

City Commission Meeting
June 7, 2016

The meeting of the Lake Wales City Commission was held on June 7, 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; Terrye Y. Howell; Jonathan Thornhill, Deputy Mayor; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: Robin Gibson

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

5. MAYOR

Agenda Item 5.I. Proclamation: Code Enforcement Officers' Appreciation Week

The Mayor presented a proclamation recognizing June 6–10, 2016 as "Code Enforcement Officers' Appreciation Week."

6. PRESENTATION/REPORT

7. COMMUNICATIONS AND PETITIONS

Ira Anderson, Commander of American Legion and resident, invited everyone to attend their Flag Day ceremony on June 14 at 10 a.m. and thanked Commissioner Perez for mentioning in the workshop the sign needed for the American Legion and other service organizations because it is important to let people know they are here and the location, etc. He said he had a picture from 1948 or 1949 that was located at the entrance of the City with all the names of the service women and men from Lake Wales that had died in World War II. Mr. Anderson said the American Legion offer their services to the City of Lake Wales to come up with the names or whatever that is needed for the sign, monument, memorial or whatever the City or CRA plans to put up to show that the City of Lake Wales is a veteran friendly City. The Mayor asked Mr. Anderson if the appropriate place for the memorial would be in front of City Hall with the other memorial that is there and Mr. Anderson said yes, with the ability to add names to the sign.

Flora Tonya Stuart, non-resident, said she wanted everyone to know she is running for public defender in the 10th Circuit Court which covers the Counties of Polk, Hardy, and Highlands and that she will be on the November ballot.

8. CONSENT AGENDA

Agenda Item 8.I. Approval of Minutes: May 16, 2016 Budget Workshop; May 17, 2016 Workshop; May 17, 2016 Regular Meeting

Agenda Item 8.II. City Catalyst Grant Application

[Begin Agenda Memo]

SYNOPSIS

City Commission Meeting
June 7, 2016

The City would like to partner with the Lake Wales Family YMCA to apply for a City Catalyst Grant from the Florida League of Mayors for \$1000 to offer free Tai-Chi classes to the public at Lake Wailes Park. The grant deadline is June 17.

RECOMMENDATION

Staff recommends approval of the grant application.

BACKGROUND

The Florida League of Mayors, Inc. and Florida Business watch are offering Catalyst Grants to help Cities start new programs that will enhance the health and economic well-being of their communities. These grants can be for \$500 - \$1500. Fitness Programs are one of the suggested options for these grants.

This grant application asks for \$1000 to cover costs of the instructors, advertising and basic equipment for the class.

OTHER OPTIONS

Do not apply for the grant or apply for another program.

FISCAL IMPACT

Any additional costs for this class will be covered by the City.

[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 Perez "YES"
Mayor Fultz "YES"

The motion carried 4-0.

9. OLD BUSINESS

10. NEW BUSINESS

Agenda Item 10.I. Ordinance 2016-08, Amendments to Chapter 12, Health Sanitation, Nuisances, and Minimum Property Maintenance Standards – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

This ordinance addresses a reconfiguration of Chapter 12. It returns items to code that were removed in 2012 that are essential to the health safety and welfare of our community.

RECOMMENDATION

City Commission Meeting
June 7, 2016

Staff recommends the approval of Ordinance 2016-08 after first reading. A public hearing is not required.

BACKGROUND

Upon thorough review of Chapter 12 it was determined that there were items that had been included prior to the 2012 amendment that were integral to performing code enforcement duties that were no longer represented in the code. The most significant of these were dealing with motor vehicles and vessels. Staff is also proposing more specific wording for common violations so that the citizenry will be better informed as to what is expected of them.

Property clearing, junk and trash, trees, and dangerous conditions were all relocated under Article II Nuisances. Division 4 is amended to set Motor Vehicles apart in their own sections. Updated specifications are included for property address numbers.

FISCAL IMPACT

The amendments have no identifiable fiscal impact themselves.

OTHER OPTIONS

City Commission may modify the proposed amendments as determined appropriate.

