The regular meeting of the Lake Wales City Commission was held on December 4, 2012 at 6:01 p.m. following the invocation and the Pledge of Allegiance in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Michael S. Carter.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Christopher Lutton; Betty Wojcik; Terrye Y. Howell; Michael S. Carter, Mayor

COMMISSIONERS ABSENT: Jonathan Thornhill

CITY REPRESENTATIVES PRESENT: Terry Leary, City Manager; Albert C. Galloway, Jr., City Attorney; Clara VanBlargan, City Clerk; Jacquie Hawkins, Deputy City Clerk

[Meetings are recorded but not transcribed verbatim]

MAYOR

Agenda Item 5. A "Thank-you" from Kevin Respress on behalf of the Business Civic and Ministry Coalition of Lake Wales

Kevin Respress, on behalf of the businesses in Lake Wales, and John Kimbrough, on behalf of the coalition of churches in Lake Wales, presented the City of Lake Wales a check for $500 as a token of their appreciation and gratitude for partnering with them to make Lake Wales a better community.

Police Chief Chris Velasquez introduced five heroes composed of a combination of citizens and a police officer who did an extraordinary thing in directly saving the life of a four year old child, Liam Kalapp, who was present. The boy's mother, Amy Kalapp, explained how her son, playing inside the family car, accidently shifted the gear to neutral causing the car to roll backwards on their sloping driveway. The frightened child jumped out of the car but the door hit him, swept him under the car, and pinned him by his chest under the wheel. He was unresponsive. Five ordinary people who just happened to be in the area sprang into action, lifting the car from off the child and sliding him out from under the tire, thus saving his life. The biggest miracle was that though the child was airlifted to a hospital with multiple injuries expected, he had no internal injuries and did not have a broken bone. Lt. David Black also presented each hero with a Lake Wales PD challenge coin as a symbol of their appreciation. The heroes were Officer Jonathan Fletcher, Megan Gillis, Derrick Jones, Bryan Kirkland, and Kelley Stentz.

CONSENT AGENDA

Agenda Item 6. APPROVAL OF MINUTES: November 20, 2012, Regular Meeting

Agenda Item 7. Request from Polk County to Extend the Lease Agreement for Fellowship Dining

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

Approval for the extension of the lease agreement will allow Fellowship Dining to continue the program through December 31. 2015.

RECOMMENDATION

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

1. Approve the extension of the lease agreement with the Polk County Board of County Commissioners to operate their Fellowship Dining Nutrition Program at the James P. Austin Community Center through December 31, 2015.

2. Authorize the City Manager to execute the lease extension agreement

BACKGROUND

The Polk County Board of County Commissioners and the City of Lake Wales had previously entered into a Lease Agreement on January 1, 2004 to allow Fellowship Dining to use a designated area of 2,288 sq. ft. at the James P. Austin Community Center site for its Congregate Meal Program. This program has been extremely successful providing meals at the center Monday through Friday, 8:30 a.m. to 1:30 p.m., providing home deliveries to those clients that live too far away, providing nutritional education and counseling by a licensed, registered dietitian, providing transportation to and form the center and providing trips to the grocery store if needed.

At its November 3, 2009 meeting the City Commission approved the extension of the lease agreement which became effective January 1, 2010 with an expiration date of December 31, 2012. Polk County is seeking once again an extension of the lease agreement with the City to use a designed area at the James P. Austin Community Center for the County's Fellowship Dining Program. The agreement is for the period beginning January 1, 2013 through December 31, 2015.

The base rental shall remain the same at $75.00 per month for an annual payment of $900.00 per year. As stated in the original lease agreement, additional fees will be charged at the same rate as for other City residents if any special events take place outside of the regular operating hours. The lease extension agreement shall remain in full force and effect under the existing terms and conditions of the original lease agreement.

OTHER OPTION

Do not approve the lease extension agreement with Polk County.

FISCAL IMPACT

Extension of the agreement will generate and annual income of $900.00 to help offset the cost of facility maintenance.

[End agenda memo]

Commissioner Howell made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Lutton.

By Voice Vote:

Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Commissioner Wojcik	"YES"

Mayor Carter "YES"

The motion carried 4-0.

