

**City Commission Agenda Work Session
Meeting Minutes
July 1, 2020
(Approved)**

**This meeting was conducted partially via teleconference
Pursuant to Executive Order No. 20 -69, issued by the Office of Governor Ron Desantis on March 20,
2020,**

**extended via Executive order no. 20-112, and further extended by Exectutive Order No 20-114,
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.**

**The City of Lake Wales held this hybrid virtual public meeting using the GoToMeeting
Web/Teleconference service.**

7/1/2020 - Minutes

1. CALL TO ORDER & ROLL CALL

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

Robin Gibson arrived late

Staff Present: James Slaton, Interim City Manager; Jennifer Nanek, City Clerk

Mayor Fultz called the meeting to order at 3:00 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, extended by Executive Order 20-112, and further extended by Executive Order No 20-114, 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 this partial virtual Public Meeting.

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. City Manager Comments

James Slaton, Interim City Manager, requested a Commissioner participate in the stakeholder group meeting related to the recreation feasibility study. There was consensus that Commissioner Curtis Gibson will be the representative.

3. City Manager Selection Process

[Begin Agenda Memo]

Recently, your City reached out to the Florida City-County Management Association (FCCMA) to see if Senior Advisors could assist the City of Lake Wales in recruiting your next City Manager. That call was referred to me. My name is Ken Parker. Currently, I serve as the FCCMA Senior Advisor Coordinator. There are currently nine active Senior Advisors in Florida.

Senior Advisors are retired city and county managers with lengthy experience and who are respected within the public management field. We are appointed by the FCCMA Board of Directors and the Executive Director of the International City/County Management Association. We are not paid. All of us are volunteers.

Senior Advisors provide, at no cost:

- Career and employment counsel to FCCMA and ICMA members;
- Guidance and counsel to members regarding ethics questions or concerns;
- Assistance to cities and counties with the Council-Manager form of government.
- Assistance to cities and counties that are considering adopting the Council-Manager form of government.
- Assistance to civic groups regarding the Council-Manager form of government; and
- Assistance to members-in-transition with guidance and direction as they seek new employment opportunities.

Upon request by the governing body of a municipality whose population is under 20,000 and for counties whose population is under 75,000, Senior Advisors can provide limited Manager search services. Our services are based upon two criteria, population and availability of a Senior Advisor or Senior Advisors. We do not charge for our services; but, we do request the City cover all travel related expenses. Generally, travel expenses are mileage, meals and hotel if required to stay overnight at a location. We request that the City make all hotel reservations and to pay for them directly rather than the Senior Advisor submitting receipts to the City for reimbursement.

Senior Advisors do not do any background searches on candidates. Those are the responsibility of the city or county. For your information, background investigations can cost about \$2,500 per candidate if done by an outside firm. Normally national search firms provide this service as part of their proposal. Senior Advisors are not consultants, but serve as colleagues and counselors.

In the case of Lake Wales, you meet the first criteria, population. However, Senior Advisors may not be your best option.

There are several policy questions that your City Commission needs to answer before you embark on a Manager search.

In my opinion, the City Commission has four options available.

- Do you want to involve citizens in the development of recruitment materials and in the screening process? If so, then you would need to appoint members to the citizen group.
- Do you want to hold community listening sessions conducted by either the City Commission or the citizen advisory group?
- Do you have an interim candidate that you desire to appoint as City Manager? If the City Council has an internal candidate, I would strongly recommend that you not begin the search process until after the Commission decides whether to employ the internal candidate or if the internal candidate states clearly that she/he will not be a candidate and will not apply for the position.

1. Employ a full service firm to handle your recruitment. These firms have highly qualified people to assist the City Commission in hiring the right person. They have extensive networks. They work with the City Commission in developing a profile of characteristics the Commission desires to have in its next manager. They recruit based upon charter requirements and the profile they develop working with the Commission. They do not wait for applicants to apply. They contact those in their network that most closely meet the job

profile and encourage them to apply. The firms are responsible for all the background checks and verifications. They help the City Commission manage the interview process. They may assist the City Commission in developing interview questions. They receive the applications and screen the applications for the Commission. They help the Commission manage the interview process and schedule. For a City your size this is by far the best option.

2. The second option is for you to handle the recruitment process internally. That means your staff would develop the entire recruitment packet. They would be responsible for advertising for the position. They would be responsible for accepting all resumes. The City would be responsible for conducting all background and verifications. Some cities choose to employ an outside firm to conduct the background and verifications. I always recommend to any city to do the highest level of background investigation. It is far more than criminal and civil records check and related files. It includes reviewing social media and other media. It verifies education. It includes employment verification. It may include review of personnel files. Your internal staff would be responsible for managing the interview process.

If you choose to conduct the search in house, Senior Advisors could provide examples of recruitment materials that other cities have used. We could provide the Council with a questionnaire that would help develop the candidate profile. I indicated that I would review documents and provide her with input. I did indicate to her that we could assist the City Council with resume review.

3. Allow the Senior Advisors to advise you and your staff on recruiting the next City Manager. Most of the work would be done by your internal staff. We would advise the Commission and them on a variety of items including preparing the job profile, the recruitment brochure, and where to advertise. The Senior Advisors would review the resumes and provide you with a listing of potential candidates who met the charter requirements and the profile develop and approved by the Commission. We would work along side you on preparing questions to be asked the candidates as well as helping with the interview process. This option is a partnership with us coming along side of you and your staff. The question that you must ask is how much time your staff can dedicate to the process. Senior Advisors do not have the contacts that the recruiting firms have. We do not know which managers are considering moving from their current jobs to another position. Recruiting and placement is what the firms do. Recruitment of Managers is not the primary thing Senior Advisors are charged with doing by FCCMA and ICMA.

4. The final option is to employ an internal candidate and not advertised. In my opinion, this is the first question that you must answer. If you are considering hiring an internal candidate don't waste your time with a developing a RFP for consultants or even consider any other options.

If I were involved with you in preparing documents and advertising for the City Manager position, the following process would take place:

- One month to develop position profile and recruitment documents. I would ask the City Commission to adopt all documents before the position is posted.
- Advertise for one month. If a Search Firm is selected they would handle the placement of the ad. If a Search is selected to do the recruitment the resumes would be sent to them. If the Senior Advisor or internal recruitment option is selected, then the city would receive all the resumes.
- Two weeks for the review of resumes and provide the City Commission with a list of qualified candidates. City Commission would determine which candidates from the qualified list they want to interview.
- Background and Verifications can take up to one month or more. I always recommend the background and verifications be completed prior to interviews.
- Schedule interviews.
- Select a manager and approve contract.

Most managers have a notice provision in their contracts if they are currently employed. Some cities and counties are willing to waive the notice provision. Most cities and counties are not willing to waive the

notice provision. Each Manager contract is different. The usual notice requirement is 60 days. I have seen some that are 90 days.

A nationwide search firm may be able to cut some time off this schedule since they do this on a regular basis.

If I or another Senior Advisor can assist you, please feel free to call us. I am looking forward to being online with you next week.

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item. He introduced Ken Parker, a Senior Advisor with the Florida City and County Managers Association, to speak on the services they offer. Mr. Parker said he served as a City Manager for 44 years. He reviewed the services they offer for the State of Florida. Mr. Parker said the Commission needs to decide on an internal candidate before seeking applicants from elsewhere. Some councils involve citizens and some don't. The third issue to discuss is timing. When to advertise? Maybe an election or budget season may affect the process. Mr. Parker explained what a search firm does and what his group can do. A search firm will go out and find applicants that fit the City's profile. They check the background and they help with the process. The Commission want to do the work internally which can be time consuming. His group does a hybrid. They review resumes but do not do background work. It would be a partnership between Senior Advisors and the City. He reviewed a typical time frame. He recommended background work be done before an interview is scheduled.

Commissioner Goldstein said there is an internal candidate they are considering but we have to answer to the public to be sure we get the right person. Mr. Parker suggested "test driving" the Interim City Manager 3-6 months to see if its a good fit for both.

Commissioner Curtis Gibson said if we have some one he agrees with trying it out before spending the money to find someone.

Commissioner Goldstein asked if we should solicit applications during probationary period. Mr. Parker said some of the better candidates may not apply if there is an Interim candidate that is being considered.

Commissioner Howell said she supports a probationary time for Mr. Slaton until after the budget. She said she doubts he will want to leave after all this time. She liked #3 & #4 on the options list.

Deputy Mayor Robin Gibson said we can wait until after the budget is done and then look seriously at the position. The Dover-Kohl plan could be transformative. He wants someone to take us through and implement the plan successfully.

Mayor Fultz said he agrees to waiting until after the budget is finished.

4. COVID-19 Update

Joe Jenkins, Fire chief and Emergency Operations Director, reviewed the current unfavorable trends in Polk County. The last 6 days there have been over 1000 cases in Polk County. What we are seeing daily in new cases used to take us a week. Not enough testing is being done. He reviewed the CDC guidelines for social distancing. Commissioner Curtis Gibson asked if symptoms are required for testing. Chief Jenkins said yes a person must have been showing symptoms or come into contact with a COVID19 person who has tested positive. He said there are estimates that the number of infections are much higher that we know. none of the indicators are looking good.

Commissioner Goldstein said the most vulnerable population infection rates are down. Many people are not using common sense regarding social distancing. He thinks a mask mandate goes to far. We need to better educate the public.

4.I. Requiring Wearing Of Masks In Public Places In Lake Wales

James Slaton, Interim City Manager, said he was asked to put this item on the agenda and invited Albert Galloway, Jr., City Attorney, to speak to the topic. Mr. Galloway said a mandate could only be done by Ordinance so that there is a provision for enforcement. The Commission could also do a recommendation by Resolution. One way is an Ordinance under home rule or an ordinance under Emergency Powers act. This could be appealed. It has been appealed in other places.

Deputy Mayor Robin Gibson compared masks to regulations concerning automobiles at the beginning of the 20th century. Those regulations are designed to keep the general public safe. Masks are part of an advisory opinion. We should at least do a resolution. Enforcing a mandate may be difficult.

Commissioner Curtis Gibson said other cities are mandating masks some with fines. Masks aren't 100% effective against COVID19. He said he is in favor of the resolution. It may be costly if we get challenged on our mandate.

Mayor Fultz said he agreed with a resolution to recommend the wearing of masks.

Commissioner Howell said she agreed with the choice of a resolution. She uses a mask and prefers those around her to wear a mask. Maybe we will need to step it up later. The police can't enforce social distancing at the parks right now.

Commissioner Goldstein agreed with the resolution and also suggested adding in the resolution supporting businesses that are mandating masks.

4.II. Resolution 2020-22 - Extended Declaration Of A State Of Emergency

[Begin Agenda Memo]

SYNOPSIS: Resolution 2020-22 declares a State of Emergency for Lake Wales in response to concerns related to COVID-19. This will be in effect from July 7, 2020 until August 7, 2020.

RECOMMENDATION Staff recommends adoption of Resolution 2020-22 State of Emergency Declaration from July 7th, 2020 until August 7th 2020.

BACKGROUND

In response to the recent threat of COVID-19 Mayor Fultz issued a State of Emergency on March 13th for seven days and issued three more 7 day States of Emergency after that. The current state of emergency was extended thrice more at the beginning of April, May and again in June. The current State of Emergency which was approved by the City Commission in June expired on July 2nd.

According to Chapter 9 in our Code of Ordinances, the City Commission must approve a State of Emergency to last 30 days.

OTHER OPTIONS Do not approve Resolution 2020-22.

FISCAL IMPACT There is no fiscal impact from the resolution itself. There will be some costs to the City as we respond to this threat. These costs are being tracked. A declared State of Emergency will allow the City to seek possible reimbursement for those costs.

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item. He said that to date the city has had \$126,000 in COVID19 related expenses. The county is reimbursing expenses that are submitted quarterly. Commissioner Curtis Gibson asked about getting information out on COVID19 to the public. Mr. Slaton

said we get information out on social media. Deputy Mayor Robin Gibson sending out copies of the resolution with our mailing.

4.III. Future Public Meetings - All Boards And Committees

James Slaton, Interim City Manager, said that the Governor has extended the Executive Order allowing virtual board meetings. he asked the Commission about their preferences concerning the other Boards and Commissions. He would prefer to require all meetings to be virtual. Commissioner Curtis Gibson said he prefers the current hybrid version of meetings that the Commission is doing now. This allows the public to participate in person or online as they prefer. Commissioner Goldstein agreed saying these meetings in this format works best for now. Commissioner Goldstein said that the other boards should have the choice how to meet. Deputy Mayor Robin Gibson said he likes in person meetings and has decided at his age to take the risk. As for the other boards they deserve as much protection as the commission. There should be no difference in how they conduct their meetings than how the Commission does. Commissioner Howell said everyone coming in should wear a mask. We don't want to put others in jeopardy and be sure they are safe. Mayor Fultz said he likes the hybrid version and thinks it should be used. The other groups should have that option. Chief Jenkins, Fire Chief, said that there is a current policy that masks are required if people come in the building. This should be extended to those coming to commission meetings. We can provide masks if needed. He also asked about doing temperature checks. Commissioner Goldstein said he agreed with requiring masks and temperature checks. Mayor Fultz agreed with these requirements.

4.IV. Special Events

James Slaton, Interim City Manager, asked about special event permits. At the beginning of this emergency we put a moratorium on special events. Then we were looking at them on a case by case basis. He would like to return to a moratorium while the City is under a state of emergency and possibly cancel the ones that have been issued. Some examples include the Farmers Market, the Food Truck Rally and a Kona-ice school fundraiser. Jennifer Nanek, City Clerk reported that the Food Truck Rally will not happen in July and on the Kona Ice fundraiser scheduled at the end of July for Bok Academy South. Commissioner Howell said the organizers need to be sure to maintain social distancing. Mr. Slaton said the event involves some risk. We can see how the event goes. Commissioner Goldstein agreed that the organizers needed to be reminded of safety precautions. Regarding the Farmers Market they should be aware of our resolution regarding masks and enforce social distancing. Mr. Slaton said we will move forward with current events but not allow any further events. By August we can decided on events then. Mayor Fultz agreed.

4.V. Organized Youth Sports

James Slaton, Interim City Manager, reported that many fields in the county are open to organized youth sports. The parks are open but they are not allowing organized youth sports now and plan to continue to not allow this while under a State of Emergency. Commissioner Goldstein asked if other football programs in process elsewhere in the state? If so and there are safety precautions in place. Maybe we can learn what these are and do similar here. Stephanie Edwards, Recreation Coordinator, said they are requiring action plans from leagues and groups for when fields are opened back up. Only a few groups have responded. She shared examples of efforts from nearby cities. Commission Curtis Gibson shared some steps that school athletics have taken. Ms. Edwards said the travel ball teams are the biggest risk of sharing the virus than other groups. Commissioner Goldstein said that there are ways to help and protect athletes so they can play. Athletics is important to young people. Let's take the lead from other places. He doesn't want athletes to sit out a year. Mayor Fultz noted that the National Leagues are trying things like keeping athletes in a bubble which is not fully successful we can take our cue from how they are doing. Commissioner Curtis Gibson said coaches can safely help their players to work out. Commissioner Howell said the infection rates for younger folks are going up. She has seen athletes playing and not social distancing. Safe physical activity is possible.

5. Citizens And Police Community Relations Advisory Committee

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will review the previously adopted Resolution establishing the "Community Relations" board and determine if modifications to the Resolution are desired.

BACKGROUND

The Lake Wales City Commission on May 3, 2011 adopted Resolution 2011-05 to establish the Citizens and Police Community Relations Advisory Committee "to provide a forum for respectful discussion that will lead to a greater partnership and stronger working relationship between all community members and the police department."

The primary goal of the Community Relations Committee was to improve the relationship between the community and the police department.

The main provisions of Resolution 2011-05 were as follows:

- A three-member Community Relations Committee was created. Two citizen members were appointed by the Mayor with the approval of the Commission, and one police officer member was appointed by the Police Chief.
- The committee regularly met once a month in the Municipal Administration Building, but any member of the committee could call a special meeting if one was deemed to be necessary. The committee and its members were subject to the Sunshine Law and other applicable State laws and City ordinances.
- The committee provided a forum in which citizens could express opinions or concerns and positively resolve issues they may have with police policies or procedures.
- The committee did not serve as a means to circumvent the Police Officers Bill of Rights by providing a forum for discussion of complaints regarding officer misconduct.

Resolution 2011-05 was later amended with the adoption of Resolution 2012-02, which expanded the committee from three members to five (one police officer and four citizens) and removed the restriction of holding the meetings in the City Administration Building, allowing the meetings to take place anywhere in the community determined by the committee.

A final amendment, Resolution 2014-07, changed the meeting schedule of the Community Relations Committee from monthly to quarterly. Although the committee was effective in providing constructive dialogue between citizens and the police department, citizen attendance eventually declined, which led to the amended meeting schedule. The previous amendment expanding the board to four citizen members was not carried forward in this particular amendment.

Due to a lack of involvement, the committee eventually stopped meeting altogether around 2016. The committee, however, was not among the 10 boards officially dissolved by the commission on Feb. 7, 2017 through Resolution 2017-02.

The Police Chief and the City Commission have indicated an interest in re-establishing a Citizen and Police Community Relations Advisory Committee. A copy of the current Resolution, 2014-07, is attached for the Commission to review and to provide any desired changes to staff.

Input received has indicated possible interest in amending the committee member appointment process, with the Commissioners and the Mayor appointing one committee member each. If this is the desired direction of the Commission, the committee size would need to be expanded to six (five citizens and one police officer).

Online research identified several Florida cities with active boards or committees dedicated to police and community relations. Some function to build community-police relationships or to offer advice on police policies related to such issues as use of force, community policing, citizen arrests, or police bias. Others review complaints against police officers after they have been investigated properly by the agency guided by the Police Officers Bill of Rights.

Staff is requesting the City Commission to review the current Resolution and determine whether its stated purpose continues to be relevant and if any changes to the committee structure are desired.

For reference, attached to this memorandum are examples of other police advisory committees in Florida and articles on forming successful community advisory committees published by Police Chief Magazine and PoliceOne.com.

Staff will draft an amended Resolution based on a consensus of the City Commission.

FISCAL IMPACT

None.

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item.

Commissioner Curtis Gibson said this board is important. He said it should be expanded to 5 people and the Commissioners should each appoint a member. This board should be a review board and an advisory board. The board should have authority to review complaints. We need to do this right.

Commissioner Goldstein agreed that we need the board and it should be expanded to 6 members. Five members appointed by the Commission and Mayor and the other by the Chief of Police. This is important for the community. He recommended not restricting the membership to Lake Wales residents as he has someone from Winter Haven in mind for this.

Mr. Slaton said the Commission could think on this further and we can discuss this again.

Mayor Fultz said he supported having this board again as it is needed right now. This will help with transparency and building up trust. He asked Albert Galloway, Jr., City Attorney, about residency requirements for these members. Mr. Galloway said that whether or not they are residents can be up to the Commission. Mayor Fultz said that he felt the members should be residents.

Commissioner Goldstein said he knew someone in Winter Haven that would be a good fit for the board. He is fine with restricting the membership to residents if the other Commissioners wished to do that.

Commissioner Howell said that 2 members should be from her district but she is fine with each Commissioner choosing a member. She felt that the members should be Lake Wales residents. Commissioner Howell agreed with the meeting frequency of once a month as needed. She said citizens should be allowed to share concerns without fear of retaliation. These members need to be able to work on building relationships with the police and community. Complaints should be reviewed by a third party. Maybe we also need a separate review board.

Commissioner Goldstein said he liked how the Charter Review Board was set up. Each Commissioner can pick whoever they want not necessarily someone from their district.

Deputy Mayor Robin Gibson advised against having people apply for the board. He cautioned against appointments of people with an agenda. All citizens deserve police protection regardless of where they live. That's the city's responsibility.

Commissioner Goldstein advised that emotion needs to be kept out of it.

Commissioner Curtis Gibson said he would like the board to have more authority.

6. Commissioner Member Salaries

[Begin Agenda Memo]

BACKGROUND

Current City Charter states the following:

"The commission may determine the annual salary of commission members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of the commission member(s) elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months."

Ordinance 2-261 Commission Compensation Established states the following:

"Effective April 7, 2015, to compensate for the mayor's additional Effective October 1, 2013, the annual fiscal salary of commission members shall be Four Thousand Five Hundred Thirty-Eight Dollars and Seventy-Six Cents (\$4,538.76) for a commissioner who shall serve for a full twelve-month period during the fiscal year. Any commission member(s) who shall serve for less than a twelve-month period during a fiscal year shall be entitled to a pro-rated portion of the annual commission member salary amount. Commission compensation shall be adjusted annually at the same rate by which compensation for general employees is adjusted on an across duties and responsibilities, the mayor's annual salary shall be fifty percent greater than the salary of the commissioners."

For your convenience a survey is attached.

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item. If approved this would take effect in May. He reviewed what other Cities pay commissioners.

Deputy Mayor Robin Gibson said right now is not a good idea with many losing their jobs.

Commissioner Goldstein said Commissioners are putting in a lot of hours with extra meetings. The low compensation will discourage possible candidates.

Mayor Fultz said Commissioners need to be compensated for the hours and time they put in. The salaries should be raised to at least that of Auburndale's which is the lowest of nearby cities.

Deputy Mayor Robin Gibson said he is fine with expenses being reimbursed but we need to hold off on salaries. Mr. Slaton said there are restrictions on reimbursements within state statute.

Commissioner Curtis Gibson said in Haines City the Commissioners get an increase when employees do. We do a lot. No one does this for the money. He would be open to allowing the citizens to vote on this in a referendum. He agreed with matching Auburndale's salaries.

Commissioner Goldstein said he agreed with the Mayor on matching Auburndale. The Commission and Mayor haven't gotten a raise in years. We are spending money on various other things.

Commissioner Howell said no one in the City is getting raises this year. She agreed with reimbursing expenses. We maybe should scale back traveling to conferences next year.

Mayor Fultz said he is invited to a lot of events that many aren't aware of and that time should be compensated.

Commissioner Curtis Gibson said Lake Wales needs a presence at these conferences. Commissioner Goldstein agreed as these meetings help our City grow.

7. Purchase Authorization - Library Lockers

[Begin Agenda Memo]

SYNOPSIS: Staff is seeking approval to utilize Library Impact Fees to purchase a library locker system for 24 hour a day, 7 days a week patron access to holds and document retrieval safely.

RECOMMENDATION

It is recommended that the City Commission take the following action, approve the purchase, installation and training of International Library Services, Inc.'s Intelligent Library Locker System using Library Impact Fees for the purchase.

BACKGROUND

The Lake Wales Public Library's usage has grown significantly reflecting new families and housing in our city. Library staff has researched ways to safely provide services during hours of operation, and to patrons after hours. Providing access to library materials for pick up 24/7 will allow patrons who have difficulty using the library's collection due to work schedules, transportation difficulties and health concerns. The Intelligent Library Locker System connects to the Polk County Library Cooperative's Integrated Library System and allows library users to retrieve books, movies and audio books, they've placed on hold via the library lockers.

The Intelligent Library Locker system will be located out of doors at the library's main entrance.

OTHER OPTIONS

None

FISCAL IMPACT

This acquisition qualifies for Library Impact Fees.

[End Agenda Memo]

Tina Peak, Library Director, reviewed this item.

Commissioner Curtis Gibson said he knows this is coming out of impact fees asked if funding can be gotten for this from the county. Mr. Slaton said he will submit this for COVID19 reimbursement. Ms. Peak said County impact fees are primarily used for technology. Mayor Fultz said this will be useful in the future past the current pandemic.

Commissioner Howell said this is a great idea it will keep things moving.

Commissioner Curtis Gibson asked about the vendor she chose. Ms Peak said her choice is more expensive has 20 lockers, can protect items from the elements and can work with our computer system.

Deputy Mayor Robin Gibson said this is a no brainer.

8. Agreement With Chastain-Skillman, Inc. (CSI) For Professional Engineering Services Related To The Lake Wales Trail Connector.

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider entering into an agreement with Chastain-Skillman, Inc. for Professional Engineering Services related to the production of site work construction drawings and permit application packages for the proposed Lake Wales Trail Connector.

RECOMMENDATION

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

1. Approve the agreement with Chastain-Skillman, Inc. for Professional Engineering Services related to the Lake Wales Trail Connector.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.
3. Approve a budget amendment in the amount of \$97,413.

BACKGROUND

The City is considering the construction of a trail along the north side of Crystal Lake Park, beginning within the vicinity of the Library and running along the north shore of Crystal Lake. The ultimate goal of this trail is to integrate and connect Downtown, Crystal Lake and Lake Wales as recommended in the Dover Kohl "Lake Wales Connected" Plan (page 101, Near-Term Action Step 3).

Approval of this contract is a pivotal first step in making the Lake Wales Trail Connector a reality. The final work product produced will result in the required documentation needed to satisfy grant requirements due on September 5, 2020 for the Florida Department of Environmental Protection (DEP) Agreement No. T1820.

Per RFQ #15392, Chastain-Skillman, Inc. was awarded a continuing services agreement relating to professional engineering services for the City. Services for the Lake Wales Trail Connector will be completed by Chastain-Skillman, Inc. and teaming partner S&ME, both of whom are currently designing the Park Ave Streetscape and will ensure a cohesive and consistent design throughout the City.

OTHER OPTIONS

The City Commission may direct staff to not move forward with the Lake Wales Connector Trail, and decline the DEP Agreement No. T1820 Grant (\$200,000 matching grant for construction).

FISCAL IMPACT

Chastain-Skillman, Inc. will be compensated a fixed fee of \$97,413, plus reimbursable expenses. The original appropriation for this project was \$65,000 from the CRA, however, there are sufficient Recreation Impact Fee Funds for the design of the Lake Wales Trail Connector.

Project work will be broken down into 3 distinct phases:

Design & Construction Documents	\$ 83,433
Permitting & Bid Support	\$ 9,320 Limited Construction &
Certification Services	\$ 4,660
Fixed Fee (Excluding Reimbursable Expenses)	\$ 97,413

Overview of Recreation Impact Fees for Current & Future Projects:

Total Recreation Impact Fees	\$ 588,741
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Allocations:	\$ 489,913
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Feasibility Analysis \$ 42,500

Connector Trail Design \$ 97,413

Connector Trail Grant Match \$ 200,000

Recreation Master Plan \$ 150,000

Total Remaining \$ 98,828

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this title.

Deputy Mayor Robin Gibson asked for clarification as to which company is doing the designs. Mr. Slaton said SM&E will do final fine tuning design work and will work with Dover Kohl on this. Deputy Mayor Robin Gibson said the trail is in the Dover Kohl plan. Mr. Slaton said the elements of the plan will be part of the trail. Deputy Mayor Robin Gibson said he wanted the features of the trail to be consistent with Park Avenue. Commissioner Curtis Gibson expressed support saying this is good. Commissioner Howell asked why we have three companies working on the same job. Mr. Slaton said for a big project like this it is necessary as each one has their area of specialty. Commissioner Goldstein asked how much in total we are spending on the downtown project in the next budget year? Mr. Slaton said this will be discussed further in the next budget workshop. It will be a considerable amount but it will be CRA dollars that has less restrictions than general revenue.

9. Resolution 2020-21 Non-Ad Valorem

[Begin Agenda Memo]

SYNOPSIS: Resolution 2020-21 declares the City's intent to utilize the uniform method of collecting non-ad valorem assessments and adopts the assessment roll for 2020.

RECOMMENDATION: Staff recommends adoption of Resolution 2020-21 after a 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.

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]

Autumn Cochella, Development Services Manager, reviewed this.

Commissioner Howell asked if those on the list have been contacted about the fines and expressed concern with how the fines are levied.

James Slaton, Interim City Manager said this issue is only addressing for fines are collected.

Ms. Cochella reviewed the notification procedures and can provide more information on specific cases. Commissioner Howell asked about the high costs for property maintenance. Ms. Cochella reviewed how the costs are arrived at.

10. Ordinance D2020-02 - CPA/Zoning Mckibben Powersports Property

[Begin Agenda Memo]

SYNOPSIS

This Ordinance will amend land use designations on the Future Land Use Map (Comprehensive Plan) and the Zoning Map for the recently annexed .51 acres owned by MCK Properties of Lake Wales, LLC, East of US Highway 27 and abutting the existing Mckibben Powersports site. The annexation of this property has taken place by Ordinance 2020-10, at the request of the property owner. At a regular meeting on June 23, 2020, the Planning & Zoning Board recommended I-2 Industrial Infill future land use and zoning designations. These designations are consistent with those already assigned to the existing developed site.

RECOMMENDATION

The Planning & Zoning Board held a public hearing on the proposed amendments to the Future Land Use and Zoning Maps for the Mckibben Powersports Property on June 23, 2020 and recommended the following amendments as set forth in Ordinance D2020-02:

Parcel ID 27-29-34-875000-006100 .51 acres

Lots 10 and 11 Block 6 Everett's Subdivision per plat book 30 page 45 of Polk County public records.

City of Lake Wales Future Land Use: I-2 Industrial Infill City of Lake Wales Zoning: I-2 Industrial Infill

Public Notice requirements have been met.

FISCAL IMPACT

Assigning land use and zoning designations enables future improvements of the property and a potential increase in the property value.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

11. Wastewater Manhole Rehabilitation

[Begin Agenda memo]

SYNOPSIS:

a piggyback agreement with Engineered Sprayed Solutions, LLC for manhole and structure

rehabilitation using the polyurethane coating method.

STAFF RECOMMENDATION

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

1. Approve entering into the piggyback agreement with Engineered Sprayed Solutions, LLC.

BACKGROUND

The City, as part of its collection system, owns, operates, and maintains 121 Miles of 8 to 16 inch Gravity Sewer Line and 75 Miles of 2 to 16 inch Force Mains. The collection system is connected by a series of manholes which aid in the transportation of the collected waste to the wastewater treatment plant for processing. Due to the corrosive nature of raw sewage gases, it becomes necessary to perform periodic maintenance on these manholes to ensure they continue to function as intended.

Staff contacted Sarasota County and Engineered Sprayed Solutions, LLC seeking permission to piggyback on a contract that had already been competitively bid in June of 2020. This allows for the City to take advantage of the lower pricing without expending funds to bid out this same service itself.

Staff recommends the commission take the following action, enter into a piggyback agreement with

Engineered Sprayed Solutions, LLC for manhole and structures rehabilitation.

OTHER OPTIONS

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

FISCAL IMPACT

The Wastewater Department has placed \$50,000.00 for manhole rehabilitation in the FY 19'-20'.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

12. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Goldstein said he would like the issue of raises to be on the agenda for a vote. He enjoys the board and dialogue. The raise would provide recognition to the hard work we do. We get along better than other boards do.

Deputy Mayor Robin Gibson He would like a distinction in the CIP for what activities are CRA. He said we need to review the pay classification plan at some future date. There are some issues in the pension that need to be addressed. He expressed concern about hiring a new Planning Director.

Commissioner Howell asked if we are requiring masks and doing temperature checks on attendees. Mr. Slaton said yes.

Mayor Fultz reminded everyone to participate in the 2020 Census.

13. ADJOURN

This meeting was adjourned at 6:11 p.m.

Eugene L. F. 

Mayor

ATTEST:

City clerk