

# City Commission Meeting

March 1, 2022

(APPROVED)

3/1/2022 - Minutes

## 1. INVOCATION

Commissioner Williams gave the invocation

## 2. PLEDGE OF ALLEGIANCE

## 3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:00 p.m. following the invocation and the pledge of allegiance

## 4. ROLL CALL

**Commission Members Present:** Mayor Eugene Fultz, Terrye Howell, Jack Hilligoss, Daniel Williams, Deputy Mayor Robin Gibson

**Staff Present:** James Slaton, City Manager; Jennifer Nanek, City Clerk; Albert C. Galloway, Jr., City Attorney

## 5. PROCLAMATIONS AND AWARDS

### 5.I. PROCLAMATION - Irish Heritage Month

Mayor Fultz presented a proclamation to Greg Sean Canning of the Ancient Order of Hibernians establishing March 2022 as Irish Heritage Month.

## 6. COMMENTS AND PETITIONS

Michelle Threatt, resident and business owner and President of the Northwest Neighborhood Association, reported that police are assisting with traffic at Janie Howard Wilson Elementary School. She said she was thankful for their assistance.

She reported that the recent movie night went well and that another will be held very soon.

Sam Jones, long time resident, said he would like to keep and refresh the Highlander Band Mural on Park Avenue. His daughter is on there in her memory. He also shared concerns about the irrigation at the cemetery. There is no water in the area of his family member. Mayor Fultz said that James Slaton will contact him on these issues.

## 7. CONSENT AGENDA

James Slaton, City Manager, asked for Item 7.6 Award of Bid #22-501 Force Main Extension with septic to

sewer conversion to be pulled. This item needs more review.

Deputy Mayor Gibson made a motion to approve the Consent Agenda except item 7.6. Commissioner Howell seconded the motion.

by voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion approved 5-0.

7.I. Minutes - Commission Work Sessions December 1, 2021, February 23, 2022, Commission Meeting February 1, 2022

7.II. Approval Of Ranked Housing Applications

[Begin Agenda Memo]

**SYNOPSIS:** Approve the ranked list of housing applications for the City of Lake Wales CDBG housing rehabilitation program.

#### **RECOMMENDATION**

Staff recommends approval of the ranked list of housing applications for the City of Lake Wales CDBG housing rehabilitation program.

#### **BACKGROUND**

On August 12, 2021, the City of Lake Wales was notified that it had been awarded a \$750,000 grant from the CDBG program to rehabilitate or demolish and replace up to 11 owner-occupied houses in the Northwest Neighborhood. In addition, the City has agreed to contribute \$50,000 in CRA funds to the project as local match.

In September 2021, the City placed a notice in the Ledger to announce that it was accepting housing rehabilitation applications from residents in the Northwest Neighborhood. There were 7 applications that were submitted, which were then ranked in accordance with the City's housing rehabilitation procedures manual. The ranking procedure gives the highest priority to applications from elderly, handicapped and very low income households, while households with less of these characteristics are given a lower priority (see attached ranking sheet and housing application ranking criteria).

On February 14, 2022, the Citizen Advisory Task Force (CATF) met and reviewed the ranked list of housing applications. The CATF then voted to recommend the list to the City Commission.

#### **OTHER OPTIONS**

1. Do not approve the list.

2. Recommend changes to the list.

### **FISCAL IMPACT**

\$50,000 in CRA funds to the project as local match.

[End Agenda Memo]

Commissioner Howell asked if there was another chance to submit an application in the future. James Slaton, City manager, said not for this CDBG grant program but possibly for the CRA Legacy Housing Program in the future.

### 7.III. Land Use Study Agreement

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

- Sec. 23-303 Streets
- Sec. 23-307 Landscaping
- Table 23-421 Permitted Uses
- Table 23-422B Dimensional and Area Standards
- Sec. 23-443 Residential PDPs
- Sec. 23-767 Exemptions

### **RECOMMENDATION**

At a regular meeting on January 25, 2022, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations. City Commission approved proposed changes to the Land Development Regulations at first reading on February 15, 2022. Staff recommends approval at second reading, following a public hearing.

### **BACKGROUND**

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

Sec. 23-303 Streets Background and justification:

Traffic Impact Studies are required for all new development. The intent of this appendix to the code, according to the language prepared by the City's consulting transportation planning firm, is: to define the requirements, procedures and methodology for the preparation and submission of a traffic impact study (TIS) in the City of Lake Wales and to provide equitable, consistent and systematic means of determining the future impact of proposed developments while maintaining the adopted service levels on all roadways. (See attached ordinance).

Sec. 23-307 Landscaping Background and justification:

During the review of recent Site Development Plans for residential projects, there has been a question of interpretation regarding street trees. Specifically, some developers are stating that they will have one of the required trees (per Sec. 307.2.a.3.) to serve as the required street tree. However, the staff's intent is that the required street tree be in addition to the tree density standards. To clarify this requirement, the proposed standards are suggested.

