

City Commission Meeting Minutes

September 7, 2022

(APPROVED)

9/7/2022 - Minutes

1. INVOCATION

Commissioner Williams 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

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

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

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION - Peacemaker Paddle

Mayor Hilligoss presented the Peacemaker Paddle Proclamation. Bill Redmon accepted the proclamation.

6. COMMENTS AND PETITIONS

Charlene Bennett, resident, spoke on the Inflation Reduction Act recently passed by Congress. She spoke about the growing popularity of electric vehicles. This legislation has funding sources for electric vehicles and charging stations. She encouraged the City to investigate taking advantage of those resources.

Rudy Engholm, property owner, said he agreed about the importance of electric vehicles. He spoke on the forthcoming renewal of the 30 year franchise agreement with Duke Energy. There are lots of changes coming with electric cars and grid issues. He recommended renewing for a 1 year renewal and negotiate a better arrangement with Duke. He shared a copy of his remarks with the Commission.

7. BUDGET HEARINGS

Mayor Hilligoss stated for the record

The City of Lake Wales is the taxing authority and the proposed millage rate to be levied for Fiscal Year 2022-2023 is 6.3626 mills, which is [the rolled-back rate](#).

7.I. ORDINANCE 2022-31, Adoption Of FY2022-23 Millage Rate – 1st Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS: The Commissioners will consider adopting a millage rate of 6.3626 mills for Fiscal Year 2022-23. The Commissioners will also consider adopting the proposed operating budget.

RECOMMENDATION

After first reading and separate public hearings, it is recommended that the City Commission take the following actions:

1. Approve Ordinance 2022-31, adopting a millage rate of 6.32626 mills for FY2022-2023;

2. Approve Ordinance 2022-32, adopting an operating budget for FY2022-2023.

BACKGROUND

In accordance with Florida Statutes and the City Charter, Ordinances 2022-31 and 2022-32 are presented for first reading and public hearing. Ordinance 2022-31 establishes the millage rate for FY22'23, and Ordinance 2022-32 adopts the proposed FY22'23 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY22'23 budget document includes the revenue and expenditure details for the General Fund, CRA Fund, Special Revenue Funds, Debt Service Fund, Capital Projects Fund, Utility System Fund, Airport Fund and Stormwater.

This budget has been prepared in accordance with Article VI, Section 6.04 of the City Charter, which requires that the budget provide a complete financial plan of municipal funds and activities. Estimated current year ending fund balances have been considered and are included in the budget.

PROPERTY TAX

On July 19, 2022, the City Commission adopted an Interim Millage Rate of 6.3626, which was rolled-back rate.

BUDGETARY CHANGES IN GENERAL FUND "REVENUE SOURCES & TRANSFERS IN" FOR FY22'23 COMPARED TO FY21'22:

General Fund revenues in FY22'23 (\$16,575,126 + 1,660,522 transfers – 53,522 library transfer – 1,568,000 financing/leases = 16,634,126) are projected to be \$1,462,502 more than budgeted in FY22'21 (\$13,971,624 + 1,534,000 – 334,000 financing/leases = 15,171,624). **An expected increase of \$1,462,502 is mainly due to the following items:**

- Increase in ad valorem tax of \$486,983
- Decrease in sales and use taxes of \$40,000 due to decrease in utilities and communication service taxes.
- Increases in licenses and permits of \$450,000 due to \$190,000 in building permits, \$100,000 in electric franchise fees, \$ 160,000 in site development permit.
- Increase in intergovernmental revenues of \$350,136 mainly due to \$ 112,000 state sharing revenue and 152,000 \$85,000 in grants increases.
- Increase in charges for services of \$150,458 mainly due to management fees and garbage fees.
- Decrease in miscellaneous revenue of \$28,075 mainly due to Ridge League of Dinner hosted in prior year and reduction in reimbursement for special events in-kind.
- Increase in transfers of \$93,000.

BUDGETARY CHANGES IN GENERAL FUND "OPERATING EXPENDITURES" FOR FY22'23 COMPARED TO FY21'22:

General Fund “operating” expenditures (excluding capital items) in FY22'23 are projected to be \$17,455,056, which is **\$1,492,835 more than** budgeted in FY21'22 \$15,962,221.

An expected increase of \$1,492,835 is mainly due to the following functions:

- Increase in general government services of \$303,221
- Increase in public safety of \$1,218,635
- Increase in physical environment of \$74,896
- Increase in transportation of \$10,907
- Decrease in economic environment of \$5,000
- Decrease in human services of \$1,000
- Increase in culture and recreation of \$39,188
- Decrease in transfers of \$148,009

GOVERNMENTAL FUND BALANCE

As of September 30, 2021, the City’s governmental funds reported combined ending fund balances of \$10,658,942 (page 13 of the CAFR). An increase of \$1,389,875 for the year. Approximately 37% (\$3,962,637) of total funds balance is available for spending at the government’s discretion (unassigned)

At the end of September 30, 2021, unassigned fund balance of the General Fund was \$3,962,637, while total fund balance reached \$5,440,908. In 2011, the City established a reserve policy for the General Fund equal to 15% - 20% of total operating costs. As of September 30, 2021, the general fund’s unassigned fund balance represented 28% of total general fund expenditures, while total fund balance represents 39% of the same amount.

SUMMARY OF ALL FUNDS

General Fund	22,001,948
CRA Fund	23,515,439
Special Revenue Funds	3,307,695
Debt Service Fund	3,127,344
Capital Projects Fund	9,357,103
Cemetery (LWMG)	653,950
Utility System Fund	25,472,122
Airport Fund	1,566,025
Stormwater Fund	925,000
TOTAL	89,926,626

The expenditure total of \$69,887,062 is comprised of operating costs in the amount of \$34,896,860 and capital outlay in the amount of \$34,990,202. Transfers for \$3,418,206 bring total expenditures plus transfers to \$73,305,268.

Note: Capital expenditures proposed for FY22'23 are itemized in "Schedule C" within the budget document.

CONCLUSION

The local economy, as well as the global economy, struggled in 2020 through 2022 due to the Covid-19 pandemic and rising economic inflation issues. The public's desire to return to a more normal life, has led the economy to struggle for a more stable status. City staff will continue throughout next year to watch for changes in the economy.

The City Manager, in the August 10, 2022 budget workshop, highlighted the following items, which are included within FY 2022'23 Budget:

Growth Management:

- Completion of the Utility Service Area Land Use Designation Project – The Purpose of this project is to establish a planning document to identify a preferred land use pattern for properties that are currently in unincorporated Polk County, and in the City's Utility Service Area.
- Corridor Study for 11th Street – Comprehensive transportation review of 11th street in an effort to proactively plan for potential future development.
- Planning Technician– Included in the FY'23 budget request is the proactive addition of a planning technician position to assist with projected increased demands on the development services department related to growth.
- Building Inspector - Included in the FY'23 budget request is the addition of one additional building inspector position to address the expected increase in residential permit activity.
- Office Assistant (Building Department) - Included in the FY'23 budget request is the addition of an office assistant to manage the administrative requirements related to permitting within the building department.
- Code Enforcement - Included in the FY'23 budget request is the restoration of the second Code Compliance Officer position to maintain the community's appearance standards. This position was eliminated in 2020 due to fiscal concerns related to the Covid-19 pandemic.

