

A meeting of the Lake Wales City Commission was held on August 6, 2013 at 6:00 p.m. following the invocation and the Pledge of Allegiance in the Commission Chamber at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz.

INVOCATION

The invocation was given by Doctor Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Michael S. Carter; Betty Wojcik; Christopher Lutton; Mayor Gene Fultz

COMMISSIONERS ABSENT: Jonathan Thornhill

CITY REPRESENTATIVES PRESENT: Kenneth Fields, City Manager; Clara VanBlargan, City Clerk; Jacquie Hawkins, Deputy City Clerk; Albert C. Galloway, Jr., City Attorney

City Attorney Chuck Galloway explained that Commissioner Thornhill was absent due to medical reasons and that he requested that it be an excused absence. Commissioner Wojcik made a motion to excuse the absence of Commissioner Thornhill. Commissioner Lutton seconded the motion.

By Voice Vote:

Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Commissioner Carter	"YES"
Mayor Fultz	"YES"

The motion carried 4-0.

[Meetings are recorded but not transcribed verbatim]

MAYOR

Agenda Item 5. PROCLAMATION: Florida Water Professionals Week; August 11-17, 2013

Mayor Fultz presented the Public Works Department a proclamation proclaiming August 11-17, 2013 "Florida Water Professionals Week" in honor of the important job staff does in providing potable water and reuse water to the community and treating wastewater and stormwater. On behalf of Public Works, Public Works Director Tom Moran, Chief Water Operator Holly Britt, and Wastewater Plant Operator Chris Jackson accepted the proclamation.

Mayor Fultz commended the Lake Wales Police for their participation in the Cops and Bobbers Event at Lake Wailes Park the past weekend when police officers went fishing with community school children.

CONSENT AGENDA

Commissioner Lutton pulled Agenda Item 9 for further discussion and separate vote.

Agenda Item 6. APPROVAL OF MINUTES: July 16, 2013, Regular Meeting Minutes

Agenda Item 7. Lake Wales High School Homecoming Parade 2013 – Special Event and Road Closings

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The approval of the special event permit application and the request for street closings will allow the Lake Wales High School Homecoming Parade to be held on Thursday, October 10, 2013.

RECOMMENDATION

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

1. Approve the special event permit application from Lake Wales High School for the Homecoming Parade to be held Thursday, October 10, 2013 from 4:00 pm to 6:00 pm.
2. Approve the request for the road closing of First Street from SR60 to Central Avenue, Central Avenue from First Street to Lakeshore Boulevard, and from Lakeshore Boulevard to North Wales Drive at Legion Field
3. Approve the closing of Orange Avenue and North 5th Street to Sessoms Avenue

BACKGROUND

Ms. Donna Dunson, Principal of the Lake Wales High School submitted a special event permit application for the Homecoming Parade to be held on Thursday, October 10, 2013 between the hours of 4:00 pm and 6:00 pm. Parade line up begins at 4:00 p.m. in the parking lot of Polk Avenue Elementary School and on south First Street with the parade starting at 5:00 p.m. The requested temporary street closings will involve the following streets;

First Street from State Road 60 to Polk Avenue, north to Central Avenue, east on Central Avenue crossing SR 17 and continuing to Lakeshore Blvd., north on Lakeshore Blvd. to North Wales Drive, Orange Avenue to N 5th Street, N 5th Street to Sessoms Avenue

The crossing of Scenic Hwy (SR 17) requires a road closing permit from the Florida Department of Transportation. This permit request has been submitted to the FDOT office in Bartow. All Departments have reviewed the application and have approved the event. Lake Wales Police Department and VOICE will be available to provide escort for the parade and for traffic control. The Streets Department will be providing assistance with the barricades for the street closings and will take care of the normal street cleaning on Friday. The school has provided the required proof of liability insurance.

OTHER OPTIONS

Do not approve the request for the Homecoming Parade and the road closings for the event.

FISCAL IMPACT

In-kind service from the City is estimated to be \$1,341.00 for FY2013/2014. Lake Wales High School is responsible for 25% of the total cost for in-kind services in the amount of \$335.25.

[End agenda memo]

Agenda Item 8. Interlocal Agreement Amendment #4 – Winter Haven Area Transit System (WHAT)

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The City Commission will consider extending the Winter Haven Area Transit System Interlocal Agreement, Amendment #4, with the Polk County Board of County Commissioners for FY2013-2014.

