

The meeting of the Lake Wales City Commission was held on September 3, 2015 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Fultz at 6:00p.m. following the invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Rev. Roscoe Williams.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Howell, Eugene Fultz, Mayor; Jonathan Thornhill, Pete Perez, Christopher Lutton

COMMISSIONERS ABSENT: None

CITY REPRESENTATIVES PRESENT: Kenneth Fields, City Manager; Clara VanBlargan, City Clerk; Jennifer Nanek, Deputy City Clerk; Albert C. Galloway, Jr., City Attorney

Agenda Item 5. MAYOR

Agenda Item 6. ANNUAL REPORT

Agenda Item 7. PRESENTATIONS

Agenda Item 8. COMMUNICATIONS AND PETITIONS

Gary Gose, VFW #2420, reported that every Friday the County Veterans Service officer will be there at the post from 9am-5pm and provided information regarding scheduling an appointment for those Veterans that have issues to be discussed.

Robin Gibson, resident, on behalf of the Fixed Base Officer (FBO) of the Airport, reviewed the current arrangement with the City and the history of Betty Hill's efforts at the Airport. Betty Hill's lease with the City is a 30-year lease that is to be renewed every five years. Ms. Hill is required to notify the City 90 days before the expiration date of her intent to renew. Due to a family illness she did not send in her intent to renew until 70 days before the deadline. He asked the Commission to consider accepting the 70 day notice to renew her lease instead. Kenneth Fields reported that this will be discussed at the Airport Authority meeting next week and will be brought back to the Commission.

Roscoe Williams, Lake Wales, is President of the B Street Community Center and introduced Janice Snell and Allison Snyder who also work at the B Street Community Center. Mr. Williams reviewed the services at the B Street Community Center and the recent financial difficulties. He asked for short-term financial help. For the long-term, this will be discussed during the budget.

Cesar Guerra, resident, mentioned the articles in the paper concerning the City Manager and City Clerk and said that the Commission should make the decision concerning the City Clerk. Mayor Fultz explained that he preferred to allow the current process to continue before commenting.

Terry Christian, Elks Lodge, distributed copies of photographs for the Commission to review. He described some of their community service activities over the summer. He explained that they are trying to work with the police department. He expressed concern about the presence of police in their area when they are open. He explained that the pictures are of the police and when the police are there and the inconsistency regarding enforcing parking and noise concerns. The police department needs diversity in the upper ranks.

Agenda Item 9. BUDGET HEARINGS

Agenda Item 9.I. Ordinance 2015-08 Adoption of FY 2015-16 Millage Rate - 1st Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The Commissioners will consider adopting a millage rate of 7.3638 mills for Fiscal Year 2015-2016. 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 2015-08, adopting a millage rate of 7.3638 mills for FY2015-2016;
2. Approve Ordinance 2015-09, adopting an operating budget for FY2015-2016.

BACKGROUND

In accordance with Florida Statutes and the City Charter, Ordinances 2015-08 and 2015-09 are presented for first reading and public hearing. Ordinance 2015-08 establishes the millage rate for FY15'16, and Ordinance 2015-09 adopts the proposed FY15'16 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY15'16 budget document includes the revenue and expenditure details for the General 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 21, 2015, the City Commission adopted an Interim Millage Rate of 7.3638, even though the rolled-back rate was 8.1104. The proposed budget was balanced on the 7.3638 millage rate per \$1,000 of taxable valuation. The proposed millage rate of 7.3638 is one mill lower than the current rate of 8.3638. While other municipalities within Polk County have also not set their final millage rate for next year, this reduction should drop the City of Lake Wales from one of the higher municipal millage rates in the county to one more in the middle of such a ranking. This should assist in the City's economic development efforts.

BUDGETARY CHANGES IN GENERAL FUND "REVENUE SOURCES & TRANSFERS IN" FOR FY15'16 COMPARED TO FY14'15:

General Fund revenues in FY15'16 (\$11,293,936 + 1,157,500 – 612,941 vehicle leases = 11,838,495) are projected to be \$574,066 greater than budgeted in FY14'15 (10,411,429 + 1,020,000 – 167,000 = 11,264,429).

An expected increase of \$574,066 is mainly due to the following items:

- Decrease in ad valorem tax of \$287,400 due to reduction in the millage rate
- Increase in special assessment of \$1,020,000 due to the creation of the fire assessment

- Decrease in charges for services of \$260,247 due to loss of Polk County fire service revenue
- Increase in intergovernmental revenue of \$81,484 due to C.O.P.S. grant
- Increase in intergovernmental revenue of \$42,098 in state revenue sharing from sales tax

BUDGETARY CHANGES IN GENERAL FUND “OPERATING EXPENDITURES” FOR FY15’16 COMPARED TO FY14’15:

General Fund “operating” expenditures in FY15’16 are projected to be \$11,072,120, which is \$245,874 greater than budgeted in FY13’14 \$10,826,246.

