

The meeting of the Lake Wales City Commission was held on January 3, 2017 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; Robin Gibson; Terrye Y. Howell; Eugene Fultz, Mayor

**COMMISSIONERS ABSENT:** Jonathan Thornhill, Deputy Mayor

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

#### **5. MAYOR**

#### **6. PRESENTATION/REPORT**

#### **7. COMMUNICATIONS AND PETITIONS**

There were no comments made by the public.

#### **8. CONSENT AGENDA**

**Agenda Item 8.I. Approval of Minutes: December 20, 2017, Regular Meeting**

**Agenda Item 8.II. Special Event Application: Farmers Market 2017-2020**

[Begin Agenda Memo]

#### **SYNOPSIS**

Approval of the Special Event Permit application will allow Main Street to continue holding the "Farmer's Market" on the second and fourth Saturday of each month, for a period of three years in the Downtown Marketplace.

#### **RECOMMENDATION**

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

1. Approve the Special Event Permit application from Lake Wales Main Street to hold the "Farmer's Market" on the second and fourth Saturday of each month between the hours of 9:00 a.m. and 2:00 p.m.
2. Approve the request for a three year permit which would begin on January 14, 2017 and end on December 31, 2020.
3. Approve the temporary closing of the Marketplace, Marketplace Parking lot, alley between Stuart Avenue and Park Avenue and a portion of South Market between Central Avenue and Stuart Avenue for each event.

#### **BACKGROUND**

Ms. Erika Schindler, President of the Lake Wales Main Street Inc. has submitted a special event permit application for Main Street to continue holding the "Farmer's Market" in the downtown area on the second and fourth Saturday of each month between the hours of 9:00 a.m. to 2:00 p.m. This application includes a request from Main Street for a three-year permit, which would begin on January 14, 2017 and end on December 31, 2020.

Lake Wales Main Street is also requesting the temporary closing of the Marketplace, Marketplace parking lot, alley between Stuart Avenue and Park Avenue and the closing of a portion of South Market Street between Central Avenue and Stuart Avenue. The temporary closings will allow for the set up of the vegetable and fruit vendors, food vendors and an area for musical entertainment as needed.

City departments have reviewed the application and find no issues or concerns with recommending approval of their request. If at any time during the permit time period changes or modifications are made to the event activities, a new Special Event Permit application will be required and must be approved prior to the event being held. Main Street will be responsible for meeting all requirements for site preparation, site clean up, and vendor licensing where necessary. Sanitary facilities will be provided by the Care Center Youth Center house. Certificate of liability insurance will be provided as required.

#### **OTHER OPTION**

Do not approve this special event permit application, the request for a three year permit or the temporary closings.

#### **FISCAL IMPACT**

There is no cost to the City for this event.

[End Agenda Memo]

#### **END CONSENT AGENDA**

Commissioner Howell made a motion to approve the Consent Agenda. Commissioner Gibson seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

#### **9. OLD BUSINESS**

#### **10. NEW BUSINESS**

##### **Agenda Item 10.I. Comprehensive Report – Inactive Boards, Commissions, and Committees**

[Begin Agenda Memo]

#### **SYNOPSIS**

The report is provided for discussion purposes.

## RECOMMENDATION

The report is provided for discussion purposes. The City Commission is asked to discuss this item and make necessary recommendations at this meeting or at a future meeting regarding its inactive boards, commissions, and committees that have no statutory reason for existing.

The Commission can discontinue an inactive board, commission, or committee that has no statutory requirement for existing; expand the residency requirement in City Code Sec. 2-26 and in ordinances creating a board, commission, or committee that state the residency requirement to allow people to serve that currently do not meet the residency requirement to make it easier to fill vacancies.

## BACKGROUND

The City Commission has the authority to create boards, commissions, committees, and authorities for the betterment of City government and the community. These boards are comprised of many volunteers such as citizens, property owners in the City, business owners, and representatives of schools, sports organizations, and professional organizations. Volunteering on a City Board, Commission, and Committee provides a wonderful way for citizens to offer guidance and expertise on issues that directly impact their community and to become engaged in our local government. Volunteering also provides an opportunity to do something for others and allows our citizen leaders to give back to their community.

At times, it is necessary for the City Commission to eliminate an inactive board, commission, or committee that has not had a meeting in a year or more because a meeting has not been called or no official business has been conducted due to the lack of members to make a quorum, etc. It is difficult at times in filling vacancies due to the lack of interested in serving on a board. The sunset provision provided for in Sec. 2-26 (9), in the City's Code of Ordinances authorizes the City Commission to discontinue an inactive board, commission or committee provided there is no statutory requirement for it. Boards, commissions and committees shall be declared inactive if no meeting is called or no official business is conducted at least once in a twelve month period.

The following boards, commissions, and committees have been declared inactive in accordance with Sec. 2-26 (9), City Code of Ordinances:

- Aware Board of Directors (City Code Sec. 2-702)
- Bicycle/Pedestrian Advisory Commission (City Code Sec. 2-199)
- Drug & Prostitution-Related Nuisance Abatement Board (City Code Sec. 15-10)
- Enterprise Zone Development Agency (City Code Sec. 2-194; Sec. 2-191, F.S 290.001 – 290.016 (2001)) The Florida Enterprise Zone Program expired on December 31, 2015.
- Fire and Building Code Administration Board (F.S. 553.79(9); City Code Sec. 2-187)
- Historic Preservation Board (City Code Sec. 2-181. Established to carry forward the purposes of the National Historic Preservation Act, as amended in 1980, PL 96-515 and such other purposes as may be created by ordinance or law.)
- Investment Committee (City Code Sec. 2-501)
- Lakes Advisory Commission (City Code Sec. 2-171)
- Open Housing Board (Sec. 2-101) – the City Commission serves as the members to this board.
- Parking Authority (City Code Sec. 2-146)
- Parks and Community Appearance Advisory Board (City Code Sec. 2-131)

Some of these inactive boards have had no official business to act on in several years.

In accordance with City Code 2-26 (1), residency states as follows:

- (a) Unless the ordinance creating a board, commission or committee provides otherwise or as provided in the following paragraph (b), membership on these boards, commissions and committees shall be limited to persons who are residents of the City of Lake Wales or owners of property located in the City of Lake Wales or persons having a business tax receipt issued from the City of Lake Wales.
- (b) The Lake Wales Library Board consists of five (5) members appointed by the city commission. Four (4) members shall be appointed as provided in paragraph (a) above. One (1) member may be a resident of the unincorporated Greater Lake Wales area or a resident of the City of Lake Wales provided that the Lake Wales Public Library is a member of the Polk County Library Cooperative and receives operating funds from the Polk County Board of County Commissioners. For the purposes of this paragraph, the term "resident of the unincorporated Greater Lake Wales area" shall mean "any resident outside of the City of Lake Wales having a Lake Wales mailing address."

## **OPTIONS**

Options are decided on by the City Commission.

## **FISCAL IMPACT**

These are volunteer boards.

[End Agenda Memo]

The Mayor said this item is for discussion purposes only.

The City Manager reviewed Agenda Item 10.I. He provided an overview of each inactive board and explained why they were no longer necessary. He said other boards and community programs have taken over some of the functions of these inactive boards such as Crime Stoppers taking over the functions of the Aware Board and the Recreation Commission taking over the functions of the Bicycle/Pedestrian Advisory Commission, Lakes Advisory Commission, and the Parks and Community Appearance Advisory Board. The City Manager said these Committees are on the books and are eligible to be sunsetted under our own criteria.

Commissioner Gibson made a motion to abolish the inactive boards, committees, and commissions listed, Commission Howell seconded the motion and then asked if they were supposed to vote on the item. The Mayor said no. Commissioner Gibson said there was no urgency in taking action because the boards are not doing anything and will not be doing anything two weeks from now.

The City Manager said the active boards is a mix of advisory and regulatory boards and there is only seven vacancies out of 82 positions overall. These boards are active; they provide great input and advice to the City. There is no quorum requirement issue. We are working on filling the seven vacancies; we recently adjusted the membership requirement to the Airport Authority Board and currently working on adjusting the CRA Citizen Advisory Committee Board ordinance to make it easier to fill a vacancy on that one. Jennifer Nanek, Assistant to the City Manager, said the Recreation Commission had not had a quorum in months. The City Manager said probably because it meets during the day and we have talked about changing the meeting time to get better attendance.

