

City Commission Meeting Minutes
April 3, 2019
(APPROVED)

4/3/2019 - 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 6:23 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. PROCLAMATIONS AND AWARDS

Mayor Fultz read a proclamation establishing April 8-12, 2019 as Boys and Girls Club week.

5.I. PROCLAMATION - Water Conservation Month

Mayor Fultz presented a proclamation to Sarah Kirkland, Utilities Director, establishing April as Water Conservation Month.

5.II. PROCLAMATION - Water Professionals Month

Mayor Fultz presented a proclamation to members of the Water Department establishing April as Water Professionals month.

6. PRESENTATION/REPORT

6.I. PRESENTATION - Sydnie Whitaker And Lily Weaver

Sydnie Whitaker and Lily Weaver, students at Bok Academy, presented the City a check of \$140 raised from a recent car wash to go towards volleyball equipment at the Kirkland Gymnasium.

6.II. PRESENTATION - Erin Killebrew, Citrus Connection

Erin Killebrew, Director of External Affairs for Citrus Connection, reported that Frostproof has decided not to contribute their fair share so the County picks up that cost. She described some of the current routes 30 and 35. A new route is called the Lake Wales to Haines City Express. There will be four transfer points. \$366,000 is the extra cost for all four cities that benefit. There are no federal dollars paying for this route. The County is picking up the costs for two new routes. This was because this was done mid year. Deputy Mayor Robin Gibson asked if these federal funds will come back. Ms. Killebrew said they will request Federal Funds but there is no way to know what the decision will be. Mr. Fields said this will open up access for jobs and will link up to Orlando Lynx routes. This gives Davenport a route. Ms. Killebrew said she will link up the contracts so the City has one contract. Commissioner Curtis Gibson asked if the \$25,000 is on top of the current \$60,000. Ms. Killebrew said yes its 20%. mayor Fultz asked about Sun Rail possibly coming to Haines City and Winter Haven. Ms. Killebrew said Sun Rail and Brightline and we will adjust stops as needed to accommodate these rails when they come. Deputy Mayor Robin Gibson asked if riders are tracked. Ms. Killebrew and said yes via Smart

cards. These can track where riders get on and off. Commissioner Curtis Gibson said that mass transit is an issue widely being talked about and is a big issue. Ms. Killebrew says that she does not have times for the routes. Kenneth Fields, City Manager, explained that this will be in next year's budget so we don't have to have a budget amendment for this year. The Commission members agreed.

7. COMMUNICATIONS AND PETITIONS

Stacy Brinkerhoff, from Lake Alfred with United Way, described Personal Finance Center and explained that this will be available in Lake Wales soon. This program empowers people to improve their financial situation. They have financial coaches and there are several areas covered. There are financial incentives with these classes and she described them. There will be information on how to start a business and free tax help. They are looking to get systematically in this area. She will leave information with the City Clerk.

Virgil Ullom, non-resident, expressed concern about alcohol use and recommended against the Mardi Gras event and alcohol consumption.

Curtis Reddick, Citrus Center Boys and Girls Club, presented a plaque of appreciation to the City of Lake Wales and staff members Teresa Allen and James Slaton for all they do to help them.

Brian and Courtney Schmidt, residents, asked for permission to build a garage off of their house which is a historical house on Lake Shore Blvd. They are working with the planning department. Kathy Bangle, Planning Director, said that the approval is in process.

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 approved 5 -0.

8.I. Minutes - March 19, 2019

8.II. Grant Application - Polk County Tourism And Development Council Grant \$40,940

[Begin Agenda Memo]

SYNOPSIS:

A grant application to the Polk County Tourism and Development Council Grant for \$40,940.00. The grant would require a 1:1 matching city contribution of \$40,940.00 in fiscal year 2019-2020.

STAFF RECOMMENDATION:

Staff recommends that the City Commission approve a grant application to the Polk County Tourism and Development Council for money that will be allocated to the 44th Annual Pioneer Days Festival on October 26 & 27, 2019. The Pioneer Days Festival is the signature event of the Lake Wales Museum to share and celebrate our community’s heritage. It is integral to the mission to preserve and share the rich history of the Lake Wales and Polk County region. The grant will provide funds for a major marketing campaign, artists and event rentals.

