

City Commission Meeting Minutes

April 5, 2023

(APPROVED)

4/5/2023 - Minutes

1. INVOCATION

Rev Rob Quam gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

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

4. ROLL CALL

Commissioners Present: Robin Gibson, Terrye Howell, Danny Krueger, Mayor Jack Hilligoss, Daniel Williams

Staff Present: James Slaton, City Manager; Jennifer Nanek, City Clerk; Albert Galloway, Jr., City Attorney

5. PROCLAMATION - Water Conservation Month

Mayor Hilligoss proclaimed April water Conservation month. Holly Britt, Utilities Operations Manager and Cindy Rodriguez from SWFWMD accepted the proclamation.

6. COMMENTS AND PETITIONS

Becky Wynkoop, resident, said the public needs more information on the ADS pipe plant. She commended Commissioner Howell for her service on the Commission.

Charlene Bennett, resident, spoke on the City Attorney. She said we need an attorney for the people.

7. CITY CLERK

7.I. Report Of Election Results

Jennifer Nanek, City Clerk, reviewed the Election results from the Municipal Election on April 4, 2023.

[Begin Election Results]

TOTAL VOTES % VBM

ED

PRECINCTS	2	100.00		
COUNTED (OF 2)				
REGISTERED VOTERS -	9,576			
TOTAL				
BALLOTS CAST - TOTAL.	1,710		959	751
BALLOTS CAST - BLANK.	1	.06	1	0
VOTER TURNOUT - TOTAL		17,86		
VOTER TURNOUT - BLANK		.01		

LW City Commissioner,
Seat 3

(VOTE FOR) 1

Keith Thompson.	904	53.27	506	398
Michelle Threatt_	793	46.73	443	350

LW City Commissioner. Seat 5

(VOTE FOR) 1

Danielle Pride Gibson	595	35.35	322	273
Robin Gibson	1,088	64.65	625	463

[End Election Results]

7.II. Appointments – Recreation Commission

[Begin Agenda Memo]

RECOMMENDATION Staff recommends that the Mayor and Commission make the following appointments and reappointments as deemed appropriate. 1. Appoint Andrew Motis to the Recreation Commission to a term to expire July 1, 2025.

BACKGROUND The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06). Recreation Commission (City Code Sec. 2-161) – The Recreation Commission consists of thirteen (13) members from Community Organizations providing a recreation program for the Community and three citizen members representing the citizens at large. A Quorum shall consist of 6 members (3-year term)

- There is no interview requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 Citizen Vacancy

Current Meeting Schedule is the third Mondays of the month at 12:00 p.m. noon in the City Manager's Conference Room.

Current Members:

Keri Hunt, Citizen, 04/06/2022-07/01/2024, P

Jim Reddick, Citizen, 05/07/2019 – 7/1/2021, P

Laura Donaldson, Citizen 07/01/2021-07/01/2024, P+1

Curtis Reddick, Lake Wales Boys and Girls Club

Scott Blackburn, Lake Wales Little League

Burney Hayes, Lake Wales PAL

Patty McKeeman, Lake Wales Pram Fleet

Kara Wiseman, Lake Wales Public Library

Robbie Shields, Lake Wales Soccer Club

Jeanne Ward, Lake Wales Steelers

Eileen Farchmin, Webber International University

Vacant – Tennis

Vacant – Lake Wales YMCA

Vacant - Polk County School Board

Vacant – Lake Wales Charter Schools

Applying for Appointment: Andrew Motis for a term to expire July 1, 2025. Staff and the Recreation Commission recommend this appointment.

OPTIONS Do not appoint those that have applied.

FISCAL IMPACT None. These are volunteer boards.

[End agenda memo]

Andrew Motis introduced himself to the Commission.

Mayor Hillgoss appointed Andrew Motis to the Recreation Commission for a term to expire on July 1, 2025.

