

City Commission Meeting Minutes
October 17, 2017
(APPROVED)

10/17/2017 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Commission Members Present: Eugene Fultz - Mayor, Curtis Gibson, Flora "Tonya" Stewart, Terrye Howell, Robin Gibson - Deputy Mayor

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

4. CALL TO ORDER

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

5. PROCLAMATIONS AND AWARDS

5.1. FRWA Certificate Of Appreciation

Mayor Fultz presented a Certificate of Appreciation from the Florida Rural Water Association to members of the Water Department for helping Parks Water Company after the recent hurricane. Sarah Kirkland introduced members of the Water Department and explained what they did to help. Mr. Fields commended our wastewater and water departments as there were minimal problems after the hurricane compared to the rest of the City.

6. PRESENTATION/REPORT

6.1. PRESENTATION - Chamber Of Commerce/EDC

Kevin Kieft, Director of the Chamber of Commerce and President of the EDC, gave the quarterly report beginning with employment statistics at 4.8% unemployment which considering the recent hurricane is good. Florida is ranked #6 in the US for starting a new business. Lake Wales needs more residential to attract retail that is frequently mentioned. Housing permits county wide is strong. It is an area they are focused on. In the North area WaWa is moving ahead, Aldi is coming in and we are getting a Best Western hotel. There is interest in the Sears location at Eagle Ridge Mall. The HWY 60 area is drawing interest from manufacturing projects to go out near the airport. In the Lake Wales Commerce and Technology Park there has been some interest including one of Joe Miranda's Building. Nothing new on possible Luvs truck stop. Regarding the downtown there is nothing new as far as financing in place as yet. Mr. Kieft invited the Commission to upcoming chamber events.

Commissioner Curtis Gibson asked if Ray Brown has a time frame or has worked with the Chamber. Mr. Kieft said Mr. Brown has worked with them and they are helping where possible but he has no time frame. Mr. Fields gave an update on several of the projects. Some are dealing with FDOT related issues. In regards to the Grand Hotel Mr. Brown has a permit good for 6 months. This can be extended at discretion of the building official. Deputy Mayor Gibson asked about how the decision is made. Kathy Bangley, Planning Director, reviewed the process and how a decision is made to extend the permit. Commissioner Howell recommended the City push this forward and support the effort. Mr. Fields said

they are not standing in the way but they are keeping the pressure on him to make progress. Mr. Kieft said they are working with him as best they can. Mayor Fultz shared that Mr. Brown wants the hotel to be fully restored and some investors disagree that can be done. He agreed we need to support the hotel but can't wait several more years.

Mr. Fields introduced Karen Thompson, Main Street Director and Assistant Director of the CRA, and said that she has a strong background and will be an asset to downtown. Ms. Thompson thanked everyone for the warm welcome and will start with relationship building with the people downtown. She is excited about the CRA aspect of her job. If they can create excitement downtown possibly Ray Brown can recruit investors for the hotel.

7. COMMUNICATIONS AND PETITIONS

Michael Cabral, non-resident, recommended giving the hotel to the working class as they can do something with it. He shared a display illustrating the different income brackets in society. He has a petition to encourage more help for the working class.

8. CONSENT AGENDA

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

Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 5 -0.

8.I. Minutes - September 19, 2017

8.II. Waste Water Treatment Plant Head-Works Fine Screen Service And Repair

[Begin Agenda Memo]

SYNOPSIS:

Staff recommends approval of the maintenance and repair of the fine screen located at the head-works of the waste water treatment plant to be performed by JWC Environmental.

STAFF RECOMMENDATION

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

1. Approve the expenditure of \$25,000 to JWC Environmental for the maintenance and repair of the fine screen located at the head-works of the waste water treatment plant.

BACKGROUND

The "headworks" of a wastewater treatment plant is the initial stage of a complex process. This

process
reduces the level of pollutants of the incoming domestic and industrial wastewater to a level that will allow the treated wastewater or effluent to be discharged into a stream, river or lake. This treated effluent also may be sprayed onto dedicated land areas where it is used for the irrigation of crops and even golf courses.