BACKGROUND:

The Arts and Cultural Committee (ACC) of the Tourist Development Council, is designated by the Polk County Board of County Commissioners as the official committee that oversees Arts and Cultural related marketing initiatives and makes recommendations to the TDC regarding funding for arts and culture special events and marketing initiatives.

If our application is accepted, the grant money will be used to underwrite the entire marketing plan, all of the artists and a portion of event rentals for the Pioneer Days Festival. We will develop a major in print, radio and digital marketing campaign in the Central Florida region from Tampa to Orlando. These funds will promote visitation to the Lake Wales area from out-of-county and local residents.

The grant requires a minimum 1:1 match of funds. The City of Lake Wales/Museum will cover the cost of the match from monies allocated towards event staffing, activities, supplies and operations in its 2019-2020 budget.

OTHER OPTIONS:

Do not apply for this grant. No appropriations needed.

FISCAL IMPACT:

Staff is requesting to host the 44th Annual Pioneer Days Festival on October 26 & 27, 2019. One half of the funds to carry out the event would come from the Polk County Tourism Development Council’s Arts & Cultural grant program. \$20,470 of the funds allocated to this project will be spend on out-of-county marketing.

[End Agenda Memo]

8.III. Agreement - FDOT Utilities Subordination

[Begin Agenda Memo]

SYNOPSIS:

Staff is requesting that the City Commission approve the utilities Subordination Agreement between the City of Lake Wales and the Florida Department of Transportation (FDOT).

STAFF RECOMMENDATION

1. It is recommended that the City Commission approve the utilities Subordination agreement with the Florida Department of Transportation (FDOT) for the area located at the corner of Chalet Suzanne Road and Hwy 27.

BACKGROUND

The FDOT, in its process of reviewing and issuing a right of way permit for the WAWA site, has

determined that additional right of way was needed for the southeast corner of Chalet Suzanne Road and Hwy 27. During the construction of WAWA a water main and all associated valves were installed to enable the WAWA site to receive city water. With the request of this additional right of way, these valves now would fall into the FDOT right of way. The Subordination agreement provides that any future new construction or relocation requirements by FDOT will be at the expense of FDOT.

Staff recommends the Commission take the following action; approve the Subordination agreement with the Florida Department of Transportation (FDOT) for the area located at the corner of Chalet Suzanne Road and Hwy 27 in Lake Wales.

OPTIONS

Having this agreement will allow the City to receive reimbursement for any relocation that may have to occur at a later date.

FISCAL IMPACT

None at this time.

[End Agenda Memo]

9. OLD BUSINESS

- 9.I. ORDINANCE 2019-06, Amending Ordinance 2001-08 Personnel Administration Policies – Second Reading And Public Hearing

[Begin Agenda Memo]

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2019-06 upon second reading and public hearing.

BACKGROUND

The City's social media usage has rapidly increased over the years. It has become a substantial medium to share information and communicate with citizens in support of the City's goals and objectives. City employees have the ability to publish articles, facilitate discussions and communicate information through such media to conduct official City business. For the purposes of this policy, social media refers to the tools and technologies that allow a social media user to share communications, postings or information, or participate in social networking, including but not limited to: (e.g., Twitter, Tumblr), social networks (e.g. Facebook, LinkedIn, Google+), and websites (e.g., Instagram, Flickr).

Ordinance 2019-06 is proposed to provide guidance and permit those performing work on behalf of the city to take full advantage of social media while at the same time protecting the city and its employees.

FISCAL IMPACT

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2019-06** by title only.

ORDINANCE 2019-06

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES; AMENDING THE INFORMATION SYSTEMS POLICIES TO INCLUDE SOCIAL MEDIA USE; AMENDING DEFINITIONS; CREATING GUIDELINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Sandra Davis, Human Resources Director, reviewed this item. She said that based on the last meeting all references to public officials have been removed.

Commissioner Curtis Gibson said that item #12 is a concern as that they attend many City events that they share on social media and staff can't be everywhere. So we will lose a lot of positive content on City pages.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-06** after public reading and second hearing. Commissioner Stewart seconded the motion.

by roll call vote:

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. NEW BUSINESS

10.I. Resolution 2019-03, Supplemental Joint Participation Agreement-G0B57

[Begin Agenda Memo]

SYNOPSIS:

The adoption of Resolution 2019-03 authorizes the execution of a supplemental agreement with the Florida Department of Transportation (FDOT) to amend the funding for G0B57 to add additional funding for flight checks required for the Precision Approach Path Indicators (PAPIs) for the Runway 6/24 rehabilitation and extension project at the Lake Wales Municipal Airport.