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

- Net increase in personnel costs of \$256,883 mainly due to increase of five (5) positions within the General Fund (Appendix-20) and a 1% COLA (\$67,535, which is included within the \$256,883 total). Two proposed additional Police Officer positions will not be filled if the City does not receive the requested C.O.P.S. grant.

FUND BALANCE

The City’s auditors, for several years, have strongly recommended that the General Fund have an unreserved fund balance equal to 15% to 20% of the total operating costs. The City’s General Fund has realized unreserved fund balances equal to:

Fiscal Year	Unreserved Fund Balance
07’08	17.88%
08’09	24.13%
09’10	29.51%
10’11	21.97%
11’12	14.94%
12’13	10.15%
13’14	9.44%

In terms of the proposed FY15’16 budget, a General Fund emergency sinking account balance of \$1.66 million to \$2.21 million would be required to remain within the 15% to 20% margins. The City is currently not in the position to remain within the 15% margin which would require an emergency sinking account balance of \$1,660,818 (\$11,072,120 x 15%). It is recommended that a minimum of \$220,000 for the next seven years, beginning in FY 15’16, be used to rebuild the general fund emergency sinking account.

Additional funds can be set aside if there are significant unanticipated increases in revenue collections or expenditures are significantly below budget. The proposed repayment plan would be in compliance with City Code Section 2-553 for “Shortfall” relating to the emergency sinking account:

Fiscal Year	Emergency Sinking Fund
15’16	150,000
16’17	370,000
17’18	590,000
18’19	810,000
19’20	1,030,000
20’21	1,250,000
21’22	1,470,000
22’23	1,690,000

Note: Recommend an annual rebuilding of \$220,000 to the Emergency Sinking Fund for the next seven years, beginning in FY 16’17.

SUMMARY OF ALL FUNDS

General Fund	\$12,110,061
Special Revenue Funds	\$2,420,087
Debt Service Fund	\$1,870,704
Capital Projects Fund	\$73,000
Cemetery (LWVG)	\$88,928
Utility System Fund	\$15,514,707
Airport Fund	\$1,344,304
TOTAL	\$33,421,791

The expenditure total of \$33,421,791 is comprised of operating costs in the amount of \$21,917,130 and capital outlay in the amount of \$11,504,661. Transfers in the amount of \$2,273,763 bring total expenditures plus transfers to \$35,695,554.

Capital expenditures include utility system improvements are budgeted as follows:

General Fund	\$1,037,941
Special Revenue Funds	\$400,807
Capital Projects Fund	\$73,000
Utility System Fund	\$8,759,877
Airport Fund	\$1,233,036
TOTAL	\$11,504,661

Note: Capital expenditures proposed for FY15'16 are itemized in "Schedule C" within the budget document.

BUDGET HIGHLIGHTS

A summary of the important aspects of the proposed FY15'16 budget document is provided as follows:

1. A 1% Cost of Living Adjustment (COLA) is budgeted for employees this year (\$67,535 General Fund, \$5,788 Library, and \$13,683 Utility System = \$87,006).
2. The net effect of six and a half (6.5) employee position has been added. In FY15'16 total personnel includes 177.50 positions compared to 171.00 during FY14'15
3. Ordinance 2007-07 adopted by the City Commission on September 18, 2007 authorized annual increases in city user fees based on June's annual CPI or 2.5%, whichever is greater. The change in the CPI measured from June 2014 to June 2015 was 0.1%. Utility rates for water and sewer services have been budgeted with a proposed increase of 14.5%, to be effective October 1, 2015, based on finding from a Water and Sewer Revenue Sufficiency Review performed by Raltelis Financial Consultants, Inc.

	WATER CHARGES					SEWER CHARGES		
	Base charge	rate per 1,000 gallons				rate per 1,000 gallons		
		0-5,000	5,001 - 10,000	10,001 - 25,000	over 25,000	Base Charge	0 -5,000	5,001 - 15,000
Current	6.10	2.41	3.26	5.06	8.33	21.65	2.84	4.98
10/1/14	6.98	2.76	3.73	5.79	9.54	24.79	3.25	5.70

For inside-city residential customers using an average of 8,000 gallons per month, water charges will increase from \$27.93 to \$31.97, and sewer charges will increase from \$50.79 to \$58.14; the combined bill for water and sewer will increase from \$78.72 to \$90.11.

CONCLUSION

By necessity, the proposed FY15'16 Budget responds to prolonged cut-backs over the last several years. During the recession, from 2007 through 2014, most departments had reached their lower limit in operating cuts and could not make any additional reductions without seriously compromising the quality of service to the public. As the local economy has improved with the growth of new business and home building within the area, the ability of our employees to provide a high level of service to the community with limited resources will continue to be a primary focus during FY15'16.

There is no question that our financial resources have been severely strained for the past few years as we continue to deal with the lingering impact of the problems in the housing market, a recovering economy in general, rebuilding the emergency reserves, and working towards 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 2016-2017 Fiscal Year will see even greater growth in the City's ad valorem tax base and the expansion of city services will lead to additional voluntary annexations into the city.