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-08 by title only:

(Amendments to Chapter 12, Health, Sanitation, Nuisances, and Minimum Property Maintenance Standards)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES, CHAPTER 12, HEALTH, SANITATION, NUISANCES, AND MINIMUM PROPERTY MAINTENANCE STANDARDS; AMENDING ARTICLE I. IN GENERAL SECTION 12-1 THROUGH 12-7, ARTICLE II NUISANCES DIVISION 1 GENERALLY, DIVISION 2 DEBRIS, WEEDS, WILD GROWTH, DANGEROUS AND UNSANITARY CONDITIONS SECTION 12-36 THROUGH 12-41, DIVISION 4. MOTOR VEHICLES OR VESSELS SECTION 12-71 and 72, AND DIVISION 5 LITTER, ARTICLE IV MINIMUM PROPERTY MAINTENANCE STANDARDS SECTION 12-226 INTENT, SECTION 12-227.7 REQUIREMENTS NOT COVERED BY CODE, SECTION 12-231 EMERGENCY MEASURES, SECTION 12-232 DEFINITIONS, SECTION 12-233 EXTERIOR PROPERTY AREAS, SECTION 12-235 PREMISES IDENTIFICATION, SECTION 12-237 RUBBISH AND GARBAGE; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Planning & Development Director Kathy Bangley reviewed Agenda Item 10.I and said for the record the title will be amended because it is actually Section 12.235.2, premises identification. She said this ordinance addresses a reconfiguration and returns items to the Code that were inadvertently removed in 2012 that are essential to the health, safety, and welfare of our community and explained the changes being made to the Code.

Commissioner Howell made a motion to approve Ordinance 2016-08 after first reading. Deputy Mayor Thornhill seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

City Commission Meeting
June 7, 2016

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

The motion carried 4-0.

Agenda Item 10.II. Resolution 2016-14, Unmanned Donation Boxes

[Begin Agenda Memo]

SYNOPSIS

This resolution will ban unmanned donation boxes within the city limits and provide for the removal of existing boxes.

RECOMMENDATION

Adoption of Resolution 2016-14 is recommended.

BACKGROUND

City Commission requested staff look into unmanned donation boxes inside the City in late 2015. At that time thirty-one (31) boxes were counted in various locations throughout the city. Since that time the number of boxes has increased. Many of the locations are becoming an eyesore and having a negative effect on the overall appearance of the city.

The resolution sets a ban on the unmanned boxes within the city limits and provides for a forty-five day (45) window of opportunity for the owning entity to remove. Property owners where the boxes are located will also be notified.

FISCAL IMPACT

There is no direct fiscal impact on the City.

OTHER OPTIONS

Do not adopt the resolution

[End Agenda Memo]

City Clerk Clara VanBlargan read Resolution 2016-14 by title only:

A RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, POLK COUNTY, FLORIDA, PROVIDING FOR THE PROHIBITION OF UNMANNED DONATION BOXES WITHIN THE CITY LIMITS; PROVIDING FOR REMOVAL OF EXISTING BOXES; AND PROVIDING AN EFFECTIVE DATE

Planning & Development Director Kathy Bangle reviewed Agenda Item 10.II. She said during the 45 day period staff will notify all entities that have boxes with identifying information and place stickers on those boxes that do not. Property owners will also be notified of where the boxes are located in that 45 day period.

Commissioner Perez asked if the City would be removing the boxes where there is no response received and Ms. Bangley said yes, but where to put them has not been determined and they will attempt to recoup the cost from the property owner for that removal.

Commissioner Howell asked if other non-profit organizations would be able to have a box and Ms. Bangley said only if it is manned with the property identification. Someone would have to be there when accepting donations.

Mr. Fields said since this issue was brought up the number of boxes has grown and some of them are nothing but dumping sites with trash piled up around the boxes. There are alternatives to where donations can be dropped off which include not only clothes and shoes but furniture and other things of that nature. The best thing to do right now is to ban them all outright. The Commission was in agreement.

Deputy Mayor Thornhill made a motion to adopt Resolution 2016-14. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

Agenda Item 10.III. Resolution 2016-13, Initial Assessment Resolution for Fire Protection Assessments

[Begin Agenda Memo]

SYNOPSIS

The adoption of Resolution 2016-13 will establish the methodology used to calculate the fire assessment rate. Adoption of Resolution 2016-13 will set the initial assessment rate. A final assessment resolution will have to be adopted before the Fire Protection Assessment is implemented for the fiscal year beginning October 1, 2016.

RECOMMENDATION

It is recommended that the City Commission set the initial Fire Protection Assessment rate and adopt Initial Assessment Resolution 2016-13 providing for Fire Protection Assessments for fiscal year beginning October 1, 2016. Staff is recommending the following rate scenario:

| 45.25% funding | | \$1,024,904 estimated net revenue | |
|----------------------|-------------------------|-----------------------------------|-------|
| Property Category | Assessment Rate | | |
| Single-Family | Per dwelling unit \$146 | | |
| Multi-Family | Per dwelling unit \$72 | | |
| Mobile Home | Per dwelling unit \$129 | | |
| Property Category | Assessment Rate | | |
| Commercial | Per Sq Ft | | \$.06 |
| Industrial/Warehouse | Per Sq Ft | | \$.01 |
| Institutional | Per Sq Ft | | \$.08 |

The above rate scenario adds two additional residential categories that are not in the currently adopted Fire Protection Assessment. All categories with the exception of Industrial/Warehouse will see a reduction in fire assessment rates. The overall reduction in total estimated net revenue will be \$249,524.

