

The meeting of the Lake Wales City Commission was held on May 17, 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: Pete Perez; Robin Gibson; Jonathan Thornhill, Deputy Mayor; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: Terrye Y. Howell

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

5. MAYOR

Agenda Item 5.I. Proclamation: National Safe Boating Week: May 21-27, 2016

The Mayor presented a proclamation recognizing May 21 – 27, 2016 as “National Safe Boating Week.”

Mr. Fields recognized Public/Support Services Director Teresa Allen for receiving the “Public Servant of the Year Award” from the Economic Development Council this past Thursday night at the Chamber of Commerce Awards Gala.

6. PRESENTATION/REPORT

Agenda Item 6.I. Transmittal of Comprehensive Annual Financial Report, For Fiscal Year Ended September 30, 2015

[Begin Agenda Memo]

SYNOPSIS

Transmittal of Comprehensive Annual Financial Report for fiscal year ended September 30, 2015.

STAFF RECOMMENDATION

Staff recommends the City Commission accept the Comprehensive Annual Financial Report for fiscal year ended September 30, 2015 and independent auditors' report as presented.

BACKGROUND

In the independent auditors' report for the fiscal year ending September 30, 2015, the auditors (Cherry Bakert LLP, CPAs & Advisors) stated that, in their opinion, the financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2015, and the respective changes in financial position, and cash flows where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The City utilized the professional services of Mike Brynjulfson, CPA for compilation of the annual audit. Mr. Brynjulfson will be attending the May 17th presentation of the annual report and be available to answer any questions relating to technical reporting requirements. This is the seventh year that the City has prepared a comprehensive annual financial report (CAFR).

Financial Highlights

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$44,492,260 (*net position*). As of September 30, 2015, the City reports an unrestricted net position deficit of \$1,499,502 as compared to a surplus of \$374,611 in the prior year. The main reason for this decline in unrestricted net position is due to the implementation of Governmental Accounting Standards Board (GASB) Statement No. 68 – *Accounting and Financial Reporting for Pensions – an amendment to GASB Statement No. 27*, and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date – an amendment to GASB Statement No. 68*.
- The City's total net position increased by \$2,474,671 as a result of operations and was reduced by \$3,834,069 as a result of a restatement due to the implementation of GASB 68 and 71. The results of operations of the governmental activities and business-type activities increased their respective beginning restated net position by 6%.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$4,553,226; an increase of \$157,025 for the year. Approximately 48.5% is *available for spending* at the government's discretion (unassigned).

[End Agenda Memo]

Finance Director Dorothy Ecklund reviewed Agenda Item 6.I. She introduced the City's independent auditor Ron Conrad from Cherry Bakert LLP, CPAs & Advisors who gave a report on the City's Comprehensive Annual Financial Report, For Fiscal Year Ended September 30, 2015. He answered questions from the City Commission.

Ms. Ecklund asked the Commission to vote on accepting the audit.

Deputy Mayor Thornhill made a motion to accept the Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2015 and independent auditors' report as presented. Commissioner Gibson seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

7. COMMUNICATIONS AND PETITIONS

Gary Gose, Nalcrest, VFW Post 2420 Commander, told about their upcoming memorial service events, which included a Memorial Day service at the Willow Lawn Cemetery and the Lake Wales Cemetery on Monday, May 30, and a National Parachute Champions event at the Lake Wales Municipal Airport on May 27th, 28th, & 29th. He invited everyone to attend.

The Mayor said he will be at the Willow Lawn Cemetery for the memorial service on Memorial Day. He asked the Deputy Mayor if he could be at the memorial service at the Lake Wales Cemetery because he

cannot be at both events at the same time and the Deputy Mayor he said he would get back with him on that.

Jackie Jackson said she is representing East Polk Avenue and presented a "Thank You" card to the City for putting the lights in the area she had requested. She said there is also a problem at the corner of East Polk Avenue and Third Street. There is a stop sign there that people do not want to stop at and she has seen many accidents there because of it. Mr. Fields he will have the traffic division take a look at it.

8. CONSENT AGENDA

Agenda Item 8.I. Approval of Minutes: May 3, 2016 Regular Meeting

Agenda Item 8.II. One-month Lease Agreement Extension with Polk County Workforce Development Board, Inc. d/b/a/CareerSource Polk

[Begin Agenda Memo]

SYNOPSIS

CareerSource Polk provided notice of non-renewal of their Lease Agreement to provide the Young Leaders program at the James P. Austin Community Center and requested that the City allow them to continue the program there until the end of July 2016. Mobile services at the Lake Wales Library will continue.

RECOMMENDATION

It is recommended that the City Commission approve a one-month extension to the current Lease Agreement with Polk County Workforce Development Board, Inc. d/b/a CareerSource Polk at the James P. Austin, Jr. Community Center until July 31, 2016. The current Lease expires on June 20, 2016.

