

The meeting of the Lake Wales City Commission was held on November 17, 2015 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz at approximately 6:00p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Howell; Pete Perez, Christopher Lutton; Jonathan Thornhill, Deputy Mayor; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: None

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

5. MAYOR

Agenda Item 5.I. Proclamation: The Lake Wales Charter Schools College Fair Month; November 2015

Mayor Fultz read a proclamation recognizing November 2015 as "The Lake Wales Charter Schools College Fair Month." The proclamation was accepted by Jesse Jackson, Superintendent of the Schools for the Lake Wales Charter Schools System; Donna Dunson, Principal of the Lake Wales High School; Andy Oguntola with Valencia College; and John Kimbrough, Kimbrough & Associates Resource Consultant.

6. PRESENTATION/REPORT

Agenda Item 6.I. Presentation: How Colleges/Universities View The City Of Lake Wales And What The Lake Wales College Fair Has Done For The Future Students Of The City

Andy Oguntola gave a PowerPoint presentation on how colleges and universities view the City of Lake Wales and what the Lake Wales College Fair has done for the future students of the City. He said this is an opportunity for kids and parents, and asked that everyone get the word out about what is going on in the City of Lake Wales to empower them to come here.

Agenda Item 6.II Presentation: Envisors Presentation – Holiday Charity Drive

Steve Elias, representative of Envisors, gave a presentation on their Holiday Charity Drive.

7. COMMUNICATIONS AND PETITIONS

Gary Gose, VFW 2420 Commander, commented on the Veteran's Day Parade held on November 11, which he said was successful. He told of upcoming events they will be having and invited everyone to attend.

James Bryant, non-resident and owner of property in the City of Lake Wales, spoke in opposition of the recently adopted fire assessment fee.

Wanda Webb, resident, spoke in opposition of the recently adopted fire assessment fee. She said residents were informed that the bill would be mailed out in November 2015 and payment would not be due until March 2016. Instead, the bill was sent out in October 2015 and the payment is now due in January 2016.

Charlie Pittman, resident, spoke in opposition of the recently adopted fire assessment fee. He explained that the fee has caused a hardship for him.

8. CONSENT AGENDA

Agenda Item 8.1. APPROVAL OF MINUTES: November 3, 2015 Regular Meeting

Agenda Item 8.II. Jewel of the Ridge Jazz Festival; April 9-10, 2016

[Begin Agenda Memo]

SYNOPSIS

This Special Event Application is for the Jewel of the Ridge Jazz Festival hosted by the Polk State College Arts Center on April 9-10, 2016 in Lake Wailes Park.

RECOMMENDATION

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

1. Approve the special event permit application for the Jewel of the Ridge Jazz Festival to take place on Saturday April 9, from 11am -9pm and Sunday April 10, from 11am - 6pm with set up to begin Friday April 8 at 8:00am
2. Approve alcohol sales within a designated area as shown on the map.

BACKGROUND

The Polk State College Lake Wales Arts Center has applied for a special event permit to hold a jazz festival on Saturday & Sunday April 9-10, 2016. The set-up will begin at 8:00am on Friday April 8th and the event will take place Saturday April 9th from 11:00am – 9:00pm and Sunday April 10, from 11am -6pm.

The sponsors request permission to establish a designated area to serve and consume alcohol.

The PSC Lake Wales Arts Center will utilize services of off-duty officers from the Lake Wales Police Department during the entire event. This will be paid by the sponsors.

OTHER OPTIONS

Do not approve the special event application.

FISCAL IMPACT

This was budgeted in FY 2015-16 at \$913 with the sponsor paying 25% at approximately \$228.

[End Agenda Memo]

Agenda Item 8.III. Requested revision to the Lake Wales Arts Council Special Event Permit for “Make It Magical” 2015

[Begin Agenda Memo]

SYNOPSIS

The approval of the requested revision to the special event permit will allow for the Lake Wales Art's Council to also temporarily close Park Avenue at SR 17, Park Ave. and Market Street, Market Street at Central Avenue and Stuart Avenue at 1 st Street. These requested additional closings are for the holiday event "Make It Magical" on December 4, 2015 between the hours of 5:00 p.m. and 9:00 p.m. The temporary closing of the Marketplace, a portion of Stuart Avenue and several city parking lots in the downtown area were previously approved.

