

City Commission Minutes
September 24, 2019
(APPROVED)

9/24/2019 - Minutes

1. INVOCATION

Mayor Fultz gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

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

4. ROLL CALL

Commission Members Present: Eugene Fultz - Mayor, Curtis Gibson, Robin Gibson -Deputy Mayor, Terrye Howell, Al Goldstein

Staff Present: Kenneth Fields, City Manager; Albert C. Galloway, Jr., City Attorney; Jennifer Nanek, City Clerk

5. COMMUNICATIONS AND PETITIONS

6. BUDGET HEARINGS

Mayor Fultz stated that before the Budget hearings begin he had to read this statement: the City of Lake Wales is the taxing authority and the proposed millage rate to be levied for Fiscal Year 2019-2020 is 6.9339 mills, which is [the rolled-back rate](#).

6.I. Ordinance 2019-08, Adoption Of FY2019-20 Millage Rate – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS:

The Commissioners will consider adopting a millage rate of 6.9339 mills for Fiscal Year 2019-20. The Commissioners will also consider adopting the proposed operating budget.

RECOMMENDATION

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

1. Approve Ordinance 2019-08, adopting a millage rate of 6.9339 mills for FY2019-2020, which is the rolled-back rate;
2. Approve Ordinance 2019-09, adopting an operating budget for FY2019-2020.

BACKGROUND

In accordance with Florida Statutes and the City Charter, Ordinances 2019-08 and 2019-09 are presented for first reading and public hearing. Ordinance 2019-08 establishes the millage rate for FY19'20, and Ordinance 2019-09 adopts the proposed FY19'20 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY19'20 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 and Airport Fund.

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 16, 2019, the City Commission adopted an Interim Millage Rate of 7.0438. The proposed budget was balanced on a Millage Rate equal to the roll-back rate of 6.9339 millage rate per \$1,000 taxable valuation.

BUDGETARY CHANGES I GENERAL FUND “REVENUE SOURCES & TRANSFERS IN” FOR FY19’20 COMPARED TO FY18’19:

General Fund revenues in FY19’20 (\$13,999,789 + 1,538,322 – 211,322 impact fee reimbursement – 1,293,326 financing/leases = 14,033,463) are projected to be \$717,907 greater than budgeted in FY18’19 (\$13,836,708 + 1,225,000 – 1,746,152 financing/leases = 13,315,556). An expected increase of \$717,907 is mainly due to the following items:

- Increase in ad valorem tax of \$131,744
- Decrease in sales and use taxes of \$150,050 due to allocation needed for debt service items.
- Increase in licenses and permits of \$250,000 due to \$150,000 increase in franchise fees and \$100,000 increase in building permits.
- Decrease in special assessments of \$32,000 conservative margin for deferred receipts.
- Increase in intergovernmental revenues of \$119,540 mainly due to expected grants for the Museum/Depot
- Increase in charges for services of \$219,436 mainly due to \$85,736 increase in management fees for water/sewer, \$52,800 management fees for storm water, \$68,000 increase in garbage fees and \$10,500 increase in collection fee for county impact fees.
- Increase in fines and forfeitures of \$48,250 mainly due to count and code enforcement fines.
- Increase in miscellaneous revenue of \$28,987 mainly due to \$13,000 for Ridge League Dinner, \$3,900 staffing community center, \$2,500 Museum donations, \$10,000 reimbursement of prior year insurance.
- Increases in transfers in of \$102,000 due to transfer from Utility Fund to the General Fund

BUDGETARY CHANGES IN GENERAL FUND “OPERATING EXPENDITURES” FOR FY19’20 COMPARED TO FY18’19:

General Fund “operating” expenditures in FY19’20 are projected to be \$14,206,288, which is \$911,062 greater than budgeted in FY17’18 \$13,295,226.

