate a management agreement.

Mayor Fultz asked about logistical changes. Mr. Connors said they can do more event rentals immediately. They can provide oversight over the collections such as the train cars. They would like to find an investor to restore and use the Pullman car as a business like an ice cream shop. Those types of things they could do faster and more efficiently. Mayor Fultz asked about staff and covering salaries. Mr. Connors said that the City would still have to cover her salary and maintenance. Mayor Fultz asked what voice the City would have in any decisions. Mr. Connors said it would be considerable. He said that the contract should have a portion that allowed for the contract to be canceled with short notice. Mayor Fultz asked about possible bad blood between the City and the Lake Wales Museum Association if a contract is canceled. Mr. Connors hoped that any issues would be resolved or addressed before it got that far.

Deputy Mayor Robin Gibson said that this would depend on a good contract. The City cannot do all of this alone they need each other to function well.

Commissioner Curtis Gibson asked how many board members they currently have. Mr. Connors said they have 9 and can expand to 15 and are looking for more. Commissioner Curtis Gibson asked about the money. The City currently budgets \$160,000 annually for the museum how much would they offset? Mr. Connors said they would do more each year. With this agreement they can get more help from donors to achieve their goals and do more with operations. Commissioner Curtis Gibson asked if they have raised money lately. Mr. Connors said they have raised more money every year from the past few years. The Caboose has been restored through privately raised funds.

Commissioner Stewart asked how much they would save the City over 5 years. Mr. Connors said speculating that they could save the City \$30,000 - \$40,000 annually.

Mr. Fields said that a lot has changed over 2 years. He said that he would like more information first as he needs financial data from the Museum Association and there are details to work out. The Museum is part of the Department of the Library and Historic Resources and they share staffing resources. The model he likes is what happens at the County Museum where the county covers the operations and a support organization helps raise funds for exhibits and programs. This is a similar arrangement that is at the library with the Friends of the Library. He is happy to sit down with the Museum Association and see what can be worked out. Mayor Fultz agreed and said its important for all the details to be worked out. He invited Tina Peak to talk about the museum.

Tina Peak, Director of the Library and Historic Resources, said that she was on the task force. After the Task Force was done a management plan was put in place combining the museum with the library department something that has only been done in Sarasota. There have been some benefits to this. The Museum is now under the Commission appointed Library Board which is a policy making board

which reviews the budget every year. In the effort to become accredited the museum must be handled by such a board. They review policy questions and approved the rental policies. They have partnered together to get several grants such as one from Florida's Natural and Mountain Lake Community Services among others. The Smithsonian exhibit was applied for by the Friends of the Library who pledged the matching funds for it. Ms. Peak said that the Friends of the Library help with programming and capital needs as well as lobbying efforts. The staff of both work together well and do training together. It is a good partnership that has developed. She appreciates the help of the Museum Association.

Commissioner Curtis Gibson said he has seen the Museum and appreciates the work that has been done. But if this can save the City Money why not do it. Ms. Peak explained that the four buildings of the Museum Complex require a lot of maintenance and expenses. Mr. Fields said that a formal agreement as to the roles of each entity would be a good idea. Deputy Mayor Robin Gibson said there are some things non-profits can do better and some things the government can do better but raising funds for operating expenses can't be done. Mayor Fultz said that both parties have agreed to meet to work this out and so will move on.

## 7. COMMUNICATIONS AND PETITIONS

Kathy Bangle, Director of Planning and Development, gave an update on the code enforcement concerns raised by Bob Kelly at the last meeting. First, they could not locate the vehicle in the pictures. All but two of the properties are in process for demolition and are posted as such. One has already come down and another is a result of fire damage and will be repaired by insurance.

## 8. CONSENT AGENDA

Deputy Mayor Robin Gibson made a motion to approve the Consent Agenda. Commissioner Stewart seconded the motion.

Voice Vote

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

The motion passed 4 -0.

### 8.I. Minutes

The Minutes of Commission meetings June 20, 2017, June 6, 2017, April 18, 2017 and Budget Workshop June 9,2017

### 8.II. Disposal Of Surplus Property

[Begin Agenda Memo]

## **SYNOPSIS**

Staff is seeking approval to dispose of surplus vehicles and equipment.