General Capital and Significant Projects:

- \$500,000 is allocated in the FY'23 budget request to resurface city streets. This is the adequate funding level needed to implement the city's pavement preservation plan on schedule and will provide for the resurfacing of approximately 7 to 9 miles of city streets
- Upgrade and replacement of both the Jet A and 100L fuel systems at the airport. This enhancement will replace antiquated equipment and allow for larger aircraft to fuel at the Lake Wales Municipal Airport.
- Rehabilitation of the YMCA swimming pool to meet Health Department requirements.
- Completion of an updated airport master plan to facilitate the growth and development of the

airport over the next several years.

- Completion of the Recreation Master plan and its initial design phase.

Redevelopment:

- The City and CRA will continue implementation of the award-winning Lake Wales Connected plan in FY'23. Activities include affordable housing construction, housing rehabilitation, development incentives, and capital construction.
- Funding is included to support the BzLinc incubator on Lincoln Avenue.
- A Northwest Neighborhood rezoning study will be performed in the upcoming fiscal year to establish design guidelines for Lincoln Avenue and to consider additional housing options in the neighborhood.
- Park Avenue & Market Plaza Streetscape Construction – Funds allocated for the construction of the first transformative streetscape to take place in the historic core. Park Avenue will be converted into a two-way curbside street designed for people. Hanging-flower baskets, enlarged sidewalks, enhanced lighting, gathering spaces and street trees will all be featured in the rebuilt Park Avenue & Market Plaza.
- Northwest Neighborhood Sidewalk & Street Tree Improvement Plan – Allocation of funding for continued design work and the start of construction on new sidewalks in the Northwest Neighborhood as outlined in the Lake Wales Connected plan. All improved streets/sidewalks will feature unique street trees.
- Finalization of the 1st Street Streetscape Design and Potential Construction – 1st Street will be narrowed to improve vehicle safety, while additional space will be available for cyclists and pedestrians, as well as residents and visitors shopping in the downtown district.
- Lincoln Avenue Streetscape – Allocation of funds to begin design work on an enhanced Lincoln Avenue Streetscape. Focus being driven upon “City in a Garden” landscaping, enhanced pedestrian friendly sidewalks, and open spaces. The new enhancements to the district are intended to revitalize the core of the Northwest Neighborhood by attracting new businesses, retail and restaurants.
- Orange Avenue & Crystal Avenue Streetscapes – Allocation of construction dollars for implementation of the Orange Avenue & Crystal Avenue Streetscapes via Rep. Soto grant funding. Both streetscapes will narrow the space allocated for travel lanes to allow for on street parking and street trees.
- LW Connector Trail Design – Design dollars for the Crystal Lake Park North Trail segment. This segment will tie into the Park Avenue Connector Trail and create a full recreational trail loop around Crystal Lake.
- Bok Tower Connector Trail Design – Design dollars for a connector trail starting at Lake Wailes Park, tying into the Rails-to-Trails trail and up to the main gates of Bok Tower Gardens. Residents and visitors will have a safe trail route from Bok Tower all the way to Historic Downtown Lake Wales.
- Public Art – Continuation of murals around town and funds for the start of the Downtown Linear Park Sculpture exhibit.

Employees:

- A 4% Cost of Living Adjustment to mitigate the effects of current inflation levels has been

provided for in the FY'23 proposed budget.

Public Safety:

- The City will be purchasing a new fire engine to replace a primary response engine that has reached the end of its life cycle.
- In accordance with recommendations from the Center for Public Safety Management, included in the FY'23 budget request is the addition of five equipped law enforcement officers and one property and evidence technician.

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Utilities:

Significant utility projects proposed for the FY'23 budget include:

- The construction of the Northwest Neighborhood water line extension, force main upgrades.
- The completion of the City's Stormwater Master Plan. The creation of the Stormwater Master Plan will mitigate the issues created by water runoff and will positively affect lake water quality. This will be a guide to be used to establish a systematic maintenance and replacement program for the stormwater infrastructure
- Water Main Replacement Phase 2 - Identify and remove old a/c and galvanized pipe in the water distribution system. Areas to be affected are Scenic Highway North of Lincoln Avenue, Hillside Ave, Wildabon Ave, Osceola Ave, and Lakeshore Blvd N and surrounding streets.
- Northwest Watermain Extension - Extend a 12" watermain from the corner of 1st Street and Sessoms Ave, North to JA Wiltshire continuing on to Washington Avenue ending at E Street to tie into the 10" main installed during the pipe bursting project. SRF Funding \$2,258,072.00.
- Reuse Main Extension-Extension of the reuse transmission mains to newly developed areas. Grant Funding Proposed-\$1,000,000.00.
- Sewer Improvements (Septic to Sewer w/ Forcemain Extension) - Connecting current residents inside the city limits, but on septic tanks. Additionally installing forcemains to facilitate the connection and expansion of services.
- Alternative Water Supply Project - Proposed in the FY'23 budget request is the continued independent development of a Lower Floridian Aquifer water supply source.
- Stormwater Restoration-Proposed in the FY'23 budget is e repair of several outfalls and piping along Sunset Dr, Lakeshore South of Polk Avenue, Lakeshore Blvd South at Bullard, and North Wales Dr, North of Sessoms Avenue.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-31** by title only.

ORDINANCE 2022-31 AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, FOR FISCAL YEAR 2022-23; PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Krueger made a motion to approve **ORDINANCE 2022-31** after first reading and public hearing. Deputy Mayor Gibson seconded the motion.

by roll call vote:

Commissioner Krueger "YES"

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Mayor Hilligoss "YES"

Motion approved 5-0.

7.II. ORDINANCE 2022-32, Adoption Of FY2022-23 Budget – 1st Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS: The Commissioners will consider adopting a millage rate of 6.3626 mills for Fiscal Year 2022-23. The Commissioners will also consider adopting the proposed operating budget.

RECOMMENDATION

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- Stormwater Restoration-Proposed in the FY'23 budget is e repair of several outfalls and piping along Sunset Dr, Lakeshore South of Polk Avenue, Lakeshore Blvd South at Bullard, and North Wales Dr, North of Sessoms Avenue.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-32** by title only.

ORDINANCE 2022-32

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY, AND ALL NECESSARY AND ORDINARY EXPENSES OF SAID CITY FOR THE 2022-23 FISCAL YEAR, APPROPRIATING ALL FUNDS TO BE RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES & BALANCES FOR SAID FISCAL YEAR, AND THE REPEALING OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Krueger made a motion to approve **ORDINANCE 2022-32** after first reading and public hearing. Commissioner Howell seconded the motion.

by roll call vote:

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion approved 5-0.

