

**City Commission Meeting Minutes**  
**April 3, 2018**  
**(APPROVED)**

4/3/2018 - 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. PROCLAMATIONS AND AWARDS

6. PRESENTATION/REPORT

6.I. Presentation Of Comprehensive Annual Financial Report 9/30/2017

Dorothy Ecklund, Finance Director, said they are glad to present the audit. The audit went well and our numbers are improving. She introduced Ron Conrad with Cherry Bakert to review the audit.

Mr. Ron Conrad, Cherry Bakery CPAs, said it was a good audit and the City is doing well. There were no comments and no problems with the grants. No compliance issues. There were no changes to implement this year but next year there will be changes to the post employment benefits and what is accrued. They will be done differently next year. The city is in good shape. The fund balances were improving as the year went along. Deputy Mayor Robin Gibson asked about the different accruals next year if that has to do with greater obligations to pension funds. Mr. Conrad said that so long as the City contributes what is recommended than there is no further liability. Mr. Conrad explained that post employment benefits include health care for retirees or other benefits besides the pension. Deputy Mayor Robin Gibson asked about separate CRA's if he has audited any of those. Mr. Conrod said auditing a separate CRA is rare as most are done with the City's funds. Commissioner Curtis Gibson commended Finance Department on doing a good job and for getting the Certificate of Achievement again this year. Ms. Ecklund said it was the 9th year in a row.

6.I.i. Transmittal Of Comprehensive Annual Financial Report, For Fiscal Year 09/30/2017

[Begin Agenda Memo]

**SYNOPSIS:** Transmittal of Comprehensive Annual Financial Report for fiscal year ended September 30, 2017.

**STAFF RECOMMENDATION:**

Staff recommends the City Commission accept the Comprehensive Annual Financial Report for fiscal year ended September 30, 2017 and independent auditors' report as presented.

**BACKGROUND:**

In the independent auditors' report for the fiscal year ending September 30, 2017, the auditors (Cherry Bakert LLP, CPAs & Advisors) stated that, in their opinion, the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2017, and the respective changes in financial position, and cash flows where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The City utilized the professional services of Mike Brynjulfson, CPA for compilation of the annual audit. Mr. Brynjulfson will be attending the April 3 presentation of the annual report and be available to answer any questions relating to technical reporting requirements. This is the ninth year that the City has prepared a comprehensive annual financial report (CAFR).

**Financial Highlights**

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$51,283,573 (net position). As of September 30, 2017, the City reports an unrestricted net position of \$1,062,007 as compared to a deficit of \$547,415 in the prior year.
- The City's total net position increased by \$3,909,279 as a result of operations. The results of operations of the governmental activities and business-type activities increased their net positions by 9% and 8%, respectively.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$7,392,140; an increase of \$1,777,729 for the year. Approximately 43% is available for spending at the government's discretion (unassigned).

[End Agenda Memo]

**6.II. PRESENTATION - Polk Regional Water Cooperative**

Ryan Taylor, Assistant City Manager for Polk County, said that he wanted to update the newer members of the commission on the Polk Regional Water Cooperative. Mr. Taylor shared a powerpoint and first reviewed the history of the Polk Regional Water Cooperative. The SouthWest Florida Water Management District (SWFWMD) encouraged regional groups to address problems related to water shortages. This is a way to get funding to help address concerns regarding water needs. SWFWMD has been helpful with the process. Polk County is part of the Central Florida Water Initiative which includes 3 water management districts to address water issues and Polk County is in the middle. We need to find additional water sources for Polk County. About 46 million gallons a day is needed. Conservation efforts may help us save 3-4 million gallons a day. We are working on developing reclaimed water resources. Mr. Taylor shared highlights of the Conservation Project Implementation Agreement to help Polk County reduce water usage. We have 3 candidate projects that were selected for implementation and we are in phase I of the 3 projects which includes design and feasibility studies. We are looking to pump from Lower FA which may have less negative environmental impacts. One project is the Southeast Wellfield, the second project is West Polk WSF/Wellfield, and the 3rd is Peace Creek IWSP. All 5 proposed projects along with Conservation efforts will bring 70 Million Gallons a Day to Polk County. This may cost Lake Wales \$467,000 but they are looking for grants to help with the cost. Each project will be done in phases as needed. Phase I will be completed in 4 years. These efforts will help provide water in 2035 and beyond. There is a new member orientation on May 16th that is open for anyone to attend who wish to learn more.

