

**City Commission Meeting Minutes**  
**September 5, 2018**  
**(APPROVED)**

9/5/2018 - Minutes

1. INVOCATION

Police Chief Chris Velasquez 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. MAYOR

6. COMMUNICATIONS AND PETITIONS

Jim Reddick, resident, spoke on behalf of the Pickleball group that plays at Kirkland Gym regularly. He explained what pickleball is and that it is growing in popularity. He thanked the City for working with them to meet their needs as far as upgrading facilities. He presented a contribution from the group of \$1100 towards continued City costs for their support.

A resident of Lake Ashton requested a polling place for the City Election in April as this would increase voter turnout.

Jennifer Nanek, City Clerk, said that we are looking into the possibility of a polling place up in the northern area of the City but will wait and confer with the Supervisor of Elections after the general election in November. The main cost to the City would be the additional poll workers.

7. BUDGET HEARINGS

Mayor Fultz said that the City of Lake Wales is the taxing authority and the proposed millage rate to be levied for Fiscal Year 2018-2019 is 7.0438 mills, which is a 2.18% increase over the rolled-back rate of 6.8938.

7.I. Ordinance 2018-08, Adoption Of FY2018-19 Millage Rate – 1st Reading & Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:**

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2018/19 through 2022/23.

## RECOMMENDATION

It is recommended that the City Commission approve after first reading Ordinance 2018-10 adopting the Five-Year Capital Improvement Plan for fiscal years 2018/19 through 2022/23. BACKGROUND In accordance with section 6.05 of the City Charter, Ordinance 2018-10 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2018/19 through FY2022/23. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY18'19 operating budget, as are appropriation of funding sources necessary to implement Year 1 of the plan. The 5-Year CIP document includes all capital facility and infrastructure improvements which staff believes should be undertaken during the next five years and supporting information to explain the necessity for the improvements. In addition, the CIP includes all capital equipment proposed for acquisition during this period. Cost estimates, method of funding and time schedule for the proposed improvements and equipment acquisitions are identified in the document. The proposed 5-Year CIP totals \$63,685,144 and includes \$150,000 in land acquisition, \$5,297,565 in building improvements/acquisitions, \$47,646,759 in infrastructure and recreation improvements, \$9,516,420 in equipment acquisition, and \$1,074,400 in other capital outlay. Schedule "C", within the 5-year CIP, provides a detail listing of each asset type. Improvements and equipment needs for the next 5 years were submitted by department heads with a justification of necessity and a recommended time schedule for completion or acquisition. These requests were prioritized by the City Manager in view of the available funding resources and urgency of need.

## FISCAL IMPACT

Funding of the CIP will be accomplished through utilization of existing cash surpluses and current year operating revenues, future grants, private contributions, leases/debt service issuances, and impact fees. Growth related improvements will be funded by impact fees.

Costs of all capital improvements and equipment acquisitions are distributed over 5 years as follows:

Year 1 - FY2017/18 17,161,940

Year 2 - FY2018/19 18,375,685

Year 3 - FY2019/20 12,748,410

Year 4 - FY2020/21 9,375,157

Year 5 - FY2021/22 6,023,952

5 Year Total 63,685,144 All items scheduled for Year 1 are included in the proposed FY17'18 operating budget presented to the City Commission for consideration.

[End Agenda Memo]

Jennifer Nanek, City Clerk, **ORDINANCE 2018-09**, by title only.

## ORDINANCE 2018-09

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY, AND ALL NECESSARY AND ORDINARY EXPENSES OF SAID CITY FOR THE 2018-19 FISCAL YEAR, APPROPRIATING ALL FUNDS TO BE RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES & BALANCES FOR SAID FISCAL YEAR, AND THE REPEALING OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

Dorothy Ecklund, Finance Director, reviewed this item. Kenneth Fields, City Manager, said this budget

will fully fund our reserves so that we are ready for next year if the homestead exemption amendment passes.

Deputy Mayor Robin Gibson said that this illustrates why its important to increase the tax base by having the same millage rate and generating more money.

OPEN PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2018-08** after first reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

by Roll Call:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 7.II. Ordinance 2018-09, Adoption Of FY2018-19 Budget – 1st Reading & Public Hearing

[Begin Agenda Memo]

### **SYNOPSIS:**

The Commissioners will consider adopting a millage rate of 7.0438 mills for Fiscal Year 2018-2019. The Commissioners will also consider adopting the proposed operating budget.

### **RECOMMENDATION**

After first reading and separate public hearings, it is recommended that the City Commission take the following actions:

1. Approve Ordinance 2018-08, adopting a millage rate of 7.0438 mills for FY2018-2019. A millage rate of 7.0438 is a 2.18% increase over the rolled-back rate of 6.8938;
2. Approve Ordinance 2018-09, adopting an operating budget for FY2018-2019.

### **BACKGROUND**

In accordance with Florida Statutes and the City Charter, Ordinances 2018-08 and 2018-09 are presented for first reading and public hearing. Ordinance 2018-08 establishes the millage rate for FY18'19, and Ordinance 2018-09 adopts the proposed FY18'19 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY18'19 budget document includes the revenue and expenditure details for the General

Fund, CRA Fund, Special Revenue Funds, Debt Service Fund, Capital Projects Fund, Utility System Fund and Airport Fund.