Wastewater reuse and sludge recycling is common. Screens are no longer used just to protect the downstream equipment, but are critical to the removal of plastics from the wastewater stream and therefore, the sludge. With fine screening the undesired removal of organics and fecal matter also is a concern. Therefore, washing and dewatering of the screenings is critical to maintaining a good screening process. Screens can be classified as coarse, fine and micro. Increasingly, treatment plants use a combination of coarse screens and fine screens. Coarse screens, with openings more than 6 mm (1/4"), remove large solids, rags and debris from the wastewater. Fine screens, with openings of 1.5 mm to 6 mm, are used to remove smaller materials and may significantly increase downstream liquid and sludge processes, particularly in systems without primary treatment.

Periodically maintenance and possibly repairs are required to keep this piece of equipment in fully functioning order. Staff made contact with JWC Environmental due to they are the manufacture, supplier and installer of the original equipment. They have the necessary knowledge and repair parts on hand to perform the rebuild that is required.

Staff recommends the Commission take the following action, approve the expenditure of \$25,000 for the maintenance and repair of the fine screen located at the head-works of the waste water treatment plant.

OTHER OPTIONS

Chose not to make this necessary repair at this time and run the risk of this piece of equipment not functioning properly which would hinder the operation of the waste water treatment plant.

FISCAL IMPACT

65,000 was placed in the 2017-2018 M & R Treatment Plants operations budget for this necessary repair.

[End Agenda Memo]

8.III. Vermeer Vactron Purchase

[Begin Agenda Memo]

SYNOPSIS:

Staff recommends approval of the purchase of a Vermeer/Vactron pump trailer to be used for the purpose of assisting in the excavation of water main break sites.

STAFF RECOMMENDATION

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

1. Approve the expenditure of \$48,809.00 for the purchase of the Vermeer Vactron pump trailer utilizing the FL Sheriff's Association Contract FSA16-VEH 14.0

BACKGROUND

The City maintains and operates 121 miles of water main consisting of sizes ranging from 2" to 24" at a depth of on average of up to 5 feet deep. It becomes necessary from time to time to respond to water main breaks which requires extensive excavation, all while the main is under pressures of up to 80 psi (pounds per square inch). The purchase of this equipment allows for the water maintenance staff to respond and repair such water main breaks in a quick and efficient manner by allowing for staff to have the ability to excavate and pump the water from the line break site faster, resulting in restoring services to the public in a timely manner.

Staff recommends the Commission take the following action, approve the expenditure of \$48,809 for the purchase of the Vermeer Vactron pump trailer utilizing the FL Sheriff's Association Contract #FSA 16-VEH 14.0

OTHER OPTIONS

Chose to not to make the purchase at this time.

FISCAL IMPACT

\$50,000 was placed in the 2016-2017 Water Capital Improvements budget for the purchase of equipment.

It was the intent of staff to bring this purchase before the commission prior to the end of the previous fiscal year. Due to unforeseen circumstances, this was not done. A budget amendment will be done.

[End Agenda Memo]

8.IV. Contract For Engineering For The Reuse Pump Station Modifications

SYNOPSIS:

Staff recommends approval to enter into an engineering services contract with Kimley Horn in the amount of \$116,750 for the reuse pump station modifications.

STAFF RECOMMENDATION

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

1. Approve the expenditure of \$116,750 and enter into an engineering services contract with Kimley Horn for the reuse pump station modifications.
2. Authorize the City Manager to execute the appropriate documents on the City's behalf.

BACKGROUND

Based on a site meeting that took place on March 2, 2017, it was determined that significant upgrades are required to the existing reclaimed water housing. The current reuse facility houses the pumps and electrical controls in a non-climate controlled facility. The current pipe configuration is such that there is one pipe that is used for the filling of the ground storage the tank, as well as the flow going to the distribution system. This is not the ideal situation. Currently there are three Aurora Pumps on concrete pedestals. The pumps are all rated for 925 gpm (Gallons Per Minute) at 134' head (58.09 psi-pounds

per square inch). When both pumps are running, together they are only producing 800-850 gpm at 80 psi. The pumps are running to the far left of the pump performance curve. As a result, they produce approximately 1.22 mgd (Million Gallons Per Day), which is far below their design and the operations permit of 2.11 mgd. The design of these pumps are such that the pumps should run no more than five times per hour. Pumps 1 and 2 were starting and stopping way more than this, while at that same time pump three never came on the entire time while on site.