RECOMMENDATION

It is recommended that the City Commission approve Amendment #4 to the Interlocal Agreement with the Polk County Board of County Commissioners for the management and operation of the Winter Haven Area Transit System and the "Fair Share" contribution up to \$5,433 for FY13'14.

BACKGROUND

The Winter Haven Area Transit System is currently providing transportation service to six municipalities, one of which is Lake Wales. Service level forecasts for the WHAT system for FY13'14 are based on each municipality's commitment and is critical to the continuation of service at near current service levels. The assessed amount is based solely on the percentage of service being provided within each respective municipality and is considered a "fair-share" contribution.

In August of 2009, the Lake Wales City Commission approved the first Interlocal Agreement with the Polk County Board of County Commissioners for transit bus service. The "Fair Share" contribution of up to \$5,433 for Amendment #4 has not changed since the original agreement.

OTHER OPTIONS

Do not approve the Amendment #4 and the "Fair Share" contribution.

FISCAL IMPACT

The fiscal impact is up to \$5,433 which is included in the proposed FY13'14 budget

[End agenda memo]

Commissioner Wojcik made a motion to approve the Consent Agenda excluding Agenda Item 9. The motion was seconded by Commissioner Carter.

By Voice Vote:

Commissioner Wojcik	"YES"
Commissioner Carter	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 4-0.

Agenda Item 9. Southwest Wellfield – Letter of Intent

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

Polk County Utilities Division is requesting the City's continued support in the development of the Southeast Wellfield Permit Application Submittal by the signing of the Southeast Wellfield Letter of Intent.

STAFF RECOMMENDATION

It is recommended that the City Commission approve signing the Southeast Wellfield - Letter of Intent by the Mayor.

BACKGROUND

Based on the growing potable water demand, and the current surface water recovery strategies being implemented to increase minimum flow levels in many of the primary alternative water sources within Polk County, the development of the Polk County Regional Water Supply Plan identified and developed potential future water sources for each city to use as growth necessitated the need for additional water. To meet these needs, Polk County, in a cooperative effort with the Southwest Florida Water Management District and the South Florida Water Management District, selected Reiss Environmental to aid in the development of the comprehensive Water Supply Plan to identify and quantify viable additional public water supply sources, particularly alternative water supply sources, as needed to meet the future potable water and non-potable water needs of various public utility systems within Polk County. This process included investigation of multiple water resources including ground water, surface water, reclaimed water, storm water, and other means of providing adequate water services to future residents within Polk County. The final plan set forth several projects and strategies which would materially provide new water supplies for targeted public utilities.

The City Commission at its September 9, 2009 City Commission meeting, approved Resolution 2009-11 expressing support for the 2009 Polk County Comprehensive Water Supply Plan and approval of the future water supply project listing. The County began investigating the lower Floridian Aquifer to determine its feasibility as a future water supply source. Following the substantial hydro-geologic investigation, Polk County proposed a new regional wellfield in southeast Polk County, east of US 27 and south of State Road 60. It is staffs understanding that the anticipated average annual day production of the wellfield and its associated facilities for public supply is projected to be as much as 30 Million Gallons per Day (MGD). An advanced treatment process is proposed to treat the water quality as determined by hydrogeological testing. Also considered in the project is a major transmission system to deliver the new regional water supply to individual Polk County municipalities that wish to participate. It is anticipated that the City of Lake Wales will have a benefit of up to 3 MGD of additional water supply to meet future demands. Residing in an inland county, staff understands that the non-traditional water supply options are limited in number and in magnitude of supply.

The City Commission at its May 3, 2011 commission meeting approved the signing of the Letter of Intent in aid of Polk County Utilities submitting a permit application to the South Florida Water Management and the Southwest Florida Water Management for the construction of the southeast wellfield. It is understood that Polk County Utilities is in the last phase of permitting and the regulatory agencies are requesting confirmation that the City of Lake Wales' City Commission is still interested and committed to providing support to Polk County Utilities efforts to develop the Southeast Wellfield project which had been previously identified and documented in the 2009 Polk County Comprehensive Water Supply Plan.

It is recommended that the Commission take the following action of approving for the Mayor to sign the Polk County Utilities-Southeast Wellfield Letter of intent as a show of support that the City is still looking to this new wellfield as an alternative water supply for future potable water needs.

OPTIONS

If the city chooses not to participate in the Southeast Wellfield Project, the City at such time would be required to absorb the entire cost associated with an alternate source for water supply.

