

**City Commission Meeting Minutes**  
**January 15, 2019**  
**(DRAFT)**

1/15/2019 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

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

4. ROLL CALL

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

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

5. SETTLEMENT AND STRATEGY SESSION - The City Commission Will Recess For A Settlement And Strategy Session

The City Commission recessed for a Settlement and Strategy Session concerning Aviator PPG, LLC v. City of Lake Wales at 6:01 p.m.

The Meeting was reconvened at 6:50 p.m.

6. PROCLAMATIONS AND AWARDS

6.I. PROCLAMATION - School Choice Week

Mayor Fultz proclaimed January 20-26, 2019 as School Choice week and presented the proclamation to Jimmy Nelson and Marie Charrington-Gray of the Lake Wales Charter Schools.

7. COMMUNICATIONS AND PETITIONS

Mayor Fultz said that Kenneth Fields, City Manager, has an announcement. Mr. Fields said that the sponsor of Resolution 2018-22 has requested that the item be withdrawn. As it was announced that we would take comments on this issue he recommended that the Commission still take comments on the issue.

Mike Carter, resident, said that as many Federal Workers may be struggling due to the shutdown and suggested allowing them to defer utility payments if needed.

Antonio Reyes, resident, said he wanted the Commission to be aware of concerns about certain police officers specifically Sgt Alvin Maultsby. He has reported his concerns to the Deputy Chief and Sandra Davis. He said that on June 6 he was shot at close range. The report has Maultsby's name and it reads as if the shot was done in self-defense and it wasn't. He says he is being threatened and harassed by the suspect. Chris Velasquez, Police Chief, said they will go after anyone who is doing something they shouldn't. If a police officer is doing something wrong they will be held accountable. Deputy Mayor Robin Gibson asked if there was some kind of restraining order in place between the suspect and victim. Chief

Velasquez said they will do what they can to keep the victim or witness safe.

Natalie Valentine, resident, reported that she has been harassed by Officer Maultsby and other officers because she has made complaints against him. She gave examples. She said she has never been convicted on any charge and that she is a good mother to her children. She does not want to lose her children or her ability to get a job.

Chevon Baccus, resident, reported that she is developing an online news site called lakewalesnews.net. It will include topics in various areas. She has 17 volunteer writers and editors many with journalism experience. They will depend a lot on community correspondents to provide information and pictures. The site will be free and they will encourage dialogue but personal attacks will not be allowed. They will accept donations and sponsorships. She encouraged everyone to participate.

## 8. CONSENT AGENDA

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

by Voice Vote:

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.I. Minutes - January 2, 2019

8.II. Special Event Application: 2019 Lake Wales Art Show

[Begin Agenda Memo]

### **SYNOPSIS:**

Approval of this Special Event Application will allow the 48th Annual Lake Wales Art Show to be held in Lake Wailes Park Friday, February 22, 2019 to Sunday, February 24, 2019.

### **RECOMMENDATION**

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

1. Approve the Special Event Permit Application for the 48th Annual Lake Wales Art Show to be held February 22 – February 24, 2019 in Lake Wailes Park.
2. Approve the request to allow for a designated area for alcohol consumption.
3. Approve the hours as follows: February 21 - set up at 7:00 a.m. and evening festivities beginning on February 22 at 6:00 p.m. and ending at 8:00 p.m., February 23 and February 24 – 10:00 a.m. to 5:00 p.m.
4. Approve the request for set up by the artists on Friday February 22, 2018 at approximately 10:00 a.m.

## **BACKGROUND**

The Lake Wales Art Council, Inc. submitted a Special Event Permit Application for the 48th Annual Lake Wales Art Show to be held February 22 to February 24, 2019 in Lake Wales Park.

This event would begin on Friday evening, February 22, 2019 at 5:00 p.m. with a barbecue and musical entertainment and it will conclude at 8:00 p.m. This event includes a designated area to sell and consume alcohol.

On Saturday and Sunday activities will begin at 10:00 a.m. and end at 5:00 p.m. The Special Event Permit Application includes a request for the artists to set up on Friday, February 22 at approximately 10:00 a.m.