## **RECOMMENDATION**

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

1. Classify the property as surplus.
2. Authorize staff to dispose of the property.

## **BACKGROUND**

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 equipment outlined in the attached Disposal Schedule no longer serves any useful purpose to City. The items to dispose of include obsolete vehicles and equipment.

This property may be sold at public auction or to the highest bidder after the solicitation of sealed bids.

In

some cases the property may be recycled, donated to other non-profit or government entities or traded for

fair market exchange of goods or services.

## **OTHER OPTIONS**

Do not authorize the disposal of the listed property.

## **FISCAL IMPACT**

Proceeds from any sales will be deposited into the general fund.

[End Agenda Memo]

### 8.III. Land Purchase For Additional Ground Storage Tank

[Begin Agenda Memo]

## **SYNOPSIS**

Staff recommends approval of the purchase of land adjacent to water treatment plant #3 located at 1050 5th Street for the construction of an additional ground storage tank.

## **STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve and authorize for the Mayor to sign the Story land sale agreement in the amount of \$25,000.00.

## **BACKGROUND**

The City's Utilities department maintains and operates three water treatment plants which are located at

138 Sessoms Avenue, 1069 Grove Ave, and 1050 5th Street. An intricate part to maintaining these plants

is having a redundancy plan in place when the storage tanks are taken off line for cleaning and repairs.

The plant, to which this land purchase applies, is for the water treatment plant located at 1050 5th Street.

This plant is the largest producer and supplier of treated water for consumption to the citizens in the northern service area. This 1 acre land purchase is being made in an attempt to create the required redundancy for storage. Staff is requesting the purchase of 1 acre due to the current owner would only sell in full acre tracts. This land will house an additional 400,000 gallon ground storage tank. The new tank will be a mirror image of what currently exists on site and will have all the same treatment capacity as what currently exists.

Staff recommends the Commission take the following action, approve and authorize for the mayor to sign the Story land sale agreement for 1 acre in the amount of \$25,000.00 for the property adjacent to the 1050 5th Street for the construction a new ground storage tank.

### **OTHER OPTIONS**

The commission could chose not to approve the purchase, thus risking not having a redundancy plan in place and further limiting the city's storage capacity.

### **FISCAL IMPACT**

\$50,000 was budgeted for this land purchase in the 17'-18' Capital Improvement Budget. The amount being expended for this purchase if \$25,000.00.

[End Agenda Memo]

## **9. OLD BUSINESS**

- 9.I. Ordinance D2017-01, CPA/Zoning: 2nd Reading And Public Hearing Palmetto Group LLC Southwest Corner Of Thompson Nursery Road And US 27

[Begin Agenda Memo]

### **SYNOPSIS**

The proposed amendment will designate land use and zoning for approximately 5.2 acres of property on the southwest corner of Thompson Nursery Road and US Highway 27.

### **RECOMMENDATION**

Staff recommends that the City Commission adopt following second reading and public hearing of Ordinance D2017-01.

Notice requirements for a public hearing have been met.

The Commission approved after first reading on June 20, 2017. The Planning and Zoning Board held a public hearing on May 23, 2017 and voted unanimously to recommend a change in land use designation on the subject property from Polk County Future Land Use designation CE – Commercial Enclave to City of Lake Wales Future Land Use designation of RAC – Regional Activity Center.

### **BACKGROUND**

The ordinance proposes land use designation changes for approximately 5.2 acres of property located in the northern portion of the city limits. The property was annexed in April 2017. This property is located on the southwest corner of Thompson Nursery Road and US Highway 27. Its annexation brought all four corners of this intersection in to the City limits. Commercial retail development is planned for the site. See Attachment A to the ordinance for location and land use designations.

Surrounding land use designations:  
North: City – RAC - Regional Activity Center  
South: County – CE - Commercial Enclave  
East: City – RAC - Regional Activity Center  
West: County – CE - Commercial Enclave

[End of Agenda Memo]

Jennifer Nanek, Interim City Clerk, read **ORDINANCE D2017-01** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP TO CHANGE THE LAND USE DESIGNATION ON 5.2 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF THOMPSON NURSERY ROAD AND US HIGHWAY 27 FROM POLK COUNTY DESIGNATION CEX – COMMERCIAL ENCLAVE TO CITY OF LAKE WALES FUTURE LAND USE DESIGNATION RAC REGIONAL ACTIVITY CENTER AND ZONING DESIGNATION C-3 HIGHWAY COMMERCIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Director of Planning, reviewed this item.

