

The meeting of the Lake Wales City Commission was held on April 6, 2016 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz at approximately 6:00 p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Y. Howell; Pete Perez; Christopher Lutton; Jonathan Thornhill; 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. 2016 Municipal Election Announcements

The Mayor announced only the candidate portion of the unofficial results of the April 5, 2016 Municipal Election for the record as follows:

Seat 3	Ed Bowlin	912 votes; 48.54%
	Terrye Y. Howell	967 votes; 51.46%
Seat 5	Robin Gibson	979 votes; 52.35%
	Christopher Lutton	300 votes; 16.04%
	Bob Wood	591 votes; 31.60%

The Mayor announced the dates, times, and locations for the upcoming Canvassing Board meetings and the actions to be taken at those meetings:

CERTIFYING FINAL ELECTION RESULTS & SELECTION OF RACE FOR MANUAL AUDIT

The meeting of the Canvassing Board of the City of Lake Wales will convene at 5:00 p.m. on Thursday, April 7, 2016 at the Municipal Administration Building in the Commission Chambers, 201 W. Central Avenue, Lake Wales, for the purpose of certifying the results of ballots received in the April 5, 2016 Municipal Election.

The Canvassing Board will also randomly select a race that appears on the Ballot for the purpose of conducting a manual audit of the voting system used in the April 5, 2016 Municipal Election on Wednesday, April 13, 2016 at 2:00 p.m.

MANUAL AUDIT OF VOTING SYSTEM

The meeting of the Canvassing Board of the City of Lake Wales will convene at 2:00 p.m. on Wednesday, April 13, 2016 at the Supervisor of Election Headquarters, 250 South Broadway Avenue, Bartow, to conduct a manual audit of the voting system used in the 2016 Municipal Election which shall include a tally of votes cast of a race that appears on the Ballot on Election Day.

City Commission Meeting
April 6, 2016

Agenda Item 5.II. Proclamation: Florida Water Professionals Month; April 2016

The Mayor read a proclamation recognizing April 2016 as "Florida Water Professionals Month."

Agenda Item 5.III. Proclamation: Child Abuse Prevention Month; April 2016

The Mayor read a proclamation recognizing April 2016 as "Child Abuse Prevention Month."

6. PRESENTATION/REPORT

Agenda Item 6.I. ADDENDUM: Presentation: Warner University Workday, Community Service Day; April 6th

James Slaton gave a PowerPoint presentation showing the progress of the many projects performed during the Warner University Workday on April 6, which included before and after pictures. He said the event was very well attended with over 650 volunteers. He said there was also a Body of Christ Workday community event held three weeks ago consisting of many local churches.

7. COMMUNICATIONS AND PETITIONS

Betty Bent, preschool daycare owner in Lake Wales, said her business is located on 231 E. Tillman Avenue, Lake Wales, and that she has been a business owner there for three years, has been a great tenant, and a great business owner to the ones connected to her business. She explained that she is trying to relocate her preschool to 144 E. Orange Avenue in Lake Wales, which has not been easy because of a parking issue. All the parking areas around that location are City Parking. She requested that the City allow her and her kid's parents to park there about three to five minutes from 6:30 a.m. to 8:30 a.m. and then again in the afternoon from 4:00 p.m. to 5:30 p.m. The employees can park somewhere else and walk to the business. Other than the parking issue DCF has approved them relocating there. Ms. Bent commented that the Lutheran School just closed and if she has to close her doors she would not know where her daycare kids could go because it would be trying for the parents to find another place for their kids. She complimented Kathy Bangley, the City's Planning and Development Director, for her assistance in getting into the current location three years ago, and said that because Ms. Bangley does not have the authority to give away City parking she had told her to bring the issue to the City Commission because it is the one that can decide whether or not she could relocate her business to Orange Avenue. Ms. Bent urged the Commission to consider allowing her to park within the time frame requested each day. She said she protects kids just like the police department does and that the students that graduate from her program go on to be straight "A" students and she then named programs that her business contracts with such as the Early Learning Coalition.

The City Manager said this has been an issue for the last couple of weeks and explained that the building Ms. Bent wants to move her business into is located in a zoning area that requires a conditional use approval under the City's zoning ordinance. Although it is permitted it requires a conditional use application to be submitted and approval by the Planning & Zoning Board. He said Ms. Bent has not completed her application to obtain a conditional use permit from that Board. The City Commission cannot act on this until the Planning Zoning Board acts on it. The application has not been submitted in time to be placed on the April agenda. There are a number of issues involved besides the parking issue such as the play area. The parking area that Ms. Bent is talking about is the only parking lot available. It is a City owned parking lot adjacent to the building. Arrangements can be made to deal with that because the building itself does not have the required parking for a daycare business but that is the least of the problems. The bigger problem is the approval process that we cannot waive because it has to go before the planning board as a new use in that building. Ms. Bent went through a similar process three years ago so she is familiar with it. We would be violating our own ordinance and procedures if we allow her business to go in that building without action from the planning board, which has to happen before the Commission can consider it.

Kathy Bangley, Planning & Development Director, said Ms. Bent has worked hard, she appreciated the position she is in, and it is true that she told Ms. Bent to come before the Commission regarding the parking

issue. She said if there are things we can do we will do them. Our job is to get people through the process and active in our community, which is the goal of everyone. Unfortunately, a daycare center in any zoning district is a conditional use which must be granted first. There is "zero" on-site parking on this particular property for any business. Unlike a school you cannot slow down and let kids out at the daycare. You have to get out of the car, take them in, and sign them in. So, our rules are that you must have designated spaces for that and because it is public property this body is the only body that can grant that. Until the Planning Board grants the conditional use, asking this body to grant parking is not the appropriate process.

Mr. Fields said it might be possible to call an emergency meeting if we have time to advertise. Ms. Bangley explained that there are a lot of layers to the approval process and explained the advertising process, what it entails, and that it has to be advertised at least 10 days before a meeting regardless if it is a special meeting or regular meeting. Until a completed application is submitted along with other documents such as plans to scale, etc. she cannot begin the process of placing the item on an agenda, which requires a staff report etc.

Commissioner Howell asked if it was possible to call a special meeting. Ms. Bangley said if she can get everything submitted in time. She has been working with Ms. Bent on what is needed and that the boundary survey was received today from her prospective landlord so we are making progress. The planning board meets the fourth Tuesday of the month so at this point getting everything together is possible but it is not practical because she does not have everything in front of her yet so she cannot say if everything she gets tomorrow will be everything that is needed. She said this conversation started with Ms. Bent a couple of weeks ago so it is a tough position. Mr. Fields said we can call a special meeting but we have to guarantee that we have a quorum at that meeting and the closer we get to the regular meeting why have a special meeting.

Ms. Bent said she did her application already and that her perspective landlord had called Ms. Bangley, who told him that she had to pick up a form from Ms. Bangley that had to be filled out, which she knew nothing about until today. It was not included in her original packet. The Mayor asked if that was the only documentation that is missing and Ms. Bangley said no, that is a site plan application that requires a boundary survey, a project narrative, site plans to scale which at this point she has allowed Ms. Bent to draw up her own site plan without measurements or to scale to help her through the process. The Mayor asked Ms. Bangley if she could give Ms. Bent a list letting her know what is needed. Ms. Bangley said the list is on the front page of the form and what is needed has been highlighted.

Mr. Fields said once we have a complete package that complies with the requirements contained in the ordinance; we could schedule a special meeting of the planning board with a minimum of 10 day advance notice. Once the planning board grants the approval then Ms. Bent can move forward.

Commissioner Howell said she understands that there is a time limit on Ms. Bent moving from Tillman Avenue to Orange Avenue and Ms. Bent confirmed and said she has until April 30 to move. Mr. Fields said it is not up to staff, it is up to the planning board to approve it and vote on it as a conditional use. Commissioner Howell asked if everything is in and approved by the planning board by April 20 or so can she move forward. City Attorney Galloway said it still has to come before this body for approval.

Ms. Bangley said she appreciated everyone trying to work this out but it sets a dangerous precedent that we are standing here discussing it because this should not be before the Commission until the planning board has taken action. The planning board may or may not approve this on the 26th of April. It has to come back before the Commission with their recommendation in order to grant public parking to this sole business. She does not know how long Ms. Bent has known that she has until April 30 to leave her current location but it was her understanding that Ms. Bent knew three years ago when she moved in that the landlord would try to sell the building while she was there. The deadline to be on April's agenda was the 15th of March. Ms. Bangley said she will do whatever this body directs the City Manager have her to do, but sets a dangerous precedent for the next person who doesn't get on an agenda because they missed a deadline. Mr. Fields said once you start circumventing procedures etc. it invites chaos in the future. We will work hard to get this

on the planning commission agenda but it still has to come back to the Commission for the parking portion of it.

Commissioner Howell said she understands now how this would be setting precedence and Ms. Bent's parents now understand what is happening. Ms. Bangley said everybody assumes that a business downtown is going to have to use some of the public parking. If that goes in as an office building it will probably have four or five full-time employees using parking in the public parking area around there. There needs to be dedicated drop-off and pickup locations that are amendable to safe children access. If you do not have dedicated parking there is a possibility that all the parking spaces will be taken when it comes time to drop-off or pick up a child. Commissioner Howell said there is no one down there when she needs the parking spaces. Ms. Bangley said then we don't have a parking problem so she would guess that none of the business owners that are downtown will object to public parking being given to one business. Commissioner Howell said her concern is displacing these children and she does not know how the City can help these parents find places for their children to go. She understands the process and the legal procedures but we need to be doing something to expedite this stuff because if she was one the parents she would immediately want to know what to do and who would keep her children because every place else is closing down. She would need to know something before April because the Commission will not be meeting again until May so that does not help.

Mr. Fields said there are very specific rules that apply to a daycare center and this is not something new to Ms. Bent because she went through this process three years ago. He understands the needs of parents that have kids in daycare, etc. and he would love to expedite this but he cannot violate the law as the City Commission has established it. It is not that easy to temporarily relocate a daycare and we do not have a city facility for them to use temporarily.

Ms. Bangley said the building is not move in ready either and explained what else needs to be done before Ms. Bent can renovate the building. The Mayor said the only thing the Commission can do is look at the parking situation, which is the least concern. Time constraints by law are the biggest concern. We can't change the ordinance in time to make this workable within the length of time given. He said he will not break the law and go to jail. The parking can probably be worked out because there probably isn't anyone down there as far as any other business is concerned that would give a hard time over that when you start talking about the kids. But it still has to go through the process and right now we cannot make a decision on anything taking place because it has not been before the planning board, yet.

Heather Flowers, one of the parents with kids that attend the daycare, said she understands rules and regulations but she does not want to lose the daycare that Ms. Bent provides because she does not trust any other daycare. She is also a manager of a store and she cannot afford to lose her job because it will put that business out in a very difficult situation. The Mayor said that Ms. Bangley is very professional and if those timelines are met and all the needed materials are received she will let things go according to plan.

Hillary Grondon said she has three kids attending the daycare and commented on how Ms. Bent has a great impact on her kids and their community. She said if the daycare closes she is forced to quit her job and move to Winter Haven and go back to being a stay-at-home mom.

Commissioner Lutton asked Ms. Bent if it was possible to get a one month extension on her current location because it will take about two months to get through the process. Ms. Bent said she wrote a letter to the landlord but has not heard back.

