

**City Commission Workshop
Meeting Minutes
June 10, 2020
(Approved)**

**This meeting was be conducted partially via teleconference
Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020,**

**extended via Executive order no. 20-112, and further extended by Exectutive Order No 20-114,
municipalities may conduct meetings of their governing boards without having a quorum of its
members present physically or at any specific location, and utilizing communications media
technology such as telephonic or video conferencing, as provided by Section 120.54 (5)(b)2, Florida
Statutes.**

**The City of Lake Wales held this hybrid virtual public meeting using the GoToMeeting
Web/Teleconference service.**

6/10/2020 - Minutes

1. ROLL CALL

Commissioners Present: Mayor Eugene Fultz, Terrye Howell, Curtis Gibson, Al Goldstein,

Robin Gibson arrived late.

Staff Present: James Slaton, Interim City Manager; Jennifer Nanek, City Clerk

Mayor Fultz called the meeting to order at 3:00 p.m.

Mayor Fultz read a statement:

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, extended by Executive Order 20-112, and further extended by Executive Order No 20-114, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes. Procedures for public participation will be explained by the City Attorney shortly.

Albert Galloway, Jr., City Attorney, read a statement on Procedures for this partial virtual Public Meeting.

Mr. Galloway asked the Commissioners, "are you comfortable with all the notice provisions set forth and these uniform rules of procedures we have established for this Virtual meeting? The Commissioners answered affirmatively.

2. ORDINANCE 2020-07 - Amending Chapter 16, Pension & Retirement

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider adopting Ordinance 2020-07 to allow for the purchase of prior municipal service by the City Manager.

RECOMMENDATION

It is recommended that the City Commission adopt Ordinance 2020-07 on Second Reading & Public Hearing.

BACKGROUND

The City sponsors multiple retirement systems, including a Defined Benefit Plan and a Defined Contribution plan. Ordinance 2020-07 is being presented to allow for purchase of prior City service by the City Manager.

The proposed change will allow a city manager who has full-time City of Lake Wales service or other full-time governmental service in Florida prior to membership in this Plan, to purchase up to five years of prior service. The full actuarial cost of this buyback must be paid by the member. The cost of the service buyback will be made by lump sum payment, including rollover from another qualified plan.

The City's defined benefit plans currently allow members to purchase up to five (5) years of military service entirely at the employee's cost and the Florida Retirement System which covers school district and County employees, including the Sheriff's Office, allows members to purchase some type of prior government service as is provided for in this ordinance.

FISCAL IMPACT

Foster & Foster, Inc. the General Employees' Pension Board's Actuarial Consultants, have determined that the purchase of prior City service by the City Manager will have no impact on the assumptions used in determining the funding requirements of the plan, because the cost will be paid by the City Manager.

[End Agenda Memo]

Sandra Davis, Human Resources Director, reviewed this item. She reviewed the changes and said due to an advertising error this will be on the July 7 agenda.

3. Resolution 2020-16 Brookshire Street Lighting Preliminary Rate Resolution

[Begin Agenda Memo]

SYNOPSIS: Preliminary Rate Resolution for the Brookshire Street Lighting District

RECOMMENDATION

It is recommended that City Commission adopt Resolution No. 2020-16 providing the Preliminary Rate Resolution for the Brookshire Street Lighting District.

BACKGROUND

In 2010, the City of Lake Wales received a petition requesting the creation of a Street Lighting District for the Brookshire subdivision. The District includes the thirty-one (31) decorative street lighting poles. Eighty-seven (87) platted lots are within the street lighting district and the estimated annual street lighting costs are \$13,485. The estimated annual charge per plated lot is \$155.

OTHER OPTIONS

Do not approve Brookshire Street Lighting District special assessment.

FISCAL IMPACT

Annual estimated assessment revenue of \$13,485 is expected to pay all street lighting costs relating to the services, facilities and programs within the Brookshire Street Lighting District.

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item.

Commissioner Curtis Gibson asked if there were any changes. Ms. Abbott said no the amount from last

year is sufficient.

4. RESOLUTION 2020-17 - Preliminary Rate Resolution For Fire Protection Services Assessment

[Begin Agenda Memo]

SYNOPSIS: Preliminary Rate Resolution for Fire Protection Services Assessment

RECOMMENDATION

It is recommended that City Commission adopt Resolution No. 2020-17 providing the Preliminary Rate Resolution for Fire Protection Services Assessment.

BACKGROUND

It is recommended that the City Commission set the Preliminary Fire Protection Services Assessment rate and adopt Preliminary Fire Protection Service Assessment Resolution 2020-17 providing for Fire Protection Services Assessments for fiscal year beginning October 1, 2020. Staff is recommending the following rate scenario:

Property Category	Assessment Rate
Single-Family	Per dwelling unit \$162
Multi-Family	Per dwelling unit \$ 80
Mobile Home	Per dwelling unit \$144
Property Category	Assessment Rate
Commercial	Per Sq Ft \$.07
Industrial/Warehouse	Per Sq Ft \$.01
Institutional	Per Sq Ft \$.09

OTHER OPTIONS

Rely solely on the ad valorem taxes to fund fire protection services, equipment, and programs.