FISCAL IMPACT

There is no immediate cost for the city's approval of support as expressed in the Southeast Wellfield Letter of Intent at this time. At such time when a fixed cost has been assigned, it will be brought back before the Commission for approval as an addition to the Utilities Capital Improvement Plan.

[End agenda memo]

Utilities Project Administrator Sarah Kirkland reviewed Agenda Item 9.

Commissioner Lutton said he thought there were four wellfields in the Master Plan. Ms Kirkland introduced Gary Fries, Polk County Utility Director, who was present to answer questions. Mr. Fries said they have identified other projects in the Water Supply Plan that will come at a later time. The Southeast Wellfield located southwest of Lake Walk-in-Water to serve future growth of Lake Wales is just one of those projects. The project has moved to the permitting stage and one SWFWMD requirement is to make sure all the participants are still interested in the project and will agree to pay its portion.

Commissioner Wojcik asked if this item would be coming back before the Commission when hard numbers on costs are available so they have the opportunity to consider that cost. Mr. Fries said absolutely. He said the Commission was provided a copy of the presentation with estimated numbers to give them some idea, but after they get the permit they will come back with the actual cost and Participation Agreement. The Commission will decide how much water will be needed and agree to pay for its portion. Commissioner Wojcik asked how long he thought that would take and Mr. Fries said probably within six months.

Commissioner Lutton said, according to the presentation, the City would not start making payments until 2017 and the water wouldn't start flowing until 2023. He asked if they planned on keeping that schedule even if there is no demand. Mr. Fries said it is a flexible, demand-based project, meaning if there is nothing happening and no more water is needed, the schedule can be moved out. But, if water is needed sooner, the schedule can be compressed a little bit. He said they think it will meet the needs of eastern Polk County for the next thirty to forty years.

Commissioner Lutton said Lake Wales is not a major player. Winter Haven is. He expressed his concern with the cost to Lake Wales. He said if they can use reclaimed water for irrigation all over town it will greatly reduce the potable water demand. He thought the commission should do some research before signing the agreement in six months and he wants to feel comfortable that the Commission is making the best possible decision. He asked if SWFWMD would require them to turn off their regular wells and just use the county water source. Mr. Fries said it will be built in three ten-million-gallon increments. At first the City will get 1MGD from the southeast wellfield and use its own water supply to take care of the rest. Cities would have to use the wellfield water first but that would only offset a small amount of the demand. He said water is going to get more expensive over time no matter where you get it, if you can get it at all, and you won't be able to drill a well like in the past. This regional plan has some benefits though because SWFWMD has indicated that it will pay 50% of the project.

Commissioner Wojcik asked if the City made any projections for water use and Ms. Kirkland said the last Water Utilities Master Plan for the City was in 2006 and by using growth projections they have determined that the City will probably have a water deficit in twenty years. Mr. Fries said SWFWMD has updated the population projections which show there will be a demand during the lifespan of this project, though that number will change. They encourage the cities to use as many conservation measures possible because conservation is the cheapest alternative. But at some point, even after conservation measures are completed, there will be more need.

Mayor Fultz asked if we basically will be on our own if we opt out of the plan. Mr. Fries said the City can still buy in, but it will cost more the next go-round.

Commissioner Lutton asked if the capacity of agricultural property converts to the City's potable use if that property is turned into residential/commercial property. Mr. Fries said that if the property has a well on it that water supply will be available and they could use those wells to supply some of their need.

Commissioner Carter asked if SWFWMD will be developing city conservation programs. Mr. Fries said the county is the spearhead for conservation projects, which they work on all the time so this natural resource will last longer. He said the County is currently involved in a countywide conservation program to evaluate irrigation systems and identify ways they can be operated more efficiently. He said that though there is a cost up front for conservation projects, it is the most equitable and financially positive way of getting more water because after that initial cost there is no more. Commissioner Carter asked if they have specific programs for municipalities to help them encourage citizen conservation on a daily basis by doing things like planting fauna needing less water. Mr. Fries said they have those programs available and they would gladly work with the City

Commissioner Carter made a motion to approve the signing of the Southeast Wellfield - Letter of Intent by the Mayor. The motion was seconded by Commissioner Wojcik.

By Voice Vote:

Commissioner Carter	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

Agenda Item 10. Master Consulting Agreement #12-348 with Metzger & Willard, Inc. for Engineering Services for the new Lake Wales Cemetery

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The City Commission will consider approving a master consulting agreement for professional services pertaining to the engineering design of the new 20 acre cemetery and construction of the first 5 acres.