OLD BUSINESS

Agenda Item 8. Ordinance 2012-24 Chapter 18 Amendment – 2nd Reading & Public Hearing

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The City Commission will consider adopting Ordinance 2012-24 amending Lake Wales Code of Ordinances Chapter 18 Streets, Sidewalks and Other Public Places, to remove paragraph (5) of Section 18-137(A), General Usage Requirements, pertaining to a four dollar ($4.00) league participation fee and Section 18-74, Definitions, to clearly define "league."

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Adopt Ordinance 2012-24 after second reading and public hearing.

BACKGROUND

Ordinance 2012-24 went before the City Commission on November 20, 2012 and was approved after first reading.

On October 30, 2012, the City Commission held a workshop to review recommendations on the City's Code of Ordinances governing league use of the city's recreational facilities. As a result of the workshop staff is recommending changes to the following sections of Chapter 18 of the City's Code of Ordinances.

Section 18-137(A). General Usage Requirements: Paragraph (5): The league shall remit four dollars ($4.00) per participant per season to the City of Lake Wales. This participation fee shall be remitted with a copy of the league roster showing name and address of all participants within fifteen (15) calendar days following the close of league registration. The participation fee will be utilized to offset the cost of utilities, maintenance, improvements and other costs associated with the operation of city recreation facilities and shall be assessed in lieu of fees assessed under section 18-182 for use of the fields.

Section 18-74. Definitions: For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The pronouns "he" and "his" include the pronouns "she" and "her".

Ordinance 2012-24 will amend Ordinance 2007-46 that established league use of city facilities, to eliminate paragraph (5) of Section 18-137(A) pertaining to a four dollars ($4.00) per participant fee per season and will clearly define "league" as an organized group engaging in a team sport utilizing a specific facility on a regular scheduled basis whose participants pay a fee to participate or have sponsors.

FISCAL IMPACT

There is no monetary affect to the City's budget if this action is approved.

OTHER OPTIONS

Do not adopt Ordinance 2012-24

[End agenda memo]

City Clerk Clara VanBlargan read Ordinance 2012-24 by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCE CHAPTER 18, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ELIMINATING PARAGRAPH 5, AN ASSESSMENT FEE FOR PARTICIPATION PER SEASON FOR LEAGUE USE OF CITY OWNED ATHLETIC FIELDS AND CLEARLY DEFINING LEAGUE; PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

There were no comments from the public.

CLOSED PUBLIC HEARING

Commissioner Wojcik made a motion to approve Ordinance 2012-24 after second reading and public hearing. The motion was seconded by Commissioner Howell.

By Roll Call Vote:

Commissioner Howell	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Mayor Carter	"YES"

The motion carried 4-0.

NEW BUSINESS

Agenda Item 9. Lake Wales Mardi Gras Celebration for 2013, Special Event Permit Application and Temporary Street Closings

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

Approval of the Special Event Permit Application will allow the Lake Wales Mardi Gras to hold pre-parade activities on Friday evening, February 8, 2013 in the downtown area, will allow the Mardi Gras parade to be held on Saturday, February 9, 2013 and allow the temporary closing of several streets for the parade and after parade activities.

RECOMMENDATION

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

- Approve the Special Event Permit application for the Lake Wales Mardi Gras Celebration to take place on Friday evening, February 8, 2013 and on Saturday, February 9, 2013.

- Approve the request for the temporary closings on Friday evening, February 8 and on Saturday, February 9, 2013 for food vendors, craft vendors, a beer tent and musical entertainment. Areas requested for closings are as follows: the Marketplace, the Marketplace parking lot, S. Market Street between Central Avenue and Stuart Avenue, and N. Market Street between Park Avenue and Orange Avenue. These areas would be closed beginning Friday at noon until 11:00 p.m. and again on Saturday beginning at 6:00 a.m. until 10:00 p.m.

- Approve the request for the temporary closing of the two city lots located on East Stuart Avenue on Saturday, February 9, 2013 between the hours of 8:00 a.m. and 10:00 p.m. for vendors and kids activities.

- Approve the temporary street closings on Saturday, February 9, 2013 between the hours of 2:00 p.m. and 5:00 p.m. for the Mardi Gras parade.

BACKGROUND

Mr. Bill Ouellette, President of the Lake Wales Mardi Gras has submitted a Special Event Permit Application for the 2013 Lake Wales Mardi Gras Celebration and Parade to be held Friday, February 8, 2013 and Saturday, February 9, 2013. With the success of the 2012 event, Mr. Ouellette is again requesting approval for a two day event. This application also includes a request for the temporary closing of several streets and several city lots in the downtown area.

