

**City Commission Workshop**  
**Meeting Minutes**  
**August 10, 2022**  
**(APPROVED)**

8/10/2022 - Minutes

1. CALL TO ORDER & ROLL CALL

**Members Present:** Mayor Jack Hilligoss, Terrye Howell, Robin Gibson, Danny Krueger

**Member Absent:** Daniel Williams

**Staff Present:** James Slaton, City Manager; Jennifer Nanek, City Clerk; Albert Galloway, Jr., City Attorney

Mayor Hilligoss called the meeting to order at approximately 2:00 p.m.

2. City Manager Comments

James Slaton, Executive Director, introduced new Library Director Belle Reynoso. Ms. Reynoso introduced herself and shared her background.

Mr. Slaton introduced Michael Manning to give an update. Michael Manning, Assistant to the City Manager, reported on new trees planted in Crystal Lake Park.

Mr. Slaton said he would like to schedule a day and a half planning retreat for the Commission on Aug 29-31. The dates will be sent around to determine the best ones for everyone.

3. Draft Budget Highlights – Workshop 08-10-2022

Dorothy Abbott, Finance Director, reviewed the draft budget for FY 2022-23. The City's overall growth continues. The total budget is \$89.6 million. \$21 million is in the general fund. Ms. Abbott reviewed what the general fund includes and how it is funded. The CRA budget is \$23 million a lot of which is the bond projects. A big dollar amount on the revenue schedule is American Rescue Plan money which is about \$7million. There is a reserve of approximately \$2.2 million. The proposed budget does not use reserves. The budget is based on the rollback millage rate on 6.3626 mils. We have gone to rollback rate for all but 1 of the last 10 years. This is a pretty good feat.

Commissioner Krueger asked if the \$2.2million will be added to the reserve. Ms. Abbott said that is what is in there today. Mr. Slaton said we did not have to use reserves to fund the budget. Commissioner Krueger asked if the \$2.2 million is supposed to be 23% -29% of the budget of \$89.6 million. Ms. Abbott said its reserves of the operating budget of the general fund. She is not sure what the true cash amount will be at the end of the year but if its below 15% a plan will be set up to restore that amount according to the policy.

Ms. Abbott said there will be \$34.5 million in capital and reviewed the projects including a fire truck.

Ms. Abbott said information on how much debt we have is in appendix 2 and is \$54.3 million. The General Fund is 23 million, the Utility fund is \$29 million and the airport is \$1.5 million. Everyone is in our debt limit and are in compliance with everything. The debt service fund is fully funded on October 1 for the next year so the City doesn't have to scramble to make our payments. So the debt service is not a burden.

In Appendix 5 is the history of the millage rate. We have gone to rollback in every year but one of the last 10 years. In that year we held it steady.

Appendix 17 and 18 are personnel costs and number of staff. Ms. Abbott said some departments are reorganizing but there is no changes in the number of employees.

Ms. Abbott said some changes are needed to this draft such as \$84,000 for the Stuart House and a new Civilian position at the Police Department. The Rescue Plan money of \$4 million will be moved from revenue to fund balance.

Mayor Hilligoss asked where the Rescue Plan money was going to go. James Slaton, City Manager, said most of it will go towards our alternative water supply project, as a match for Grove Manor redevelopment and towards the BizLinc incubator project on Lincoln Avenue. Ms. Abbott said these funds are in Capital Projects which is \$9.3 million for next year.

Deputy Mayor Gibson asked if the CRA can cover costs for the \$18.5 million bond. Ms. Abbott said revenues will be \$250,000 more than she projected. We should be able to cover costs for the debt service. We should know those costs for issuing those bonds in September. There is money in the community incentive program that could cover payments if we need it.

James Slaton, City Manager, said property values over the past 12 months have increased to 19.3% that's 10% more than projections. Mr. Slaton said the budget is balanced at the rollback rate.

[Begin memo]

### **Growth Management:**

- Completion of the Utility Service Area Land Use Designation Project – The Purpose of this project is to establish a planning document to identify a preferred land use pattern for properties that are currently in unincorporated Polk County, and in the City's Utility Service Area.
- Corridor Study for 11th Street – Comprehensive transportation review of 11th street in an effort to proactively plan for potential future development.
- Planning Technician– Included in the FY'23 budget request is the proactive addition of a planning technician position to assist with projected increased demands on the development services department related to growth.
- Building Inspector - Included in the FY'23 budget request is the addition of one additional building inspector position to address the expected increase in residential permit activity.
- Office Assistant (Building Department) - Included in the FY'23 budget request is the addition of an office assistant to manage the administrative requirements related to permitting within the building department.
- Code Enforcement - Included in the FY'23 budget request is the restoration of the second Code Compliance Officer position to maintain the community's appears standards. This position was eliminated in 2020 due to fiscal concerns related to the Covid-19 pandemic.

### **General Capital and Significant Projects:**

- \$500,000 is allocated in the FY'23 budget request to resurface city streets. This is the adequate funding level needed to implement the city's pavement preservation plan on schedule and will provide for the resurfacing of approximately 7 to 9 miles of city streets
- Upgrade and replacement of both the Jet A and 100L fuel systems at the airport. This enhancement will replace antiquated equipment and allow for larger aircraft to fuel at the Lake Wales Municipal Airport.