#### Sec. 307.2 Landscaping standards.

##### a . Tree density.

##### 2. Non-residential density requirement.

A minimum of two (2) three (3) trees shall be required for each one-quarter (&1/4;) acre or ten thousand eight hundred ninety (10,890) square feet of land or fraction thereof in the non-residential development.

##### 3. Residential density requirements.

Lots less than 10,000 s/f: two, three two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree. Lots 10,000 s/f or greater: three, four two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree. NOTE: Street Trees are required to have root barriers. Root barriers shall be approved by the Administrative Official prior to planting.

##### Definitions:

Root Barrier – Typically used for Street Trees, Root Barriers are structures and/or materials that redirect tree roots down and away from hardscapes, preventing costly root damage while preserving the health and functionality of trees.

Street Tree – A tree that is currently located or proposed for planting along streets or highways.

Such tree can be located on private property or on publicly held land. Street trees are typically planted in a linear fashion and provide spatial enclosure as well as other technical and aesthetic benefits (Wildwood Mo.)

##### Table 23-421 Permitted Uses Background and justification:

1.) In order to reduce automobile dependency for short trips, a change to the Permitted Use Chart to allow all new residential developments to provide support non-residential uses within a portion of the development (mixed-use) through the PDP process is proposed. A note is added to ensure that such non-residential uses may be those only consistent with the C-4 Neighborhood Commercial zoning district.

2.) In order to open up the city's industrial zones to heavy manufacturing, it is proposed to change

Manufacturing – Heavy, from S (special exception use permit), to P (permitted), in the I-1 zoning district.

3.) Within the LCI Limited-Commercial zoning district, a district designed to promote a mix of commercial and industrial uses, Staff proposes to allow small grocery or convenience stores, with or without gasoline sales, by right.

4.) Allow manufactured home communities through the PDP process only, in residential districts.

This provision does not allow individual infill or subdivided lots to place a manufactured home.

Note added:

Non-residential uses are permitted as a subordinate part of a residential Planned Development Project and are limited to those uses permitted in the C-4 Neighborhood Commercial zoning district.

#### TABLE 23-422B

#### DIMENSIONAL AND AREA STANDARDS—NONRESIDENTIAL DISTRICTS\*

Background and justification:

Table 23-422 guides land development by requiring standard dimensional and area standards, including building height and setbacks, maximum lot coverage, and maximum building coverage.

Currently, front building setbacks are determined by one of three factors: what is standard to the zoning district, what is in keeping with the surrounding area (infill development), or the right-of-way width of the roadway on which it fronts.

Current note below the setback table: The minimum front setback shall be as designated or one-half (&1/2;)

the width of the required right-of-way for the street on which the lot fronts, whichever is larger.

For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.

Proposed: The minimum front setback shall be as designated or one-half (&1/2;) the width of the required right-of-way for the street on which the lot fronts, whichever is larger. For development fronting on an arterial highway, the minimum front setback shall be 50 feet. For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.

This change primarily affects development on County and State roads where the right-of-way widths are wider, and change periodically. Currently, US Highway 27 has a (newly increased, without the City's knowledge) right-of-way width of 200 feet; therefore, new development along this corridor would now be subject to a 100-foot front setback. This new setback requirement may potentially create unbuildable vacant commercial lots along our commercial corridors. It also encourages site design where buildings are setback so far, that a sea of asphalt parking is the prominent site feature, rather than street-oriented architecture and landscaping.

Sec. 23-443 Residential PDPs Background and justification:

Staff recommends removal of a code provision which gives developers open space credit for private residential yards, in order to achieve the required 20% minimum site-wide open space. Credit for open space should only be considered in common and public areas of the development.

Sec. 23-443.1 Minimum design standards—Residential PDPs. The preliminary plan for a residential PDP shall demonstrate that the site design complies with the minimum design standards of this section.

a. Density. The number of units per acre shall not exceed the maximum as allowed for the classification of the property under the Future Land Use Element of the Comprehensive Plan. Acreage for density calculations shall not include areas of open water or lands within the "Conservation"

classification of the Future Land Use Map.

b. Open space. Excluding roadways and parking areas open space shall make up a minimum of twenty (20) percent of the site area. If open space is provided as private yards for individual units, such yards shall make up only fifty (50) percent of the open space required. The remaining fifty (50) percent shall be common open space in the form of recreation area, pedestrian or bicycle paths, or landscaped common areas. The recreation area required under section 23-310 may be included to meet the open space requirement except that recreation buildings and parking areas shall not be included.

Sec. 23-767 Exemptions Background and justification:

Current code provides for the exemption from the payment of impact fees for the redevelopment of sites which have been vacant less than three years. Staff proposes to increase the window of opportunity to five years, which mirror's the County's code provision.