RECOMMENDATION

Staff recommends that the City Commission take the following action:

1. Approve the Master Consulting Agreement #12-348 with Metzger & Willard, Inc for the engineering design of 20 acres and construction assistance of the first 5 acres for the new Lake Wales Cemetery in the amount of \$95,050.

BACKGROUND

At its regular scheduled commission meeting on June 18, 2013 the City Commission directed staff to begin the design and engineering phase for the new cemetery.

The City of Lake Wales proposes to construct a new cemetery located at Hunt Brothers Road and Lake Bella Road. The City owns approximately fifty (50) acres of land, north of Hunt Brothers Road, in the vicinity of the Southside Elevated Storage Tank. This land is commonly referred to as "The Billy Allen Groves". The land was purchased in January 2007; additionally the City may set aside up to 5% (2.5 acres) of the property for the location of a water tower. The land is currently under a three (3) year renewable lease (starting in 2012) and is being used for citrus production.

The Willow Lawn Cemetery, approximately ten (10) acres, is at capacity and the Lake Wales Cemetery, approximately twenty eight (28) acres, is nearing capacity which has created the need for an additional cemetery.

The City previously developed a conceptual design with the assistance of AMEC Environmental and Infrastructure to convert 20 acres of "The Billy Allen Groves" between Hunt Brothers Road and Ray Martin Road and east of Lake Bella Road into a new cemetery.

The City has asked Metzger & Willard, Inc., who is currently under contract with the city for engineering services, to propose services for the final development of the conceptual and final engineering and design of the cemetery and assist with bidding, permitting and construction services. It is understood that the City plans to construct the cemetery in four (4) phases of five (5) acres each.

Metzger & Willard, Inc. will provide project management, survey, civil, electrical design of the 20 acre cemetery and provide permitting assistance, and construction assistance for the first five (5) acres of the design (phase I) under this contract as discussed above.

FISCAL IMPACT

The finance department has recommended debt issuance for this project.

OTHER OPTIONS

The City Commission has directed staff to move forward with this project.

[End agenda memo].

Public Service Administrator Teresa Allen reviewed Agenda Item 10.

Commissioner Lutton asked what amount was budgeted for the project. Finance Director Dorothy Ecklund said if she remembered correctly, it was something like \$480,000 so she did an estimate on the debt service for half a million dollars. Commissioner Lutton asked what was budgeted for just the design phase line item and if we were within that budget. Mr. Moran said he did not have that number with him but they checked the figures two or three times and the numbers looked good.

Commissioner Carter said he believed the Commission directed staff to look at how they could make the new cemetery self-sustainable through an Enterprise Fund project and he asked how that plan was progressing as he thought the Commission should meet to discuss that. Ms. Ecklund said they had a workshop with the Commission on that and that the following had been presented to them at the meeting:

- The rates that needed to be charged within an Enterprise Fund
- The recommendation that \$35,000 be allocated to the Enterprise Fund for the five or six years it will not be sustainable by itself, with the understanding that once the trust fund was built up, it would pay back the General Fund
- The cost of development and construction
- The construction timeline

Ms. Ecklund said the direction given to staff at that time was:

- For the Public Works Department to move forward with the design phase
- To work on the changes in the ordinance that will be needed to create an enterprise fund for the cemetery
- For the Finance Department to move forward with financing the half-million dollar construction phase.

She said all of those items will be built into the rate structure.

Commissioner Carter asked if that was now in place. Ms. Ecklund said all the pieces were moving forward as follows and an item will be brought back to the Commission:

- The Administration is working on the ordinance.
- The Public Works Department is working on construction
- The Finance Department is working on the financing which would be brought back to the Commission the second meeting in September.

Commissioner Wojcik asked if the financing would include the construction of the fire station and Ms. Ecklund said it would.

Commissioner Lutton commented that he would like the Commission to discuss the project plans during the conceptual phase, before proceeding with the construction plans. He said they are representing the desires of the people and he wanted it to be something pleasing to look at so people can be proud of it.

PUBLIC COMMENT

There were no public comments.

Commissioner Wojcik made a motion to approve the Master Consulting Agreement for the engineering design of 20 acres and construction assistance of the first five acres of the new Lake Wales Cemetery.

The motion was seconded by Commissioner Carter.

By Voice Vote:

Commissioner Wojcik	“YES”
Commissioner Carter	“YES”
Commissioner Lutton	“YES”
Mayor Fultz	“YES”

The motion carried 4-0.

Agenda Item 11. Appointments – Boards, Commissions, and Committees

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

The appointments will fill vacancies due to resignations, expiration of terms, newly established boards, etc.

RECOMMENDATION

It is recommended that the City Commission make the appointments as deemed appropriate.

BACKGROUND

Vacancies exist on various Boards, Commissions, and Committees due to resignations, expirations of terms, newly established boards, etc. The City Commission is asked to make the appointments as deemed appropriate.

CRA Citizen Advisory Committee – The committee consists of five (5) members. Members must own property or operate a business within the voting district provided that the residence or business of the nominee is within the boundaries of the CRA. (2 year term)

- a) *There is no interview process requirement for applicants applying for appointment to this board.*
- b) *Members are not required to file an annual Form 1, Statement of Financial Interests*
- c) *Current Vacancies: 3 residents in specific voting district or meeting other requirement in specific voting district*

Seat 2, District 19 vacancy:	term expires 07/01/14
Seat 3, District 122 vacancy:	term expires 07/01/15
Seat 5, District 28 vacancy:	term expires 07/01/15

Applying for appointment: none

Applying for re-appointment (Seat 3, District 122): Narvell Peterson, resident

Mayor Fultz reappointed Narvell Peterson to serve as a member to the CRA Citizen Advisory Committee for a term expiring on 7/01/15. Commissioner Carter made a motion consenting to the appointment made by the Mayor and Commissioner Wojcik seconded the motion.

By Voice Vote:	
Commissioner Carter	“YES”
Commissioner Wojcik	“YES”
Commissioner Lutton	“YES”
Mayor Fultz	“YES”

The motion carried 4-0.

Depot Advisory Commission – The commission consists of ten (10) members. At least six (6) members must reside in the City, and no more than four (4) members may reside outside the City. (3-year term)

- *There is no interview process requirement for applicants applying for appointment to this board.*
- *Members are not required to file an annual Form 1, Statement of Financial Interests*
- *Current Vacancies: 2 residents; 3 non-residents*

2 vacancies:	term expires 07/01/14
3 vacancies:	terms expire 07/01/16

Applying for appointment: Francis Alvarez, resident

Applying for re-appointment: none

Mayor Fultz appointed Francis Alvarez to serve as a member to the Depot Advisory Commission for a term expiring on 7/1/16. Commissioner Lutton made a motion consenting to the appointment made by the Mayor and Commissioner Wojcik seconded the motion.

By Voice Vote:

Commissioner Lutton	"YES"
Commissioner Wojcik	"YES"
Commissioner Carter	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Historic District Regulatory Board – The board consists of five (5) members, of which 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- 1) *An interview process is necessary for new applicants only.*
- 2) *Members are required to file an annual Form 1, Statement of Financial Interests*
- 3) *Current Vacancies: 2 residents or own property in City or meets other requirement*

This appointment is to reappoint a current member to serve in a vacant Seat with an expiring term of 07/01/16.

1 vacancy; resident or own property in City or meets other requirement	term expires 07/01/15
1 vacancy; resident or own property in City or meets other requirement	term expires 07/01/16

Applying for appointment: none

Applying for re-appointment: Diane Armington, owns property in city

At the June 18, 2013 City Commission meeting, Ms. Diane Armington was reappointed to serve on the Board for a term expiring on 07/01/15. Ms. Armington would like to be reappointed to serve in the original seat she has been serving in that has an expiring term of 07/01/16.

Mayor Fultz reappointed Diane Armington to serve as a member to the Historic District Regulatory Board for a term expiring on 7/1/16. Commissioner Wojcik made a motion consenting to the reappointment made by the Mayor and Commissioner Carter seconded the motion.

By Voice Vote:

Commissioner Wojcik	"YES"
Commissioner Carter	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Housing Authority – The board consists of five (5) members. Members must reside in the City, own property in the City, or hold a valid occupational license issued by the City. One (1) member must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority. No member may be an officer or employee of the City. (4-year term)

- *An interview process is necessary for new applicants only.*
- *Members are required to file an annual Form 1, Statement of Financial Interests*
- *Current Vacancies: 1 resident who meets other requirements*

The member appointed must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority.

1 vacancy:	Terms expire 07/01/17
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Applying for appointment: none

Applying for re-appointment: Lisa Montgomery, resident of the housing

Two other applicants applied for appointment to the Housing Authority Board, but they were not a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority.