- Rehabilitation of the YMCA swimming pool to meet Health Department requirements.
- Completion of an updated airport master plan to facilitate the growth and development of the airport over the next several years.
- Completion of the Recreation Master Plan and its initial design phase.

### **Redevelopment:**

- The City and CRA will continue implementation of the award-winning Lake Wales Connected plan in FY'23. Activities include affordable housing construction, housing rehabilitation, development incentives, and capital construction.
- Funding is included to support the BizLinc incubator on Lincoln Avenue.
- A Northwest Neighborhood rezoning study will be performed in the upcoming fiscal year to establish design guidelines for Lincoln Avenue and to consider additional housing options in the neighborhood.
- Park Avenue & Market Plaza Streetscape Construction – Funds allocated for the construction of the first transformative streetscape to take place in the historic core. Park Avenue will be converted into a two-way curbside street designed for people. Hanging-flower baskets, enlarged sidewalks, enhanced lighting, gathering spaces and street trees will all be featured in the rebuilt Park Avenue & Market Plaza.
- Northwest Neighborhood Sidewalk & Street Tree Improvement Plan – Allocation of funding for continued design work and the start of construction on new sidewalks in the Northwest Neighborhood as outlined in the Lake Wales Connected plan. All improved streets/sidewalks will feature unique street trees.
- Finalization of the 1st Street Streetscape Design and Potential Construction – 1st Street will be narrowed to improve vehicle safety, while additional space will be available for cyclists and pedestrians, as well as residents and visitors shopping in the downtown district.
- Lincoln Avenue Streetscape – Allocation of funds to begin design work on an enhanced Lincoln Avenue Streetscape. Focus being driven upon “City in a Garden” landscaping, enhanced pedestrian friendly sidewalks, and open spaces. The new enhancements to the district are intended to revitalize the core of the Northwest Neighborhood by attracting new businesses, retail and restaurants.
- Orange Avenue & Crystal Avenue Streetscapes – Allocation of construction dollars for implementation of the Orange Avenue & Crystal Avenue Streetscapes via Rep. Soto grant funding. Both streetscapes will narrow the space allocated for travel lanes to allow for on street parking and street trees.
- LW Connector Trail Design – Design dollars for the Crystal Lake Park North Trail segment. This segment will tie into the Park Avenue Connector Trail and create a full recreational trail loop around Crystal Lake.
- Bok Tower Connector Trail Design – Design dollars for a connector trail starting at Lake Wailes Park, tying into the Rails-to-Trails trail and up to the main gates of Bok Tower Gardens. Residents and visitors will have a safe trail route from Bok Tower all the way to Historic Downtown Lake Wales.
- Public Art – Continuation of murals around town and funds for the start of the Downtown Linear Park Sculpture exhibit.

### **Employees:**

- A 4% Cost of Living Adjustment to mitigate the effects of current inflation levels has been provided for in the FY'23 proposed budget. Public Safety:

- The City will be purchasing a new fire engine to replace a primary response engine that has reached the end of its life cycle.

- In accordance with recommendations from the Center for Public Safety Management, included in the FY'23 budget request is the addition of five equipped law enforcement officers and one property and evidence technician.

**Utilities:** Significant utility projects proposed for the FY'22 budget include:

- The construction of the Northwest Neighborhood water line extension, force main upgrades.

- The completion of the City's Stormwater Master Plan. The creation of the Stormwater Master Plan will mitigate the issues created by water runoff and will positively affect lake water quality. This will be a guide to be used to establish a systematic maintenance and replacement program for the stormwater infrastructure

- Water Main Replacement Phase 2 - Identify and remove old a/c and galvanized pipe in the water distribution system. Areas to be affected are Scenic Highway North of Lincoln Avenue. Hillside Ave, Wildabon Ave, Osceola Ave, and Lakeshore Blvd N and surrounding streets.

- Northwest Watermain Extension - Extend a 12" watermain from the corner of 1st Street and Sessoms Ave, North to JA Wiltshire continuing on to Washington Avenue ending at E Street to tie into the 10" main installed during the pipe bursting project. SRF Funding \$2,258,072.00.

- Reuse Main Extension-Extension of the reuse transmission mains to newly developed areas. Grant Funding Proposed-\$1,000,000.00.

- Sewer Improvements (Septic to Sewer w/ Forcemain Extension) - Connecting current residents inside the city limits, but on septic tanks. Additionally installing forcemains to facilitate the connection and expansion of services.

- Alternative Water Supply Project –Proposed in the FY'23 budget request is the continued independent development of a Lower Floridian Aquifer water supply source.

- Stormwater Restoration-Proposed in the FY'23 budget is e repair of several outfalls and piping along Sunset Dr, Lakeshore South of Polk Avenue, Lakeshore Blvd South at Bullard, North Wales Dr, North of Sessoms Avenue

[End memo]

Mr. Slaton reviewed the highlights of the draft budget.

Deputy Mayor Gibson said he was glad to see the utility lines being put underground in the marketplace. This project has been on the list for 50 years.

Mayor Hilligoss asked when the Master Plan for the Airport will be complete. Mr. Slaton said that is largely complete now. it should be complete by the end of the year.