As our community continues to realize growth and expansion an opportunity for some or all of the following will be possible. 1) Repayment to the general fund emergency sinking account of \$220,000 for next seven years, 2) funding of recurring operating expenditures, 3) a capital reserve replacement fund, 4) funding for capital items which require immediate replacement, 5) funding available for economic growth opportunities and 6) a possible reduction in the millage rate.

[End Agenda Memo]

City Clerk Clara VanBlargan read **ORDINANCE 2015-08** by title only.

ORDINANCE 2015-08

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 2015-16; PROVIDING FOR AN EFFECTIVE DATE.

Dorothy Ecklund, Finance Director, reviewed this item. She said that for the record, for Fiscal Year 2015-2016 the millage rate will be 7.3638 mills which is less than the roll back rate of 8.1104 mills.

OPENED PUBLIC HEARING

There were no comments from the public.

CLOSED PUBLIC HEARING

Commissioner Lutton reiterated that their goal is to keep reducing the millage rate each year. Mayor Fultz concurred with this as a lower rate would encourage additional businesses to move to Lake Wales.

Commissioner Howell made a motion to approve Ordinance 2015-08 after first reading and public hearing. Deputy Mayor Thornhill seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"
Deputy Mayor Thornhill "YES"
Commissioner Perez "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 9.II. ORDINANCE 2015-09 Adoption of FY2015-16 Budget - 1st Reading and Public Hearing

City Clerk Clara VanBlargan read **ORDINANCE 2015-09** by title only.

ORDINANCE 2015-09

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 2015-16 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.

Dorothy Ecklund, Finance Director, reviewed this item. She said that the total operating budget is \$44,260,282. This is a first reading so if there is a change for second reading she needs direction. She pointed out on page 9 the amount of unrestricted funds that have not been applied of \$43,140.

Mayor Fultz asked the representatives of B Street if there was an amount in mind. Rev. Williams requested a minimum of \$10,000 to help get them through this. Commissioner Lutton asked their annual budget. Janice Snell said that she is there every day and their operating budget is \$30,000 and requested \$20,000. They have seen 765 clients and try to help everyone somehow. Each board member is contributing \$50 a month. Mayor Fultz commented that their facility provides services that many would have to go out of town for help. Albert Galloway Jr, City Attorney, asked if this contribution is to the B Street Community Center or the Green and Gold Foundation. Allison Snyder explained that the contribution would go to the Green and Gold Foundation which operates the B Street Community Center.

Commissioner Howell recused herself as she is on the Board of Directors of the Green and Gold Foundation.

Commissioner Perez asked how many board members they had. Ms. Snyder said they have 17 board members. Deputy Mayor Thornhill asked their revenue sources. Ms. Snyder explained that they were getting \$15,000 from the DCF for helping their clients with services but that has been cut back. She described other lost revenues and potential grant sources that haven't worked out.

Commissioner Lutton expressed concern that these funds go strictly for the administration and not to other clients. Mayor Fultz asked for confirmation that this is a one-time request. Rev. Williams confirmed this as they are developing additional partnerships to help them long-term. Mr. Fields explained that restrictions can be put on these funds. Mayor Fultz asked if they serve citizens from all over Lake Wales not just the Northwest community. Ms. Snell confirmed that they have clients all over the city and diverse backgrounds. Commissioner Perez expressed concerns about accountability and that information be available for review by the public. We need to be sure where the money goes. He said he would like to come down and see what they do. Rev. Williams said they can provide any requested documentation at any time.

Mayor Fultz asked the Commission what they wanted to do. Ms. Ecklund said the money could be appropriated in the budget now with a contract to be developed and approved by the Commission later. A budget amendment could be done later in the year if they wanted to.

Commissioner Lutton said he was in support of funding some aspect of their operations such as staff. He would like to know where the money would go. Mr. Fields suggested they could bring a breakdown of where the money would go. Commissioner Perez said he was in favor of this but needed to be sure where it is going.

Commissioner Perez made a motion to amend the budget to include an appropriation of \$12,500 for the B Street Community Center pending further discussion. Commissioner Lutton seconded the motion.

By Roll Call Vote:

Commissioner Perez	"YES"
Commissioner Lutton	"YES"
Deputy Mayor Thornhill	"YES"
Commissioner Howell	"Recused"
Mayor Fultz	"YES"

The motion carried 4-0.

OPENED PUBLIC HEARING

Mimi Hardman, Lake Wales, expressed disappointment about the Depot Museum still being closed and confirmed that the City is continuing with supporting Pioneer Days.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve Ordinance 2015-09 as amended after first reading and public hearing. Deputy Mayor Thornhill seconded that motion.

By Roll Call Vote:

Commissioner Howell	"YES"
Deputy Mayor Thornhill	"YES"
Commissioner Perez	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Agenda Item 9.III. Ordinance 2015-10, Five-Year Capital Improvement Plan FY2015/16 - FY2019/20 – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2015/16 through 2019/20.