Commissioner Howell made a motion to confirm the appointment. Deputy Mayor Gibson seconded the motion.

by voice vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Commissioner Krueger "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

8. CONSENT AGENDA

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

by voice vote:

Commissioner Howell "YES"

Commissioner Krueger "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

8.I. Minutes - March 21, 2023 And March 29, 2023

8.II. Check Valve Assembly Replacement Water Treatment Plant #3 (WTP #3)
[Begin Agenda Memo]

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

1. Approve the expenditure of funds for \$22,548.50 to Fortiline Waterworks for the purchase of a check valve assembly for Water Treatment Plant #3.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND City staff operates several water treatment plants as a part of the City's water system. Installed at the water plants are check valve assemblies. A check valve is a one-way valve installed in pipelines to prevent water backflow. The check valve allows for the free flow of water in a specific direction. The flow can run freely one way, but if an unknown vacuum occurs in the line causing the flow to want to switch the direction, the valve will close to prevent cross contamination, protect the piping, other valves, pumps, etc. Preventive maintenance is a priority to maintain the equipment it takes to pump water into the distribution system. Despite following all manufacturers recommendations equipment will fail over time due to the extensive wear it encounters on a 24 /7 basis. Staff requested pricing from three vendors. Two of the three vendors responded with pricing attached. The third vendor was non-responsive. Staff

recommends the commission take the following action; approve the expenditure to Fortiline Waterworks for \$22,548.50 for a new check valve assembly.

OTHER OPTIONS None. In order to have the water plant operate to its full capacity, the check valve assembly needs to be changed.

FISCAL IMPACT Budgeted in the Utilities FY '22-'23 M & R Operating Budget, \$140,000.00 was placed in budget for this purpose

[End Agenda Memo]

8.III. Special Event Permit: Wine Downtown

[Begin Agenda Memo]

SYNOPSIS This is a request by Main Street to have a wine walk event called Wine Downtown on Friday, April 14, 2023 from 4:00 p.m. – 8:00 p.m. The event will include alcohol.

RECOMMENDATION Staff recommends 1. That the City Commission approve the permit request to allow Main Street to host an event in the downtown on Stuart and Park Avenue and Scenic HWY and First Street to include the serving of alcohol on Friday, April 14, 2023 from 4:00 p.m. – 8:00 p.m.

BACKGROUND Lake Wales Main Street is planning to host a wine walk type of event on Friday, April 14, 2023 from 4:00 p.m. – 8:00 p.m. This event will allow participants to stroll through downtown with alcohol. Police officers will be present for the event. No streets will be closed.

OTHER OPTIONS Do not approve the Special Event Permit.

FISCAL IMPACT None. Lake Wales Main Street will cover the cost of off-duty officers.

[End Agenda memo]

9. OLD BUSINESS

10. NEW BUSINESS

10.I. ORDINANCE 2023-15 Vacation Of An Alley Right-Of-Way 1st Reading And Public Hearing Notice Requirements Have Been Met

[Begin Agenda Memo]

SYNOPSIS: Monty Palma, authorized agent for owner, has petitioned for the vacation of a portion of an alley right-of-way (ROW) located east of E Street and north of DR J A Wiltshire Avenue W.

RECOMMENDATION Approval at first reading, following a public hearing, to vacate the right-of-way as described in Ordinance 2023-15.

BACKGROUND The subject ROW is located east of E Street, north of DR J A Wiltshire Avenue

West, south of Lincoln Avenue, and west of D Street. The portion of the alley to be vacated is directly west of Roosevelt Academy, between parcels 272935-880000-002070 and 272935-880000-003120. Monty Palma, on behalf of property owner, is requesting to vacate the right of way with the intent to build homes on the infill lots.

This item was brought before the Development Review Committee in July of 2022. The Utilities Department confirmed the vacation would not be problematic regarding the existing sewer line, as they are requesting the existing sewer line within the alleyway be removed, and the applicant has agreed. The Police Department was in support of the vacation and the contemplated homes to keep vehicular traffic from cutting through portions of private property that are currently being utilized by the public today. Vacation of the portion of the alleyway, as shown in Attachment A, would not obstruct access for emergency services. In addition, all other outside, private utility agencies have not identified any issues regarding the vacation of this portion of right-of-way.

FISCAL IMPACT Vacation of the ROW described in Attachment A will encourage infill development of the adjacent properties.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2023-15** by title only.