7.III. **ORDINANCE 2022-33, Five-Year Capital Improvement Plan FY2022/23 - FY2026/27 – 1st Reading**

[Begin Agenda Memo]

SYNOPSIS: The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2022/23 through 2026/27.

RECOMMENDATION

It is recommended that the City Commission approve after first reading Ordinance 2022-33 adopting the

BACKGROUND

In accordance with section 6.05 of the City Charter, Ordinance 2022-33 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2022/23 through FY2026/27. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY22'23 operating budget, as are appropriation of funding sources necessary to implement Year 1 of the plan.

The 5-Year CIP document includes all capital facility and infrastructure improvements which staff believes should be undertaken during the next five years and supporting information to explain the necessity for the improvements. In addition, the CIP includes all capital equipment proposed for acquisition during this period. Cost estimates, method of funding and time schedule for the proposed improvements and equipment acquisitions are identified in the document.

The proposed 5-Year CIP totals \$117,518,667 and includes \$305,000 in land acquisition, \$7,479,721 in building improvements/acquisitions, \$92,423,696 in infrastructure and recreation improvements, \$14,049,700 in equipment acquisition, and \$3,260,550 in other capital outlay. Schedule "C", within the 5-year CIP, provides a detail listing of each asset type.

Improvements and equipment needs for the next 5 years were submitted by department heads with a justification of necessity and a recommended time schedule for completion or acquisition. These requests were prioritized by the City Manager in view of the available funding resources and urgency of need.

FISCAL IMPACT

Funding of the CIP will be accomplished through utilization of existing cash surpluses and current year operating revenues, future grants, private contributions, leases/debt service issuances, and impact fees. Growth related improvements will be funded by impact fees.

Costs of all capital improvements and equipment acquisitions are distributed over 5 years as follows:

Year 1 - FY2022/23	34,990,202
Year 2 - FY2023/24	39,427,121
Year 3 - FY2024/25	25,110,544
Year 4 - FY2025/26	14,003,300
Year 5 - FY2026/27	3,987,500
5 Year Total	117,518,667

All items scheduled for Year 1 are included in the proposed FY22'23 operating budget presented to the City Commission for consideration.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-33** by title only.

ORDINANCE 2022-33

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING A 5-YEAR CAPITAL IMPROVEMENT PLAN FOR

FISCAL YEARS 2022/23 THROUGH 2026/27; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC COMMENT

CLOSED PUBLIC COMMENT

Commissioner Krueger made a motion to approve **ORDINANCE 2022-33** after first reading and public hearing. Commissioner Howell seconded the motion.

by roll call vote:

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion approved 5-0.

7.IV. RESOLUTION 2022-21 - Final Assessment Resolution For Fire Protection Assessments
[Begin Agenda Memo]

SYNOPSIS: The adoption of Resolution 2022-21 established the methodology used to calculate the fire assessment rates. Adoption of Resolution 2022-21 will set the final fire assessment rates.

RECOMMENDATION It is recommended that the City Commission set the final Fire Protection Assessment rates and adopt Final Assessment Resolution 2022-21 providing for Fire Protection Assessments for fiscal year beginning October 1, 2022.

BACKGROUND On June 07, 2022, the City Commission adopted Resolution 2022-15 which set the initial Fire Protection Assessment rates. Initial Fire Protection Assessment Rates Residential Property Use Categories Rate Per Dwelling Unit Single-Family \$146.00 Multi-Family \$72.00 Mobile Home \$129.00 Non-Residential Property Use Categories Rate Per Square Foot Commercial \$0.06 Industrial/Warehouse \$0.01 Institutional \$0.08

OTHER OPTIONS Rely solely on ad valorem taxes to fund fire protection services, equipment and programs. Failure in adopting Resolution 2022-21 will result in a loss of \$1,168,837 in estimated net revenue dedicated to the fire department budget. This money would then have to come from the general fund.

FISCAL IMPACT The Fire Protection Assessment will create a dedicated funding source for fire protection services.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-21** by title only.

RESOLUTION 2022-21

Final Assessment Resolution

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LAKE WALES, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; CONFIRMING THE PRELIMINARY ASSESSMENT RESOLUTION; REIMPOSING FIRE PROTECTION ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF LAKE WALES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; APPROVING THE ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.

James Slaton, City Manager, reviewed this item.

Commissioner Howell made a motion to adopt **RESOLUTION 2022-21**. Commissioner Williams seconded the motion.

by roll call vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Krueger "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion approved 5-0.

7.V. RESOLUTION 2022-20 Final Rate Resolution – Brookshire Street Lighting District [Begin Agenda Memo]

SYNOPSIS: Final Rate Resolution for the Brookshire Street Lighting District

RECOMMENDATION It is recommended that City Commission adopt Resolution 2022-20 providing the Final 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 \$13,175. 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 \$13,175 is expected to pay all

street lighting costs relating to the services, facilities and programs within the Brookshire Street Lighting District.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-20** by title only.

RESOLUTION 2022-20

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE PROVISION OF STREET LIGHTING SERVICES AND FACILITIES WITHIN THE BROOKSHIRE STREET LIGHTING DISTRICT IN THE CITY OF LAKE WALES, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; CONFIRMING THE PRELIMINARY ASSESSMENT RESOLUTION; REIMPOSING BROOKSHIRE STREET LIGHTING ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE BROOKSHIRE STREET LIGHTING DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; APPROVING THE ASSESSMENT ROLL; AND PROVIDING FOR AN EFFECTIVE DATE.

James Slaton, City Manager, reviewed this item.

Deputy Mayor Gibson made a motion to adopt **RESOLUTION 2022-20**. Commissioner Howell seconded the motion.

by roll call vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Krueger "YES"

Mayor Hilligoss "YES"

Motion approved 5-0.

8. MAYOR

8.I. Appointment - Charter Schools Representative

Mayor Hilligoss announced that Commissioner Williams has resigned his Charter School board seat. Mayor Hilligoss appointed Andy Blair to the seat.

Andy Blair shared his background and involvement in the school system.

9. CITY CLERK

9.I. Board Appointments To The Historic District Regulatory Board

[Begin Agenda Memo]

SYNOPSIS: Appointments to fill vacancies on the Historic District Regulatory Board

RECOMMENDATION Staff recommends that the Mayor and Commission make the following appointments and reappointments as deemed appropriate.

1. Appoint 2 applicants to fill partial terms on the Historic District Regulatory board for a term expiring July 1, 2024

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). Historic District Regulatory Board Historic District Regulatory Board (City Code Sec. 23-208.2) – The board consists of five (5) regular members (appointed in accordance with section 2-26). At least 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- An interview process is necessary for new applicants only.