Commissioner Curtis Gibson made a motion to adopt ORDINANCE D2017-01 on second reading. Deputy Mayor Robin Gibson seconded the motion.

Roll Call Vote:

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 4-0.

## 10. NEW BUSINESS

- 10.I. Ordinance 2017-12 – 1st Reading Amendments To Chapter 12 – Health Sanitation, Nuisances, And Minimum Property Maintenance Standards

[Begin Agenda Memo]

### **SYNOPSIS**

This ordinance addresses housekeeping items regarding penalties and placarding in Chapter 12.

### **RECOMMENDATION**

Staff recommends the approval of Ordinance 2017-12 after first reading. A public hearing is not required.

### **BACKGROUND**

In the course of doing the job Code Compliance has found a couple of places where cross references need to be updated based on changes in other areas of the code. Also staff is recommending a wording change related to placarding buildings that are unsafe or

uninhabitable.

## **FISCAL IMPACT**

The amendments have no identifiable fiscal impact themselves.

## **OTHER OPTIONS**

City Commission may modify the proposed amendments as determined appropriate.

[End Agenda Memo]

Jennifer Nanek, Interim City Clerk, read **ORDINANCE 2017-12** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING CHAPTER 12 HEALTH, SANITATION, NUISANCES, AND MINIMUM PROPERTY MAINTENANCE STANDARDS; AMENDING ARTICLE I IN GENERAL, SECTION 12-8 PENALTIES; ARTICLE II NUISANCES, DIVISION I GENERALLY; ARTICLE III CODE ENFORCEMENT, DIVISION 3 SUPPLEMENTAL ENFORCEMENT PROCEDURES, SECTION 12-222 APPLICABILITY, AND DIVISION 4 MINIMUM PROPERTY MAINTENANCE STANDARDS, SECTIONS 12-230 UNSAFE STRUCTURES AND EQUIPMENT, 12-230.8 PLACARDING, 12-230.8.1 PLACARD REMOVAL, 12-230.9 PROHIBITED OCCUPANCY, AND SECTION 12-230.13 PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE:

Kathy Bangle, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve **ORDINANCE 2017-12** on first reading. Commissioner Stewart seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

The motion passed 4-0.

- 10.II. Ordinance 2017-13 – 1st Reading Amendments To Chapter 7 Buildings And Building Regulations, Chapter 13 Housing And Chapter 14 Licenses And Business Regulations

[Begin Agenda Memo]

## **SYNOPSIS**

This ordinance addresses housekeeping items in each of the chapters.

## **RECOMMENDATION**

Staff recommends the approval of Ordinance 2017-13 after first reading. A public hearing is not required.

## **BACKGROUND**

The amendment to Chapter 7 provides clarity to when a building permit is required. The Chapter 13 amendment updates the edition of the Southern Standard Housing Code to the "latest edition." The Chapter 14 amendment moves the requirement for a business tax receipt from Article III to Article I. General so that it is clear that it pertains to all businesses.

## **FISCAL IMPACT**

The amendments have no identifiable fiscal impact themselves.

## **OTHER OPTIONS**

City Commission may modify the proposed amendments as determined appropriate.

[End Agenda Memo]

Jennifer Nanek, Interim City Clerk read **ORDINANCE 2017-13** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING CHAPTER 7 BUILDINGS AND BUILDING REGULATIONS, ARTICLE I. IN GENERAL; CHAPTER 13 HOUSING, ARTICLE II HOUSING CODE, SECTION 13-26 HOUSING CODE – ADOPTED; CHAPTER 14 LICENSES AND BUSINESS REGULATIONS, ARTICLE I IN GENERAL AND ARTICLE III AMUSEMENT CENTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE:

Kathy Bangley, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve **ORDINANCE 2017-13** on first reading. Commissioner Curtis Gibson seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 4-0.

- 10.III. Resolution 2017-13 – Resolution To Utilize The Uniform Method Of Collecting Non-Ad Valorem Assessments And Adopting The Special Assessment Roll

[Begin Agenda Memo]

## **SYNOPSIS:**

Resolution 2017-13 declares the City's intent to utilize the uniform method of collecting non-ad valorem assessments and adopts the assessment roll for 2017.