Mayor Hilligoss asked about the reuse extension North. How far north? Mr. Slaton said they hope to get as far as the Winter Haven Corporation are. Mayor Hilligoss asked about the septic to sewer conversion areas. Sarah Kirkland, Utilities Director, said Bel Ombre, Grove Avenue, Hillcrest and Forcemain extensions on Buck Moore Road up to SR 60 and then over on Scenic Hwy to tie these neighborhoods into the sewer.

Ms. Abbott introduced new staff members Vanessa Avellaneda as Assistant Finance Director and Shirley Temple as Accountant III.

James Slaton, City Manager, reviewed possible plans for the Park Avenue Apartments near the Presbyterian Church by the Care Center. Rob Quam, Director of the Care Center, reviewed their plans for the property and proposed agreement with the City. This project will fit in with the plans for downtown. Families and staff will live there. They are committed to a payment in lieu of taxes. The city will have assurance that the Care Center will keep its promise. Mr. Quam said this project will come back to the Commission for approval for change in zoning and to address foreclosure. There is probably not a developer that would take this risk. Deputy Mayor Gibson asked if the fines would go towards renovating the property. Mr. Quam said the fines would be set aside in an escrow account then as the building is fixed up that money would come back. This ensures the building would be completed. Deputy Mayor Gibson said this needs to be done right. Albert Galloway, Jr., City Attorney, said the seller has agreed to substitute the Care Center as the party defended to take them out of the picture. He will consult with seller and their counsel on this. The Care Center and City are on the same page with this. Deputy Mayor Gibson said we need to treat everyone the same. Mr. Slaton said the issue regarding parking and the Presbyterian Church needs to be addressed. Mr. Quam said the church is willing to work with us on this.

#### 4. Ordinance 2022-40 – 1st Reading Chapter 180 Utility Service Area Boundary

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes an amendment to Chapter 21, Utilities, to create the Lake Wales Exclusive Utility System Service Area.

**RECOMMENDATION** Staff recommends approval of Ordinance 2022-40 on first reading.

#### **BACKGROUND**

In 1994, the City entered into a water and wastewater interlocal agreement with Polk County to define service area boundaries. This agreement was not renewed when it expired in 2014.

In 1998, the City adopted Ordinance 98-06, which created the utility service area lying five (5) miles outside the corporate limits of the City. This ordinance was passed in accordance with the provisions of Chapter 180, Florida Statutes. Ordinance 2005-22, passed on June 21, 2005, subsequently revoked the previous ordinance.

On January 6, 2009, Ordinance 2008-42 was passed. This Ordinance established a Chapter 180 Utility Service Area along State Road 60 west of US Highway 27.

Currently, the City has experienced an increase in development activity on the periphery of the City. To address this activity, and ensure that the City is the primary provider of utilities in this area, Ordinance 2022-40 is proposed. This ordinance, which would create an Exclusive Utility System Service Area, allows the City to be the exclusive provider of water, wastewater, alternative water supply, reclaimed water, aquifer storage and recovery, and desalination systems and services within this area.

The establishment of the Service Area is key to the City's planning efforts. The Service Area designation, combined with the work occurring as part of the Land Use Study, along with the pending Multi-Modal Transportation Impact Fee and Mobility Plan, will ensure that the necessary planning is in place to account for future growth and development.

**OTHER OPTIONS** Keep existing boundary.

**FISCAL IMPACT** There is no fiscal impact at this time.

[End Agenda memo]

James Slaton, City Manager, reviewed this item. He introduced Tom Cloud our attorney on utilities issues to present on this.

Tom Cloud, GrayRobinson, shared his background and experience in utility work. He said this is a service area ordinance. He shared a past presentation on territorial disputes. At heart this is a turf battle. The Ordinance clarifies a "duty to serve" which perfects the planting of a flag. It strengthens protections for our potential areas. When pipes are extended it becomes our service area. There is case law that defends that. The City needs to be vigilant to be sure no one picks off our service area. We need to be diligent about continuing to develop our comprehensive plans and Capital Improvement Plans under that document. We need to persevere in this. Mr. Cloud said an interlocal agreement with the County expired in 2004 and negotiations to renew it have stalled. The county does not stand still and we should not either. Our ability to defend a service area, which is a financial decision, assures that we have a large enough area to make this proprietary operation of the City functional and self-sustaining which is a requirement of our comprehensive plan. This is the impetus behind this. The City had an experience back in 2007 with this. This prevents those kinds of hiccups. Nothing is a guarantee. This approach and language has been field tested in a number of areas. The issue today is water supply and alternative water supply. Before it was how to deal with discharges in the lakes. He shared some examples of these issues. He recommends approval of this ordinance.

Deputy Mayor Gibson said we need better quality of life. It sounds as if cities are competing with servicing more homes. How does this fit in those concerns. Mr. Cloud said we will have the stronger voice when it comes to development in unincorporated areas. This ordinance works with comprehensive plan and unified land development regulations. This ordinance gives us strength to enforce the other documents. Deputy Mayor Gibson said this gives us the opportunity to set the standard. Mr. Cloud confirmed this. Developers in this area know where the line is. If they are not in compliance they won't get services and they are encouraged to work with you. This has been the case elsewhere.