- Members are required to file an annual Form 1, Statement of Financial Interests

- Current Vacancies: 2 vacancies, 50% must be residents or own property in City;

Current Members: Lawrence (Larry) Bossarte, business owner 2/04/20 – 07/01/22, P

Jonathan Kaufman, resident 09/22/20 – 7/1/2022, P

Tammy James, resident 07/01/22 – 07/01/24, P

Brandon Alvarado, resident 12/18/18 - 07/01/21, 1

Scott Crews, resident 07/01/21 – 07/01/24, P+1

Applying for Appointment: Tina Peak, non-resident, for a partial term expiring on 07/01/25

Tiffany Davis, resident, for a partial term expiring on 07/01/25

Dorothy Scott Wilson, resident, for a partial term expiring on 07/01/25 Staff has interviewed the applicants and the board recommends the three for appointment.

OPTIONS Do not appoint those that have applied.

FISCAL IMPACT None. These are volunteer boards.

[End Agenda Memo]

Tina Peak shared about her background and interest in serving.

Dorothy Scott Wilson shared her background and interest in serving.

Tiffany Davis shared her background and interest in serving.

Mayor Hilligoss appointed Tina Peak and Tiffany Davis to the Historic District Regulatory Board.

Commissioner Howell made a motion to approve the appointments. Commissioner Williams seconded the motion.

By voice vote:

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Krueger "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

10. CONSENT AGENDA

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

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Commissioner Krueger "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

10.I. Minutes - August 16, 2022 And August 31, 2022

10.II. Disposal Of Surplus Property
[Begin Agenda Memo]

SYNOPSIS: Staff is seeking approval to dispose of surplus vehicles and equipment

RECOMMENDATION It is recommended that the City Commission take the following action(s):

1. Classify the property as surplus.
2. Authorize staff to dispose of the property.

BACKGROUND In accordance with Sec. 2-476 of the City Code, the City Commission may classify as surplus any property that is obsolete or the continued use of which is uneconomical or inefficient or which serves no useful function or purpose. The equipment outlined in the attached Disposal Schedule no longer serves any useful purpose to City. The items to dispose of include obsolete vehicles and equipment. This property may be sold at public auction or to the highest bidder after the solicitation of sealed bids. In some cases the property may be recycled, donated to other non-profit or government entities or traded for fair market exchange of goods or services.

OTHER OPTIONS Do not authorize the disposal of the listed property.

FISCAL IMPACT Proceeds from any sales will be deposited into the general fund.

[End Agenda memo]

10.III. Storm Water Pipe And Box Repair

[Begin Agenda Memo]

SYNOPSIS: The storm pipe under E Johnson Avenue near 3 rd Street has been compromised with roots which causes the pipe to clog up and overflow onto the street. While the line is exposed the contractor will take this opportunity to route the new pipe to the existing storm boxes in order to allow proper access for future maintenance.

STAFF RECOMMENDATION It is recommended that Commission take the following action:

1. Approve expending funds for the repair of the storm pipe under Johnson Avenue to Odom Contracting in the amount of 21,100.00.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND The City currently operates Storm water management facilities and programs within the incorporated city limits. Staff monitors structures and storm inventory to determine if there are deficiencies in the system. As a part of routine maintenance staff observes how storm structures are effected during rain events. It was observed that the roadway on Johnson Avenue near Third Street floods during heavy rain events. Staff televised the line and determine that the pipe has been compromised with roots and is taking on dirt which causes the pipe to get clogged and not preform properly. Staff recommends the Commission take the following action, approve expending funds for \$21,100.00 for the repair and reroute of storm pipe under Johnson Avenue, and authorize the City Manager to execute the appropriate documents, on the City's behalf.

OTHER OPTIONS The Commission could chooses not to approve the expenditure of funds listed above; in the meantime, the piping is unable to function properly especially during rain

events and causes a hazard for public safety.

FISCAL IMPACT \$107,000 was placed in FY 2021-2022 Stormwater Capital Improvements Budget for these types of repairs. To date, \$40,270 has been used for other repairs leaving \$66,730 to cover the cost of the current expenditure.

[End Agenda Memo]

10.IV. Lift Station #15 Submersible Pumps And Panel Replacement

[Begin Agenda Memo]

SYNOPSIS: Staff is recommending the commission approve the expenditure of funds in the amount of \$37,000.00 for the replacement purchase of submersible pumps and control panel for Lift Station 15 (LS#15).

STAFF RECOMMENDATION It is recommended that Commission take the following action: 1. Approve the expenditure of funds for \$37,000.00 for the replacement purchase of submersible pumps and control panel for Lift Station 15 (LS#15). 2. Authorize the City Manager to execute the appropriate documents on the City's behalf.

BACKGROUND The City, as part of its collection system, owns, operates, and maintains 121 Miles of 8 to 16 inch Gravity Sewer Line, 75 Miles of 2 to 16 inch Force Mains, hundreds of manholes, and approximately 40 lift stations. Due to the corrosiveness of the methane gases that exist within the wastewater system, it becomes necessary to replace key components of the lift station to ensure its continued operation. A lift station is used to pump wastewater or sewage from a low level to a higher level when the gradient of the area does not allow for a natural flow. There are two main elements to a lift station: the wet well and the controls. The wet well is a basin into which the inflow is discharged and where the pumps are located. Because of the pivotal role lift stations play in keeping the whole system functioning properly, lift stations require regular maintenance. These pumps and panel have been in operation for 20 years. It is time in the maintenance schedule for the purchase and replacement of these pumps and panel.

Staff is recommends the City Commission take the following action, authorize the expenditure of funds for \$37,000.00 for the replacement purchase of submersible pumps and control panel for Lift Station 15 (LS#15), and authorize the City Manager to execute the appropriate documents, on the City's behalf.

OTHER OPTIONS None. Maintenance is required for the continued operation of the wastewater system components. Barneys Pumps is the sole source provider for the Hydromatic pumps in the local area. The local office is in Lakeland, and is the authorized factory warranty and repair center for the area.

FISCAL IMPACT The Wastewater Division has placed \$250,000.00 in the FY 21'-22' Capital Improvements budget for lift station rehabilitation. To date \$89,000.00 have been used from this account, leaving \$160,000 to cover the cost of this current expenditure.

[End Agenda Memo]

10.V. Water Treatment Plant #3 (WTP#3) Odyssey Chlorine Skid Replacement
[Begin Agenda Memo]

SYNOPSIS: The current chlorination system skid at WTP #3 is in need of replacement.

STAFF RECOMMENDATION It is recommended that Commission take the following action:

1. Authorize the expenditure of \$38,925.00 to Odyssey Manufacturing for the purchase and installation of the chlorination skid located at WTP #3.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND Due to the corrosive nature of various chemicals involved in the water treatment process, it becomes necessary for these chemical systems to require periodic maintenance and replacement to ensure continued operation. The main chemical used in the disinfection of water is sodium hypochlorite (chlorine). The pumps, tubing and various transmission systems tend to corrode over time due to the nature of the chemical and exposure to the elements. The original equipment slated for replacement was installed in 2008. These system components are beginning to show wear and tear. Staff recommends the Commission take the following action, approve expenditures of \$38,925.00 with Odyssey Manufacturing for the purchase and replacement of the chlorination skid located at WTP#3 and authorize the City Manager to execute the appropriate documents, on the City's behalf.

