

**City Commission Meeting Minutes
December 5, 2017
(APPROVED)**

12/5/2017 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

The Mayor called the meeting to order at approximately 6:00 p.m. after the invocation and 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. PRESENTATION/REPORT

5.I. Holiday Decorations Safety - Brittany Simpson, Fire Marshall

Brittany Simpson, Fire Marshall, gave a presentation on holiday decorations safety.

6. COMMUNICATIONS AND PETITIONS

Brett Upthagrove, non-resident and property owner, said that he got behind in maintaining his property and that the City mowed his property and is charging him \$500. He said that he was never notified and that this amount is excessive. He said that he was told he couldn't bring the issue before the Code Enforcement Board. Kathy Bangley, Planning Director, explained that he is welcome to come before the Code Enforcement board but that it was not an issue on the agenda. Ms. Bangley said he received notices in August concerning his property. Mayor Fultz advised Mr. Upthagrove to meet with Ms. Bangley and to attend the Code Enforcement Board meeting Monday to hopefully resolve this issue.

Narvell Petersen, resident, said he came before the commission about this issue before regarding residents leaving their garbage cans by the curb and trash getting along side of the road. Mr. Petersen said this problem is on his street and throughout his neighborhood. Mr. Fields said that this is a code enforcement issue and that they will send out a reminder about bringing cans in. Mr. Petersen also brought up about larger trucks parking in residential areas. Mr. Fields said they have heard this complaint before and he is looking into possible lots that could be used for overnight parking. Commissioner Curtis Gibson asked about the complaint log if he could see it. Mr. Fields said yes. Deputy Mayor Robin Gibson suggested a creative approach to enforce the ordinance to bring in trash containers. Mr. Fields said that we can write code violations. Mayor Fultz said that if they have received reminders then they should get tickets as that is the law.

Darryl Washington, non-resident, thanked Sarah Kirkland for her assistance with a sewer problem at his house. He said he is the president of PAL and reported on their Jr. Magic Basketball jamboree last weekend. He said he is having problems scheduling the gym for practices and games. He expressed support for additional facilities. In order to use the gym in the mornings they would have to reimburse the Boys and Girls Club for staff costs. Teresa Allen, Public Services Director, explained that there are several conflicts for gym time with other groups and time for the public is needed. Commissioner Howell suggested possibly using the gym at Roosevelt Academy. The High School Gym is torn up. Mayor Fultz agreed and said he would inquire about that possibility. Other ideas were discussed.

Brett Upthagrove, resident, asked if the lien on his property could be withheld until the issue is resolved. Mayor Fultz acknowledged his request and said that Code Enforcement will work with him on his issues.

7. CONSENT AGENDA

Commissioner Howell asked about the date for Mardi Gras. Jennifer Nanek, City Clerk, said there was an error in the memo and that the correct date for Mardi Gras is Saturday February 10, 2018.

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

Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

7.I. Minutes - October 17, 2017

7.II. Special Event Application: Dr. Martin Luther King, Jr. Celebration

[Begin Agenda Memo]

SYNOPSIS:

Approval of the special event permit application will allow the Annual Dr. Martin Luther King Jr. Celebration to take place between Thursday, January 11, 2018 and Monday, January 15, 2018 and allow the temporary street closings for the parade on January 15, 2018.

RECOMMENDATION:

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

- Approve the special event permit application for the Dr. Martin Luther King Jr. Celebration to be held between Thursday January 11, 2018 and Monday, January 15, 2018.
- Approve the temporary street closings for the Dr. Martin Luther King Jr. Celebration and Parade to be held Monday, January 15, 2018. The parade will begin at 3:30 p.m. The time frame requested for the street closings for the parade is from 2:30 p.m. to 5:00 p.m. and for after parade activities on Lincoln Avenue from approximately 4:30 p.m. to 8:00 p.m. The streets involved will be Dr. Martin Luther King Jr. Boulevard, Dr. J.A. Wiltshire Avenue, E Street, Lincoln Avenue, A Street, First Street and Park Avenue.
- Approve the temporary closing of the city parking lots on Lincoln Avenue for vendors and/or parking.

Approve the request for the use of the James P. Austin Community Center at no cost on the following dates:

Thursday, January 11, 2018 for the International Pot Luck Dinner, Friday, January 12, 2018 for the Oratorical Contest and Talent Show, Saturday, January 13, 2018 for the MLK Health Fair, Monday, January 15, 2018 for the Legacy Breakfast and MLK Program prior to the parade.