This budget has been prepared in accordance with Article VI, Section 6.04 of the City Charter, which requires that the budget provide a complete financial plan of municipal funds and activities. Estimated current year ending fund balances have been considered and are included in the budget.

## **PROPERTY TAX**

On July 17, 2018, the City Commission adopted an Interim Millage Rate of 7.0438. The current year rolled-back rate was 6.8938; however, staff recommended that the interim millage rate be set at 7.0438.

The current year proposed rate of 7.0438 is a 2.18% increase over the rolled-back rate of 6.8938.

Remaining at the millage rate of 7.0438 compared to rolled-back rate of 6.8938 would be a tax increase and would generate an additional \$110,004.

## **BUDGETARY CHANGES IN GENERAL FUND “REVENUE SOURCES & TRANSFERS IN” FOR FY18’19 COMPARED TO FY17’18:**

General Fund revenues in FY18’19 (\$13,836,708 + 1,225,000 – 1,746,152 financing/leases = 13,315,556) are projected to be \$275,588 greater than budgeted in FY17’18 (\$12,655,276 + 1,195,000 – 810,308 financing/leases = 13,039,968). An expected increase of \$275,588 is mainly due to the following items:

- Increase in ad valorem tax of \$143,988
- Decrease in sales and use taxes of \$192,221 due to allocation needed for debt service items.
- Increase in licenses and permits of \$80,000 due to increased economy.
- Increase in special assessments of \$81,000 due to increased expectations.
- Increase in intergovernmental revenues of \$40,951 due to expected grant for the Museum/Depot
- Increase in charges for services of \$63,530 mainly due to management fees for water/sewer and garbage fees.
- Increase in fines and forfeitures of \$25,000 due to code enforcement.
- Increase in miscellaneous revenue of \$3,340 mainly due to interest income.
- Increases in transfers in of \$30,000 due to transfer from Utility Fund to the General Fund

## **BUDGETARY CHANGES IN GENERAL FUND “OPERATING EXPENDITURES” FOR FY18’19 COMPARED TO FY17’18:**

General Fund “operating” expenditures in FY18’19 are projected to be \$13,295,226, which is \$361,504 greater than budgeted in FY17’18 \$12,933,722.

Significant changes in “operating” expenditures include the following items:

- Net increase in personnel costs of \$102,312, mainly due to a 2% COLA \$188,676 and the position elimination of within the Fire Department of \$82,000.
- Net increases in operating cost of \$251,084, mainly due to \$16,000 software cost for video streaming of Commission meetings, \$32,000 for facility maintenance evaluation by outside company, \$24,103 for Police Department, \$24,143 for Fire Department, \$34,293 for Building Permits & Inspection, \$22,147 for Code Enforcement, \$9,210 for Cemetery Operations, \$28,820 increase in Other Transportation for Winter Haven Area Transit and \$60,368 increase in general liability insurance.

## **GOVERNMENTAL FUND BALANCE**

As of September 30, 2017, the City’s governmental funds reported combined ending fund balances of \$7,392,140. Approximately 43% of this amount (\$3,209,162) constitutes unassigned fund balance, which was available to spend at the City’s discretion. The remaining fund balance (\$4,182,978) was classified as non-spendable (\$273,980), restricted (\$3,813,419) and committed (\$95,579).

In 2011, the City established a reserve policy for the General Fund equal to 15% - 20% of total operating costs. As of September 30, 2017, the general fund's unassigned fund balance represented 28% of total general fund expenditures, while total fund balance represents 31% of the same amount. Keeping a higher Fund Balance at this time is prudent in anticipation of a possible reduction in future Ad Valorem revenue if an additional Homestead Exemption is approved.

## **SUMMARY OF ALL FUNDS**

General Fund \$18,611,708  
CRA Fund \$3,975,657  
Special Revenue Funds \$3,624,023  
Debt Service Fund \$2,058,598  
Capital Projects Fund \$844,400  
Cemetery (LWMG) \$348,050  
Utility System Fund \$21,300,499  
Airport Fund \$4,372,825  
TOTAL \$55,135,760

The expenditure total of \$41,857,596 is comprised of operating costs in the amount of \$24,695,656 and capital outlay in the amount of \$17,161,940. Transfers in the amount of \$2,426,521 bring total expenditures plus transfers to \$44,284,117.

Note: Capital expenditures proposed for FY18'19 are itemized in "Schedule C" within the budget document.

## **CONCLUSION**

As the local economy has been improving over the last several years, the City's has been able to provide a higher level of service to the community. There is no question that the City's financial resources were severely strained during the recession (2007 through 2014). The City continues to deal with the lingering impact of delayed infrastructure maintenance and economic growth within our City. However, recent trends in both new commercial and residential development, including the reuse of formerly vacant

existing buildings indicates that the City's tax base is once again beginning to grow and that recent economic development efforts are paying off. It is expected that the 2018'19 Fiscal Year the City will see even greater growth in the ad valorem tax base and the expansion of city services will lead to additional voluntary annexations into the city.

As our community continues to realize growth and expansion, an opportunity for some or all of the following will be possible 1) capital investment to improve quality of life, 2) funding for capital items that require immediate replacement, 3) funding available for economic growth opportunities and 4) a possible reduction in the millage rate.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2018-09** by title only.

## **ORDINANCE 2018-09**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY, AND ALL NECESSARY AND ORDINARY EXPENSES OF SAID CITY FOR THE 2018-19 FISCAL YEAR, APPROPRIATING ALL FUNDS TO BE RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES & BALANCES FOR SAID FISCAL YEAR, AND THE REPEALING OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

Dorothy Ecklund, Finance Director, reviewed this item. Kenneth Fields, City Manager, reviewed staff increases in the next budget.

OPEN PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2018-09** after first reading and public hearing. Commissioner Curtis Gibson seconded the motion.

by Roll Call:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

7.III. Ordinance 2018-10, Five-Year Capital Improvement Plan FY2018/19 - FY2022/23 – 1st Reading

[Begin Agenda Memo]

**SYNOPSIS:**

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2018/19 through 2022/23.

**RECOMMENDATION**

It is recommended that the City Commission approve after first reading Ordinance 2018-10 adopting the Five-Year Capital Improvement Plan for fiscal years 2018/19 through 2022/23.

**BACKGROUND**

In accordance with section 6.05 of the City Charter, Ordinance 2018-10 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2018/19 through FY2022/23. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY18'19 operating budget, as are appropriation of funding sources necessary to implement Year 1 of the plan.

The 5-Year CIP document includes all capital facility and infrastructure improvements which staff believes should be undertaken during the next five years and supporting information to explain the necessity for the improvements. In addition, the CIP includes all capital equipment proposed for acquisition during this period. Cost estimates, method of funding and time schedule for the proposed improvements and equipment acquisitions are identified in the document.

The proposed 5-Year CIP totals \$63,685,144 and includes \$150,000 in land acquisition, \$5,297,565 in building improvements/acquisitions, \$47,646,759 in infrastructure and recreation improvements, \$9,516,420 in equipment acquisition, and \$1,074,400 in other capital outlay. Schedule "C", within the 5-year CIP, provides a detail listing of each asset type.

Improvements and equipment needs for the next 5 years were submitted by department heads with a justification of necessity and a recommended time schedule for completion or acquisition. These

requests were prioritized by the City Manager in view of the available funding resources and urgency of need.

## **FISCAL IMPACT**

Funding of the CIP will be accomplished through utilization of existing cash surpluses and current year operating revenues, future grants, private contributions, leases/debt service issuances, and impact fees.

Growth related improvements will be funded by impact fees.

Costs of all capital improvements and equipment acquisitions are distributed over 5 years as follows:

Year 1 - FY2017/18 17,161,940  
Year 2 - FY2018/19 18,375,685  
Year 3 - FY2019/20 12,748,410  
Year 4 - FY2020/21 9,375,157  
Year 5 - FY2021/22 6,023,952  
5 Year Total 63,685,144

All items scheduled for Year 1 are included in the proposed FY17'18 operating budget presented to the City Commission for consideration.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2018-10** by title only.

### **ORDINANCE 2018-10**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING A 5-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2018/19 THROUGH 2022/23; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.**

Dorothy Ecklund, Finance Director, reviewed this item.

Commissioner Curtis Gibson said that he was glad to see the push back in some areas. He commended Ms. Ecklund and Finance staff for doing a good job on the budget. He is glad to see money put into the reserves as this was a concern in 2015.

Deputy Mayor Robin Gibson said that he likes that this is a rolling 5 year plan that is improved every year.

OPEN PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2018-10** after first reading. Deputy Mayor Robin Gibson seconded the motion.

by Roll Call:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 8. CONSENT AGENDA

OPEN PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve the Consent Agenda. Commissioner Stewart seconded the motion.

by Roll Call:

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 - August 14, 2018 & August 21, 2018

### 8.II. Special Event Application: Christmas Parade 2018

[Begin Agenda Memo]

#### **SYNOPSIS:**

Approval of the special event permit application will allow the Lake Wales Kiwanis Club to present the annual Christmas Parade on Saturday December 8, 2018 and allow for the temporary closing of several streets.

#### **RECOMMENDATION:**

It is recommended that the City Commission take the following action:

1. Approve the special event permit application from the Lake Wales Kiwanis Club for the annual Christmas parade to be held Saturday evening, December 8, 2018 between the hours of 6:00 p.m. and 8:00 p.m.
2. Approve the parade route which will begin at Lake Wailes Park, travel up Central Avenue to Dr. Martin Luther King Jr. Blvd. north to Stuart Avenue where it will end.
3. Approve the temporary closing of North 5th Street, Orange Avenue, the Horseshoe Drive in Lake Wailes Park, Lake Shore Blvd. from Orange Avenue to Central Avenue, and Central Avenue from Lake Shore Blvd. to Dr. Martin Luther King Jr. Blvd. and Martin Luther King Blvd. to Stuart Avenue

#### **BACKGROUND:**



Larry Tonjes, on behalf of the Lake Wales Kiwanis Club, submitted a special event permit application for the Annual Christmas Parade to be held Saturday, December 8, 2018 from 6:00 p.m. to 8:00 p.m. Line up for the parade will begin at 4:00 pm. on North 5th Street and on Orange Avenue and along the Horseshoe Drive of Lake Wailes Park.

The application also includes a request for the temporary closing of several streets as follows: 5th Street, Orange Avenue and the Horseshoe Drive in Lake Wailes Park for the parade line up, Lakeshore Boulevard south to Central Avenue, west on Central Avenue crossing SR17/Scenic Highway to Dr. Martin Luther King Jr. Boulevard where the parade will end on Stuart Avenue.

The crossing of Scenic Highway requires a permit from the Florida Department of Transportation and this request will be submitted to the Bartow office after commission has approved the event. Staff has reviewed the application and has no issues with the event or road closings. Lake Wales Police Department and VOICE will be handling pedestrian and vehicular traffic control. The Streets Department will coordinate the street closings and trash clean up. The Kiwanis Club will be responsible for the parade line up and staging and any sanitary facilities that might be necessary.

Insurance is being provided by the sponsor as required.

**OTHER OPTIONS:**

Not to approve this event and road closings.

**FISCAL IMPACT:**

The total cost of in-kind services in the proposed budget for FY18/19 is \$1844 with the Kiwanis Club being responsible for 25% of the total cost or approximately \$461.

[End Agenda Memo]

8.III. Special Event Application: Turkey Trot 5k

[Begin Agenda Memo]

**SYNOPSIS:**

The approval of the special event permit application will allow the Lake Wales YMCA to hold their Annual "Turkey Trot 5K" on Thanksgiving Day, November 22, 2018 and allow for the temporary closing of a portion of the Marketplace downtown and several city intersections.

**RECOMMENDATION**

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

1. Approve the special event permit application from the Lake Wales YMCA to hold the annual "Turkey Trot 5K" on Thanksgiving Day, November 22, 2018 between the hours of 8:00 a.m. and 9:00 a.m.
2. Approve the temporary closing of a portion of the Marketplace on Park Avenue for staging of the event between 7:00 a.m. and 8:00 a.m. and for the closing ceremonies beginning at 9:00 a.m. to approximately 10:00 a.m.
3. Approve the temporary closing of several intersections along the route as the runners approach, the temporary closing of a city street and the route as follows:

Park Avenue from 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lakeshore Blvd. crossing Lakeshore to Lake Wailes Park, following the bike path (Lake Wailes

Trail) to 8th Street crossing over to Lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to 3rd Street and then to Stuart Avenue, Stuart Avenue to 1st Street and back to the Marketplace on Park Avenue where the 5K ends.

## **BACKGROUND**

The Lake Wales YMCA submitted a special event permit application to hold the annual "Turkey Trot 5K" on Thanksgiving Day, November 22, 2018 between the hours of 8:00 a.m. and 9:00 a.m. This application includes a request for the temporary closing of a portion of the Marketplace on Park Avenue to allow for the staging of the event which will begin at 7:00 a.m. to 8:00 a.m.

with the 5K beginning at 8:00 a.m. At the conclusion of the event there will be a closing ceremony in the Marketplace at 9:00 a.m. to approximately 10:00 a.m. The YMCA has also requested the temporary closing of several intersections along the route for the protection of the runners as they approach and the temporary closing of Lakeshore Blvd. from 8th Street to Polk Avenue. The route and streets involved will include the following:

Park Avenue from 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lakeshore Blvd. crossing Lakeshore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to Lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to 3rd Street and then to Stuart Avenue, Stuart Avenue to First Street and back to the Marketplace on Park Avenue where the 5K ends City departments have reviewed the permit application and approved the event. There will be no cost to the City for in-kind services. The Lake Wales Police Department will use off-duty officers to be positioned on the route at intersections where runners will cross. Lake Wales Police Department VOICE and cadets will also be assisting with this event. The sponsor will be responsible for all costs associated with this event and providing sanitary facilities and clean up services along the route and at the Marketplace. Certificate of Liability Insurance is provided as required.

## **OTHER OPTION**

Do not approve this special event permit application or the temporary intersection closings

## **FISCAL IMPACT**

There will be no cost to the City for in-kind services associated with this event. The sponsor will pay 100% of the cost for off-duty officers and provide all clean up services.

[End Agenda Memo]

## **8.IV. Special Event Permit: Main Street Annual Meeting**

[Begin Agenda memo]

## **SYNOPSIS**

This is a request by Main Street to have an Annual Meeting in the Marketplace on Thursday September 27, 2018 from 6:00 p.m. – 8:30 p.m. The event will include alcohol in the Marketplace and Market Street between Central Avenue and Stuart Avenue. This event will require the closing of Market Street between Central Avenue and Stuart Avenue.

## **RECOMMENDATION**

Staff recommends

1. That the City Commission approve the permit request to close Market Street between Central Avenue and Stuart Avenue on Thursday September 27, 2018 from 4:30 p.m. –9:00 p.m.
2. That the City Commission approve the serving of alcohol in the Marketplace and Market Street between Central Avenue and Stuart Avenue on Thursday September 27, 2018 from 6:00 p.m. – 8:30 p.m.

## **BACKGROUND**

Lake Wales Main Street is planning to host an Annual Meeting event on Thursday September 27, 2018 from 6:00 p.m. – 8:30 p.m. This event will include a night time Farmer's Market and the serving of alcohol.

## **OTHER OPTIONS**

Do not approve the Special Event Permit.

## **FISCAL IMPACT**

None.

[End Agenda Memo]

- 8.V. Agreement Renewal With The BoCC Fleet Management Division For City Vehicle And Equipment Maintenance Services.

[Begin Agenda Memo]

## **SYNOPSIS:**

Staff is requesting Commission approval to renew our existing maintenance agreement with the BoCC for an additional twelve month period.

## **RECOMMENDATION**

It is recommended that the City Commission take the following actions:

1. Approve the agreement to extend the existing contract for an additional twelve month period
2. Authorize the City Manager to execute the agreement on behalf of the City

## **BACKGROUND**

In August of 2009, the City entered into an agreement with the Polk County Board of County Commissioners for fleet maintenance services. Per the agreement, BoCC's Fleet Management Division provides maintenance services on all City-owned vehicles and equipment at the City's fleet facility located on Crystal Avenue. The initial term of the agreement was for a twelve month period with the option to renew annually upon mutual agreement between the City and the BoCC. The agreement has been renewed each consecutive fiscal year since the initial agreement in 2009.

Under the terms of the agreement, Polk County Fleet Management provides:

- Preventative and breakdown maintenance on all City-owned vehicles and equipment
- Management of accident and abuse related repairs in conjunction with City management
- Tire maintenance, replacement and repair
- Parts and Lubricants
- 24 hours/day service and breakdown support
- Maintenance reporting
- Access to and service from Polk County Fleet's entire network of maintenance facilities
- City Fire Apparatus maintenance by EVT certified technicians

The Polk County Fleet Management Division provides the City with a fixed-rate fee schedule for maintenance services prior to the beginning of each fiscal year. These fees are based on historical equipment repair costs incurred by Polk County Fleet Management throughout the previous year. Prior to the agreement with Polk County Fleet Management, the City operated its own Fleet Maintenance

Department. A twelve year summary of the City's total fleet maintenance costs are outlined below:

**Fiscal Year Actual**

(Pre-County Contract)	Salaries	M&R	Vehicles	Operating Supplies	Vehicles	M&R	Vehicles
Refurbishment Fleet Operating Budget Total							
2004/2005	137,477	72,127	4,537	0	20,179	234,320	
2005/2006	110,969	155,834	30,848	4	21,703	319,358	
2006/2007	100,978	168,051	38,952	5,932	27,379	341,292	
2007/2008	131,822	185,353	49,251	5,665	143,894	515,985	
2008/2009	152,472	186,492	46,052	7,440	35,735	428,191	
5 Year Average	126,744	153,571	33,928	3,808	49,778	367,829	

**Fiscal Year Actual**

(Post- County Contract)	M&R Fleet Contract	Operating Supplies	Vehicles/M&R Fleet	Non-Contract		
M&R Vehicles Refurbishment Fleet Operating Budget Total						
2009/2010	N/A	308,076	10,860	7,792	41,270	367,998
2010/2011	N/A	210,577	30,974	2,669	19,893	264,113
2011/2012	N/A	250,391	16,255	200	13,393	280,329
2012/2013	N/A	272,083	33,605	0	15,198	320,886
2013/2014	N/A	289,656	22,000	0	15,387	329,069
2014/2015	N/A	283,252	19,900	0	15,941	319,093
2015/2016	N/A	295,050	22,300	0	14,165	331,515
2016/2017	N/A	324,851	22,300	0	17,083	364,234
2017/2018	N/A	303,895	52,680	0	21,583	378,158
2018/2019	N/A	300,014	22,300	0	23,813	346,127
10 Year Average	N/A	283,785	23,526	1,333	19,773	330,152

Staff solicited a proposal from Vector Fleet Management, a private-sector company that provides a similar service to Polk County Fleet Management, for cost comparison purposes. Their proposal was \$554,380 annually.

**OTHER OPTIONS**

The City Commission may choose not to enter into this agreement and 1) direct staff to develop a request for proposal for fleet maintenance services or 2) direct staff to assume the responsibility of our own fleet maintenance services.

**FISCAL IMPACT**

The annual maintenance fee for FY2018/19 is \$300,014.

[End Agenda Memo]

8.VI. Purchase Authorization – Traffic Enforcement Vehicle

[Begin Agenda Memo]

**SYNOPSIS:**

Staff is requesting Commission approval to purchase one (1) Harley Davidson police motorcycle and related equipment utilizing existing Police Service Impact Fees.

**RECOMMENDATION**

Authorize staff to expend funds \$38,769.30 for the purchase of:

1. One (1) fully equipped 2019 Harley Davidson FLHTP police motorcycle and all necessary equipment.
2. Authorize a budget amendment in the amount of \$38,769.30

## BACKGROUND

As the result of increased business and residential growth within the city, vehicular congestion, traffic complaints and crashes have steadily increased throughout our jurisdiction. During calendar year 2017, the City experienced a marked increase in the number of vehicle crashes totaling five hundred and ninety-five (595), which resulted in two (2) fatalities. During the first three (8) months of 2018, three hundred and fifty-three (353) crashes occurred, with four (6) of them resulting in fatalities. This growth placed such a demand on staffing that the department increased personnel last year to expand services and address these issues at a greater level and intensity than the Patrol Division can on a daily basis.

In an effort to reduce traffic crashes, increase the safety of the motoring public, continue building positive relationships throughout the community and increase public awareness, the police department proposes to expand its services to traffic enforcement and purchase an additional motorcycle. The motorcycle will be specially equipped to perform enforcement and educational initiatives throughout the city. The department will use the police motorcycle primarily to enforce traffic violations; however, it will serve many additional purposes that enhance the department's mission. Police motorcycles are capable of accessing areas with heavy vehicular and pedestrian congestion, providing a deterrent effect on both traffic violations and general crime, providing escorts during parades or funerals and complimenting traffic education and public relations initiatives. The proposal submitted by Bruce Rossmeyer Harley Davidson is based on current Florida Sheriff's Association contract pricing. Purchases made from 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.

## MEMORANDUM

### OTHER OPTIONS

The City Commission may choose not to purchase this motorcycle.

### FISCAL IMPACT

The Police Department proposes to use Police Services Impact Fees to purchase this motorcycle. The cost for the fully equipped police motorcycle is \$38,769.30. This includes specialized protective gear, uniforms and equipment necessary to perform traffic enforcement.

Maintenance costs

[End Agenda Memo]

Deputy Mayor Robin Gibson asked the police chief to review this request. Police Chief Chris Velasquez reviewed this item explaining the benefits of using a motorcycle for traffic enforcement.

## 8.VII. Commission Financials Statements For July 2018

[Begin Agenda Memo]

### SYNOPSIS:

The preliminary financial statements report revenues received and expenditures made through the end

of July 31, 2018.

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

General Fund (001), page 1:

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

Transportation Fund (102), page 6:

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

CRA Fund (105), page 11:

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

Library Fund (110), page 16:

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 30:

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

#### ATTACHMENTS

Preliminary Financial Statements

[End Agenda Memo]

#### 9. OLD BUSINESS

#### 10. NEW BUSINESS

- 10.I. Ordinance 2018-06 – 1st Reading Amendments To Chapter 12 – Health Sanitation, Nuisances, And Minimum Property Maintenance Standards

[Begin Agenda Memo]

#### **SYNOPSIS**

This ordinance addresses housekeeping items regarding maintenance of rights-of-way, junk and trash, vacant structures, sanitation and storage of materials, nuisance trees, and weeds, grass and overgrowth in Chapter 12.

#### **RECOMMENDATION**

Staff recommends the approval of Ordinance 2018-06 after first reading. A public hearing is not required.

#### **BACKGROUND**

In order to continue to improve and enhance the responsibility of enforcement Code Compliance has found areas of the code that need amending to insure fair and equitable enforcement across several sections.

- Parking lots and multi-modal trails are being added to the areas where tree maintenance is covered in regards to height required for clear trimming and removal of dead branches.
- A clarification is being made for property in excess of ten (10) acres in the sections regarding weeds and overgrowth.
- The penalty section is being amended to include an additional State Statute that is applicable to code enforcement.
- The word vacant is being removed from Sec. 12-230 because the code is applicable to all structures not just those that are vacant.

#### **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, City Clerk, read **ORDINANCE 2018-06** by title only.

**ORDINANCE 2018-06**

**(Amending Chapter 12 Health, Sanitation, Nuisances, and Minimum Property Maintenance Standards)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING CHAPTER 12 HEALTH, SANITATION, NUISANCES, AND MINIMUM PROPERTY MAINTENANCE STANDARDS; AMENDING, SECTION 12-36 PROPERTY CLEARING AND CLEANING, SECTION 12-37 JUNK AND TRASH, SECTION 12-39 TREE DECLARED NUISANCE/DANGEROUS, SECTION 12-227.7 REQUIREMENTS NOT COVERED BY CODE, SECTION 12-230.6 CLOSING OF VACANT STRUCTURES, SECTION 12-230.9 PROHIBITED OCCUPANCY, SECTION 12-230.12 BOARDED UP STRUCTURES, SECTION 12-230.13 PENALTIES, SECTION 12-233.1 SANITATION AND STORAGE OF MATERIALS, SECTION 12-233.4 WEEDS, GRASS AND OVERGROWTH, AND SECTION 12-233.6 TREE DECLARED NUISANCE/DANGEROUS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE:**

Kathy Bangley, Planning Director, reviewed this item.

Kenneth Fields, City Manager, said that we have increased Code Enforcement activities and that our staff is doing a good job.

Deputy Mayor Robin Gibson made a motion to approve ORDINANCE 2018-06 after first reading. Commissioner Howell seconded the motion.

By Roll Call:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion Passed 5 -0.

10.II. Ordinance 2018-07 – 1st Reading And Public Hearing Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

**SYNOPSIS**

Several areas of the zoning regulations (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments to address issues that have arisen.

Sec. 23-217. Site development permit

Sec. 23-307 Landscaping requirements  
Sec. 23-310 Recreation Areas

Table 23-522 Accessory Structures Residential Properties  
Table 23-421 Permitted Uses and Special Exception Uses in Standard Zoning Districts  
Sec. 23-445. Mixed-use PDPs

## **RECOMMENDATION**

Staff recommends the approval of Ordinance 2018-07 on first reading. A public hearing is required and notice requirements have been met.

## **BACKGROUND**

The Planning and Zoning Board held a regular meeting on May 22, 2018 and voted to recommend various amendments to the Zoning, Land Use and Development Regulations as set forth in the proposed ordinance. Following are explanations of the proposed revisions.

1. Sec. 23-217.3g – Permits from other agencies as applicable. Current code reads: If such permits have not been issued at the time of application for a site development permit, copies of all required permits shall be submitted prior to the issuance of the site development permit. Required permits shall include:

- Change to: If such permits have not been issued at the time of application for a site development permit, copies of all required permits should be submitted prior to the issuance of the site development permit. Required permits may include:
- Remove “Polk County Highway Department concurrency certification” from list of required permits, as it no longer exists.

2. 23-307 Landscaping Requirements  
Residential

Current standards require a minimum of two 2” caliper FL #1 trees, minimum of eight feet at planting, on site at completion.

Proposed: Sec.23-307.2.3.

- Lots less than 10,000sf: two, two-inch caliper shade trees, minimum of eight feet at planting.
- Lots 10,000sf or greater: three, two-inch caliper shade trees, minimum of eight feet at planting.
- Sec. 23-307.3.2. Landscaped Buffers: Modify to eliminate landscape easements: “The buffer shall be in a separate parcel or tract maintained by a homeowners’ association or similar entity, in accordance with a landscaping plan (remove “approved by the planning board” as it is not always applicable) and shall not be included in the area of the lot.” Eliminate 3. as it is now obsolete.

3. Sec. 23-310.d.2. Recreation facilities: Modify to establish two-tree minimum: “A minimum of two (2) shade trees per recreation area or a minimum of five (5) shade trees per acre, whichever is greater, shall be provided in recreation areas.

4. Table 23-421 Permitted Uses and Special Exception Uses in Standard Zoning Districts

The City’s comprehensive plan supports mixed-use developments and up to 25% of high density residential in the RAC land use classification; however, the Permitted Use Chart in the City’s zoning code does not reflect this.

- C-2 Zoning District: Add mixed-use residential and non-residential as permitted through the PDP process
- Add footnote 8 to reference C-2 zoning districts in the RAC land use category only
- C-2 and C-3 Zoning Districts: Add Multi-Family Dwelling (Up to 12 units on one parcel) as permitted through the PDP process.

5. Sec. 23-445 Mixed-use PDPs – Add “C-2 zoning districts where allowed under the land use classification on the Future Land Use Map of the Comprehensive Plan.”

6. 23-522 Accessory Structures Residential Properties - Detached carports or garages: Current



standard reads, "footprint not to exceed 600 square feet or 40% of the footprint of the principal structure, whichever is larger."

- Add: On lots greater than two (2) acres in size, an accessory structure may be 1.25 times the size of the principle building.

#### **FISCAL IMPACT**

The amendments have no identifiable fiscal impact themselves.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2018-07** by title only.

#### **ORDINANCE 2018 - 07**

**(Zoning Amendment – Chapter 23 Zoning, Land Use and Development)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS; AMENDING, SECTION 23-217 SITE DEVELOPMENT, SECTION 23-307 LANDSCAPING REQUIREMENTS, SECTION 23-310 RECREATION AREA, TABLE 23-421 PERMITTED USES AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS, SECTION 23-445 MIXED-USE PLANNED DEVELOPMENT PROJECTS, AND TABLE 23-522 ACCESSORY STRUCTURES RESIDENTIAL PROPERTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Kathy Bangley, Planning Director, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Robin Gibson made a motion to approve **ORDINANCE 2018-07** after first reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion Passed 5 -0.

#### 10.III. RESOLUTION 2018-20 Renaming Mobley Park To Howell Family Park

[Begin Agenda Memo]

#### **SYNOPSIS**

Resolution 2018-20 renames Mobley Park as Howell Family Park.

#### **RECOMMENDATION**

Staff recommends approval of Resolution 2018-20 that will rename Mobley Park as Howell Family Park.

**BACKGROUND**

At the August 21, 2018 Commission meeting the City Commission directed staff to prepare a Resolution to rename Mobley Park as the Howell Family Park. This change will require a new sign and a plaque commemorating the Howell Family. A dedication ceremony will be planned at a later date.

**OTHER OPTIONS**

Do not approve Resolution 2018-20.

**FISCAL IMPACT**

The fiscal impact will be the cost to replace the sign and to install a plaque.

Jennifer Nanek, City Clerk, read **RESOLUTION 2018-20** by title only.

**A RESOLUTION RENAMING MOBLEY PARK IN HONOR OF THE HOWELL FAMILY AS HOWELL FAMILY PARK; PROVIDING FOR AN EFFECTIVE DATE**

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2018-20**. Commissioner Howell seconded the motion.

By Roll Call:

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion Passed 5 -0.

10.IV. Board Appointments: Police Officers' Retirement Board & Firefighter's Retirement Board

[Begin Agenda Memo]

**SYNOPSIS:**

Appointments to fill a vacancy due to expiration of terms. These terms expire on September 30th of this year and must be filled.

**RECOMMENDATION**

Staff recommends that the Mayor and Commission review the applications of Robert Plummer for reappointment to the Police Officers' Retirement Board for a term ending 9/30/2022 and Dennis Childress for reappointment to the Firefighter's Retirement Board for a term ending 9/30/2022.

**BACKGROUND**

Police Officers' Retirement Board – The board consists of five (5) members. Two (2) members must be legal residents of the City and two (2) members must be full-time police officers' employed by the Lake Wales Police Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; police officer members are elected by a majority of the police officers who are members of the plan. The fifth member is chosen by a majority of the other four members and appointed by the Mayor. (4-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 residents & 2 police officers due to expiring terms

Current Members: Joe Elrod (Police Officer 5th Seat) 2/3/15 – 9/30/19 Partial term

Robert Plummer (resident) 11/17/15 - 9/30/18 2 terms

Elrod, Anthony (resident) 4/1/14 – 9/30/18 1 term

Black, David (police officer) 10/14/16 – 9/30/18 1 term

Raebig, William (police officer) 5/5/14 – 9/30/18 1 term

Applying for reappointment: Robert Plummer

Current Meetings – Quarterly @ 4p.m.; Fire Department meeting room Firefighters' Retirement Board (City Code Sec. 16-163) – The board consists of five (5) trustees. Two (2) members must be legal residents of the City and two (2) members must be full-time firefighters employed by the Lake Wales Fire Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; firefighter members are selected by a majority of the firefighters who are members of the plan. The fifth member is chosen by a majority of the other four members and appointed by the Mayor. (4-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 resident due to resignation, 1 resident & 2 firefighters due to expiring terms.

Current Members: Brian Patterson 09/22/15 – 09/30/19 Partial term

Dennis Childress, resident 11/07/17 - 09/30/18, Partial term

James Brown, resident (resigned) 03/18/14 - 09/30/18, partial term

Joe Jenkins, Fire Chief 10/01/98 - 09/30/18, 5 terms

Roy Wilkinson, III, Firefighter 12/21/09 - 09/30/18, 1 term

Applying for reappointment: Dennis Childress

Current Meetings – Quarterly @ 4p.m.; Fire Department meeting room

## OPTIONS

Do not appoint those that have applied.

## FISCAL IMPACT

None. These are volunteer boards.

[End Agenda Memo]

Mayor Fultz reappointed Robert Plummer to a new term on the Police Officers' Retirement Board ending 9/30/2022.

Deputy Mayor Robin Gibson asked if Mr. Plummer has a good attendance record. Chris Velasquez, Police Chief, confirmed that he did.

Deputy Mayor Robin Gibson made a motion to confirm the appointment of Robert Plummer to a new term on the Police Officers' Retirement Board ending 9/30/2022. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion Passed 5 -0.

Mayor Fultz reappointed Dennis Childress to a new term on the Firefighters' Retirement Board ending 9/30/2022.

Deputy Mayor Robin Gibson asked if Mr. Childress has a good attendance record. Joe Jenkins, Fire Chief, confirmed that he did.

Commissioner Howell made a motion to confirm the appointment of Dennis Childress to a new term on the Firefighters' Retirement Board ending 9/30/2022. 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

Kenneth Fields, City Manager, said that there is development activity in Brookshire and Hunters Glen and the construction plans were submitted for Luv's Truck Stop. FDOT is planning a moratorium on construction on HWY 27 while they test a new fiber optics system. This would negatively affect WaWa's but we will work with them on this. Kathy Bangley, Planning Director, explained that as there is another entrance to the site that could be used. If all goes well they could be open by Thanksgiving.

##### 11.I. Tracking Report

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

##### 11.III. Commission Meeting Schedule

Mr. Fields reminded the Commission that there is a special Commission meeting next Tuesday, September 11, at 6pm to approve the two special assessments. The next regular Commission meeting is Wednesday September 19th for the 2nd reading of the budget.

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

Mr. Fields announced that the Annual Meeting of Main Street approved on tonight's consent agenda is Thursday evening September 27th at 6pm in the Downtown Marketplace.

12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson commended the Fire Department for providing old pieces of fire hoses to help secure the doors in cases of emergency. Chief Jenkins said that the Police Department assisted with this as well.

Commissioner Howell said that there are large items in front of a property that hasn't been picked up in two weeks. Kathy Bangley, Planning Director, explained that different trucks pick up different things to go to different places. Some items require a special pickup to be scheduled. If Commissioner Howell will get her the address Ms. Bangley said they will get with the property owner.

Commissioner Curtis Gibson congratulated the Howell family. He also announced that he has been appointed to the Florida League of Cities Land Use and Economic Development Committee. He asked about drainage issues on Campbell Avenue and asked if the funds from the new assessment can address that. Mr. Fields said yes.

Commissioner Stewart said she reviewed the tracking report and it seems like we are on track for our projects.

13. MAYOR COMMENTS

Mayor Fultz said that he plans to start a Mayor's Youth Council to allow young people to have their voices heard and provide input.

14. ADJOURNMENT

The Commission meeting was adjourned at 6:54 p.m.

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Mayor/Deputy Mayor

ATTEST:

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City Clerk