OTHER OPTIONS The Commission could chooses not to approve the expenditure listed above, in turn putting these repairs off to a later date risking system failure.

FISCAL IMPACT \$150,000 is placed in the FY 2021-2022 M & R Treatment Plants budget line item for these types of required repairs.

[End Agenda Memo]

10.VI. Accept The New Contract Terms And Continue Utilizing Odyssey Manufacturing Corporation For The Purchase Of Sodium Hypochlorite
[Begin Agenda Item]

SYNOPSIS: The City's Utilities Department made a request for bid for the purchase of sodium hypochlorite in September of 2021, sodium hypochlorite is a necessary chemical to aid in the water and waste water treatment process. The vendor has requested a Producer Price Index (PPI) increase and staff is requesting that the City Commission approve this increase.

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

1. Accept the new contract terms and continue utilizing Odyssey Manufacturing Corporation for the purchase of Sodium Hypochlorite at the increased rate.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND Disinfection technology and chemical treatment for wastewater and water has been consistent with the use of Chlorine as the standard chemical to safely and effectively treat both water and wastewater media. Delivery of chlorine to the flow stream ranges from gaseous, liquid and carrier chemical agents. Today, through the development and realization towards improving safety and reducing risk, Sodium Hypochlorite (NaOCl) has commonly been used in various applications where disinfection or sterilization of both wastewater and water are needed. NaOCl is becoming more and more popular based on its inherent chemical characteristics of being a safer, less costly, lower risk chemical and still an effective means to treat wastewater media. Sodium hypochlorite is essential in the treatment of both water and wastewater processing, killing pathogens that could prove to be harmful to humans.

Staff made a request for bid for the purchase of sodium hypochlorite, with a bid open date of September 2, 2021. Odyssey Manufacturing Corporation was the apparent low bidder at \$0.762 per gallon. The initial contract terms stated in the attached agreement calls for the initial contract period to begin on October 1, 2021 and expire on September 30, 2022. This agreement is set to renew annually on October 1 of each year for up to two (2) additional one (1) year periods. The notice of PPI increase indicates that the price of delivery per gallon will increase to \$1.08 through September 30, 2023. The vendor states that chemical prices have experienced rampant inflation in this country and has resulted in this increase in price.

OPTIONS None at this time. This chemical is necessary in the water and wastewater treatment process.

FISCAL IMPACT \$100,000.00 is placed in the FY 22-23 Operating Budget for Wastewater Operating Supplies – Chemicals for this purchase. \$50,000.00 is placed in the FY 22-23 Operating Budget for Water Operating Supplies – Chemicals for this purchase.

[End Agenda Memo]

10.VII. Crystal Lake Park Tennis Court Resurfacing

[Begin Agenda Memo]

SYNOPSIS: The City Commission will consider authorizing resurfacing of the tennis courts in Crystal Lake Park.

RECOMMENDATION It is recommended that the City Commission take the following action(s):

1. Authorize staff to expend budgeted funds in the amount of \$79,900 for the resurfacing of five (5) tennis courts, replacement of net poles, replacement of tennis nets, and windscreens.

BACKGROUND The tennis courts and net poles in Crystal Lake Park have passed their useful life span and are in need of resurfacing / replacement. The City Commission approved \$35,000 in the FY'21-22 Capital Improvement Program budget to resurface the tennis courts. Many Capital Improvement Projects came in under budget allowing for staff to make additional needed improvements to the tennis courts. Staff solicited a Request for Proposal, three (3) sealed bids were received and scored. Staff recommends accepting Nidy Sport Construction.

OTHER OPTIONS The City Commission may reject the proposal submitted by Nidy Sport Construction.

FISCAL IMPACT Nidy Sport Construction's proposal of \$79,900 exceeds the budgeted \$35,000 appropriated in FY '21-'22, the additional \$44,900 will come from funds of completed Capital Improvement Projects that came in under budget.

[End Agenda Memo]

10.VIII. Installation Of Stop Signs At Sessoms Avenue And 3rd Street

[Begin Agenda Memo]

Subject: Installation of stop signs at Sessoms Avenue and 3rd Street

RECOMMENDATION Staff recommends that the City Commission consider taking the following action:

1. Approve the placement of STOP signs on 3rd Street at the intersection of Sessoms Avenue to make the intersection a four way stop.

BACKGROUND Staff received a complaint regarding the safety of the intersection at 3rd Street and Sessoms Avenue due to the traffic congestion caused by Candlelight Academy's student pick up line.

Candlelight Academy began in 2007, changing traffic patterns in the area from Sundays and Wednesdays to weekdays. This increased traffic in the area when residents are leaving for and returning from work. In 2020, Bok Academy North reopened the original Lake Wales High School campus and expanded it. Candlelight Academy is located at Sessoms Avenue and Scenic Highway. Bok Academy North is located on Seminole Avenue between 3rd Street and 4th Street. Throughout the city, schools regularly generate traffic congestion complaints stemming from daily student drop off and pick up.

The Police Department has worked with the schools and the residents in this area to reduce traffic congestion and improve traffic flow as much as possible. Adding STOP signs on 3rd Street at the intersection of Sessoms Avenue as recommended above should help further reduce traffic congestion and improve traffic safety. There have been no traffic crashes in the last five years at this intersection, however the increased traffic at this intersection created by both schools in the afternoon could increase the possibility of future crashes.

The topography of the area, congestions caused by traffic for both schools, curvature of 3rd Street from the south approaching Sessoms Avenue and closing of 3rd Street between Park Avenue and Crystal Avenue for the Connected Plan all support placing STOP signs on 3rd Street at the intersection of Sessoms Avenue to make this a four way stop. This aligns with the traffic pattern used by parents to pick-up student from Candlelight Academy who are parked on 3rd Street to turn west on Sessoms when the line begins to move. This would enhance safety when traversing the intersection from any direction.

OTHER OPTIONS Do not approve the STOP signs on 3rd Street at Sessoms Avenue.

FISCAL IMPACT Labor and materials for two STOP signs, two STOP bars and two warning signs approaching the new STOP signs.

[End Agenda Memo]

11. OLD BUSINESS

- 11.I. ORDINANCE 2022-37 - Proposed Amendments To Land Development Regulations – Downtown Design

SYNOPSIS: Staff proposes amendments to Chapter 23 of the Land Development Regulations (LDRs) to establish architectural and building design standards for downtown.