The Mayor asked Ms. Bent to email him the landlord's name and telephone number so he can talk to him and try to get him to consent to allowing her more time in there to get through the process with the City. This way it will help the children and the parents. Ms. Bent thanked everyone for working with her.

The Mayor said there is a young lady from Spook Hill Elementary School here that was voted in last week as vice president. He asked her to come forward and give her name and then congratulated her. She said her name is Ailey Gibson.

Heather Palmer said she also works at the school and said her two kids are Straight-A students and she gives all the credit to Ms. Bent for they too came from her daycare. She thanked the Commission for listening to them and doing everything it can to help.

Betty J. Perry said she lives at 424 Houser Road in Lake Wales and that she has to pay a fire assessment fee and there is no road or fire hydrant there. The mail man usually gets stuck there and EMS had a difficult time getting through to get her husband when she called them for help last year. Ms. Bangley said that location is in the unincorporated area of Polk County and that she will contact County Code Enforcement tomorrow and give them the address and ask them to check out the road conditions.

8. CONSENT AGENDA

Agenda Item 8.1. APPROVAL OF MINUTES: March 15, 2016, Regular Meeting

Agenda Item 8.II. Special Event Application: Farm Share Event

[Begin Agenda Memo]

SYNOPSIS

This is a Special Event Permit Application from the Lake Wales Charter School to host a Farm Share event sponsored by State Representative Mike LaRosa on Saturday April 23 from 6:00 a.m. - 4:00 p.m. The Farm Share event is where produce and other items will be distributed for free.

RECOMMENDATION

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

- Approve the Special Event Permit application for the FarmShare event to take place on Saturday, April 23, 2016 from 6:00 a.m.-4:00 p.m.
- Approve the request to close Central Avenue from First Street to Market Street

BACKGROUND

State Representative Mike LaRosa in conjunction with the Lake Wales Charter Schools are hosting the 2nd Farm Share event at the Charter Schools office on Central Avenue. This event includes the distribution of free food and other donated items.

The first event was held in October and was very popular. Due to the large turnout that is expected the Lake Wales Charter Schools requests the closing of Central Avenue for the safety of the public as well as for additional space to allow for other vendors and displays.

OTHER OPTIONS

Do not approve the Special Event Permit.

FISCAL IMPACT

None. All costs will be the responsibility of the sponsor.

[End Agenda Memo]

Agenda Item 8.III. Purchase Authorization – CDWG

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider authorizing staff to expend funds for the purchase of network server hardware from CDWG.

RECOMMENDATION

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

1. Authorize staff to purchase network servers from CDWG in the amount \$31,666.68.

BACKGROUND

The City Commission appropriated \$40,000 in the FY15/16 adopted CIP budget for a server farm expansion and virtualization. Server virtualization is a technology that involves partitioning a single hardware platform into a number of virtual servers using specialized software, such as VMware.

City staff intends to purchase two identical physical servers, one to function as a primary production server and one to function as a secondary standby server. Initially, City IT staff will convert four separate network servers from physical environments to virtual environments and will transition the remaining physical servers within the next 24 months.

The benefits of server virtualization include:

Business Continuity – Standby servers will come online instantly should a primary server fail, bringing online all of the virtual servers hosted by the primary server.

Disaster Recovery – Snapshots of all operating virtual servers can be offloaded to the cloud and deployed to, and from, anywhere in the world within minutes.

Increased Performance – VMware uses hardware resources more efficiently than traditional operating systems, resulting in increased network performance.

Reduced Energy Costs – Virtual servers reduce energy consumption as less physical servers are required to perform the same functions.

Staff solicited proposals for these server hardware components and CDWG submitted the lowest proposal at \$31,666.68. The other proposals submitted were from SHI (\$32,528.75) and Zones (\$31,950.88).

In accordance with Sec. 2-417(d)(3) of the City's Purchasing Ordinance, all purchases in excess of Category 1 (\$20,000) require City Commission approval before funds can be expended.

OTHER OPTIONS

The City Commission may elect not to complete this project this year.

FISCAL IMPACT

\$40,000 was appropriated for this project in the FY15/16 adopted budget and the hardware portion of this project is \$31,666.68.

[End Agenda Memo]

Agenda Item 8.IV. Lift Station Panel Replacement

[Begin Agenda Memo]

SYNOPSIS

Staff request commission approval for the purchase to upgrade 11 outdated lift stations panels from Data Flow Systems in the amount of \$75,075.00.

RECOMMENDATION

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

1. Approve the purchase of upgraded replacement panels for 11 lift stations throughout the City's collections system from Data Flow Systems (DFS) in the amount of \$75,075.00.

BACKGROUND

It becomes necessary from time to time to perform routine maintenance on necessary components of the collections system. Staff is seeking approval to purchase upgraded control panels for several lift stations throughout the City's collections system. The existing Pump Control Unit's (PCU) are becoming obsolete and difficult to find repair parts for when repair is needed. Staff will replace these old PCU's with Telemetry Control Unit (TCU). The replacing of the PCU's with the TCU's will provide more points for lift station monitoring and control. Staff recommends Commission approval of the purchase of the upgraded Telemetry Control Units in the amount of \$75,075.00 from sole source provider Data Flow Systems.

OTHER OPTIONS

Chose not to approve the purchase of the upgraded control panels and run into the problem of not being able to find repair parts for the existing panels when repair is needed, therefore putting that particular lift station out of service.

FISCAL IMPACT

Staff has budgeted \$100,000.00 for these necessary lift station panel upgrades in the 2015-2016 Waste Water Capital Improvements Budget.

[End Agenda Memo]

Agenda Item 8.V. Lift Station Pump Replacement

[Begin Agenda Memo]

SYNOPSIS

Staff requests commission approval to purchase replacement pumps for lift stations 4, 15, 20, 26, 27, 30, 31, 34, 36, 37, 38 and 39 from Barney's Pumps, the local sole source supplier.

STAFF RECOMMENDATION

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

Approve the purchase of replacement pumps for 12 lift stations in the City's collection system from Barneys Pumps in the amount of \$74,740.00.

BACKGROUND

The City owns, operates, and maintains thirty-nine lift stations and 9 power sewers. The majority of the older lift stations are in the central part of the City around Lake Wailes. In recent years the city has generally grown to the north and south along the US Highway 27 corridor and the east along the S.R. 60 corridor. Hence the newer lift stations are generally located along these routes. Out of the thirty-nine lift stations located in the city, there are nine lift stations that receive and re-pump flow from other lifts stations to the city's waste water treatment plant.

In 2008 city staff contracted with Boyle Engineering (AECOM) to perform an evaluation of the city's older lift stations. Based on the information from this evaluation, it was determined that the listed stations are now in need of rehabilitation. Following these recommendations has allowed for staff to create and maintain a rehabilitation program. The stations that are marked for rehabilitation in the 2015-2016 Fiscal year are listed above. With this in mind, the Utilities staff is continuing its program to rehabilitate all older lift stations in need of pump repair. Due to the fact some of the lift stations listed above are re-pump stations, staff wants to be proactive and minimize the potential for extended down time in the event the pumps fail to operate, when needed.

OTHER OPTION

Chose not to purchase replacement pumps at this time and run the risk of the station being out of service for an extended amount of time for repairs in an emergency. The purchase of these pumps is necessary to ensure the above lift stations continue to function at the appropriate levels.

FISCAL IMPACT

\$100,000 has been placed in the 2015-2016 Wastewater Capital Improvements Budget for this purchase.

[End Agenda Memo]

Agenda Item 8.VI. Preliminary Financial Statements 2/29/2016

[Begin Agenda Memo]

SYNOPSIS

The preliminary financial statements report revenues received and expenditures made through the end of February 29, 2016.

The unaudited financial statements for the City of Lake Wales for the Period Ending February 29, 2016 are presented to the City Commission for review. At the end of February 29, 2016 the City was 42% 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:

City Commission Meeting
April 6, 2016

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]

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

By Voice Vote:

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

The motion carried 5-0.

9. OLD BUSINESS

**Agenda Item 9.I. Ordinance 2016 –04 Annexation – 2nd Reading and Public Hearing
Wheeler Properties LLC – Waverly Village**

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2016-04 proposes the annexation of approximately 16.2 acres located north of CF Kinney Road and west of Scenic Highway (SR17).

RECOMMENDATION

Staff recommends adoption after second reading and public hearing of Ordinance 2016-04, providing for the annexation of approximately 16.2 acres owned by Wheeler Properties LLC and located north of CF Kinney Road and west of Scenic Highway (SR 17).

Public notice requirements have been met.

BACKGROUND

The property is adjacent to approximately 275 acres that were annexed in to the City in 2007. The additional 16.2 acres will become part of a 291 acre planned development project (PDP) that is being prepared by JSK Consultants for the land owner.

Surrounding land uses:

North: County – RL-4 Residential Low-4

South: County – RL-1 Residential Low-1 and City LDR Low Density Residential

East: County – A/RR Agricultural/Rural Residential and City LDR Low Density Residential

West: County – RL-4 Residential Low-4

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 2016-04 by title only:

(Annexation – Wheeler Farms, Inc. Waverly Village – North of C.F. Kinney Road and west of Scenic Hwy.)

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 16.19 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; PROVIDING FOR TAXATION OF THE TERRITORY ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangle, Planning & Development Director, reviewed Agenda Item 9.1.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Deputy Mayor Thornhill made a motion to adopt Ordinance 2016-04 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.

NEW BUSINESS

Agenda Item 10.I. Ordinance D2016-02, CPA/Zoning: 1st Reading and Public Hearing - Wheeler Properties LLC, Waverly Village, north of CF Kinney, west of Scenic Highway (SR17) and south of Lake Annie

[Begin Agenda Memo]

SYNOPSIS

City Commission Meeting
April 6, 2016

The proposed amendment will designate land use and zoning for approximately 16.2 acres of property north of CF Kinney Road, west of Scenic Highway (SR17) and south of Lake Annie.

RECOMMENDATION

Staff recommends that the City Commission approve, following a public hearing, a first reading of Ordinance D2016-02.

Notice requirements for a public hearing have been met.

The Planning and Zoning Board held a public hearing on February 23, 2016 and voted unanimously to recommend a change in land use designation on the subject property from Polk County Future Land Use designation RL-4 Residential Low-4 to City of Lake Wales Future Land Use designation of LDR – Low Density Residential.

BACKGROUND

The ordinance proposes land use designation changes for approximately 16.2 acres of property located in the northern portion of the city limits. The property is being proposed for annexation concurrently by Ordinance 2016-04. This property will be added to approximately 275 acres that were annexed in to the City in 2007 and will become part of a planned development project (PDP) being developed by JSK Consultants for the property owner.

See Attachment A to the ordinance for location and land use designations.