In addition to the above pressure/flow and start/stop concerns, additional problems that exist at the pump house are as follows:

- Pumps are experiencing hydraulic cavitation issues.
- The motor control center (MCC) needs upgrading with enhanced supervisor control and data acquisition system (SCADA).
- There needs to be both a fill and a return pipe.
- A cover needs to be erected to protect new equipment that was purchased for the maintenance of the Rapid Infiltration Basin (RIB) site.

The upgrades that are being proposed for the site will improve the day to day operation as well as prepare the reuse system for maximum expandable capacity of 3.45 mgd. Staff recommends the Commission take the following action, approve the expenditure of \$116,750 for engineering and bidding phase services with Kimley Horn for the Reuse Pump Station Modifications. Staff also recommends the Commission authorize the City Manager to execute the appropriate documents on the City's behalf.

OTHER OPTIONS

Chose not to make the necessary reuse modifications at this time which could continue to create a problem with the efficient operation of the reuse system and hinder any expansion capability.

FISCAL IMPACT

\$850,00 was placed in the 2017-2018 Reuse Capital Improvements budget for the engineering services and construction

[End agenda Memo]

8.V. Special Event Application: House Of Prayer October Fest October 28, 2017

[Begin Agenda Memo]

SYNOPSIS:

Approval of the special event permit application will allow the House of Prayer Church to hold their annual October Fest on Saturday October 28, 2017 and allow for the temporary closing of Seminole Avenue

RECOMMENDATION:

It is recommended that the City Commission take the following action:
Approve the special event permit application from the House of Prayer Church for their Annual October Youth Festival event to be held Saturday October 28, 2017

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

BACKGROUND:

The House of Prayer Church submitted a special event permit application for their annual Church October Youth Festival event to be held on Saturday October 28, 2017 at 506 North First Street. This application also includes a request for the temporary closing of Seminole Avenue from Scenic Highway (SR17) to First Street between the hours of 12:00 a.m. and 5:00 p.m.. The House of Prayer will be having a Bounce House, carnival booths, kids games, and food at their Activity Center located across the street on Seminole Avenue.

In the past the church has requested from the City Commission the temporary closing of Seminole Avenue for this event held each year. This prevented vehicular traffic from entering this area and presenting a serious safety issue for the children and parents crossing Seminole to reach the Activity Center. The closure of Seminole Avenue for this event will eliminate this possibility. Staff has reviewed the application and has no issues with the street closing. The church is handling all site set ups, sanitary facilities, trash receptacles and trash clean up. Insurance is being provided as required.

OTHER OPTIONS:

Do not approve the event or street closing.

FISCAL IMPACT:

There is no cost to the City for this event.

[End Agenda Memo]

8.VI. Special Event Application: YMCA's Turket Trot 5K

[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 23, 2017 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 annual "Turkey Trot 5K" on Thanksgiving Day, November 23, 2017 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 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lake Shore Blvd. crossing Lake Shore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to Lake Shore Blvd. and following Lake Shore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street,

4th Street to Central Avenue to 3rd Street and then to Stuart Avenue, Stuart Avenue to 1st Street and back to the Marketplace on Park Avenue where the 5K ends.

BACKGROUND

The Lake Wales YMCA submitted a special event permit application to hold the annual "Turkey Trot 5K" on Thanksgiving Day, November 23, 2017 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 Lake Shore Blvd. from 8th Street to Polk Avenue. The route and streets involved will include the following:

Park Avenue from 1st Street to Scenic Highway, Scenic Highway to Cypress Gardens Lane, Cypress Gardens Lane to Crystal Avenue to North 3rd Street, 3rd Street at Crystal Avenue to Park Avenue and east to Lake Shore Blvd. crossing Lake Shore to Lake Wailes Park, following the bike path (Lake Wailes Trail) to 8th Street crossing over to Lake Shore Blvd. and following Lake Shore to Polk Avenue, Polk Avenue to 5th Street, 5th Street to Johnson Avenue to 4th Street, 4th Street to Central Avenue to 3rd 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]

9. OLD BUSINESS

- 9.1. Ordinance D2017-02 – CPA/Zoning 2nd Reading And Public Hearing First Christian Church Of Lake Wales – Sunset Dr And Buck Moore Rd

[Begin Agenda Memo]

SYNOPSIS

This ordinance will amend land use designation on the Future Land Use Map (Comprehensive Plan) and the Zoning Map for the First Christian Church of Lake Wales property, 15.9 acres on the northwest corner of Sunset Drive and Buck Moore Road.

RECOMMENDATION

Staff recommends adoption after second reading and public hearing.

The Planning and Zoning Board held a public hearing on the proposed amendment to the Future Land Use and Zoning Maps for the subject property on June 27, 2017 and gave a positive recommendation to amendment as set forth below:

15.9 acres located on northwest corner of Sunset Dr and Buck Moore Rd
Polk County Future Land Use Map designation RS-Residential Suburban to City of Lake Wales Future Land Use Map designation LDR-Low Density Residential and Zoning map designation R1-B Residential.

A public hearing is required. Public notice requirements for the hearing have been met.

BACKGROUND

This ordinance was approved after first reading and public hearing in August 2017. It was then transmitted to the Department of Economic Opportunity (DEO) for review. The amendment was reviewed by DEO and no comments related to important state resources and facilities were issued.

The property was recently annexed at the request of the owner for the purpose of building a new church campus.

The property is located on the northwest corner of Sunset Drive and Buck Moore Road. Recommended land use designation is in keeping with adjacent designations and uses. Since the recommended land use and zoning are residential projected impacts are presented for that type of development. However, a church campus would probably present lesser impacts.

Surrounding land use designations:

North: City LDR Low density residential

East: City LDR Low density residential

South: County RS Residential Suburban

West: County RS Residential Suburban

Projected impacts upon public services:

Potable water: Total 13,664 GPD

Current available capacity: approximately 1.6 MGD

Estimated volume of potable water usage:

2.4 persons x 47 DU = 112 people

112 people x 122 GPCD = 13,664 GPD

Wastewater: Total 11,200 GPD

Current available capacity: approximately 1.3 MGD

Estimated volume of wastewater flow

2.4 persons x 47 DU = 112 people

112 people x 100 GPCD = 11,200 GPD

Solid waste @ 7.3 lbs/person/day: 817.6 pounds per day

LOS standard: 7.3 lbs per person per day. Projected 2.4 persons per unit, 112 total people.

This ordinance will be transmitted to the State Land Planning Agency following first reading.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2017-02** by title only.

ORDINANCE D2017-02

(CPA/Zoning First Christian Church of Lake Wales – Northwest corner of Sunset Drive and Buck Moore Road)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP TO CHANGE THE LAND USE DESIGNATION ON 15.9 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF SUNSET DRIVE AND BUCK MOORE ROAD, POLK COUNTY DESIGNATION RS RESIDENTIAL SUBURBAN TO CITY OF LAKE WALES FUTURE LAND USE DESIGNATION LDR LOW DENSITY RESIDENTIAL AND ZONING DESIGNATION R-1B RESIDENTIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this agenda item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson made a motion to adopt **ORDINANCE D2017-02** after second reading and public hearing. Commissioner Howell seconded the motion.

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 5 -0.

9.II. Ordinance 2017-19 – 2nd Reading And Public Hearing Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2017-19 proposes to add Artisan Production as a permitted use in the City.

RECOMMENDATION

Staff recommends the adoption of Ordinance 2017-19 on second reading. A public hearing is required and notice requirements have been met.

BACKGROUND

Commission approved the ordinance after first reading and public hearing on October 3, 2017. The Planning and Zoning Board held a regular meeting on August 22, 2017 and voted to recommend

amending the Zoning, Land Use and Development Regulations to establish Artisan Production as a permitted use in the City.

It is recommended that Artisan Production be established as follows:

Under "PROFESSIONAL AND COMMERCIAL USES" add:

Artisan Production, small scale, permitted in: BP, LCI and C-3; special permit in C-1, C-1A, C-2, C-4, and C-5

Artisan Production, large scale, permitted in BP, LCI and C-3

Combined with other efforts in the City, the re-write of the CRA Plan and the reestablishment of Main Street for example, the establishment of a "use" that will help attract niche entrepreneurs to the City will bring new interest to our community as a place to live, work and prosper.

The definitions provided in the ordinance layout the types of businesses and activities that would be associated or make-up this type of "use."

FISCAL IMPACT

The amendment has no identifiable fiscal impact.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2017-19** by title only.

ORDINANCE 2017- 19

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

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS AMENDING TABLE 23-421 PERMITTED USES TO ADD ARTISAN PRODUCTION AND 23-802 DEFINITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this agenda item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2017-19** after second reading and public hearing. Commissioner Stewart seconded the motion.

Roll Call Vote:

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

The motion passed 5 -0.

9.III. ORDINANCE 2017-18 - Amending CDBG Procurement Procedures 2nd Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2017-18 will amend the CDBG procurement and acquisition procedures in accordance with requirements by the Department of Economic Opportunity regarding the recently awarded a CDBG grant.

RECOMMENDATION

Staff recommends approval of Ordinance 2017-18 to amend CDBG procurement procedures.

BACKGROUND

This ordinance amends our current ordinance codified as Chapter 2, Article IV, Procurement of Property and Services by incorporating CDBG procurement and acquisition procedures as Division 9 of this article.

City Staff has been advised by representatives from the Department of Economic Opportunity that our procurement ordinance for use of CDBG funds need to be updated now that we have been awarded additional funds. On June 6, 2017 the Commission approved an agreement to receive funds to continue the C Street Sewer replacement project. Part of the requirements to receive these funds is that we update our purchasing requirements. These updates include modifications to the procedure for sealed bids, public announcements, project scope, and award of bids.

OTHER OPTIONS

Do not adopt this ordinance. The City will not be able to move forward with the grant.

FISCAL IMPACT

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2017-18** by title only.

ORDINANCE 2017-18

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES, TO INCORPORATE CDBG PROCUREMENT AND ACQUISITION PROCEDURES; PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2017-18** after second reading and public hearing. Commissioner Stewart seconded the motion.

Roll Call Vote:

Commissioner Howell "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

The motion passed 5 -0.

10. NEW BUSINESS

10.I. Ordinance 2017-20 – 1st Reading Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

SYNOPSIS

A few areas of the zoning regulations (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments to address issues that have arisen and provide better clarification and intent of the code.

RECOMMENDATION

Staff recommends the approval of Ordinance 2017-20 on first reading. A public hearing is not required.

BACKGROUND

The Planning and Zoning Board held a regular meeting on August 22, 2017 and voted to recommend various amendments to the Zoning, Land Use and Development Regulations as set forth in the proposed ordinance.

Following are explanations of the proposed revisions.

23-306 Off-Street Parking and Vehicular Access

Current code allows each dwelling unit one driveway with a curb cut not exceeding twenty-four feet in width, or one circular driveway may be permitted per single-family or duplex lot with curb cuts not exceeding twelve feet in width and a minimum of twenty-four feet between curb cuts.

Proposed:

Each dwelling unit may have one driveway per street frontage with a curb cut not exceeding twenty-four feet in width. One circular driveway may be permitted per single-family or duplex lot with curb cuts not exceeding twelve feet in width and a minimum of twenty-four feet between curb cuts. Curb cuts shall be measured at the property line.

Refuse Collection Area

Current code requires that a facility for refuse containers shall be provided for all multi-family and nonresidential buildings, and that such facility shall be screened by a solid fence or enclosure, with landscaping. A fence or enclosure height is not specified.

Proposed addition:

Such facilities shall be screened by a solid fence or enclosure and shall measure a minimum of six feet in height, with landscaping.

Table 23-306B Minimum Automobile Off-Street Parking Space Requirements

Automotive dealerships – current calculation: 1 per bay for auto repair, plus 0.5 per 100SF of retail floor area, plus 1 per vehicle displayed outdoors, plus 1 customer space per 4,500SF of indoor vehicle display area, plus 1 customer space per 50 vehicles in outdoor display.

Proposed:

Automotive dealerships -1 space per 250sf of retail sales area, plus 1 space per 1000sf of outside display area.

Automotive repair – 1 per bay for auto repair, plus 0.5 per 100sf of GFA.

Day Care – current calculation: 1 per full-time or equivalent staff member plus 1 per 10 clients, plus 2 drop-off spaces per 10 clients.

Proposed:

Day Care – 1 per full-time or equivalent staff member plus 1 per 5 permitted children.

FISCAL IMPACT

The amendments have no identifiable fiscal impact themselves.

OTHER OPTIONS

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2017-20** by title only.

ORDINANCE 2017 - 20

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

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS; AMENDING, 23-306 OFF STREET PARKING AND VEHICULAR ACCESS, REFUSE COLLECTION AREA AND TABLE 23-306B MINIMUM AUTOMOBILE OFF-STREET PARKING REQUIREMENTS, AND 23-524 FENCES AND HEDGES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson asked if the changes for the auto dealers are practical. Ms. Bangley said the changes are based on conversations with local business owners and that the changes aren't that different the requirements are just now easier to understand.

Commissioner Howell asked if these changes applied to current businesses. Ms. Bangley said no those are grandfathered in. The changes apply to new businesses unless current businesses need to make a change.

Commissioner Howell made a motion to approve **ORDINANCE 2017-20** after first reading.

Commissioner Curtis Gibson seconded the motion.

Roll Call Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

The motion passed 5 -0.

10.II. Agreement With Government Services Group, Inc.

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider entering into an agreement with GSG, Inc. for professional services related to the development of a special assessment program to fund stormwater services.

RECOMMENDATION

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

1. Authorize the agreement with GSG, Inc. and the expenditure of \$56,000.
2. Authorize the City Manager to execute the documents on behalf of the City.

BACKGROUND

A present need exists within Lake Wales to rehabilitate the existing stormwater infrastructure and to construct additional infrastructure to manage stormwater runoff. Currently, stormwater projects are funded out of the City's transportation budget, the same budget that funds street and sidewalk maintenance operations and capital improvement projects. The reality is that local option gas tax revenues are insufficient to fund both transportation and stormwater operations, leaving both operations underfunded. A special assessment program to fund stormwater services will provide a dedicated revenue stream to address the City's stormwater needs while directing all of the local option gas tax revenue back into street and sidewalk projects.

Approval of the agreement with GSG, Inc. in no way obligates the City to adopt or implement a special assessment for stormwater services. It will authorize GSG, Inc. to perform the necessary tasks associated with the development of preliminary assessment rates (Phase 1) and to perform the specific work required to implement the program if the City Commission so chooses (Phase 2). Once the preliminary assessment rates are developed an assessment report will be prepared and presented to the City Commission in March, 2018 for a decision on whether or not to move forward with Phase 2 of the special assessment process.

In addition to the transportation fund, the general fund is likely funding some level of stormwater activity as well. Having a dedicated source of revenue for stormwater services will further diversify the City's revenue base and will help to ensure the City's core services are provided regardless of fluctuations in housing and other markets.

Geographic areas within the City that will not receive a direct benefit from a special assessment for stormwater services will be exempted from the assessment and areas that receive only partial benefits can be offered credits commensurate with the level of stormwater service benefits actually received. GSG, Inc. also assisted the City with the implementation of its fire assessment program and is familiar with the commercial and residential structures in Lake Wales.

For informational purposes, a listing of the entities in Polk County that currently have special

assessment

programs for stormwater services in place is provided below:

The Polk County Board of County Commissioners

The City of Lakeland

The City of Winter Haven

The City of Auburndale

The City of Polk City

The City of Lake Alfred

The City of Haines City

The City of Fort Meade

The City of Frostproof

The City of Bartow

Funds for a stormwater assessment study are appropriated in the FY18 adopted budget. GSG's proposal

of \$56,000 is \$9,000 under budget appropriations.

The proposal submitted by GSG, Inc. is based on a City of Palm Bay contract for similar services and staff is requesting approval to piggyback the contract. Section 2-404 of the City Code exempts the City from the competitive seal bid requirement outlined in the City's purchasing ordinance when

piggybacking

another public entity's previously competitively bid contract.

OTHER OPTIONS

The City Commission may decline to enter into the agreement with GSG, Inc.

FISCAL IMPACT

The fiscal impact is \$56,000.

[End Agenda Memo]

James Slaton, Director of Public/Support Services, reviewed this item. Mr. Fields said that this study allows us to look down the road if revenues shrink. Most cities have a stormwater assessment. This study will give us information to make an informed decision. The process to do an assessment is complicated.

Commissioner Curtis Gibson said that he cannot support this. We need to consult with the public on whether they want to spend \$40,000 on a study right now just after the hurricane. Commissioner Stewart pointed out that the total cost is \$56,000. Mr. Slaton confirmed this.

Commissioner Stewart asked if the \$56,000 was in the budget. Mr. Slaton confirmed that it was.

Commissioner Howell said that she understands why need a study and that we will have more hurricanes and debris will get in the system. Things will not get better. We need to have this option. She would rather pay something forward than an emergency cost to repair something.

Commissioner Curtis Gibson said that we need to educate the community on this issue and get input. Mr. Fields explained the process for a stormwater assessment. There is a requirement of 4 newspaper notices and significant advertising. We can't discuss with the public without the details on this that we will get from the study.

Deputy Mayor Robin Gibson said we need to think about when public input is appropriate. Its the commission's job to approve the budget. Stormwater is an important issue as there were problems after Hurricane Charlie. He favors this assessment as only those who benefit pay this. They did an assessment to improve the downtown many years ago.

Sandy Walker, Government Services Group, reviewed the implementation process of a stormwater assessment. There are statutes requiring public involvement, a mailing and 4 advertisements and public hearings. The public can't offer an opinion until they see the numbers.

Mayor Fultz agreed that we can't control any future hurricane damage, and we need to control pollutants going into the Lake. He said there will be opportunities for the public to provide input. It is important to move forward on this.

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

Roll Call Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "NO"

Commissioner Stewart "YES"

Mayor Fultz "YES"

The motion passed 4-1.

10.III. Resolution 2017-18 Transfer Of Hardman School Complex

[Begin Agenda Memo]

SYNOPSIS

The proposed Resolution will transfer ownership of the Hardman School Complex from the City of Lake Wales to the Lake Wales Community Redevelopment Agency. This will allow the CRA to control the future use of the property and facilitate any ownership transfer required to meet the CRA's goals.

RECOMMENDATION

It is recommended that the City of Lake Wales transfer ownership of the Hardman School Complex from the City of Lake Wales to the City of Lake Wales Community Redevelopment Agency in order to control its future redevelopment. The City Commission may determine what price, if any, the future transfer from the CRA to another entity should entail. It is further recommended that the transfer be contingent on a Memorandum of Understanding be agreed to between the LWCS, the City of Lake Wales and the Boys and Girls Club regarding the operations of the Boys and Girls Club on the site during the transition period and thereafter once a new school opens.

BACKGROUND

The City of Lake Wales Hardman School Complex encompasses the parcel bounded by East Seminole Ave., N. 4th Street, the Rails to Trails right of way, and N. 3rd St. The property is occupied by the Hardman Building (the former Lake Wales High School), a building that served as the cafeteria for the school, and another former school building that currently houses the Lake Wales operations of the Boys and Girls Club under a lease agreement with the City of Lake Wales.

The Hardman School Building was partially renovated over ten years ago in an attempt to convert it into a performing arts center but the renovation was not completed and the building has sat unfinished but sealed from the elements since that time. The cafeteria building is in a significant state of disrepair and requires an engineering analysis to determine if it can be reused or requires demolition. The Boys and Girls Club building is functional and in use on a regular basis.

The Lake Wales Charter Schools Inc. ("LWCS") has requested that the City of Lake Wales transfer ownership of the complex to the LWCS to enable it to convert the property into a new middle school, Bok Academy North Campus, serving Lake Wales residents. The City of Lake Wales Code Section §2-476 Disposal of Surplus Property, allows the City to transfer ownership of surplus real property directly to another governmental body only; transfer to a private entity can only be accomplished by bid or public auction. The Community Redevelopment Agency has broader latitude in how property it owns can be disposed of in that it can request proposals from prospective purchasers as to how the proposed use of the property will further the goals of the CRA plan. This allows the CRA discretion in who to sell property to. Transferring the Hardman School Complex to CRA ownership will therefore allow the CRA to seek proposals for its future use and decide the most appropriate purchaser without relying strictly on the best bid price offered. This would facilitate the future transfer of the property to the LWCS if the CRA Board believes its proposal will further the goals of the CRA Plan. The option to use the property for other purposes will still remain.

While the City of Lake Wales cannot bind the CRA Board, it can recommend as a condition of the transfer, if it so desires, a minimum price that the CRA should consider before disposing of the property.

In addition, as the property currently serves as the operations site of the Boys and Girls Club, a written Memorandum of Understanding between the LWCS, the City of Lake Wales and the Boys and Girls Club is necessary so that all parties understand their obligations during the transition period and afterward to allow the Boys and Girls Club to continue its services to City children. A preliminary meeting to develop such a Memorandum of Understanding has been held but no final agreement has been reached at this time.