Specific amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) are as follows:

- 1) Section 23-303 Sidewalks
- 2) Section 23-306 Off-street and vehicular areas
- 3) Section 23-307 Landscaping
- 4) Section 23-342 Alcoholic Beverage Sales and Services
- 5) Section 23-353 Outdoor Seating Areas
- 6) Section 23-401 District Classifications
- 7) Table 23-405 Correspondence of Zoning Districts to Comprehensive Plan Land Uses
- 8) Section 23-421 Permitted Uses
- 9) Table 23-422B Dimensional and Area Standards – Nonresidential Districts
- 10) Section 23-423 Downtown Mixed-Use Design Standards (NEW)
- 11) Section 23-545.3 Signage Design
- 12) Table 23-545 Location, Area, and Height Requirements for Signs for Nonresidential Uses
- 13) Section 23-802 Definitions

RECOMMENDATION Staff recommends that the City Commission adopt Ordinance 2022-37.

BACKGROUND The Lake Wales Connected Plan contains 43 Near-Term (Years 1-3) Action Items for implementation. Action Items 14 & 15 are specifically related to downtown design guidelines and zoning:

Action Item # Description

14 Adopt urban form and design guidelines for downtown streets (Park, Lincoln, Stuart, Orange, Central Avenues; Scenic Highway. 1st Street), and for historic restoration and infill of new buildings, based on the urban design recommendation of the Lake Wales Connected Plan.

15 Draft and adopt changes to zoning to implement Plan recommendations, in the form of

strategic changes to the existing ordinance or a new Form-Based Code for the core of Lake Wales (include next 3 items)

- Revised local zoning restrictions of bars in Downtown
- Update zoning requirements to permit infill building according to the Plan vision. Reduce or eliminate minimum parking requirements in the core of Lake Wales.
- Streamline development approval process to reduce uncertainty.

To accomplish the above-listed action items, the proposed amendments to Chapter 23, Lake Wales Code of Ordinances) are proposed.

Section 23-423 Downtown Mixed-Use Standards This new section will implement most of the provisions in the Lake Wales Connected Action Items. Included in this section are the following:

Purpose & Applicability – a description of the proposed new Downtown Mixed Use (D-MU) Zoning District, plus descriptions of the Downtown Historic Overlay and the Crystal Lake Overlay. The D-MU zoning district is intended to replace the existing C-1 and C-1A zoning district currently in place throughout downtown. This new zoning district contains standards for rehabilitating, restoring and preserving buildings in this district. The D-MU zone will also shape new development to be consistent with the design principles contained in Lake Wales Connected.

Downtown Historic Overlay - The Downtown Historic Overlay will replace the C-1A zoning district, but will retain the existing requirements for historic structures outlined in Section 23-653. The downtown design standards will supplement, but will not replace, the required review and approval by the Historic District Regulatory Board. Crystal Lake Overlay – This section is included to recognize the unique environmental and historical character of the commercially zoned properties fronting Crystal Lake.

Building Form Standards – These standards address location of buildings on property, plus lists Primary Frontages and applicable requirements.

Building Height – 3 stories/45' maximum

Parking – No minimum parking requirements are proposed in the D-MU district, but applicants will be required to provide a parking analysis.

Architectural Standards – This section contains design guidelines for building facades, to include façade transparency and shopfront design. This section also contains criteria for building walls, roofs/parapets, doors/windows, columns/railings, and entrance elements.

Review Process & Administrative Waivers – the Section contains criteria for the Administrative Official to conduct review, and grant waivers when deemed appropriate.

Other Changes to Chapter 23

The other revisions proposed to Chapter 23 are modifications to existing sections. These modifications are proposed to further implement the new D-MU section. Significant changes to this section include the following:

Bars – This use will be defined as “Any establishment with a principal or predominant use of selling, providing, or allowing the consumption of alcoholic beverages on the premises”. Bars are proposed as a Special Exception Use in the D-MU zoning. Within the Downtown Historic Overlay, up to three bars would be permitted at one time, and tracked using Business Tax Receipts. This is intended to be an incentive to promote the further redevelopment of this area. Additional bars would be allowed in the Downtown Historic Overlay, but only by Special Exception approval.

Outdoor Seating Areas on Public Sidewalks – Currently, this is allowed in the C-1 zoning district, subject to Commission approval. The proposed changes would allow this use in the Downtown Historic Overlay as an administrative approval. This is an example to further incentivizing redevelopment in this area, plus reduce the amount of regulatory requirements (as contemplated by Lake Wales Connected).

Table of Permitted Uses – This table has been modified to include the D-MU district.

Definitions – New definitions are proposed to provide clarity to new and existing uses as a result of these changes.

Lake Wales Main Street

Development Services Staff, along with the project consultant (Dover, Kohl, and Partners), worked closely with Main Street to obtain feedback, plus develop additional text for these changes. Due to these efforts, Lake Wales Main Street has provided a letter of support (please see attachment).

In their letter, Main Street is requesting that the City consider changes to the City's sign regulations. Given the complexity of signage regulations, Staff determined that it was not appropriate to include signage as part of the Downtown Design Standards project. However, Staff recognizes the need for a review of the City's signage, and has formed a Steering Committee to re-examine the current regulations. The intent is to present changes in the next few months.

Historic District Regulatory Board

Section 23-208.4. Functions, Power, and Duties (of the Historic District Regulatory Board)
Includes the following requirement:

d. To make recommendations to the Planning Board and City Commission for amendments to the code of ordinances and the comprehensive plan on matter relating to historic preservation.

Because the proposed changes involve historic preservation, the proposed changes were presented to the Historic District Regulatory Board. At their May 19th and June 16th meetings,

the Board unanimously recommended approval of the changes to the Planning Board and City Commission.

Planning Board On July 26, 2022, the Planning Board recommended approval of this request. As previously mentioned, the proposed changes to Chapter 23 will implement certain Action Items listed in Lake Wales Connected. More importantly, it will ensure that redevelopment/new development in this part of Lake Wales is of the highest quality, and is an asset to the community.

City Commission On August 16, 2022, the City Commission approved Ordinance 2022-37 on First Reading.

CODE REFERENCES AND REVIEW CRITERIA Section 23-303 Sidewalks Section 23-306 Off-street and vehicular areas Section 23-307 Landscaping Section 23-342 Alcoholic Beverage Sales and Services Section 23-353 Outdoor Seating Areas Section 23-401 District Classifications Table 23-405 Correspondence of Zoning Districts to Comprehensive Plan Land Uses Section 23-421 Permitted Uses Table 23-422B Dimensional and Area Standards – Nonresidential Districts Section 23-423 Downtown Mixed-Use Design Standards (NEW) Section 23-545.3 Signage Design Table 23-545 Location, Area, and Height Requirements for Signs for Nonresidential Uses Section 23-802 Definitions

FISCAL IMPACT None

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-37** by title only.