Mr. Fields said that we already use all of our reclaimed water for irrigation and have started conservation efforts. He said it is important to plan now for water shortages in the future. Construction may begin 2023. The costs for this are built into our rate structure and needs not be paid all at once. Mayor Fultz said it was quite an accomplishment to get all our cities to work together on this.

## 7. COMMUNICATIONS AND PETITIONS

Ray Brown, non-resident with the Walesbilt Hotel, asked for help in developing a more helpful spirit of cooperation with the hotel project. There have been He said he got a letter from the Building Department asking him to remove the fence around the hotel which would be detrimental to his project. He distributed copies of a sidewalk plan that was put together in 2016 which includes lighting and will make the area safer. He asked for Kathy Bangley, Planning Director, and Karen Thompson, Assistant Director of the CRA, meet with him downtown to see if they can discuss the idea. Commissioner Howell asked if the City was the source of negative attacks. Mayor Fultz said absolutely not. Commissioner Curtis Gibson asked about the fence request. Mr. Fields said we need a nicer looking fence than chain link fence. The sidewalk does need fencing to keep pedestrians safe. The back area needs to be cleaned up as well. The MainStreet is doing a design plan. Once that is complete possible upgrades to the sidewalk can be looked into. Mr. Brown said a mesh fence might be dangerous as it might blow away. Chain link fence is the best option. Kathy Bangley, Planning Director, explained that the building permit has run out and so the hotel is no longer an active construction site. Therefore the fence is not needed. Mr. Fields said the fence is not attractive and could be replaced. Commissioner Howell said she was concerned about safety as she doesn't want kids getting in there. Mr. Fields agreed that a fence is needed but there may be a more attractive option. Commissioner Howell said she would like to help Mr. Brown resolve his issues so that we can help get the hotel finished. Mr. Fields said we are not taking any action against Mr. Brown at this time. The more downtown develops this will help move the hotel along. Commissioner Curtis Gibson asked if Mr. Brown can do work currently. Mr. Fields said no as he needs to bring in plans and apply for another permit before he can do anything else. Commissioner Stewart asked who put the fence there? Mr. Fields said he or his contractor did. Commissioner Stewart asked if we could help him find a more attractive alternative. Mr. Fields said that Ms. Bangley and Ms. Thompson will meet with him on that. Mr. Brown asked about moving forward with some of the elements of his sidewalk plan. Mr. Fields advised him to confer with Ms. Bangley and Ms. Thompson on this. Mayor Fultz said that he is asked all the time why the City doesn't help with this project and Mayor Fultz says that he explains that this is private property. He asked Mr. Brown how many investors he has. Mr. Brown says he is working with a few banks but has no investors. Mayor Fultz asked if he has turned away investors. Mr. Brown said none. Mayor Fultz shared one occasion where an investor was turned away. Mayor Fultz asked Mr. Brown how long it would take to get the first floor done. Mr. Brown said that getting the first floor done first was his original plan but was asked to get the exterior done first. With financing in place he could get it done in 12-16 months. Mayor Fultz asked Mr. Brown when the plans can be submitted. Mr. Brown said as soon as financing in place. Mayor Fultz said he was concerned that he has a lack of funding and emphasized that the City is not hindering his lack of progress.

Charlie Lobb, resident, said that there is a pole that is still down from the hurricane in front of his yard. It is a Utility Pole that belongs to either Comcast or Verizon but neither will claim it. It is still down. Deputy Mayor Robin Gibson asked whose wires are on the pole. Mr. Lobb said he is unsure as his house was unaffected by the pole being down. Mr. Fields said they will look into it.

