

**City Commission Meeting Minutes**  
**November 7, 2017**  
**(APPROVED)**

11/7/2017 - Minutes

1. CALL TO ORDER

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

2. INVOCATION

Dr. Jim Moyer gave the invocation.

3. PLEDGE OF ALLEGIANCE

4. 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

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION: National American Indian Heritage Month

Mayor Fultz read a Proclamation establishing November as National American Indian Heritage Month. Earlene Head, Daughters of the American Revolution, accepted the proclamation.

6. PRESENTATION/REPORT

6.I. PRESENTATION - Lake Wales Arts Council

Kelly Nelson, President of the Lake Wales Arts Council, shared plans to host a flag design contest as part of the selection process. She reviewed the requirements, how it will be promoted and how the winner will be selected. The process should be complete by March. Commissioner Howell asked how the information will be distributed to the schools. Ms. Nelson said that they will work with the Art teachers. Deputy Mayor Gibson asked that students at Bok Academy and Babson Park Elementary be allowed to participate even though their schools aren't in Lake Wales. Ms. Nelson agreed to modify the wording to include them.

7. COMMUNICATIONS AND PETITIONS

Gordon Broadhead, non resident, invited the commission to his store's Grand Opening event on the 18th.

David Smith, non-resident, asked about the Downtown Manager. Will she oversee the northwest area as well. Mr. Fields confirmed that her job responsibilities include the whole CRA including the northwest area. Her title is Assistant Director of the CRA. Commissioner Howell said that this was a condition of the funding that this person help all over Lake Wales. Mayor Fultz said she will be implementing the CRA plan.

Burney Hayes, resident, expressed opposition to the 'Mimiplex' being turned over to the CRA and then the Charter Schools. The gym is needed by the community for recreation. Mayor Fultz said that we will not let the Kirkland Gym go until we have a replacement. The Gym is not part of a planned turnover at this time. Currently the application for Box North was not approved by the School Board. Mr. Hayes emphasized the

need for more recreation space and the importance of the Boys & Girls Club to Lake Wales.

Mr. David Smith, non resident, expressed concern that Bok Academy North might bring back segregation.

David Raleigh, non resident, expressed support for more recreation facilities in Lake Wales. Mayor Fultz explained that a possible new complex is being discussed.

Susan Yomeh, resident, lives across the street from the Boys & Girls Club. She recommended a fence around the property for the safety of the children as many run into the road when they are playing outside. Mayor Fultz said we can look into it and see what can be done.

James Slaton, Assistant City Manager, introduced Stephanie Edwards the new Recreation Coordinator. Ms. Edwards introduced herself to the Commission and shared her background. Mr. Fields expressed his hope that with the addition of Ms. Edwards recreation programs can grow.

Darryl Washington, resident, said that we need more recreation opportunities in Lake Wales and keep kids off the streets.

Commissioner Stewart said she participated in recreation programs growing up in Lake Wales and understands its importance to young people. Commissioner Curtis Gibson asked if we are still doing a Recreation study. Mr. Fields confirmed that a study will be the responsibility of the new Recreation Coordinator. Mayor Fultz agreed with the effort to improve recreation.

#### 8. CONSENT AGENDA

Commissioner Curtis Gibson asked about item 8.X. He is in favor of this. He said that he would like to see more money put into facilities instead of vehicles. He is concerned about adding more debt. Mr. Fields explained that they are trying to get all vehicles on a 5-7 year replacement cycle to reduce costs of maintenance and fuel. Police vehicles especially wear out fast and is cheaper in the long run to replace them than to maintain them. Chief Velasquez explained that the vehicles are needed and reviewed the costs. He said he prefers to be able to hire qualified candidates not in Lake Wales including Lakeland. The vehicles are needed for possible emergencies so officers to get into town quickly and shared an example.

Jennifer Nanek passed on a request from Lake Wales Main Street to add the closing of North Market Street as part of Make it Magical and staff supports the modification.

Commissioner Howell made a motion to approve the consent agenda with the recommended change. Commissioner Curtis Gibson seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

8.i. Minutes - October 3, 2017

## 8.II. Special Event Application: G's Vintage Market Grand Opening

[Begin Agenda Memo]

### **SYNOPSIS**

G's Vintage Market has applied to have a grand opening event on Saturday November 18th from 10:00 a.m. to 5:00 p.m. This application requests that Park Avenue be closed from the Wells Fargo Drive Thru to the True Value Parking lot entrance.

### **RECOMMENDATION**

Staff recommends G's Vintage Market has applied to have a grand opening event on Saturday November 18th from 10:00 a.m. to 5:00 p.m. and for Park Avenue to be closed from the Wells Fargo Drive Thru to the True Value Parking lot entrance.

### **BACKGROUND**

G's Vintage Market has applied to host a grand opening celebration on Saturday November 18th from 10:00 a.m. to 5:00 p.m. The event will include a display of Munsters vehicles in the parking spaces along Park Avenue. This will require Park Avenue to be closed from the Wells Fargo Drive Thru to the True Value Parking lot entrance. Traffic will be detour on North Market Street.

### **OTHER OPTIONS**

Do not approve the event permit or the road closure.

