

City Commission Meeting
October 4, 2016

The meeting of the Lake Wales City Commission was held on October 4, 2016 in the Commission Chambers at the Municipal Administration Building. Mayor Eugene Fultz called the meeting to order at approximately 6:00 p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

Dr. James Moyer gave the invocation.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Pete Perez; Terrye Y. Howell; Robin Gibson; Jonathan Thornhill, Deputy Mayor; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: None

CITY REPRESENTATIVES PRESENT: Kenneth Fields, City Manager; Clara VanBlargan, City Clerk; Thomas Drage, Acting City Attorney

5. MAYOR

Agenda Item 5.I. PROCLAMATION: Fire Prevention Week; October 9 - 13, 2016

The Mayor read a proclamation proclaiming October 9 - 13, 2016 as "Fire Prevention Week." Fire Marshall Brittany Simpson, Fire Chief Jenkins, and staff accepted the proclamation.

Agenda Item 5.II. PROCLAMATION: Alpha Delta Kappa Week; October 12 - 18, 2016

The Mayor read a proclamation proclaiming October 12 - 18, 2016 as "Alpha Delta Kappa Week." Brenda Wise with the local Chapter of Alpha Delta Kappa International accepted the proclamation.

Agenda Item 5.III. PROCLAMATION: Florida Government Week; October 16 - 22, 2016

The Mayor read a proclamation proclaiming October 16 – 22, 2016 as "Florida Government Week."

Agenda Item 5.IV. PROCLAMATION: Red Ribbon Week; October 23 - 31, 2016

The Mayor read a proclamation proclaiming October 23 - 31, 2016 as "Red Ribbon Week."

6. PRESENTATION/REPORT

7. COMMUNICATIONS AND PETITIONS

Greg Massey, non-resident, asked that the Commission revisit its ordinance regarding beer and wine establishments located in the C-1 district, which included the one on Lincoln Avenue that he owned. His establishment was there at the time the ordinance was adopted and he later closed it. During the time the bar was open the Commission made some changes to its ordinance, which included removing establishments from the Lincoln Avenue area. Mr. Massey urged the Commission to revisit the ordinance and make changes to allow a beer and wine establishment in the northwest section again.

A resident that did not state his name and address for the record said he still has not received a response to whether or not his baseball league team would be getting a field in Lake Wales to play on. Mr. Fields said Mr. Slaton has been in contact with him and he is still working on getting a meeting set up and something worked out. Perhaps after the meeting he can meet with Mr. Slaton since he is here tonight.

8. CONSENT AGENDA

Agenda Item 8.I. Approval of Minutes: September 20, 2016, Regular Meeting

Agenda Item 8.II. Lease Agreement – Christmas Decorations

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider entering into a lease agreement with Clark Sales Display, Inc. for Christmas decorations and a 17-foot panel tree with red and gold premier bows.

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Approve a lease agreement with Clark Sales Display, Inc. for Christmas decorations \$12,180.00 for and a 17-foot panel tree with red and gold premier bows for \$3,500.00.
2. Authorize the City Manager to execute the contract on behalf of the City.

BACKGROUND

The City has been utilizing a continued lease option for Christmas decorations with Clark Sales Display, Inc. since 1999. The current lease ended December 2015.

Clark Sales Display, Inc. and Display Sales are the only companies that responded to the request for a quote for Christmas decorations. Display sales informed us that they do not lease Christmas decorations they only sell them. The proposal from Clark Sales Display, Inc. includes installation, removal, maintenance and storage.

The agreement will be for the term beginning October 1, 2016 through September 30, 2019 with the option to re-new for two (2) additional one year terms upon mutual agreement by both parties.

OPTIONS

Do not approve the agreement

FISCAL IMPACT

Funded in fiscal year 16'17 budget

[End Agenda Memo]

Agenda Item 8.III. 3rd Annual Orange Blossom Revue; December 2 – 3, 2016

[Begin Agenda Memo]

SYNOPSIS

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Approval of this request will allow the Noon Rotary Club to hold its third annual "Orange Blossom BBQ" event in Lake Wailes Park on Friday, December 2 and Saturday, December 3, 2016, allow a designated area for wine and craft beer sales, and allow the set up to begin on Thursday, December 1, 2016.

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

1. Approve the Special Event Permit Application from the Noon Rotary Club to hold an "Orange Blossom BBQ" in Lake Wailes Park December 2 and 3, 2016 with set up beginning on Thursday, December 1, 2016
2. Approve the hours as follows:
 - Thursday, December 1, 2016 - Begin set up at 8:00 a.m.
 - Friday, December 2, 2016 – The event will be open to the public at 4:00 p.m. and end at 10:30 p.m.
 - Saturday, December 3, 2016 - The hours will be 11:00 a.m.–9:00p.m.
 - Sunday December 4th and Monday December 5th - Clean up and removal of tents and booths will take place
3. Approve the request from the noon Rotary to have wine and craft beer sales and consumption in an enclosed designed area in the Park on both Friday and Saturday.
4. Approve the request for RV's and campers to set up in the areas approved and designated by City staff on Friday.

BACKGROUND

The Lake Wales Noon Rotary Club submitted a Special Event Permit Application to hold its third annual "Orange Blossom BBQ" in Lake Wailes Park. This event features the Florida BBQ Association's sanctioned barbeque competition, the Florida Tastemakers Marketplace with a gathering of artists and vendors from across the state, kid's tents, and live music. There will also be a designated area for wine and craft beer sales and consumption.

Last year additional water spigots were installed and additional electrical outlets are planned for this year.

The event has been approved by staff with the following stipulations:

- The RV's and/or campers will be parked in the designated area only.
- The designated parking area for the public must be clearly identified on site.
- No vehicles shall be parked within 15 feet of the trunk of any trees within the park. No vehicles shall drive or park on the bike path or cross the bike path
- The Rotary Club is responsible for ensuring that the vendors and artists bringing in RV's and campers adhere to the conditions for parking.
- Sanitary facilities and dumpsters are the responsibility of the sponsor. A separate dumpster will be required for disposal of ash by the vendors.
- Tent permits are required in advance by the sponsor and can be obtained from the City's Planning Department so that inspections can be completed by the Fire Marshall during set up times.
- The alcohol permit application must be completed by the sponsor and submitted to the Planning Department for review and approval before submitting to the Department of Alcohol Beverage & Tobacco. Once the final permit is obtained, a copy must be provided to the City no later than November 28, 2016.
- The required Certificate of Liability Insurance with an alcohol insurance rider has been received by the City.
- In-Kind Services will be provided by the City's Field Operations Divisions for clean up services on

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Saturday and Sunday and costs associated with these services will be paid by the sponsor at 25%. Off-duty officers from the Lake Wales Police Department will be hired by the sponsor for security purposes.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

This BBQ event is part of the FY16/17 special events budget. In-Kind services will cost the City approximately \$1,414 with the sponsor paying 25% of the cost or \$353. Off-duty officers from the Lake Wales Police Department will be hired for security and will be paid by the sponsor.

[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 Gibson "YES"
Commissioner Perez "YES"
Mayor Fultz "YES"

The motion carried 5-0.

9. OLD BUSINESS

10. NEW BUSINESS

Agenda Item 10.I. Ordinance 2016-14, Firefighters' Pension Plan Amendment – 1st Reading

Prior to the Commission meeting, Agenda Item 10.I was pulled from the agenda at the request of Human Resources Director Sandra Davis.

Agenda Item 10.II. Ordinance 2016-19, Amendment to Chapter 23 Zoning, Land Use and Development Regulations, Article VI Resource Protection Standards, Division 1, Development in Flood Prone Areas – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The adoption of Ordinance 2016-19 repeals and replaces Chapter 23, Article VI, Division 1, Development in Flood Prone Areas.

RECOMMENDATION

It is recommended that the City Commission approve after first reading.

BACKGROUND

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In accordance with F.S., Chapter 166, the Legislature of the State of Florida authorized local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The City of Lake Wales accepted participation in the National Flood Insurance Program on March 16, 1988.

The Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of City of Lake Wales that may be subject to periodic inundation and could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. This could adversely affect the public health, safety, and general welfare of those living in the City of Lake Wales.

To better protect the public health, safety, and general welfare of the citizens of the City of Lake Wales, it necessary to repeal the current language in the Lake Wales Code of Ordinances regarding flood prone areas and replace it with language compatible to the Florida Building Code. This will establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas.

FISCAL IMPACT

The fiscal impact of implementing this ordinance is the cost of a public hearing advertisement.

OTHER OPTIONS

If the City Commission chooses not to adopt Ordinance 2016-19 the City is at risk of being removed from the National Flood Insurance Program. This means the citizens would not be able to purchase flood insurance and would not be eligible for post disaster relief.

[End Agenda Memo]

City Clerk Clara VanBlargan read **Ordinance 2016-19** by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AMENDING THE CITY OF LAKE WALES CODE OF ORDINANCES BY REPEALING CHAPTER 23 ZONING, LAND USE AND DEVELOPMENT REGULATIONS, ARTICLE VI RESOURCE PROTECTION STANDARDS, DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS TO ADOPT A NEW DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, TO FORMAT AMENDMENTS TO THE FLORIDA BUILDING CODE, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Building Official Cliff Smith reviewed Agenda Item 10.II and said this is a model ordinance driven by FEMA. A few years ago, flood provisions were placed in the Florida Building Code. FEMA reviewed the 300 plus jurisdictions in the State of Florida and found that their ordinance was not compliant or compatible with the Florida Building Code so they created a model ordinance they are wanting all the jurisdictions to adopt. This has to be done by December 22, 2016, which is when our new maps go into effect and if we do not comply with FEMA regulations by then, we will be removed from the National Flood Insurance Program. This means that the citizens cannot purchase flood insurance nor will they be eligible for post-disaster relief from FEMA. Every three years the Florida Building Code changes and by adopting this model ordinance it will be good for now on and will not have to come before the Commission again.

Commissioner Perez asked why we are doing the ordinance now since people already have flood insurance. Mr. Smith said since 1988 the City of Lake Wales has participated in the National Flood Insurance Program and if the City does not adopt this ordinance people will no longer be able to buy or build a home because they will not be able to purchase flood insurance if the home will be located in a flood prone

area. This ordinance will allow people that have purchased flood insurance to continue purchasing the insurance.

OPENED PUBLIC COMMENT

There were no comments from the public.

CLOSED PUBLIC COMMENT

Deputy Mayor Thornhill made a motion to approve Ordinance 2016-19 after first reading. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 5-0.

Agenda Item 10.III. Appointment – Recreation Commission

[Begin Agenda Memo]

SYNOPSIS

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

RECOMMENDATION

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

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

BACKGROUND

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

Recreation Commission (City Code Sec. 2-161) – The recreation commission consist of thirteen (13) members from community organizations providing a recreation program for the community and three (3) citizen members representing the citizens at large. A quorum shall consist of six (6) members. (3-year term)

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

Current Meeting Schedule: - 3rd Monday; 12:00 p.m., City Manager's Conference Room
A quorum consist of six (7) members.

Applying for Appointment: Kris T. Fitzgerald, citizen, term expiring 07/01/18

Current Members: Keri Hunt, citizen

11/01/11 - 07/01/17, 2

Vacant	- 07/01/18
Vacant	- 07/01/18
Eileen Farchmin, Webber Internt'l University	09/19/11 - 07/01/17, 2
Robbie Shields, Lake Wales Soccer Club	09/19/11 - 07/01/17, 2
Patty McKeeman, Lake Wales Pram Fleet	09/19/11 - 07/01/17, 2
Deborah Rheiner/Linda Kimbrough, PAL	09/19/11 - 07/01/17, 2
Helen Petersen, Green & Gold Foundation	09/19/11 - 07/01/17, 2
Norm Rainey, Tennis Program	09/19/11 - 07/01/17, 2
John Abel, YMCA/Softball	09/19/11 - 07/01/17, 2
Clark Heter, YMCA	10/17/11 - 07/01/17, 2
Mimi Hardman, Historic Lake Wales Society	09/19/11 - 07/01/17, 2
Curt, Boys & Girls Club	09/19/11 - 07/01/17, 2

OPTIONS

None

FISCAL IMPACT

These are volunteer boards

[End Agenda Memo]

Commissioner Gibson said he presented to the Commission a list of people identified as admired and respected in the community. The intent of the Charter is that the Mayor would make the appointments subject to the approval of the Commission and that we would be in the position of soliciting people who have particular qualifications for a given entity. He would feel more comfortable if he knew something about this individual. It is not a reflection on the individual but us making sure that we get people that are qualified for these various commissions and boards. Some of them require expertise that hasn't necessarily been present in the past and just because somebody steps up and says they would like to serve does not mean they are really qualified to do that and contribute for the betterment of the City. He had proposed a procedure by which we would identify qualified people although it would take time to implement that procedure. Commissioner Gibson asked if this person is qualified to serve since he had not seen any information about them and when the Commission would be putting into a motion a procedure that is more consistent with the intent of the Charter.

The Mayor recalled the list of individuals and said that somehow the idea had gotten out that he would be responsible for tracking down the people on the list and asking them to apply for membership on one of the boards. His time is very valuable and everyone should be reaching out to the individuals on the list they know and asking them to apply, which is the first step in the process to see if they are qualified to serve on the board in which they would like to serve.

Commissioner Gibson said the City staff that is responsible for a particular board, commission, and committee should look at the list, which consists of over a hundred admired and respected people in the community and make recommendations to the Mayor as to who they would like to serve based on their qualifications. They Mayor would then make a selection from the list of recommendations from staff.

The City Manager said the membership requirement for the Recreation Commission is clearly stated, which consist of 13 members from community organizations providing a recreation program for the community and three 3 citizen members representing the citizens at large. This person applied for one of two citizen vacant positions. Her application is part of the agenda packet; she works at the Vanguard School as a licensed mental health counselor for the youth.

Commissioner Perez said these Committees are available to anyone in the community living in the City that would like to apply. This individual stepped up to the plate willing to volunteer. All the persons on the list

might be duly qualified but do need to fill out an application if they would like to serve. The list is a great idea but Ms. Fitzgerald filled out an application and is willing to serve. She should be given the opportunity to serve because she has incredible qualifications that we should not question. Commissioner Gibson said he had no idea of what her qualifications are because he had not seen the application. Commissioner Perez said the application is included with the agenda item in the packet. The City Clerk showed Commissioner Gibson how to access the application in the agenda packet.

The Mayor said he knows Ms. Fitzgerald personally, because she is a member of the Lake Wales Breakfast Rotary that he is also a member of.

The Mayor appointed Kris T. Fitzgerald to serve as a citizen member to the Recreation Commission for a term expiring on 07/01/2018. Commissioner Howell made a motion consenting to the appointment made by the Mayor and Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

11. CITY MANAGER

The City Manager provided the following updates:

- We are tracking Hurricane Mathew, there is a statewide status update going on as we speak, so we will continue to monitor that and are preparing to respond as necessary.
- He was at the IMCA conference last week, the Lake Wales video shown there was very well received and people really liked it. It was a very good meeting and many good ideas were shared on how to redevelop an old downtown in some of the older suburbs etc. We are hoping to bring that conference to Florida in the near future.

Jennifer Nanek, Assistant to the City Manager, provided an update on the first food truck event that took place on Monday night. She said the event was very successful and very well attended. The Food Truck Invasions from out of South Florida put on the event. They submitted a permit application that was approved by the City to have the event on the first Monday night of every month for the next 18 months. Two people visited the office today to tell her what a great event that was and what a great job the City had done although she did tell them that it was a private event.

Commissioner Howell said she heard great things about it, the Mayor said it was a great event, and Deputy Mayor Thornhill said he enjoyed the event.

Mr. Fields said that social media has become a great thing for the City. On Monday morning, there was an accident on SR 60 and a lot of people found out about that through social media, which is an area where we have to expand in the future because it is a major communication mechanism in the City.

Mr. Fields said the City Attorney is recovering very well and introduced Tom Draige, the attorney who sat in for him at the meeting.

Agenda Item 11.I. City Commission Tracking Report

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Agenda Item 11.II. Social Media Report

Agenda Item 11.III. City Commission Meeting Calendar

Agenda Item 11.IV. Other Meetings & Events Calendar

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

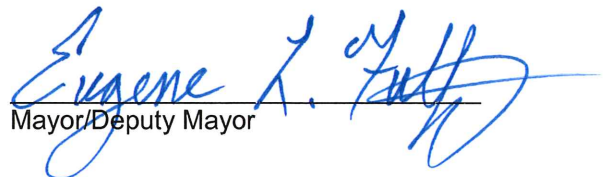
12. CITY COMMISSION COMMENTS

Commissioner Thornhill asked everyone to prepare for the hurricane just in case we are impacted by it. He then told about the wonderful time he had on his trip in Hawaii.

13. MAYOR COMMENTS

The Mayor said he is involved with Leadership Polk and they will be coming to Lake Wales on Economic Development Day. Obviously, Lake Wales is doing something right or Polk Vision would not be coming here to talk about Economic Development so that lets him know people see the positive direction we are heading and he is looking forward to the City's continued growth. He will be going to Wisconsin on October 17 and a couple of the guys from the Police Department were invited to go and talk about Lake Wales and how well Lake Wales has rebounded through community relations and the Police Department. The event is a whole delegation of church pastors that they will be talking with. Wisconsin has their problems and they are seeking ways to resolved some of those issues. The Lake Wales Police Chief and his staff have done a wonderful job at moving through the community and building relationships in the community, which has helped us tremendously.

The meeting was adjourned at 6:42 p.m.



Mayor/Deputy Mayor

ATTEST:



City Clerk Clara VanBlargan, MMC