

A workshop meeting of the City Commission was held on March 10, 2009 at 6:00 p.m. in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Lee A. Wheeler, III.

**COMMISSIONERS PRESENT:** Jack Van Sickle; Terrye Y. Howell; John Paul Rogers; Kathy Manry; Mayor Lee A. Wheeler, III.

**COMMISSIONERS ABSENT:** None.

**CITY REPRESENTATIVES PRESENT:** Anthony G. Otte, City Manager; Albert C. Galloway, Jr., City Attorney; Judith H. Delmar, Asst. City Manager; Clara VanBlargan, City Clerk.

## OLD BUSINESS

### **Agenda Item 1. Further Discussion for moving ahead on the City Swimming Pool Project**

Mr. Otte reviewed Agenda Item 1. The full staff memo is incorporated into the minutes.

[Begin agenda memo, prepared by Tony Otte, City Manager]

Issue:

1. Whether or not to build a City Swimming Pool

If yes:

2. Where to build the pool
3. How to fund the capital costs
4. How to fund the operations and maintenance costs

Staff Recommendation:

1. Put the question of whether or not to move forward on the building of a specific swimming pool proposal on the April, 2010 ballot;
2. Appoint a swimming pool committee;
3. Instruct the committee to prepare a prioritized list of at least three swimming pool proposals as noted below to the City Commission no later than September 30, 2009. Each proposal will contain a location and a capital and operations and maintenance budget;
4. The City Commission shall pick one proposal to be put on the ballot;
5. The swimming pool committee will then hold at least six workshops in different locations around the City to inform the voters of the merits of the proposal to be voted on.
6. If the vote passes, the City Commission will begin the process for pool construction per the proposal. If the vote fails, the Commission will decide what, if anything, to do next on this topic.

Background:

This "Recommendation for Action" is intended to bring closure to this long standing issue. It is anticipated that the prioritized list of at least three swimming pool proposals will include the following elements:

Location

Swimming Pool locations to be considered will include the following:

- On Scenic Highway, between Seminole Ave and the CSX building, with the locker rooms to be constructed in the CSX Building;

- On Scenic Highway, just North of Seminole Ave behind the Kirkland gym, using the locker rooms for the Kirkland gym which would have to have additional toilet facilities added per state building code regulations to accommodate the swimming pool;
- On the campus of Lake Wales High School next to the gym, if the Lake Wales Charter School and the Polk County School Board agreed to partner in this operation, using the existing gym locker rooms which may have to have additional toilet facilities added; and
- At the Lake Wales YMCA, in partnership with the Y, to expand the present swimming pool and enclose it, using the existing locker rooms which may need additional toilet facilities.
- Other locations that may be identified by the Committee.

#### Budget

The budget would include both capital and operations and maintenance expenses, and a plan for the collection of necessary supporting revenues. It is anticipated that the operations and maintenance costs will have to be supported by either an assessment of properties or an additional tax on city properties.

[End agenda memo]

Mr. Otte reported that since this agenda memo was written, the Unity and Community organization hosted a meeting on the swimming pool. They discussed a doing a community survey. He said what he really liked about the Unity and Community effort is that its right in line with the Lake Wales method of offering recreation service, through a partnership. We already have partnerships for recreation such as the Little League which has been in existence for over 50 years, the Gators Football, which has been around for about three to five years, the Boys and Girls Club, and the Little Theatre. Mr. Otte said this new idea is right up that alley in exploring the possibility with doing something with the YMCA, and he is excited about it.

Betty Wojcik, 4005 Dunmore Drive and representative of the Unity and Community, said the Unity and Community is an organization that celebrates the strength that diversity brings to our community and it encourages greater understanding among all ethnic populations in Lake Wales. She said that she is speaking on behalf of Unity and Community. The idea of building a pool for the residents of Lake Wales goes back more than 40 years. Today, there are funds set aside for construction of a recreational pool by the City of Lake Wales and there are several potential locations that have been identified, but there is no funding for ongoing maintenance if a pool is constructed. There are some that believe the pool will begin to become a political issue to be raised again and again forgotten or tabled due to budgetary concerns. Ms. Wojcik said they believe this issue has more to do with our future than with our past and it is in fact a quality of life issue. It deserves the time necessary for serious planning with input from every Lake Wales resident without becoming a political football. She said the Executive Director of the Lake Wales Family YMCA, Nate Siedle, joins them in this effort. He has experience in the successful funding and construction of a community pool using the same survey and planning process that they are recommending. Ms. Wojcik said she is here to ask the Commission to give the Unity and Community members the time that they need to do it right: to develop and conduct a survey of residents, determine what kind of pool facilities our residents would enjoy, get some idea of the cost to build and maintain that pool, recommend what most believe is the best location for potential users, and recommend a strategic plan that would include ideas for future add-ons if the cost is more than what we can afford at this moment. She said they would also like the time to discuss options and to determine potential funding and/or operating partners to make this worthwhile and cost effective for the City of Lake Wales and its residents. Ms. Wojcik asked the Commission to allow Unity and Community to work with the City to survey the residents and to come back to the City Commission with some recommendations, perhaps for a strategic plan that will allow them to move forward. Ms. Wojcik said by working together we could make this dream become a reality.