### **FISCAL IMPACT**

None

[End Agenda Memo]

## 8.III. Special Event Application: Make It Magical

[Begin Agenda Memo]

### **SYNOPSIS:**

The approval of the special event permit application will allow the Lake Wales Main Street to hold a holiday event "Make It Magical" on December 8, 2017 between the hours of 5:00 p.m. and 8:00 p.m. and allow for the temporary closing of the Marketplace, a portion of Stuart and Park Avenues and several city parking lots in the downtown area.

### **RECOMMENDATION**

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

1. Approve the special event permit application from the Lake Wales Main Street to hold a holiday event "Make It Magical" on Friday, December 8, 2017 between the hours of 5:00 p.m. and 8:00 p.m. with set up beginning at 9:00 a.m.
2. Approve the temporary closing of the following:
  - Close a portion of Stuart and Park Avenues from First Street to Scenic Highway (SR17).
  - 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 Market Street at Park and Central Avenues for food vendors. (Wells Fargo has agreed to close their drive through at 5:00 p.m.)

## **BACKGROUND**

Lake Wales Main Street submitted a special event permit application to hold their fifth annual holiday event "Make It Magical" on Friday, December 8, 2017 between the hours of 5:00 p.m. and 8:00 p.m. in the downtown area. Set up time for the event will begin at 9:00 a.m. with clean up and take down until 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 Main Street 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. Main Street 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 Main Street. Insurance has been provided as required. Main Street 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 FY17/18 in the amount of \$262 of which the Arts Council would be responsible for 25% or approximately \$66.

[End agenda Memo]

### 8.IV. Special Event Application: Christmas Parade December 9, 2017

[Begin Agenda Memo]

## **SYNOPSIS:**

Approval of the special event permit application will allow the Lake Wales Kiwanis Club to present the annual Christmas Parade on Saturday December 9, 2017 and allow for the temporary closing of several streets.

## **RECOMMENDATION:**

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

1. Approve the special event permit application from the Lake Wales Kiwanis Club for the

annual Christmas parade to be held Saturday evening, December 9, 2017 between the hours of 6:00 p.m. and 8:00 p.m.

2. Approve the parade route which will begin at Lake Wailes Park, travel up Central Avenue to Dr. Martin Luther King Jr. Blvd. north to Stuart Avenue where it will end.

3. Approve the temporary closing of North 5th Street, Orange Avenue, the Horseshoe Drive in Lake Wailes Park, Lake Shore Blvd. from Orange Avenue to Central Avenue, and Central Avenue from Lake Shore Blvd. to Dr. Martin Luther King Jr. Blvd. and Martin Luther King Blvd. to Stuart Avenue

**BACKGROUND:**

Larry Tonjes, on behalf of the Lake Wales Kiwanis Club, submitted a special event permit application for the Annual Christmas Parade to be held Saturday, December 9, 2017 from 6:00 p.m. to 8:00 p.m. Line up for the parade will begin at 4:00 pm. on North 5th Street and on Orange Avenue and along the Horseshoe Drive of Lake Wailes Park.

The application also includes a request for the temporary closing of several streets as follows: 5th Street, Orange Avenue and the Horseshoe Drive in Lake Wailes Park for the parade line up, Lakeshore Boulevard south to Central Avenue, west on Central Avenue crossing SR17/Scenic Highway to Dr. Martin Luther King Jr. Boulevard where the parade will end on Stuart Avenue. The crossing of Scenic Highway requires a permit from the Florida Department of Transportation and this request will be submitted to the Bartow office after commission has approved the event. Staff has reviewed the application and has no issues with the event or road closings. Lake Wales Police Department and VOICE will be handling pedestrian and vehicular traffic control. The Streets Department will coordinate the street closings and trash clean up. The Kiwanis Club will be responsible for the parade line up and staging and any sanitary facilities that might be necessary. Insurance is being provided by the sponsor as required.

**OTHER OPTIONS:**

Not to approve this event and road closings.

**FISCAL IMPACT:**

The total cost of in-kind services in the proposed budget for FY17/18 is \$1844 with the Kiwanis Club being responsible for 25% of the total cost or approximately \$461

[End Agenda Memo]

8.V. Special Event Application: Veterans Day Parade November 11, 2017

[Begin Agenda Memo]

**SYNOPSIS:**

Approval of the Special Event Permit Application will allow the American Legion Memorial Post 71 to hold a Veterans Day Parade on Saturday November 11, 2017 and will allow for the temporary closing of Central Avenue.

**RECOMMENDATION**

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

-Approve the Special Event Permit application from the American Legion Memorial Post 71 to hold the Veterans' Day parade on Saturday November 11, 2017 between the hours of 11:00 a.m. and 2:00 p.m.

-Approve the request for the temporary closing of several streets in the downtown area on November 11, 2017 between the hours of 11:00 a.m. and 2:00 p.m. The streets to be closed are as follows; Central Avenue at M.L. King Jr. Blvd east, crossing Scenic HWY to Lake Shore Blvd., then north on Lake Shore Blvd to Lake Wailes Park where the parade will end.