ORDINANCE 2022-37

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS AMENDING SECTION 23-303 SIDEWALKS, SECTION 23-306 OFF-STREET AND VEHICULAR AREAS, SECTION 23-307 LANDSCAPING, SECTION 23-342 ALCOHOLIC BEVERAGE SALES AND SERVICES, SECTION 23-353 OUTDOOR SEATING AREAS, SECTION 23-401 DISTRICT CLASSIFICATIONS, TABLE 23-405 CORRESPONDENCE OF ZONING DISTRICTS TO COMPREHENSIVE PLAN LAND USES, SECTION 23-421 PERMITTED USES, TABLE 23-422B DIMENSIONAL AND AREA STANDARDS – NONRESIDENTIAL DISTRICTS, SECTION 23-423 DOWNTOWN MIXED-USE DESIGN STANDARDS (NEW), SECTION 23-545.3 SIGNAGE DESIGN, TABLE 23-545 LOCATION, AREA, AND HEIGHT REQUIREMENTS FOR SIGNS FOR NONRESIDENTIAL USES, SECTION 23-802 DEFINITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson commended the hard work by staff and consultants from Dover-Kohl that

went into this.

Deputy Mayor Gibson made a motion to adopt **ORDINANCE 2022-37** after second reading and public hearing. Commissioner Krueger seconded the motion.

By roll call vote:

Deputy Mayor Gibson "YES"

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

11.II. ORDINANCE 2022-40 - Chapter 180 Utility Service Area Boundary 2nd Reading And Public Hearing
[Begin Agenda Memo]

SYNOPSIS: Staff proposes an amendment to Chapter 21, Utilities, to create the Lake Wales Exclusive Utility System Service Area.

RECOMMENDATION Staff recommends adoption of Ordinance 2022-40 after second reading.

BACKGROUND In 1994, the City entered into a water and wastewater interlocal agreement with Polk County to define service area boundaries. This agreement was not renewed when it expired in 2014.

In 1998, the City adopted Ordinance 98-06, which created the utility service area lying five (5) miles outside the corporate limits of the City. This ordinance was passed in accordance with the provisions of Chapter 180, Florida Statutes. Ordinance 2005-22, passed on June 21, 2005, subsequently revoked the previous ordinance.

On January 6, 2009, Ordinance 2008-42 was passed. This Ordinance established a Chapter 180 Utility Service Area along State Road 60 west of US Highway 27.

Currently, the City has experienced an increase in development activity on the periphery of the City. To address this activity, and ensure that the City is the primary provider of utilities in this area, Ordinance 2022-40 is proposed. This ordinance, which would create an Exclusive Utility System Service Area, allows the City to be the exclusive provider of water, wastewater, alternative water supply, reclaimed water, aquifer storage and recovery, and desalination systems and services within this area.

The establishment of the Service Area is key to the City's planning efforts. The Service Area designation, combined with the work occurring as part of the Land Use Study, along with the

pending Multi-Modal Transportation Impact Fee and Mobility Plan, will ensure that the necessary planning is in place to account for future growth and development.

On August 16, 2022, the City Commission approved Ordinance 2022-40 on first reading.

OTHER OPTIONS Keep existing boundary.

FISCAL IMPACT There is no fiscal impact at this time.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-40** by title only.

ORDINANCE 2022-40

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE LAKE WALES CODE OF ORDINANCES, CHAPTER 21, UTILITIES, AMENDING SECTIONS 21-2 and 21-3, RELATED TO THE CITY'S EXCLUSIVE UTILITY SYSTEM SERVICE AREA; PROVIDING FINDINGS, PURPOSE, & INTENT; PROVIDING FOR LIBERAL CONSTRUCTION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

OPENED PUBLIC COMMENT

CLOSED PUBLIC COMMENT

Mayor Hilligoss said this is a big part of our plan for the future. This is exciting.

Commissioner Krueger made a motion to adopt **ORDINANCE 2022-40** after second reading and public hearing. Commissioner Howell seconded the motion.

By roll call vote:

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

12. NEW BUSINESS

- 12.I. ORDINANCE 2022-24 Annexation – 1st Reading And Public Hearing 17.23 Acres Of Land South Of Waverly Road And West Of C F Kinney Road
[Begin Agenda Memo]

SYNOPSIS: Ordinance 2022-24 proposes the voluntary annexation of approximately 17.23 acres of land south of Waverly Road and west of C F Kinney Road, and contiguous to the incorporated City limits.

RECOMMENDATION Staff recommends approval at first reading, and adoption after second reading of Ordinance 2022-24 following a public hearing. Public Hearing notice requirements have been met. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

BACKGROUND Ford Groves, LLC petitioned annexation into the corporate city limits of Lake Wales on March 29, 2022. This item was heard before City Commission and approved in June and July, however, staff is bringing the item back to correct the legal descriptions previously provided. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits along its western boundary.

OTHER OPTIONS Decline to annex the property.

FISCAL IMPACT The annexation will add to the City's tax roll. The property is valued at \$182,817, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential development.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-24** by title only.

ORDINANCE 2022-24

(Annexation – 17.23 acres of land south of Waverly Road and west of C F Kinney Road)

Parcel ID: 272910-000000-044040

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 17.23 ACRES OF LAND, CONTIGUOUS TO THE INCORPORATED TERRITORY OF THE CITY OF LAKE WALES, SHOWN ON ATTACHMENT "A" AND SPECIFICALLY DESCRIBED HEREIN; GIVING THE CITY OF LAKE WALES JURISDICTION OVER THE LAND ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Krueger made a motion to approve **ORDINANCE 2022-24** after first reading and public hearing. Commissioner Howell seconded the motion.

By roll call vote:

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

12.II. Resolution 2022-26 SR 17 Lake Wales History Museum FDOT Stormwater Maintenance Agreement
[Begin Agenda memo]

SYNOPSIS: The maintenance agreement set forth what the City of Lake Wales would be responsible to maintain once the Stormwater infrastructure is installed to handle the flooding at the museum entrance. City Commission approved the agreement at the July 17, 2022 city commission meeting. A resolution was required to be approved at the same time, and was not. This agenda it is to correct that error. STAFF

RECOMMENDATION It is recommended that the Commission take the following action:

1. Adopt Resolution 2022-26 SR 17 Lake Wales History Museum FDOT Stormwater Maintenance Agreement.
2. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

BACKGROUND

Early in 2021, City staff reached out to several Florida Department of Transportation (FDOT) representatives to discuss the problem of water puddling at the entrance to the Museum. City staff provided maps of current infrastructure in the area at FDOT's request, to see if existing infrastructure could be used to fix the flooding problem. SR 17 is a State Road, and it was quickly determined that there was not enough right-of-way for FDOT to come in and install additional piping. After several meetings to discuss possible solutions to the flooding problem, FDOT came back with two alternatives. Both were going to require the installation of additional infrastructure. There was insufficient right-of-way available on the state road. FDOT researched and discovered that the City owned a piece of property that could be utilized, through the use of an easement, to help facilitate the installation of additional piping and larger catch basins to capture and dispose of the water puddling at the Museum entrance. FDOT would be covering the cost of construction in exchange for the City proving the easement for pipe installation. The commission approved the easement at the December 7, 2021 city commission meeting.