BACKGROUND:

Mr. Narvell Peterson, President of the Dr. Martin Luther King Jr. Scholarship Fund of Lake Wales Inc. submitted a Special Event Permit application for the Annual Dr. Martin Luther King Jr. Celebration and Parade to take place beginning on Thursday January 11, 2018 and ending on January 15, 2018.

The celebration will include the following activities:

Thursday, January 11, 2018 6pm – International Pot Luck Dinner at the Austin Center
 Friday, January 12, 2018 6:30pm – Oratorical Contest at the Austin Center
 Saturday, January 13, 2018 9am – Unity Walk from Kiwanis Park to Stuart Park
 Saturday, January 13, 2018 10 am – Health Fair, Austin Center
 Monday, January 15, 2018 - Legacy Breakfast, MLK Program – Austin Center
 Monday, January 15, 2018 – MLK Parade, Pre-parade & after parade activities on Lincoln Avenue

The special event permit application includes a request for the temporary closing of the following streets on Monday, January 15, 2018 for the Parade:

Parade will line up at the Austin Center by 2:30 p.m. and will begin at 3:30 p.m. on Dr. Martin Luther King Jr. Boulevard, travel north to Dr. J.A. Wiltshire Avenue, turning left and continuing to E Street, turning right on E Street and continuing to Lincoln Avenue, traveling on Lincoln Avenue to A Street, turning right on A Street and continuing to Dr. J.A. Wiltshire Avenue. The parade will then turn left and continue to First Street and continuing on First Street until Park Avenue, turning west on Park Avenue continuing until Dr. Martin Luther King Jr. Boulevard. At this point the parade will turn right on Dr. Martin Luther King Jr. Boulevard and continue to the Austin Center where the parade ends.

After the parade the celebration will continue with food and craft vendors, music and entertainment along Lincoln Avenue and in the city parking lots along Lincoln Avenue. The activities are to conclude at approximately 8:00 p.m. The Dr. Martin Luther King Jr. Committee will be responsible for requiring the vendors to close promptly at 8:00 p.m. The committee will also be responsible for site set up, sanitary facilities and assisting with clean up after the event concludes.

The Lake Wales Police Department and VOICE will be assisting with pedestrian traffic and vehicular traffic control for the parade, prior to the parade and for after parade activities. New this year is a request to help prohibit pets from entering the festival area. The Police Department has agreed to assist with this request.

The Streets Division will be assisting with the street closings, setting out trash containers, trash clean up during the parade and the normal trash clean up on Tuesday.

OTHER OPTIONS:

Do not approve this event and road closings.

FISCAL IMPACT:

In-kind services for the City were budgeted for FY17/18 in the amount of \$8,289. The MLK Scholarship Fund of Lake Wales Inc. is responsible for 25% or \$2,072. The fees for the James P. Austin Community Center would be waived providing that the City Commission approves this request.

[End Agenda Memo]

7.III. Special Event Application: Mardi Gras Celebration February 9-10, 2018

[Begin Agenda Memo]

SYNOPSIS:

Approval of the Special Event Permit Application for the Lake Wales Mardi Gras Celebration, Parade and 5K Run on Friday and Saturday, February 9-10, 2018.

RECOMMENDATION

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

- Approve the Special Event Permit application for the 2018 Lake Wales Mardi Gras Celebration to take place on Friday evening, February 9, 2018 and on Saturday, February 10, 2018.
- Approve the temporary closing of the Marketplace parking lot beginning on Wednesday, February 7, 2018 at 5:00 p.m. for the set up of the tent, the sanitary facilities and dumpster on Thursday morning. The parking lot would remain closed until the tent, dumpster and sanitary facilities are removed on Monday, February 12, 2018.
- Approve the request for the temporary closings on Friday, February 9 and on Saturday, February 10, 2018 of the following: the Marketplace, S. Market Street between Central Avenue and Stuart Avenue and N. Market

Street between Park Avenue and Orange Avenue and the two City lots on East Stuart Avenue. Market Street from Central Avenue to Stuart Avenue and from Park Avenue to the alley South of Orange will be closed on Thursday February 8 beginning at 5:00 p.m. to allow for set-up of vendors on Friday morning. The 2 parking lots on Stuart Avenue will be closed on Friday evening at 5:00 p.m. to allow for the set-up of children's activities on Saturday morning.

- Approve the request for the temporary closing of Central Avenue from First Street to Second Street beginning at 10:00 a.m. - 3:00 p.m. on Saturday February 10, 2018 for a performance at Polk State College JD Alexander Center.

- Approve the Mardi Gras 5K Run to be held on Friday evening, February 9, 2018 from 6:00 p.m. to 7:00 p.m. and approve the temporary closing of Park Avenue from N. Market Street to Lake Shore Boulevard for the event.

- Approve the temporary street closings on Saturday, February 10, 2018 between the hours of 2:00 p.m. and 5:00 p.m. for the Mardi Gras parade.

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

BACKGROUND

Mr. Joshua Curchy, President of the Lake Wales Mardi Gras has submitted a Special Event Permit Application for the 2018 Lake Wales Mardi Gras Celebration, Parade and 5K Run to be held Friday, February 9, 2018 and Saturday, February 10, 2018. This application includes a request to hold a 5K Run on Friday evening from 6:00 p.m. to 7:00 p.m. and for the temporary closing of several streets and city parking lots in the downtown area.

Activities for the 2018 Lake Wales Mardi Gras are proposed as follows:

1. Friday evening, February 9, 2018, 6:00 p.m. to 12:00 a.m. - food vendors along S. Market Street and N. Market Street, a beer garden and musical entertainment in the Marketplace parking lot. The beer garden will be enclosed within the white fencing belonging to the City. Set up of the tent, dumpster and sanitary facilities would begin on Thursday, February 8, 2018 at 7:00 a.m. with the fence installation on Friday.
2. Friday evening, February 9, 2018, 6:00 p.m. to 7:00 p.m. - 5K Run beginning at the Clock on Park Avenue traveling east on Park Avenue to Lake Shore Boulevard, crossing Lake Shore to the Bike Path, traveling south on the bike path 1.55 miles and heading back the same route to the Marketplace where awards will be presented under the tent.
3. Saturday, February 10, 2018 - the activities will continue in the downtown area beginning at 10:00 a.m. with craft vendors in the Marketplace, food vendors on S. Market Street and a portion of N. Market Street. Kids' activities will be set up in one of the city parking lots on East Stuart at SR17 and in the Wells Fargo parking lot on Park Avenue. Handicapped Parking will be in the other parking lot on Stuart Avenue. Musical entertainment will continue in the Marketplace parking lot beginning around noon in addition to the beer garden. These activities will conclude at 11:00 p.m.
4. Saturday, February 25, 2018 - the Mardi Gras Parade will begin at 3:00 p.m. which will start on the east side of the City Administration Building and make its way through the downtown area concluding at Park Avenue and Third Street at approximately 5:00 p.m.

The parade route involves the following streets:

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

The Police Department, VOICE and the Streets Department will coordinate control of vehicular and pedestrian traffic for the parade. The Streets Department will handle all street closings. Trash barrels with bags will be placed along the parade route and in the areas of the pre-parade and after parade activities in the Marketplace. Sanitary facilities, dumpsters, site set up, tent permits, certificates of liability insurance, FDOT road closing permits and the alcohol beverage permit from the Department of Alcohol Beverage & Tobacco will be the responsibility of the Lake Wales Mardi Gras Executive Committee. Off duty officers will be scheduled for the street crossings for the 5K Run and these costs will be paid by the Lake Wales Mardi Gras.

The 2018 event will end an hour later on Friday and Saturday night than previous years as was done in 2016. The Mardi Gras Committee has agreed to cover 50% of the extra staff time as opposed to the standard 25%.

OTHER OPTIONS

Do not approve the two day event, 5K Run or street and parking lot closings.

FISCAL IMPACT

In-Kind services from the City were budgeted in the FY2017/2018 budget in the amount of \$9,874. The Lake Wales Mardi Gras Committee is responsible for 25% or \$2468. The additional 2 hours will cost the city approximately \$1150 and the Lake Wales Mardi Gras Committee will be responsible for 50% of this. Any off duty officers requested will be paid at 100% by the sponsor.

[End Agenda Memo]

7.IV. Special Event Permit: Lake Wales Art Show February 23-25, 2018.

[Begin Agenda Memo]

SYNOPSIS:

Approval of this Special Event Application will allow the 47th Annual Lake Wales Art Show to be held in Lake Wailes Park Friday, February 23, 2018 to Sunday, February 25, 2018.