## **BACKGROUND**

Ira Andy Anderson, of the American Legion Post #71, has submitted a special event permit application to hold a Veterans' Day parade on November 11, 2017 between the hours of 11:00 a.m. and 2:00 p.m. to honor all veterans past and present. This application also includes a request for the temporary closing of Central Avenue through the downtown area. Line up for the parade will begin at noon at the Municipal Administration Building. The parade route will involve the following streets:

Central Avenue from Dr. Martin Luther King Jr. Boulevard crossing Scenic Hwy to Lakeshore Blvd. then north on Lake Shore Blvd to Lake Wailes Park where the parade will end.

Affected Streets include: M.L. King Jr. Blvd, Central Avenue, and Lakeshore Blvd. We will close all the streets intersecting Central Avenue.

The Lake Wales Police Department will provide vehicular and pedestrian control and the Streets Department is coordinating the street closings. Sanitary facilities and trash clean up will be the responsibility of the sponsor. Insurance is being provided as required. At the end of the parade, the American Legion will host a cookout for parade participants in Lake Wailes Park.

## **OTHER OPTIONS**

Do not approve the special event permit application for the Veterans' Day parade and the request for the temporary street closings.

## **FISCAL IMPACT**

Total in kind services for this event was budgeted for FY15/16 in the amount of \$824. The sponsor will be responsible for 25% of the total cost or \$206. Any additional cost related to the parade route will be the responsibility of the sponsor.

[End Agenda Memo]

## **8.VI. Agreement - City Of Lake Wales/Lake Wales Professional Firefighters**

[Begin Agenda Memo]

## **RECOMMENDATION**

It is recommended that the City Commission ratify the proposed amendment to the agreement between the City of Lake Wales and the Lake Wales Professional Firefighters, (Local #3538, International Association of Firefighters.)

## **BACKGROUND**

On April 1, 2017, the City Commission approved the collective bargaining agreement between the City of Lake Wales and the Lake Wales Professional Firefighter, (Local #3538, International Association of Firefighters) for the period October 1, 2016 through September 30, 2017. The general purpose of the

agreement is to provide wages, hours, and other conditions of employment for the employees in the fire department bargaining unit of which all firefighters except the chief, fire marshal, fire captain, fire prevention/safety specialist and deputy chiefs are members.

Management staff and the Fire Department union representatives have reached an agreement for the period October 1, 2017 through September 30, 2018.

The amendments are presented to the City Commission for ratification at this time. Proposed changes to the existing agreement are highlighted below:

#### Article 15 Salary

15.4 A. Effective with the first pay-period in October 2017, employees shall receive a 2% pay increase and agree to accept the same COLA increase afforded to other employees, if any in April 2017.

38.1 This Agreement shall become effective upon ratification by the bargaining unit members and approval and ratification by the Lake Wales City Commission and shall continue in full force and effect until midnight of September 30, 20178.

#### **FISCAL IMPACT**

The cost of the salary increases are included in the 17'18 budget.

[End Agenda Memo]

#### 8.VII. Lease Purchase - Self-Contained Breathing Apparatus (SCBA)

[Begin Agenda Memo]

#### **SYNOPSIS:**

Approval of the lease purchase will authorize the ordering of 18 SCBA's and accessories.

#### **RECOMMENDATION**

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

1. Approve the lease purchase with 84-month Financing of Self-Contained Breathing Apparatus for the Lake Wales Fire Department
2. Classify 18 of the existing SCBA's as surplus

#### **BACKGROUND**

The approval to lease purchase 18 SCBA's with accessories will allow the City of Lake Wales to take advantage of a significant price decrease due to several other fire departments around the state submitting orders at the same time. In order to benefit from the savings of this bulk order, the SCBA's have to be ordered in November. The purchase of SCBA's was approved in the FY 17'18 capital improvement plan. The current SCBA's are 12 years old and we currently have 14 SCBA's out of service due to various issues.

These SCBA's had a 5 year warranty on electronics and a 10 year warranty on the remaining components.

All components of the new SCBA's will be covered under warranty for the entire 15 years of useable life. Staff recommends financing the replacement of these SCBA's for the following reasons:

- An outright purchase would result in a current-year decrease in cash flow of \$119,967.32 as compared to \$18,912.64 annually for 7 years.
- BB&T's proposal has an APR of 2.44% over the eighty-four (84) month term with a one (1) dollar residual buyout price. There is a one time \$500.00 fee associated with the financing option.

The lease agreement will be brought back to the Commissioners once the Bond Counsel's review has

been completed.

Staff solicited proposals for cost comparison purposes and those proposals are as follows:

Company Annual Percentage Rate

FLC/BB&T 2.44%

Mears Motor Leasing/Bancorp 4.00%

If the Commission authorizes the purchase of these SCBA's and classifies 18 of the current SCBA's as surplus, staff will trade in 18 SCBA's for a credit of \$250.00 each which is reflected in the quote.

#### **OTHER OPTIONS**

Purchase the SCBA's outright.

#### **FISCAL IMPACT**

For the remainder of FY 17'18, the lease payments would be approximately \$14,184.48 with an annual lease obligation of \$18,912.64 for the remainder of the 84-month term.

[End Agenda Memo]

#### 8.VIII. Interlocal Agreement With The BoCC

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider entering into an interlocal agreement with the Polk County Board of County Commissioners to receive a grant for the purchase and installation of additional field lights at the City's soccer complex.