Significant changes in “operating” expenditures include the following items:

- Net increase in personnel salaries/wages of \$448,924, mainly due to a 2% COLA \$124,497, \$231,159 new positions and \$93,268 due to promotions, additional task, merit increase and collective bargaining agreement increases.
- Net increase in personnel payroll taxes, workers compensation, pensions and insurance of \$151,349.
- Net increases in operating cost of \$310,789, mainly due to \$212,946 additional operating costs for parks, recreation, special events, and museum. Of the \$212,946 increase, \$111,000 is directly related to the projected professional service contract the City would have with the YMCA to run the day to day operations of the YMCA building if the City purchases this property.

GOVERNMENTAL FUND BALANCE

As of September 30, 2018, the City's governmental funds reported combined ending fund balances of \$7,974,320. An increase of \$582,180 for the year. Approximately 34% (\$2,712,511) of total funds balance is available for spending at the government's discretion (unassigned)

In 2011, the City established a reserve policy for the General Fund equal to 15% - 20% of total operating costs. As of September 30, 2018, the general fund's unassigned fund balance represented 19.6% of total general fund expenditures, while total fund balance represents 31% of the same amount.

SUMMARY OF ALL FUNDS

General Fund	\$18,138,111
CRA Fund	4,280,175
Special Revenue Funds	2,574,418
Debt Service Fund	2,211,804
Capital Projects Fund	1,260,000
Cemetery (LWMG)	430,431
Utility System Fund	25,262,725
Airport Fund	851,348
Stormwater Fund	550,000
TOTAL	55,559,012

The expenditure total of \$42,758,870 is comprised of operating costs in the amount of \$27,222,044 and capital outlay in the amount of \$15,536,826. Transfers in the amount of \$2,743,092 bring total expenditures plus transfers to \$45,501,962.

Note: Capital expenditures proposed for FY19'20 are itemized in "Schedule C" within the budget document.

CONCLUSION

As the local economy has been improving over the last several years, the City's has been able to provide a higher level of service to the community. There is no question that the City's financial resources were severely strained during the Great Recession of 2008 (2007 through 2014). The City continues to deal with the lingering impact of delayed infrastructure maintenance and economic growth within our City. However, recent trends in both new commercial and residential development, including the reuse of formerly vacant existing buildings indicates that the City's tax base is once again beginning to grow and that recent economic development efforts are paying off. It is expected that the 2019'20 Fiscal Year the City will see even greater growth in the ad valorem tax base and the expansion of city services will lead to additional voluntary annexations into the city.

While economic growth is expected to continue, although potentially at a lower rate, delayed maintenance issues and continuing increases in operating costs for services will require for Fiscal Year 2020-2021 the City Manager and upper-level staff to begin looking at issues such as the City Commissioners' desired level of service, General Fund sustainability and funding availability for future capital projects within the City. While the City's tax base has and will continue to grow, it

must be recognized that much of this additional revenue is reserved for use only within the CRA areas of the City and cannot be used to support existing levels of service. It can be used to support additional CRA capital investment to increase the tax base but the additional revenue generated must still remain within the CRA area. This issue will need to be addressed in future fiscal years.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2019-08** by title only.

**ORDINANCE 2019-08
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 2019-20; PROVIDING
FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-08** after 2nd reading and public hearing. Commissioner Curtis Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0 at 6:05 p.m.

6.II. Ordinance 2019-09, Adoption Of FY2019-20 Budget – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS:

The Commissioners will consider adopting a millage rate of 6.9339 mills for Fiscal Year 2019-20. The Commissioners will also consider adopting the proposed operating budget.

RECOMMENDATION

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

1. Approve Ordinance 2019-08, adopting a millage rate of 6.9339 mills for FY2019-2020, which is the rolled-back rate;
2. Approve Ordinance 2019-09, adopting an operating budget for FY2019-2020.

BACKGROUND

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parks, recreation, special events, and museum. Of the \$212,946 increase, \$111,000 is directly related to the projected professional service contract the City would have with the YMCA to run the day to day operations of the YMCA building if the City purchases this property.