Mayor Fultz reappointed Lisa Montgomery to serve as a member to the Housing Authority for a term expiring on 7/1/17. Commissioner Lutton made a motion consenting to the reappointment made by the Mayor and Commissioner Wojcik seconded the motion.

By Voice Vote:

Commissioner Lutton	"YES"
Commissioner Wojcik	"YES"
Commissioner Carter	"YES"
Mayor Fultz	"YES"

The motion carried 4-0.

OPTIONS

Do not appoint the applicants named above and seek other applicants; however, it may be difficult for the boards to obtain a quorum until vacancies are filled.

FISCAL IMPACT

None. These are volunteer citizen boards.

[End agenda memo]

Agenda 12. Preliminary Financial Statements for June 30, 2013

The full staff memo is incorporated into the minutes.

[Begin agenda memo]

SYNOPSIS

These are the preliminary financial statements report revenues received and the expenditures made through the end of June 30, 2013.

The unaudited financial statements for the City of Lake Wales for the period ending June 30, 2013 are presented to the City Commission for review. At the end of June 30, 2013 the City was 75% into the fiscal year.

General Fund (001), page 1:

The General Fund appears to be materially on target with expenditure expectations. Several revenue categories appear less than expected by a projected \$61,000. These categories include the Electric Franchise Fee (possible \$21,000 shortage), Court Fines (possible \$25,000), Interest Income (\$10,000) and Other Misc Income (\$5,000). Staff will continue to monitor revenues and a possible budget amendment could be needed if these items do not improve within the next three months.

Also, there is uncertainty relating to when the city should expect to receive the \$55,000 from the Hartland Project. Staff has requested confirmation from the project manager on when to expect the "financial

close" in order for the City to receive these funds. If this funding is not received by the end of the FY 2012'13 this would cause an additional revenue shortage for this amount.

Transportation Fund (102), page 6:

The Transportation Fund expenditures appears to be materially on target with budgetary expectations, however gas tax revenues are lower than expected by an estimated \$17,000.

On July 9th, the Commission directed staff to issue a notice of termination letter to Southwest Florida Water Management District (SFWMD) relating to the Polk Avenue Retention Pond Project. The City of Lake Wales entered into a cooperative funding agreement with the SFWMD in January 2011. This project entailed the construction of a retention pond and outfall structure to facilitate the reduction of pollutants entering Lake Wailes due to storm runoff.

For the last 2 ½ years the City has carried forward this project within the City's budget. State funding for this project is on hold at the district level. In the next budget amendment \$52,500 will be released from appropriations which will elevate the possibility of a budgetary shortfall within the Transportation Fund.

CRA Fund (105), page 11:

The CRA fund appears to be materially on target with revenue and expenditure expectations. The Finance Department has concerns over the CRA's funding ability during FY 2014'15 and 2015'16.

Library Fund (110), page 16:

The Library Fund appears to be materially on target with revenue and expenditure expectations. A mid-year analysis has been completed on both revenues and expenditures with no unusual items noted.

Debt Service Fund (201), page 21:

The Debt Service Fund appears to be materially on target with revenue and expenditure expectations except for the Electric Franchise Fee. Revenue from the electric franchise fee appears to be \$12,000 less than expected. Staff will continue to monitor this revenue source and a possible budget amendment could be needed if this item does not improve within the next four months.

Utility System Fund (403), page 27:

The Utility System Fund appears to be materially on target with revenue and expenditure expectations. A mid-year analysis has been completed on both revenues and expenditures with no unusual items noted.

Airport Authority (404), page 29:

The Airport Authority appears to be materially on target with revenue and expenditure expectations. A mid-year analysis has been completed on both revenues and expenditures with no unusual items noted.

[End agenda memo]

Finance Director Dorothy Ecklund reviewed Agenda Item 12.

- The Finance Department planned to post the budget memo the following day, which would include all the significant items in the budget as follows:
 - The big concepts
 - The big changes in the budget compared to last year's budget
 - The millage rate
- The updated budget was to be posted the following day to include the following minor changes totaling less than \$25,000: liability insurance, from a projected 20% increase to 15% increase, the purchase of a fire rescue vehicle and to correct the police dispatch contract amount.

Commissioner Wojcik asked about the pension projections. Ms. Ecklund said all pensions boards have to meet before Friday to take a vote and hopefully they have come to a mutual agreement. The pension attorneys are drafting the needed changes to the ordinance and Ms. Ecklund said she hopes to have a

commission meeting the following week, depending on what the unions decide, in order to meet the September 30th deadline. Because the pension plan will affect the budget, which is scheduled for first reading on September 3rd, there could be a special pension meeting on August 27th, if necessary, if all goes as planned.