Commissioner Gibson said the active boards are a segment of a much bigger picture. When talking about governance and citizen participation, we have to determine what really works, why it works, and take an objective look at it with no bias, opinions, pride, and no ego but with what works. The City's overall purpose is to mobilize the community's talent for the benefit of the community. In the ordinance, it defines the residents of the Lake Wales unincorporated area by stating the Lake Wales mailing address. The Post Office said that included about seven zip codes except for the zip code for Babson Park, which is within the greater Lake Wales area. The definition can be changed to include that. We need to stabilize the decline of

the City's center. The 33853 zip code represents that and according to the U. S. Census that contains a household income of 73% of the surrounding zip codes which is alarming. We have to be creative and thoughtful in how we address that because citizen participation is the key to that. One way is to enhance the City's tax base. We are in a 27% hole compared to the surrounding zip codes. In reality, the community is larger and the City of Lake Wales has the only government in the Lake Wales community so in terms of leadership we are it by default. We need a community-wide view of that because we have a community-wide responsibility. People in the Lake Wales community consider themselves to be Lake Waleans although they do not vote in the City's elections. A conscious effort for the City of Lake Wales to be the headquarters for the Lake Wales community is to attract private investment from the surrounding area, which has more capacity than we do in the 33853 zip code. One way to attract that investment is to involve the folks with the capacity in the donut of Lake Wales and one way to do that is through the committees and boards. To get things done on a limited budget is to look at what works and that is the corporate non-profits. They are getting things done for Lake Wales because they are not hampered by political boundaries and they are composed of about 50% of people living inside the City limits and 50% of the people living outside the City limits. According to the records, the ownership of the downtown is owned by 1/3 of the people living inside the City limits, 1/3 of people living in the Lake Wales community that are in the donut, and 1/3 of the people nationally like Napa Auto Parts, etc. in terms of the Lake Wales community it is 50/50. Research showed that there are about 11 non-profit organizations assisted by the City in some way. It could be through a property tax exemption, providing them a facility space at no charge, giving seed money, a paid director, playing fields, buildings, restrooms, etc. The best investment is providing seed money because we could not afford to do that function ourselves. The non-profits do it for us but the City plays a role in what they do and the City is the headquarters for that opportunity. The seed money is the accountability because we can make sure they are doing right and for them it is a matter of surviving. The City boards are an essential part of that because they are a part of what we want to accomplish.

The Mayor said what he got out of that is that our City boards needed to be revamped to include the whole community and not just the boundaries inside the City, which will help us get the talent that is beneficial to what we are trying to do.

Commissioner Perez said he had no problem including the greater Lake Wales community but he was not in favor of soliciting people to fill boards although it made sense to invite them to do so.

The Mayor said he did not have a problem with people living in the greater community wanting to be part of the boards but they must be willing to annex into the City. Commissioner Gibson explained how the City needed a favorable vote from them to do that. The City Manager said the biggest thing the City has to offer is water and sewer. A lot of people outside the City's boundaries want City utilities and if they want that in the future, they are required to sign a binding annexation agreement with the City that says they have to be annexed in as soon as their property becomes contiguous to the City.

## **11. CITY MANAGER**

### **Agenda Item 11.I. City Commission Tracking Report**

The City Manager reported the following:

- On January 24 at 6:00 p.m., in the Polk County Commission Chambers will be the second Polk County Water Cooperative Water Summit. This will be an opportunity for all the elected officials in Polk County to be briefed on where that stands and what the plans are moving forward. Documents will be coming to the Commission in March or April for approval regarding that.
- Grow Healthy got their State license and will be in operation in the near future.
- An ordinance will be coming to the Commission for consideration regarding medical dispensaries.
- An ordinance regarding newspaper racks will be brought to the Commission at the next meeting.

### **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 Perez said the flowers and foliage around town and in front of this building are looking bad and need to be replaced. Mr. Fields said it was because of the time of year.

**13. MAYOR COMMENTS**

The meeting was adjourned at 6: 56 p.m.

  
\_\_\_\_\_  
Mayor/Deputy Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk Clara VanBlargan, MMC