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Note: Capital expenditures proposed for FY19'20 are itemized in "Schedule C" within the budget document.

CONCLUSION

As the local economy has been improving over the last several years, the City's has been able to provide a higher level of service to the community. There is no question that the City's financial resources were severely strained during the Great Recession of 2008 (2007 through 2014). The City continues to deal with the lingering impact of delayed infrastructure maintenance and economic growth within our City. However, recent trends in both new commercial and residential development, including the reuse of formerly vacant existing buildings indicates that the City's tax base is once again beginning to grow and that recent

economic development efforts are paying off. It is expected that the 2019'20 Fiscal Year the City will see even greater growth in the ad valorem tax base and the expansion of city services will lead to additional voluntary annexations into the city.

While economic growth is expected to continue, although potentially at a lower rate, delayed maintenance issues and continuing increases in operating costs for services will require for Fiscal Year 2020-2021 the City Manager and upper-level staff to begin looking at issues such as the City Commissioners' desired level of service, General Fund sustainability and funding availability for future capital projects within the City.

While the City's tax base has and will continue to grow, it must be recognized that much of this additional revenue is reserved for use only within the CRA areas of the City and cannot be used to support existing levels of service. It can be used to support additional CRA capital investment to increase the tax base but the additional revenue generated must still remain within the CRA area. This

issue will need to be addressed in future fiscal years.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2019-09** by title only.

ORDINANCE 2019-09

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 2019-20 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.

Commissioner Curtis Gibson noted that the money for the trail was taken out of the budget as discussed at the last meeting.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-09** after 2nd reading and public hearing. Commissioner Curtis Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0 at 6:06 p.m.

6.III. Ordinance 2019-10, Five-Year Capital Improvement Plan FY2019/20 - FY2023/24 – 2nd Reading

[Begin Agenda Memo]

SYNOPSIS

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2019/20 through 2023/24.

RECOMMENDATION

It is recommended that the City Commission approve after second reading Ordinance 2019-10 adopting the Five-Year Capital Improvement Plan for fiscal years 2019/20 through 2023/24.

BACKGROUND

In accordance with section 6.05 of the City Charter, Ordinance 2019-10 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2019/20 through FY2023/24. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY19'20 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 \$66,709,540 and includes \$1,800,000 in land acquisition, \$5,734,065 in building improvements/acquisitions, \$44,529,282 in infrastructure and recreation improvements, \$10,583,193 in equipment acquisition, and \$4,063,000 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 - FY2019/20 15,536,826
Year 2 - FY2020/21 14,914,968
Year 3 - FY2021/22 18,090,794
Year 4 - FY2022/23 8,742,489
Year 5 - FY2023/24 9,424,463
5 Year Total 66,709,540

All items scheduled for Year 1 are included in the proposed FY17'18 operating budget presented to the City Commission for consideration.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2019-10** by title only.

ORDINANCE 2019-10

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 2019/20 THROUGH 2023/24; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Goldstein expressed concern about the North Library especially the location on Chalet

Suzanne Road as the traffic is bad there. He recommended pushing that project back a few years. He recommended against doing work on the Stuart House and possibly finding another use for it.

Kenneth Fields, City Manager, confirmed that there is a lot of growth in that area of the City. We may need another Library location soon. We can look for another location. He recommended leaving the money in as a placeholder. With all the growth we will get more impact fees. Regarding the Stuart House it is in danger of falling down. There may be an organization that is interested in it but recommended leaving the money there in case its needed for maintenance.

Mayor Fultz asked about funds already received for the possible new library. Tina Peak, Library Director, said that the Friends of the Library and Mountain Lake have made commitments towards the new Library. Nothing has been purchased yet. Mr. Fields reminded the Commission that Library Impact Fees can only be used for this. We have some time to look at other sites.

Commissioner Curtis Gibson agreed that this project could wait as there is not a need. Let's wait and see as all this new growth comes in.