BACKGROUND

CareerSource Polk, formerly known as Polk Works has been providing the Young Leaders program at the James P. Austin Community Center since June 2007. This program provides academic support and employment training to adults between the ages 16 and 21 who reside in Polk County. The service provided is free to those who qualify and assists youth in gaining the necessary academic and workplace skills needed to become successful as they move into adulthood.

CareerSource Polk provided notice of non-renewal of the Lease Agreement ending on June 30, 2016 and requested that the City allow them to continue their services at the community center until the end of July 2016. Their mobile services at Lake Wales Library will continue.

FISCAL IMPACT

None

OTHER OPTIONS

The only option would be not to allow the program to continue at the James P. Austin Community Center for an additional month.

[End Agenda Memo]

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

By Voice Vote:

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

The motion carried 4-0.

9. OLD BUSINESS

Agenda Item 9.I. Ordinance 2016-06, Amending Ordinance 2001-08 Personnel Administration Policies – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

Ordinance 2016-06 is being presented to allow payment of overtime to exempt employees during declared times of emergency.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2016-06 upon Second Reading and Public Hearing.

BACKGROUND

The Federal Labor Standards Act establishes procedures to exempt certain classifications of employees from the overtime provisions. Under normal operations, these employees do not receive overtime compensation.

The purpose of Ordinance 2016-06 is to provide the conditions for which overtime will be paid to exempt (salaried) employees. If the following conditions are met, then exempt employees will be eligible for overtime compensation:

1. The Mayor of the City of Lake Wales has signed a declaration declaring that a State of Emergency exists in the City.
2. The City has activated its Emergency Operations Center and the City Manager has implemented the City's Emergency Management Plan.

FISCAL IMPACT

The fiscal impact of Ordinance 2016-06 will depend on the magnitude of future disasters or emergencies and the amount of services needed by the community. However, costs may be significantly reduced by reimbursement from FEMA.

OTHER OPTIONS

Do not adopt Ordinance 2016-06

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-06 by title only:

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES; AMENDING OVERTIME TO ALLOW PAYMENT OF OVERTIME TO EXEMPT EMPLOYEES DURING DECLARED TIMES OF EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The City Manager reviewed Agenda Item 9.I.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Deputy Mayor Thornhill made a motion to adopt Ordinance 2016-06 after second reading and public hearing. Commissioner Gibson seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

10. NEW BUSINESS

Agenda Item 10.I. Ordinance 2016-07, Zoning Amendment - 1230 Scenic Highway, American Legion Post 71 – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

A zoning amendment from I-1 Industrial Park to LCI – Limited Commercial Industrial is recommended. The LCI district will allow by right all of the different activities in the building. A Land Use designation change is not necessary.

RECOMMENDATION

Staff recommends that the City Commission approve, following a first reading of Ordinance 2016-07.

A public hearing is not required for first reading.

The Planning and Zoning Board held a public hearing on April 26, 2016 and voted unanimously to recommend a change in zoning designation on the subject property from City of Lake Wales designation I-1 Industrial Park to LCI Limited Commercial Industrial.

BACKGROUND

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American Legion Post 71 moved into an existing manufacturing building to create a Veteran's Center. The building currently houses the Post, a flight simulator business, and light manufacturing that utilizes veteran employees.

See Attachment A to the ordinance for location and zoning designations.

Surrounding zoning designations:

North: City – LCI Limited Commercial Industrial

South: City – LCI Limited Commercial Industrial

East: City – I-1 Industrial Park

West: City – I-2 Industrial In-fill

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-07 by title only:

(Zoning – 1230 Scenic Highway (SR 17) American Legion Post 71 – 8.8 acres)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE THE ZONING DESIGNATION ON APPROXIMATELY 8.8 ACRES OF LAND LOCATED ON THE EAST SIDE OF SCENIC HIGHWAY CITY OF LAKE WALES DESIGNATION I-1 INDUSTRIAL PARK TO CITY OF LAKE WALES DESIGNATION LCI LIMITED COMMERCIAL INDUSTRIAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Planning & Development Director Kathy Bangley reviewed Agenda Item 10.I.

Deputy Mayor Thornhill made a motion to approve Ordinance 2016-07 after first reading. Commissioner Gibson seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill "YES"

Commissioner Gibson "YES"

Commissioner Perez "YES"

Mayor Fultz "YES"

The motion carried 4-0.

Commissioner Perez thanked the American Legion for all it is doing.

Ira Anderson, Commander of American Legion Post 71, invited everyone to visit their new location and see what they are doing there, which he said was far and beyond what most Posts do. They are a veteran service organization and they do that for everyone in and outside the County. He said they also have an art gallery there by the local artists.

Agenda Item 10.II. Resolution 2016-12, Appointment of a Primary and Alternate Director to the Polk Regional Water Cooperative (PRWC) for a term of one year

[Begin Agenda Memo]

SYNOPSIS

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Appointment of Directors to the Polk Regional Water Cooperative Board allows the City vital participation and input on the Board.

RECOMMENDATION

It is recommended that the City Commission adopt Resolution 2016-12, appointing a primary and an alternate Director to the Polk Regional Water Cooperative Board for a term of one year.