RECOMMENDATION

It is recommended that the City Commission approve after first reading Ordinance 2015-10 adopting the Five-Year Capital Improvement Plan for fiscal years 2015/16 through 2019/20.

BACKGROUND

In accordance with section 6.05 of the City Charter, Ordinance 2015-10 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2015/16 through FY2019/20. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY15'16 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 \$46,866,606 and includes \$250,000 in land acquisition, \$3,026,715 in building improvements/acquisitions, \$39,001,713 in infrastructure and recreation improvements, \$3,606,778 in equipment acquisition, and \$981,400 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 - FY2015/16	11,504,661
Year 2 - FY2016/17	17,612,913
Year 3 - FY2017/18	6,875,307
Year 4 - FY2018/19	3,827,118
Year 5 - FY2019/20	7,046,607
5 Year Total	46,866,606

[End Agenda Memo]

City Clerk Clara VanBlargan read **ORDINANCE 2015-10** by title only.

ORDINANCE 2015-10

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 2015/16 THROUGH 2019/20; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

Kenneth Fields, City Manager, reviewed this item describing some of the projects listed in the Capital Improvement Plan.

Commissioner Perez confirmed that the total amount in the plan is \$46,866,000 and asked if there is money identified to pay for these over the next five years. Dorothy Ecklund, Finance Director, explained that each department identifies potential funding sources for every project but that doesn't mean that source will be available or is the will of the Commission at that time. Commissioner Perez asked if the increase of the Utility Rates has been included. Ms. Ecklund said the Utility part is \$26 million and the increases in the rates will cover these costs. Commissioner Perez asked what happens with these projects if the increases are not approved. Mr. Fields said that these projects will be put on hold. Ms. Ecklund clarified that funding would not be available to complete the identified projects. Commissioner Perez asked about the last time the rates were increased. Ms. Ecklund said a study and a base rate increase was in 2007. An annual increase of 2.5% was built in at that time.

Mayor Fultz asked about the interest in the Utilities expansion along HWY 60. Mr. Fields explained that there are frequent questions about the expansion of utilities along West 60 as many companies want to move to that area. Mayor Fultz asked about the status of the second part of the C Street sewer project, what the cost is. Ms. Ecklund said it is \$6.8million which is funded by the SRF loan. Mr. Fields explained that we are trying to get federal funding to help with that. Mr. Fields said that this is a massive project that is long overdue. Commissioner Lutton explained that many projects are years overdue. Commissioner Perez said that many citizens are concerned about increases and need to understand where the money is going. Mayor Fultz emphasized the need for citizen education and why there is an increase. Commissioner Lutton pointed out the potential revenues from the additional development. Mr. Fields confirmed this.

OPENED PUBLIC COMMENT

Ed Bowlin, resident, expressed his support to enhance our infrastructure and said we need to be aggressive in annexing property into Lake Wales in a massive way. This will help with our debts. We do have to move forward. He said he hopes this plan is put in place. He said he disagrees with \$30,000 to replace newspaper bins downtown for that is private property.

Kathy Bangle, Planning & Development Director, explained that annexation has been voluntary, we don't go ask. We are enthusiastic if someone asks, they have to be contiguous and if they get utilities they have to be annexed. Commissioner Lutton cautioned for careful annexations, we do not want to take over and have to repair bad infrastructure. Mr. Fields said we have good incentives for a company to come into the City. Mayor Fultz said we are moving in the right direction to help the City grow.

CLOSED PUBLIC COMMENT

Deputy Mayor Thornhill made a motion to approve **ORDINANCE 2015-10** on first reading. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Thornhill "YES"
Commissioner Howell "YES"
Commissioner Lutton "YES"
Commissioner Perez "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 10. CONSENT AGENDA

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

By Voice Vote:

Commissioner Lutton "YES"
Commissioner Howell "YES"
Commissioner Perez "YES"
Deputy Mayor Thornhill "YES"
Mayor Fultz "YES"

The motion carried 5-0.

**Agenda Item 10.I. APPROVAL OF MINUTES: August 11, 2015 Budget Workshop;
August 18, 2015 Regular Meeting**

**Agenda Item 10.II. Special Event Application: Lake Wales Arts Festival February 26-28,
2016**

[Begin Agenda Memo]

SYNOPSIS

Approval of this Special Event Application will allow the 45th Annual Lake Wales Art Show to be held in Lake Wailes Park Friday, February 26, 2016 to Sunday, February 28, 2016.

RECOMMENDATION

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

1. Approve the Special Event Permit Application for the 45th Annual Lake Wales Art Show to be held February 26 – February 28, 2016 in Lake Wailes Park.
2. Approve the request to allow for a designated area for alcohol consumption.
3. Approve the hours as follows: February 26 - set up at 10:00 a.m. and evening festivities beginning at 5:00 p.m. and ending at 8:00 p.m., February 27 and February 28 – 10:00 a.m. to 5:00 p.m.
4. Approve the request for set up by the artists on Friday February 27, 2015 at approximately 10:00 a.m.