Clinton Horne, 507 E. Polk Avenue, said he tried conducting a phone interview with all the members of Unity and Community who were not present at the meeting when the swimming pool was discussed to see if they supported this effort. He said that everyone he spoke with were in support of this effort. Mr.

Horne said he also spoke with a number of people in the northwest area to see if they supported this issue. Although they were not all in support of what they want to do, they were all in support of them moving forward in this manner. He said that their agenda is the Lake Wales agenda, which means that they want to do the right thing for Lake Wales.

Commissioner Rogers said it is good to get input from the community. Unity in Community can study the issue to determine how we can finance the pool, where it will be located, and how we would maintain it. That information can be brought back to the Commission to determine what needs to be done. He said that he is in favor of making a deal with the YMCA or the Charter School group to get help with the financing and the maintenance of the pool. However, if the Committee reports back with a better recommendation he is willing to change his viewpoint on it. Commissioner Rogers said he is personally in favor of putting the pool at the James P. Austin Community Center, but due to the financing issues it would be better to put it at the Charter School or the YMCA.

Commissioner Howell commented she is very happy that the citizens of Lake Wales will be able to participate in this effort to get the swimming pool in Lake Wales. This way, it will not be a political effort. She said that she does not want the pool located at the Lake Wales High School, the YMCA or the James P. Austin Community Center because this is a community pool and not a black community pool. We want to make sure that all of the children and adults in Lake Wales will feel comfortable with attending a community pool. Commissioner Howell said she is thankful that Unity and Community, along with Ms. Wojcik, came up with this idea. It is nice to know that the right people are doing this for the community.

Commissioner Van Sickle said he is not sure why Ms. Wojcik and Unity and Community want to study the cost and operational expenses of the pool because we already did a good job at that, but that is fine. We spoke with the Lake Wales High School about putting the pool there and they were not in favor of it. He said he hopes that this Committee has a little more success in trying to get someone to possibly join in. As far as the location, the Committee should be looking at any location that would be a good place for the pool versus just picking out a few locations that are listed in the recommendation. The City has done a study of what it would cost to convert the CSX building to a changing room facility for the pool if it were to be located there, and a study of what it would take to make a changing room at the gym for the pool. Commissioner Van Sickle said he does not think the gym would be a good location for the pool because of the potential liability issues going on there. The Committee should be very open on looking at places within the City and if they can share it with the YMCA or the Lake Wales High School that would be good. He said he does believe their numbers will be fairly close to our numbers.

Ms. Wojcik said the idea is to get input from our residents as to what they would like to see, which could be a little different than what was studied in the past. It may or not be feasible, but that would all be part of it. She said they would not be ignoring the work that the City has put into this. The City is one of the partners that would be involved in this process of looking at the information that has already been gathered as well as sitting down with the high school and the YMCA so that we can come back to the Commission with a good recommendation. If it is too expensive to do what a majority of the people's survey would like to see us do then we would hope to come back with another recommendation and have a plan in place to move forward as the dollars become available. Commissioner Van Sickle said the key is to come back with a recommendation on how we are going to get that revenue because right now, the City can't afford to raise taxes to support it. It has to be supported some other way.