Activities for the 2013 Lake Wales Mardi Gras are planned as follows:

1. Friday evening, February 8, 2013 - food vendors, along S. Market Street and N. Market Street, a beer tent and musical entertainment in the Marketplace parking lot, Set up for Friday would begin around noon with activities beginning at 6:00 p.m.

2. Saturday, February 9, 2013 - the activities will continue in the downtown area beginning at 11:00 a.m. with food and craft vendors in the Marketplace, on S. Market Street and a portion of N. Market Street. Kid's activities will be set up on the two city parking lots on East Stuart at SR17. Musical entertainment will continue in the Marketplace parking lot beginning around noon in addition to the beer tent. These activities will conclude at 10:00 p.m.

3. Saturday, February 9, 2013 - the main event will begin at 3:00 p.m. with the Mardi Gras Parade which will start on the east side of the City Administration Building and make its way through the downtown area concluding at Park Avenue and Third Street at approximately 5:00 p.m.

   The parade route involves the following streets:

   Central Avenue from Dr. Martin Luther King Jr. Blvd. to SR17 (Scenic Hwy), SR17 from Central Avenue to Stuart Avenue, , East Stuart Avenue from SR17 to North First Street, North First Street to Park Avenue, East on Park Avenue from North First Street to Third Street.

Mr. Ouellette met with the City Manager and staff from City Administration, Police Department and Streets Department on November 16 to discuss the event details and work out the specifics and requirements for security at the beer tent and for the parade. The Police Department, VOICE and the Streets Department will coordinate control of vehicular and pedestrian traffic for the parade. Trash barrels with bags will be placed along the parade route and in the areas of the pre-parade and after parade activities in the Marketplace. Sanitary facilities, dumpsters, site set up, tent permits, insurance, FDOT road closing permits and the alcohol beverage permit from the Dept. of Alcohol Beverage & Tobacco will be the responsibility of the Lake Wales Mardi Gras Executive Committee.

OTHER OPTIONS

Do not approve the two day event

FISCAL IMPACT

In Kind services for this event were estimated in the FY2012/2013 budget in the amount of $5,252. The Lake Wales Mardi Gras is responsible for 25% or $1,750.00.

[End agenda memo]

Administrative Assistant Katie Kinloch reviewed Agenda Item 9.

Commissioner Howell made a motion approve the Lake Wales Mardi Gras Celebration and the temporary street closings as recommended. The motion was seconded by Commissioner Wojcik.

By Voice Vote:

Commissioner Howell	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Mayor Carter	"YES"

The motion carried 4-0.

PUBLIC COMMENT

Mayor Carter said there were some concerns about the Christmas Parade route and invited discussion on the topic.

T. J. McKeon, representing the Kiwanis Club, came forward to talk about the 2012 Christmas Parade. He explained that a year ago he had come to the Commission with an alternate route for the 2011 Christmas parade for the following reasons:

- Because City staff was concerned that crowds viewing the parade in the commercial district might damage the new landscaping, and because the Kiwanis Club was told their parade could not go down Park and Stuart Avenues.
- Turning such large floats causes a security risk on the downtown streets
- The downtown route was more costly because it costs the city approximately $180 per turn to close-off the roads.
- The City wanted a unified route for all large parades. At the time the Christmas Parade and Mardi Gras parade had identical routes, though they started at the opposite ends.
- The old route was hard to stage and lineup the average 3,500 feet of parade floats.
- The alternative route made it easier for thousands of kids in the parade to be dropped off and picked up.

The 2011 proposed route from the Kiwanis Club would have gone straight down Central Avenue but that had been denied because the City Commission didn't want the parade to go through the residential portion of Central Avenue. The parade route therefore started at Lakeshore Blvd, traveled up Park Avenue, went left on SR17 and right onto Central Avenue. The drawback was that no one viewed the parade from Park Avenue because there are no sidewalks there, it is very dark with no lights, and because there is no place to park.

