

**Special City Commission Meeting Minutes**  
**April 2, 2020**  
**(Approved)**

This meeting was conducted virtually via tele conference in accordance with Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, allowing municipalities to conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

4/2/2020 - Minutes

1. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:07 p.m.

Mayor Fultz read a statement:

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

Procedures for public participation will be explained by the City Attorney shortly.

Albert Galloway, Jr., City Attorney, read a statement on Procedures for Virtual Public Meetings.

Mr. Galloway asked the Commissioners, "are you comfortable with all the notice provisions set forth and these uniform rules of procedures we have established for this Virtual meeting? The Commissioners answered affirmatively.

2. ROLL CALL

**Commissioners Present:** Eugene Fultz - Mayor, Curtis Gibson, Terrye Howell, Al Goldstein, Robin Gibson

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

3. AGENDA ITEM

3.I. COVID-19 Update

Joe Jenkins, Fire Chief and Emergency Operations Director, gave an update on the current coronavirus emergency. In Polk County there have been 103 confirmed cases with 2 deaths. In Lake Wales area there are 3 confirmed cases. Polk County leads in hospitalization rates at 41%. The tests is taking 12 days to come in. The statistics are really from 2 weeks ago. Hopefully we will get a quicker test soon. Regarding City Employees the infection control officer, Deputy Chief Roy Wilkinson, has put 10 employees on a 14 isolation who were showing some type of symptoms. There are no confirmed cases among City Employees. We did have 17 on isolation but 7 have returned to work. Regarding the Governor's Executive Order all of the City and State will be under a Stay-at-home order for 30 days. Stores will still be open. Chief Jenkins said people can travel for essential trips and referenced a website for guidance. He hopes many of the businesses and our residents will comply on their own. He hopes people will not panic and start panic buying. City staff is still working at reduced levels. The parks and playgrounds are closed. The bike path and Kiwanis will remain open so long as social-

distancing guidelines are followed. Chief Jenkins said our residents are doing a good job complying with this and City staff has done a good job adjusting to the changes.

Albert Galloway, Jr., City Attorney, said a staff member of his was sent for testing and was cleared.

Deputy Mayor Robin Gibson asked for clarification of the 41% number related to hospitalization. Chief Jenkins said that out of 103 cases 41% have required some hospitalization but he doesn't know at what level. Deputy Mayor Robin Gibson expressed concern about hospital capacity. Chief Jenkins said he has not heard of a hospital in Polk County at capacity but all the hospitals including Adventhealth in Lake Wales are prepared for that. Deputy Mayor Robin Gibson expressed concern as many from surrounding areas such as Frostproof may fill up our hospital. Chief Jenkins said patients can also go to Avon Park. If needed field hospitals can be constructed very quickly.

Commissioner Curtis Gibson expressed concern that people are still using parks. Should we be more proactive in keeping people from using them. Chief Jenkins reviewed the steps taken to close the parks. Basketball hoops have been removed, playgrounds closed.

Commissioner Goldstein expressed concern about travelers or visitors from other places. Chief Jenkins said travelers from the tri-state area are being directed to quarantine for 14 days. Those from New York are probably are probably part-time residents. Mr. Fields said most of our area hotels are empty now we aren't getting tourists. Chief Jenkins emphasized for everyone to practice social distancing.

Commissioner Howell asked if those in Lake Wales who have tested positive are being checked on to be sure they are staying in and doing what they should. Chief Jenkins said the Department of Health is monitoring those individuals as well as those whose tests haven't come back.

Deputy Mayor Robin Gibson noted that Wal-mart is monitoring employees with taking temperatures before shifts. We can't really stop those traveling. Can we take temperatures of our visitors? Chief Jenkins said we can't treat someone with out consent.

### 3.II. Resolution 2020-10 Conducting Virtual Meetings

[Begin Agenda Memo]

#### **SYNOPSIS:**

Resolution 2020-10 provides guidelines for conducting virtual Commission and board meetings during the current emergency to protect the right of the public to participate.

#### **RECOMMENDATION**

Staff recommends adoption of Resolution 2020-10.

#### **BACKGROUND**

As the State of Florida is currently under a declared state of emergency due to the threat of COVID-19 Governor DeSantis has issued an Executive Order 20-69 allowing for virtual meetings with the requirement that they continue to operate in the sunshine. Resolution 2020-10 sets forth guidelines to conduct virtual meetings within the City of Lake wales that will protect the right of the public to participate.

#### **OTHER OPTIONS**

Do not approve Resolution 2020-10

#### **FISCAL IMPACT**

There is no fiscal impact to the resolution itself although there will be equipment and staff costs related to hosting virtual meetings.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **RESOLUTION 2020-10** by title only.

**RESOLUTION 2020-10**  
**RESOLUTION BY THE CITY COMMISSION OF THE CITY OF LAKE WALES REGARDING THE**  
**CONDUCT OF VIRTUAL PUBLIC MEETINGS**

Commissioner Howell made a motion to approve **RESOLUTION 2020-10**. Commissioner Goldstein seconded the motion.

by Roll Call Vote

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion Passed 5-0.

#### 4. COMMUNICATIONS & PETITIONS

##### 4.1. Public Comments And Questions

[Agenda Memo Begins]

Comments and Questions from the viewing public can be submitted at this link

[WWW.LAKEWALESFL.GOV/COMMENTS](http://WWW.LAKEWALESFL.GOV/COMMENTS)

Comments and Questions will be read aloud into the record by the City Clerk.

[Agenda Memo Ends]

Kevin Kieft, non-resident, asked the Commission how they are staying safe. Mayor Fultz said that he is staying safe by following the guidelines and staying home as much as possible.

Chevon Baccus, resident, noted that she had to open up a separate tab for the public comments form. She asked how the Lake Wales Police Department will enforce the Governor's Stay-at-Home Order. Mr. Fields said we will not arrest people. We don't want to put people in jail or be heavy handed. The Police Department will urge people who are congregating to practice social distancing guidelines. Chief Velasquez, Police Chief, said they are encouraging people to stay at home. They can make arrests but they don't want to do that. They hope people will use common sense. Officers will use discretion to get people to comply.

Commissioner Howell expressed concern about too many young people gathering in parks that she has

seen and talked how to safely discourage close contact. Kenneth Fields, City Manager, said we are all learning here and trying to find ways to keep staff and the public safe. The Police Department does have protective gear. They are implementing new procedures to protect staff. Chief Jenkins said there is a local hotel that will house first responders as needed if they need to be separate from family. Commissioner Howell asked if we have to wait for the governor to issue a stay-at-home order or are there measures the City can take? Mr. Fields said the Cities and County are having regular conference calls to try and work together so as to not have a patchwork of regulations throughout the county.

Commissioner Goldstein said this should not be political. We need to continue to be proactive. Mr. Fields said that we will take necessary steps to keep the public safe.

Commissioner Curtis Gibson agreed that we need to take actions as the City where possible. Mr. Fields said we have been aggressive other cities have followed our lead.

Mayor Fultz said he is sure our Police Department is monitoring the parks regularly.

Kevin Kieft, non-resident, said that the Governor in a press conference today his order was a floor for what would be closed, will the City of Lake Wales issue a more stringent notice? Mr. Fields said the City can go further if any problem areas are noted. Albert Galloway, Jr., City Attorney, confirmed that the City can go narrower as far as essential businesses.

Deputy Mayor Robin Gibson said that he is glad the bike path is still open it is being heavily used. The new lights on the path are wonderful.

Rebecca Brewer, non-resident, from Lake Wales Hospital said The Citrus Connection bus stop location was moved from Highway 60 to the side of the hospital. We have no bench for bus riders to wait for the bus. Can we relocate bench used on Highway 60 to the Hospital's bus stop location? All is well at the hospital. Mr. Fields said he will look into this.

#### 5. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, had no comments.

#### 6. CITY MANAGER

Kenneth Fields, City Manager, commended City Staff for stepping up during this difficult time. He gave this virtual meeting as an example that took a lot of hard work to set up. He explained that staff is reduced at City Hall to minimize contact. He may look into reducing hours as well. He said he is frustrated by the fact that many projects that were under way are now on hold.

#### 7. CITY COMMISSION COMMENTS

Commissioner Howell said that the City needs to have a plan for the future so we aren't running scared.

Commissioner Curtis Gibson said we need to be mindful of spending right now. Regarding reduced hours at City Hall he would be concerned about hourly employees who may have reduced pay.

Deputy Mayor Robin Gibson commended the Mayor for being a leader during this time. Mayor Fultz said that he is careful with what information he puts out there.

Commissioner Goldstein offered his assistance if there is anything he can do right now. He commended staff for their hard work. He said we need to stay ahead of this.

#### 8. MAYOR COMMENTS

Mayor Fultz commended City Staff for helping put together this virtual meeting. He thanked everyone for participating and encouraged everyone to stay home.

#### 9. ADJOURNMENT

The meeting was adjourned at 7:14 p.m.

Eugene L. Felt  
Mayor

ATTEST

\_\_\_\_\_  
city Clerk