Commissioner Manry said she attended the Unity and Community meeting when the swimming pool was being discussed. She said that one of the things that was very exciting to her was that we now have Nate Siedle, who has done this project before in a community just our size. He not only has experience in community building but also in swimming pool building. Mr. Siedle is the one who talked to us about doing the questionnaire that we would get out to as many people as we possibly can. A lot of what he said was so sensible but certainly never crossed her mind before. Wherever that pool is built, just having the support of somebody that knows how to do it and who is interested in our community the quality of life for all the people in Lake Wales. The Unity and Community's goal is to create conversation among the people of our community. The pool issue has been discussed at their last three meetings and something productive is coming out of it. She said that Mr. Siedle said we should be able to do this within a couple of

months. Commissioner Manry said she is very enthusiastic about this project and she is very open minded as to where we are going to go with it.

Mayor Wheeler said he also attended one of the Unity and Community meetings where the pool was being discussed. He said what struck him was the buy in from so many diverse groups. This effort by Unity and Community is to be applauded because it has been an issue that has turned this town apart for decades and there has always been excuses of why it can't be done. We need the consent of the community for a project of this magnitude to succeed. Mayor Wheeler said he enthusiastically endorses the Unity and Communities effort in this.

The consensus of the City Commission was for Unity and Community to proceed.

Commissioner Van Sickle said a motion needed to be made at the next Commission meeting to relieve him of the pool committee. He said although he was part of the pool committee he was not part of the conversation with Unity and Community. Commissioner Manry said Commissioner Van Sickle was the committee for the pool.

## **Agenda Item 2. Discussion of Lincoln Avenue Lighting Project**

Mr. Otte reviewed Agenda Item 2. The full staff memo is incorporated into the minutes.

[Begin agenda memo, prepared by Tony Otte, City Manager]

Issue: Whether to remove the blue poles by simply painting them black, or by removing them and installing the acorn light poles, either the type that is on Central Ave or the type that is around the Lake Wailes trail?

Staff Recommendation: Follow the suggestion made by David Smith to paint the existing poles, which will result in major savings that can be shifted to installing acorn light poles on Dr. Martin Luther King Jr. Blvd.

Background: Changing out this lighting has been discussed for some time and funding was included in both the CDBG grant application and the CRA bond issue. Staff will make a presentation on this item.

[End agenda memo]

Mr. Otte said he spoke with the City's Bond Council, George Smith, who said that the resolution for the bond is flexible enough to allow this proposal. It would be a major cost saving to paint, rather than replace, the light poles on Lincoln Ave.

Mr. Torrance said that the original project was to replace the poles with acorn light poles, which would cost about \$20,000 more than what is budgeted in the CRA bond. Although it would be cheaper to paint the poles, taking them down could be a problem. There could be deteriorated parts in the head of the poles that could break when taking them apart. So, we won't know the exact cost. Right now, to paint the poles would cost around \$30,000 to \$40,000 versus the \$160,000 to \$170,000 to replace them. There are 64 poles that need painting and in order to do that the poles must be taken down first.

Commissioner Van Sickle said there are two different areas that need discussing at the same time: the Dr. Martin Luther King Avenue poles and that we are only getting part of the CDBG grant we applied for. Part of the grant was going to be used to replace the poles. Until we get Lincoln Avenue up and running, we will be bringing lights there without having the buildings finished. We need to re-look at the money and possibly do something to help a gentleman there who is trying to get a laundromat going, get businesses in there, get that area up and viable, and not spend a whole lot of money on light poles now. The money could be used to give interest free loans to people to help them put businesses in, etc. So, there are a lot of things that need to be discussed before spending over \$300,000 in this budget on lights.

Commissioner Rogers asked if the light poles needed painting right now. Mr. Torrance said no. They all work except about seven of them. However, we do want to go ahead and purchase the new heads for the existing lights.

Linda Kimbrough, 307 Florida Avenue, said we want to get the lights replaced as soon as possible. The citizens in the Northwest area have hated those lights ever since they were put there. They never asked for blue lights. The lights do not necessarily have to be replaced but painted black, which would be much cheaper than trying to replace them. We like the style of the lights because they light the place up much better than what the lights do on Central Avenue. She said that the City's Purchasing Agent said it would cost about \$3,000 just to replace just one of those lights, which does not include the cost of installation. Ms. Kimbrough said that is more than what she would like to see spent when we can do something else with the money. Ms. Kimbrough said there are other issues other than trying to replace lights. The installation cost hasn't been researched, there are perfectly good sidewalks there that would have to be taken up to put in the wiring, and then the sidewalks would have to be replaced. We would be incurring unnecessary expense by replacing the lights at this particular time because the sidewalks are in good shape.