FISCAL IMPACT

The estimated net revenue is \$1,269,571. Initial fire protection assessment rates are 50.25% of assessable costs.

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item. Ms. Abbott said the City Manager had requested an increase in rates to help balance the budget for next year. James Slaton, Interim City Manager reminded the commission that this is a not to exceed amount and not the final rate that they are voting on. Ms. Abbott said there will be a \$400,000 shortfall in the budget this year and more than that next year.

Commissioner Goldstein asked about the fees for parking lot. Ms. Abbott said she can get that information for him from our consultant by the next Commission meeting.

Commissioner Curtis Gibson asked if we can get by with the same amounts. Ms. Abbott said they will get a draft budget in July and the Commission can decide what level of service they would prefer. Deciding on

the higher rate allows for flexibility. Commissioner Curtis Gibson asked for rates from nearby cities. Ms. Abbott said she could get that information for him by the next meeting.

5. Preliminary Subdivision Plat Extension Of Approval – San Juan Citrus

[Begin Agenda Memo]

Recommendation:

One-year extension of time on approval for a preliminary subdivision plat of a 68-lot single family residential subdivision.

Background:

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

The proposed 68-lot subdivision is configured along Bellview Drive and 11th Street South. Over 39,000 square feet of recreation area is designed, along with an internal 5-foot sidewalk system.

[End Agenda Memo]

The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The minimum lot size of 9,697 square feet exceeds the standard required for R-1B zoning.

At a regular meeting on April 24, 2018, the Planning and Zoning Board voted to recommend approval of San Juan Citrus Residential Subdivision to City Commission, as shown on Preliminary Plat for San Juan Citrus prepared by Knight, McGuire & Associates, Inc., signed March 14, 2018. The plan was unanimously approved by City Commission on May 15, 2018, with a two-year expiration date unless development commenced or an extension of time was requested.

No development has since moved forward.

On March 2, 2020, the owner sent a letter requesting an extension of time on the approval, stating that he has received some development interest and would like to be afforded additional time to pursue the prospect. The Planning and Zoning Board voted for a positive recommendation of approval to City Commission at a regular meeting on May 26, 2020.

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

[End Agenda Memo]

Kathy Bangley, Assistant City Manager, reviewed this item.

Deputy Mayor Robin Gibson asked for clarification as to the location, if it is near City limits. Ms. Bangley explained where it was off 9th Street and confirmed that this is in the City.

Commissioner Howell asked if there were any attachments. Jennifer Nanek, City Clerk, said no but there will be for the Commission meeting. Ms. Bangley confirmed this.

6. Commission Member Salaries

[Begin Agenda Memo]

SUBJECT: Mayor and City Commission Salary Discussion

RECOMMENDATION None.

BACKGROUND

Current City Charter states the following:

"The commission may determine the annual salary of commission members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of the commission member(s) elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months."

Ordinance 2-261 Commission Compensation Established states the following:

"Effective April 7, 2015, to compensate for the mayor's additional Effective October 1, 2013, the annual fiscal salary of commission members shall be Four Thousand Five Hundred Thirty-Eight Dollars and Seventy-Six Cents (\$4,538.76) for a commissioner who shall serve for a full twelve month period during the fiscal year. Any commission member(s) who shall serve for less than a twelve-month period during a fiscal year shall be entitled to a pro-rated portion of the annual commission member salary amount. Commission compensation shall be adjusted annually at the same rate by which compensation for general employees is adjusted on an across duties and responsibilities, the mayor's annual salary shall be fifty percent greater than the salary of the commissioners."

For your convenience a survey is attached.

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item.

Commissioner Curtis Gibson asked about the population listed. Ms. Davis said that number is from our website. Other cities sent her their population numbers.

Commissioner Goldstein said we are the lowest paid Commissioners and they work a lot of hours with many expenses out of pocket.

Commissioner Curtis Gibson said he didn't run for the money but being a Commissioner is a full time job and agreed that its time to look at increasing compensation.

Commissioner Howell said she is fine with an increase but wants to make sure our lower paid employees are getting enough. She would like to see the tier they are at as it may need to be adjusted. The other employees need a raise.

Deputy Mayor Robin Gibson said he would like to compare the salaries and the budgets of other cities and what percentage of the budget a Commissioner salaries are. He said expenses for travel should be reimbursed.

Mayor Fultz said Commissioners are out of pocket for many expenses. The Commissioners have many duties and boards they are responsible. Mayor Fultz said that some of their travel expenses were covered. No one should run expecting to get rich but this takes time away form families an other obligations. He would like this done by October so this can be in place for the next election.

7. Interim City Manager

[Begin Agenda Memo]

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RECOMMENDATION

None.

BACKGROUND

At its June 2, 2020 commission meeting, the City Commission appointed James Slaton, Deputy City Manager as the Interim City Manager due to the resignation of Kenneth Fields.