Deputy Mayor Robin Gibson noted the architectural and historic significance of the Stuart House. He suggested that Main Street could be housed there. Karen Thompson, Main Street Director, said that the Stuart House is on their radar and is being discussed by the board and a committee.

Commissioner Howell made a motion to adopt **ORDINANCE 2019-10** after 2nd reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion Passed 5-0 at 6:24 p.m.

7. CONSENT AGENDA

Commissioner Howell made a motion to approve the consent agenda. Deputy Mayor Robin Gibson seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

7.I. Minutes - Commission Workshop July 29, 2019 And Budget Workshop August 13, 2019

7.II. Grant Application: Florida Humanities Council Speaker Series Grant

[Begin Agenda Memo]

SYNOPSIS:

A grant application to the Florida Humanities Council for \$1000. The grant would require a 1:1 matching city contribution of \$1,000 in fiscal year 2019-2020. The Museum will cover the cost of the match from monies allocated towards museum programming, marketing, museum supplies, and staffing in its 2019 – 2020 budget.

STAFF RECOMMENDATION:

Staff recommends that the City Commission approve a grant application to the Florida Humanities Council for funding that will be allocated to the new 2019 – 2020 Speaker Series. The FHC Speaker Series will feature five engaging talks with expert historians, storytellers, researchers, and authors. The program provides funding, promotional support, and capacity-building opportunities for organizations interested in hosting. The grant will provide funds to underwrite speaker fees, travel, mileage, and a portion of advertising.

BACKGROUND:

The Florida Humanities Council sponsors community based projects, facilitates important conversations among Floridians, and shines a spotlight on Florida's history, art, and culture. Established in 1973, FHC is an independent, nonprofit affiliate of the National Endowment for the Humanities. For over forty years we have developed and funded public programs that tell the stories of both Florida and those unique individuals that call this state their home. FHC is funded by the State of Florida, Department of State, Division of Cultural Affairs.

If our application is approved, the grant money will be used to help underwrite a portion of the speaker fees for the series. Earlier this year, state funding was cut 100% to fully underwrite these grant programs, however; a portion of funding is now available to help support the museum's programmatic expenses.

The grant program is a renewable annual award with an approved application. Any grant funds received from this application would be applicable from January 1 – June 1, 2020. The grant requires a minimum 1:1 match of funds. The Museum will cover the cost of the match from monies allocated towards museum programming, marketing, museum supplies, and staffing in its 2019 – 2020 budget.

OTHER OPTIONS:

Do not apply for this grant. No appropriations needed.

FISCAL IMPACT:

Staff is requesting to host a series of speakers at the Lake Wales History Museum in 2019 – 2020. A portion of funds to carry out the speaker series would come from the Florida Humanities Council.

[End Agenda Memo]

7.III. Special Event Application: House Of Prayer Octoberfest October 25, 2019

[Begin Agenda Memo]

SYNOPSIS:

Approval of the special event permit application will allow the House of Prayer Church to hold their annual October Fest on Saturday October 26, 2019 and allow for the temporary closing of Seminole Avenue

RECOMMENDATION:

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

Approve the special event permit application from the House of Prayer Church for their Annual October Youth Festival event to be held Saturday October 26, 2019

Approve the temporary street closing of Seminole Avenue from First Street to Scenic Highway between the hours of 12:00 p.m. and 5:00 p.m.

BACKGROUND:

The House of Prayer Church submitted a special event permit application for their annual Church October Youth Festival event to be held on Saturday October 26, 2019 at 506 North First Street. This application also includes a request for the temporary closing of Seminole Avenue from Scenic Highway (SR17) to First Street between the hours of 12:00 a.m. and 5:00 p.m.. The

House of Prayer will be having a Bounce House, carnival booths, kids games, and food at their Activity Center located across the street on Seminole Avenue.

In the past the church has requested from the City Commission the temporary closing of Seminole Avenue for this event held each year. This prevented vehicular traffic from entering this area and presenting a serious safety issue for the children and parents crossing Seminole to reach the Activity Center. The closure of Seminole Avenue for this event will eliminate this possibility.