Teresa Allen, Public Services Director, introduced Jared DeLong our New Airport Manager. Mr. DeLong introduced himself and said he was glad to be here. Mr. Fields expressed confidence that Mr. DeLong will take us to the next level. Commissioner Curtis Gibson said he did a ride around at the Airport with Mr. DeLong and said he already has great ideas about what to do out there. He is a good selection.

Timothy Ratliff, non-resident, said his son attends Victory Ridge Academy and said that the entrance to the school is very bumpy and asked if it could be fixed. Ms. Bangley, Planning Director, said she would talk with the school principal and County Transportation and see what can be done.

## 8. CONSENT AGENDA

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

By Voice Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Stewart "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5 -0.

### 8.I. Minutes - March 6, 2018

### 8.II. Special Event Application: FarmShare Event

[Begin Agenda Memo]

#### **SYNOPSIS**

This is a Special Event Permit Application from the Lake Wales Charter School to host a Farm Share event sponsored by State Representative Mike LaRosa on Saturday April 14 from 6:00 a.m. - 4:00 p.m. The Farm Share event is where produce and other items will be distributed for free.

#### **RECOMMENDATION**

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

- Approve the Special Event Permit application for the FarmShare event to take place on Saturday, April 14, 2018 from 6:00 a.m.-4:00 p.m.
- Approve the request to close Central Avenue from First Street to Market Street.

#### **BACKGROUND**

State Representative Mike LaRosa in conjunction with the Lake Wales Charter Schools are hosting the 4th Farm Share event at the Charter Schools office on Central Avenue. This event includes the distribution of free food and other donated items.

Due to the large turnout that is expected the Lake Wales Charter Schools requests the closing of Central Avenue from 1st Street to Market Street for the safety of the public as well as for additional space to allow for other vendors and displays. Market Street will remain open.

#### **OTHER OPTIONS**

Do not approve the Special Event Permit.

#### **FISCAL IMPACT**

None. All costs will be the responsibility of the sponsor.

[End Agenda Memo]

8.III. Agreement - FDOT Utilities Relocation Reimbursement

[Begin Agenda Memo]

**SYNOPSIS:**

Staff is requesting that the City Commission approve the utilities relocation agreement between the City of Lake Wales and the Florida Department of Transportation (FDOT).

**STAFF RECOMMENDATION**

1. It is recommended that the City Commission approve the utilities relocation reimbursement agreement with the Florida Department of Transportation (FDOT) for the area located at US Hwy 27 and Central Avenue.

**BACKGROUND**

The FDOT has a widening project to take place in the area of US Hwy 27 and Central Avenue. In the event FDOT needs additional right of way on the Northwest corner, where utilities are currently installed, the District is agreeing to reimburse the city for the cost of any utilities that may be relocated. City staff has gone out to the site to mark and locate the approximate location of all utilities in the above referenced right of way.

Staff recommends the Commission take the following action; approve the utilities relocation reimbursement agreement with the Florida Department of Transportation (FDOT) for the area located at US Hwy 27 and Central Avenue.

**OPTIONS**

None. If additional right of way is needed, staff will have to relocate the utilities in the right of way. Having this agreement will allow the City to receive reimbursement for any relocation that may have to occur.

**FISCAL IMPACT**

None at this time.

[End Agenda Memo]

8.IV. City Commission - Preliminary Financial Statements February 2018

[Begin Agenda Memo]

**SYNOPSIS:**

The preliminary financial statements report revenues received and expenditures made through the end of February 28, 2018.

The unaudited financial statements for the City of Lake Wales for the Period Ending February 28, 2018 are presented to the City Commission for review.

General Fund (001), page 2:

The General Fund appears to be materially on target with revenue and expenditure expectations.

Transportation Fund (102), page 7:

The Transportation Fund appears to be materially on target with revenue and expenditure expectations.

CRA Fund (105), page 12:

The CRA fund appears to be materially on target with revenue and expenditure expectations.

Library Fund (110), page 17:

The Library Fund appears to be materially on target with revenue and expenditure expectations.

Utility System Fund (403), page 27:

The Utility System Fund appears to be materially on target with revenue and expenditure expectations.

Airport Authority (404), page 29:

The Airport Authority appears to be materially on target with revenue and expenditure expectations

[End Agenda Memo]

#### 8.V. Amendment Of Nationwide Retirement Solutions - Governmental 457(B) Plan.

[Begin Agenda Memo]

##### **SYNOPSIS:**

Amendment of Nationwide Retirement Solutions – Governmental 457(b) Plan.

##### **STAFF RECOMMENDATION:**

Staff recommends the City Commission:

- 1) Adoption the Nationwide Retirement Solution Governmental 457(b) Plan Loan Procedures.
- 2) Adoption of Nationwide Retirement Solution Governmental 457(b) Roth Contribution Amendment to the Deferred Compensation Plan for Public Employees.
- 3) Authorize the Plan Administrator to sign the Plan Loan Procedures.

##### **BACKGROUND:**

City employees currently are able to make retirement contributions to Nationwide Retirement Solutions Governmental 457(b) Plan. The contributions to the 457(b) are employee only contributions. The City does not make matching contributions to the 457(b). Currently, employees are not able to withdrawal funds for the 457(b) plan until they retire, terminate service from the City, or after age 70 ½.

IRS Code allows a loan program within this type of retirement account, which would allow employee to borrow from their account balance. The repayment period would be a minimum of 1 year and a maximum of five years, except for the purchase of their primary residential property. A loan relating to the purchase of their primary residential property would be for a minimum of five year and a maximum of fifteen years. Adopting the Plan Loan Procedures would be a benefit to those employees who have contributed to their 457(b) by enabling them to take out loans against their own investments.

In addition, the IRS Code allows for a Roth rollover within this type of retirement account, which would allow employees to make the election to transfer their deferred contributions into a Roth category, if they elected to. This would offer a tax benefit to some employees depending on their financial situation

[End Agenda Memo]

## 8.VI. Building Inspection And Plan Review Professional Services

[Begin Agenda Memo]

**SYNOPSIS**

The Commission will consider entering into a piggyback contract with Universal Engineering Sciences (UES) for building inspection and plan review professional services.

**RECOMMENDATION**

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

- Approve entering into a piggyback contract with Universal Engineering Services using the pricing from the City of Lakeland continuing contract.
- Authorize the City Manager to execute the contract.

**BACKGROUND**

In March 2016, the Building Division sustained a complete turnover of personnel. At that time, we entered into an emergency contract with Universal Engineering Sciences to provide all aspects of professional services conducted by a Building Division. UES provided friendly and professional assistance to our citizens, contractors and staff.

We have since employed a full-time building inspector who performs the majority of the work needed in the division. There are times when the workload is such that additional help is needed. This contract relationship will allow us to have professional help on call so that we can maintain our high level of customer service.

**FISCAL IMPACT**

Monies are available to cover these services through an unfilled position in our salaries and wages line of the FY17'18 budget.

[End Agenda Memo]

## 8.VII. Flexnet Upgrade

[Begin Agenda Memo]

**SYNOPSIS:** Staff requests commission authorization to expend funds in the amount not to exceed \$170,000.00 for the upgrade of the Sensus Flexnet Meter Reading system and purchase of additional Dual Port MXU Transmitters.

**STAFF RECOMMENDATION**

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

1. Authorize the expenditure of funds in an amount not to exceed \$170,000.00 for the upgrade of the Sensus Flexnet Meter Reading system and purchase of additional Dual Port MXU Transmitters.

**BACKGROUND**

The IT staff has informed the Utilities Staff that a decision had to be made whether or not to continue to maintain servers on site or consider a cloud based hosting for the metering system, due to the current servers were well past their normal life and could give out at any time. Several options were considered and the IT staff determined it would be in the City's best interest to have the metering system hosted and maintained by Sensus. Sensus is the metering system as well as the meters the City uses to record consumption for billing. The upgrade would consist of extended warranties for the two base stations the city currently owns, an annual maintenance fee based on the amount of meters being read in the system, a one-time set up to perform analytics, one-time

fee for the integration, one-time fee for training, and annual fee for enhanced analytics based on the amount of meters being read. The initial upfront cost associated with the upgrade is \$35,055.00. The amount to purchase 1000 additional transmitters are \$134,945. This would bring us to the total that has been allotted to upgrade for the fiscal year 2017-2018. The purchase of the 1000 additional MXU transmitters would allow city staff to complete the final conversion of the remaining meters that are not currently being read through the Flexnet Meter Reading System.

Staff recommends the commission approve taking the following action, authorize the expenditure of funds in an amount not to exceed \$170,000.00 for the upgrade of the Sensus Flexnet Meter Reading system and purchase of 1000 additional Dual Port MXU Transmitters.

#### **OTHER OPTIONS**

The Commission could chose not to approve this expense and instruct staff to purchase new servers as a part of the upgrade to continue to house the meter reading information in house. This option adds an additional maintenance expense and replacement of the servers in another 5 years.

#### **FISCAL IMPACT**

The Water Department has placed \$170,000.00 to upgrade the Flexnet Meter Reading System and purchase of additional Dual Port MXU transmitters in the Capital Improvements Plan for the FY 2017-2018.

[End Agenda Memo]

#### 8.VIII. Wastewater Plant Sludge Pump Repair

[Begin Agenda Memo]

#### **SYNOPSIS:**

Staff requests commission authorization to expend funds in the amount of \$52,500.00 for the repair and upgrade of the sludge pumps at the wastewater treatment plant to be purchased from Barney's Pumps.

#### **STAFF RECOMMENDATION**

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

1. Authorize the expenditure of funds in the amount of \$52,500.00 for the repair and upgrade of the wastewater treatment plant sludge pumps.

#### **BACKGROUND**

The FKC screw press is designed to have a constant amount of sludge fed to the hopper to allow constant equal pressure to be exerted on the liquid sludge in order to produce a consistent cake percent. For whatever reason when this unit was installed, originally a centrifugal style pump was installed. Centrifugal pumps rely upon head pressure in the tanks to supply the pump with material to pump. Throughout the years of operation, this pump has required constant vigilance by the operations staff to adjust the feed rates due to varying tank levels. Also due to the pump requiring head pressure from the tanks level, when the tank level reaches around five-feet in depth you have very little feed sludge going to the pump and can never fully empty the tank.

The pump we wish to install would be a positive displacement rotary lobe pump. This type of pump operates by trapping a fixed amount of fluid from an intake pipe and then forcing (displacing) that trapped volume into a discharge pipe, thus eliminating the pump reliance on head pressure from the tank. This allows for a constant feed of liquid sludge to the press as well as being able to fully empty the tank. The operations staff can make one adjustment to the polymer feed pump and the sludge feed pump creating a more efficient operation. Another added bonus is that the rotary lobe



pumps are less likely to clog up with rags, hair and plastic products. The City currently has a Lobe Pro pump installed between the two digesters and would like to stay consistent with this installation eliminating having several different types of pump manufacturers.

Staff recommends the commission approve to take the following action, approve expenditure of funds in the amount of \$52,500.00 for the purchase and upgrade of a new sludge pump from Barney's Pump for the wastewater treatment plant.

#### **OTHER OPTIONS**

None. Maintenance of these wastewater system components becomes necessary from time to time to maintain the integrity and efficiency of the system.

#### **FISCAL IMPACT**

The Wastewater Department has placed \$95,000.00 in the FY 2017-'18 Capital Improvement Budget for this replacement and upgrade. This account houses funds for the replacement of the sludge pump and fine screen rebuild at the headwork's for the wastewater treatment plant.

[End Agenda Memo]

#### **8.IX. Grant Application - Polk County TDC Pioneer Days**

[Begin Agenda Memo]

#### **SYNOPSIS:**

A grant application to the Polk County Tourism and Development Council Grant for \$20,270. The grant would require a 1:1 matching city contribution of \$20,270 in fiscal year 2018-2019.

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Commission approve a grant application to the Polk County Tourism and Development Council for money that will be allocated to the 43rd Annual Pioneer Days Festival on October 27 & 28, 2018. The Pioneer Days Festival is the signature event of the Lake Wales Museum to share and celebrate our community's heritage. It is integral to the mission to preserve and share the rich history of the Lake Wales and Polk County region. The grant will provide funds for a major marketing campaign.

#### **BACKGROUND:**

The Arts and Cultural Committee (ACC) of the Tourist Development Council, is designated by the Polk County Board of County Commissioners as the official committee that oversees Arts and Cultural related marketing initiatives and makes recommendations to the TDC regarding funding for arts and culture special events and marketing initiatives. If our application is accepted, the grant money will be used to underwrite the entire marketing plan for the Pioneer Days Festival. We will develop a major in print, radio and digital marketing campaign in the Central Florida region from Tampa to Orlando. These funds will promote visitation to the Lake Wales area from out-of-county and local residents.

The grant requires a minimum 1:1 match of funds. The City of Lake Wales/Museum will cover the cost of the match from monies allocated towards event staffing, activities, supplies and operations in its 2018-2019 budget.

#### **OTHER OPTIONS:**

Do not apply for this grant. No appropriations needed.

**FISCAL IMPACT:**

Staff is requesting to host the 43rd Annual Pioneer Days Festival on October 27 & 28, 2018. One half of the funds to carry out the Exhibition Series would come from the Polk County Tourism Development Council's Arts & Cultural grant program. \$15,275 of the funds allocated to this project will be spend on out-of-county marketing.

[End Agenda Memo]

8.X. Grant Application - Polk County TDC Exhibit Series

[Begin Agenda Memo]

**SYNOPSIS:**

A grant application to the Polk County Tourism and Development Council Grant for \$37,830. The grant would require a 1:1 matching city contribution of \$37,830 in fiscal year 2018-2019.

**STAFF RECOMMENDATION:**

Staff recommends that the City Commission approve a grant application to the Polk County Tourism and Development Council for money that will be allocated to the new 2018 -2019 Exhibit Presentation Series. The series will feature national traveling and new in-house exhibits that display national and local historical themed topics. The grant will provide funds for a major marketing campaign and exhibit rental fees.

**BACKGROUND:**

The Arts and Cultural Committee (ACC) of the Tourist Development Council, is designated by the Polk County Board of County Commissioners as the official committee that oversees Arts and Cultural related marketing initiatives and makes recommendations to the TDC regarding funding for arts and culture special events and marketing initiatives.

If our application is approved, the grant money will be used to develop a changing exhibit presentation series of six exhibits from October 1, 2018 – September 30, 2019 to be held at the Lake Wales Museum. Along with providing fund to underwrite exhibit rental fees, the grant will support a major in print, radio and digital marketing campaign in the Central Florida region from Tampa to Orlando. These funds will promote visitation to the Lake Wales area from out-of-county and local residents.

The grant requires a minimum 1:1 match of funds. The Museum will cover the cost of the match from monies allocated towards museum staffing, facilities and programming in its 2018-2019 budget.

**OTHER OPTIONS:**

Do not apply for this grant. No appropriations needed.

**FISCAL IMPACT:**

Staff is requesting to host an Exhibition Series at the Lake Wales Museum in 2018-2019. One half of the funds to carry out the Exhibition Series would come from the Polk County Tourism Development Council's Arts & Cultural grant program. \$28,500 of the funds allocated to this project will be spend on out-of-county marketing.

[End Agenda Memo]

8.XI. Purchase Authorization – SEMCO Construction, Inc.

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider authorizing staff to expend funds for the replacement of five combo lavatories-toilets.

**RECOMMENDATION**

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

1. Authorize staff to expend funds in the amount of \$24,500 for the replacement of the combo lavatories- toilets.
2. Authorize SEMCO Construction, Inc. to complete the work.
3. Authorize a budget amendment in the amount of \$24,500.

**BACKGROUND**

The five existing combo lavatories-toilets in the police department holding cells have surpassed their useful life. Currently, two of the combo-lavatories are completely inoperable leaving two holding cells unavailable for law enforcement use. The inoperability of the other three combo lavatories-toilets is eminent.

Without the availability of the holding cells, Lake Wales Police Officers must immediately transport prisoners to jail in Bartow, removing them from service in Lake Wales for extended periods.

The existing combo lavatories-toilets have been in place since 1994 and cannot be repaired.

This is an unbudgeted item and staff is requesting the City Commission to approve a budget amendment in the amount of \$24,500.

SEMCO Construction, Inc. was awarded a contract for Licensed General/Building Contractor Services by the City commission during the December 20, 2016 regular City Commission meeting (RFP 16-423).

In accordance with Sec. 2-417(d)(3) of the City's Code of Ordinances, all purchases in excess of Category 1 (\$20,000) require City Commission approval before funds can be expended.

**OTHER OPTIONS**

The City Commission may elect to defer the proposed project.

**FISCAL IMPACT**

The project cost of \$24,500 requires a budget amendment.

[End Agenda Memo]

9. OLD BUSINESS

10. NEW BUSINESS

10.I.

Ordinance 2018-01 – 1st Reading Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

**SYNOPSIS**

In 2017, the State Legislature passed the Advanced Wireless Infrastructure Deployment Act substantially amending F.S. 337.401. This ordinance facilitates those amendments by creating requirements for communications facilities to be placed in public rights-of-way.

**RECOMMENDATION**

Staff recommends the approval of Ordinance 2018-01 on first reading. A public hearing is not required.

**BACKGROUND**

In 2017, the State Legislature passed the Advanced Wireless Infrastructure Deployment Act substantially amending F.S. 337.401. This ordinance facilitates those amendments by creating requirements for communications facilities to be placed in public rights-of-way.

The ordinance creates a new section dedicated to the regulation of the wireless facilities as a conditional use. The regulation includes registration, permitting, administrative variances, inspections, annual fee for each wireless facility.

**FISCAL IMPACT**

A fee of \$150.00 per facility is being proposed, this is the maximum allowable by Florida Statute. The city may also charge the applicable building permit fees that may be associated with the installation of a facility.

**OTHER OPTIONS**

None.

[Begin Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2018-01** by title only.

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, CREATING SECTION 23-355 FOR THE PURPOSE OF ESTABLISHING REQUIREMENTS FOR COMMUNICATIONS FACILITIES IN CITY RIGHTS-OF-WAY; PROVIDING FOR PERMITTING, REGISTRATION, ADMINISTRATIVE VARIANCES, INSPECTIONS, ABANDONMENT AND MOVING, ALTERING OR RELOCATING EQUIPMENT AND FACILITIES; RENUMBERING SEC 23-356 YARD SALES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Kathy Bangley, Planning Director, reviewed this item.

Commissioner Howell asked who are the "they" that will come in and do as they wish. Ms. Bangley said they are the wireless companies. This protects City Rights-of-ways from new smaller towers from being installed without City permission. Mr. Fields said that this gives us as much power as possible to regulate these.

Deputy Mayor Robin Gibson made a recommendation to change the wording from at least \$150 to no less than \$150. The members agreed.

Deputy Mayor Robin Gibson made a motion to change the wording from at least \$150 to no less than \$150. Commissioner Howell seconded the motion.

By 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.

Deputy Mayor Robin Gibson moved to approve **ORDINANCE 2018-01** as amended after first reading. Commissioner Howell seconded the motion.

By 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.II. RESOLUTION 2018-08 - State Road 60 Western Expansion Fiscal Sustainability Plan

[Begin Agenda Memo]

##### **SYNOPSIS:**

Staff is requesting that the City Commission adopt Resolution 2018-08 State Road 60 Western Expansion Fiscal Sustainability Plan

##### **STAFF RECOMMENDATION**

1. It is recommended that the City Commission adopt Resolution 2018-08 Adopting the State Road 60 Western Expansion Fiscal Sustainability Plan.

##### **BACKGROUND**

The State Road 60 Western Expansion Fiscal Sustainability Plan has been prepared as a result of the City of Lake Wales using State Revolving Loan Funds to complete the installation of water and sewer lines extending to the airport. Modifications to the Clean Water Act enacted in 2014 (section 603(d)(1)(E)) now requires the recipient of a loan for a project that involves the repair,

replacement, or expansion of a publicly owned treatment works to develop and implement a Fiscal Sustainability Plan. Certification that the requirement has been met is required prior to the loan closing. Staff is nearing the completion of having all new utilities for this project installed and the final disbursement request being made. An official resolution adoption is required as the final step in preparation and anticipation of close out of this project. If an official resolution is not made, there could be a delay in the final disbursement of funds.

Staff recommends the Commission take the following action; adopt Resolution 2018-08.

#### **OPTIONS**

None. The adoption of the Fiscal Sustainability Plan by resolution ensures a much smoother final disbursement of funds and close out of the project with the Florida Department of Environmental Protection.

#### **FISCAL IMPACT**

None

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2018-08** by title only.

#### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES APPROVING AND ADOPTING THE FISCAL SUSTAINABILITY PLAN FOR THE STATE ROAD 60 WESTERN UTILITIES EXPANSION**

Sarah Kirkland, Utilities Director, reviewed this item.

Deputy Mayor Robin Gibson moved to approve **RESOLUTION 2018-08**. Commissioner Howell seconded the motion.

By 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.

#### **11. CITY MANAGER**

Kenneth Fields, City Manager, said that MainStreet has put out an RFP for a design plan for downtown. They will pay for this plan with no city funding. There will be a CRA meeting before the next Commission meeting.

Tomorrow is Warner Cares Day where Warner University students, faculty and staff partner with the City and other community organizations to help with cleanup projects they need done.

Mr. Fields asked the commission to coordinate dates with the City Clerk on a day for a recreation workshop to discuss recreation issues before we start the budget process.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Schedule

11.IV. Other Meetings & Events Calendar

12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson asked about a letter from Mr. Grodin and his truck getting wet and seeking reimbursement and asked that this issue be looked into.

Commissioner Curtis Gibson commended the staff on their hard work. He reported on a ride around with the City Manager and Assistant City Manager James Slaton. He said he got a new perspective on the City and its growth. He also got to see the airport and the property out there. He said that the Airport Authority was pleased with the selection of Airport Manager.

13. MAYOR COMMENTS

Mayor Fultz also commended City Employees for the excellent job they do. He also said he is looking forward to Warner Cares Day tomorrow and said the students are also looking forward to it.

14. ADJOURNMENT

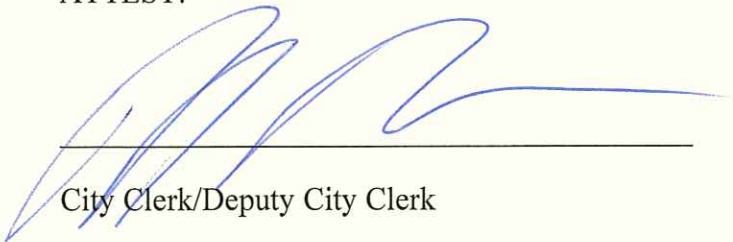
The Commission meeting was adjourned at 7:36 p.m.



A handwritten signature in blue ink, reading "Eugene L. Fultz", is written over a horizontal line.

Mayor/Deputy Mayor

ATTEST:



A handwritten signature in blue ink is written over a horizontal line.

City Clerk/Deputy City Clerk