Surrounding land use designations:

North: County – RL-4 Residential Low-4

South: County – RL-1 Residential Low-1 and City LDR Low Density Residential

East: County – A/RR Agricultural/Rural Residential and City LDR Low Density Residential

West: County RL-4 Residential Low-4

Proposed development impacts:

16.2 acres at 3 units to the acre = 48.6 units

2.4 persons per dwelling unit = 116.64 persons

Sanitary sewer @ 100 gpcd = 11,664 gpd

Potable water @ 122 gpcd = 14,230.08 gpd

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance D2016-02 by title only:

(CPA/Zoning Waverly Village, Wheeler Properties LLC – 16.2 acres)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP TO CHANGE THE LAND USE DESIGNATION ON APPROXIMATELY 16.2 ACRES OF LAND LOCATED WEST OF SCENIC HIGHWAY AND SOUTH OF WAVERLY ROAD FROM POLK COUNTY DESIGNATION RL-4 RESIDENTIAL LOW-4 TO CITY OF LAKE WALES FUTURE LAND USE DESIGNATION LDR LOW

DENSITY RESIDENTIAL AND ZONING DESIGNATION R-1A SINGLE FAMILY RESIDENTIAL DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangle, Planning & Development Director, reviewed Agenda Item 10.1. She said this is the sister ordinance to the annexation just adopted. This will be transmitted to the state for the land use designation switching from County to City. The current County land use designation allows for four units per acre and our density requirements in LDR are three units to the acre. This property is being added to 275 acres that has the same land use and zoning designations as recommended.

Commissioner Lutton asked the location where the property will be attached and Ms. Bangle explained.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve Ordinance D2016-02 after first 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 10.II. Waverly Village PDP – Master Plan Approval

[Begin Agenda Memo]

SYNOPSIS

JSK Consultants, agent for Wheeler Properties LLC is seeking approval of a Master Plan for a residential Planned Development Project (PDP) on 291 acres in northern area of the city limits. The property is located north of C.F. Kinney Road and west of Scenic Highway.

RECOMMENDATION

The Planning and Zoning Board held a public hearing on February 23, 2016 and voted unanimously to recommend the Master Plan with conditions as recommended by staff. The master plan is conceptual in nature and specific approvals of phases will come back through the PDP process.

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

BACKGROUND

The majority of the property was annexed in 2007. Commission has just acted on the annexation of an additional 16.2 acres. No development plan was proposed or considered in 2007.

City Commission Meeting
April 6, 2016

A conceptual master plan is being presented for approval. Specific lot design is not being proposed at this time. Lot sizes are only proposed as a percentage of the total number of lots as follows: 55' lots at 29%, 60' lots at 26%, 65' lots at 40%, and 80' lots at 5%. The project will come back through the PDP process in the future for additional approvals.

The PDP process is "intended to promote high quality site design" and "allows flexibility in project layout and relief from standard subdivision grids in order to preserve natural features of the land, maximize common open space and landscaping, and create vital neighborhoods." Flexibility in layout is particularly beneficial for Waverly Village because of the property's irregular shape. A PDP can be approved only if the proposed development has a "superior project layout, provides enhanced open space and preservation of natural features, does not subvert the intent of this chapter, and does not compromise public safety." (Sec. 23-442 zoning regulations).

FLUM/Zoning

The property is zoned R-1A and has a Future Land Use Map designation of LDR – Low density residential with a maximum of 3 dwelling units per acre. The gross density for the project is 873 dwelling units.

Surrounding land use designations:

North: County – RL-4 Residential Low-4

South: County – RL-1 Residential Low-1 and City LDR Low Density Residential

East: County – A/RR Agricultural/Rural Residential and City LDR Low Density Residential

West: County RL-4 Residential Low-4

Proposed Development

PDP approval is requested to allow a reduction in lot size to be off-set by required compensatory open space and recreation space. The PDP process is intended to promote creativity in housing type and site layout.

Roadways: The main entrance will be from C.F. Kinney Road. There will be additional access points on Scenic Highway and Waverly Road. Current County classification of existing roads is as follows: C.F. Kinney, rural minor collector, North Scenic Hwy and Waverly Road, urban collectors, and Altamont Road is a local street.

Lot dimensions: Specific lot layout is not being proposed at this time.

Density: LDR allows for three (3) dwelling units per acre. The maximum allowed in a 291 acre development would be 873 units/lots. The number of lots and their layout will be determined in the future but will not exceed the 873 allowable.

Recreation and open space: Recreation areas and an active trail are provided throughout the development. A large neighborhood park is proposed as a central feature along the main boulevard. There is an opportunity for a waterfront park with boat access to Lake Annie at the northern most portion of the development. A formal tree survey will be done as part of the site development process with the intent to save mature trees where possible. Each lot will be required to have two (2) trees planted at the completion of construction. (Sec. 23-307.2.a.3).

Reductions in lot size can be approved in a PDP only if there is public open space commensurate with the reduction. According to figures provided by the applicant, the parks, active trail and landscaped buffers provide adequate open space to meet this requirement.

Pedestrian circulation: Pedestrian circulation is required in a residential development. The applicant indicates that there will be 5-foot sidewalks throughout the development. Sidewalks are planned on both

sides of all internal roadways adjacent to residential lots as well as along the community's frontage on C.F. Kinney Road.

Street lighting: Street lights are required and must meet requirements of Sec. 23-303.12. The style of lights must be approved by the city at the site development stage. There have been problems in the past with the encroachment of street lights and other appurtenances on the sidewalk. A cross-section showing all improvements in the area between the edge of roadway and the edge of right-of-way is required with the site development permit application.

Concurrency review: Verification of compliance with Sec. 23-704 is required prior to the issuance of a site development permit.

Proposed development impacts

291 acres at 3 units to the acre = 873 units
2.4 persons per dwelling unit = 2,095 persons
Sanitary sewer @ 100 gpcd = 209,520 gpd
Potable water @ 122 gpcd = 255,590 gpd

Staff comments

Master Plan requirements – The plan must demonstrate that the design accomplishes four tasks. (See sec. 23-442.e.)

- Preservation/showcasing of natural features – While wetlands are preserved and incorporated with recreation areas, most are not visible except from lots backing up to them. Information on trees on the site has not been provided.
- Coherent circulation network – Streets and trails have been shown, but not sidewalks.
- Lot layout (create neighborhoods; avoid monotony; provide for varied streetscapes).
- Connectivity to surrounding community – Development is connected to existing roadways.