The City will yield the same revenue with a 12.25% reduction in the funding scenario due to the change in collection method. With the current direct billing method the city anticipated a collection rate of 80%. With the property tax bill method the city anticipates a collection rate in the mid to high 90% range.

BACKGROUND

On June 16, 2015, the City Commission adopted Resolution 2015-09 which set the final Fire Protection Assessment rate for the fiscal year beginning October 1, 2015 as follows:

| 57.5% funding | | \$1,274,428 estimated net revenue | |
|----------------------|-------------------------|-----------------------------------|--|
| Property Category | Assessment Rate | | |
| Residential | Per dwelling unit \$150 | | |
| Property Category | Assessment Rate | | |
| Commercial | Per Sq Ft | \$.08 | |
| Industrial/Warehouse | Per Sq Ft | \$.01 | |
| Institutional | Per Sq Ft | \$.12 | |

Last year the fire assessment fee was directly billed from the city with all subsequent years' assessments appearing on the property tax bill through the Polk County Tax Collectors Office.

OTHER OPTIONS

Rely solely on ad valorem taxes to fund fire protection services, equipment and programs.

FISCAL IMPACT

The Fire Protection Assessment will create a dedicated funding source for fire protection services. While the Fire Protection Assessment will not completely fund fire protection services, it will fund 45.25% of the fire department's budget.

[End Agenda Memo]

City Clerk Clara VanBlargan read Resolution 2016-13 by title only:

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; PROVIDING AUTHORITY, PURPOSE, AND DEFINITIONS; PROVIDING LEGISLATIVE FINDINGS; DESCRIBING THE METHOD OF ASSESSING FIRE SERVICES ASSESSMENT COSTS AGAINST PROPERTIES WITHIN THE CITY OF LAKE WALES; DETERMINING THE FIRE ASSESSMENT COST AND INITIAL FIRE SERVICES ASSESSMENTS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREFOR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Fire Chief Joe Jenkins reviewed Agenda Item 10.III. He said this is similar to the process that we started last year, the initial rate assessment resolution. The recommended rate scenario from staff this year has some differences that you will see from the current adopted rate scenario. The residential category has been split into three categories: single family/duplex; multi-family consisting of three or more units; and mobile home. The commercial warehouse institutional and non-residential institutional all stayed the same. The fee rate structure for all these categories have gone down. Single-family rate went from \$150 to \$146, the new category multi-family went from \$150 per unit to \$72 per unit, and a mobile home went from \$150 per mobile to \$129 per mobile home. We were able to do these three categories this year versus last year because

City Commission Meeting
June 7, 2016

there was some data that we did not have compiled last year and hearing comments from commissioners and citizens alike we actually went back into our records and dug deeper and were able to bring up these numbers so we could put this into three categories. If you look at the non-resident commercial it will go from 8 cents a sq. ft. to 6 cents a sq. ft. A warehouse will stay a penny and institutional will go from 12 cents to 8 cents a sq. ft. This will bring in the same dollars that we projected that we would bring in this year at an 80% collection rate because we did a direct billing this year and then in October it will be going on the tax bill as a non-ad valorem assessment. This will allow the citizens to use the 4% discount similar to when you pay your ad valorem taxes. The 4% will also be seen on the non-ad valorem fire assessment. With the discount a single-family will go down from \$146 to \$140.16 and all the other categories will go down likewise by 4%. This resolution will not put a fire assessment in place for 2016-2017. It is just the first step that has to be done to set the not-to-exceed initial rate and then we will come back on September 6th [7th] to get the final resolution in place.

Commissioner Perez asked for a hard copy of the resolution and the Mayor said he can print one down from his computer. Mr. Fields said a hard copy will be given to him.

Mayor Fultz said this resolution was talked about by Commissioner Gibson at the last Commission meeting and that they had already talked about it and considering that. New information came in later that allowed us to take a look at it and consider something on this. This is the most sensible thing that we can look at right now as far as trying to adjust the areas that we are looking at so he really wished Commissioner Gibson was here so we could hear his voice on this but since he is not we will go on but we did honor his request by looking into that.

Commissioner Thornhill said staff did a good job with listening. He said the biggest thing he heard was with mobile home parks. Fire Chief Jenkins said there are 478 mobile homes in the City limits. There are three separate mobile home parks and the one park that Commissioner Thornhill is referring to have the majority of those mobile homes, 418 permitted lots. That particular lot with this methodology and this rate scenario would actually save \$10,935 from this year to next year if they utilize that 4%.