RECOMMENDATION

Staff recommends that the City Commission approve the following actions:

1. Adopt Resolution 2019-03 authorizing the execution of a Supplemental Joint Participation Agreement G0B57 by the Mayor with the Florida Department of Transportation (FDOT) in the amount of \$22,754.00.

BACKGROUND

In 2018, the City Commission adopted Resolution 2018-21, which provided additional funding to cover the cost of adding an additional 117 days to the runway 06/24 rehabilitation and extension project and to perform the FAA AGIS (Airports Geographic Information System) aeronautical survey.

A part of the runway 06/24 project included new Precision Approach Path Indicators (PAPIs). After performing the initial flight check of the PAPIs, the Federal Aviation Administration (FAA) flight officer determined that the slope of the PAPIs needed to be at 3.5 degrees to be at an unobstructed glide path instead of the standard slope of 3.0 degrees, therefore an additional flight check was required.

Resolution 2019-03 will provide the funding for the additional flight check of the PAPIs.

FISCAL IMPACT

Funding is as follows: As Amended: Net Change:

City: \$ 658,964.00 \$ 664,653.00 \$ 5,689.00

FDOT: \$ 2,425,935.00 \$ 2,448,689.00 \$ 22,754.00

FAA: \$ 1,259,512.00 \$ 1,259,512.00 \$ 0.00

Project total: \$ 4,344,411.00 \$ 4,372,854.00 \$ 28,443.00

OPTIONS

Adopting Resolution 2019-03 provides funding to cover the additional cost of the project.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read RESOLUTION 2019-03 by title only.

RESOLUTION 2019-03

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (JPA), TO AMEND FUNDING FOR JOINT PARTICIPATION AGREEMENT (JPA) ITEM-SEGMENT-PHASE-SEQUENCE NUMBER (FINANCIAL PROJECT NUMBER): 438921-1-94-01 (RELATED ACTIVITIES NECESSARY FOR THE CONSTRUCTION PHASE TO REHABILITATE AND EXTEND RUNWAY 06/24) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ALLOW THEIR PARTICIPATION IN AN AVIATION PROJECT AT THE LAKE WALES MUNICIPAL AIRPORT.

Teresa Allen, Public Services Director, reviewed this item.

Deputy Mayor Robin Gibson asked about the fiscal impact. Ms. Allen said the City is responsible for an additional \$5,689. Deputy Mayor Robin Gibson said he wanted to be sure we have the money. Mr. Fields said that some moneys are being moved around to cover this and it will be in an upcoming budget amendment.

Commissioner Howell made a motion to approve RESOLUTION 2019-03. Commissioner Curtis Gibson seconded the motion.

by Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10.II. RESOLUTION 2019-04 - Utilities Subordination With The Florida Department Of Transportation

[Begin Agenda Memo]

SYNOPSIS:

Staff is requesting that the City Commission approve Resolution 2019-04 and the utilities Subordination Agreement between the City of Lake Wales and the Florida Department of Transportation (FDOT).

STAFF RECOMMENDATION

1. It is recommended that the City Commission approve Resolution 2019-04 and the utilities Subordination agreement with the Florida Department of Transportation (FDOT) for the property located at Hwy 27 and McGuire Kia.

BACKGROUND

The FDOT, in its process of reviewing and issuing a right of way permit for the McGuire Kia site, has determined that additional right of way was needed across the frontage of the property. The developer was made aware, during the plan review stage, that if the utilities had to be relocated as a result of the requirements imposed by FDOT, they would be relocated at the developer's expense. The city currently has a 12-inch water and a 10-inch sewer force main that runs the entire length of the property. These lines provide service to the northern part of the city's service area. The Subordination agreement provides that any future new construction or relocation requirements by FDOT will be at the expense of FDOT.

Staff recommends the Commission take the following action; approve the Subordination agreement with the Florida Department of Transportation (FDOT) for the area located at the corner of Hwy 27 and Kia dealership in Lake Wales.

OPTIONS

Having this agreement will allow the City to receive reimbursement for any relocation that may have to occur at a later date.

FISCAL IMPACT

None at this time.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2019-04** by title only.

RESOLUTION 2019-04

Sarah Kirkland, Utilities Director, reviewed this item.