Specific conditions of approval per phase will have to be determined at the time of subdivision review and approval.

1. Waiver to reduce minimum lot size of 12,000 square feet for R-1A to a minimum of 6,050 square feet. (*Table 23-422A*).
2. Waiver to allow lot at building line to be reduced to 55' at a minimum.

Staff does not recommend approval of additional dimensional waivers until more detailed subdivision plans are submitted for review and approval.

3. A Developer's Agreement will have to be executed regarding the resolution of the fire flow requirements in this area. Participation by the applicant by providing land for a water tower is preferred by the city. Formal discussions have not taken place to date.

[End Agenda Memo]

Kathy Bangle, Planning & Development Director, reviewed Agenda Item 10.II. She said the Wheeler family that owns the property is the land owners and not developers or builders. Their goal is to have a development plan that they can market and sell to a builder developer moving forward. They are proposing lots sizes ranging from 55 ft. in width to 80 ft. in width. This will be a good range of opportunities for housing. The PDP approval is requested to allow a reduction in lot size to be off-set by required compensatory open space and recreation space. The PDP process is intended to promote creativity in housing type and site layout. She said some of the tricks or concerns about this particular development are that it is irregular in shape, there is existing road network that runs through a portion of this, and those roads are county roads so the county will be involved in how their roads are impacted.

Commissioner Lutton asked if the roads were dirt or have been improved and Ms. Bangley said they all have pavement whether they are categorized as improved has yet to be determined. Her understanding is that C. F. Kenney road which is the north boundary to Dinner Lake and the south boundary of this property has been improved about 450 ft. off of Scenic Highway. It's paved all the way to Waverly Road but her understanding is that it is a road they dropped asphalt on so the dust wouldn't blow. So, as development in that area continues those things will need to be addressed. FDOT will be involved in those exists that impact Scenic Highway. This development will be one with a lot of players at the table.

Ms. Bangley said we are happy with the overall development and the three units to the acre, which allows for 873 units. In most cases you do density based on your gross acreage. You lose about 25% of that putting in infrastructure and based on the irregularity. There will be about 700 units. They are proposing a beautiful central park with amenities, a boat ramp, waterfront park on Lake Annie, and they also have smaller parks throughout the neighborhood as required by regulation. Overall they are putting forth a really good concept in order to try and sell it to get somebody to build it.

Commissioner Perez asked if there have been any kind of discussion with the Charter Schools. Ms. Bangley said it is not a deed restricted community and with school concurrency by law they have to talk to the local school board, and that we always make an effort to reach out to the Polk County schools system and Charter school system because although the Polk County school system cannot designate students into our area her understanding is that if you live in Lake Wales you have a right to go to Lake Wales' schools even though they are Charter. You have to fill out a special form. That is part of the concurrence process. We anticipate build out in probably 10 to 15 years so those will be ongoing discussions and we will deal with it the same way we do with water and sewer capacity etc.

Ms. Bangley said fire flow is a concern up there and that water and sewer availability is not a problem. Having the correct and required amount of fire flow available for an amount of time during an event is in question. So one of the things that are on the table with them as they move forward is developer commitment to participate in either providing land for a water tower or participating in some fashion in the water tower and that will be part of their full approval process when they get down to the nitty gritty in how many units, etc. We have already opened that dialog with them. They will not have to designate acreage within this community. So if we lay it all out for them to give us acreage for a water tower they are not going to erase lots. They could within a certain perimeter provide the right fire flow in an area of high ground etc.

Mr. Fields said fire flow will be an issue with any development taking place north of Chalet Suzanne. Ms. Bangley said Serenity doesn't have a problem because that apartment complex will be close enough to the mall and the world doesn't go up enough for Leoma's Landing. Anywhere north of CF Kenney Road could really be an issue. Similar to seats in a school classroom we need to look toward the future with fire flow in that area. Mr. Fields said it is definitely on our radar as an issue in that area. It basically requires another water storage tower which would also improve a lot of regular pressure in that area.

Ms. Bangley said the conditions of approval recommended by the Planning & Zoning Board at this time for the Commission's consideration are allowing for the reduction in the minimum lot size in the R-1A zoning district, which reduces the minimum 12,000 square feet lot size to a minimum of 6,050 square feet. That is the 50 ft. by 120 ft. basically and also allowing the lots at the building line which in that zoning district has to be either 75 or 80 feet be reduced to a minimum of 55 feet which is the smallest width that they are proposing. The other condition which answers the question about fire flow is that the developer's agreement will have to be executed regarding the resolution of the fire flow requirements in this area. Participation by the applicant by providing land for a water tower is preferred by the city. Formal discussions have not taken place to date but we have opened the dialogue.

Commissioner Lutton asked the cost of a water tower. Utilities Director Sarah Kirkland said the water tower would cost over a million dollars to build. Ms. Bangley said they would donate the land and we would build the water tower. She does not know how much land would be needed. Mr. Fields said it is necessary for the fire flow and we do have periodic domestic pressure issues up in that area. It would help anybody coming into the City if we had another water tower up there, which will be funded with water impact fees in the utilities budget.

Commissioner Perez asked about the cost of the homes that will be built and Ms. Bangley said at this point a builder has not been identified.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion following a public hearing to approve the Master Plan with the reduction of the minimum lot size of 12,000 square feet to a minimum of 6,050 square feet, allowing the minimum lot width of the building line to be reduced to 55 feet, and acknowledgement that the developer's agreement must be executed prior to construction. Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

Agenda Item 10.III. Purchase Authorization - Florida Midland Railroad

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider authorizing staff to expend funds for the repair of the Central Avenue railroad crossing and portions of the surrounding street.

RECOMMENDATION

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

1. Authorize staff to expend appropriated funds, not to exceed \$51,400, for the repair of the Central Avenue railroad crossing and portions of the surrounding street.
2. Authorize Florida Midland Railroad to complete the work.