Mr. Slaton asked Mr. Cloud to review the events of 2007 as it relates to our utilities. Mr. Cloud said the City and Winter Haven had a disagreement over the service area in the northwest area. Winter Haven annexed part of what we thought was our service area. The service area ordinance at the time was not what it should of been. There was a settlement reached where Lake Wales made the best possible out of this less than ideal situation setting the service area boundary. Its better to have the Ordinance in place first and then negotiate a territorial agreement.

Mayor Hilligoss said this boundary lays over the land use study boundaries. Mr. Slaton said these pieces work together. Mayor Hilligoss said this plants a flag that's "intent to serve" and show diligence but we don't automatically provide service. Mr. Cloud said its not financially feasible but this language provides best possible defense. A developer can't dictate instantaneous service. Commissioner Krueger asked if that is why Lake Ashton is split between Winter Haven in Lake Wales. Mr. Cloud said probably. That happened earlier but it is in the same general area. The final agreement was blessed by court order in August 2007.

Mayor Hilligoss said questions of growth come up often. The real issue is who is going to be in charge of it. Mr. Slaton said there was a possible development in the north area that could be served by the county. The developer went to the county and we worked with them but development is not happening.

Commissioner Howell asked why the agreement was not renewed in 2004. Did that hurt us? Mr. Slaton said he did not know the thinking behind that decision. Some dialogue was started on this a year ago. Mr. Cloud said it was a territorial agreement. Those are always a good thing as issues are resolved in a friendly manner. We need to declare our service area in the most defensible way possible. The city needs to keep its eye on the ball. This ordinance is a tool to protect the City.

Deputy Mayor Gibson said what we really want to protect as far as quality of life is really in the county. He proposed a joint use agreement to the County. They were receptive to the idea. We can come to an agreement about how service areas will be handled. Mr. Cloud said they can cover more than one issue. In the meantime we should articulate our policy. Mr. Slaton said we should know what we want before we approach the County.

Commissioner Howell said this draws the line between the City and County. This is a blueprint. We may not go that far out but we might if needed. Mr. Slaton said this is a 40 year road map that helps us be proactive not reactive. Mr. Cloud said we may need to have a trade off but its better to be in a stronger

position during a negotiation.

Commissioner Krueger said if someone wants to encroach on our area they need to prove why it would be better.

5. ORDINANCE 2022-37 –First Reading And Public Hearing Proposed Amendments To Land Development Regulations – Downtown Design Standards

[Draft Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to Chapter 23 of the Land Development Regulations (LDRs) to establish architectural and building design standards for downtown. Specific amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) are as follows:

- 1) Section 23-303 Sidewalks
- 2) Section 23-306 Off-street and vehicular areas
- 3) Section 23-307 Landscaping
- 4) Section 23-342 Alcoholic Beverage Sales and Services
- 5) Section 23-353 Outdoor Seating Areas
- 6) Section 23-401 District Classifications
- 7) Table 23-405 Correspondence of Zoning Districts to Comprehensive Plan Land Uses
- 8) Section 23-421 Permitted Uses
- 9) Table 23-422B Dimensional and Area Standards – Nonresidential Districts
- 10)Section 23-423 Downtown Mixed-Use Design Standards (NEW)
- 11)Section 23-545.3 Signage Design
- 12)Table 23-545 Location, Area, and Height Requirements for Signs for Nonresidential Uses
- 13)Section 23-802 Definitions

**RECOMMENDATION** Staff recommends that the City Commission approve Ordinance 2022-37 on First Reading.

**BACKGROUND** The Lake Wales Connected Plan contains 43 Near-Term (Years 1-3) Action Items for implementation. Action Items 14 & 15 are specifically related to downtown design guidelines and zoning:

Action Item # Description

14 Adopt urban form and design guidelines for downtown streets (Park, Lincoln, Stuart, Orange, Central Avenues; Scenic Highway. 1st Street), and for historic restoration and infill of new buildings, based on the urban design recommendation of the Lake Wales Connected Plan.

15 Draft and adopt changes to zoning to implement Plan recommendations, in the form of strategic changes to the existing ordinance or a new Form-Based Code for the core of Lake Wales (include next 3

items)

- Revised local zoning restrictions of bars in Downtown
- Update zoning requirements to permit infill building according to the Plan vision. Reduce or eliminate minimum parking requirements in the core of Lake Wales.
- Streamline development approval process to reduce uncertainty.

To accomplish the above-listed action items, the proposed amendments to Chapter 23, Lake Wales Code of Ordinances) are proposed.

### **Section 23-423 Downtown Mixed-Use Standards**

This new section will implement most of the provisions in the Lake Wales Connected Action Items. Included in this section are the following:

Purpose & Applicability – a description of the proposed new Downtown Mixed Use (D MU) Zoning District, plus descriptions of the Downtown Historic Overlay and the Crystal Lake Overlay. The D-MU zoning district is intended to replace the existing C-1 and C-1A zoning district currently in place throughout downtown. This new zoning district contains standards for rehabilitating, restoring and preserving buildings in this district. The D-MU zone will also shape new development to be consistent with the design principles contained in Lake Wales Connected.

Downtown Historic Overlay - The Downtown Historic Overlay will replace the C-1A zoning district, but will retain the existing requirements for historic structures outlined in Section 23-653. The downtown design standards will supplement, but will not replace, the required review and approval by the Historic District Regulatory Board.

Crystal Lake Overlay – This section is included to recognize the unique environmental and historical character of the commercially zoned properties fronting Crystal Lake.

Building Form Standards – These standards address location of buildings on property, plus lists Primary Frontages and applicable requirements.

Building Height – 3 stories/45’ maximum

Parking – No minimum parking requirements are proposed in the D-MU district, but applicants will be required to provide a parking analysis.

Architectural Standards – This section contains design guidelines for building facades, to include façade transparency and shopfront design. This section also contains criteria for building walls, roofs/parapets, doors/windows, columns/railings, and entrance elements.

Review Process & Administrative Waivers – the Section contains criteria for the Administrative Official to conduct review, and grant waivers when deemed appropriate.

### **Other Changes to Chapter 23**

The other revisions proposed to Chapter 23 are modifications to existing sections. These modifications are proposed to further implement the new D-MU section. Significant changes to this section include the following:

Bars – This use will be defined as “Any establishment with a principal or predominant use of selling, providing, or allowing the consumption of alcoholic beverages on the premises”. Bars are proposed as a Special Exception Use in the D-MU zoning. Within the Downtown Historic Overlay, up to three bars would



be permitted at one time, and tracked using Business Tax Receipts. This is intended to be an incentive to promote the further redevelopment of this area. Additional bars would be allowed in the Downtown Historic Overlay, but only by Special Exception approval.

Outdoor Seating Areas on Public Sidewalks – Currently, this is allowed in the C-1 zoning district, subject to Commission approval. The proposed changes would allow this use in the Downtown Historic Overlay as an administrative approval. This is an example to further incentivizing redevelopment in this area, plus reduce the amount of regulatory requirements (as contemplated by Lake Wales Connected).

Table of Permitted Uses – This table has been modified to include the D-MU district.

Definitions – New definitions are proposed to provide clarity to new and existing uses as a result of these changes.

### **Lake Wales Main Street**

Development Services Staff, along with the project consultant (Dover, Kohl, and Partners), worked closely with Main Street to obtain feedback, plus develop additional text for these changes. Due to these efforts, Lake Wales Main Street has provided a letter of support (please see attachment).

In their letter, Main Street is requesting that the City consider changes to the City's sign regulations. Given the complexity of signage regulations, Staff determined that it was not appropriate to include signage as part of the Downtown Design Standards project.

However, Staff recognizes the need for a review of the City's signage, and has formed a Steering Committee to re-examine the current regulations. The intent is to present changes in the next few months.

### **Historic District Regulatory Board**

Section 23-208.4. Functions, Power, and Duties (of the Historic District Regulatory Board) Includes the following requirement:

*d. To make recommendations to the Planning Board and City Commission for amendments to the code of ordinances and the comprehensive plan on matter relating to historic preservation.*

Because the proposed changes involve historic preservation, the proposed changes were presented to the Historic District Regulatory Board. At their May 19th and June 16th meetings, the Board unanimously recommended approval of the changes to the Planning Board and City Commission.

### **Planning Board**

On July 26, 2022, the Planning Board recommended approval of this request. As previously mentioned, the proposed changes to Chapter 23 will implement certain Action Items listed in Lake Wales Connected. More importantly, it will ensure that redevelopment/new development in this part of Lake Wales is of the highest quality, and is an asset to the community.

**CODE REFERENCES AND REVIEW CRITERIA** Section 23-303 Sidewalks Section 23-306 Off-street and vehicular areas Section 23-307 Landscaping Section 23-342 Alcoholic Beverage Sales and Services Section 23-353 Outdoor Seating Areas Section 23-401 District Classifications Table 23-405 Correspondence of Zoning Districts to Comprehensive Plan Land Uses Section 23-421 Permitted Uses Table 23-422B Dimensional and Area Standards – Nonresidential Districts Section 23-423 Downtown Mixed-Use Design Standards (NEW) Section 23-545.3 Signage Design Table 23-545 Location, Area, and Height Requirements for Signs for Nonresidential Uses Section 23-802 Definitions

**FISCAL IMPACT** None

[End Agenda Memo]

James Slaton, City Manager, reviewed this item and introduced Mark Bennett Development Services Director to discuss this.

Mr. Bennett reviewed this item. This is part of the Lake Wales Connected Plan. He reviewed the steps of this project including the efforts to get public input. He introduced Victor Dover, Dover Kohl, to give a presentation on this.

Mr. Dover shared a slideshow of the proposed changes. He reviewed why these proposed changes were in the Lake Wales Connected Plan. This plan will help new buildings fit in with the old buildings. These will help current buildings to be restored to reflect their full potential and make our downtown look better. Building to street relationships can be improved and add value to property. We need more predictability and that things come out right. We need to make expectations clear. Changes take awhile to take effect. This change makes Lake Wales Connected official. This makes regulations match the vision of the Lake Wales Connected Plan. These changes allow more live-work units, bars and outdoor dining.