#### **RECOMMENDATION**

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

1. Accept and enter into the agreement with the BoCC.
2. Authorize the City Manager to execute the agreement on behalf of the City.

#### **BACKGROUND**

Staff is requesting Commission approval to enter into an interlocal agreement with the BoCC to receive funding for the purchase and installation of additional field lights at the soccer complex on Hunt Brothers Rd.

In recognition of the use of the City's soccer complex by Polk County residents, the BoCC appropriated \$77,000 in their FY18 adopted budget to assist the City in expanding the field lights. The grant offered by the BoCC is a one-time grant that does not require matching funds from the City. The only significant requirement, as outlined in the agreement, is that the City allows residents of unincorporated Polk County to use the complex with no additional restrictions that do not apply to City residents.

The BoCC also assisted the City with funding field lights when the complex was initially constructed and a similar interlocal agreement was entered into at that time.

#### **OTHER OPTIONS**

The City Commission may elect not to enter into the interlocal agreement.

#### **FISCAL IMPACT**



None.

[End Agenda Memo]

#### 8.IX. Purchase Authorization – MUSCO Lighting

[Begin Agenda Memo]

**SYNOPSIS** The City Commission will consider authorizing staff to expend funds in the amount of \$91,250 for the purchase and installation of additional field lights at the Soccer Complex.

#### **RECOMMENDATION**

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

1. Authorize staff to expend funds in the amount of \$91,250 for the installation of additional field lights.
2. Authorize staff to piggyback MUSCO Lighting's pricing with the Clay County Board of County Commissioners (RFP #13/14-8).
3. Authorize a budget amendment in the amount of \$13,250.

#### **BACKGROUND**

Staff is requesting Commission approval to purchase and install additional field lights at the soccer complex located on Hunt Brothers Rd. Currently, an estimated 67.5% of the complex is illuminated, which poses a tremendous challenge for users of the complex, particularly during the Fall and Winter seasons when daylight is reduced and most soccer seasons begin. In addition to the Lake Wales Soccer Club, which has grown to over 600 players annually, the following entities also regularly use the complex:

- The Lake Wales High School boys and girls soccer teams (Varsity and JV).
- The Bok Academy boys and girls soccer teams (Varsity and JV).
- An adult Ultimate Frisbee group uses the complex.
- An adult soccer group uses the complex.

Almost half of the complex is unusable during evening hours and scheduling among the various groups for the lighted portions of the complex is extremely difficult. Additionally, the fields that are currently lit are overused, accelerating the decline of the Bermuda grass and increasing the maintenance costs of the fields.

If this next phase of athletic field light installation is approved by the City Commission approximately 86.25 % of the complex will be illuminated. A total of 6 more field lights are needed to completely illuminate the fields and this phase will provide three of the final six lights needed.

The cost for this next phase of the light installation is \$91,250 as provided by MUSCO Lighting. The City Commission approved \$78,000 in the FY17/18 CIP budget for expanding the field lights at the soccer complex, leaving a deficit of \$13,250. The price of \$91,250 is reflective of a \$25,000 credit the City received via the grant awarded earlier this year from the U.S. Soccer Foundation.

Additionally, the City has received a one-time grant from the Board of County Commissioners in the amount of \$77,000 to assist in the purchase of the lights. In short, the City is installing more lights than were anticipated at a much lower cost (\$116,250 project and the City's portion is only \$14,250). Though a budget amendment is required to reflect the higher dollar amount than was approved in the FY17/18 adopted budget, the City's actual expenditure will be lower due to the grants awarded.

Staff is requesting the City Commission to approve a budget amendment in the amount of \$13,250 for the installation of the additional field lights.

MUSCO Lighting manufactured and installed the current field lights at the soccer complex. The proposal submitted by MUSCO Lighting is based on an awarded bid by the Clay County Board of County Commissioners (RFP #13/14-8) and staff is requesting approval to piggyback the pricing in the RFP. Section 2-404 of the City Code exempts the City from the competitive seal bid requirement outlined in our Purchasing Ordinance when piggybacking another public entity's previously

competitively bid contract.

## **OTHER OPTIONS**

The Commission may choose to defer the installation of additional field lights.

## **FISCAL IMPACT**

The actual cost is \$91,250 with \$14,250 of the funding coming from Parks Impact Fees and \$77,000 coming from the BoCC.

[End Agenda Memo]

### 8.X. Lease Agreement With Mears Motor Leasing/Disposal Of Surplus Property

#### **SYNOPSIS:**

Staff is requesting Commission approval to (1) lease-purchase six (6) Police vehicles from Mears Motor Leasing under the Master Lease Agreement and (2) to dispose of surplus property – vehicles

#### **RECOMMENDATION**

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

1. Approve the sixty (60) month lease of four (4) unmarked 2018 Ford Police Interceptor vehicles, one (1) fully equipped 2018 Ford Police Interceptor K9 vehicle and one (1) fully equipped 2018 Ford Police Interceptor patrol vehicle from Mears Motor Leasing based upon the Florida Sheriff's Association Fleet competitive bid pricing.
2. Authorize the City Manager to execute the necessary documents on behalf of the City.
3. Classify the below listed vehicles as surplus
4. Authorize staff to dispose of the surplus vehicles

#### **BACKGROUND**

Within the FY 2017/18 annual budget, the City Commission approved \$221,458.00 for additional Police Department vehicles. The FY 2017/18 annual budget indicated the vehicles would be leased versus purchased with commission approval.

Staff recommends the lease-purchase of these vehicles and disposal of surplus vehicles for the following reasons:

- The four (4) fully equipped, unmarked, 2018 Ford Police Interceptor vehicles, one (1) fully equipped 2018 Ford Police Interceptor K9 vehicle and one (1) fully equipped Ford Police Interceptor vehicle marked patrol unit include equipment up-fitting. These vehicles can be lease/purchased using the Florida Sheriff's Association competitive bid pricing. The capital cost of these vehicles, if purchased outright, would be \$220,711.00. Under the lease-purchase agreement, the monthly lease payment is \$4060.73 for sixty (60) months, with a total cost of \$243,644.05. These vehicles will replace marked and unmarked police vehicles being removed from service through reassignment, sale or other means of disposal.
- Under the Mears Motor Leasing agreement, the annual cost of these vehicles is \$48,728.81 with an overall cost of \$243,644.05 at the end of 60 months. A full purchase would result in a current year decrease in cash flow of \$220,711.00 as compared to \$48,728.81 per year.
- Mears Motor Leasing's proposal has an APR of 4.00% over the sixty (60) month term with a one (1) dollar residual buyout price for each vehicle.

#### **MEMORANDUM**

- The vehicles to be disposed of will be sold via an online auction or traded for equivalent value in

future vehicle equipment. Based upon the anticipated sale price of the vehicles to be disposed of this year, the expected revenue will be approximately \$10,500.00.

- In accordance with Sec. 2-476 of the City Code, the City Commission may classify as surplus any property that is obsolete, the continued use of which is uneconomical or inefficient, or which serves no useful function or purpose.

- The vehicles outlined below no longer serve any useful purpose to City.

Year Make Model VIN

2008 Ford Crown Victoria 2FAFP71VX8X138771

2009 Chevrolet Impala 2G1WS57MX91280028

2009 Chevrolet Impala 2G1WS57M191279978

2009 Dodge Charger 2B3KA43T59H600557

2009 Chevrolet Impala 2G1WS57M891279766

2008 Ford Expedition 1FNFU165X8LA71140

2009 Chevrolet Impala 2G1WS57M391281246

2002 Ford Crown Victoria 2FAFP71W82X111732

2008 Ford Crown Victoria 2FAFP71V18X138772

2003 Ford Crown Victoria 2FAFP71W53X15785

2002 Ford F-150 1FTRF17212NA94477

OTHER OPTIONS

1) Purchase the six (6) public safety vehicles outright at a cost of \$220,711.00.

2) Retain the existing vehicles.

### **FISCAL IMPACT**

The proposed FY17/18 lease obligation of \$36,546.61 (9 months) provided by Mears Motor Leasing is based upon a lease-purchase option for public safety vehicles. An additional \$10,500.00 or more income and savings should be realized during the first year based upon sale of vehicles taken out of service. Additionally, fleet maintenance costs will be reduced as a result of replacing the aged vehicles currently in use.

If the City Commission approves the vehicle lease agreement, the City is committed to a yearly lease payment of \$48,728.81 for the sixty (60) month leases. If revenues are insufficient in future years, an option would be to return the vehicles under the non-appropriation of funds clause. If it becomes necessary to exercise this option, however, the Police and Fire Departments would suffer the loss of the vehicles.

[End Agenda Memo]

### **9. OLD BUSINESS**

### **10. NEW BUSINESS**

#### **10.I. Ordinance 2017-21, FY16'17 Budget Amendment #2, 1st Reading**

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider approval of the second amendment of FY 16'17 Budget that was adopted on September 20, 2016, modified with Ordinance 2017-04 on March 21, 2017.

#### **RECOMMENDATION**

It is recommended that the City Commission approve Ordinance 2017-21 after first reading.

## **BACKGROUND**

Ordinance 2016-17 estimating revenues and appropriating funds for Fiscal Year 2016-17 was adopted by the City Commission September 20, 2016, modified by Ordinance 2017-04 on March 21, 2017.

We are presenting Ordinance 2017-21 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B.

## **OTHER OPTIONS**

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

## **FISCAL IMPACT**

See Exhibit A and Exhibit B attached to Ordinance 2017-21

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2017-21** by title only.

## **ORDINANCE 2017-21**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2016-17 AS AMENDED ORDINANCE 2017-04 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2016-2017 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Dorothy Ecklund, Finance Director, reviewed this item.

Commissioner Howell moved to approve **ORDINANCE 2017-21** on first reading. Deputy Mayor Robin Gibson seconded the motion.

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

10.II. RESOLUTION 2017-15 State Revolving Fund Loan Application For Lift Station 16 Area Sewer Replacement Phase 3

[Begin Agenda Memo]

**SYNOPSIS:**

Approve Resolution 2017-15 and Give authorization for staff to submit and for the Mayor to sign the loan application for the Lift station 16 Area Sewer Replacement Phase 3

**STAFF RECOMMENDATION**

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

1. Adopt Resolution 2017-15
2. Authorize city staff to submit and the Mayor to sign an application for the construction loan funding from the state revolving loan fund in an amount currently estimated to be \$1,680,443.

**BACKGROUND**

The state revolving loan fund provides loans for local government utility projects. The City's Lift station 16 Area Sewer Replacement Phase 3 sewer line rehabilitation is an eligible project. The City has the opportunity to apply for a low interest loan through the State Revolving Fund for making these necessary improvements. This is the final phase of construction for this project. The construction area will included Carver Dr, A, B , and C Streets from Dr. J.A. Wiltshire to Harding Avenue.

Staff recommends the Commission take the following action; adopt Resolution 2017-15 and authorize the Mayor to sign the application to apply for these funds.

**OTHER OPTIONS**

Staff could be directed to go out on the open market for financing which would result in a higher interest rate than what is being offered by the Florida Department of Environmental Protection.

**FISCAL IMPACT**

Estimated debt service for the amount of \$1,714,052 (base loan \$1,680,443 plus estimated capitalized interest of \$33,609) would be \$85,822 annually over a twenty-year repayment period.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2017-15** by title only.

**A RESOLUTION OF CITY OF LAKE WALES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING THE PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Howell made a motion to approve **RESOLUTION 2017-15**. 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"

Motion passed 5 -0.

10.III. Resolution 2017-19, Subordinate Lien Capital Improvement Revenue Note (Airport Project), Series 2017

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider adopting Resolution 2017-19, authorizing the issuance of Subordinate Lien Capital Improvement Revenue Note (Airport Project), Series 2017 in an amount not to exceed \$2,000,000. Loan proceeds will be used to finance various Airport Projects as outlined in Appendix A.

**RECOMMENDATION**

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

1. Adopt Resolution 2017-19, authorizing the issuance of the City of Lake Wales, Florida Subordinate Lien Capital Improvement Revenue Note (Airport Project) Series 2017, not to exceed \$2,000,000.
2. Authorize the Mayor to execute the appropriate documents on the City's behalf.

**BACKGROUND**

Over the next three years, as outlined in Appendix A, the City of Lake Wales Airport has \$9.8 million in proposed capital projects. The City expects to receive grant funding from FAA and FDOT of \$8.1 million and the City's matching contribution requirement will be \$1.8 million. The recommended projects, as listed in Appendix A, would be long-term capital assets with depreciation life expectancies exceeding 20 years. Due to the City's various expansion projects throughout the City, current economic growth expected at the Airport and current market low interest rates, City staff recommend that the City's matching requirement of \$1.8 million be funded through the use of debt financing.

In September of 2017, the City's approved financial advisory service; Public Financial Management, Inc. (PFM) released a request for proposal for debt financing relating to the Airport funding.

Staff recommends accepting CenterState Bank's proposal of a twenty year note, 2.92% interest rate, with semi-annual debt service payments as outlined in "PFM – Airport Loan Summary" (approximately \$126,000 per fiscal year). The Note may be prepaid in whole on any date and in part on any Principal Payment Date upon ten (10) days' prior written notice to the Owner at a

prepayment price of 100% of the principal amount being prepaid without any prepayment penalty or fee plus accrued interest to the date of prepayment.

City of Lake Wales – Debt Policy Review:

On February 5, 2013, the City Commission adopted a debt policy for the City of Lake Wales. The City's debt policy requires the following evaluation:

Sec. 2-523. - Purpose for which debt can be issued - When it is an appropriate means to achieve a fair allocation of costs between current and future beneficiaries.

Staff's Response: Financing these projects would be a means to achieve a fair allocation of costs between current and future beneficiaries as the assets being proposed have depreciation life expectancies over 20 years.

Sec. 2-525. - Categorization of debt - In the case of governmental debt, the debt must be secured by a revenue source, which has been in effect for at least three years, and would have provided coverage of at least 115 percent of the average annual debt service on such obligations

Staff's Response: Series 2017, pledged revenue sources including electric franchise fees. The pledged revenue source provide sufficient coverage of the average annual debt service requirement.

Sec. 2-526. - Debt limitations - Non self-supporting debt. The city shall conduct an objective analysis as to the community's ability to assume and support additional debt service payments before the issuance of non self-supported debt.

Staff's Response: For a review of the City's financial condition, the Finance Department has selected the

"Statistical Section" of the City of Lake Wales Comprehensive Annual Financial Report issued 09/30/2016.

Page 105 of the Statistical Section, the City's General Fund Unreserved, Undersigned/ Unassigned Fund Balance has continued to increase over the last three years.

Page 107 of the Statistical Section, provided a review of the last ten years of Governmental Activities taxes and franchise fees. This page shows the stability of these sources over an extended period.

Page 112 of the Statistical Section, the City's ratios of outstanding debt by type is provided over a ten-year period. Per capita debt was the highest in 2008 at 2,470 and the lowest in 2016 at 1,330.

Page 113 of the Statistical Section, direct and overlapping governmental activities debt is presented.

## **FISCAL IMPACT**

Financing in the amount of \$1,825,000, a twenty year maturity at 2.92% interest creates an estimated fiscal

impact of \$2,407,343 (principal available for funding projects \$1,774,525, cost of issuance \$50,475, and interest

expense of \$582,343).

[End Agenda Memo]

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

**A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE ISSUANCE OF THE NOT TO EXCEED \$2,000,000 CITY OF LAKE WALES, FLORIDA SUBORDINATE LIEN CAPITAL IMPROVEMENT REVENUE NOTE (AIRPORT PROJECT), SERIES 2017, TO FINANCE IMPROVEMENTS TO THE CITY'S AIRPORT FACILITIES AND TO PAY ASSOCIATED COSTS OF ISSUANCE; PLEDGING CERTAIN FRANCHISE FEES TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH NOTE; DESIGNATING THE NOTE AS BANK QUALIFIED FOR PURPOSES OF SECTION 265 OF THE INTERNAL REVENUE CODE OF 1986; AUTHORIZING THE NEGOTIATED SALE OF THE NOTE TO CENTERSTATE BANK, N.A.; PROVIDING FOR THE RIGHTS OF HOLDERS OF SUCH NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Dorothy Ecklund, Finance Director, reviewed this item.

Mayor Fultz said that this is an opportunity to make the Airport viable and to help it grow.

Commissioner Curtis Gibson made a motion to approve **RESOLUTION 2017-19**. Commissioner Terrye Howell seconded the motion.

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

#### 10.IV. RESOLUTION 2017-21 - Succession Of City Manager

[Begin Agenda Memo]

##### **SYNOPSIS**

The appointment of an Assistant City Manager requires a change in the order of succession of an Acting City Manager in the case of the absence of the City Manager. It also provides that the Deputy City Clerk may certify documents if the City Clerk is absent.

##### **RECOMMENDATION**

That the order of succession for an Acting City Manager be modified so that the Deputy or Assistant City Manager will be the first to serve as the Acting City Manager if either of those positions is filled.

##### **BACKGROUND**

The current order of succession for an Acting City Manager provides for the Finance Director, then the Human Resources Director, then the Police Chief to serve if the City Manager is temporarily absent. The proposed change would allow a Deputy City Manager or Assistant City Manager, in that order to be the first to serve as Acting City Manager if the City Manager is temporarily absent. The remainder of the succession order would remain as is. The resolution also makes it clear that the Deputy City Clerk may certify documents in the absence of the City Clerk.

##### **OTHER OPTIONS**

Keep the succession order as currently stated by resolution.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2017-21** by title only.

**A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, UPDATING THE DESIGNATION OF INDIVIDUALS TO SERVE IN THE CAPACITY OF ACTING CITY MANAGER AND ACTING CITY CLERK DURING THE TEMPORARY ABSENCE OF THESE APPOINTED OFFICIALS.**

Kenneth Fields, City Manager, reviewed this item.



Mayor Fultz said that he has heard a lot of positive comments on Mr. Slaton's performance throughout the city.

Deputy Mayor Robin Gibson made a motion to approve **RESOLUTION 2017-21**. Commissioner Terrye 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"

Motion passed 5 -0.

10.V. Purchase Authorization – SEMCO Construction, Inc.

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider authorizing staff to expend funds in the amount of \$470,145 for the construction of Phase 1 of a new trail in the downtown corridor along Scenic Highway.

**RECOMMENDATION**

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

1. Authorize staff to expend funds in the amount of \$470,145.
2. Authorize SEMCO Construction, Inc. to perform the work.

**BACKGROUND**

The proposed project is the first phase of the construction of a trail that will connect the downtown area to Lake Wailes Park, connect various City assets, create usable greenspace downtown and will beautify the Scenic Hwy. corridor through the core of the city.

In addition to the construction of the trail itself, included in Phase 1 is the beautification and rehabilitation of the parking lot at the intersection of Scenic Hwy. and Central Ave., the addition of a community pavilion in the greenspace near the library, benches, bench shelters, landscaping, historic markers and lighting along the trail. Phase 1 will be constructed along Scenic Hwy. between Central Ave. and W Crystal Ave., north of the library.

Staff is recommending a phased, multi-year approach to complete the construction of the trail in its entirety. However, available funds carried over from last FY for this project will allow staff to begin construction of a portion of Phase 2 in FY18 as well. Phase 2, once complete, will connect Phase 1 to Lake Wailes Park and the trail surrounding Lake Wailes Lake.

A total of \$678,243 is appropriated for Phases 1 and 2 in the FY18 adopted budget, leaving a balance of \$208,098 available to begin Phase 2 next year if the Commission approves SEMCO Construction, Inc.'s

proposal of \$470,145 for Phase 1.

SEMCO Construction, Inc. is the City's contracted General Contractor and Construction Management firm. The firm was awarded a contract with the City in 2016 after soliciting sealed proposals for General Contracting services (ITB#16-423).

Staff did, however, solicit sealed bids for this project and received four proposals. One firm retracted their bid, one firm was unqualified to complete the work, and the final firm's price was almost 50% higher than SEMCO's. Staff ultimately rejected all bids and is working with SEMCO under the existing contract.

#### **OTHER OPTIONS**

- 1) The City Commission may elect to defer the project.
- 2) The City Commission may direct staff to solicit sealed bid's a second time.