BACKGROUND

On March 15, 2016, the City of Lake Wales entered into an Interlocal Agreement with Polk County and all the other municipalities within Polk County for the establishment of the PRWC. Being a part of the Cooperative allows the City to access funding from the Southwest Florida Water Management District ("SWFWMD") for future multi-jurisdiction water supply projects.

Section 2.02 of the Interlocal Agreement provides that, within forty-five days of its effective date, each Member Government shall provide PRWC with a Resolution identifying the appointment and term(s) of its primary and alternate Directors. Although, on April 19, 2016, the City Commission appointed two Commission members to serve on the PRWC Board it was not done by resolution and therefore is not official. Term limits must also be included in the resolution. Resolution 2016-12 was prepared for that purpose.

OPTIONS

There is no other option but to appoint directors to the PRWC Board because any decisions that are made impacts the future of our City. It is vital that we be a part of that.

FISCAL IMPACT

There is no foreseeable fiscal impact at this time.

City Clerk Clara VanBlargan read Resolution 2016-12 by title only:

A RESOLUTION OF THE CITY COMMISSION OF HE CITY OF LAKE WALES, FLORIDA, APPOINTING PRIMARY AND ALTERNATE DIRECTORS TO THE POLK REGIONAL WATER COOPERATIVE (PRWC) BOARD OF DIRECTORS; ESTABLISHING THE TERM OF APPOINTMENT; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION TO PRWC; PROVIDING AN EFFECTIVE DATE.

The City Manager reviewed Agenda Item 10.II.

Deputy Mayor Thornhill made a motion to adopt Resolution 2016-12, appointing Commission Perez to serve as the primary director and for a term expiring on May 17, 2017 and Mayor Fultz to serve as the alternate director for a term expiring on May 17, 2017 on the Polk Regional Water Cooperative Board for the City of Lake Wales. Commissioner Gibson seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

11. CITY MANAGER

Agenda Item 11.I. City Commission Tracking Report

Mr. Fields reported the following:

- This is the second year in a row that a City employee was named "Public Servant of the Year." He said he is very proud of his staff and the work they do, and that Ms. Allen's award was well deserved.
- There is a lot happening at the Lake Wales Airport: the National Parachuting Championship is on May 27 – 29, 2016; the new lease agreement has been signed with Ms. Hill for her operation at the Airport; the new airport manager is off to a good start; and we are getting ready to open the bids on the runway expansion.
- He invited everyone to attend the City's free moving night at the James P. Austin Community Center on the third Friday night in May.
- Mr. Fields said that although we did a proclamation this is Public Works Week, which is a time to thank the employees we do not see very often. They work hard to make the City look great.

Agenda Item 11.II. City Commission Meeting Calendar

Agenda Item 11.III. Other Meetings & Events Calendar

Agenda Item 11.IV. City Boards Meeting Schedule

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

12. CITY COMMISSION COMMENTS

Commissioner Gibson said when he chaired the Charter Review Committee one of the things they did was trying separating the function of administration from the function of civic leadership. The city managers had gotten in trouble when they filled the vacuum allowed by the City Commission and they were not really fulfilling the responsibility for civic leadership. Therefore, we put as much responsibility as we could in the position of Mayor. One of the responsibilities the Mayor now has by Charter is appointing all the members to the City boards, commissions, and committees. Those positions are under appointed and not enough people from the community come forward to serve on these boards. It is critical that those members be there. They cannot function without enough members and cannot fill the responsibility set forth by the ordinance. He commended the City for having its first annual board appreciation dinner to show appreciation to all its board members.

The Mayor said we continuously encourage people to serve on the boards.

Commissioner Gibson suggested changing Commission meeting nights to Mondays to allow more newspaper coverage and said the more information we can get out in the community on what the City is doing the less we would have to rely on rumors, which is not our friend. He asked the Commission to think about changing its meetings from Tuesday nights to Monday nights.

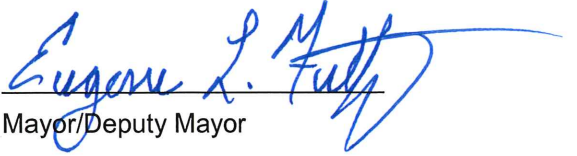
Commissioner Gibson said the term City Commission is erroneous and the correct term is City Council. He said that someday we might want to make that change.

Deputy Mayor Thornhill said he is in favor of changing the meeting times because people have approached him about that. He apologized for not being present at the budget workshop meeting on Monday night and said his budget priorities is economic development and maintenance and repair because we have let stuff go too long and we need to make that a priority.

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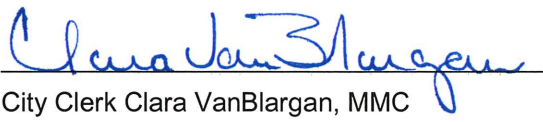
13. MAYOR COMMENTS

The meeting was adjourned at 6:40 p.m.



Mayor/Deputy Mayor

ATTEST:



City Clerk Clara VanBlargen, MMC