Mr. Dover shared a map of the proposed district downtown and the Crystal Lake District. He first discussed setbacks. We have a build-to zone where we want the building close to the street. Some flexibility is allowed. 80% of the lot filled with building is the minimum but 100% is the goal. We don't want curb cuts or driveways added. This is how you make walkable streets. Mr. Dover said this regulates building height. Regarding parking he said this removes parking requirements from our urban core. Applicants are required to explain how parking is addressed. Where parking can occur is identified. Most places have reduced parking requirements. He showed examples of what we want and don't in our downtown.

Mr. Dover said we have a good set of design guidelines. Key provisions of those guidelines are becoming standards or mandatory. This clears up expectations. This makes guidelines more effective. He showed diagrams on how the lines should look. Architects have lots of creative license. Facade transparency guidelines are 60%. Variances will be approved by Historic District Regulatory Board.

We want frequent doors and not just walls. We need something behind the doors even if its shallow. Frontage elements such as balconies or porches have requirements.

These revisions also allow as more live-work units in downtown. Mr. Dover explained that we need to do better at other types of housing than single family homes for downtown. We need to fix zoning for more housing variety.

Mr. Dover said these revisions will allow for more bars but three at a time. Special exceptions can allow more. This doesn't include restaurants. Buildings that don't meet new standards are grandfathered in. If a building is improved more than 50% the new standards apply.

Commissioner Howell said we need more establishments that serve drinks or hard liquor. Can we change this? Other areas can have this. Mr. Dover said restaurants can serve hard liquor. Commissioner Howell said the proximity to schools and churches are inconsistent. Mr. Bennett shared a document reviewing where alcohol is allowed and the different licenses. Commissioner Howell shared examples of bars in Winter Haven and others. Mr. Dover said we have old laws that discourage bars need to be updated. Lake Wales needs to catch up to spur economic development. Mr. Bennett said we need to decide if we want bars downtown. Mr. Bennett said this will provide guidelines for bars. Mr. Dover said there's a whole area where bars cannot go. Commissioner Howell said we need to appeal to every one. A lot of people who want to drink go to Winter Haven. Closing at 2pm is not thriving.

Deputy Mayor Gibson said these standards will bring about spaces people want to be in and they bring their wallets. If we do this we will bring up property values. Commissioner Howell said we need fun downtown.

Mr. Dover said this ordinance is customized to Lake Wales. Karen Thompson, Ronni Wood and Megan McLaughlin contributed to this. Next year we may need a glitch bill to fix errors in this. Mr. Dover said

people like to watch people not cars.

6. ORDINANCE 2022-38 Multi-Modal Transportation Impact Fee 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** The proposed Multi-Modal Transportation Impact Fee will provide the City of Lake Wales with a funding source to address transportation needs.

**RECOMMENDATION** Staff recommends that the City Commission adopt Ordinance 2022-38 on second reading after public hearing.

**BACKGROUND** Many local governments adopt transportation impact fees to mitigate impacts caused on road networks from new development. Currently, the City collects a County Transportation impact fee, and forwards the funds on a monthly basis (less a 3% administrative fee).

While roads are considered the primary method of transportation, there are other methods to move people and vehicles. The term "Multi-Modal" is a more encompassing term that covers all forms of transportation (known as "modes"), such as walking, bicycling, transit, micro-mobility/low-speed vehicles, shared mobility, and motor vehicles.

The Lake Wales Connected Plan contains numerous transportation-related requirements. In addition, several new residential developments are in various stages of approval, with building construction expected in the next few years. To implement Lake Wales Connected, and address the expected transportation impacts from new development, the Multi-Modal Transportation Impact Fee is proposed.

In October 2021, the City Commission authorized staff to direct NUE Urban Concepts to prepare a Mobility Fee and Plan. A Mobility Fee is an alternate funding system that is different in that it is intended to replace transportation concurrency and proportionate-share requirements. However, because of the additional obligations for local governments to complete transportation improvements in the Mobility Fee option, the project was revised to instead create the Multi-Modal Transportation Impact Fee. Attached with this memorandum is the proposed Ordinance (with Fee Schedule).

The proposed ordinance amends the existing section of Chapter 23, Article 7, Division 4, regarding impact fees, and revises the existing text to include Multi-Modal Transportation Impact Fees. A new Section, titled "Multi-Modal Transportation Impact Fees", is also proposed. This impact fee will be a one-time charge assessed on new development. As shown on Schedule C, the Fee is based on specific land uses, with the unit of measure being either per dwelling unit, room, space/lot, square feet, or per acre.

If approved by the Commission, the Ordinance will become effective 90 days after adoption. This is required per Chapter 163.31801(4)(d), Florida Statutes. The proposed Multi-Modal Transportation Impact Fee is an opportunity to obtain funding to address transportation impacts caused by new development that cannot be addressed through the development review process. It will also provide a funding mechanism to promote redevelopment through the provisions of Lake Wales Connected.

On August 2, 2022, The City Commission approved Ordinance 2022-38 on First Reading.

**OTHER OPTIONS** Decline to approve the Ordinance.

**FISCAL IMPACT** If approved, the Multi-Modal Transportation Impact Fee will provide additional revenues for funding various transportation-related projects.

[End Agenda memo]

James Slaton, City Manager, reviewed this item.

7. ORDINANCE 2022-39 To Increase Commissioner Salaries – Second Reading And Public Hearing

[Begin Agenda memo]

**SYNOPSIS:** Ordinance 2022-39 will increase Commissioner Salaries by adding an expense allowance of \$200 monthly.

**RECOMMENDATION** Staff recommends adoption of Ordinance 2022-39 on Second Reading and Public Hearing.

**BACKGROUND** In a recent meeting with the City Manager, a Commissioner expressed a desire to be reimbursed for mileage incurred in the performance of local official duties. Staff is recommending an expense allowance of \$200 monthly that will increase City Commission salaries from \$6,323.27 to \$8,723.27 and will increase the Mayor’s salary from \$9,484.91 to \$11,884.91. In accordance with the City Charter, “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.”

**OTHER OPTIONS** Do not approve the Ordinance.

**FISCAL IMPACT** Commission member salaries will increase by \$2,400.00 annually.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

8. Agreement Renewal With The Polk County Board Of County Commissioners (BoCC) Fleet Management Division For City Vehicle And Equipment Maintenance Services.

**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 of Lake Wales (COLW) 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 (PCFM) provides:

- All labor, parts and outsourced services related to routine, breakdown and/or preventative maintenance. Repairs related to accidents and/or abuse are included but are not within PCFM's basic rate structure.
- Management of accident and/or abuse related repairs in coordination with COLW management personnel.
- Tire maintenance, replacement and/or repairs.
- Service and/or breakdown support, 24 hours/day 7 days/week.

- Repair and/or maintenance of allied tools, equipment and/or small engine machinery.
- Maintenance reporting through the current PCFM automated Fleet Management Information System (FMIS).
- Access to and service from all PCFM's network of garage facilities Countywide.
- Repair and/or maintenance of COLW owned generators, when requested.
- Repairs to shop equipment owned by the COLW if the failed equipment was rendered inoperative due to PCFM.

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:

Fiscal Year Actual (Pre-County Contract 2004-2009)

Fiscal Year Actual (Pre-County Contract 04-09) Salaries M&R Vehicles Operating Supplies Vehicles M&R Vehicles Refurbishment Fleet Operating Budget Total

5-Year Average 126,744 153,571 33,928 3,808 49,778 367,829 Fiscal Year Actual (Post- County Contract 2016-2021)

Fiscal Year Actual (Post- County Contract 17-22) Salaries M&R Fleet Contract Operating Supplies Vehicles/M&R Fleet Non-Contract (budget) M&R Vehicles Refurbishment Fleet Operating Budget Total

2017/2018 N/A 295,006 22,300 0 21,583 338,889

2018/2019 N/A 300,014 22,300 0 23,813 346,127

2019/2020 N/A 249,641 22,300 0 25,827 289,768

2020/2021 N/A 218,519 22,300 0 20,970 259,961

2021-2022 N/A 293,031 22,300 0 24,837 340,168

5-Year Average N/A 227,538 22,300 0 23406 314,983

**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 FY 22/23 is \$279,660. This fee is a decrease of \$13,371 from FY 21/22.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

9. Carpet Replacement – City Hall

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider authorizing replacement of sections of the carpet in the Municipal Administration Building.

**RECOMMENDATION** It is recommended that the City Commission take the following action(s): 1. Authorize staff to expend budgeted funds in the amount of \$58,929.20 for the removal and replacement of carpet in the Municipal Administration Building.

**BACKGROUND** The carpet in the Municipal Administration Building is the original carpet installed when the building was remodeled in 1999. The carpets have been professionally cleaned on multiple occasions, and have passed their useful life span.

The City Commission approved \$100,000 in the FY'21-22 Capital Improvement Program budget to replace the carpet in the Municipal Administration Building. The City Commission approved a proposal submitted by SEMCO Construction, Inc. in the amount of \$35,460 for the main hall and most of the City Manager's office area. \$64,540 was left the budget line for additional areas of the building to have carpet removed and replaced. The City requested a quote to reflect what the cost would be to replace carpet in all remaining areas of the building. The total for the rest of building totaled \$128,082.60.

Staff recommends the City Commission approve the carpet replacement of the following from SEMCO's Proposal:

- Alternate #1 Add Offices and HR - \$31,624.00
- Alternate #2 Add Building Department – \$16,284.00
- Alternate #6 Meeting Bid Room - \$11,021.20 Totaling \$58,929.20

The City of Lake Wales entered into agreements for General/Licensed Building Contractor Services with SEMCO Construction, Inc. and Miller Construction Management, Inc.

**OTHER OPTIONS** The City Commission may reject the proposal submitted by SEMCO Construction, Inc. and direct staff to initiate a sealed bid solicitation.

**FISCAL IMPACT** SEMCO's proposal of \$58,929.20 of the \$64,540 available from the \$100,000 budget appropriation.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

10. Pilot Services Agreement Amendment – Kayaks And Paddleboards

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider amending the Pilot Services Agreement with Rent.Fun for Kayaks and Paddleboard Rentals.

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

1. Approving the Amended Pilot Services Agreement with Rent.Fun.

2. Authorize the City Manager to execute the Amendment on behalf of the City.

## BACKGROUND

City Commission approved the Agreement with Rent.Fun and authorized a \$15,000 activation fee for an 8 unit Kayak and Paddleboard System. The Rent.Fun has been affected by substantial cost increases and delays of the electrical components following their supplier's Covid-related shutdown. Rent.Fun has provided the following information:

"COST INCREASES We have been hit with unexpected and substantial cost increases on our electronic components following our supplier's Covid-related shutdown in Shanghai. While we now have access to the supply that we need, our hardware costs have increased substantially, and inflation and gas prices have hit us hard at the same time. To ensure our programs are sustainable for the long-term, we've been forced to increase our list prices. It is now \$15,000 for a 4-unit station, and \$25,000 for an 8-unit station.

## 4-UNITS STATIONS ARE NOW OUR STANDARD OFFERING

Furthermore, after an in-depth analysis of utilization patterns across our 10 live locations, we've discovered that 4-units are sufficient to meet the demand in the vast majority of locations, as it is extremely rare for more than 4-units to be checked out at once. (On average, this occurs less than once per month at each of our programs). For this reason, we are now recommending to all of our customers to start with a 4-unit rental station, as 4-unit stations take up less space in your parks and generate just as much revenue as an 8-unit station.

YOU'RE IN GOOD COMPANY WITH A 4-UNIT STATION.

Below is a list of customers who have already signed on at the new list price of \$15,000 for a 4-unit station. South Bend, IN Warsaw, IN Olmsted County, MN Bay City, TX Lenexa, KS Mt Dora, FL (pending)

WE STILL EXPECT 100% COST RECOVERY FOR LAKE WALES.

Based on average rental revenues from our other programs, we are still confident that Lake Wales will achieve 100% cost recovery (and more) on its investment of \$15,000. As demonstrated by the gross revenue figures below, each of our locations are currently averaging between \$1500 and \$2200 per month.

## MONTHLY RENTAL REVENUE BY LOCATION June 2022 July 2022

Warsaw IN - Pike lake \$1,470.00 \$2,580.00

Warsaw IN - Center Lake \$1,005.00 \$810.00

Akron, Ohio \$1,050.00 \$1,730.00

Minster, Ohio \$1,160.00 \$1,570.00

Genesee County, MI \$998.00 \$2,145.00

South Bend, IN \$1,064.00 \$1,029.00

Harvard Town Beach \$3,700.00 \$5,870.00

La Porte, IN - Stone Lake Beach \$2,100.00 \$2,060.00

Carbondale IL - Cedar Lake Boat Ramp \$1,540.00

AVERAGE \$1,568.45 \$2,148.22

Even if the Lake Wales location performs half as well as our current averages, (aka \$750 per month), with the proposed revenue share arrangement, the City would be collecting \$7200 per year and would make its money back in year 3 of the agreement. Supporting calculation: \$750 per month \* 12 month operating season = \$9000 per year \* 80% revenue share = \$7200 per year for Lake Wales, FL. "

#### **OTHER OPTIONS**

1. The City Commission may choose to no longer move forward with the Agreement with Rent.Fun
2. The City Commission may choose to move forward with the 8 – unit piece for an additional \$10,000.

**FISCAL IMPACT** The Commission approved the Activation Fee for an 8 - unit system in the amount of \$15,000. The City shall receive 80% of the gross rental revenue received from Watercraft Rentals until the City recoups the Activation in full. After the City recoups the Activation Fee, the City shall receive 20% of program revenue for the duration of the contract.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

#### 11. Special Event Permit: Wine Downtown September 9, 2022

[Begin Agenda Memo]

**SYNOPSIS** This is a request by Main Street to have a wine walk event called Wine Downtown on Friday, September 9, 2022 from 4:00 p.m. – 8:00 p.m. The event will include alcohol.

**RECOMMENDATION** Staff recommends

1. That the City Commission approve the permit request to allow Main Street to host an event in the downtown on Stuart and Park Avenue and Scenic HWY and First Street to include the serving of alcohol on Friday, September 9, 2022 from 4:00 p.m. – 8:00 p.m.

**BACKGROUND** Lake Wales Main Street is planning to host a wine walk type of event on Friday, September 9, 2022 from 4:00 p.m. – 8:00 p.m. This event will allow participants to stroll through downtown with alcohol. Police officers will be present for the event. No streets will be closed.

**OTHER OPTIONS** Do not approve the Special Event Permit.

**FISCAL IMPACT** None. Lake Wales Main Street will cover the cost of off-duty officers.

[End Event]

Jennifer Nanek, City Clerk, reviewed this item.

#### 12. CITY COMMISSION AND MAYOR COMMENTS

James Slaton, City Manager, said a replacement Police vehicle will be on Tuesday's agenda.

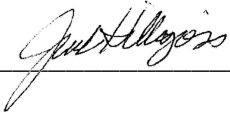
Commissioner Krueger said the service for K-9 Max was an outstanding tribute to the dog and officers of the Lake Wales Police Department. He commended the Mayor for doing a good job.

Mayor Hilligoss agreed and said he was proud of the Police Department.



13. ADJOURN

Meeting was adjourned at 4:40 p.m.

A handwritten signature in cursive script, appearing to read "Paul H. Hayes", is written above a horizontal line.

Mayor

ATTEST:

A solid horizontal line intended for the signature of the City Clerk.

City Clerk