BACKGROUND

At the September 3, 2015 meeting the Lake Wales City Commission approved the special event permit application for the "Make It Magical" event to be held Friday December 4, 2015 between the hours of 5:00 p.m. and 8:30 p.m. The approval was as follows:

Approved the special event permit application from the Lake Wales Art's Council to hold a holiday event "Make It Magical" on December 4, 2015 between the hours of 5:00 p.m. and 8:30 p.m. with set up beginning at 4:00 p.m. The temporary closings of the following were approved: A portion of Stuart Avenue from South Market Street to Scenic Highway (SR17) for carriage rides, the Marketplace, the Marketplace parking lot, both city lots on the east end of Stuart Avenue at Scenic Highway (SR17), the alley between Stuart Avenue and Park Avenue from SR17 to First Street and several parking spaces on the west side of South Market Street at Stuart Avenue for food vendors.

Since this approval Wells Fargo Bank has agreed to close off access to their bank and drive through at 4:00 p.m. in support of this event. This will allow for more of downtown to be closed to traffic allow pedestrians to walk about safely.

OTHER OPTION

Do not approve this requested revision.

FISCAL IMPACT

There is no additional cost for this revision

[End Agenda Memo]

Agenda Item 8.IV. Preliminary Financial Statements for October 31, 2015

[Begin Agenda Memo]

SYNOPSIS

The preliminary financial statements report revenues received and expenditures made through the end of October 31, 2015.

The unaudited financial statements for the City of Lake Wales for the Period Ending October 31, 2015 are presented to the City Commission for review. At the end of October 31, 2015 the City was 8.33% into the fiscal year.

General Fund (001), page 2:

The General Fund appears to be materially on target with revenue and expenditure expectations.

Transportation Fund (102), page 7:

The Transportation Fund appears to be materially on target with revenue and expenditure expectations.

CRA Fund (105), page 12:

The CRA fund appears to be materially on target with revenue and expenditure expectations.

Library Fund (110), page 17:

The Library Fund appears to be materially on target with revenue and expenditure expectations.

Utility System Fund (403), page 27:

The Utility System Fund appears to be materially on target with revenue and expenditure expectations.

Airport Authority (404), page 29:

The Airport Authority appears to be materially on target with revenue and expenditure expectations.

[End Agenda Memo]

Deputy Mayor Thornhill made a motion to approve the Consent Agenda. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Thornhill	"YES"
Commissioner Howell	"YES"
Commissioner Perez	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

9. OLD BUSINESS

Agenda Item 9.I. Ordinance 2015-12, Amending Schedule Of Construction Meter Fees – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider Ordinance 2015-12 amending the Lake Wales Code of Ordinances, Chapter 21, Section 21-172. - Miscellaneous charges for water system services. The increase in the deposit requirement for construction/hydrant meters eliminates the City's out of pocket cost to replace these meters.

RECOMMENDATION

Staff recommends that the City Commission adopt Ordinance 2015-12 after second reading and public hearing.

The City Commission approved first reading of the ordinance on November 3, 2015. The advertisement requirement for second reading and public reading has been met.

BACKGROUND

On September 3, 2015, the City Commission approved Ordinance 2015-07 which amended the water and sewer rates including the deposits for these services. There was an oversight and deposits for construction/hydrant meters were not changed at this time. As with all other deposits the yearly increase of the deposit amount is to keep up with the rates for the services they are to cover. When contractors request a construction/hydrant meter, the deposit that is paid is to cover the cost of the meter in the event the meter

is damaged, not returned, or stolen while in the contractor's possession. In years past the deposit was \$500.00 which was insufficient enough to cover the cost of replacement and the city had to eat the cost to replace these lost, damaged or stolen meters. That cost of replacement has been approximately \$1500.00 per meter. Staff wants to raise the deposit requirement for these meters to \$1500.00, which is the cost to cover replacement. Staff recommends the commission approve Ordinance 2015-12 an ordinance of the City of Lake Wales, Polk County, Florida, amending Lake Wales code of ordinances Chapter 21 Utilities, Section 21-172 amending the schedule of construction meter fees; providing for severability; providing for an effective date.

FISCAL IMPACT

The increase in the deposit requirement for construction/hydrant meters eliminates the city's out of pocket cost to replace these meters. OTHER OPTIONS Do not approve Ordinance 2015-12. The city would continue to pick up the cost to replace damaged, stolen, or not returned meters from the contractor.

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2015-12 by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 21 UTILITIES, AMENDING THE SCHEDULE OF CONSTRUCTION METER FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Chief Water Operator Holly Britt reviewed Agenda Item 9.I.

OPENED PUBLIC HEARING

There was no comment made by the public.

CLOSED PUBLIC HEARING

Deputy Mayor Thornhill made a motion to adopt Ordinance 2015-12 after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill "YES"
Commissioner Howell "YES"
Commissioner Perez "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0

Agenda Item 9.II. Ordinance 2015-13, FY14'15 Budget Amendment #1 – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider approval of the final budget amendment for FY 14'15 that was adopted on September 16, 2014.

RECOMMENDATION

It is recommended that the City Commission adopt Ordinance 2015-13 after second reading and public hearing.

The City Commission approved first reading of the ordinance on November 3, 2015. The advertisement requirement for second reading and public reading has been met.

BACKGROUND

Ordinance 2014-11 estimating revenues and appropriating funds for Fiscal Year 2014'15 was adopted by the City Commission September 16, 2014. We are presenting for first reading an amendment of Ordinance 2015-13 to modify the estimates of revenues and appropriations budgeted in various funds. Exhibit A and B provide the detail for the proposed amendment. This budget amendment is based on unaudited financial reports for the accounting period ending on 09/30/2015.

OTHER OPTIONS

This is a required budgetary amendment which must be adopted no later than November 29, 2015 per Florida State Statute 166.241(4).

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2015-13

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2015-13 by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2014-15 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2014-2015 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Dorothy Ecklund reviewed Agenda Item 9.II.

OPENED PUBLIC HEARING

There was no comment made by the public.

CLOSED PUBLIC HEARING

Commissioner Lutton made a motion to adopt Ordinance 2015-13 after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Lutton	"YES"
Commissioner Howell	"YES"
Commissioner Perez	"YES"
Deputy Mayor Thornhill	"YES"
Mayor Fultz	"YES"

The motion carried 5-0

Agenda Item 9.III. Ordinance 2015-14, Amending Chapter 16, Pension & Retirement, General Employees' Pension Plan – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The Commission will consider amending the General Employees' Pension Ordinance to comply with Internal Revenue Code, and provide authorization to the IRS for a Favorable Determination Letter. There is no fiscal impact to bring us into compliance with the Internal Revenue Code.

RECOMMENDATION

Staff recommends that the City Commission approve Ordinance 2015-14 after first reading.

BACKGROUND

Ordinance 2015-14 is housekeeping in nature and will bring the city into compliance with the Internal Revenue Code (IRC) requirements. The first proposed amendment is to Section 16-46 Benefit Amounts and Eligibility and will change the not to exceed dollar limit of a members accrued benefit from \$5,000 to \$1,000 per the IRC 401(a)(31)(B). The second proposed amendment is to Section 16-61 Eligible rollover Distributions and will update the language as recommended by the IRS.

The proposed amendments are not benefit enhancement and have been recommended by the Internal Revenue Service.

OTHER OPTIONS

None.

FISCAL IMPACT

There is no fiscal impact to bring us into compliance with the Internal Revenue Code

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2015-14 by title only:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WALES AMENDING THE CITY OF LAKE WALES GENERAL EMPLOYEES' PENSION PLAN AND TRUST; AMENDING SECTION 16-46 BENEFIT AMOUNT AND ELIGIBILITY; AMENDING SECTION 16-61 TO RESTATE ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Dorothy Ecklund reviewed Agenda Item 9.III.

OPENED PUBLIC HEARING

James Bryant, non-resident and owner of property in the City of Lake Wales, asked for clarification of what was being voted on and the Mayor explained.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt Ordinance 2015-14 after second reading and public hearing. Deputy Mayor Thornhill seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"
Deputy Mayor Thornhill "YES"
Commissioner Lutton "YES"
Commissioner Perez "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 9.IV. Ordinance 2015-15 American Garden Perlite LLC, Airport Road – 2nd Reading and Public Hearing

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2015-15 proposes the annexation of approximately 10.62 acres located at 31 S. Airport Road and contiguous to the incorporated City limits.

RECOMMENDATION

Staff recommends adoption upon second reading and public hearing of Ordinance 2015-15, providing for the annexation of approximately 10.62 acres located at 31 S. Airport Road.

A public hearing is required. Public notice requirements have been met.

BACKGROUND

Mr. Bart Allen, Petersen & Myers, agent for the property owners, American Garden Perlite, LLC has requested annexation of the property. Industrial redevelopment is proposed.

An ordinance assigning Zoning and Future Land Use Map designation will be forth coming to Commission in the near future.

"Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits on its south boundary to the Municipal Airport.

Surrounding land uses:

North: County – IND Industrial
South: City – IND Industrial and CON Conservation
East: County – BPC- 2 Business Park Center
West: County – BPC- 2 Business Park Center

OTHER OPTIONS

Decline to annex the property.

FISCAL IMPACT

The annexation will add to the City's tax roll.

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2015-15 by title only:

(Annexation – American Garden Perlite, LLC, 31 S. Airport Road)

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.62 ACRES OF TERRITORY, CONTIGUOUS TO THE INCORPORATED TERRITORY OF THE CITY OF LAKE WALES SHOWN ON ATTACHMENT "A" AND SPECIFICALLY DESCRIBED HEREIN; GIVING THE CITY OF LAKE WALES JURISDICTION OVER THE LAND ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.

Planning & Development Director Kathy Bangle reviewed Agenda Item 9.IV.

OPENED PUBLIC HEARING

There was no comment made by the public.

CLOSED PUBLIC HEARING

Deputy Mayor Thornhill said he saw a scrivener's error in the ordinance but did not say what it was for the record.

Deputy Mayor Thornhill made a motion to adopt Ordinance 2015-15 after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill "YES"
Commissioner Howell "YES"
Commissioner Perez "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

10. NEW BUSINESS

Agenda Item 10.I Resolution 2015-19, Uniform Method of collection Fire Assessment Fees – Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider adoption of Resolution 2015-19. The Polk County Tax Collector's Office may charge the actual cost of collecting fire assessment fees but cannot exceed 2% of the amount of fees collected. This will be offset by the higher collection rate percentage.

RECOMMENDATION

It is recommended that the City Commission adopt Resolution 2015-19.

BACKGROUND

Currently the city is using the Direct Billing Method. The city is responsible for mailing out fire assessment fee notices, invoices and collecting payments. The city estimates a collection rate of about 80%.

The Uniform Method will add the non-ad valorem assessment to property tax bills and allow for notices to be sent out on the TRIM Notices. It is estimated that this will increase to the collection rate to about 90%.

Resolution 2015-19 provides the City Commission with an option to use the uniform method of collecting non-ad valorem special assessments for the cost of providing fire services. This would apply to property within the incorporated areas of the City. This method will allow such special assessments to be collected annually commencing in November 2016 in the same manner as provided for ad valorem taxes.

Adoption of Resolution 2015-19 does not establish a fire assessment fee. This election only provides the method of billing and collecting such a fee.

OTHER OPTIONS

Do not adopt Resolution 2015-19 and continue billing and collecting the fire assessment fee using the direct billing method.

FISCAL IMPACT

The Polk County Tax Collector's Office may charge the actual cost of collecting fire assessment fees but cannot exceed 2% of the amount of fees collected. This will be offset by the higher collection rate percentage.

[End Agenda Memo]

City Clerk Clara VanBlargan read Resolution 2015-19 by title only:

A RESOLUTION OF CITY OF LAKE WALES, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire Chief Joe Jenkins and the City Manager reviewed Agenda Item 10.I.

OPENED PUBLIC HEARING

Wanda Webb, resident of Tower Lakes, asked why Tower Lakes sent its residents a new lot rent notice that included a separate amount of \$150.00 to be made payable to the City of Lake Wales for a fire assessment tax. She said the residents own the home and Tower Lakes own the land. Chief Jenkins explained the invoice did not come from the City of Lake Wales. The Mayor said the City is not responsible for what Tower Lakes sends to its residents. Ms. Webb asked if it is a fire assessment fee or a fire assessment tax. The City Manager explained that it is a non-ad valorem assessment which is considered a fee and not a tax and it is levied on the property owner, which is Tower Lakes, and not the tenants. The City has no control of what Tower Lakes does with it. Ms. Webb said not everyone in the park can afford to pay the fee because they are elderly retired people.

Charlie Pittman, resident, asked if the property owners would lose their homes by not paying the fire assessment. The City Manager explained that if the fee is not paid it would be rolled over and placed on next year's tax bill. The property would not be taken or foreclosed on by the City. Finance Director Dorothy Ecklund explained how the fire assessment process worked. The City Attorney explained that if the ad valorem tax bill is not paid by a property owner an investor will pay the taxes for them and in return will receive a certificate for doing so, which accrues interest at whatever rate is bid to get it. After three years,

the holder of a tax certificate can apply for a tax deed. He said it is not the government doing it, but the investor who invested in that piece of property.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt Resolution 2015-19 after public hearing. Commissioner Lutton seconded the motion.

By Roll Call Vote:

Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Deputy Mayor Thornhill	"YES"
Commissioner Perez	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Agenda Item 10.II Appointment – Police Officers’ Retirement Board

[Begin Agenda Memo]

SYNOPSIS

Appointments fill vacancies due to resignations, expiration of terms, newly established boards, etc. These are volunteer citizen boards.

RECOMMENDATION

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

The Mayor is asked to make the appointment as deemed appropriate.

BACKGROUND

Vacancies exist on various Boards, Commissions, and Committees due to resignations, expirations of terms, newly established boards, etc.

Lake Wales Code of Ordinances Sec. 2-26 (3). Limit on Consecutive Terms:

- (a) Except as provided in paragraph (b) below, no person shall serve more than three (3) consecutive terms on a single board, commission or committee except that a person appointed to a partial term that is less than one-half ($\frac{1}{2}$) of the normal term for that particular board, commission or committee shall be permitted to serve three (3) consecutive terms in addition to the partial term. Members appointed before July 1, 1989, may be permitted to serve three (3) additional consecutive terms. This limit on consecutive terms may be waived for members of regulatory boards (i.e., planning and zoning board, board of appeals, code enforcement, etc.) with the recommendation of the city manager where, in the sole discretion of the city manager, special circumstances exist which warrant the appointment of a particular member to an additional term.
- (b) There shall be no limit to consecutive terms served by an elected or appointed trustee on a board established for the purpose of administering an employee retirement plan.

Police Officers' Retirement Board (City Code Sec. 16-233) – The board consists of five (5) trustees. Two (2) members must be legal residents of the City and two (2) members must be full-time police officers' employed by the Lake Wales Police Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; police officer members are elected by a majority of the police officers who are members of the plan. The fifth trustee member is chosen by a majority of the previous four members and as a ministerial duty, such person is appointed by the City Commission. **(4-year term)**

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 resident vacancy; 1 expired term

Appointment: Robert J. Plummer, resident, term expiring 9/30/2018

Current Members: Joe Elrod, 5 th Trustee	02/03/15 - 09/30/15, P
Vacant, resident	- 09/30/18
Anthony Elrod, resident	04/01/14 - 09/30/18
Joseph VanBlarcom, police officer	09/16/14 - 09/30/18
William Raebig, police officer	05/05/14 - 09/30/18

Meetings (City Code Sec. 16-233 (O)) – The board shall hold meetings, at least quarterly, determining the notice, place and time of each. A majority of its members shall constitute a quorum.

Current Meetings – Quarterly @ 4p.m.; Fire Department meeting room

Powers & Duties (City Code Sec. 16-233 (I)) - The powers, duties and responsibilities of the board shall include the power and duty to:

- (1) Construe the provisions of the system and determine all questions arising thereunder;
- (2) Determine all questions relating to eligibility and participation;
- (3) Determine and certify the amount of all retirement allowances or other benefits hereunder;
- (4) Establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system;
- (5) Distribute to members at regular intervals information concerning the system;
- (6) Receive and process all applications for participation and benefits;
- (7) Authorize all payments whatsoever from the fund, and to notify the disbursing agent, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund;
- (8) Have performed actuarial studies and annual actuarial valuations and make recommendations regarding any and all changes in the provisions of the system;
- (9) Select a secretary, who shall keep a complete minute book of the actions, proceedings, or hearings of the board and who shall keep a record of all persons receiving pension payments, noting the time of commencement and cessation thereof. Minutes prepared by the secretary shall be filed with the city clerk and made part of the official records of the city;
- (10) Enforce the terms of the plan and the rules and regulations it adopts;
- (11) Direct the crediting and distribution of the trust;
- (12) Review and render decisions respecting a claim for (or denial of a claim for) a benefit under the plan;
- (13) Furnish the city with information which the city may require for tax or other purposes;
- (14) Engage the services of an investment manager or managers (as defined in § 3(38)) of the act, each of whom shall have such power and authority to manage, acquire or dispose of any plan asset under its control as authorized by the board;
- (15) Establish and maintain a funding standard account and to make credits and charges to the account to the extent required by and in accordance with the provisions of the Code;
- (16) Perform such other duties as are specified in this document; and
- (17) Appoint an administrator of the system if deemed appropriate by the board.