The Art Council will be using the services of off-duty officers from the Lake Wales Police Department each evening during the entire event. This will be paid at 100% by the Art Council.

The Field Operations Division will be providing clean up services on Saturday and Sunday with the Arts Council paying 25% of those costs. The Arts Council will also be responsible for site set up, obtaining tent permits, providing licensing for food vendors, acquiring sanitary facilities and dumpsters and providing liability insurance for the event.

## **OTHER OPTIONS**

Do not approve the event

## **FISCAL IMPACT**

In-kind services provided by the City were budgeted for FY17-18 in the amount of \$926. The Arts Council will be responsible for 25% or \$231. Private security will be provided by the Lake Wales Police Department and will be paid at 100% by the Arts Council.

[End Agenda Memo]

### 8.III. Special Event Application: Classic Car Show

[Begin Agenda Memo]

## **SYNOPSIS:**

Approval of the Special Event Permit Application will allow the "Lake Wales Car Show" to continue their event on the fourth Saturday of each month in the downtown area for the next three years.

## **RECOMMENDATION**

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

1. Approve the Special Event Permit application for the "Lake Wales Classic Car Show" to take place the fourth Saturday of each month between the hours of 4:00 p.m. and 8:30 p.m. beginning January 31, 2019 and ending January 31, 2022.
2. Approve the temporary closing of the Marketplace, Stuart Avenue from First Street to Scenic Highway, partial closure of S. Market Street from Stuart Avenue to Central Avenue and the temporary closing of the parking lot at the intersection of SR17 and Stuart Avenue (west side of SR17).

## **BACKGROUND**

Mr. Larry Bossarte, Lake Wales Main Street Inc. submitted a Special Event Permit Application to continue holding the "Lake Wales Car Show " in the downtown area the fourth Saturday of each month beginning on January 31, 2019 and ending on January 31, 2022. The event hours would be from 4:00 p.m. to 8:30 p.m. which includes set up and take down. This event will showcase custom, classic and antique cars which will be located along Stuart Avenue. Musical entertainment and food vendors will be set up in the Marketplace and/or on a portion of S. Market Street between Stuart Avenue and Central Avenue. They are requesting the temporary closing of the parking lot at the intersection of SR17 and Stuart Avenue, closing of Stuart Avenue from First Street to SR17 and a portion of S. Market Street from Central Avenue to Stuart Avenue.

The sponsor is responsible for all requirements for site preparation, site clean up, food vendor licensing, and sanitary facilities. Proof of liability insurance will be provided to the City.

In 2012 and 2016 the Lake Wales Main Street was granted a 3 year permits for the Car Show to continue until January 2019. There have been no problems associated with this event.

#### **OTHER OPTION**

Do not approve this special event permit application.

#### **FISCAL IMPACT**

There will be no cost to the city associated with this event.

[End Agenda Memo]

#### 8.IV. Special Event Application: Lake Wales Museum Events

[Begin Agenda Memo]

#### **SYNOPSIS**

The Lake Wales Museum has applied to host eleven events through 2019 that will include serving alcohol.

#### **RECOMMENDATION**

Staff recommends approval of the special event application and the serving of alcohol at these eleven events.

#### **BACKGROUND**

The Lake Wales Museum seeks to present a range of educational programs and special events, in which alcohol may be served. The Lake Wales Museum will partner with Rotary on the Ridge who will apply for the alcohol license and provide insurance for the event. Donations for the alcohol will be accepted.

#### **OTHER OPTIONS**

Do not approve the permit.

#### **FISCAL IMPACT**

The cost of the 2 off-duty police officers will be paid for by the Lake Wales Museum budget.

[End Agenda Memo]

- 8.V. Agreement For Annual Property Maintenance Services For Privately Owned Properties With Ray & Sons Lawn Service, LLC

[Begin Agenda Memo]

**SYNOPSIS**

The Code Compliance Division is in need of an on-contract company qualified to perform maintenance at various lots throughout the city as requested, including cleanup of waste and debris, vegetation cutting, and the proper disposal of debris and vegetation cuttings.