BACKGROUND

The City Commission appropriated \$100,000 in the FY15/16 adopted CIP budget for street resurfacing projects. The repair of the Central Avenue railroad crossing will create a safer driving environment for motorists and will help to enhance the overall appearance of downtown. Central Avenue is a heavily

travelled street, particularly during specials events, and the asphalt around this railroad crossing has been deteriorating for years.

Florida Midland Railroad, the controlling entity of the railroad track, is the only authorized agent to make repairs to this crossing and should be considered the sole source provider for this project.

Florida Midland Railroad has proposed two options for repairing the Central Avenue railroad crossing:

Proposal	Cost	Budget	Balance
Option 1 (Concrete)	\$79,267 (±10%)	\$100,000	\$20,734 (±10%)
Option 2 (Asphalt)	\$46,722 (±10%)	\$100,000	\$53,278 (±10%)

Both repair options involve a complete rebuild of the railroad crossing, as itemized in the attached proposal, with one major difference - Option 1 proposes to install a *concrete* crossing system underneath the track, whereas Option 2 proposes to install *asphalt* underneath the track.

Staff recommendation is to pursue Option 2. The concrete solution proposed in Option 1 would last longer than the asphalt solution proposed in Option 2; however, the asphalt solution will still last for many years and the \$33,000 savings can be used to fund additional capital street maintenance needs.

In accordance with Sec. 2-417(d)(3) of the City's Purchasing Ordinance, all purchases in excess of Category 1 (\$20,000) require City Commission approval before funds can be expended.

OTHER OPTIONS

1. Select Option 1 as proposed by Florida Midland Railroad
2. Do not repair the railroad crossing

FISCAL IMPACT

\$100,000 was appropriated for street resurfacing projects in the FY15/16 adopted budget and this project is \$46,722.10 (±10%).

[End Agenda Memo]

Public/Support Services Director James Slaton reviewed Agenda Item 10.III and explained the two options proposed by Florida Midland Railroad. Option 1 proposes to install a concrete crossing system underneath the track at a cost of about \$80,000, whereas Option 2 proposes to install asphalt underneath the track at a cost of about \$47,000. He said the concrete repair will probably last a life time and the asphalt repair could last about 20 years. Mr. Slaton said his recommendation would be to approve Option 2. We could use some of the funds saved to resurface other areas and some other capital street projects.

Commissioner Howell asked if it is the trains riding on the railroad tracks tearing up our streets. Mr. Slaton said it is probably due to car traffic. Mr. Fields said we pay them to allow our streets to cross their railroad tracks. So if we want that crossing repaired we have to pay them to do it because they grant us the right to have our street cross it.

Commissioner Lutton asked when the last time the railroad crossing was repaired and Mr. Slaton said he did not know. Commissioner Lutton recommended spending the money using concrete to do it right. Mr. Slaton said concrete crossings are usually used for heavier traffic. The Mayor asked if CRA funds could be used for this type expense. Mr. Fields said no, that it will be paid for with the regular capital budget.

City Commission Meeting
April 6, 2016

Mr. Slaton said the cost difference between the two options is about \$33,000 and about four intersections have been identified that could be resurfaced with that money.

Commissioner Lutton made a motion to approve Option 1 using concrete for the railroad crossing repair. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

Agenda Item 10.IV. Ordinance 2016 - 05, FY15'16 Budget Amendment #2, 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider approval of the first Amendment of FY 15'16 Budget that was adopted on September 15, 2016, modified on February 16, 2016 Ordinance 2016-03.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2016-05 after first reading.

BACKGROUND

Ordinance 2015-09 estimating revenues and appropriating funds for Fiscal Year 2015-16 was adopted by the City Commission September 15, 2015, modified February 16, 2016 by ordinance 2016-03.

We are presenting Ordinance 2016-05 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B. Detail budgetary changes have been provided in Exhibit C.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2016-05

City Commission Meeting
April 6, 2016

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-05 by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2015-09 AS AMENDED BY ORDINANCE 2016-03 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2015-2016 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 10.IV.

OPENED TO PUBLIC COMMENT

There were no comments made by the public.

CLOSED TO PUBLIC COMMENT

Deputy Mayor Thornhill made a motion to approve Ordinance 2016-05 after first reading. 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.

ADDENDUM

Agenda Item 10.V. Appointment of a second alternate member to serve on the Canvassing Board

[Begin Agenda Memo]

SYNOPSIS

It is necessary for the City Commission to appoint an additional member to serve on the City's Canvassing Board for 2016.

RECOMMENDATION

It is necessary for the City Commission to take the following action:

1. Appoint the City Manager, City Attorney, or a citizen to serve as an alternate member on the Canvassing Board to avoid a lack of quorum.

Voice volunteer Jean Scott is a Lake Wales citizen and has volunteered to serve as an alternate member to the Canvassing Board. The other alternate member appointed is Jacquie Hawkins on March 1, 2016.

BACKGROUND

The City Commission serves as the Canvassing Board and has legal responsibilities related to the conduct of the Municipal Election. The following rules apply to all members of the Canvassing Board:

No member can serve if he or she is a candidate with opposition in the election being canvassed or is *actively participating* in the campaign or the candidacy of any candidate who has opposition in the election being canvassed. Actively participating means undertaking an intentional effort to demonstrate or generate public support for a candidate beyond merely making a campaign contribution. Refer to DE 8-10; 09-07.

If a lack of a quorum is created on the Canvassing Board due to this rule or any other unavoidable cause, the City Commission may appoint the city manager, city attorney, or a resident/s to serve as a member to the Canvassing Board in the absence of the Commission member creating the lack of quorum (Sec. 8-26, Lake Wales Code of Ordinances).