The Kiwanis Club therefore requested this year to move the section of the route that went down Park Avenue to Central Avenue for the following reasons:

- It would be a straight shot with two less turns
- It would be cheaper because it would be less work for the Streets and Police Departments
- It would be better attended because it is a lit street and has sidewalks

- Churches along that section plan on making an area for handicap people to view the parade safely

Mr. McKeon said the new route was approved over a month ago but recently a number of complaints have been printed in the Lake Wales News suggesting that the Kiwanis Club changed the route because it does not want to promote the downtown. This initiated a meeting because the Kiwanis Club is not anti-Lake Wales and a number of Kiwanis Club members have businesses downtown. The Kiwanis Club's intent in moving the route was to make the route safer, cheaper and one that would best benefit the City as a whole. Because the Kiwanis Club is open to change, Mr. McKeon said they would welcome the opportunity to meet with the City Manager and Police Department in the spring, as it is too late to change the present parade route, to discuss what is best for the City as far as security, safety and cost of the 2013 Christmas Parade.

Mayor Carter asked Mr. McKeon if the Central Avenue route was the one they preferred. Mr. McKeon said it wasn't a matter of what they preferred because they can make any route work. Therefore, it is a matter of what will best serve the City and make people the happiest.

Mr. McKeon asked the Mayor if the landscaping was still an issue with the downtown route because the Mardi Gras parade was just approved for that route. Mayor Carter said that never was a concern of his because staff can protect the plants. He said the downtown area is there for the enjoyment of residents and if the plants are too fragile for that area they shouldn't be there.

Commissioner Wojcik suggested that they invite a couple of the business owners and Main Street representatives to the meeting in the spring. Mr. McKeon said the businesses downtown never contributed a penny to the $800 cost of running the parade, though it isn't a big financial concern because they usually come out even after charging $20 a float. But that could change.

Commissioner Wojcik said Main Street might be willing to contribute toward the cost. She said there are probably downtown businesses that would rather **not** see the parade go through downtown, so no matter what route is taken, not everyone will be pleased. She said her main concern was safety and she didn't want a child to get hurt because of those difficult turns downtown.

Mr. McKeon said that when they found out the route couldn't go through Park and Stuart Avenues last year they thought that might be a plus because when the parade route is closed, shoppers can't park on those two streets to get to the stores. With the parade on Central Avenue, people are able to park along Park and Stuart Avenues and possibly shop before they walk to Central Avenue to see the parade. In his opinion, Mr. McKeon said he thought the complaints about the route were blown out of proportion.

Kevin Repress said that Main Street would rather have the parade downtown but he understood the concerns. He said the Main Street organization would absolutely love to meet with the Kiwanis people in the spring and whatever is decided, Main Street will support. Though Main Street would probably not be able to support them monetarily, volunteers would be happy to help with things like the cleanup.

Agenda Item 10. Dr. Martin Luther King Jr. Parade and Celebration January 18-21, 2013, Special Event Permit Application and Temporary Road Closings

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

Approval of the special event permit application will allow the Dr. Martin Luther King Jr. Celebration to take place between January 18, 2013 and January 21, 2013 and allow the temporary street closings for the parade on January 21, 2013.

RECOMMENDATION

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

1. Approve the special event permit application for the Dr. Martin Luther King Jr. Celebration to be held January 18, 2013 to January 21, 2013

2. Approve the temporary street closings for the Dr. Martin Luther King Jr. Celebration and Parade to be held Monday, January 21, 2013. The time frame requested for the street closings for the parade is form 2:30 p.m. to 5:00 p.m. and for after parade activities on Lincoln Avenue from approximately 4:30 p.m. to 8:00 p.m.

3. Approve the temporary closing of the city parking lots on Lincoln Avenue for vendors and/or parking.

4. Approve the use of the James P. Austin Community Center on Saturday, January 19, 2013 and on Monday, January 21, 2013 for event activities and at no cost to the MLK Scholarship Fund

BACKGROUND

Mr. Narvell Peterson, President of the Dr. Martin Luther King Jr. Scholarship Fund of Lake Wales Inc. submitted a Special Event Permit application for the Annual Dr. Martin Luther King Jr. Celebration and Parade to take place beginning on January 18, 2013 and ending on January 21, 2013 with the parade and after parade activities on Lincoln Avenue.