Commissioner Rogers asked if the poles could be sandblasted in place and painted. Mr. Torrance said that sandblasting creates a big mess. The cheapest way would be to take them down, sand them, and then put them back up.

Commissioner Howell said that we might not need the \$300,000 plus right now, but when you have something that is earmarked she does not see taking the money and doing something else with it. If that's the case we could also take money from somewhere else and do a lot of things we need to do. Commissioner Van Sickle said that bond money has to be spent within a certain time frame. The money that is earmarked for Dr. Martin Luther King would not take care of what were trying to do. So, trying to spend the money now, we would not get anything. That's why we need to look at spending the money differently.

Mr. Torrance explained that there is no problem with the Lincoln Avenue project because the money is there, but the problem with the Dr. Martin Luther King project is that it is a \$200,000 budget with zero infrastructure in the ground to support any of the lights coming in. If we went with the same lights as the ones on Lincoln Avenue they would cost around \$2,300 each and the acorn lights would cost around \$2,900 each. The number of lights that we would be able to put up would be dictated by what it would cost to put the infrastructure in the ground. The money we have for that project would not go very far.

Commissioner Manry said we are carrying on two conversations. We are only supposed to be discussing Lincoln Avenue.

Mr. Otte asked if the lights on Lincoln Avenue had been allocated in the bond. Mr. Torrance said yes, which would result in cost savings of about \$120,000. Mayor Wheeler said that cost savings would probably fund a very good business development plan. He said he remembers the City trying to do that before but it resulted in a spectacular failure. We have to be careful when doing that because everyone has to have an equal shot at the money. However, the idea of sandblasting the poles does free up some money that could be used for something like business development on Lincoln Avenue. Once you get one business going it works as a seed for something else. Commissioner Manry said that is a third conversation.

David Smith, Babson Park, said that Dr. Martin Luther King is the gateway to the northwest area like Central Avenue is the gateway to the downtown area where you have acorn lights. That is the reason we started talking about getting acorn lights on Dr. Martin Luther King. But, because of the cost, we chose standard lighting instead. We would like to have lighting on Dr. Martin Luther King between Sr. 60 to Dr. J. A. Wiltshire Avenue along with some shrubbery. We want Dr. Martin Luther King to look like Central Avenue.

Mayor Wheeler asked how long it would take to sandblast 64 light poles. Mr. Torrance said not every pole would be taken down at once. Every other pole will be taken down so there would still be lighting on Lincoln Avenue. We would have to go out to bid if the cost exceeds \$25,000. The entire cost would have to come out of the bond money. The poles will not be sandblasted. They will be taken down and sanded.

It was the consensus of the City Commission to take down the poles and sand them.

Mr. Otte said the bond money was allocated for the lighting on Dr. Martin Luther King because of David Smith's questioning and proposal that we do that.

## **NEW BUSINESS**

### **Agenda Item 1. Discussion on the Community Re-development District**

Commissioner Rogers said that he would like to see a committee made up of two or three City Commissioners and two or three of the people involved in the CRA. This would allow more input.

Mayor Wheeler said that, in his opinion, the CRA should not be comprised of just City Commissioners.

Ms. Delmar said that one of the things the Commission needs to think about when talking about changing the structure of the CRA is that the City Commission retains control of the expenditure of \$2.5 million of revenue or does that go to the Committee. When the CRA was originally formed it had control of the tax increment, which was fairly small at the time. Then at some point during the initial discussion about the Central Avenue Streetscape, the City Commission restructured it so that all financial matters had to go to the City Commission for approval. The CRA became an advisory board to the City Commission in terms of what work was going on in the CRA but when it came to spending the money it had to be approved by the City Commission.

Commissioner Rogers said that the main function of the CRA is to get businesses on the tax rolls. He said that we need to work toward a better goal and he does not feel as though CRA money is being wisely spent.

Mayor Wheeler asked the process of changing the CRA. Ms. Delmar said it would require an ordinance. Mayor Wheeler said he would like to see at least two additional people added to the board that are not connected at all with the City.

Commissioner Manry said whether we change the CRA or not we need to change our focus.

Ms. Delmar said that most CRA's around the state are comprised of only City Commissioners.

Linda Kimbrough, 307 Florida Avenue, said she remembers when there were three branches of the CRA and at that time there was nothing for the northwest area until we went to the City Commission and requested that we have something in the northwest area because it wasn't fair that we were paying taxes and not getting anything. So, that was when CRA-3 was created, which covered the northwest area. But, there was very little that CRA-3 received from the CRA. David Greene, former City Manager, combined all the CRA's and made them one.