This item is placed on the Agenda to set the salary of the Interim City Manager. Below is the range and current salary of Kenneth Fields.

City Manager Salary Range

Minimum	Maximum
\$93,636.21	\$159,183.65

Kenneth Fields' current base salary

\$139,390.42

James Slaton's current salary

\$112,500.18

[End agenda memo]

Commissioner Howell said because he is doing additional work he should get more but not as much as the previous City Manager. She suggested \$120,000.

Commissioner Goldstein said he needs a raise to go along with the job.

Deputy Mayor Robin Gibson suggested an increase of \$13445 or \$125,945 and round it up \$126,000.

Commissioner Curtis Gibson said that was along the lines of what he was thinking. Commissioner Howell agreed with this. Commissioner Goldstein agreed as well.

Mayor Fultz said James Slaton was doing a lot as Deputy City Manager and is now doing the job of both positions. He agreed with the \$125,000 amount.

James Slaton, Interim City Manager, said he was fine with whatever the Commission decides. There was consensus to pay him \$125,000. Deputy Mayor Robin Gibson said it should be retroactive to the day Mr. Slaton Started. Mayor Fultz agreed.

8. Hiring Process For A New City Manager

James Slaton, Interim City Manager, reviewed this item. He described 3 options. We could hire a search firm, we could enlist the help of Senior Advisors, or we could do the hiring ourselves.

Deputy Mayor Robin Gibson said his main concern is the Dover-Kohl plan. He shared his recommendation to get a search firm. A search firm will serve as a matchmaker and find us what we are looking for.

Commissioner Goldstein shared his past experience with search firms and identified the benefits and drawbacks. He said that the Commission should take full responsibility for conducting a search.

Commissioner Curtis Gibson said that we need to find the right person. We have good staff here. He wants to allow our interim to apply for the position. We are the ones that need to make this decision.

Commissioner Howell said we need to let Mr. Slaton make needed changes. He knows and understands Lake Wales. She supports giving him a shot. We need to get things to where they need to be. Commissioner Curtis Gibson agrees with allowing a trial period for James Slaton.

Commissioner Goldstein recommended taking in applications and reviewing them while the trial goes forth.

Mayor Fultz agreed that we need someone who is experienced and knows Dover-Kohl and knows our City. He agreed with giving Mr. Slaton a chance.

Commissioner Curtis Gibson asked if we are in agreement to allow Mr. Slaton to carry on and do a trial period and also accept applications. Mayor Fultz commended Mr. Slaton on the good work he has done thus far in building relationships.

Deputy Mayor Robin Gibson said we need a full blown search to have applications to compare James Slaton with. He suggested holding off on this decision until we have more information.

Commissioner Goldstein agreed for the need for a search. This will not stop Mr. Slaton from doing what he needs to do. Let's do this right. We might find someone better.

Commissioner Curtis Gibson said he thinks its important to invest in our employees. He recommended a probationary period.

There was consensus to wait until the next meeting for more information.

9. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Howell brought up a concern from a resident from the Washington Ave area across US HWY 27 from Florida's Natural. This person made a request for a polling place there to make it easier for residents to vote. The voters' current polling place is Lake Ashton which is too far. Commissioner Howell asked for Commission consensus to make a request to the Supervisor of Elections to look into a possible change for 2022. Commissioner Goldstein and Mayor Fultz agreed. Mayor Fultz said we will ask the City Clerk to look into this.

Commissioner Curtis Gibson shared from a recent conference he attended about a Next Level youth program. He said we need more activities for our youth. He said he will have the City Clerk forward the information to the Commission

Commissioner Curtis Gibson said he still wants bathrooms at Lake Wailes Park.

Commissioner Goldstein proposed working with northwest area cultural and arts center in the Northwest area. He would like to build self-esteem in our young people. Maybe more of our brightest students will stay in Lake Wales. Mayor Fultz agreed with this goal of keeping students in Lake Wales.

Deputy Mayor Robin Gibson said if we expand recreation facilities let's examine what we have currently and be sure they are being used to the fullest extent possible. He would like to find a way to partner with schools so that recreation facilities can be shared.

Deputy Mayor Robin Gibson said we need to vote and review the payroll information. This has not been done as it should. Albert Galloway, Jr., City Attorney, said that it has been approved as part of the budget. Deputy Mayor Robin Gibson said this should be done correctly in the future. Commissioner Howell said salaries or increases over the range should be approved. Commissioner Curtis Gibson agreed. their should be a study to justify increases. Sandra Davis, Human Resources Director, reviewed the current process.

James Slaton, Interim City Manager, said we will review the procedure and do this the right way. Commissioner Goldstein said we need to be competitive with our salaries with nearby cities.

Deputy Mayor Robin Gibson said he would like to investigate refinancing bond debt as we look into financing the Dover-Kohl plan. We should have a 5 year rolling budget for CRA plan.

10. ADJOURN

The meeting was adjourned at 4:46 p.m.

Mayor

ATTEST:

City Clerk