Commissioner Carter asked if the Commission would receive figures to compare the proposed agreement to that of FRS. Ms. Ecklund said not for converting to FRS and explained why. She said they would receive the following information at that meeting:

- The dollar amount if they want to consider the changes
- The dollar amount if they want to stay where we are

Utility Director Tom Moran said that at a previous city commission meeting staff was directed to write a letter to SWFWMD to terminate the contract with them for the \$52,500 retention pond project because the time period ran out, which he did. That seemed to get their attention for a SWFWMD engineer responded that they were still interested in doing the project. Therefore a meeting had been set up for them to discuss it the following day. Mr. Moran made the following comments about the project:

- Mr. Moran said it was a good project because:
 - It's the least expensive option for improving the water quality in Lake Wailes
 - 75% of the project will be paid by SWFWMD.
- Mr. Moran said there were issues that needed to be addressed:
 - **Funding:** The money that had been allocated for the project, that lay dormant for two years, is no longer in the budget and cannot be added because the budget is fixed for next year. Mr. Moran intends telling the engineer that the city is still interested in the project if the work can proceed but the city can allocate the funds to be paid out in FY14/15.
 - **Bike Trail Project:** The City has a trail grant to repave the bicycle path and a 150 ft. of the newly paid section would have to be ripped up for the construction of the retention pond.

Commissioner Carter asked why the retention project had been held up for nearly three years and Mr. Moran said SWFWMD was afraid the money wouldn't be there because of the Lake Belle lawsuit against the City. He assured them that the money was encumbered but they ignored it.

If SWFWMD agrees to his proposal to defer the payment until FY 14/15, Mr. Moran will tell the engineer constructing the bike path not to repave that 150 ft. section.

Ms. Ecklund said that because the City will only have to pay 25% of a project that Mr. Moran says will be good for the City, and because the project has lingered for three years and they finally have gotten SWFWMD's attention, if SWFWMD commits to a certain timeframe so both projects can be coordinated and the City doesn't end up with two unfinished projects, her recommendation would be to take the \$52,500 out of reserves, which is the type of thing that fund is intended to be used for, through a budget amendment, though of course that decision was up to the Commission. She said that if the pensions come through as she hopes, there will be about \$1,084,000 in the reserves. She asked for direction from them.

Commissioner Carter asked who originally requested the retention pond, SWFWMD or the City. Mr. Moran said SWFWMD broached the subject to the City in a report, asking if they wanted to participate in the project. Because at some point the Environmental Protection Agency is going to come down on municipalities about the nutrient criteria of their lakes, and because the County is already preparing to require municipalities to sample every lake for contaminants (and it's almost guaranteed that the results will not be good) he thought it was a good plan.

Commissioner Lutton said that because the City can't afford to pay for the project out of FY13/14 budget, if the payment can wait to FY14/15, he would recommend not rushing the engineering because it wouldn't be a big deal to tell the bike path grant engineers not to pave that small section.

Mr. Moran said even if the SWFWMD engineer agrees to that scenario, that decision would have to have SWFWMD approval.

PUBLIC COMMENT

Mimi Hardman, 300 S. Lake Shore Blvd, spoke in favor of the plan.

CLOSED PUBLIC COMMENT

CITY MANAGER

City Manager Kenneth Fields said he just had his first chance to review the budget and informed the Commission that he could not attend the first budget workshop on September 3, 2013 as prearranged because of a prior commitment he could not break. He said he would talk to each Commissioner about the budget during their individual meetings.

City Commission Tracking Report: Ms. Ecklund said she made sure the tracking report was updated before she left on personnel leave and that all projects are proceeding as expected.

City Commission Calendar: The City Commission scheduled its budget workshops as follows:

Tuesday, August 13, 2013, 5:00 p.m. – Police, Fire, Library, Airport, and CRA

Tuesday, August 27, 2013, 5:00 p.m. – General Fund and all others

Commissioner Wojcik said the new city manager is setting up individual meetings with each commissioner before the August 13th budget workshop so if there were concerns about the budget they would have an opportunity to discuss those concerns prior to the budget workshop.

COMMUNICATIONS AND PETITIONS

Charlene Bennett, Planning and Zoning Board member, commented that when the Commission sets up meetings on the last Tuesday of the month, the regularly established Planning and Zoning Board meeting has to be canceled or postponed, making it necessary for the scheduled applicants to be notified, or they have to move the meeting to another location. She asked that this be considered in the future when they schedule their workshops.