Mr. Otte said that Ms. Kimbrough is the City's re-development consultant and she and Clinton Horne are currently working on a plan for the northwest area. Mr. Horne said they have almost completed their proposal and are getting ready to make a recommendation. He said we have to do something to get these properties back on the tax rolls and whatever it takes to get that done, that is what they are prepared to work with. Mr. Otte discussed the plans and the progress being made on the Walker building on Lincoln Avenue. He said his recommendation would be to, at some point, convey that building to a group like the Green & Gold Foundation. Commissioner Van Sickle said that groups that are 501C3 can't put it on the tax rolls. Mr. Otte said that if it is a commercial use or lease then that puts it on the tax rolls.

Commissioner Van Sickle said he believes the City Commission should have the final say on the CRA. He is not opposed to having community members, especially people who are used to developing property, on the Board. But, the Commission has to control that money.

Mayor Wheeler asked Mr. Otte to have the CRA Steering Committee bring a proposal to the City Commission on their idea of changing the CRA to add individuals. Mr. Otte said if that is the consensus of the Commission then he would ask them for a recommendation.

Ms. Delmar said that the CRA tax increment is composed of two parts: the City part and the county part. Without that CRA expansion we would not have \$2 million a year to spend in the CRA. CRA-1, which is the downtown area, was formed in 1986 and that increment has increased over the years to generate a \$136,000 worth of income from the City and \$126,000 from the county. CRA -3 was formed in 1993 or 1994, and that increment has grown to \$89,000 from the City and \$82,000 from the county. So, they are stand-alone CRA's. They are not generating a significant amount of revenue to do any kind of development. The expansion, which occurred in 1998 and 1999, is \$1,054,000 from the City and \$979,000 from the county. So, that expansion is what's giving us the funds to do anything with. At the time that CRA was expanded, part of the emphasis was on redevelopment of the entire City, which was filled with aging infrastructure, roads, streets, water and sewer infrastructure etc. A lot of progress has accumulated over the decades, which was a redevelopment effort because without those improvements we couldn't attract economic development. She said that revenue that is coming into our community is being spent in our community.

It was the consensus of the City Commission for the CRA Steering Committee to bring back a proposal to the City Commission.

**Agenda Item 2. A review of the landscaping plans for US27 from Vanguard School to Cypress Gardens Blvd.**

Mr. Otte introduced Marshall Whidden, registered landscape architect. He said that the Commission hired Mr. Whidden to draw up the plans for this project. Only FDOT money would be used for this project. Whoever gets the bid to do this would be required to maintain the plants for a year and then after a year the plants will be settled in. The plants will not require an irrigation system, but we will have to cut the grass and trim around them. Mr. Marshall told about his plan and addressed questions by the Commission.

**Agenda Item 3. A discussion of a proposed ordinance to allow voice votes**

Mr. Otte said that for the Commission to continue to do voice votes an ordinance would have to be adopted to allow that, which would be brought forward at the next meeting. The current code requires a roll call vote on all matters except for approval of minutes.

**Agenda Item 4. A review of whether or not to go to bid on property and casualty insurance**

Mr. Otte said that if we go out to bid and the low bidder is another firm other than PRM and they met all the requirements, we would be required to take the lowest bidder. The low bidder may be only slightly lower, which he said was his fear. It isn't easy to forget that five years ago PRM provided us with over \$7 million dollars in claims and they were just fantastic to work with. Mr. Otte said that he would hate to lose them over a slightly lower bid. He said that his recommendation would be to not go out to bid. Ms. Delmar added that we went out the bid twice in the last five years and in the second round only two bids were received, one from PRM and one from the company that is suggesting that we go out to bid now. They could not compete with PRM and at that time.

Sandra Davis, Human Resources Director, said that according to the Bylaws with PRM we can only do three notices to withdraw and we have already done that twice. Ms. Delmar said the concern is that if they remained our company our position in the pool would be weakened because it destabilizes the pool every

time we do something like that. Our premiums have been steady. Ms. Davis said she has already received notice from PRM that we are getting a reduced rate of at least 10%.

It was the consensus of the City Commission to not go out to bid.

There being no further business, the meeting was adjourned.

  
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Mayor/Commissioner

ATTEST:

  
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City Clerk