The celebration will include some of the following activities:

1. Oratorical Contest, Friday, January 18, 2013 (Location TBA)
2. Unity Walk, Saturday, January 19, 2013, begins at Kiwanis Park and ends at Stuart Park
3. Health Fair, Saturday, January 19, 2013, B Street Center
4. Celebration Banquet, January 19, 2013, James P. Austin Community Center
5. Celebration breakfast and noon program, January 21, 2013, James P. Austin Community Center
6. Dr. Martin Luther King Jr. Parade, Monday, January 21, 2013. The special event permit application includes a request for the temporary closing of the following streets:

   Parade will line up at the Austin Center by 2:30 p.m. and will begin on Dr. Martin Luther King Jr. Boulevard, travel north to Dr. J.A. Wilshire Avenue, turning left and continuing to E Street, turning right on E Street and continuing to Lincoln Avenue, traveling on Lincoln Avenue to A Street, turning right on A Street and continuing to Dr. J.A. Wilshire Avenue. The parade will then turn left and continue to First Street and continuing on First Street until Park Avenue, turning west on Park Avenue continuing until Dr. Martin Luther King Jr. Boulevard. At this point the parade will turn right on Dr. Martin Luther King Jr. Boulevard and continue to the Austin Center where the parade ends.

After the parade the celebration will continue with food and craft vendors, music and entertainment along Lincoln Avenue and in the city parking lots along Lincoln Avenue. The activities are to conclude at 8:00 p.m. The Dr. Martin Luther King Jr. Committee will be responsible for requiring the vendors to close promptly at 8:00 p.m. They will also be responsible for site set up, sanitary facilities and clean up after the event concludes. Staff from the Lake Wales Police Department, Streets Division and City administration met with the MLK committee on November 12, 2012 to discuss the event and iron out the specifics. Lake Wales Police Department and VOICE will be assisting with pedestrian traffic and vehicular traffic control. The Streets Division will be assisting with the street closings, setting out trash containers and the normal trash clean up on Tuesday.

OTHER OPTIONS

Not to approve this event and road closings.

FISCAL IMPACT

In-kind services for the City were budgeted for FY12/13 in the amount of $3,776.00. The MLK Scholarship Fund of Lake Wales Inc. is responsible for 25% or $944.00. The fees for the James Pl. Austin Community Center would be waived providing that the City Commission approved this request.

[End agenda memo]

Administrative Assistant Katie Kinloch reviewed Agenda Item 10.

Commissioner Howell made a motion to approve the Dr. Martin Luther King Jr. Parade and Celebration, the use of the James P. Austin Community Center, and the temporary road closings. The motion was seconded by Commissioner Lutton.

By Voice Vote:

Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Commissioner Wojcik	"YES"
Mayor Carter	"YES"

The motion carried 4-0.

Agenda Item 11. Appointment – Lake Wales Housing Authority Board

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The appointment will fill a vacancy due to resignations, expirations of terms, newly established boards, etc.

RECOMMENDATION

It is recommended that the City Commission make the appointment as deemed appropriate.

BACKGROUND

Vacancies exist on various Boards, Commissions, and Committees due to resignations, expirations of terms, newly established boards, etc. The City Commission is asked to make the appointments as deemed appropriate.

Housing Authority – Members are appointed by the Mayor and confirmed by the City Commission. The Housing Authority consists of five (5) members. Members must reside in the City, own property in the City, or hold a valid occupational license issued by the City. One (1) member must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority. No member may be an officer or employee of the City. (4-year term)

The member appointed does not have to be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority.

One vacancy:	term expires 07/01/14
Applying for appointment:	Helen L. Walters, resident & former member of the Housing Authority Board Wanda Lawson, resident Norman Kuehn, resident

The vacancy is due to the vacation of seat of Octavia Johnson.

FISCAL IMPACT

None. These are volunteer citizen boards.

OTHER OPTIONS

Do not appoint an applicant named above and seek other applicants; however, it may be difficult for the board to obtain a quorum until vacancies are filled.

[End agenda memo]

Mayor Carter made a motion to appoint Norman Kuehn to the Housing Authority Board for a term expiring 7/1/2014. The motion was seconded by Commissioner Howell.

By Roll Call Vote:

Mayor Carter	"YES"
Commissioner Howell	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"

The motion carried 4-0.

Agenda Item 12. Legislative Delegation Hearing Discussion – December 10, 2012

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

This is a discussion on topics to be presented at the Legislative delegation hearing on December 10, 2012.

RECOMMENDATION

Staff recommends that the City Commission discuss possible topics or requests to be presented to the Polk County Legislative Delegation at its hearing on December 10.

BACKGROUND

Each year before session the Polk County Legislative Delegation holds a hearing to listen to the requests and concerns of the county, its municipalities, as well as the public before session begins.

A representative from the City will attend and present a list of issues of concern to the City of Lake Wales. Staff is seeking direction from the commission on what topics should be presented.