FDOT is now ready to move forward with construction. Once the infrastructure is installed, periodic maintenance may be required. The City Commission, at its July 17, 2022 city commission meeting, approved the maintenance agreement with FDOT for the referenced location. Staff was not aware that a resolution was required with the approval of the maintenance agreement. This agenda item is to correct that error. Staff recommends the Commission take the following action, adopt Resolution 2022-26 SR 17 Lake Wales History

Museum FDOT Stormwater Maintenance Agreement., and authorize the Mayor to execute the appropriate documents, on the City's behalf.

OTHER OPTIONS None. The City Commission previously approved the maintenance agreement on July 17, 2022.

FISCAL IMPACT No fiscal impact at the time. Cost would be determined at the time maintenance is required.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-26** by title only.

RESOLUTION 2022-26

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA; ACCEPTING A NEW MAINTENANCE AGREEMENT FOR STORMWATER INFRASTRUCTURE WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

Commissioner Howell made a motion to adopt **RESOLUTION 2022-26**. Commissioner Krueger seconded the motion.

By roll call vote:

Commissioner Howell "YES"

Commissioner Krueger "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

12.III. Resolution 2022-27 Water Supply Facilities Work Plan
[Begin Agenda memo]

SYNOPSIS: The Water Supply Facilities Work Plan identifies capital improvements that will be needed to develop, treat, and deliver sufficient water supplies for new and existing development.

STAFF RECOMMENDATION It is recommended that the Commission take the following action:

1. Adopt Resolution 2022-27 Water Supply Facilities Work Plan.
2. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

BACKGROUND The purpose of developing a comprehensive water supply facilities work plan is to focus on the prioritization of capital improvements to develop, treat, and deliver sufficient water supplies for existing and upcoming development. The Work Plan incorporates the traditional and alternative water supply sources proposed by the local government to meet existing and projected needs for at least a 10-year period. The plan includes conservation measures and reuse supplies that are to be used to offset the demand for new water. Staff recommends the Commission take the following action, adopt Resolution 2022-27 Water Supply Facilities Work Plan, and authorize the Mayor to execute the appropriate documents, on the City's behalf.

FISCAL IMPACT None at this time. As projects are being developed, because of recommendations from the plan, they will be brought back to the commission for approval.

OTHER OPTIONS None. The Water Supply Facilities Work Plan is a statutory requirement imposed by the Southwest Florida Water Management District.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-27** by title only.

Deputy Mayor Gibson made a motion to adopt **RESOLUTION 2022-27**. Commissioner Krueger seconded the motion.

By roll call vote:

Deputy Mayor Gibson "YES"

Commissioner Krueger "YES"

Commissioner Williams "YES"

Commissioner Howell "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

12.IV. Resolution 2022-28 Support For Polk County's Safe Streets For All Grant Application

[Begin Agenda Memo]

SYNOPSIS: A Resolution of Support to show community backing of Polk County Board of County Commissioners' application for Safe Streets and Roads for All (SS4A) funding.

RECOMMENDATION Staff recommends adoption of Resolution 2022-28 Safe Streets For All Polk County Support.

BACKGROUND Polk County is currently the fastest growing county in Florida and the seventh fastest growing county in the nation. In 2021, the Lakeland-Winter Haven area was listed as the ninth most dangerous metro area in the country to be a pedestrian by the Smart Growth of America's Dangerous

by Design Report. In the past five years, ending in 2020, an annual average of 126 lives were cut short and 462 people were severely incapacitated while traveling on Polk County roads.

The countywide, Vision Zero Plan will be developed in partnership with the Polk County and all 17 incorporated cities in Polk County. The Action Plan will focus on Project Identification and Implementation, Collaboration, and Equity. It is the intent that after completion of the Action Plan, that Polk County and the various cities will partner with the Polk Transportation Planning Organization to apply for SS4A Implementation Grants.

Approval of Resolution 2022-28 will show that the City of Lake Wales is in support of Vision Zero and supports the Polk County Board of County Commissioners' application for Safe Streets and Roads for All (SS4A) funding.

OTHER OPTIONS Do not approve Resolution 2022-28 or approve a modified version.

FISCAL IMPACT There is no fiscal impact to approving Resolution 2022-28.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2022-28** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA SUPPORTING EFFORTS TO SECURE AWARD OF A SAFE STREETS AND ROADS FOR ALL GRANT (SS4A)

Commissioner Krueger made a motion to adopt **RESOLUTION 2022-28**. Commissioner Howell seconded the motion.

By roll call vote:

Commissioner Krueger "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Hilligoss "YES"

Motion passed 5-0.

13. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, reported that we are still working on foreclosure actions that will result in titles being transferred to the CRA for affordable housing options.

14. CITY MANAGER

James Slaton, City Manager, said next Thursday from 4pm-7pm is the 3rd Thursday Event downtown. Friday is Lake Wales Live from 6pm -9pm.

Mr. Slaton said that he and Tom Cloud, our attorney for Utility issues, have been discussing the renewal with Duke Energy. They have not yet come to an agreement on all issues. The agreement expires in

November. We will still get our 6% if the agreement is not renewed in time. He has met with Mr. Engholm to discuss his concerns.

Mr. Slaton thanked the Commission for approving the budget at the first hearing. October is right around the corner. Next year should be exciting in Lake Wales.

Mr. Slaton said our Mobility Plan won an award from the Planning Association and commended staff for this. The City also won a performance award from the ICMA or International City Manager Association.

Mr. Slaton said we now have a grant consultant to proactively find grant sources for our projects.

14.I. Commission Meeting Calendar

15. CITY COMMISSION COMMENTS

Commissioner Krueger said that he read the Epoch times article mentioned at the last meeting. He said that Mayor Hilligoss is exactly what our City needs.

Commissioner Krueger announced about an upcoming informational meeting for the new incubator.

Commissioner Williams commended City staff and their diligence being proactive to be sure we grow the right well. He is glad staff is on top of the Franchise agreement.

Commissioner Williams encouraged staff to explore resources in the Inflation reduction act and what can be done for the City.

Commissioner Howell said she is interested in the electric cars thing and how that can help us.

Commissioner Howell said regarding the franchise renewal that 30 years is a long time and things change.

Commissioner Howell commended Autumn Cochella in Development Services for helping an upset citizen.

Commissioner Howell said she was glad the repaving on Wiltshire is complete.

Deputy Mayor Gibson said that this was a substantive agenda with one item after the other. This took a lot of work to get to this point. It was satisfying.

Deputy Mayor Gibson said there will be lots of changes over the next 30 years. We need more flexibility for the City in the franchise agreement.

Deputy Mayor Gibson said there are lots of opportunities in the recent legislation for our City. We want to be there.

16. MAYOR COMMENTS

Mayor Hilligoss agreed that this was a substantive meeting. There was a lot of wonderful things. There was a great EDC meeting. They are finding more ways to cooperate with Main Street, EDC and Chamber in the future.

Mayor Hilligoss commended all the new houses of the City.

Mayor Hilligoss said we should pay attention to the Inflation Reduction Act to see how that could benefit the City.

17. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Mayor

ATTEST:

City Clerk