Mr. Fields said this is based on actual fire runs that the fire department makes. He said the other complaint we got last time was with multi-family homes where one building with six structures was paying six times as much as one building with one structure. Rental property tends to be in a different income category so this addresses that issue and makes it a bit more fairly in terms of multi-unit residences. Hopefully, the landlords and mobile home park owners will pass the saving on down to their tenants. The City has done what it can to make this a more equitable approach. It is based on actual usage of the fire service by the type of residences involved.

Fire Chief Jenkins said we have to make sure we explain mobile home rates to the mobile home residents. The park owners who are getting the invoices and not the residents need to understand that the City of Lake Wales is not invoicing them individually. The fact that there are only 478 mobile homes in the City limits that is not enough to smooth the cost of fire runs.

Commissioner Perez said if this is approved he would like for all the newspapers to identify those things that we have talked about so they recognize what we are doing because of all the complaints he received. This is a great first step in what we are going to do. Chief Jenkins said it is a reduction of the assessed dollars by \$249,000, this year and next year.

Commissioner Howell said she does not think the people in Lake Wales was educated enough the last time so we will educate them more this time. It needs to be in the newspapers showing examples so people will know what they will be paying and that it is a reduction. Other city residents might be paying less now but they will be going up and people need to know that. The Mayor said the media needs to get a hard copy of the resolution so they will have the rate scale to put in the paper for people to see which the beginning of the educational process.

City Commission Meeting

June 7, 2016

Commissioner Thornhill asked about vacant lots and Fire Chief Jenkins said we still will not be charging vacant lots. What we didn't charge this year will not be charged again next year such as the institutional not-for-profits.

Commissioner Thornhill said Christopher Lutton would like to speak on this so the mayor called him forward. Mr. Lutton, resident, said when we first started talking about this over a year ago we were trying to be fair about what people would be paying for their protection. Somehow the non-profit entities got by on it 100%. Ideally, with separation of church and state the church sanctuaries should be non-profit even though the fire department annually goes there and does a fire inspection for the safety of all the people that go in there so we are spending money for that space. We have a lot of non-profits in this City that have buildings that are not used for their main sanctuary religion. Some of them are rentals that they are making money on although it might not be that much but they are benefiting from it. They are using it for a business enterprise and they need to share the burden because they do get the benefit of the service even if it is a vacant storage building.

Mr. Fields said the non-profit sanctuary would be exempt and explained what ways non-profits would have to pay. Fire Chief Jenkins said he sat down with one of the non-profits and reviewed every property they owned to learn its usage so they can pay accordingly. The only institutional that actually get charged the institutional rates are the for-profit institutions.

Mr. Fields explained that this has to be done now so the tax collector can put it on the TRIM notice which is a cost savings. Last year we had to mail out a first class letter to all the property owners so doing it this way it will go on the TRIM notice sent to everybody and then on the tax bill come next November.

Charlene Bennett, resident, said if she owned a 2-bedroom shack worth \$10,000 she would have to pay the same fee as somebody owning a 7-bedroom mansion, which will probably take a lot more fire trucks and a lot more water, etc. She asked if something can be done differently for that. Fire Chief Jenkins said when we look at a single-family dwelling it's not the size or the value of the home it's the scope of the dwelling. The initial response from our fire department will be the same whether it's for a 10,000 sq. ft. house or a 1,000 sq. ft. home. It is based on the initial response and we send what we have. If it were a larger home, a mountain lake style home, we might ask for help beyond what we can provide through mutual aid. We do not charge mutual aid and we provide mutual aid. It is not based on value or the size of the home but a dwelling.

Mr. Fields said this is a methodology that has been around now for 20+ years. It's been approved by the courts and has withstood numerous challenges. Just about the time we did our assessment last year a methodology was being used by some cities that is newer and so far had only one court challenge where the supreme court did uphold it on that case but we do expect additional challenges. It is based in part by value of a home but what we discovered when we looked at it the nature of that methodology sheds more of the burden on to residential property so even though it is based partly on value, the way that methodology works is that it sets a base rate for every property in the City and then you add on a number based on value of the property. As an example, Haines City uses that methodology and their base rate for every single property in the City is the same as our residential rate, \$146 basically, and then they add on top of that a number based on the value of the structures on the property. As a result, the residential rate in most cases is about \$190. Fire Chief Jenkins said there are two tiers to that: one is to provide availability of the service which is a flat rate that everyone pays which is about \$143 and then tier two would be so many dollars, pennies or whatever the number came up to for every \$1,000 of improvement made to that property plus the flat rate, \$143. So for a \$100,000 home they would pay \$243.00 for that property.