Deputy Mayor Robin Gibson asked if we approve the relocation. Ms. Kirkland said Utilities does yes and has already approved it.

Commissioner Howell made a motion to approve **RESOLUTION 2019-04**. Commissioner Curtis

Gibson seconded the motion.

by Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10.III. RESOLUTION 2019-05 - Subordination Of Utility Interests At US HWY 27 And Central Avenue

[Begin Agenda Memo]

SYNOPSIS:

Staff is requesting that the City Commission approve Resolution 2019-05 and the utilities Subordination Agreement between the City of Lake Wales and the Florida Department of Transportation (FDOT).

STAFF RECOMMENDATION

1. It is recommended that the City Commission approve Resolution 2019-05 and the utilities Subordination agreement with the Florida Department of Transportation (FDOT) for the area located at US Hwy 27 and Central Avenue.

BACKGROUND

The FDOT has a widening project to take place in the area of US Hwy 27 and Central Avenue. In the event FDOT needs additional right of way on the Northwest corner, where utilities are currently installed, the District is agreeing to reimburse the city for the cost of any utilities that may be relocated. This item was brought before the commission on April 3, 2018. When staff returned the agreement to FDOT for final execution, it was discovered by FDOT staff that the legal description was incorrect, causing the deed to be in error. FDOT staff has since corrected the error, and has resubmitted to the City of Lake Wales for approval. City staff had previously gone out to the site and marked and located the approximate location of all utilities in the above referenced right of way.

Staff recommends the Commission take the following action; approve the Subordination agreement with the Florida Department of Transportation (FDOT) for the area located at US Hwy 27 and Central Avenue.

OPTIONS

None. If additional right of way is needed, staff will have to relocate the utilities. Having this agreement will allow the City to receive reimbursement for any relocation that may have to occur.

FISCAL IMPACT

None at this time.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2019-05** by title only.

RESOLUTION 2019-05

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Howell made a motion to approve **RESOLUTION 2019-05**. Commissioner Curtis Gibson seconded the motion.

by Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

11. CITY CLERK

11.I. Report Of Election Results

Jennifer Nanek, City Clerk, reviewed the election results.

Mayor Seat 1, At Large,

Eugene Fultz 995 54.88%

Bob Wood 818 45.12%

Commission Seat 2 District 19

Curtis Gibson 1,110 63.54%

James Tucker 637 36.46%

Charter Amendment

FOR 1058 58.91%

AGAINST 738 41.09%

Ms. Nanek announced the upcoming Canvassing Board dates and said that the swearing in is May 7th.

12. CITY ATTORNEY

Albert Galloway, Jr, City Attorney, reviewed a memo explaining efforts to get compliance at 833 Sherwood.

It is occupied and he is required to notify the Commission of Code action.

Deputy Mayor Robin Gibson asked about the Street renaming process. Kenneth Fields, City Manager, said a Commissioner has to make a motion, a public hearing would be held and those on that street would have to be notified. Deputy Mayor Robin Gibson said he will make a motion at a future meeting.

13. CITY MANAGER

Kenneth Fields, City Manager, reported on today's Warner Cares Day a volunteer event sponsored by Warner University.

Mayor Fultz said the Commission got the memo on the Construction agreement and asked the Commission if there were concerns about it. Deputy Mayor Robin Gibson said he still had questions about it. Mayor Fultz recommended to staff that the issue be put on the agenda for a future discussion.

13.I. Tracking Report

13.II. Social Media Tracking Report

13.III. Commission Meeting Schedule

13.IV. Other Meetings & Events Calendar

14. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson asked about the YMCA contract. Mr. Fields said that it is in process.

Commissioner Howell asked about the weeds in the lakes. Mr. Fields said he just signed authorization for a company to remove the vegetation.

Commissioner Curtis Gibson thanked all the voters who voted yesterday and thanked his supporters.

Commissioner Curtis Gibson requested a presentation on all that is going on at the airport. Mr. Fields said their consultant can come next Commission meeting.

Commissioner Curtis Gibson said that he is glad to see the streets repaving project is moving forward.

15. MAYOR COMMENTS

Mayor Fultz thanked those that supported him in the election and that he will respect all points of view.

Mayor Fultz read a letter designating Lake Wales Main Street as a National Main Street. He commended the accomplishment.

16. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

ATTEST

City Clerk