## **RECOMMENDATION:**



Staff recommends adoption of Resolution 2017-13 after public hearing as required by Florida Statutes. Public notice requirements have been met.

**BACKGROUND:**

In February 2013, City commission adopted Ordinance 2013-04 – Abatement and Violation Assessment (Chapter 17.5), providing for the uniform method of collecting non-ad valorem special assessment for service liens. The City's intent is to collect service liens that are the result from services provided by the City to clean properties, repair or demolish buildings and the like, such services being a special benefit to the property owner. This does not include fines or administrative liens.

Ordinance 2013-04 established the City of Lake Wales in its entirety, as its city boundaries exist on the date of enactment and as they may be expanded or contracted from time to time as the special assessment district for the purposes of abatement and violation correction. The resolution has been noticed per Florida Statute at least twenty (20) days in advance of the public hearing.

Staff published a potential list of properties in the notice and provided by first class mail a letter to every property owner that may be affected by this action. As a result we have had some property owners come forward and pay their outstanding liens.

**FISCAL IMPACT:**

This will provide for reimbursement of funds expended in the course of abating and correcting violations of the municipal code.

[End Agenda Memo]

Jennifer Nanek, Interim City Clerk, read **RESOLUTION 2017-13** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS; ADOPTING THE SPECIAL ASSESSMENT ROLL FOR ABATEMENT OF CODE VIOLATIONS FOR CALENDAR YEAR 2016; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this item.

**OPENED PUBLIC HEARING**

Ronald McCall, non-resident, brought up a concern about a demolition permit that they did not get a chance to finish the demolition before the time ran out and the City finished the job. Kathy Bangley confirmed that they cleared the lot but did not know all the details but will sit down and work on this issue. Mr. McCall asked if it was possible to remove the lien before this took place. Mr. Fields confirmed that it could be done.

Jerry Moore, non-resident from Daytona Beach, has property in Lake Wales on A Street. He is trying to bring it into compliance. He said that demolition was required but he couldn't get it done in time. The building still stands and said he thought the City would demolish it if he didn't but the property has only been cleared and cleaned. What should he do at this point? Ms. Bangley reviewed this case and encouraged Mr. Moore to go ahead and demolish the building before the City has to do it. They would like the structure demolished. Mr. Moore agreed.

John Fahatas, non-resident, has property on Twin Lakes Blvd that he is process of buying. He said homeless people kept removing the boards on the windows as there is water and toilets. He is being

charged by the City for securing the building. He has replaced doors and windows. He requested that the City Commission reduce the lien. Ms. Banglely said this needs to be addressed by the Code Enforcement Board and she will work with him on this.

## **CLOSED PUBLIC HEARING**

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2017-13**. Commissioner Curtis Gibson seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 4-0.

### 10.IV. Board Appointments

[Begin Agenda Memo]

#### **SYNOPSIS:**

Appointments fill vacancies due to resignations, expiration of terms, newly established boards, etc. Most terms expire on July 1st of each year and must be renewed.

#### **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). The Mayor is asked to make the appointments as deemed appropriate.

#### **BACKGROUND**

As of July 1, 2017 many terms will expire on many of our boards. These are those applying for reappointment or appointment to new terms.

**Airport Authority (City Code Sec. 2-41)** – The board consists of seven (7) voting members and one (1) non-voting member who is a City Commissioner. At least four (4) voting members must be qualified electors of the City. The remaining members chosen may be persons owning property located within the

City of Lake Wales or persons having a business tax receipt issued by the City of Lake Wales, or are airport tenants, with general aviation experience. (3-year term)

The non-voting City Commission member serves for the duration of his or her term as City Commissioner,

unless such Commissioner desires to serve a shorter period of time. In such event, the Lake Wales City

Commission shall appoint another city commissioner to serve in the same manner.