BACKGROUND

The Lake Wales Art Council, Inc. submitted a Special Event Permit Application for the 45th Annual Lake Wales Art Show to be held February 26 to February 28, 2016 in Lake Wailes Park. This event would begin on Friday evening, February 26, 2016 at 5:00 p.m. with a barbeque and musical entertainment for the entire family and it will conclude at 8:00 p.m. This event includes a designated area to sell and consume alcohol.

On Saturday and Sunday the day's activities will begin at 10:00 a.m. and end at 5:00 p.m. The Special Event Permit Application includes a request for the artists to set up on Friday, February 26 at approximately 10:00 a.m.

The Art Council will be using the services of off-duty officers from the Lake Wales Police Department each evening during the entire event. This will be paid at 100% by the Art Council. The Field Operations Division will be providing clean up services on Saturday and Sunday with the Art Council paying 25% of those costs. The Arts Council will also be responsible for site set up, obtaining tent permits, providing licensing for food vendors, acquiring sanitary facilities and dumpsters and providing liability insurance for the event.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

In-kind services provided by the City were budgeted for FY15-16 in the amount of \$1154.34. The Arts Council will be responsible for 25% or \$288.59. Private security will be provided by the Lake Wales Police Department and will be paid at 100% by the Arts Council.

[End Agenda Memo]

Agenda Item 10.III. Special Event Application: Pioneer Days October 22-25, 2015

[Begin Agenda Memo]

SYNOPSIS

Approval of this request will allow the Pioneer Days Celebration to take place on October 22, 2015 to October 25, 2015 in Lake Wales Park, allow vendors to set up RV's in the park, and allow for the temporary street closings for the Antique Car Parade.

RECOMMENDATION

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

1. Approve the special event permit application for the 40th Annual Pioneer Days Celebration, which includes the Lake Wales Revival, to be held October 22, 2015 to October 25, 2015
2. Approve the temporary road closing as specified in this memorandum for the Antique Car Parade on October 24, 2015 from 11:00 a.m. to 1:30 p.m.
3. Approve the request for RV's and tents to be set up by vendors in Lake Wales Park throughout the three-day event subject to the conditions specified by staff.

BACKGROUND

The City of Lake Wales submitted a Special Event Permit Application for the 40th Annual Pioneer Days celebration to be held from October 22, 2015 through October 25, 2014 at Lake Wales Park. Pioneer Days includes a variety of vendors, demonstrators, attractions and entertainers.

As part of Pioneer Days the annual Lake Wales Revival will take place beginning Thursday, October 22, 2015 and continue through Sunday, October 25, 2014 in Lake Wales Park. The main tent will be set up on Wednesday and the sponsor will start setting up on Thursday, October 22, 2015 at approximately noon. The event time for each day is from 7:00 p.m. to 9:00 p.m. with clean up and securing of equipment each night between 9:00 p.m. and 10:00 p.m.

This application also includes a request for vendors to set up RV's and tents in Lake Wales Park throughout the three-day event. Vendors would like to stay on site for security reasons and protection of their property. Per Sec. 18-82 q. of the Lake Wales Code, camping is prohibited in a City park unless specifically authorized by special permit. Staff recommends that approval specify the following conditions:

- The RV's will arrive no earlier than 8 a.m. Thursday, October 22, 2015 and must depart no later than 9 p.m. on Sunday, October 25, 2015 allowing ample time for take down and clean up.
- The RV's, vehicles, and tents will be set up in areas as designated by the City.
- No parking of vehicles will be allowed off pavement except in areas approved and designated by the City.
- No vehicles shall be parked or driven within 15 feet of the trunk of any trees within the park. Event personnel will install tape or temporary fencing to protect the trees.

- No vehicles shall drive or park on the bike path or cross the bike path.
- Vendors approved to set up inside the "horseshoe drive" across from the basketball courts, shall maintain a 15-foot distance from tree trunks.

The event will also include the Antique Car Parade on Saturday, October 24, 2015 from 11:00 a.m. to 1:30 p.m. and requires approval of the temporary closing of several streets. The requested temporary street closings will involve the following:

From Seminole and Scenic Highway south on Scenic Highway to Park Avenue; east on Park Avenue; travel on the "Horseshoe Drive" in the park until reaching Lakeshore Blvd.; cross Lakeshore Blvd. to N 5th Street and end at Crystal Lake Park.

On Friday, October 23, 2015 vendors and participants will be setting up in Lake Wales Park beginning at 10:00 a.m. The main event will commence on Saturday, October 24, 2015 with the Pioneer Hour at 10:00 a.m. and will continue throughout the day with events and activities until 5:00 p.m. Sunday's activities will begin at 11:00 a.m. and will wrap up at 4:00 p.m.

OTHER OPTIONS

Do not approve the Special Event Permit Application for the Pioneer Days Celebration, Lake Wales Revival or the request for the road closures.

FISCAL IMPACT

In-Kind services for this event provided by the City will be approximately \$4,261.24.