RECOMMENDATION

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

1. Approve the Special Event Permit Application for the 47th Annual Lake Wales Art Show to be held February 23 – February 25, 2018 in Lake Wailes Park.
2. Approve the request to allow for a designated area for alcohol consumption.
3. Approve the hours as follows: February 22 - set up at 7:00 a.m. and evening festivities beginning on February 23 at 6:00 p.m. and ending at 8:00 p.m., February 24 and February 25 – 10:00 a.m. to 5:00 p.m.
4. Approve the request for set up by the artists on Friday February 23, 2018 at approximately 10:00 a.m.

BACKGROUND

The Lake Wales Art Council, Inc. submitted a Special Event Permit Application for the 47th Annual Lake Wales Art Show to be held February 23 to February 25, 2018 in Lake Wailes Park.

This event would begin on Friday evening, February 23, 2018 at 5:00 p.m. with a barbecue and musical entertainment and it will conclude at 8:00 p.m. This event includes a designated area to sell and consume alcohol.

On Saturday and Sunday the day's activities will begin at 10:00 a.m. and end at 5:00 p.m. The Special Event Permit Application includes a request for the artists to set up on Friday, February 23 at approximately 10:00 a.m. The Art Council will be using the services of off-duty officers from the Lake Wales Police Department each evening during the entire event. This will be paid at 100% by the Art Council. The Field Operations Division will be providing clean up services on Saturday and Sunday with the Arts Council paying 25% of those costs. The Arts Council will also be responsible for site set up, obtaining tent permits, providing licensing for food vendors, acquiring sanitary facilities and dumpsters and providing liability insurance for the event.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

In-kind services provided by the City were budgeted for FY17-18 in the amount of \$1,218. The Arts Council will be responsible for 25% or \$304. Private security will be provided by the Lake Wales Police Department and will be paid at 100% by the Arts Council.

[End Agenda Memo]

7.V. Purchase Authorization - New Traffic Signal And Cabinet

[Begin Agenda Memo]

Synopsis:

The City Commission will consider approving the installation of a new traffic signal controller and cabinet at Central Avenue/Wetmore by Montoya Electric Service, Inc. in the amount of \$20,530.00

Recommendation:

Staff recommends that the City Commission approve the following action:

1. Approve the installation of a new traffic signal controller and cabinet at Central Avenue/Wetmore by Montoya Electric Service, Inc. in the amount of \$20,530.00.

Background:

The traffic control trafficware and cabinet located at Central Avenue/Wetmore were damaged beyond repair during hurricane Irma.

City staff solicited quotes from vendors that perform this type service and Montoya Electric was the only qualified bidder.

The city will seek FEMA reimbursement for this expenditure.

In accordance with Sec. 2-417(d)(3) of the City's Purchasing Ordinance all purchases in excess of Category 1 (\$20,000.00) require City Commission approval before funds can be expended.

Fiscal Impact:

Funded in the current fiscal year budget.

Other Options:

The commission may choose not to approve the request at this time.

[End Agenda Memo]

7.VI. Lease Agreement: Mid Florida Community Services, Inc. For Fellowship Dining

[Begin Agenda Memo]

Synopsis:

The City Commission will consider approving the Fellowship Dining lease agreement with Mid-Florida Community Services, Inc.

Recommendation:

Staff recommends that the City Commission approve the following action:

1. Approve the lease agreement with Mid Florida Community Services, Inc.
2. Authorize the City Manager to execute the lease agreement.

Background:

In 2015 the City Commission approved the extension of the lease agreement with Polk County to operate their Fellowship Dining Program at the James P. Austin Community Center through December 31, 2018.

Fellowship dining is a program providing meals to the elderly citizens of the community and operates Monday through Friday from 8:00 a.m. to 1:30 p.m. at the James P. Austin Community Center. Services include home deliveries to clients that live too far away, nutrition education and counseling by a licensed registered dietitian, transportation to and from the center and trips to the grocery store if needed. City staff received notification from Polk County that they would no longer be providing this service after December 31, 2017 and that Mid Florida Community Services, Inc. would begin administering the program effective January 1, 2018.

Mid Florida Community Services, Inc. is requesting the same lease terms that were provided in the lease agreement with Polk County. The agreement will be for a period of three (3) years beginning January 1, 2018.

Fiscal Impact:

The agreement generates an annual income of \$900.00.

Other Options:

The Commission may choose not to approve the agreement.

[End Agenda Memo]

7.VII. Grant Application: DEP Oxidation Ditch Maintenance

[Begin Agenda Memo]

SYNOPSIS:

Grant offered by the Florida Department of Environmental Protection to fund 50% of the cost of the oxidation ditch maintenance.