The mayor asked Fire Chief Jenkins about other cities that might be comparable to ours and Fire Chief Jenkins said that Polk County Rescue uses the same methodology as we do and they also have three categories for residential but the rates are a little higher. However, for a mobile home the rate is only \$87 but they have more mobile home parks that allow them to spread the cost out.

City Commission Meeting
June 7, 2016

Commissioner Howell asked what to say when voting and Fire Chief Jenkins answered that there is a couple ways of doing that: you can say the \$146 and we will know that is the rate scenario for the single-family homes or you can say at the 45.25% funding rate which should be shown at the top of the chart.

Commissioner Howell made a motion to adopt Resolution 2016-13 with the not-to-exceed funding rate of 45.25%. Commissioner Perez seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

Agenda Item 10.IV. Resolution 2016-15, Joint Participation Agreement-G0B57

[Begin Agenda Memo]

SYNOPSIS

The adoption of Resolution 2016-15 authorizes the execution of an agreement with the Florida Department of Transportation (FDOT) to rehabilitate and extend Runway 06/24 at the Lake Wales Municipal Airport.

RECOMMENDATION

Staff recommends that the City Commission approve the following actions:

1. Adopt Resolution 2016-15 authorizing the execution of Joint Participation Agreement G0B57 by the Mayor with the Florida Department of Transportation (FDOT) in the amount of \$488,000.00.

BACKGROUND

In 2014, the City Commission adopted Resolution 2014-14, which provided additional funding from FDOT to complete the construction phase of airfield improvements to rehabilitate airport road, perform runway 24 safety improvements and to realign taxiway A.

Then in 2015, the City Commission adopted Resolution 2015-20 which provide funding of \$485,000.00 to update the environmental assessment, mitigation, permitting, design update, and related activities necessary to bid the runway 6/24 rehabilitation and extension project.

Resolution 2016-15 will provide funding of \$488,000.00 to rehabilitate and extend Runway 06/24. Funding from FDOT will be in phases to complete their funding share:

| | |
|----------------|---------------------|
| FY 2015 | \$485,000.00 |
| FY 2016 | \$488,000.00 |
| FY 2017 | \$460,000.00 |
| FY 2018 | \$1,000,000.00 |

The city will be submitting the funding request for FAA's share of the project in June 2016.

City Commission Meeting
June 7, 2016

FISCAL IMPACT

Funding is as following for the upcoming FY 16/17 budget:

Invoices pertaining to the runway 06/24 rehabilitation will be funded as follows:

FAA: 90%
FDOT: 5%
City: 5%

Invoices pertaining to the runway 06/24 extension will be funded as follows:

FDOT: 80%
City: 20%

OPTIONS

The City Commission has already accepted the grant offer from the Federal Aviation Administration (FAA) and the Florida Department of Transportation (FDOT) for the engineering design phase and construction phase for the safety improvements to 6/24, realignment of taxiway A, the update of the environmental assessment, mitigation, permitting, and design update phase of the 6/24 runway extension project.

Adopting Resolution 2016-15 provides funding for the next phase of the extension project.

[End Agenda Memo]

City Clerk Clara VanBlargan read Resolution 2016-14 by title only:

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA), ITEM-SEGMENT-PHASE-SEQUENCE NUMBER (FINANCIAL PROJECT NUMBER): 438921-1-94-01 and 438921-1-94-02 (REHABILITATE AND EXTEND RUNWAY 06/24) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ALLOW THEIR PARTICIPATION IN AN AVIATION PROJECT AT THE LAKE WALES MUNICIPAL AIRPORT.

Assistant Public/Support Services Director Teresa Allen reviewed Agenda Item 10.IV and said this funding from FDOT basically brings us to our next to the last phase of the airport project, the rehabilitation for the overlay of Runway 6/24. Anything that we receive from FDOT is on an 80% funding percentage rate with the City paying 20%. Ms. Allen said she sent in an application today for FAA funding and their funding will be at 90%, City 5%, FDOT 5%.

Deputy Mayor Thornhill made a motion to adopt Resolution 2016-15. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

Mr. Fields commented on the recent National Parachuting Championship event held at the Airport and said it was very successful with little advertising. He said next year we will apply for TDC funding because it is a multiple day event so we can increase the amount of advertising. Assistant Public/Support Services Director Teresa Allen said we also were put in for airport project of the year and airport of the year awards.

Agenda Item 10.V. Appointments – Various Boards, Commissions & Committees

[Begin Agenda Memo]

SYNOPSIS

Appointments fill vacancies due to resignations, expiration of terms, newly established boards, etc.