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]

The Mayor appointed Robert J. Plummer to serve on Police Officers' Retirement Board for a term expiring on 9/30/2018. Deputy Mayor Thornhill made a motion affirming the appointment made by the Mayor and Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Thornhill	"YES"
Commissioner Howell	"YES"
Commissioner Perez	"YES"
Commissioner Howell	"YES"
Mayor Fultz	"YES"

The motion carried 5-0

11. CITY MANAGER

Agenda Item 11.I City Commission Tracking Report

Mr. Fields said there is not much construction going on right now in terms of City projects until after the first of the year.

Mr. Fields said there is a matter that the City Attorney would like to mention and the City Attorney then said there has been a petition for mandamus filed that was served on Mayor Fultz today concerning the salary limitations in the petition that was circulated by Mr. Ed Bowlin. He said we will be responding to that petition within the timeframe stated in the summons.

Mr. Fields said he attended a couple meetings on the new Polk Regional Water Cooperative, which is an organization being formed by all 17 municipalities in the county including Polk County. It is moving along very nicely and a lot of cooperation has been shown between all the cities. He said this is a multijurisdictional organization and the water management district and the State has been made it clear that they will only fund multijurisdictional projects in the future. We have set up a mechanism to accept money from them to do projects in the future. Hopefully, this will be wrapped up in the next few months and an Interlocal agreement will come forward next year. So far, the project has been amazingly free of animosity and jealousy, etc. among the municipalities involved. He said Mayor Fultz has been chosen as the alternate vice chairman of the formation committee to get this thing going. Mr. Fields said we approved making this one of our priorities for the legislative delegation and he presented that to the legislative delegation last week. Interestingly, at that meeting the county presented first and their list of priorities almost matched our list of priorities: water projects, transportation funding, money for historic preservation projects, etc.

Mr. Fields said FDOT approved the funding for their portion of our airport project. We expect that FAA will give their approval after the first of the year. The extension and the runway at the airport look like it is very much a go for late next year or early in the following year. It appears that our airport is in a position to take off as an economic engine in this area.

This week we got the preliminary plans for more development around the Eagle Ridge Mall, especially for WAWA. They have settled on a site so we are waiting on their site plans to come in for review so we can sit down with them and work out the details. We look forward to working with them on that project to make it a real go in the future because we want to make sure that Lake Wales maintains its image as a business friendly city.

Mr. Fields announced that this Friday night will be the first movie night at the Austin Center [James P. Austin Community Center] at 6:00 p.m. We look forward to having that on the third Friday of every month.

Mr. Fields said we have been having a lot of trouble hiring a new utilities director, which is primarily due to the salary cap charter amendment. It has a negative effect on future earnings and it is having a negative affect right now because we are not getting many applications, qualified applicants etc. The City is facing almost \$10 million in capital construction and with the utilities extension project happening after the first of the year, if we do not have a qualified utility director soon he will be forced to hire an engineering firm to act as our project manager. The cost will probably far exceed the salary that we would be paying a utility director on staff.

Mr. Fields said he will be taking vacation next week out of the City but will be back in time for the next Commission meeting, the first meeting in December and before that meeting on the same night we will be having our second annual Christmas Tree Lighting Ceremony in front of City Hall.

Agenda Item 11.II. City Commission Calendar

Agenda Item 11.III. Other Meetings & Events Calendar

Agenda Item 11.IV. Boards, Commissions, and Committees Information

12. CITY COMMISSION COMMENTS

Commissioner Thornhill said he too will be out of town next week.

13. MAYOR COMMENTS

Mayor Fultz said some people seem to think the Commission does not care because of what is transpiring but we do. Two of us are retired and are on a fixed income and can no more afford the fire assessment fee than many others that are out there. The Commission does have a heart, but this is something that was necessary to get this City moving and growing in the proper direction.

The meeting was adjourned at 7:23 p.m.


Mayor/Deputy Mayor

ATTEST:


City Clerk Clara VanBlargan, MMC