The remaining meetings of the Canvassing Board for 2016 are as follows:

CERTIFYING FINAL ELECTION RESULTS & SELECTION OF RACE FOR MANUAL AUDIT

The meeting of the Canvassing Board of the City of Lake Wales will convene at 5:00 p.m. on Thursday, April 7, 2016 at the Municipal Administration Building in the Commission Chambers, 201 W. Central Avenue, Lake Wales, for the purpose of certifying the results of ballots received in the April 5, 2016 Municipal Election.

The Canvassing Board will also randomly select a race that appears on the Ballot for the purpose of conducting a manual audit of the voting system used in the April 5, 2016 Municipal Election on Wednesday, April 13, 2016 at 2:00 p.m.

MANUAL AUDIT OF VOTING SYSTEM

The meeting of the Canvassing Board of the City of Lake Wales will convene at 2:00 p.m. on Wednesday, April 13, 2016 at the Supervisor of Election Headquarters, 250 South Broadway Avenue, Bartow, to conduct a manual audit of the voting system used in the 2016 Municipal Election which shall include a tally of votes cast of a race that appears on the Ballot on Election Day.

[End Agenda Memo]

Deputy Mayor Thornhill made a motion to appoint Jean Kincaid Scott to serve as an alternate member on the Canvassing Board. 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.

11. CITY MANAGER

Agenda Item 11.I. City Commission Tracking Report

Mr. Fields reported no changes to the tracking report. He said he will probably be out of the City for the next few weekends as he will be cleaning out his garage in South Florida getting ready to move everything he owns to Lake Wales because he is selling his home down there. Lake Wales will be his residence in the future. The closing is at the end of May.

Agenda Item 11.II. Other Meetings & Events Calendar

Agenda Item 11.III. City Commission Meeting Calendar

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

12. CITY COMMISSION COMMENTS

Commissioner Perez said he has been on the Commission for a year now and there are certain things he has not been happy with and that we needed to start seeing more transparency. He said he believes that there are things going on behind closed doors for whatever reason and the city manager has made the decision to discuss those things with us individually. We need to know in greater detail what is going on with the airport. For instance, we just identified an airport manager and he understands that we are hiring a couple more people to work out there. Mr. Fields said at some point it might come to that but right now we just have a manager hired. Commissioner Perez asked if we have budgeted items for that and Mr. Field said he will be doing a budget amendment. Commissioner Perez said we need to hear more about what is going on behind closed doors, which that is how it appears to him.

Mayor Fultz said if he is not mistaken it was brought forward to the Commission about hiring a director at the airport and there were no objections at that time about that going forward. Commissioner Perez said he has identified somebody and that person probably should have been here tonight so that we could meet him. Mr. Fields said he was asked to be here but he had a prior commitment that he could not change but he will be at the next meeting. He has been out meeting with people.

Mr. Fields gave an update on the airport regarding a contract with Betty Hill that will be coming to the Commission at the next meeting if she has no problems with it. The goal is to transition under that contract between now and October 1 in an orderly manner moving her from being the airport manager to us taking over the responsibility of the operations. In the next fiscal year's budget we will have a full budget for the entire year of us operating the airport.

Commissioner Howell said when it was brought to her attention about the daycare she was concerned that the parents thought the City was not helping so she called Ms. Bangley about it because she wanted to make sure we could do something to keep the kids from being displaced. Ms. Bangley explained everything very well to her and that she wanted to make sure the parents understood that it was not the Commission holding up everything. The Commission might know what is happening but everyone else might not know what is happening. Commissioner Howell said she is happy that they came tonight because they needed to hear what the City could and could not do, and what Ms. Bangley could not do as a part of the City.

Deputy Mayor Thornhill thanked everyone for their thoughts and prayers in the loss of his father-in-law.

Commissioner Lutton said at one of the candidate forums the discussion of the fire assessment fee was brought up, which caused him to research what other communities were doing. He said he will not be here but he highly recommends that the Commission look at following the same format that the County is doing

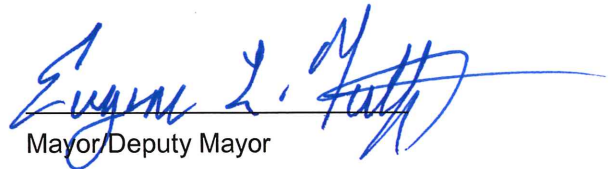
City Commission Meeting
April 6, 2016

which is our neighbor. Their highest price is \$195 for every single family unit and they have another lower price for all duplexes, triplexes, and all multifamily units. It is his understanding that they have a much lower price that is about 65% of the \$195 price for trailer lots. So that would specifically be the Tower Lakes Complex. He did further calculations and found that a \$14 million property only saved \$14,745 from the 1 mil tax reduction. There are 481 lots on that property so the \$150 x 481 added up to a big chunk of change. If the county has been doing it that way for many years we can learn from that methodology. That program for the fire assessment fee could be much more equitable than just a straight fee for every dwelling unit.

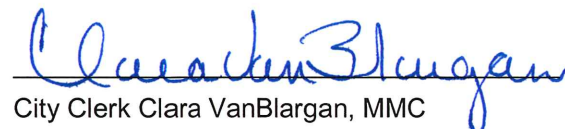
The Mayor said those are graduated fees that we can take a look at every year. Commissioner Lutton said he does not think it is called graduated fees because it is based on building type single family and graduated would imply that it is based on value or something. Mr. Fields said building type is one approach we could look at and the other one based on value of improvement to the property, which is what Haines City is using. The reason we did not look at that the last time is because it had not been upheld through court. It was approved by the Supreme Court after we had adopted our fire assessment ordinance.

13. MAYOR COMMENTS

The meeting was adjourned at 7:36 p.m.


Mayor/Deputy Mayor

ATTEST:


City Clerk Clara VanBlargan, MMC