Possible discussion items suggested by staff include a request funding for FRDAP grants as Lake Wales has two applications up for consideration and encouraging their support of Florida's libraries.

OTHER OPTIONS

Do not make a presentation to the delegation.

FISCAL IMPACT

None

[End agenda memo]

Special Projects Manager Jennifer Nanek reviewed Agenda Item 12. She said she planned on talking about FRDAP grants and the Library budget. She said that several Legislators are newly elected, giving the Commission a chance to let them know our concerns, and asked if there were other topics the Commission wished her to discuss with them. The following topics were added:

- Mayor Carter asked that she talk about Tallahassee making it easier for municipalities to take advantage of the sales tax exemption the cities are entitled to, though he said he realized that if the exemption works as it should, the savings to the cities would be huge, but the state will receive far less revenue. Hopefully they can come up with a plan that will work for everyone.
- Commissioner Howell asked that Ms. Nanek request more appropriations of funds.
- Commissioner Wojcik asked that the new legislators consider requiring Amazon and other on-line shopping sites to pay sales tax because not doing so discriminates against local businesses that have to pay that sales tax. Requiring them to pay their share of taxes may even offset cities getting the sales tax exemption in which they are entitled.
- Mayor Carter asked Ms. Nanek to ask about grant opportunities to help build the new fire station.

Agenda Item 13. Meeting Date Change for the first Regular City Commission Meeting in January 1013.

[Begin agenda memo]

SYNOPSIS

The City Commission is asked to reschedule its first regular meeting in January 2013.

The first regular meeting of the City Commission in 2013 is on New Year's Day and it is recommended that the meeting date be changed from Tuesday, January 1, 2013 to Wednesday, January 2, 2013.

[End of agenda memo]

Commissioner Howell made a motion to change the first meeting in January 2013 from Tuesday, January 1st to Wednesday, January 2nd. The motion was seconded by Commissioner Lutton.

By Voice Vote:

Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Commissioner Wojcik	"YES"
Mayor Carter	"YES"

The motion carried 4-0.

Agenda Item 14. City Manager Performance Evaluation/Discussion of Future Goals and Objectives

[Begin agenda memo]

SYNOPSIS

City Manager Performance Evaluation/Discussion of Future Goals and Objectives

Ms. Leary's employment contract specifies that a performance evaluation will be conducted approximately twelve (12) months from the date Employee commences her employment pursuant to the terms of the Agreement.

Performance evaluation forms were completed by the City Commissioners and returned to staff as requested. Evaluation forms completed by the Commissioners are available for review in the Human Resources Department.

Two charts showing ratings in the various evaluation categories have been compiled and are attached to this memo.

This is placed on the Agenda so that the Commission may discuss its evaluation with Ms. Leary and to set future goals and objectives.

[End of agenda memo]

The following information was emailed and distributed in hard copy to the Commissioners by the City Manager to show how she used the goals set forth in the City's Mission Statement as her direction this past year.

[Begin memo by City Manager]

Before we begin discussion tonight concerning my evaluation, I would like to present to you a few thoughts. Since arriving in Lake Wales, there have been many issues that I needed to deal with. Some were anticipated, some not. It seems that the best way to explain what direction I followed was the City's Mission Statement that was adopted long ago. Therefore, I have broken it down into segments and applied what actions/projects have been accomplished in keeping with that framework.

Attached is our Mission Statement with the breakdown of ways I have attempted to fulfill the "Mission".

I was surprised that some of you did not recognize the efforts put forth in some of these areas. For example, I have made it my business to attend almost every Main Street meeting with merchants, property owners, etc. We are not where we want to be **yet** but people are talking to each other, thanks to Kevin Respess and others who are planning events, trying to build a partnership. I know that I and other staff members are encouraging and participating at a significant level.

As for services from other departments such as police, fire, finance, utilities, I would call your attention to our citizen survey this past summer where most residents rated their operations as good to excellent. We can always do better but we are far from poor to unacceptable.

Code enforcement is a tool we have used to rid this city of blight and to change our image. Not only are we creating a better quality of life for present citizens but we are creating a more desirable place to attract future residents and developers.

Please review the attached Mission Statement and supporting documentation.
If our Mission Statement needs to be changed, I will be happy to do so. If new goals and objectives need to be set, by all means, I am more than willing to help develop and implement them.

City's Mission Statement: *The City of Lake Wales is established for the benefit of its citizens and shall provide for their health, welfare and safety. Special attention shall be devoted to improving the City's appearance, maintaining public facilities and infrastructure, and ensuring citizen safety and quality of life via a fair and equitable system of citizen involvement and input. Moreover, the City shall provide a positive administration of laws and ordinances governing individual activities and requests. It is the intention of the City not to be an obstacle, but to facilitate solutions to problems and respond to needs while always serving the best interest of the public.*

1. **The City of Lake Wales is established for the benefit of its citizens and shall provide for their health, welfare and safety.**
   - **A.** Police
     - a. Crime rate is way down
     - b. Needed public safety equipment purchased through grant funding
     - c. More emphasis has been placed on community policing
   - **B.** Fire, Rescue, Emergency Management
     - a. Property for Fire Station on North side of town purchased
     - b. High ISO rating maintained
   - **C.** Water and sewer (Utilities)
     - a. Wastewater Treatment Plant Facility finished
     - b. Country Club Reuse Project complete
     - c. On-going water meter replacements

2. **Special attention shall be devoted to improving the City's appearance:**
   - A. Code Enforcement
     - a. Property Maintenance Code (September 2012)
     - b. Two demolitions plus one in progress at no City expense
     - c. Ten buildings posted as unsafe
     - d. Increased Code Enforcement Board caseload from two-to-three per month to twelve-to-fifteen per month
     - e. Compliance percentages increased dramatically
     - f. Code Enforcement staff and management actively participating in community workdays
     - g. Beautification projects for City Hall, parks and main thoroughfares initiated with limited funding resources
     - h. Re-organization of building/code department

3. **Maintaining:**
   - A. **Public facilities**
     - a. Kirkland Gymnasium repairs completed
     - b. Roof repairs on Burns Avenue Water Plant
     - c. Actively assessing public facilities for deficiencies (in progress)
     - d. Deferred maintenance on facilities to be included in new budget
   - B. **Infrastructure**
     - a. Relocation of pipes for FDOT project on Mt. Lake Cut-off Rd.
     - b. Easements ongoing for the C Street project
     - c. Removal of bleachers at Little League Field. Seeking alternative funding for replacement
     - d. 8th Addition of gravesite extension at Lake Wales Cemetery
     - e. Replacement of deteriorating utility infrastructure will be a large focus of the strategic planning session

4. **Ensuring citizen:**
   A. **Safety**
   B. **Quality of life**
      a. Dog Park put in by a Boy Scout
      b. New sidewalks at Crystal Lake Park
      c. Grant obtained to resurface the bike path
      d. Upgrades at Lake Wailes Park
      e. 4th of July Celebration held in two locations
      f. Recreation issues being addressed; new Recreation Board, Webber College practicum, partnering with YMCA
      g. Regal Summer Movie Program

5. **Equitable system of citizen involvement and input.**
   A. First citizen budget survey July, 2012
   B. Various announcements via water bills and mailings,
   C. Broadcasting of City Commission Meeting – new PGTV broadcasting and internet access up and running
   D. Everyday courtesy and efficiency in City Hall.
   E. Table out front with information on events and city meeting calendar
   F. Comment cards available in the lobby for customer input
   G. CORE meeting to have new focus

6. **Moreover, the City shall provide a positive administration of laws and ordinances governing individual activities and requests.**
   NEW ORDINANCES
   A. Shooting Ranges
   B. Leashing dogs in public places
   C. Repeal of various recreation fees (leagues)
   D. Special Sales and Events
   E. Balanced Budget 2012-13

7. **It is the intention of the City not to be an obstacle, but to facilitate solutions to problems and respond to needs while always serving the best interest of the public.**
   A. Employee tasked with tracking all complaints coming into the city to make sure solutions are found.
   B. Employees tasked with the timely response and review for building permit/business taxes and other necessary permits

Economic Development:

1. Commercial node on US27
   a. Peace Creek Promenade site preparation
   b. Pet Smart project soon
   c. Dunkin Donuts
   d. Wawa
   e. Eye Specialist Central Florida retained
   f. Pediatrician
2. Medical node on SR60 with CHS Medical Home Care
3. Longleaf Business Park –
   a. Reneu Energy

b. Comcast FIOS high speed internet service

4. Airport Master Plan completed
5. Heartland Inc. on Buck Moore in the works
6. Downtown
   A. Arcade leased up to 90%
   B. Major involvement of senior administration with Main Street meetings, projects, promotions, special events
   C. City Manager involved in public relations with present downtown merchants, future merchants, and property owners

[End memo by City Manager]

Commissioner Wojcik made a motion that this agenda item be postponed until Commissioner Thornhill could be present as she thought all five commissioners should be involved in the discussion and she would like to hear more on the position Commissioner Thornhill took on issues in his evaluation of the City Manager.