OTHER OPTIONS

Retain ownership of the Hardman School Complex and seek other uses for the property.

FISCAL IMPACT

There will be no fiscal impact from transferring ownership from the City of Lake Wales to the CRA. If the CRA disposes of the property, the City would save a modest amount annually in the costs of maintaining the existing building.

ATTACHMENTS

Resolution 2017-18

[End Agenda Memo]

City Clerk, Jennifer Nanek, read **RESOLUTION 2017-18** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AUTHORIZING THE TRANSFER OF TITLE TO CERTAIN REAL PROPERTY FROM THE CITY OF LAKE WALES TO THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR AN EFFECTIVE DATE

Kenneth Fields, City Manager, reviewed this item.

Deputy Mayor Robin Gibson said there is no conflict of interest for him to vote on this item as it is just a transfer from the City to the CRA. He said that this is good policy for surplus property to be in the hands of the CRA regardless of whether or not property goes to the Lake Wales Charter Schools.

Commissioner Howell reviewed the resolution and it seemed to her that the resolution is saying that this property will eventually go to the CRA. She doesn't have a problem transferring the property but has a problem with the appearance that it may go to the Charter Schools. The City may entertain other offers.

Mr. Fields said that the action parts of the resolution just directs the City Attorney to prepare a quit claim deed to transfer the property.

Deputy Mayor Robin Gibson recommended the City Manager withdraw the item and remove references to the Charter Schools.

Mayor Fultz agreed with this suggestion. Mr. Fields withdrew the resolution and will bring it back another time.

OPENED PUBLIC COMMENT

Jean Gibson, resident, said that the property was donated to the City so this donation won't put the city out much. The Mayor agreed with this and said that the property is worth a lot of money and the city has spent a lot of money on it. But that issue doesn't need to play a part in transferring the property to the CRA.

CLOSED PUBLIC COMMENT

The Commission consented to withdrawing the agenda item.

11. CITY MANAGER

Mr. Fields said that he shares the Commission's frustration with how slow some projects are moving along. Several projects in the North part of the city are getting closer to build out. They are working on new residential development. There is a demand for quality housing. He then gave a status update on several upcoming projects.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Schedule

Mr. Fields announced that he would not be at the City Commission meeting on November 21st. They could move it or he will be sure its a light agenda. It was agreed to keep the meeting on the 21st.

11.IV. Other Meetings & Events Calendar

12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson asked for an update on debris removal. He asked where the line is between hurricane debris removal and regular yard pickup. James Slaton, Public/Support Services Director, explained that we've crossed that line. Republic Services and City crews are helping with hurricane debris pickup. They are working quickly but more debris is constantly being generated due to ongoing tree trimming. There will be 4 passes through Lake Wales by the county contractor. Mr. Fields said that this is a marathon clean up process. It will take months to clean all the debris up. Deputy Mayor Robin Gibson asked if the City was picking up. Mr. Fields said yes that they have one truck helping with debris removal.

Commissioner Curtis Gibson reported on his trip to Jacksonville and training for elected officials that he took and that he learned a lot.

Commissioner Stewart welcomed the new Main Street manager and hoped to see good businesses coming into Lake Wales.

13. MAYOR COMMENTS

Mayor Fultz reported on a fiber optics meeting in Winter Haven and said we need to be connected too. He will continue to attend meetings so that we can get connected. It will be a decade before we can take advantage of this.

Mayor Fultz encouraged the commissioners to reach out to their respective districts to keep citizens informed.

Mayor Fultz commended Deputy Mayor Robin Gibson on his document concerning the vision for Lake Wales.

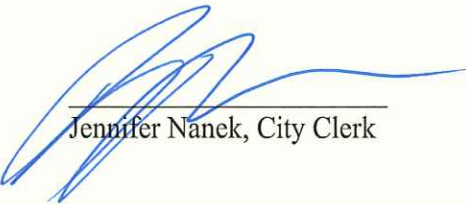
14. ADJOURNMENT

City Commission meeting was adjourned at 7:47 p.m.



Mayor/Deputy Mayor

ATTEST:



Jennifer Nanek, City Clerk