Staff has reviewed the application and has no issues with the street closing. The church is handling all site set ups, sanitary facilities, trash receptacles and trash clean up. Insurance is being provided as required.

OTHER OPTIONS:

Do not approve the event or street closing.

FISCAL IMPACT:

There is no cost to the City for this event.

[End Agenda memo]

7.IV. Special Event Application: Pioneer Days 26-27, 2019

[Begin Agenda Memo]

SYNOPSIS:

Approval of the special event permit application will allow the House of Prayer Church to hold their annual October Fest on Saturday October 26, 2019 and allow for the temporary closing of Seminole Avenue

RECOMMENDATION:

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

Approve the special event permit application from the House of Prayer Church for their Annual October Youth Festival event to be held Saturday October 26, 2019

Approve the temporary street closing of Seminole Avenue from First Street to Scenic Highway between the hours of 12:00 p.m. and 5:00 p.m.

BACKGROUND:

The House of Prayer Church submitted a special event permit application for their annual Church October Youth Festival event to be held on Saturday October 26, 2019 at 506 North First Street. This application also includes a request for the temporary closing of Seminole Avenue from Scenic Highway (SR17) to First Street between the hours of 12:00 a.m. and 5:00 p.m.. The

House of Prayer will be having a Bounce House, carnival booths, kids games, and food at their Activity Center located across the street on Seminole Avenue.

In the past the church has requested from the City Commission the temporary closing of Seminole Avenue for this event held each year. This prevented vehicular traffic from entering this area and presenting a serious safety issue for the children and parents crossing Seminole to reach the Activity Center. The closure of Seminole Avenue for this event will eliminate this possibility.

Staff has reviewed the application and has no issues with the street closing. The church is handling all site set ups, sanitary facilities, trash receptacles and trash clean up. Insurance is being provided as required.

OTHER OPTIONS:

Do not approve the event or street closing.

FISCAL IMPACT:

There is no cost to the City for this event.

[End Agenda Memo]

7.V. Special Event Permit Application: Orange Blossom Revue December 6-7, 2019

[Begin Agenda Memo]

SYNOPSIS

Approval of this request will allow the Noon Rotary Club to hold its sixth annual "Orange Blossom Revue" event in Lake Wailes Park on Friday, December 6 and Saturday, December 7, 2019, allow a designated area for wine and craft beer sales, and allow the set up to begin on Thursday, December 5, 2019.

RECOMMENDATION

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

1. Approve the Special Event Permit Application from the Noon Rotary Club to hold an "Orange Blossom Revue" in Lake Wailes Park December 6 and 7, 2019 with set up beginning on Thursday, December 5, 2019

2. Approve the hours as follows:

- Thursday, December 5, 2019 - Begin set up at 12 noon.
- Friday, December 6, 2019 – The event will be open to the public at 4:00 p.m. and end at 10:00 p.m.
- Saturday, December 7, 2019 - The hours will be 11:00 a.m.–10:00p.m.
- Sunday December 8th and Monday December 9th - Clean up and removal of tents and booths will take place

3. Approve the request from the noon Rotary to have wine and craft beer sales and consumption in a designated area in the Park on both Friday and Saturday.

4. Approve the request for RV's to set up in the areas approved and designated by City staff beginning on Thursday night.

BACKGROUND

The Lake Wales Noon Rotary Club submitted a Special Event Permit Application to hold its fourth annual "Orange Blossom Revue" in Lake Wailes Park. This event features the Florida BBQ Association's sanctioned barbecue competition, the Florida Tastemakers Marketplace with a gathering of artists and vendors from across the state, kid's tents, and live music. There will also be a designated area for wine and craft beer sales and consumption.

Other than competition cook teams, there will be no designated area for weekend camping as shown on the map (spaces C1-C11). That area is integrated into festival parking.

