

# City Commission meeting

## Minutes

January 4, 2022

(APPROVED)

1/4/2022 - Minutes

### 1. INVOCATION

Dr. Moyer gave the invocation.

### 2. PLEDGE OF ALLEGIANCE

### 3. CALL TO ORDER

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

### 4. ROLL CALL

**Commission Members Present:** Mayor Eugene Fultz, Terrye Howell, Jack Hilligoss, Deputy Mayor Robin Gibson,

**Commission Members Absent:** Daniel Williams

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

### 5. COMMENTS AND PETITIONS

Becky Wynkoop, resident, spoke on the annexation agreement near Lake of the Hills. She asked that the developments there be of high quality. She also recommended that the customer service staff give out information to new residents regarding water trash and other important information.

### 6. CONSENT AGENDA

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

by roll call vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

motion passed 4-0.

6.I. Minutes - December 21, 2021

6.II. Edward Byrne Memorial State And Local Law Enforcement Assistance Grants

[Begin Agenda Memo]

**Synopsis:**

Approval of this item will allow the police department to receive grant funding and purchase training equipment with JAG-D funds in FY21/22.

**Recommendation:**

Staff recommends that the Honorable Mayor and the City Commission authorize the Police Department to accept funding through the JAG-D Edward Byrne Memorial State and Local Law Enforcement Assistance Grants and purchase interactive training aids.

**Background:**

Since 1999, the Police Department has received funding from the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program. Since that time, the department has utilized this funding to create numerous community programs as well as purchase needed equipment to enhance public safety. This year, the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant award amount for the JAG- D is \$3,084.00. If approved, this amount will be included in an amended 21/22 budget.

The department plans to purchase seven (7) interactive training aids to improve the safety and the overall quality of interactive scenario-based training activities. This equipment will be clearly marked and readily identified as training aids, which will improve training safety while still functioning in a manner similar to the equipment officers utilize daily in the field. This equipment will enhance the field safety of both the officers and the community as officers improve their operational skills and de-escalation techniques to resolve problems before they develop further. The department will use this training equipment for new officer scenario training in the Field Training program and in-service training for current members. Additionally, the department will use the equipment in the Citizens Police Academy for scenario-based training experiences with academy members.

Matching funds are not required for this grant. The department will use \$94.00 from Police Forfeiture funds to cover additional expenses related to this purchase.

**Other Options:**

The Commission may choose not to authorize the department to accept the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant or purchase this equipment.

**Fiscal Impacts:**

The Finance Department has reviewed this application.

[End Agenda Memo]

6.III. Use Of Public Property By Edward W. Bok Academy North

[Begin Agenda Memo]

**Synopsis:** An indemnification agreement is being presented along with a certificate of insurance for use of public property for school activities in Crystal Lake Park.

**Recommendation:** Approval with conditions and authorization for the Mayor to execute the agreement is recommended.

**Background:** Edward W. Bok Academy North utilizes Crystal Lake Park for playground activities.

This agreement authorizes the use of Crystal Lake Park by the students, teachers and staff of Bok Academy North for school recess activities. The agreement protects the City from the risks or liabilities from the school utilizing this park.

This agreement does not include special events or activities hosted by Bok Academy North in the park such as fishing days.

It may be appropriate at some point for Commission to condition the use of the public property by establishing times of activity and the duration of the activity for the safety of all involved.

**Fiscal Impact:** None to the City.

[End Agenda memo]

#### 6.IV. Rotor Replacement For Oxidation Ditch

[Begin Agenda memo]

##### **SYNOPSIS:**

Equipment Corporation for the rotor replacement in the oxidation ditch located at the wastewater treatment plant.