Commissioner Howell seconded the motion to postpone the item until the next meeting.

Commissioner Lutton said he thought time would be better spent setting goals and milestones for the City Manager to follow for the coming year than to rehash things that were or were not done last year because we are already two months into this year and he was sure each of the Commissioners already met individually with the City Manager to go over their evaluation of her. She therefore already received the feedback she needed. He said that if they set clear definitive goals for the coming year it will be easier for the Commission to judge Ms. Leary's performance on her next evaluation based on whether or not those goals were met or what progress was made toward meeting them.

Commissioner Howell said her evaluation would have been much different if it had been about the City Manager. She said they need to work on a better form with questions that evaluate the City Manager and not the various directors.

Commissioner Wojcik recommended that Commissioners think about what goals they would like the City Manager to reach by the next meeting. Commissioner Lutton said they will need to come to a consensus between the five of them as to what combined goals to set.

Mayor Carter said he agreed that measurable goals were needed and all five Commissioners should be there to accomplish that. He said it will be an opportunity to fix some things and should not be viewed as a problem. He also agreed that the time at the meeting should not be spent rehashing old problems. He said he would not be in favor of micro-managing the review process in a public forum.

By Voice Vote:

Commissioner Wojcik	"YES"
Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Mayor Carter	"YES"

The motion carried 4-0.

City Manager Terry Leary explained that she had used the City's Mission Statement as a guideline for goals to reach and suggested that when they talk about future goals at the next meeting they may want to look at the existing Mission Statement to decide if changes need to be made.

CITY MANAGER'S REPORT

Code Enforcement:

- Ms. Leary reported that the City received a check for $5,300.00 [$5,307.01] from the tax collector for the collection on a three or four year old code enforcement lien, and they are also expecting a check for $7,000 for another lien that may materialize.
- Ms. Leary reported that the owners of two houses recently cited for disrepair came to the City with a contractor for a permit to do the necessary improvements, so we are making progress.

CITY COMMISSION TRACKING REPORT

- Depot Museum Lease Agreement: Ms. Leary reported that the revised version of the lease agreement has been completed by the City Attorney and will be forwarded to the Historic Society Board. Once they receive feedback from them it will be brought before the Commission.
- Pension Reform Meeting: Mayor Carter asked that the status of the meeting with the Pension Board be updated on the next tracking report since it has not been updated in about three weeks.

COMMUNICATIONS AND PETITIONS

- Stuart House: Mimi Hardman, President of the Historic Society, explained their plan to open up the Stuart House for rentals of things like birthday parties and baby showers to generate needed income. She gave a brief history of the Stuart House.

  City Manager Terry Leary said there was a provision in the lease agreement whereby the city will participate in programming at the Stuart House and the building can be used by the City and Main Street for events, with the agreement of the Historic Society.

- Ed Bowlin, Circle Drive, brought before the City Commission issues he had against the City Manager about a public record request he made on September 21, 2012.

  - A letter to the Commissioners was not permitted to go into their mail boxes.
  - The City Manager attempted to filter public records requests by having them all go through her to be interpreted.
  - An anonymous email he received that the City Manager accused the City Clerk of sending and a reprimand that was put in the City Clerk's permanent record.
  - The City Manager directed directors to take their time filling public records requests.

  Mr. Bowlin said there was another incident where the City Manager violated the Sunshine Law by sending an email to the Commissioners asking them to vote on issue before taking it before them publically.

Mayor Carter said he gave no credence to anonymous letters. He asked City Attorney Chuck Galloway to look into the complaint and report to them if he thought any laws were broken.

CITY COMMISSION COMMENTS

Mayor Carter announced that the night's meeting is the first meeting to be rebroadcasted by PGTV. He explained how to go through a link on the city's website to access it.

The meeting was adjourned at 7:15 p.m.

Bruce Carter
Mayor/Commissioner

ATTEST:

Clara VanBlargan
City Clerk