[End Agenda Memo]

Agenda Item 10.IV. Special Event Application: Turkey Trot 5K, November 26, 2015

[Begin Agenda Memo]

SYNOPSIS

The approval of the special event permit application will allow the Lake Wales YMCA to hold their Annual "Turkey Trot 5K" on Thanksgiving Day, November 26, 2015 and allow for the temporary closing of a portion of the Marketplace downtown and several city intersections

RECOMMENDATION

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

1. Approve the special event permit application from the Lake Wales YMCA to hold the second annual "Turkey Trot 5K" on Thanksgiving Day, November 26, 2015 between the hours of 8:00 a.m. and 9:00 a.m.
2. Approve the temporary closing of a portion of the Marketplace on Park Avenue for staging of the event between 7:00 a.m. and 8:00 a.m. and for the closing ceremonies beginning at 9:00 a.m. to approximately 10:00 a.m.
3. Approve the temporary closing of several intersections along the route as the runners approach, the temporary closing of a city street and the route as follows:
Park Avenue from First Street to Scenic Highway, Scenic Highway to Cypress Gardens lane, Cypress Gardens Lane to Crystal Avenue to North Third Street, Third Street at Crystal Avenue to Park Avenue and east to lakeshore Blvd. crossing Lakeshore to Lake Wales Park, following the bike path (Lake Wales Trail) to 8th Street crossing over to Lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th

Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to Third Street and then to Stuart Avenue, Stuart Avenue to First Street and back to the Marketplace on Park Avenue where the 5K ends

BACKGROUND

Mr. Clark Heter, CEO of the Lake Wales YMCA submitted a special event permit application to hold the second annual "Turkey Trot 5K" on Thanksgiving Day, November 26, 2015 between the hours of 8:00 a.m. and 9:00 a.m. This application includes a request for the temporary closing of a portion of the Marketplace on Park Avenue to allow for the staging of the event which will begin at 7:00 a.m. to 8:00 a.m. with the 5K beginning at 8:00 a.m. At the conclusion of the event there will be a closing ceremony in the Marketplace at 9:00 a.m. to approximately 10:00 a.m. The YMCA has also requested the temporary closing of several intersections along the route for the protection of the runners as they approach and the temporary closing of Lakeshore Blvd. from 8th Street to Polk Avenue. The route and streets involved will include the following:

Park Avenue from First Street to Scenic Highway, Scenic Highway to Cypress Gardens lane, Cypress Gardens Lane to Crystal Avenue to North Third Street, Third Street at Crystal Avenue to Park Avenue and east to lakeshore Blvd. crossing Lakeshore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to lakeshore Blvd. and following Lakeshore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to Third Street and then to Stuart Avenue, Stuart Avenue to First Street and back to the Marketplace on Park Avenue where the 5K ends

City departments have reviewed the permit application and approved the event. There will be no cost to the City for in-kind services. The Lake Wales Police Department will use off-duty officers to be positioned on the route at intersections where runners will cross. Lake Wales Police Department VOICE and cadets will also be assisting with this event. The sponsor will be responsible for all costs associated with this event and providing sanitary facilities and clean up services along the route and at the Marketplace. Certificate of Liability Insurance is provided as required.

OTHER OPTION

Do not approve this special event permit application or the temporary intersection closings

FISCAL IMPACT

There will be no cost to the City for in-kind services associated with this event. The sponsor will pay 100% of the cost for off-duty officers and provide all clean up services.

[End Agenda Memo]

Agenda Item 10.V. Special Event Permit: Make it Magical December 4, 2015

[Begin Agenda Memo]

SYNOPSIS

The approval of the special event permit application will allow the Lake Wales Art's Council to hold a holiday event "Make It Magical" on December 4, 2015 between the hours of 5:00 p.m. and 9:00 p.m. and allow for the temporary closing of the Marketplace, a portion of Stuart Avenue and several city parking lots in the downtown area

RECOMMENDATION

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

4. Approve the special event permit application from the Lake Wales Art's Council to hold a holiday event "Make It Magical" on Friday, December 4, 2015 between the hours of 5:00 p.m. and 9:00 p.m. with set up beginning at 4:00 p.m.
5. Approve the temporary closing of the following:
 - Close a portion of Stuart Avenue from South Market Street to Scenic Highway (SR17) for carriage rides
 - Close the Marketplace, the Marketplace parking lot , and both city lots on the east end of Stuart Avenue at Scenic Highway (SR17)
 - Close the alley between Stuart Avenue and Park Avenue from SR17 to First Street
 - Close off several parking spaces on the west side of South Market Street at Stuart Avenue for food vendors

BACKGROUND

Jean Donaldson, Executive Administrator of the Lake Wales Arts Council submitted a special event permit application to hold their fourth annual holiday event "Make It Magical" on December 4, 2015 between the hours of 5:00 p.m. and 9:00 p.m. in the downtown area. Set up time for the event will begin at 4:00 p.m. with clean up and take down after 9:00 p.m. This event will provide a holiday destination for the entire family and will feature musicians and vocalists, numerous craft and food vendors in the Marketplace and a horse and carriage ride along Stuart Avenue. Local downtown restaurants will remain open providing a variety of food and refreshments and local shops will stay open as well giving the public an opportunity to shop while attending a special holiday event.