The event has been approved by staff with the following stipulations:

- The RV's will be parked in the designated area only.
- The designated parking area for the public must be clearly identified on site.
- No vehicles shall be parked within 15 feet of the trunk of any trees within the park. No vehicles shall drive or park on the bike path or cross the bike path
- The Rotary Club is responsible for ensuring that the vendors and artists bringing in RV's adhere to the conditions for parking.
- Sanitary facilities and dumpsters are the responsibility of the sponsor. A separate dumpster will be required for disposal of ash by the vendors.
- Tent permits are required in advance by the sponsor and can be obtained from the City's Planning Department so that inspections can be completed by the Fire Marshall during set up times.
- The alcohol permit application must be completed by the sponsor and submitted to the Planning Department for review and approval before submitting to the Department of Alcohol Beverage & Tobacco. Once the final permit is obtained, a copy must be provided to the City no later than November 25, 2019.
- The required Certificate of Liability Insurance with an alcohol insurance rider has been received by the City.
- In-Kind Services will be provided by the City's Field Operations Divisions for clean up services on Saturday and Sunday and costs associated with these services will be paid by the sponsor at 25%. Off- duty officers from the Lake Wales Police Department will be hired by the sponsor for security purposes.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

This BBQ event is part of the FY19/20 special events budget. In-Kind services will cost the City approximately \$1,979 with the sponsor paying 25% of the cost or \$495. Off-duty officers from the Lake Wales Police Department will be hired for security and will be paid by the sponsor.

[End Agenda Memo]

8. OLD BUSINESS

- 8.1. Ordinance 2019-12 – 2nd Reading And Public Hearing Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2019-12 identifies necessary amendments to the Permitted Use Chart, Table 23-421, to address new issues and provide better clarification and intent of the code.

RECOMMENDATION

Staff recommends the approval of Ordinance 2019-12 after second reading. A public hearing is required and notice requirements have been met.

BACKGROUND

The Planning and Zoning Board held a regular meeting on July 23, 2019 and voted to recommend various amendments to the Zoning, Land Use and Development Regulations as set forth in the proposed ordinance.

Following are explanations of the proposed revisions to Table 23-421 Permitted and Special Exception Uses allowed in Zoning Districts:

- 1.) BP Zoning: Add Medical Office, Health Service, Veterinarian, and Animal Hospital as Permitted Uses in the BP zoning district.
- 2.) I-2 Zoning: Remove Personal Service as a Permitted Use in the I-2 zoning district.
- 3.) Hotel/Motel uses under Lodgings: Absorb the "motel" use into the "hotel" use, eliminating Motel from the Permitted Use Chart.

FISCAL IMPACT

The amendments have no identifiable fiscal impact themselves.

OTHER OPTIONS

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2019-12** by title only.

ORDINANCE 2019-12

(Zoning Amendment – Chapter 23 Zoning, Land Use and Development)

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, TABLE 23-421 PERMITTED AND SPECIAL EXCEPTION USES ALLOWED IN ZONING DISTRICTS; SPECIFICALLY FOR DISTRICTS BP – BUSINESS PARK, I-2 INDUSTRIAL INFILL AND USE TYPES HOTEL AND MOTEL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2019-12** after first reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

9. NEW BUSINESS

- 9.I. Resolution 2019-12 A Frontage Road (Service Road) Agreement With The Florida Department Of Transportation.

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider approving Resolution 2019-12, to enter into an agreement between the City of Lake Wales and the Florida Department of Transportation for maintenance of the frontage road (service road) related to the Highway 60 and Highway 27 interchange project.

RECOMMENDATION

1. Approve Resolution 2019-12, authorizing an agreement between the City of Lake Wales and the Florida Department of Transportation for maintenance of the frontage road (service road) related to the Highway 60 and Highway 27 interchange project.
2. Authorize the City Manager to execute the agreement.