STAFF RECOMMENDATION

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

1. Approve for staff to submit and signing by the Mayor of a grant application for the 50% funding to the Florida Department of Environmental Protection for the maintenance of the oxidation ditch.

BACKGROUND

An oxidation ditch is a modified activated sludge biological treatment process that uses long solids retention times (SRTs) to remove biodegradable organics. The typical oxidation ditch is equipped with aeration rotors or brushes that provide aeration and circulation. The wastewater moves through the ditch at 1 to 2ft/s. The ditch may be designed for continuous or intermittent operation. Because of this feature, this process may be adaptable to the fluctuations in flows and loadings associated with recreation area wastewater production. It becomes necessary from time to time to remove accumulated sand and grit from the oxidation ditch to ensure the proper and efficient operation of the equipment.

Staff recommends the commission consider taking the following action, by authorizing the submittal and signing by the Mayor, the attached grant application to be submitted to the Department of Environmental Protection for 50% funding for the maintenance of the oxidation ditch.

OTHER OPTION

Choose not to approve staffs request for this submittal resulting in the full amount for maintenance being funded with operating revenues.

FISCAL IMPACT

\$28,100.00 would be the city's total cost of maintenance if the 50% funding agreement is not approved. If the 50% funding agreement is approved the City's cost share would be \$14,050.00. Funds for this expenditure would be from the M & R Treatment Plants expenditure line.

[End Agenda Memo]

7.VIII. C Street Phase 3 Engineering Construction Services

SYNOPSIS:

The C Street Phase 3 project is ready to go out for bidding and construction. This Envisors contract is to cover the engineering services required for the construction phase of the project.

STAFF RECOMMENDATION

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

1. Approve entering into a construction services contract with Envisors for the C Street Phase 3 portion of the project in the amount of \$236,000.00.
2. Authorize signing of the contract documents by the City Manager.

BACKGROUND

Envisors has previously designed and permitted the Lift Station No. 16 Service Area (approximately 53 City blocks) Sewer Replacement Project. Construction of the Phase 1 Project area, funded in part by a Community Development Block Grant (CDBG), has previously been constructed by Killebrew, Inc. under the oversight of Envisors. Construction of the Phase 2 Project area, funded via a Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (CWSRF) loan, has also recently been constructed by Killebrew, Inc. under the oversight of Envisors. The City of Lake Wales has obtained loan funding from both CDBG and FDEP CWSRF to fund construction of Phase 3 of the Project area. Envisors is currently under contract to revise bid documents for Phases 3 of the Project. This includes preparing separate revised Construction Plans and Project Manuals (front-end documents and technical specifications) for Phase 3. Operational issues associated with sewer line terminations and residential service laterals due to construction phasing are being addressed via design plan revisions to help ensure continuous sewer service is provided in the Project areas. City staff has requested Envisors to provide bidding services, engineering services, and funding program coordination during the construction of Phase 3 of the Project, including but not limited to construction administration, technical services, and operational services. With the completion of Phase 3, the C Street sewer project will be complete.

Staff recommends the commission consider taking the following action, approve the construction services agreement with Envisors in the amount of \$236,000.00 and authorize the City Manager to sign the necessary contract for these services.

OTHER OPTION

Chose not to complete the construction of the Phase 3 project

FISCAL IMPACT

The City of Lake Wales has obtained loan funding by both the Community Development Block Grant and Florida Department of Environmental Protection Clean Water State Revolving Funds.

[End Agenda Memo]

7.IX. HMI Upgrade To VTScada For The Wastewater Treatment Plant

[Begin Agenda Memo]

SYNOPSIS:

Replacing Wonderware, an outdated & proprietary software currently being used at the wastewater treatment plant with VTScada, a software currently being used for the monitoring of the lift stations.

STAFF RECOMMENDATION

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

1. Approve the purchase in the amount of \$22,000.00 for the HMI Upgrade to VTScada
2. Authorize signing of the purchase documents by the City Manager.

BACKGROUND

VTScada is both a Human Machine Interface (HMI), and a Supervisory Control and Data Acquisition (SCADA) software package. Functionally, VTScada includes real-time monitoring and control, telemetry, alarm and events management, alarm notification, data acquisition, reporting, trending, mapping, application version control, Internet and mobile access. VTScada communicates with Programmable Logic Controllers (PLCs), Remote Terminal Units (RTUs), pump controllers and other devices using radio, LAN, WAN, cellular, or phone lines. This information is logged and displayed to users on a computer screen via trend graphs, reports, or graphical display pages.

The software can also send control signals back to the devices to control the process. The VTScada software is used by nearly 900 municipalities across the United States, and thousands of industrial customers globally.

Currently staff uses Wonderware, software the engineer of record had installed when the new treatment plant was built, for monitoring of the wastewater treatment plant systems. The problem staff runs into with the Wonderware software is that it is proprietary and outdated. That means there are only a few individuals locally that can respond to problems and assist when the system is not functioning properly.

Also, Wonderware is incompatible with current system controls. To alleviate this problem, pricing has been sought to install new software compatible with other existing components of the wastewater treatment facilities.

Therefore, staff recommends the commission consider taking the following action, approve the purchase for the upgrade of the wastewater plant VTSCADA system in the amount of \$22,000.00 and authorize the City Manager to sign the necessary purchase agreement.

OTHER OPTION

Chose not to upgrade the monitoring system and continue to use the outdated Wonderware program for monitoring.

FISCAL IMPACT

\$150,000.00 was placed in the 17'-18' Capital Improvement Budget for the upgrade and replacement of the SCADA program for various components of the wastewater treatment system. \$22,000.00 is allotted for the upgrade of the system which monitors the operations and controls for the wastewater treatment plant specifically. The remaining funds will be used for the upgrade of the SCADA monitoring system for the various lift stations. The upgrade of the lift stations will be brought back before the commission for approval when staff is prepared to move forward with the upgrades of the lift station monitoring systems.

[End Agenda Memo]

8. OLD BUSINESS

9. NEW BUSINESS

9.I. Resolution 2017-22, Amendment To The Master Lease/Purchase Agreement With The Branch Banking And Trust Company

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider adopting Resolution 2017-22, authorizing the amendment to the master equipment lease/purchase agreement with Branch Banking and Trust Company for eighteen (18) self-contained breathing apparatus for the Lake Wales Fire Department.

RECOMMENDATION

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

1. Adopt Resolution 2017-22, authorizing the amendment to the master equipment lease/purchase agreement with Branch Banking and Trust Company.
2. Authorize the lease purchase financing of the acquisition of eighteen (18) self-contained breathing apparatus for the Lake Wales Fire Department
3. Authorize the Mayor to execute the appropriate documents on the City's behalf.

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:

FISCAL IMPACT

- An outright purchase would result in a current-year decrease in cash flow of \$120,358.42.
- 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.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2017-22** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BRANCH BANKING AND TRUST COMPANY; AUTHORIZING THE LEASE PURCHASE FINANCING OF THE ACQUISITION AND INSTALLATION OF CERTAIN EQUIPMENT HEREIN DESCRIBED; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ACQUISITION FUND AGREEMENT; AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING AN EFFECTIVE DATE.

Dorothy Ecklund, Finance Director, reviewed this item.

Commissioner Howell made a motion to approve **RESOLUTION 2017-22**. Deputy Mayor Robin Gibson seconded the motion.

Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9.II. Ordinance 2017-22: Updating The Current Fats, Oils, And Grease (FOG) Ordinance

[Begin Agenda Memo]

SYNOPSIS:

Staff recommends the commission approve Ordinance 2017-22 authorizing the update of the City's current FOG program ordinance. The changes made are necessary to establish a more uniform procedure for reporting and consistent maintenance.

STAFF RECOMMENDATION

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

1. Approve Ordinance 2017-22, Updating the City's Fats' Oils, and Grease Ordinance section 21-52 in the City's Code of Ordinances.

BACKGROUND

In 2013, the City Commission approved the first FOG ordinance to be established by the Utilities Department. It becomes necessary from time to time to review and update these ordinances which sets the guidelines and procedures for ensuring the city is adhering to the current state and federal regulations. These changes allow for new technical updates and allows staff to make adjustments as necessary. New requirements by regulatory agencies have a strong influence as to how often changes are required.

An added change by staff was to establish a procedure to become a "Preferred Hauler" and a standard maintenance program. Once haulers have been properly trained on the reporting requirement of the ordinance, tracking and compliance by the waste water division will become less cumbersome. All documents, to become a preferred hauler, will be placed on the city's website in the Utilities Development Standards for hauler accessibility. Staff recommends the Commission take the following action; approve Ordinance 2017-22, updating section 21-52: Fats, Oils and Grease.

OTHER OPTION

Choose not to approve these updates to the FOG program, and continue to not have a set standard to regulate the haulers and the reporting method of the Fats, Oils, and Grease.

FISCAL IMPACT

None. These changes set out what is required of the FOG hauler and procedures for turning in documentation.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2017-22** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 21 UTILITIES, AMENDING THE FAT'S, OIL'S AND GREASE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Howell made a motion to approve **ORDINANCE 2017-22** after first reading. Deputy Mayor Robin Gibson seconded the motion.

Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9.III. Surficial Aquifer Monitoring Well Installation At North Lake Wailes

[Begin Agenda Memo]

SYNOPSIS:

The re-evaluation of the minimum lake levels for specific lakes in Lake Wales performed by the Southwest Florida Water Management District, has determined a surficial aquifer monitoring well is needed at North Lake Wailes.

STAFF RECOMMENDATION

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

1. Approve both the license and easement agreements for the installation of a surficial aquifer monitoring well by the Southwest Florida Water Management District.
2. Authorize signature by the Mayor for both documents.

BACKGROUND

Due to the re-evaluation of the minimum lake levels (MLL) performed by the Southwest Florida Water Management District (District) in 2016, North Lake Wailes has been identified as needing a surficial aquifer monitoring well. Surficial monitoring near MLL lakes is essential in order to enhance the District's understanding of the lake, to construct water budget models, and to predict changes in water levels due to pumping. Data from the well will be used to relate changes in North Lake Wailes' water levels to water level changes in the surficial aquifer due to groundwater withdrawals, and will help ensure compliance with adopted minimum lake levels.

The need for the attached license and easement agreement is because the District is proposing to install a long term surficial aquifer water level monitoring site. The permanent well site will require room for one surficial aquifer well. A perpetual easement rather than a license agreement is being requested by the District, because this will be a permanent well site located on private land. This is the standard procedure because of the long term monitoring proposed for the site. A temporary construction area is required for well construction and may be accomplished through the use of a license agreement.

Staff recommends the commission consider taking the following action, approve both the license and easement agreements for the installation of a surficial aquifer monitoring well by the District and authorizing signature by the Mayor for both documents.

OTHER OPTION

Chose not to approve the easement and license agreement to allow the Southwest Florida Water Management District, aiding the Central Florida Water Initiative, by install a monitoring well on the site.

FISCAL IMPACT

There is no fiscal impact to the City of Lake Wales for this project.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve the installation. Commissioner 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.

9.IV. Grant Application: Recreation Trails Program Grant For Downtown Trail Phase 2

[Begin Agenda Memo]

SYNOPSIS

This application to the State of Florida, Department of Environmental Protection, Office of Greenways and Trails for eligible project costs totaling \$200,000 to construct a trail from Crystal Avenue where phase 1 ends to the Lake Wailes Trail. A required City match contribution will consist of 50% of the project costs or \$200,000 of cash and in-kind services. This application is due December 15.

RECOMMENDATION

Staff Recommends:

1. Approval of Downtown Trail Phase 2 application
2. Authorize the City Manager (or designee) to sign all grant application related materials.

BACKGROUND

This grant application requests funds for the construction of Phase 2 of a trail that will connect downtown Lake Wales to the Lake Wailes Trail and Park, connecting various City assets including the Library, Museum, parks, and recreation facilities. Phase 2 will be constructed beginning at our Library on W Crystal Ave. and will end with a connection to the Lake Wailes trail around Lake Wailes Park. Phase 2 of the trail will also include benches, bench shelters, landscaping, historic markers and lighting.

OTHER OPTIONS

Do not apply for the grant

FISCAL IMPACT

If the grant application is approved, the City's costs towards this project would be \$200,000 in Fiscal Year 2018'19.

[End Agenda Memo]

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

Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9.V. Board Appointments: Code Enforcement Board

[Begin Agenda Memo]

RECOMMENDATION

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06). The Mayor is asked to make the appointments as deemed appropriate.

BACKGROUND

Vacancies exist on various Boards, Commissions, and Committees due to resignations, expirations of terms, newly established boards, etc.

Code Enforcement Board (City Code Sec. 2-56) – The board consists of seven (7) members. Whenever possible, membership shall include an architect, a business person, an engineer, a general contractor, a subcontractor, and a realtor. Members must be residents. (3-year term)

? An interview process is necessary for new applicants only.