The Lake Wales Arts Council is requesting the temporary closing of a portion of Stuart Avenue from South Market Street to Scenic Highway (SR17), the temporary closing of several parking spaces on the west side of South Market Street at Stuart Avenue, the temporary closing of the Marketplace and the Marketplace parking lot, the temporary closing of the alley between Stuart Avenue and Park Avenue, and the temporary closing of the two city lots on the east end of Stuart Avenue at Scenic Highway (SR17).

The City's special event review staff has reviewed the application and has no issues with the event. The Streets Department will close the streets and parking lots, provide additional trash containers and at the conclusion of the event they will empty the trash containers and transport them back to the storage location. The Arts Council may request the assistance of the Lake Wales Police Department with off-duty officers for security reasons only. Any trash clean up during the event will be the responsibility of the Arts Council. Insurance has been provided as required. The Arts Council will be responsible for sanitary facilities and a dumpster.

OTHER OPTION

Do not approve this special event permit application or the request for the temporary closing of a portion of Stuart Avenue, the Marketplace or three city parking lots

FISCAL IMPACT

The total cost for in-kind services from the City is in the proposed budget for FY15/16 in the amount of \$211.00 of which the Arts Council would be responsible for 25%.

[End Agenda Memo]

Agenda Item 10.VI. Edward Byrne Memorial State and Local Law Enforcement Assistance Grant

[Begin Agenda Memo]

SYNOPSIS

Approval of this item will allow the police department to submit for and receive grant funding then purchase wireless fingerprint scanners from DataWorks Plus for the police department in FY15/16.

RECOMMENDATION

Staff recommends that the Honorable Mayor and the City Commission authorize the Police Department to apply for and accept funding through the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant and purchase audio/video equipment.

BACKGROUND

Since 1999, the Police Department has received funding from the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program. Since that time, the department has utilized this funding to create numerous community programs as well as purchase needed equipment to enhance public safety. This year the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant award amount is \$9,170.00 and if approved would be included in the 2015/2016 budget.

The Police Department proposes to use the JAG-C funds toward the purchase 5 wireless fingerprint scanners and Bluetooth devices. These devices will be utilized by agency personnel during the investigation of criminal activities. The scanning of a minimum of two fingerprints on this device would be used to check against the Florida Automated Fingerprint Identification (AFIS) system to positively identify a subject (with a previous arrest record and fingerprints within the system). It also will be checked against databases to determine if there are active warrants on the individual. These would help the law enforcement officers validate who they are dealing with during investigations as many times these individuals will give false information when trying to conceal their identity because of current or past criminal involvement. These devices work with Bluetooth technology which connects to the officer's laptop. Matching funds are not required for this project

OTHER OPTIONS

The Commission may choose not to authorize application for and accept the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant or purchase this equipment.

FISCAL IMPACTS

The Finance Department has reviewed this application.

[End Agenda Memo]

Agenda Item 10.VI. Recommendations for General Engineering Services

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider awarding continuous/master consulting contracts for general engineering services.

RECOMMENDATION

It is staff's recommendation that the City Commission take the following actions:

1. Authorize the City Manager to execute Continuous / Master Consulting Engineering Service Agreements with the following firms: Chastain-Skillman, Civil Surv, Envisors, Kimley-Horn, Reiss Engineering, Dewberry and Hoyle-Tanner for a period of thirty-six months with a yearly renewal, not to exceed five (5) years total, at the discretion of the City of Lake Wales. Although Metzger-Willard ranked higher than Dewberry, prior experience removed them from list.

BACKGROUND

The City had solicited through RFP 15 -329 for general engineering services that would allow the city staff to expedite engineering services that are required for City projects. There is the need for small engineering projects and work that will aid in the processing of work for water, sewer, planning, and economic development projects. In addition, as we apply for Grants and funding for projects, one of the requirements is to submit engineering plans at a certain state of completion in order to accumulate necessary ranking points to qualify for funding consideration. The City Commission will still need to authorize expenditures on all projects. This process allows staff to reduce time in advertising / soliciting for engineering services for projects.

CURRENT FISCAL IMPACT

Each project will have the engineering / planning funds in the project so there is no negative fiscal impact in approving these contracts.

FISCAL IMPACTS OF OTHER ALTERNATIVES: None

OTHER ALTERNATIVES:

Reject the staff recommendation and reconvene the selection committee.

Do not award any continuing engineering services and expend the time, paperwork and expense involved in soliciting engineers for each project.

[End Agenda Memo]

Agenda Item 11. OLD BUSINESS

Agenda Item 12. NEW BUSINESS

Agenda Item 12.1 Ordinance 2015-07, Utility Rate Increase Ordinance - 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider Ordinance 2015-07 amending the Lake Wales Code of Ordinances, Chapter 21, Section 21-161 Schedule of Rates for Sewer Services, Section 21-171 Schedule of Rates for Water Services.