- 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: 2 Vacancies

Current Members: Charles Keniston, resident 03/06/12--07/01/18, 2

Katherine Rogers, resident, chairman 09/18/12--07/01/18, 2  
Ryan Michalkiewicz, resident 06/21/16--07/01/19, 1  
Charles N. Clegg, resident 07/19/16--07/01/19, 1  
Eric Farewell, resident 08/18/15--07/01/18, 1  
Dale Marks, resident 06/17/08--07/01/17, 3  
Barbara Pelisek, resident 12/20/16--07/01/17, P  
Commissioner Curtis Gibson, non-voting member 05/02/17 - 05/07/19, 1

Applying for Reappointment Barbara Pelisek, resident, for a term expiring 07/01/2020  
Applying for Appointment: Gregory Esteve, non-resident (Lake Wales)

Robert Ohlinger, non-resident (Babson Park)  
Term expiring on 7/1/2020.

The Mayor reappointed Barbara Pelisek and appointed Robert Ohlinger to new terms.

Deputy Mayor Robin Gibson made a motion to approve the appointments. Commissioner Stewart seconded the motion.

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

**Board of Zoning Adjustment and Appeals (BOA) (City Code Sec. 23-206.1)** – The board consists of five (5) members. Members must be residents. (3 year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 3 vacancies

Current Members: James Boterf, resident 10/04/11 – 07/01/17, 2  
Harold Weigand, resident 06/20/06 – 07/01/17, 4-Final  
Sue Marino, resident 02/02/16 – 07/01/19, P+1  
Eberhard, Ralph, resident 08/02/16 - 07/01/19  
\*\*\*Vacant\*\*\*, resident 07/01/17 - 07/01/19

Applying for Re-Appointment: James Boterf, resident, for a term expiring on 07/01/20.  
Applying for Appointment: Warren Turner for a term expiring on 7/1/2020

The Mayor reappointed James Boterf and appointed Warren Turner to new terms.

Deputy Mayor Robin Gibson made a motion to approve the appointments. Commissioner Stewart seconded the motion.

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

Meetings (City Code Sec. 23-206.2(c)) - The board of appeals shall hold regular meetings at the call of the chair and at such other times as the board may determine. Special meetings may be called by the chair or vice-chair with twelve (12) hours of notice.

Current Meeting Schedule: 3rd Thursday @ 9:00 AM; Commission Chamber

[The meeting time could be changed to accommodate members who work during the day.]

Duties (City Code Sec. 23-206.3) – The Board of Appeals shall:

1. Hear and decide appeals where it is alleged that there is an error in any order, decision or determination of the administrative official in the enforcement of these zoning regulations;
2. Authorize such variance from the terms of these zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these zoning regulations would result in unnecessary and undue hardship. A variance from the terms of these zoning regulations shall not be granted until a public hearing is held before the board of appeals;
3. Hear and decide appeals where the planning board has denied an application for a special exception use permit or site plan approval;
4. Perform any other duties which are lawfully assigned to it by the city commission.

**CRA Citizen Advisory Committee (City Code Sec. 2-73)** – The CRA citizen advisory committee will consist of five (5) members appointed by the Mayor with the advice and consent of the city commission.

Any person may be appointed to serve if he or she resides or is engaged in business, which means owning a business, practicing a profession or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the

agency, which shall be coterminous with the area of operation of the City. One (1) qualified person appointed shall reside or be engaged in business within voting District 19, one (1) qualified person appointed shall reside or be engaged in business within voting District 122, one (1) qualified person appointed shall reside or be engaged in business in voting District 27, one (1) qualified person

appointed shall reside or be engaged in business in voting District 28, and one (1) qualified person shall be appointed at-large and shall reside or be engaged in business in any of the four voting districts of the City

stated above. (2 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 (Seat 4, District 27)

Current Members: Charlene Bennett (Seat 1 – At Large) 11/01/16 - 07/01/18, 1

Mark Bennett, chair (Seat 2 – District 19) 04/21/15 – 07/01/18, 2

Narvell Peterson, vice-chair (Seat 3–District 122)12/07/10 – 07/01/17, P+3-Final

Murray Zacharia (Seat 4 – District 27) 3/07/17 – 07/01/17, P

Christopher Lutton (Seat 5 – District 28) 05/03/16 - 07/01/18, 1

Applying for Re-Appointment: Murray S. Zacharia, resident, his current term is expiring on 07/01/17 (Seat 4, District 27) His new term would begin 7/01/2017 and will expire 7/01/2019.

Applying for Appointment: Jennifer Anderson -Leeks, resident, for a term that will end on 07/01/2019.

The Mayor reappointed Murray Zacharia and appointed Jennifer Anderson-Leeks to new terms.