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

? Current Vacancies: 2 vacancies, resident

Current Members: Melissa Konkoi, resident 01/19/10 – 07/01/18, 3
 Wilena Vreeland, resident 10/04/11 – 07/01/18, P+2
 Murray Zacharia, resident 06/18/13 – 07/01/19, 2
 Ralph E. Marino, 11/01/16 – 07/01/19, P
 Angela Knapstein, 03/07/17 – 07/01/19
 Vacant, resident – 07/01/18
 Vacant, resident – 07/01/18

Applying for Appointment: Ronald Wheat, resident, for a term expiring 7/1/2018

An interview process is necessary for new applicants.

Current Meeting Schedule: 2nd Monday @ 5:00 PM; Commission Chamber

Powers (City Code Sec. 2-57) - The Code Enforcement Board imposes administrative fines and other noncriminal penalties to enforce city health and sanitation, local business tax receipt, fire, building, zoning and sign ordinances when it finds that a pending or repeated violation continues to exist.

In accordance with F.S. 162.08, The Code Enforcement Board has the power to:

1. Adopt rules for the conduct of its hearings.
2. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
3. Subpoena evidence to its hearings.
4. Take testimony under oath.
5. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

OPTIONS

None

FISCAL IMPACT

These are volunteer boards.

[End Agenda Memo]

Mayor Fultz asked for approval to appoint Ronald Wheat to the Code Enforcement Board.

Commissioner Howell made a motion to approve the appointment of Ronald Wheat to the Code Enforcement Board to a term expiring 7/1/2018. Deputy Mayor Robin Gibson seconded the motion.

Deputy Mayor Robin Gibson asked about qualifications to be on the board as this is an important board. Kathy Bangle, Planning Director reviewed the qualifications. Commissioner Howell said that the staff who go out and do the work are also important. Kenneth Fields, City Manager, reviewed some of the improvements and changes to the Code Enforcement now Code Compliance to the last few years. So they have been making

progress. Commissioner Howell recommended continuing to look for small opportunities to improve the appearance of our neighborhoods. Mayor Fultz said the appearance of some areas have improved. Ms. Bangley said that they do train new Board members and reviewed some of the small ways they have worked to improve our community's appearance. Mr. Fields said that the main thing they need on the Code Board is common sense and willingness to learn. Deputy Mayor Robin Gibson recommended additional ads to recruit board members.

Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. CITY MANAGER

Kenneth Fields, City Manager, reported on a recent trip with Karen Thompson and Kathy Bangley to Winter Garden to see their vibrant ideas and what could be incorporated into our downtown.

He acknowledged the problems discussed earlier concerning the lack of enough recreation facilities in Lake Wales. He is glad there is a high demand for more facilities. They will work on finding partnerships that may have available facilities for the public to use.

10.I. Tracking Report

10.II. Social Media Tracking Report

10.III. Commission Meeting Schedule

10.IV. Other Meetings & Events Calendar

11. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson reported on the Leadership Council meeting and participants are voting on what projects they consider most important. He said that many cities have problems filling their boards but in some places there is a waiting list especially in cities where they are moving forward. He is glad we are getting things done but we should not take so long. We need to be more decisive.

Commissioner Howell recommended letting the group running Ft. Fraser Field that they don't own the fields and need to let others use it. She said she has spoken to Teresa Allen on this who will take care of it.

Commissioner Curtis Gibson said he attended the Orange Blossom BBQ and they had a rented stage out there. He recommended a permanent stage and bathrooms out there. He also said he saw the interior of the 1919 School and he can see the vision there and would like to see that become a performing arts center.

Commissioner Howell asked about the Food Truck event. Jennifer Nanek, City Clerk, said that they are not coming anymore. Other food truck event possibilities were discussed.

Commissioner Stewart agreed with the need for new facilities in Lake Wales. She said we need lights and sidewalks along Chalet Suzanne Road. Mr. Fields said they can work on getting lights but cannot get approval from the county for sidewalks.

12. MAYOR COMMENTS

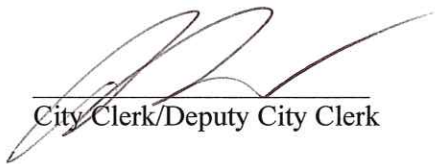
13. ADJOURNMENT

The Commission meeting was adjourned at 7:28 p.m.



Mayor/Deputy Mayor

ATTEST:



City Clerk/Deputy City Clerk