BACKGROUND

The interchange project consists of a frontage road (service road) in the southwest quadrant of the interchange that connects with Highway 60 at the western entrance to Lake Wales Plaza. The frontage road (service road) then heads east to connect with Mulberry Street.

In the northeast quadrant of the interchange a new connection between Bullard Avenue and Miami Street will be constructed.

East of the interchange and south of Highway 60 direct access from Sharp Street to Highway 60 will be closed.

Sharp Street will be routed with an extended Lime Avenue to provide a new connection with Gibson Avenue. Gibson Avenue maintains its connection with Highway 60 at its current location.

OTHER OPTIONS

The City Commission may choose not to enter into this agreement.

FISCAL IMPACT

The maintenance of this road will be added to the city's current Highway 60 maintenance schedule.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2019-12** by title only.

RESOLUTION 2019-12

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF LAKE WALES AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, FINANCIAL PROJECT NUMBER:419243-4-52-01 FOR THE MAINTENANCE OF THE FRONTAGE ROAD (SERVICE ROAD) IN THE SOUTHWEST QUADRANT AT THE WESTERN ENTRANCE TO THE LAKE WALES PLAZA THAT CONNECTS WITH HIGHWAY 60.

Teresa Allen, Public/Support Services Director, reviewed this item. Kathy Bangle brought a map showing where the new frontage road is that we will be maintaining. Commissioner Howell noted that this will be safer. Ms. Bangle confirmed that it will be safer. Ms. Bangle said that this project will begin in March. She described how the FDOT will upgrade the intersection. The project will take about 2 years.

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2019-12**. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

Albert Galloway, Jr., City Attorney, reported a complaint delivered to the City of Lake Wales from a pickleball player who requested accommodation for his disability which is an adaptive type of game. The leader who is a volunteer refused the accommodation. He will send a letter explaining that accommodation needs to be made.

11. CITY MANAGER

Kenneth Fields, City Manager, reported on a recent presentation by FDOT to the Central Florida Planning Council about HWY 60. Mr. Fields shared some of his concerns and those of the East Polk County Group with the district secretary. This area is slated for a lot of growth in the next few years. The FDOT is planning for the next 40 years. There were some long range issues discussed.

Mr. Fields said that we have received the reimbursements we were expecting so we are doing better in that respect.

Kathy Bangley, Planning Director, announced the Serenity Apartments Ground breaking ceremony on October 9th at 10:30am and she will send that information around.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Calendar

11.IV. Meeting And Event Calendar

12. CITY COMMISSION COMMENTS

Commissioner Goldstein said he is looking forward to the next year and with all the growth we are getting we may need more Police and Fire Department resources.

Commissioner Curtis Gibson commended the staff on their hard work with the budget. He said we still need a stage at Lake Wales Park and we should look into solar energy at the Airport.

Commissioner Howell asked about the impact of the hospital transfer of ownership to the budget. Kenneth Fields, City Manager, said the transfer to the non-profit Advent Health will cost a bit over \$100,000 and he is looking for ways to offset that. He will meet with their representatives in the future.

Deputy Mayor Robin Gibson discussed the benefits and drawbacks of growth. We need to work on improving downtown and quality of life. We have an opportunity to make good in our downtown. Mayor Fultz said he agreed and said we need more permanent residents.

Commissioner Goldstein said many younger families from Lake Wales now live in Winter Haven and Lakeland because of the lack of nightlife. We need to get more activity in our downtown. Kenneth Fields, City Manager, said the Dover Kohl Plan will be up for approval at the next meeting on October 1. After approval we can move forward to improve downtown.

Commissioner Howell emphasized the need for nightlife for younger people.

Deputy Mayor Robin Gibson said that good schools are important for bringing in families.

13. MAYOR COMMENTS

Mayor Fultz said we need to find better jobs for the smarter students to stay in Lake Wales.

Mayor Fultz announce the Mayor's Roundtable tomorrow to discuss mutual issues.

14. ADJOURNMENT

The meeting was adjourned at 6:56 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk