

City Commission Meeting Minutes
October 16, 2018
(APPROVED)

10/16/2018 - Minutes

1. INVOCATION

Dr. 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; Zaillet Suri, Deputy City Clerk

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION - Alpha - 1 Awareness Month

Mayor Fultz proclaimed November 2018 as Alpha-1 Awareness month.

5.I.i. PROCLAMATION - City Government Week, October 22-28, 2018

Mayor Fultz proclaimed October 22-26, 2018 as City Government Week.

6. PRESENTATION/REPORT

6.I. PRESENTATION - Chamber Of Commerce/EDC

Kevin Kieft, President and CEO of the Lake Wales Area Chamber of Commerce and EDC, gave the quarterly report to the Commission. He distributed a packet with a report from the State Department of Economic Opportunity and information on Polk County and HWY 27 Corridor. He presented financials for the Chamber/EDC. He included a short video on economic statistics in Florida including the growth of manufacturing jobs. He reported that housing permits continue to rise but there is a need for affordable housing. He reviewed ongoing Lake Wales projects going on US 27 and housing developments in that area. He also gave updates on the Commerce and Technology Park as well as Downtown. He said there is lots of activity in both areas. He then reported on some events he has recently attended. The next luncheon is October 26th with Tom Phillips from the Citrus Connection to discuss transit in Polk County. A question was asked about Love's Truck Stop. Mr. Fields said they hope to break ground in November.

7. COMMUNICATIONS AND PETITIONS

Borden Deen, resident and assistant chair of the CDD in Lake Ashton, he requested a polling location for the next City Election at Lake Ashton. He also requested sidewalks on Thompson-Nursery Road. He said the developer paid for sidewalks back in 2000. Albert Galloway Jr., City Attorney, said he would review the matter.

8. CONSENT AGENDA

Commissioner Howell made a motion to approve the consent agenda. 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 2, 2018

8.II. Agreement - City Of Lake Wales/Police Benevolent Association

[Begin Agenda Memo]

Synopsis:

The City Commission will consider authorizing a piggyback agreement with American In-Line Inspection Services, Inc. for sewer rehabilitation services.

Recommendation

Staff recommends that the City Commission take the following action:

1. Authorize the piggyback agreement with American In-Line Inspection Services, Inc.
2. Authorize the City Manager to execute the piggyback agreement on behalf of the City.

Background

The City's Stormwater department is requesting Commission approval to enter into a piggyback agreement with American In-Line Inspection Services, Inc. for sewer rehabilitation services. The agreement includes repair, cleaning and the assessment of the overall health of the stormwater system.

The piggyback is based on a competitively bid contract with the City of Eustis Florida for similar services and staff is requesting approval to piggyback the contract. Section 2-404 of the City Code and F.S. §287.057 exempts the City from competitive seal bid requirements when piggybacking another public entity's previously competitively bid contract.

Fiscal Impact

Funds are available for this service in the adopted FY 18/19 budget.

Other Options

The City Commission may direct staff to solicit sealed proposals in lieu of utilizing a piggyback agreement with American In-Line Inspection Services, Inc.

[Begin Agenda Memo]

8.III. Piggyback Agreement With American In-Line Inspection Services, Inc

[Begin Agenda Memo]

Synopsis:

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Recommendation

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2. Authorize the City Manager to execute the piggyback agreement on behalf of the City.

Background

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Fiscal Impact

Funds are available for this service in the adopted FY 18/19 budget.

Other Options

The City Commission may direct staff to solicit sealed proposals in lieu of utilizing a piggyback agreement with American In-Line Inspection Services, Inc.

[End Agenda Memo]

8.IV. Grant Application - FRDAP Grant For \$50,000 For Lights At NW Complex Basketball Court

[Begin Agenda Memo]

SYNOPSIS:

This is a grant application for \$50,000 to install lights at the Northwest Complex for the Basketball Court.

RECOMMENDATION

Staff recommends that City Commission take the following action:

1. Approve the Florida Recreation Development Assistance (FRDAP) grant application to be submitted to the Department of Environmental Protection for lighting improvements to the Northwest Complex.
2. Authorize the City Manager to execute the applications on the City's behalf.

BACKGROUND

This grant application is for \$50,000 to install 2 light poles with LED at the Northwest complex for the basketball court. This will allow for late night play.

OTHER OPTIONS

Do not submit the application.

FISCAL IMPACT

No match is required.
Prepared by the Finance Department and attached

[End Agenda Memo]

- 8.V. Award Of Bid: Mid-Florida Diesel For Generator Repair, Preventative Maintenance, And Load Bank Testing

[Begin Agenda Memo]

SYNOPSIS:

The City's Utilities Department made a request for bid for the repair, preventative maintenance and load bank testing of all the city's portable and stationary generators. Commission approval is being sought for the award of bid for this service.

STAFF RECOMMENDATION

It is recommended that the City Commission:

1. Award the bid to Mid-Florida Diesel for the annual contract for repair, preventative maintenance and load bank testing of all the city's portable and stationary generators.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf in regards to this service.

BACKGROUND

City staff issued an Invitation to Bid (ITB) #18-454 for Generator Repair, preventative maintenance and load bank testing on September 14, 2018. Proposals were due on October 4, 2018, to which a total of five interested parties submitted a proposal. Items staff took into consideration, as main factors during the review process, were cost, response time and parts mark-up.

Five sealed bids were received; with Mid-Florida Diesel located in Bartow, Florida, being the lowest bidder over all for the above referenced services. City staff makes this recommendation based on the factors listed above and on past experience with Mid-Florida Diesel.

OPTIONS

None. Preventative maintenance is necessary for the varied sized generators that operate city facilities in the event of emergencies.

FISCAL IMPACT

Monies for generator maintenance are budgeted in the 18-19 operating budgets for the many different departments for which these generators service (water, wastewater, fire and police).

[End of Agenda Memo]

8.VI. Award Of Bid: Odyssey Manufacturing Corporation For The Purchase Of Sodium Hypochlorite

[Begin Agenda Memo]

SYNOPSIS:

The City's Utilities Department made a request for bid for the purchase of sodium hypochlorite, which is a necessary chemical to aid in the water and waste water treatment process.

STAFF RECOMMENDATION

It is recommended that the City Commission:

1. Award the bid to Odyssey Manufacturing Corporation for the purchase of Sodium Hypochlorite.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf in regards to this purchase.

BACKGROUND

Disinfection technology and chemical treatment for wastewater and water has been consistent with the use of Chlorine as the standard chemical to safely and effectively treat both water and wastewater media. Delivery of chlorine to the flow stream ranges from gaseous, liquid and carrier chemical agents. Today, through the development and realization towards improving safety and reducing risk, Sodium Hypochlorite (NaOCl) has commonly been used in various applications where disinfection or sterilization

of both wastewater and water are needed. NaOCl is becoming more and more popular based on its inherent chemical characteristics of being a safer, less costly, lower risk chemical and still an effective means to treat wastewater media. Sodium hypochlorite is essential in the treatment of both water and wastewater processing, killing pathogens that could prove to be harmful to humans.

Staff made a request for bid for the purchase of sodium hypochlorite, with a bid open date of October 8, 2018. There were two responsive bidders, Odyssey Manufacturing Corporation and Allied Universal Corporation, with Odyssey Manufacturing Corporation being the apparent low bidder at \$0.522 per gallon. Therefore, staff recommends the commission approve the following action to award the bid for purchase of bulk Sodium Hypochlorite to Odyssey Manufacturing Corporation. The initial contract terms as stated in the attached agreement calls for the initial contract period to begin on October 1, 2018 and expire on September 30, 2019, if approved by the Commission. This agreement will renew annually on October 1 of each year for up to two (2) additional one (1) year periods.

OPTIONS

None at this time. This chemical is necessary in the water and wastewater treatment process.

FISCAL IMPACT

\$55,000.00 is placed in the FY 18-19 Operating Budget for Wastewater Operating Supplies – Chemicals for this purchase.

\$30,000.00 is placed in the FY 18-19 Operating Budget for Water Operating Supplies – Chemicals for this purchase.

[End Agenda Memo]

9. OLD BUSINESS

10. NEW BUSINESS

10.I. RESOLUTION 2018-22: Support Of Lake Wales Charter Schools

[Begin Agenda Memo]

SYNOPSIS

Resolution 2018-22 expresses supports for the takeover of McLaughlin Middle School by the Lake Wales Charter Schools.

RECOMMENDATION

Staff does not have a recommendation concerning approval of Resolution 2018-22.

BACKGROUND

At the September 19, 2018 City Commission meeting Commissioners asked staff to bring forth a Resolution concerning the possible takeover of McLaughlin Middle School by the Lake Wales Charter Schools. This resolution was provided to City staff.

OTHER OPTIONS

Do not approve Resolution 2018-22.

FISCAL IMPACT

There is no Fiscal Impact to Resolution 2018-22.

[End Agenda Memo]

Deputy Mayor Robin Gibson recused himself as he serves as Attorney for the Charter Schools.

Zailet Suri, Deputy City Clerk, read **RESOLUTION 2018-22** by title only.

RESOLUTION 2018 - 22

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA IN SUPPORT OF BRINGING MCLAUGHLIN MIDDLE SCHOOL INTO THE LAKE WALES CHARTER SCHOOL SYSTEM FOR THE PURPOSE OF IMPROVING LOCAL SCHOOLS AND ENHANCING THE CITY'S TAX BASE.

Kevin Kieft, representing the Chamber of Commerce and EDC, expressed support for this effort and this resolution.

David Smith, non-resident and Property Owner, said that children are being bussed out of Lake Wales to other schools. McLaughlin is doing better as it is a D school this year after being an F School last year. He asked if the Charter schools take over McLaughlin will they take over Spook Hill and Roosevelt as well. He also said that many jobs at McLaughlin could be in lost due to this transfer.

Twanna Davis, resident, said she is a former teacher, a parent and grandparent and said that the teachers and parents at McLaughlin haven't been notified of this. She said she is concerned about Spook Hill, Roosevelt, and what happens to the students currently at McLaughlin. This was not brought up to the School Advisory Board. This decision needs to be about what is best for everyone. She said that students had to take a test to get into Lake Wales High School.

Amy Lee Stuckey, resident and parent, described her experience with trying to get her children into Bok Academy. Her children were not accepted into Bok Academy. The students at McLaughlin were rejected by Bok already and she is concerned about what will happen to them.

Pamela Wilson Cling, resident and teacher at McLaughlin, said that the teachers were not apprised of this. She asked that we work together and help each other. The two schools can collaborate. We shouldn't fix what isn't broken.

Bolet Salud, resident, and raised her kids in the Lake Wales School system. She was on the Charter Schools committee. She was glad to have our own resources. She described past efforts to improve things at various schools with the district. She prefers that we run our own schools. We are the only City with Charter Schools and we should be proud of them.

Leroy Smith Sr., resident and Vice- President of NAACP, asked about the process. Has it changed? Why a resolution from the City? Why is the City involved?

Sandy Odum, non-resident and Secretary of the NAACP, said that Lake Wales Schools should be for Lake Wales students and that's not happening.

Mayor Fultz said that the City Resolution does not mean this will happen. This decision is between the Charter Schools and the School Board. He said that the City is very interested in education. The City has a stake in what happens in our school system.

Jimmy Nelson, Chair of the Charter School Board and Business Owner, said that all the concerns raised tonight are valid. He said nothing has happened about bringing McLaughlin into the Charter System yet. He explained that the School Board has to make a decision on November 1 regarding what the plan is for McLaughlin if the school does not get a C this year. The Charter Schools being an option for McLaughlin is better than being managed by Educational Directions which is out of state. They have asked for support from the Chamber of Commerce and the City. He says the concern about Lake Wales students being rejected by the Charter Schools is valid. Hopefully this plan will not be necessary. It was an original intent for Lake Wales schools to be for Lake Wales students. The Charter Schools have deviated from this. They would like to begin discussions about bringing in Spook Hill and Roosevelt as well as McLaughlin into the Charter System. There are students bussed out of Lake Wales. Some of this is due to how the School Board informs students and parents where they can go to school. There are funds raised that are set aside for McLaughlin. There are no tests required for entry into Lake Wales Charter School. Mayor Fultz asked Mr. Nelson if there could be a time set up for a community workshop where more of these issues can be addressed. Mr. Nelson said that in the new contract for McLaughlin that Lake Wales students will get priority acceptance. Mr. Nelson distributed copies of the proposed contract.

Commissioner Curtis Gibson said we should table this issue and set up a community forum with Charter and School Board representatives and parents and teachers. Mr. Nelson said there is a work session on October 23rd and the decision will be made on November 1. Commissioner Curtis Gibson said that he wants to wait and hear from everybody.

Commissioner Howell explained that teachers are in the know about what is going on. She would like to see the Charter Schools and School District work together. She likes the proposal but is concerned it might not be followed. She doesn't want students not to be able to go to lake Wales High School. Mr. Nelson said that he affirms and acknowledges her concerns and they want to fix these issues. He said that there are no tests to get into Lake Wales High School.

Commissioner Stewart said she feels like a referee and she doesn't have all the facts. She doesn't work in Charter Schools or Public Schools. There is a lot of mistrust in the community.

Mayor Fultz said that they have a contract and they will have to abide by it.

Commissioner Stewart said that there are three choices for McLaughlin as its under mandatory remediation, the school will close, or turn it over to a management company or let an established Charter School take it over. This process was discussed.

Mr. Fields, City Manager, said there are two issues at play. Who should run McLaughlin if its grade doesn't improve. This is a straight forward question. The other broader issue is the direction of Lake Wales Schools with parents and School board and Charter Schools. This community forum could be set up for a broad discussion.

Mayor Fultz asked how we would like to move forward. Do we want the local charter schools to run McLaughlin or an outside private company? Mayor Fultz said he is in favor of the Charter Schools to manage the school.

Commissioner Stewart made a motion to table **RESOLUTION 2018-22**. Commissioner Curtis Gibson seconded the motion.

Roll Call Vote:

Mayor Fultz "NO"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Stewart "YES"

Motion passed 3 -1.

Commissioner Curtis Gibson said he wants to direct Mr. Fields to set up a community forum. Mr. Fields said this will be in November. Mr. Nelson agreed that the forum was a good idea.

10.II. Board Appointment: Code Enforcement Board

[Begin Agenda Memo]

SYNOPSIS:

Appointment to the Code Enforcement Board of Sara Jones for a term ending 7/1/2021.

RECOMMENDATION

Staff recommends the Mayor appoint Sara Jones to the Code Enforcement Board for a term ending 7/1/2021 and that the Commission consent to the appointment.

BACKGROUND

There are three vacancies on the Code Enforcement Board due to resignations and expiration of terms. Sara Jones has been interviewed by staff and chair of the Code Enforcement Board and support this appointment.

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).

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: 3 vacancies, resident

Current Members: Melissa Konkol, 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
Ron Wheat 12/05/17 – 07/01/21
Vacant, resident – 07/01/18

Applying for Appointment: Sara Jones, resident, for a term expiring 7/1/2021

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 appointed Sara Jones to the Code Enforcement board for a term ending for a term ending 7/1/2021. Commissioner Curtis Gibson made a motion to approve the appointment.

Commissioner Howell seconded the motion.

By Voice vote:

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Stewart "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

11. CITY MANAGER

Kenneth Fields, City Manager, said that he will be attending a conference on Marijuana in Denver at the end of the month to learn about related issues from a law enforcement and planning standpoint.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Schedule

Mr. Fields said there is a Commission Workshop on recreation on October 30, 2018 at 5pm. There will also be a CRA meeting on November 13, 6pm

11.IV. Other Meetings & Events Calendar

12. CITY COMMISSION COMMENTS

13. MAYOR COMMENTS

Mayor Fultz said the next Chat & Chew with the Mayor will be at 6pm to allow working people to attend.

14. ADJOURNMENT

The meeting was adjourned at 8:06 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of October 16, 2018 as approved by the Lake Wales City Commission.

ATTEST: