

**City Commission Meeting Minutes**  
**July 2, 2019**  
**(Approved)**

7/2/2019 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

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

4. ROLL CALL

**Commission Members Present:** Eugene Fultz - Mayor, Curtis Gibson, Robin Gibson -Deputy Mayor, Terrye Howell, Al Goldstein

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

5. COMMUNICATIONS AND PETITIONS

Leroy Scarlett, resident, reported that he needed water reconnected after a repair. He can't get someone to come out and fix. Kenneth Fields, City Manager, asked Dorothy Abbott to get his information and he will review the issue tomorrow.

Borden Dean, resident, reported that his water meter has not reported usage for three years and now has a past due balance. He is only one of several that are having issues like this. Mr. Fields said this may be a malfunctioning meter and we will look into this issue.

Dr. Virgil Ullom, non-resident, expressed concerns about alcohol and drug use among the youth and child abuse.

6. CONSENT AGENDA

Deputy Mayor Robin Gibson asked for Item 6.3 to be pulled.

Commissioner Howell made a motion to approve the consent agenda except for item 6.3. Commissioner Curtis Gibson seconded the motion.

by voice vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

6.I. Minutes - June 18, 2019

6.II. Agreement Renewal With The BoCC Fleet Management Division For City Vehicle And Equipment Maintenance Services.

[Begin Agenda Memo]

**SYNOPSIS:**

Staff is requesting Commission approval to renew our existing maintenance agreement with the BoCC for an additional twelve month period.

**RECOMMENDATION**

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

1. Approve the agreement to extend the existing contract for an additional twelve month period.
2. Authorize the City Manager to execute the agreement on behalf of the City.

**BACKGROUND**

In August of 2009, the City entered into an agreement with the Polk County Board of County Commissioners for fleet maintenance services. Per the agreement, BoCC's Fleet Management Division provides maintenance services on all City-owned vehicles and equipment at the City's fleet facility located on Crystal Avenue. The initial term of the agreement was for a twelve month period with the option to renew annually upon mutual agreement between the City and the BoCC. The agreement has been renewed each consecutive fiscal year since the initial agreement in 2009.

Under the terms of the agreement, Polk County Fleet Management provides:

- Preventative and breakdown maintenance on all City-owned vehicles and equipment
- Management of accident and abuse related repairs in conjunction with City management
- Tire maintenance, replacement and repair
- Parts and Lubricants
- 24 hours/day service and breakdown support
- Maintenance reporting
- Access to and service from Polk County Fleet's entire network of maintenance facilities
- City Fire Apparatus maintenance by EVT certified technicians

The Polk County Fleet Management Division provides the City with a fixed-rate fee schedule for maintenance services prior to the beginning of each fiscal year. These fees are based on historical equipment repair costs incurred by Polk County Fleet Management throughout the previous year. Prior to the agreement with Polk County Fleet Management, the City operated its own Fleet Maintenance Department. A five-year summary of the City's total fleet maintenance costs are outlined below:

<b>Fiscal Year Actual (Pre-County Contract 2004-2009)</b>	<b>Salaries</b>	<b>M&amp;R Vehicles</b>	<b>Operating Supplies Vehicles</b>	<b>M&amp;R Vehicles Refurbishment</b>	<b>Fleet Operating Budget</b>	<b>Total</b>

<b>5-Year Average</b>	<b>126,744</b>	<b>153,571</b>	<b>33,928</b>	<b>3,808</b>	<b>49,778</b>	<b>367,829</b>
<b>Fiscal Year Actual (Post-County Contract 2014-2019)</b>		<b>M&amp;R Fleet Contract</b>	<b>Operating Supplies Vehicles/M&amp;R Fleet Non-Contract (budget)</b>	<b>M&amp;R Vehicles Refurbishment</b>	<b>Fleet Operating Budget</b>	<b>Total</b>
2014/2015	N/A	283,252	19,900	0	15,941	319,093
2015/2016	N/A	295,050	22,300	0	14,165	331,515
2016/2017	N/A	324,851	22,300	0	17,083	364,234
2017/2018	N/A	303,895	22,300	0	21,583	347,778
2018/2019	N/A	300,014	22,300	0	23,813	346,127
<b>5-Year Average</b>	<b>N/A</b>	<b>301,412</b>	<b>21,820</b>	<b>0</b>	<b>18,517</b>	<b>341,749</b>

#### **OTHER OPTIONS**

The City Commission may choose not to enter into this agreement and 1) direct staff to develop a request for proposal for fleet maintenance services or 2) direct staff to assume the responsibility of our own fleet maintenance services.

#### **FISCAL IMPACT**

The annual maintenance fee for FY19/20 is \$249,641.

[End Agenda Memo]

#### 6.III. Contract Award For RFP #19-464: Municipal Administration Building Painting And Repairs

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider awarding a contract subsequent to RFP #19-464 to SEMCO Construction, Inc.

#### **RECOMMENDATION**

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

1. Approve the award of contract subsequent to RFP #19-464 to SEMCO Construction, Inc.
2. Authorize the City Manager to execute the contract on behalf of the City.

#### **BACKGROUND**

The City's Municipal Administration Building is in need of exterior system upgrades to include: painting/sealing, stucco repair, two (2) sets of doors and gutter installation over the front canopy.

The current exterior systems date back to 1998 and have degraded to the point that water intrusion has become a prevalent issue throughout the building.

The City's FY 18/19 CIP includes funds in the amount of \$125,000 for these exterior upgrades.

City staff advertised a request for sealed proposals (RFP# 19-464) and received five proposals on May 20, 2019.

Each firm was independently-evaluated by City staff against the following criteria:

- Project Approach
- Qualifications of Proposer
- Previous Projects
- Price

The proposals were ranked as follows:

The 1st Ranked Firm is: SEMCO Construction

The 2nd Ranked Firm is: Alan Walters Construction

The 3rd Ranked Firm is: Worth Contracting

The 4th Ranked Firm is: Quick Painting Group

The 5th Ranked Firm is: Paul Weaver Construction

#### **OTHER OPTIONS**

The City Commission may direct staff to re-advertise the Request for Proposals or select an alternate vendor to perform the upgrades.

#### **FISCAL IMPACT**

A lump-sum cost of \$92,408.65

[End Agenda Memo]

Deputy Mayor Robin Gibson asked about the bidding process. James Slaton, Assistant City Manager, reviewed the process.

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

by voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### **7. OLD BUSINESS**

8. NEW BUSINESS

- 8.I. Resolution 2019-08 – Resolution To Utilize The Uniform Method Of Collecting Non-Ad Valorem Assessments And Adopting The Special Assessment Roll.

[Begin Agenda Memo]

**SYNOPSIS:**

Resolution 2019-08 declares the City’s intent to utilize the uniform method of collecting non-ad valorem assessments and adopts the assessment roll for 2019.

**RECOMMENDATION:**

Staff recommends adoption of Resolution 2019-08 after public hearing as required by Florida Statutes. Public notice requirements have been met.

**BACKGROUND:**

In February 2013, City commission adopted Ordinance 2013-04 – Abatement and Violation Assessment (Chapter 17.5), providing for the uniform method of collecting non-ad valorem special assessment for service liens. The City’s intent is to collect service liens that are the result from services provided by the City to clean properties, repair or demolish buildings and the like, such services being a special benefit to the property owner. This does not include fines or administrative liens.

Ordinance 2013-04 established the City of Lake Wales in its entirety, as its city boundaries exist on the date of enactment and as they may be expanded or contracted from time to time as the special assessment district for the purposes of abatement and violation correction.

The resolution has been noticed per Florida Statute at least twenty (20) days in advance of the public hearing. Staff published a potential list of properties in the notice and provided by first class mail a letter to every property owner that may be affected by this action. As a result we have had some property owners come forward and pay their outstanding liens.

**FISCAL IMPACT:**

This will provide for reimbursement of funds expended in the course of abating and correcting violations of the municipal code.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2019-08** by title only

**RESOLUTION 2019 - 08**

**A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS; ADOPTING THE SPECIAL ASSESSMENT ROLL FOR ABATEMENT OF CODE VIOLATIONS FOR CALENDAR YEAR 2018; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Kathy Bangley, Planning Director, reviewed this item.

Deputy Mayor Robin Gibson asked about how much gets collected percentage wise. Kathy Bangley said we collected about 70% last year and reviewed the steps taken before a property gets on the list. Deputy Mayor Gibson asked why this works when other efforts don't. Ms. Bangley said that when the lien shows up on a property owner's tax bill it gets their attention. A bill from the City is easier to ignore. Ms. Bangley reviewed the notification steps that are taken. Commissioner Curtis Gibson asked how many properties

were notified. Ms. Bangley said 44 addresses that were noticed. There are usually 30-45 each year. Commissioner Howell asked if this effort is city-wide as many addresses are in one area. Ms. Bangley said this process is applied city-wide. These are the addresses where service liens have not been paid. Commissioner Howell asked if owners can pay these before the tax bills are issued. Ms. Bangley said yes and when this happens staff notifies the county to take it off the bill. Ms. Bangley said they started out with 250 properties that could have been on the list throughout the City. Kenneth Fields, City Manager, said that in the northwest area many of the properties don't have a clear title as the owners are deceased. He said that the CRA will start a program soon to help with this issue. Commissioner Curtis Gibson asked if there was a way to work with owners if there is a need. Ms. Bangley there are situations where we can work with the owner but most of these are habitual offenders. There is a process the staff follows to allow owners to correct the problem. They cannot address issues as fast as many would like. They can address those identified as repeat offenders. Commissioner Goldstein said there are 7 or 8 that seem to be repeat offenders. He said obviously some don't care about their properties and it would be nice to do more about this. Mayor Fultz said that hopefully we can soon begin to do something about this.

#### OPENED FOR PUBLIC COMMENT

Brett Uptagrove, non resident, said he has property on 133 W. Park Avenue. He reviewed some of the history of the property. He said that he has been classified as a habitual offender. He reported that he was cited for problems during Hurricane Irma and did not have a chance to plead his case. He understands he owes money but \$500 is too much. He said he always tried to work with Code Enforcement.

Kathy Bangley reviewed the history of issues with this property and explained the owner was notified as per procedures. Sometimes they only get one bidder for cleaning up the property.

Mayor Fultz said that Mr. Fields has heard this and will address it. Mr. Fields said that he will review the case to be sure proper procedures were followed. Mayor Fultz said that these things need to go through staff.

Commissioner Howell made a motion to approve **RESOLUTION 2019-08**. Commissioner Curtis Gibson seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### 8.II. Board Appointment: Recreation Commission, CRA Citizens Advisory Committee, Library Board

[Begin Agenda Memo]

#### **SYNOPSIS:**

Appointments to fill vacancies due to expiration of terms. Most terms expire on July 1st of each year and must be renewed.

#### **RECOMMENDATION**

Staff recommends that the Mayor and Commission to make the following appointments as deemed appropriate.

- 1.Reappoint Jennifer Leeks to a new term on the CRA Citizens Advisory Committee expiring on July 1, 2022.
- 2.Reappoint Jennifer Leeks to a new term on the Recreation Commission expiring on July 1, 2022.
- 3.Reappoint Allison Kapphan to a new term on the Library Board for a term expiring July 1, 2024.

## **BACKGROUND**

As of July 1, 2019 terms will have expired on many of our boards. These are those applying for reappointment to new terms.

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).

There are vacancies on the CRA Citizens Advisory Committee due to expired terms.

**CRA Citizen Advisory Committee (City Code Sec. 2-73)** – The CRA citizen advisory committee will consist of five (5) members appointed by the Mayor with the advice and consent of the city commission. Any person may be appointed to serve if he or she resides or is engaged in business, which means owning a business, practicing a profession or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the City. One (1) qualified person appointed shall reside or be engaged in business within voting District 19, one (1) qualified person appointed shall reside or be engaged in business within voting District 122, one (1) qualified person appointed shall reside or be engaged in business in voting District 27, one (1) qualified person appointed shall reside or be engaged in business in voting District 28, and one (1) qualified person shall be appointed at-large and shall reside or be engaged in business in any of the four voting districts of the City stated above. (2 year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies (Seat 3- District 122 and Seat 4, District 27)

Current Members: Charlene Bennett (Seat 1 – At Large) 07/01/18 – 07/01/20, 2  
Mark Bennett, chair (Seat 2 – District 19) 07/01/18 – 07/01/20, 3  
Jennifer Anderson-Leeks (Seat 3–District 122) 07/05/17 – 07/01/19, 1  
Murray Zacharia (Seat 4 – District 27) 3/07/17 – 07/01/19, P+1  
Christopher Lutton (Seat 5 – District 28) 08/07/18, - 07/01/2020 2

Applying for Re-Appointment: Jennifer Leeks, resident, for a term to expire on 07/01/21 (Seat 3, District 122)

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

Meetings (City Code Sec. 2-73) - The CRA Citizen Advisory Committee shall meet at the call of the chair of the CRA board or upon the request of city staff but shall meet no less than once each year.

Current Meeting Schedule: 2nd Thursday or 3rd Thursday @ 5:00 PM; Commission Chamber  
Duties (City Code Sec. 2-73) – The CRA Citizen Advisory Committee shall provide advice and recommendations as needed to implement the CRA plan adopted by the City Commission. The Committee assist the CRA board in implementing redevelopment activities within the redevelopment area and to provide advice and recommendations to the CRA board on redevelopment matters as necessary.

**Library Board (City Code Sec. 2-26,(b))** – The board consists of five (5) members. Four members must reside in the City, own property in the City or hold a valid business tax receipt issued from by the City. One member shall be a resident of the unincorporated Greater Lake Wales area having a Lake Wales address or a resident of the City of Lake Wales if the Lake Wales Public Library is a member of the Polk County Cooperative and receives operating funds from Polk County Board of County Commissioners (Ordinance 2008-07; 02/19/08). (5-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy, resident, due to an expired term

Current Meeting Schedule: 1st Wednesday @ 4:00 p.m.; Lake Wales Library

Primary Duties: Operate the public library; control expenditures of all monies collected or donated to the Library Fund; appoint the library staff and establish rules and regulations for operation and use of the Library subject to the supervision and control of the City Commission.

Current Members: Jolene Lake, outside 08/02/16 -07/1/21, 1  
 Paula Alford, resident 08/15/17 – 07/01/22, 1  
 Michalkiewicz, Brystal, resident 08/04/15 - 07/01/21, P+1  
 Deborah Solow, resident 09/19/18 - 07/01/23, 1  
 Allison Kapphan, resident 05/15/18 - 07/01/19, P

Applying for Reappointment: Allison Kapphan for a term expiring 07/01/2024.

Recreation Commission (City Code Sec. 2-161) – The Recreation Commission consists of thirteen (13) members from Community Organizations providing a recreation program for the Community and three citizen members representing the citizens at large. A Quorum shall consist of 6 members (3-year term)

- There is no interview requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 Citizen Vacancies

Current Meeting Schedule is the third Mondays of the month at 12:00 p.m. noon in the City Manager's Conference Room.

Applying for Re-Appointment: Jennifer Leeks for a term to expire July 1, 2022.

Current Members:

Keri Hunt, Citizen, 07/01/2017-07/01/2020, 3  
 Jim Reddick, Citizen, 05/07/2019 – 07/01/2021, 1  
 Jennifer Anderson –Leeks, 07/01/2017-07/01/2019, 1  
 Curtis Reddick, Lake Wales Boys and Girls Club  
 Scott Blackburn, Lake Wales Little League  
 Linda Kimbrough, Lake Wales PAL  
 Patty McKeeman, Lake Wales Pram Fleet  
 Kara Wiseman, Lake Wales Public Library  
 Robbie Shields, Lake Wales Soccer Club  
 Meryl Reese, Shuffleboard  
 Jeanne Ward, Lake Wales Steelers  
 Eileen Farchmin, Webber International University  
 Vacant – Tennis  
 Vacant – Lake Wales YMCA  
 Vacant - Polk County School Board  
 Vacant – Lake Wales Charter Schools

## **OPTIONS**

Do not appoint those that have applied.

## **FISCAL IMPACT**

None. These are volunteer boards.

[End Agenda Memo]

Mayor Fultz appointed Jennifer Leeks to a new term on the CRA Citizens Advisory Committee expiring on



July 1, 2022.

Commissioner Howell made a motion to approve the appointment of Jennifer Leeks to a new term on the CRA Citizens Advisory Committee expiring on July 1, 2022. Commissioner Goldstein seconded the motion.

by voice vote

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

Mayor Fultz appointed Jennifer Leeks to a new term on the Recreation Commission expiring on July 1, 2022.

Commissioner Howell made a motion to approve the appointment of Jennifer Leeks to a new term on the Recreation Commission expiring on July 1, 2022. Deputy Mayor Robin Gibson seconded the motion.

by voice vote

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

Mayor Fultz appointed Allison Kapphan to a new term on the Library Board for a term expiring July 1, 2024.

Commissioner Howell made a motion to approve the appointment of Allison Kapphan to a new term on the Library Board for a term expiring July 1, 2024. Deputy Mayor Robin Gibson seconded the motion.

by voice vote

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, reported on a possible lawsuit from Aviator PPG regarding restrooms at the Airport that they are gender biased. Kenneth Fields, City Manager, said that the users group will review this issue and make a recommendation on this that will be reviewed by staff, the FAA and then the City Commission will approve it. Hopefully this matter can be resolved.

10. CITY MANAGER

Kenneth Fields, City Manager, reported that staff will be reduced at our County Health Department as Central Florida Health Care has filled in some of the health care gap they used to.

Mr. Fields reported that the County will build new fire stations with EMS to serve County residents. These should be funded with Fire Assessment funds and not general funds which are paid by city residents. He asked the Commission to write a letter to the County Commission to remind them of this. Commissioner Goldstein asked if these new stations will affect our EMS. Mr. Fields said they won't affect ours. Sometimes it can take time for county to respond to transport patients to a hospital. Additional EMS services will help us. Mayor Fultz reported that he personally experienced the Fire Department's fast response time.

10.I. Tracking Report

10.II. Social Media Tracking Report

10.III. Commission Meeting Schedule

Mr. Fields reminded the Commission that next Tuesday is a budget workshop. Mayor Fultz said he will not be there and Deputy Mayor Robin Gibson will run the meeting.

10.IV. Other Meetings & Events Calendar

Kenneth Fields, City Manager, reminded the Commissioners that July 4th festivities will go on around the lake. Fireworks are at 9:15pm.

11. CITY COMMISSION COMMENTS

Commissioner Goldstein said he is glad to be back and is appreciative of our emergency services.

Commissioner Curtis Gibson said that we should advertise more for our 4th of July Festivities with banners. He asked if there are items budgeted for these events. Mr. Fields said yes there is a special Events budget.

Mayor Fultz congratulated Commissioner Howell on her retirement from the School board.

Deputy Mayor Robin Gibson reported that the survey for the upcoming training was intriguing and encouraged fellow commissioners to do it.

12. MAYOR COMMENTS

13. ADJOURNMENT

The meeting was adjourned at 7:04 p.m.

ATTEST:

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City Clerk