Deputy Mayor Robin Gibson made a motion to approve the appointments. Commissioner Stewart seconded the motion.

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

There is no interview process requirement for applicants applying for appointment to this board. Meetings (City Code Sec. 2-73) - The CRA Citizen Advisory Committee shall meet at the call of the chair of the CRA board or upon the request of city staff but shall meet no less than once each year. Current Meeting Schedule: 2nd Thursday or 3rd Thursday @ 5:00 PM; Commission Chamber Duties (City Code Sec. 2-73) – The CRA Citizen Advisory Committee shall provide advice and recommendations as needed to implement the CRA plan adopted by the City Commission. The Committee assist the CRA board in implementing redevelopment activities within the redevelopment area and to provide advice and recommendations to the CRA board on redevelopment matters as necessary.

**Planning & Zoning Board (City Code Sec. 23-205.2)** – The board consists of seven (7) members. At least four (4) members must reside in the City and three (3) members must either reside in or own real property in the city. (3 year term)

- An interview process is required for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy, must reside in or own real property in the City

Applying for Appointment: Narvell Petersen, resident, for a term that would expire 07/01/2020  
Christopher Lutton, resident, for a term that would expire 07/01/2020

Current Members: Joanne Fuller, resident 09/19/06 – 07/01/18, 4-Final  
Mark Bennett, resident 05/07/13 – 07/01/18, 2  
Charlene Bennett, resident 02/16/10 – 07/01/16, 2  
Sharon Allen, resident 07/01/04 – 07/01/17, P+4-Final  
Warren Turner, resident 07/21/15 – 07/01/17, 1  
John Gravel, property owner 05/06/14 – 07/01/16, 1  
Matt Cain, property owner - 07/01/19, P + 1

The Mayor appointed Narvell Petersen and Christopher Lutton to new terms ending 07/01/2020.

Commissioner Curtis Gibson made a motion to approve the appointments. Commissioner Stewart seconded the motion.

Voice Vote:

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

Meetings (2-133) – The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

Current Meeting Schedule: - 4th Tuesday @ 5:00 p.m.; Commission Chamber

Rules of procedure (City Code Sec. 23-205.3):

The planning board shall elect from its membership one (1) member to serve as chairman and one (1) to serve as vice-chairman.

a. The term of the chairman and vice-chairman named by the planning board shall be for a period of one (1) year with eligibility for re-election.

b. The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine.

Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

c. The planning board shall adopt rules for transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations which record shall be filed with the official records of the city. The planning board may set a limit on the number of applications which may be scheduled for review on an agenda.

Functions, powers and duties (City Code Sec. 23-205.4) - To act as Local Planning Agency pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, F.S., ch 163, part II, and perform all functions and duties prescribed therein:

1. To advise and make recommendations to the city commission regarding applications for amendments to the official zoning map and comprehensive plan, rezoning of property, preliminary planned development projects and subdivisions;

2. To consider the need for revision or addition of regulations in these land development regulations and recommend changes to the city commission;

3. To hear and decide applications for special exception use permits and site plans in compliance with these regulations;

4. To perform any other duties which are lawfully assigned to it by the city commission

Housing Authority Board (F.S. 421.04) – The board consists of five (5) members. Members must reside in the City, own property in the City, or hold a valid occupational license issued by the City. One (1) member must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority. No member may

be an officer or employee of the City. (4-year term)

- An interview process is necessary for new applicants only.

- Members are required to file an annual Form 1, Statement of Financial Interests

- Current Vacancies: 3 expiring terms

Current Meeting Schedule: 3rd Wednesday @ 6:00 PM; Housing Authority

Current Members: Janice Snell, resident 04/17/12 – 07/01/17, 2

Eddy Rivers, resident 07/01/08 – 07/01/20, 3

Wanda Lawson, resident 06/18/13 – 07/01/17, 1

Lisa Long Montgomery, resident of housing project 06/21/11 – 07/01/17, 2

Helen Walters, resident 11/04/14 – 07/01/18, 1

Albert Kirkland, Jr., Ex-officio n/a

Commissioner Terrye Howell, City Liaison 05/16/17 – 05/01/18

Applying for Reappointment: Janice Snell, Wanda Lawson, Lisa Long Montgomery, for terms that end 07/01/2021.

The Mayor reappointed Janice Snell, Wanda Lawson, Lisa Long Montgomery to new terms.

Commissioner Stewart made a motion to approve the appointments. Commissioner Curtis Gibson seconded the motion.

Voice Vote:

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

Primary Duties: Manage and control the city's low-rent housing units.

**Recreation Commission (City Code Sec. 2-161)** – The recreation commission consist of thirteen (13) members from community organizations providing a recreation program for the community and three (3) citizen members representing the citizens at large. A quorum shall consist of six (6) members. (3-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: 2 citizen vacancies

Current Meeting Schedule: - 3rd Monday; 12:00 p.m., City Manager's Conference Room A quorum consist of six members.

Applying for Appointment: Jennifer Anderson-Leeks, citizen, term expiring 07/01/18

Current Members: Keri Hunt, citizen 11/01/11 - 07/01/17, 2

Kris Fitzgerald, citizen 10/4/2016 – 07/01/18, P

\*\*\*Vacant\*\*\* – 07/01/18

Eileen Farchmin, Webber Internt'l University 09/19/11 - 07/01/17, 2

Robbie Shields, Lake Wales Soccer Club 09/19/11 - 07/01/17, 2

Patty McKeeman, Lake Wales Pram Fleet 09/19/11 - 07/01/17, 2

Deborah Rheiner/Linda Kimbrough, PAL 09/19/11 - 07/01/17, 2

Helen Petersen, Green & Gold Foundation 09/19/11 - 07/01/17, 2

Norm Rainey, Tennis Program 09/19/11 - 07/01/17, 2

John Abel, YMCA/Softball 09/19/11 - 07/01/17, 2

Clark Heter/Stephanie Edwards, YMCA 10/17/11 - 07/01/17, 2

Mimi Hardman, Historic Lake Wales Society 09/19/11 - 07/01/17, 2

Michelle Maggard, Lake Wales Little League 11/17/14 - 07/01/17

Curtis Reddick/Alton Norwood Boys & Girls Club 09/19/11 - 07/01/17, 2

Kara Wiseman, Lake Wales Library 01/16/2017 - 07/01/2017 P

The Mayor appointed Jennifer Anderson-Leeks to a new term.

Deputy Mayor Robin Gibson made a motion to approve the appointments. Commissioner Curtis Gibson seconded the motion.

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 4-0.

**Historic District Regulatory Board (City Code Sec. 23-208.2)** – The board consists of five (5) regular members (appointed in accordance with section 2-26). At least 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy, resident or own property in City; 1 expiring term

Current Members: Lawrence (Larry) Bossarte, business owner 11/01/11 – 07/01/17, 2  
Diane Armington, owns property in the City 03/15/11 – 07/01/19, 3  
Leah Bartholomay, resident 05/06/14 – 07/01/18, P+1  
Erika B. Schindler, business owner 10/06/15 - 07/01/18, 1  
Christopher C. Lutton 06/21/16 – 07/01/18, 1

Applying for Reappointment: Larry Bossarte, owns property in City, term expiring on 07/01/20

Mayor Fultz reappointed Larry Bossarte to a new term.

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

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 4-0.

Meetings (City Code Sec. 23-208.3(c)) – The historic board shall hold regular meetings at the call of the chairman and at such other times as the board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice. No less than four (4) meetings shall be held each year.

Current Meeting Schedule: 3rd Thursday @ 5:30 PM; Commission Chamber  
Functions, powers, and duties (City Code Sec. 23-208.4)

1. To hear and decide upon applications for certificates of appropriateness as required under this chapter;
2. To adopt guidelines for the review and issuance of certificates of appropriateness consistent with the purposes of this chapter, the historic preservation element of the comprehensive plan, and the Secretary of the Interior's standards for historic properties;
3. To make recommendations to the city commission on matters relating to the establishment of historic districts and regulation of such districts;
4. To make recommendations to the planning board and the city commission for amendments to the code of ordinances and the comprehensive plan on matters relating to historic preservation;
5. To make recommendations to the planning board and city commission regarding special



permits for properties within an historic district in cases in which the special permit involves work requiring a certificate of appropriateness;

6. To perform any other duties which are lawfully assigned to it by the city commission

#### **OPTIONS**

Do not appoint those that have applied.

#### **FISCAL IMPACT**

None. These are volunteer boards

[End Agenda memo]

### 11. CITY MANAGER

Albert Galloway, Jr., City Attorney, announced a shade meeting concerning eminent domain power for the SR 60 for the westward extension of water and sewer lines. The settlement negotiations are ongoing. The City's special counsel needs to discuss settlement strategies with the City Commission. This meeting is allowed under Florida Statutes Section 286.011 paragraph 8. The shade meeting is requested for July 18, 2017. All the members of the City Commission, Mr. Fields, Mr. Drage, and himself will be present. The Mayor will open the regular meeting, adjourn, go into the special meeting then regavel the meeting. Deputy Mayor Robin Gibson asked if this has been mediated. Mr. Fields said yes but requires the Commission to review the mediation results.

Mr. Fields said the State passed a bill regulating marijuana dispensaries. They are reviewing to see if the version that the City passed is still in effect. This would be good as ours is stricter.

#### 11.I. Tracking Report

#### 11.II. Social Media Tracking Report

#### 11.III. Commission Meeting Schedule

Mr. Fields reminded the City Commission of the budget workshop on Tuesday July 11 at 6:00 p.m. Budget books are available for review.

#### 11.IV. Other Meetings & Events Calendar

Mr. Fields announced the public meeting regarding the CRA Redevelopment Plan on Thursday July 13 at 5:30 p.m. at the Austin Community Center. There is also a link on the web site with a survey to collect more input.

### 12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson said he was encouraged by the movement to working with non profits and commended Mr. James Slaton for the YMCA agreement. He said he hoped to continue in this direction by working with the schools. In particular renovating the old cafeteria building with a grant recently received. The Charter Schools need to have control of the property. The Deputy Mayor recommended turning over the building with a reverter clause back to the City. The City Attorney can do a deed describing the area and put the right provision in it. He asked Mr. Galloway to explain how it would work.

Mr. Galloway said that the city got the property from the school board in 1995 and that was easy as it was between to government entities. In order to give it to the Charter Schools the property should be conveyed to the CRA and then to the Charter Schools. The City requires consideration for the transfer, but the CRA does not. A reverter clause can be included so that the property would come back to the City if the building is not used for a school by a certain date. The School would have to hold the City harmless if anything happens and repay any grants that would have to be paid back. The cafeteria is not a separate parcel so a footprint would need to be measured out. A description would be needed. Mr. Fields said if we transfer this

through the CRA it should be included in the redevelopment plan. Mr. Fields said they met with representatives of the Charter Schools and they supplied a list of requirements and issues that need to be addressed. So they are waiting for a response.

Commissioner Curtis Gibson asked for an executive summary with the draft budget. Mr. Fields said they will have it tomorrow. Commissioner Gibson asked about private money put into the fund for a swimming pool. Mr. Fields said no private money was donated. Deputy Mayor Gibson said this may be a misunderstanding as MayFaire gave property towards the soccer complex and the money for the pool came from money MayFaire paid.

Commissioner Gibson asked about doing evaluations. Mr. Fields said he is the only one they evaluate. Commissioner Curtis Gibson suggested doing an evaluation of the City Attorney. Mr. Fields said that is fine and they can get forms for the commission at a later date. Mayor Fultz agreed and said he has heard concerns about that too. Deputy Mayor Gibson said that many cities and counties evaluate their attorneys.

Commissioner Stewart said she hopes to work with the Housing Authority to help first time home buyers.

Commissioner Stewart asked about supporting the Walesbilt hotel. Mr. Fields said their is work being done on the exterior under a current permit. Plans will be needed before a permit can be issued for the interior. He has not heard any progress concerning funding. Kathy Bangley gave an update concerning his current permit which will soon be done. Structural drawings will be necessary moving forward. Mr. Fields said he can get a more detailed update for the commission.

Sue Smith thanked Commissioner Stewart for bringing this issue up. The windows don't meet code and have to be taken out. A lot more work needs to be done. Ms. Smith said that Mr. Brown claimed he spent money that he did not. Mayor Fultz asked her not to bring up old issues.

13. MAYOR COMMENTS

14. CITY ATTORNEY

15. ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

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Mayor/Deputy Mayor

ATTEST:

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Jennifer Nanek, Interim City Clerk