##### **STAFF RECOMMENDATION**

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

1. Approve expending funding of \$53,614.00 to Lakeside Equipment Corporation for the rotor replacement in the oxidation ditch.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

##### **BACKGROUND**

The oxidation ditch in the wastewater treatment process consists of a large holding tank in a continuous ditch with an oval shape similar to that of a racetrack. The ditch is built on the surface of the ground and is lined with an impermeable lining. This allows the wastewater to have plenty of exposure to the open air for the diffusion of oxygen. Cylindrical brush rotors in the oxidation ditch turn, aerating the liquid and causing it to move within the track. The liquid from the oxidation ditch then flows to a final clarifier. The City's wastewater treatment plant, originally built around 1986, has five brush rotors in its oxidation ditch. While the plant can continue to operate with the remaining four rotors, it is not advised to continue to do so for an extended period. These rotors have been in service since 1986 and usually there is no warning when one is about to fail until it happens. Staff is coordinating to have the damaged rotor removed, so that it does not cause additional damage to the oxidation ditch.

Staff recommends the commission take the following action, approve the expenditure of funds for

\$53,614.00 for the purchase of a replacement rotor from Lakeside Equipment Corp., and authorize the City Manager to execute any documents on the City's behalf.

#### **OTHER OPTION**

The commission could chose not to approve the purchase for the replacement rotor and proceed at a later date.

[End Agenda Memo]

#### 6.V. Liftstation #1 Diesel Bypass Pump Installation

[Begin Agenda memo]

#### **SYNOPSIS:**

Staff is recommending the commission approve the expenditure of \$29,200.00 to Central Florida Liftstations for the installation of the diesel bypass pump at lift station 1 (LS#1).

#### **STAFF RECOMMENDATION**

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

1. Approve expending funding of \$29,200.00 to Central Florida Liftstations for the installation of the diesel bypass pump at lift station 1 (LS#1).
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

During a significant hurricane, power is oftentimes lost to utility assets in the affected region.

In Polk County during Irma, over 80% of the county lost power for sustained amounts of time. Power was not restored to the entire county for over a week after the Hurricane struck. Since Hurricane Irma affected the entire state from the Keys through the panhandle, power restoration crews were stretched thin and unable to restore service to the lift station for a significant amount of time. Lake Wales was among the utilities that did not recover power quickly and had the majority of its lift stations go down as a result. All the water treatment plants have generators onsite. Therefore, they continued to supply water to the community, which in turn led to the community filling the lift stations with waste. The City of Lake Wales has 40 lift stations, but only ten have permanently mounted generators. The city of Lake Wales has a small number of portable generators, but since the storm was so widespread, staff had to maneuver those generators between all of the lift stations that do not have a stand-by generator.

The Commission at its June 15, 2021 city commission meeting approved the purchase of a bypass pump for a critical need liftstation located at 166 1/2 Twin Lakes Boulevard (LS#1). The purpose of this project is to provide permanent protection for the lift station during future storm or hazard events.

As previously stated, this particular lift station is deemed critical infrastructure due to the source of its inflow and it cannot afford to go offline. Since loss of the liftstation would result in an overflow and contamination of the surrounding area and groundwater, continued operation of the liftstation is critical to the community. Now that staff has taken delivery of the bypass pump, installation is the next step in the process.

Staff is recommending the City Commission take the following action, authorize the expenditure of \$29,200.00 to Central Florida Liftstations to install all the plumbing and complete the installation of the diesel bypass pump at LS#1, and authorize the City Manager to execute any documents on the City's behalf.

## **OTHER OPTION**

None. The risks to the environment and community would remain in the event of a storm or hazard event.

## **FISCAL IMPACT**

\$100,000 is budgeted in the Wastewater Division's FY '21-'22 Operating Budget M & R Systems Miscellaneous line item for this purpose.

[End Agenda memo]

### 6.VI. Purchase Authorization – Rogers Roofing Corp. / BDA Professional Roof Systems

[Begin Agenda memo]

**SYNOPSIS:** The City Commission will consider approving the proposal from Rogers Roofing Corp., for replacement of the roof at the James P. Austin Community Center.

## **RECOMMENDATION**

It is recommended that the City Commission approve the proposal from Rogers Roofing Corp.

## **BACKGROUND**

The James P. Austin Community Center is in need of a roof replacement. Water intrusion has become a prevalent issue throughout the building.