#### **FISCAL IMPACT**

The project cost is \$470,145 and \$678,243 is appropriated.

[End Agenda Memo]

James Slaton, Assistant City Manager, reviewed this item and shared pictures of what the trail will look like. Mr. Fields said that at the CRA workshop, the downtown trail was identified by many as a high priority.

Commissioner Curtis Gibson asked how many bids were received for this project. Mr. Slaton said we got 4 and we did some value engineering to get the costs down. Mr. Slaton reviewed the bid process for this project. Commissioner Curtis Gibson asked if anyone local bid on this. Mr. Slaton said no. Commissioner Curtis Gibson said that this is a good project.

Deputy Mayor Robin Gibson asked if CRA funds were being used for this. Mr. Slaton said yes but that a portion of the funds will come from recreation impact fees. He asked what is currently in the trust fund and if land sale proceeds are being used for this. Dorothy Ecklund, Finance Director, said nothing from the land sale will be used for this project. The money is coming from the annual increment. Deputy Mayor Robin Gibson said that this project will serve to enhance property value in the area but urges caution with the trust fund money. Mayor Fultz said that he agreed with those concerns and we need to be careful.

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

Voice Vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

10.VI. Board Appointments: Firefighter Retirement Board

[Begin Agenda Memo]

**SYNOPSIS**

This is an appointment to fill a vacancy on the Firefighters Retirement Board.

**RECOMMENDATION**

Staff recommends that the Mayor fill the vacancy on the Firefighters Retirement Board as deemed appropriate.

**BACKGROUND**

There is currently a vacancy on the Firefighter Retirement board. An application has been submitted for that position.

Firefighters' Retirement Board (City Code Sec. 16-163) – The board consists of five (5) trustees. Two (2) members must be legal residents of the City and two (2) members must be full-time firefighters employed by the Lake Wales Fire Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; firefighter members are selected by a majority of the firefighters who are members of the plan. The fifth member is chosen by a majority of the other four members and appointed by the Mayor. (4-year term)

- There is no interview process requirement for applicants applying for appointment to this board.

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

- Current Vacancies: 1 resident due to resignation

Current Members: Brian Patterson 09/22/15 – 09/30/19

Glenn Gest, resident (resigned) 01/04/07 - 09/30/18,

James Brown, resident 03/18/14 - 09/30/18,

Joe Jenkins, Fire Chief 10/01/98 - 09/30/18,

Roy Wilkinson, III, Firefighter 12/21/09 - 09/30/18,

Current Meetings – Quarterly @ 4 p.m.; Fire Department meeting room

Applying for appointment: Dennis Childress

Recommendation: The recommendation is for the Mayor to appoint Dennis Childress to serve on the Firefighters' Retirement Board to complete a term expiring on 09/01/18, a 4-yr term, and for the City Commission to consent to the appointment made by the Mayor.

**OPTIONS**

Do not appoint those that have applied.

[End Agenda Memo]

Mayor Fultz appointed Dennis Childress to the Firefighter's Retirement Board to a term that will end on September 1, 2018.

Commissioner Howell made a motion to approve the appointment of Dennis Childress to the Firefighter's Retirement Board to a term that will end on September 1, 2018. Commissioner Curtis

Gibson seconded the motion.

Voice Vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

#### 11. CITY MANAGER

Kenneth Fields, City Manager, gave an update on hurricane recovery efforts and recent FEMA training that he and other staff members recently attended.

Mr. Fields said that he will miss the next meeting and Mr. Slaton will fill in for him.

Albert Galloway, Jr., City Attorney, asked that each of the Commissioners stay for a few minutes after the meeting to sign the airport loan.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. City Commission Meeting Calendar

11.IV. Other Meetings & Events Calendar

#### 12. CITY COMMISSION COMMENTS

Commissioner Howell asked about the status of debris pickup. The debris removal in her neighborhood was being picked up only on one side of the street. Mr. Fields said that they will investigate this.

Commissioner Howell asked about a leak in the gym that she was asked about. She said that she was glad that got fixed. She also asked about seating as there was not enough. Ms. Teresa Allen, Public Services Director, said they are working on getting more seating.

Commissioner Curtis Gibson reported a big pile of debris on Greenfield lane. He asked about a building in poor shape on Scenic and Seminole that is an eyesore. Mr. Fields said that they are working on the building.

Commissioner Stewart also asked about debris pickup. Mr. Fields said the debris company is starting on their second pass. Mayor Fultz reported on the piles of stuff on his street.


#### 13. MAYOR COMMENTS

Mayor Fultz thanked Commissioner Curtis Gibson for filling in for him at a ribbon cutting at the mall and Deputy Mayor Robin Gibson for filling in for him at Pioneer Days. Commissioner Curtis Gibson commented

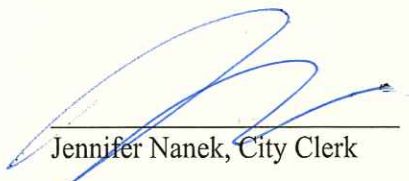
that Pioneer days went well and Mayor Fultz concurred.

14. ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

  
\_\_\_\_\_  
Mayor/Deputy Mayor

ATTEST:

  
\_\_\_\_\_  
Jennifer Nanek, City Clerk