**RECOMMENDATION**

Staff recommends the adoption of Approval of the Agreement for Annual Property Maintenance Services for Privately Owned Properties.

Authorization for the City Manager to execute the Services Agreement.

**BACKGROUND**

In response to ITB No. 18-453R Annual Property Maintenance Services for Privately Owned Properties, the City received one responsive bid from Ray and Sons Lawn Service, LLC.

The FY 18-19 Budget includes \$10,000.00 for Contract Services of this nature.

**FISCAL IMPACT**

This is a budgeted expenditure.

**OTHER OPTIONS**

Continue to bid out each job individually.

[End Agenda Memo]

9. OLD BUSINESS

10. NEW BUSINESS

- 10.I. Resolution 2018-22: Support Of Lake Wales Charter Schools

[Agenda Memo Begins]

**SYNOPSIS**

Resolution 2018-22 expresses supports for the takeover of McLaughlin Middle School by the Lake Wales Charter Schools.

**RECOMMENDATION**

Staff does not have a recommendation concerning approval of Resolution 2018-22.

## BACKGROUND

At the September 19, 2018 City Commission meeting Commissioners asked staff to bring forth a Resolution concerning the possible takeover of McLaughlin Middle School by the Lake Wales Charter Schools. This resolution was provided to City staff.

At the October 2, 2018 the resolution was tabled pending an informational forum on the subject.

This forum took place on January 10, 2019 at Vanguard School.

## OTHER OPTIONS

Do not approve Resolution 2018-22.

## FISCAL IMPACT

There is no fiscal impact to Resolution 2018-22.

[Agenda Memo ends]

Mayor Fultz said that this item was tabled but will open this issue for public comment.

## OPENED PUBLIC COMMENT

Brian Marbutt non-resident, said he brought this resolution from the chamber which they thought was simple but wasn't. He was glad that the forum happened and a lot of good came from it. This issue is not up to the City. This was a request for support for the decision and for one of our best economic tools of the City.

Billy Townsend, non-resident and School Board Member, read a letter discussing the issues related to the topic. He explained that he is speaking for himself and not on behalf of the Polk County School Board. He shared an idea to have Bok Academy operate at the same campus as McLaughlin Middle and explained why this would be a good idea. He shared copies of this letter with the Commission members.

Jimmy Nelson, non-resident and Chair for the Lake Wales Charter Schools, thanked Mr. Townsend for coming and his ideas. They would like to work with the School Board and staff to find the best way forward. He thanked the Mayor and Commission for their help with moving the issue forward

## CLOSED PUBLIC COMMENT

Deputy Mayor Robin Gibson thanked Mr. Townsend for coming and his constructive distinction between the school systems. He was glad that the forum took place so that more of our community knows what is going on.

### 11. CITY ATTORNEY

Mr. Galloway had no report.

### 12. CITY MANAGER

Mr. Fields reminded the commission that the City website address has changed to [WWW.LAKEWALESFL.GOV](http://WWW.LAKEWALESFL.GOV) and that staff email addresses are similarly changed. There are many benefits to having a .gov email address.

Mr. Fields said that evaluation forms on himself and the City Attorney have been distributed to the

Commission.

12.I. Tracking Report

12.II. Social Media Tracking Report

12.III. City Commission Meeting Calendar

12.IV. Other Meetings & Events Calendar

Mr. Fields announced that this Saturday is the Howell Park dedication at noon.

The Main Street Annual Meeting event is on Thursday January 24th at 6:30 p.m.

13. CITY COMMISSION COMMENTS

Commissioner Curtis Gibson thanked Mr. Townsend for coming out and said he was glad to attend the ribbon cuttings at IHOP and Airport today.

Commissioner Stewart thanked Mr. Townsend as well. She was glad the Resolution was pulled and that there was communication and discussion on this issue. She emphasized the need for trust between the School Board and Charter Schools before further negotiations can take place.

14. MAYOR COMMENTS

Mayor Fultz appreciated everyone that participated in the process and reminded the public of the upcoming elections.

15. ADJOURNMENT

The meeting was adjourned at 7:44 p.m.

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Chair/Vice-Chair

ATTEST

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City Clerk/Deputy City Clerk