The City's FY 21/22 Capital Improvement Plan budget includes funds in the amount of \$75,000 for improvements to the James P. Austin Community Center for the replacement of the roof. Rogers Roofing Corp. proposal was in the amount of \$42,585.00.

City staff advertised a request for sealed proposals (RFP# 22-499) and received six proposals on December 7, 2021.

Each firm was independently evaluated by City staff against the following criteria:

- Price
- Project Approach
- Qualifications of Proposer
- Previous Projects

The Proposals were ranked as follows:

Firm 1: Rogers Roofing Cooperation

Firm 2: Robert Binns Roofing

Firm 3: Lewis Walker Roofing Inc.

Firm 4: MGM Contracting Firm 5: Advanced Roofing

Firm 6: Alget

## **OTHER OPTIONS**

The City Commission may direct staff to re-advertise the Request for Proposals or select an alternate vendor to perform the work.

## **FISCAL IMPACT**

\$75,000 is appropriated in the FY 21/22 budget for improvements at the James P. Austin Community Center, of which \$42,585.00 would be allocated for the roof replacement.

[End Agenda Memo]

## **7. OLD BUSINESS**

### **7.1. ORDINANCE 2021-28 Vacation Of A Portion Of Gibson Avenue Right-Of-Way 2nd Reading**

[Begin Agenda Memo]

**SUBJECT:** Ordinance 2021-28 Vacation of a Portion of Gibson Avenue Right-of-Way Public Hearing – Second Reading - Notice Requirements have been met

**SYNOPSIS:** Peterson & Myers, P.A., agent for Hunt Bros Inc., has petitioned for the vacation of a portion of Gibson Avenue located south of 249 West State Road 60.

## **RECOMMENDATION**

Adoption at second reading, following a public hearing, to vacate the Gibson Avenue right-of-way (ROW) described in Ordinance 2021-28.

## **BACKGROUND**

The subject ROW is located south of State Road 60 West, and southeast of Lime Avenue and Sharp Street. Petition for vacation was initially received by the City in 2019; however, it was placed on hold by the petitioner until this year.

The ROW was originally platted to provide an additional East-West ROW between Miami Street and Sharp Street prior to the Development of state Road 60. Since the completion of the state highway, this ROW has created a complex intersection among State Road 60, Twin Lake Boulevard, and Gibson Avenue. Hunt Bros Inc. is the owner of all land abutting to the north and south of the ROW; therefore, the ROW is no longer necessary to afford access to the properties it serves. No Impacts of Closure have been identified.

Documentation of approval from public and private utilities has been provided, and no property will be deprived of public access by its vacation.

On December 21, 2021, the City Commission approved this request on first reading.

## **FISCAL IMPACT**

Vacation of the ROW would enable the future development of this property and the potential increase in property value.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2021-28** by title only.

**ORDINANCE 2021-28**

**(Vacation of Right-of -Way – Gibson Avenue)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CLOSING, VACATING, RENOUNCING AND DISCLAIMING ANY RIGHTS OF THE CITY AND THE PUBLIC IN AND TO A PORTION OF RIGHT-OF-WAY LOCATED BETWEEN PARCELS 273002903500011100 AND 273002903500009307 OWNED BY HUNT BROS INC., AS SHOWN ON “ATTACHMENT A” AND SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson made a motion to adopt **ORDINANCE 2021-28** after second reading and public hearing. Commissioner Howell seconded the motion.

by roll call vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion passed 4-0.

8. NEW BUSINESS

9. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, reported on the Seminole Hotel. This is almost finished.

10. CITY MANAGER

Jennifer Nanek, City Clerk, reported that the KT Sunshine Foundation BBQ is this weekend.

10.I. Tracking Report

10.II. Commission Meeting Calendar

11. CITY COMMISSION COMMENTS

12. MAYOR COMMENTS

Mayor Fultz announced that Wales Pointe, a new restaurant, was starting dinner and live music Friday night.

13. ADJOURNMENT

The meeting was adjourned at 6:16 p.m.

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Mayor

ATTEST

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City Clerk