BACKGROUND

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

Bicycle/Pedestrian Advisory Commission - The commission consists of seven (7) regular members and three (3) alternate members. The city manager, planning and development director, and police chief or their respective designees serves as ex officio members. At least five (5) regular members and two (2) alternate members must reside within the City limits. Members who are not City residents must reside within the City's utilities service area in a residence served by the City's utilities system, receiving either water or sewer service. (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 3 regular vacancies; 3 alternate vacancies; 3 expiring terms

| | |
|--|--------------------------|
| Current Members: Evelyn Pabon, resident | 08/21/12 – 07/01/16, P+1 |
| Lorraine McIntosh, resident | 06/15/10 – 07/01/16, 2 |
| Jaime Rivera, resident | 03/05/13 – 07/01/16, 1 |
| Roberto Maldonado, resident | 07/17/12 – 07/01/17, 2 |
| ***Vacant***, Regular | – 07/01/17 |
| ***Vacant***, Regular | – 07/01/18 |
| ***Vacant***, Regular | – 07/01/18 |

Applying for Reappointment: Lorraine McIntosh, resident – for a term expiring 7/1/19

Meetings (City Code Sec. 2-199.2) - The commission shall meet at regular intervals, but in any event at least once each quarter. Meetings shall be called by the chairperson. The mayor and the city manager shall have the authority to call special meetings of the Bicycle/Pedestrian Advisory Commission.

Current Meeting Schedule: 1st Thursday @ 5:30 PM; Commission Chamber

[Inactive Board - There have been no meetings held in the past year.]

Duties (City Code Sec. 2-199.3) – The Commission shall:

1. Make recommendations regarding implementation of roadway and transportation improvements as it pertains to bicycle and pedestrian needs;

City Commission Meeting
June 7, 2016

2. Promote safe and convenient enjoyment of the city's bicycle/pedestrian facilities through safety/educational programs and activities, community events and clinics, and other activities as necessary;
3. Promote communication and exchange of ideas and concerns among users of the city's bicycle/pedestrian facilities, city staff and the city commission;
4. Make reports and recommendations to the city commission and city staff with respect to the development and management of bicycle/pedestrian facilities;
5. Receive public input pertaining to bicycle and pedestrian transportation and infrastructure issues;
6. Make recommendations regarding the allocation of funds for capital expenditures relating to bicycle and pedestrian transportation;
7. Assist the planning & development department and the planning board in the preparation and adoption of an up-to-date bicycle/pedestrian facilities master plan;
8. Assist in the design of the Lake Wales Trailway and provide a public forum for citizens to participate in the planning effort for the trail;
9. Help ensure that the Lake Wales Trail (around Lake Wales) continues to serve the needs of the many citizens who use it;
10. Suggest changes in the land development regulations that ensure that we become a city that welcomes walking and bicycling;
11. Have such other duties and responsibilities granted by the mayor and city commission consistent with the bicycle and pedestrian needs of the city.
- 12.

Code Enforcement Board (City Code Sec. 2-56) – The board consists of seven (7) members. Whenever possible, membership shall include an architect, a businessperson, an engineer, a general contractor, a subcontractor and a realtor. Members must be residents. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy; 2 expiring terms

| | |
|--|------------------------------|
| Current Members: Melissa Konkol, resident | 01/19/10 – 07/01/18, 3 |
| Wilena Vreeland, resident | 10/04/11 – 07/01/18, P+2 |
| Curtis Gibson, resident | 05/03/16 - 07/01/18, 1 |
| Jean Kincaid Scott, resident | 06/17/08 – 07/01/17, 3 |
| Murray Zacharia, resident | 06/18/13 – 07/01/16, 1 |
| William Follett, resident | 07/03/07 – 07/01/16, 3-Final |
| ***Vacant***, resident | – 07/01/18 |

Applying for Reappointment: Murray S. Zacharia, resident, for a term expiring 07/01/19

Current Meeting Schedule: 2nd Monday @ 5:00 PM; Commission Chamber

Powers (City Code Sec. 2-57) - The Code Enforcement Board imposes administrative fines and other noncriminal penalties to enforce city health and sanitation, local business tax receipt, fire, building, zoning and sign ordinances when it finds that a pending or repeated violation continues to exist.

In accordance with F.S. 162.08, The Code Enforcement Board has the power to:

1. Adopt rules for the conduct of its hearings.
2. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
3. Subpoena evidence to its hearings.
4. Take testimony under oath.

5. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

Housing Authority Board (F.S. 421.04) – The board consists of five (5) members. Members must reside in the City, own property in the City, or hold a valid occupational license issued by the City. One (1) member must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority. No member may be an officer or employee of the City. (4-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 expiring term

Current Meeting Schedule: 3rd Wednesday @ 6:00 PM; Housing Authority

| | |
|--|------------------------|
| Current Members: Janice Snell, resident | 04/17/12 – 07/01/18, 2 |
| Eddy Rivers, resident | 07/01/08 – 07/01/16, 2 |
| Wanda Lawson, resident | 06/18/13 – 07/01/17, 1 |
| Mellissa Montgomery, resident of housing project | 06/21/11 – 07/01/17, 2 |
| Helen Walters, resident | 11/04/14 – 07/01/18, 1 |
| Albert Kirkland, Jr., Ex-officio | n/a |
| Commissioner Jonathan Thornhill, City Liaison | 06/04/13 – 05/02/17 |

Applying for Reappointment: Eddy Jean Rivers, resident, for a term expiring on 07/01/20

Primary Duties: Manage and control the city's low-rent housing units.

Library Board (City Code Sec. 2-26,(b)) – The board consists of five (5) members. Four members must reside in the City, own property in the City or hold a valid business tax receipt issued from by the City. One member shall be a resident of the unincorporated Greater Lake Wales area having a Lake Wales address or a resident of the City of Lake Wales if the Lake Wales Public Library is a member of the Polk County Cooperative and receives operating funds from Polk County Board of County Commissioners (Ordinance 2008-07; 02/19/08). (5-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 3 vacancies, includes a final term; 1 expiring terms

Current Meeting Schedule: 2nd Wednesday @ 11:00 a.m.; Lake Wales Library

| | |
|--|------------------------------|
| Current Members: Glenda Morgan, outside | 08/06/96 – 07/01/16, 4-Final |
| Brystal Michalkiewicz, resident | 08/04/15 - 07/01/16, P |
| Donna Geils, resident | 12/02/14 – 07/01/17, 1 |
| ***Vacant*** | – 07/01/18 |
| ***Vacant*** | – 07/01/19 |

Applying for Reappointment: Brystal Michalkiewicz, resident, for a term expiring on 07/01/21

Primary Duties: Operate the public library; control expenditures of all monies collected or donated to the Library Fund; appoint the library staff and establish rules and regulations for operation and use of the Library subject to the supervision and control of the City Commission.

Planning & Zoning Board (City Code Sec. 23-205.2) – The board consists of seven (7) members. At least four (4) members must reside in the City and three (3) members must either reside in or own real property in the city. (3 year term)

- An interview process is required for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 expiring terms

| | |
|--|--------------------------------|
| Current Members: Charlene Bennett, resident | 02/16/10 – 07/01/16, 2 |
| John Gravel, business owner in city | 05/06/14 – 07/01/16, 1 |
| Sharon Allen, resident | 07/01/04 – 07/01/17, P+4-Final |
| Warren Turner, resident | 07/21/15 – 07/01/17, 1 |
| Joanne Fuller, resident | 09/19/06 – 07/01/18, 4-Final |
| Mark Bennett, resident | 05/07/13 – 07/01/18, 2 |
| Mathew Cain, own real property in city | 03/15/16 – 07/01/19, P+1 |

Applying for Reappointment: Charlene G. Bennett, resident, for a term expiring 07/01/19
John M. Gravel, business owner in City, term expiring 07/01/19

Meetings (2-133) – The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

Current Meeting Schedule: - 4th Tuesday @ 5:00 p.m.; Commission Chamber

Rules of procedure (City Code Sec. 23-205.3):

The planning board shall elect from its **membership** one (1) member to serve as chairman and one (1) to serve as vice-chairman.

- a. The term of the chairman and vice-chairman named by the planning board shall be for a period of one (1) year with eligibility for re-election.
- b. The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.
- c. The planning board shall adopt rules for transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations which record shall be filed with the official records of the city. The planning board may set a limit on the number of applications which may be scheduled for review on an agenda.

Functions, powers and duties (City Code Sec. 23-205.4) - To act as Local Planning Agency pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, F.S., ch 163, part II, and perform all functions and duties prescribed therein:

1. To advise and make recommendations to the city commission regarding applications for amendments to the official zoning map and comprehensive plan, rezoning of property, preliminary planned development projects and subdivisions;
2. To consider the need for revision or addition of regulations in these land development regulations and recommend changes to the city commission;
3. To hear and decide applications for special exception use permits and site plans in compliance with these regulations;
4. To perform any other duties which are lawfully assigned to it by the city commission

General Employees' Retirement Board (City Code Sec. 16-43) – The board consists of five (5) trustees. Two (2) members must be employees of the plan elected by a majority of the actively employed members of the retirement system, two (2) members must be a resident of the City, own property in the City or have a business tax issued from the City of Lake Wales, and one member is a voting Mayor and/or City Commissioner. (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 expired term

| | |
|---|------------------------|
| Current Members: Linda Kimbrough, resident | 06/17/08 - 04/01/19, 3 |
| Violeta Salud, resident | 04/01/04 - 04/01/16, 4 |
| Sarah Kirkland, general employee | 01/05/10 - 04/01/19, 3 |
| James Slaton, general employee | 04/26/12 - 04/01/20, 1 |
| Commissioner Jonathan Thornhill, voting member | 03/18/14 - 05/07/17, 1 |

Applying for Reappointment: Violeta Salud, resident, for a term expiring 04/01/20

Meetings (City Code Sec. 16-43(O)) – The board of trustees may hold meetings, determining the notice, place and time of each. A majority of its members shall constitute a quorum.

Current Meetings – Quarterly @ 8:30 a.m.; City Manager's conference room

Powers & Duties (City Code Sec. 16-43 (I)): The powers, duties and responsibilities of the board of trustees 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 act section 3(38)), 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 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.

OPTIONS

None

FISCAL IMPACT

These are volunteer boards

[End Agenda Memo]

Deputy Mayor Thornhill made a motion to reappoint Lorraine McIntosh to the Bicycle/Pedestrian Advisory Commission for a term expiring on 07/1/19. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Deputy Mayor Thornhill made a motion to reappoint Murray S. Zacharia to the Code Enforcement Board for a term expiring on 07/1/19. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Commissioner Howell made a motion to reappoint Violeta Salud to the General Employees' Retirement Board for a term expiring on 04/1/20. Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Commissioner Howell made a motion to reappoint Eddy Jean Rivers to the Housing Authority Board for a term expiring on 07/1/20. Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

Commissioner Howell "YES"

City Commission Meeting
June 7, 2016

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

The motion carried 4-0.

Deputy Mayor Thornhill made a motion to reappoint Brystal Michalkiewicz to the Library Board for a term expiring on 07/1/21. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Commissioner Howell made a motion to reappoint Charlene G. Bennett and John M. Gravel to the Planning & Zoning Board for a term expiring on 07/01/19. Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Agenda Item 10.VI. Voting Delegate to the Florida League of Cities Meeting

The Mayor said according to the City Charter he is the one that is supposed to serve as the voting delegate on the Florida League of Cities Board.

Commissioner Howell made a motion to appoint Mayor Fultz to serve as the voting delegate to the Florida League of Cities Board. Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

Commissioner Howell "YES"
Deputy Mayor Thornhill "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:

- The tentative scheduled August 17 budget workshop meeting needed to be changed to August 15 because he and the Mayor will be attending the Florida League of Cities meeting on August 17.

- The City Catalyst grant application that was approved in the Consent Agenda is a Mayor's grant through the Florida League of Mayors, Inc. The grant will be used to offer classes through the YMCA, a program that has to be sponsored by the Mayor of a city who is a member of the Florida League of Mayors. Commissioner Perez asked if participants had to be a member of the YMCA and was told no and that the program is free to everyone located in or out of the City limits.
- He spent last week at a Florida City and County Management Association meeting for he is a board member to that, and he told who the other members were from Polk County. He explained the theme of the meeting "Preparing the Next Generation" and said it will be a reoccurring theme. Mr. Fields said he encourages everybody including elected officials to encourage young people to consider a career in government public service because it is probably one of the most satisfying things you could ever do in terms of serving your fellow citizens and knowing very closely how to improve a community.

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

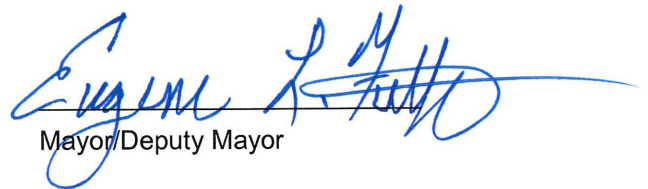
12. CITY COMMISSION COMMENTS

Deputy Mayor Thornhill said he was privileged to give an award to one of our officers for the Sons of the American Revolution, Officer John Swartz. He said he had recused himself from the voting because he is the chair. Officer Swartz won the police officer award for 2015.

The Mayor thanked everyone that came out to participate in the process because it helps to be knowledgeable about what is going on in this City.

13. MAYOR COMMENTS

The meeting was adjourned at 7:04 p.m.


Mayor/Deputy Mayor

ATTEST:


City Clerk Clara VanBlargan, MMC