CITY COMMISSION COMMENTS

Commissioner Wojcik asked for an update on the committee that was supposed to be formed with the business community to review the sign ordinance. Assistant Planning & Development Director Kathy Bangley reported that the Planning & Zoning Board held a public forum on July 26th and that only eight or nine people showed up out of 478 invitations that were sent. In the same letter she put a survey and received only 19 responses. She said they will consolidate the feedback, take that information to the Historic District Regulatory Board; Parks & Community Appearance Advisory Board; and the Planning & Zoning Board, and then bring back a recommendation to the City Commission for its consideration. Commissioner Wojcik asked if any of those who were at the City Commission meeting when they were reviewing it, came to the meeting. Ms. Bangley said at least one came. Commissioner Wojcik asked if Dr. Matthews was one of them because he had a good idea and Ms. Bangley said he was not present. Commissioner Carter asked if she thought the meeting was productive and she said it was too soon to tell.

Commissioner Carter welcomed newly hired City Manager Kenneth Fields as it was his first commission meeting to attend. Mr. Fields said he was looking forward to serving the Commission and the community.

Commissioner Carter made the following comments and asked the following questions:

- He commented that the city website had some outdated information on it and asked if there was someone that was supposed to update it. Mr. Fields said he already noticed that and procedures are now in place to address the issue so the website stays current.
- Commissioner Carter said he noticed that a new sign was put up across from Kiwanis Park stating that golfing was prohibited. He said this was the only place they can hit a golf ball in town and asked why after ten or twelve years the sign was placed there.

Building Official Cliff Smith said he has seen people hitting golf balls there but never noticed the sign, didn't know anything about it because code enforcement didn't put it there, and he didn't know it was prohibited.

Public Service Director Teresa Allen said the signs have been up for years, the reason being that there have been times city workers were almost hit by golf balls while mowing and there is fear that one of them may be hit as well as people walking on the trail. She added that the sign may have fallen down because recently Ms. Pennington put up a new one.

Commissioner Wojcik said if someone was hit by a golf ball on city property and the sign was not there the city would probably be held liable.

Commissioner Lutton said that, in a perfect world, if golfers saw children kicking soccer balls around, they would stop. But the City can't count on that. He asked who they would report an infraction to if they saw someone hitting golf ball there.

Mayor Fultz said he supposed the police should be called for enforcement.

Commissioner Carter said there are ordinances such as that dumpsters are required to be put on a pad with a three sided structure to block it from view, and that grass clippings cannot be blown in the streets, yet they are not being enforced. He asked who decides which ordinances are or are not going to be enforced, and who is supposed to enforce it.

- Commissioner Carter asked if they ever considered putting permanent restroom facility near the basketball court and gazebo area at Lake Wailes Park because of all the events held there. Ms. Ecklund said she doesn't remember that being in the CIP.

Commissioner Lutton said he would like to see the Parks Department located there in a nice facility along with new basketball courts and possibly tennis courts, and have the lake front cleaned up so there can be swimming there once again. He said he realized it would take years to come to fruition but that would give identity to the city and would be a nice historic central point.

Commissioner Wojcik said there are enough events at the lake to merit having restroom facilities. It would be well utilized and would draw additional people to events.

Mayor Fultz said he would love to have sand brought in to use it as a beach but. asked who it was that would do a feasibility study to determine the safety of swimming in a lake that has runoff problem, and figure out what would have to be done to make it usable.

PUBLIC COMMENT

City Commission Meeting
August 6, 2013

Mimi Hardman, 300 S. Lake Shore Blvd., suggested locating and moving an important historic building earmarked to be abolished to the lake to use for that purpose. She said it did not cost that much to move the houses they use for museums. Mayor Fultz said they could make that a part of the feasibility study.

The meeting was adjourned at 7:07 p.m.


Mayor/Commissioner

ATTEST:


City Clerk

PRESENTATION

It is with extreme pleasure that I take this opportunity to congratulate you on behalf of the Commission, Staff and Residents of the City of Lake Wales on the receipt of the annual Florida Water & Pollution Control Operators Association Safety Award for a Class C Water treatment system.

This award reflects highly on your leadership and managerial skills and provides a goal for all state-wide water treatment facilities to emulate.

Well Done

Congratulations

Thank You



Eugene D. Fultz

Mayor

City of Lake Wales