ORDINANCE 2023-15

(Vacation of Alley – 0 E Street)

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 EAST OF E STREET AND NORTH OF DR J A WILTSHIRE AVE AS SHOWN ON “ATTACHMENT A” AND SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC COMMENT

CLOSED PUBLIC COMMENT

Commissioner Krueger made a motion to approve **ORDINANCE 2023-15** after 1st reading and public hearing. Commissioner Williams seconded the motion.

by voice vote:

Commissioner Krueger "YES"

Commissioner Williams "YES"

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

10.II. Mabel Place Final Plat

[Begin Agenda Memo]

SYNOPSIS: Mabel Place Development, LLC., owner, requests approval of the Mabel Place Final Plat.

RECOMMENDATION Staff recommends approval of the Final Plat. Neither a recommendation from the Planning Board, nor a public hearing is necessary for approval of a final plat. Provided the plat meets all of the requirements of state statutes and local ordinances, approval by the City Commission is a formality.

BACKGROUND

The subject property is located on the east side of Scenic Highway, just south of Brookshire Subdivision, and across from Dinner Lake Shores Subdivision. The Mabel Place 142-lot preliminary subdivision plat was approved by the Planning and Zoning Board on February 23, 2021 as a Planned Development Project with waivers of strict compliance. In September of 2021, site construction plans were submitted to the City, and were approved in March of 2022. This project received Utility Clearance on March 24, 2023. Pursuant to Section 23-223.4 of the City's Land Development Code, the developer is providing a performance bond in lieu of constructing certain improvements, as allowed by code. The performance bond language was reviewed and approved by the City Attorney in March of 2023.

FISCAL IMPACT

Approval of the final plat enables the construction of 142 new single-family homes. Conservatively estimating a taxable value of \$200,000 per unit, it could potentially result in over \$28 million in taxable value, and generate an estimated \$179,000 in ad valorem taxes. *Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

James Slaton, City Manager, asked for this item to be pulled.

Commissioner Howell made a motion to table this. Deputy Mayor Gibson seconded the motion.

by voice vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Krueger "YES"

Commissioner Williams "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

11. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, announced that a new redevelopment agreement will come before the Commission regarding a parcel on Stuart Avenue.

Mr. Galloway reported that he sent an inquiry to the Sheriff's Office about the Borders video and he reviewed the response.

He sent a letter to the general counsel for the governor concerning the Kris Fitzgerald matter. He said he will forward the response when received.

Deputy Mayor Gibson asked how the redevelopment agreement for the Care Center building is going. Have there been any withdrawals from the trust fund? James Slaton, City Manager, said there have been no withdrawals yet.

Mr. Galloway said a vacation of an alley will be coming before the Commission for that building for ADA access. The church will need to relinquish its claim to that alley so the whole alley can be used. This is in process. The project is going well.

Deputy Mayor Gibson said the easement is not related to the MOU agreement or construction. Mr. Galloway said that agreement has 18 months yet. Another agreement for a property in the Northwest area was recently approved and funds will be deposited in the trust account for that.

12. CITY MANAGER

James Slaton, City Manager, said we received a \$750,000 grant for the First Street project. This will go to reimburse the design costs.

Mr. Slaton said the opening reception for Lake Wales Envisioned is on the 14th in downtown.

Mr. Slaton gave an update on adding lighting to the bus stops in Lake Wales with the help of Duke Energy.

Mr. Slaton reported that new audio and video equipment will be installed in the Chambers by the end of the month.

12.I. Commission Meeting Calendar

James Slaton, City Manager, reminded the Commission that there will be a CRA meeting Tuesday.

13. CITY COMMISSION COMMENTS

Commissioner Howell said she is glad the updated equipment is coming in as she is leaving.

Commissioner Howell said she is glad the ball is rolling on the Borders video. She reviewed the response.

She reviewed the letter written by Mr. Galloway to the City Attorney's office.

Commissioner Howell congratulated Deputy Mayor Gibson on his re-election.

Deputy Mayor Gibson reported on the campaign and commended the candidates for a good campaign. There was no objection at the forums to the trajectory of the City. There was satisfaction and trust in the City Commission to do things right. We are doing our best to shape the City well as it grows.

14. MAYOR COMMENTS

Mayor Hilligoss congratulated the winners of the election and thanked Commissioner Howell for her service.

15. ADJOURNMENT

The meeting was adjourned at 6:37 p.m.

Mayor

ATTEST:

City Clerk