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Approval of Ordinance 2015-07 after first reading.

BACKGROUND

On May 19, 2015, the City Commission was presented with a water and sewer revenue sufficiency review study by Raffetis Financial Consultants. These consultants identified the current revenue sources within the utility fund (page 4 of the presentation) and also identified the capital improvement funding sources needed to meet the needs of the 5-year capital improvement plan (page 9 - \$26,171,000) relating to the utility system (page 6 - water projects, page 7 - sewer projects).

The capital funding plan recognized limited utility cash resources and the reliance of debt funding (page 10). The study recognized the need for a rate adjustment of 14.5%, effective October 1, 2015 (page 13) to fully fund the capital improvement program, rebuild unrestricted utility reserves, maintain adequate debt service coverage, and sustain annual general fund transfers.

Example (page 14): A residential customer located within the city limits, with a ¾" or 1" meter, with monthly usage of 5,000 gallon of water/sewer service would recognized a monthly increase of \$7.82.

FISCAL IMPACT

The increase in utility service rates is projected to cause a \$973,100 increase in revenue in Fiscal Year 2015'16.

OTHER OPTIONS

Do not approve Ordinance 2015-07. Not doing the rate increase would require significantly reducing the Five Year Capital Plan.

[End Agenda Memo]

City Clerk Clara VanBlargan read **ORDINANCE 2015-07** by title only.

ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 21 UTILITIES, AMENDING THE SCHEDULE OF SEWER CHARGES AND FEES; AMENDING THE SCHEDULE OF WATER CHARGES AND FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

OPENED FOR PUBLIC COMMENT

Dr. Gerald Claussen, President of A Homeowners Association, expressed their opposition to the increase as many residents may have to sell their homes and leave. This could discourage additional snowbirds from moving here. This increase along with the fire fee is \$375 more a year and is too great of a burden for many on fixed incomes. The regular 2.5% increase is more reasonable. He recommends an internal investigation to resolve their problems.

CLOSED FOR PUBLIC COMMENT

Deputy Mayor Thornhill agreed that an increase will be difficult for him as well. We need the funds and we need to get these things done. This will hurt but we have to do it.

Dorothy Ecklund, Finance Director, explained about the Lifeline program for low income citizens. They will do another mail out to educate the public. There are over 700 slots available for participants.

Mayor Fultz explained that they do care about the citizens when they hurt and they realize there are other things that can be done with their funds. We need infrastructure in place for the City to grow. We need to catch up with other cities and be competitive.

Commissioner Lutton explained that a study was done to determine the needed rate. Electric rates have gone up over the past several years. Being in the City the water and sewer is always on barring a catastrophe.

Commissioner Perez said that he has learned a lot and that we need to look at the big picture which is hard to do at times.

Deputy Mayor Thornhill made a motion to approve **ORDINANCE 2015-07** on first reading. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Thornhill "YES"
Commissioner Howell "YES"
Commissioner Lutton "YES"
Commissioner Perez "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 12. CITY MANAGER

Agenda Item 12.1 City Commission Tracking Report:

Kenneth Fields, City Manager, reported that the Airport project is nearing completion. A regional meeting of all Municipal Airports will be meeting in Lake Wales for the first time.

The Gym floor project is underway but there have been some delays. The gym will reopen September 14th.

The Safe Routes to School Project to put sidewalks at the Polk Avenue Elementary School are complete. They are looking for other areas where sidewalks are needed and working with the TPO for funding.

Tropical Storm Erica was a good exercise in storm preparation for the City. The City staff is up to the challenge if another storm comes. He advised citizens to be prepared as well.

Agenda Item 12.2. City Commission Calendar

Next budget hearing and commission meeting is September 15th.

Agenda Item 12.3. Annual Reporting – Boards, Commissions, and Committees

Agenda Item 13. CITY COMMISSION COMMENTS

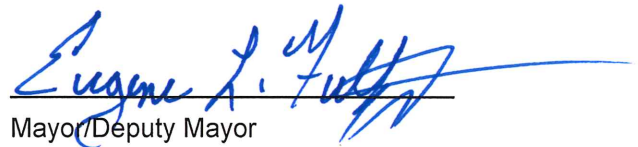
Commissioner Lutton asked about the grant for a study at Central Avenue and First Street. Mr. Fields said they will review that and bring a report back.

Deputy Mayor Thornhill said he noticed that the parks are well used and are being well maintained. Commissioner Lutton concurred with this and commended volunteers for helping with our parks.

Mayor Fultz thanked Support Services for placing new trash cans at the park where they were needed.

Agenda Item 14. MAYOR COMMENTS

The meeting was adjourned at 7:51 P.M.



Mayor/Deputy Mayor

ATTEST:



City Clerk Clara VanBlargan, MMC

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Terrye Y. Howell, hereby disclose that on Sept. 3, 20 15:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am a board member of the Green & Gold organization.

Sept. 15, 2015
Date Filed

Terrye Y Howell
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.