The following shall be exempted from payment of impact fees:

a. Alterations, expansions or replacement of an existing dwelling unit which do not increase the number of families for which such dwelling unit is arranged, designed or intended to accommodate for the purpose of providing living quarters.

b. The alteration or expansion of an accessory building or structure which will not create additional dwelling units or will not increase the usable square footage space associated with the principal building on the land.

c. The replacement of a dwelling unit or building with a new dwelling unit or building of the same size and use and which will not increase the square footage associated therewith; provided that the replacement of a dwelling unit or building which has been destroyed or otherwise rendered uninhabitable must be replaced within three (3) five (5) years of the date it was destroyed or rendered uninhabitable in order to be exempted from the payment of impact fees.

#### CODE REFERENCES AND REVIEW CRITERIA

- Sec. 23-303 Streets
- Sec. 23-307 Landscaping
- Table 23-421 Permitted Uses
- Table 23-422B Dimensional and Area Standards
- Sec. 23-443 Residential PDPs
- Sec. 23-767 Exemptions

#### FISCAL IMPACT

None

[End Agenda Memo]

Deputy Mayor Gibson said this item is very important. We are working hard on this.

7.IV. Approve Professional Engineering Services Agreement With Hoyle, Tanner And Associates, Inc.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving an agreement with Hoyle, Tanner and Associates, Inc. for professional engineering services pertaining to the engineering design and bid of an aviation fuel farm at the Lake Wales Municipal Airport.

#### **RECOMMENDATION**

1. Authorize the mayor to execute an agreement with Hoyle, Tanner and Associates, Inc. in the amount of \$31,100.00 for professional engineering services for the design and bid of an aviation fuel farm at the Lake Wales Municipal Airport.

#### **BACKGROUND**

At the regular commission meeting on February 15, 2022 the Commission approved Resolution 2022-02, accepting a transportation grant from the Florida Department of Transportation (FDOT) for the design, bid and construction of an aviation fuel farm at the Lake Wales Municipal Airport. Approval of the agreement with Hoyle, Tanner and Associates, Inc. will accomplish the design and bid phase of the project.

#### **OTHER OPTIONS**

The City Commission has accepted funding from the Florida Department of Transportation (FDOT) for the design, bid and construction of this project.

#### **FISCAL IMPACT**

This project is funded 100% by the Florida Department of Transportation.

[End Agenda Memo]

#### 7.V. Special Event Permit Application - Lake Wales Car Show February 2022- January 2025

[Begin Agenda Memo]

**SYNOPSIS:** Approval of the Special Event Permit Application will allow the "Lake Wales Car Show" to continue their event on the fourth Saturday of each month in the downtown area for the next three years.

#### **RECOMMENDATION**

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

1. Approve the Special Event Permit application for the "Lake Wales Classic Car Show" to take place the fourth Saturday of each month between the hours of 4:00 p.m. and 8:30 p.m. beginning February 26, 2022 and ending January 25, 2025.
2. Approve the temporary closing of the Marketplace, Stuart Avenue from First Street to Scenic Highway, partial closure of S. Market Street from Stuart Avenue to Central Avenue and the temporary closing of the parking lot at the intersection of SR17 and Stuart Avenue (west side of SR17).

#### **BACKGROUND**

Mr. Larry Bossarte, Lake Wales Main Street Inc. submitted a Special Event Permit Application to continue holding the "Lake Wales Car Show" in the downtown area the fourth Saturday of each

month beginning on February 26, 2022 and ending on January 25, 2025. The event hours would be from 4:00 p.m. to 8:30 p.m. which includes set up and take down. This event will showcase custom, classic and antique cars which will be located along Stuart Avenue. Musical entertainment and food vendors will be set up in the Marketplace and/or on a portion of S. Market Street between Stuart Avenue and Central Avenue. They are requesting the temporary closing of the parking lot at the intersection of SR17 and Stuart Avenue, closing of Stuart Avenue from First Street to SR17 and a portion of S. Market Street from Central Avenue to Stuart Avenue.

The sponsor is responsible for all requirements for site preparation, site clean up, food vendor licensing, and sanitary facilities. Proof of liability insurance will be provided to the City.

In 2012, 2016, and 2019 the Lake Wales Main Street was granted 3 year permits for the Car Show to continue until January 2022. There have been no problems associated with this event.

#### **OTHER OPTION**

Do not approve this special event permit application.

#### **FISCAL IMPACT**

There will be no cost to the city associated with this event.

[End Agenda Memo]

#### 7.VI. Award Of Bid #22-501 Force Main Extension With Septic To Sewer Conversion

[Begin Agenda Memo]

#### **SYNOPSIS:**

Award of Bid #22-501 to MG Underground in the amount of \$2,770,079.40 for the construction of the forcemain extension with a septic to sewer conversion component.

#### **RECOMMENDATION**

It is recommended that Commission take the following action:

1. Approve the award of bid #22 -501 to MG Underground for construction services for the installation of the forcemain extension with a septic to sewer conversion component for \$2,770,079.40.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

The City of Lake Wales authorized Kimley-Horn and Associates, Inc. to prepare construction plans and specifications to extend a force main, design a new pump station and bring sanitary sewer to an unsewered area within the City limits of Lake Wales. The project was went out to bid on January 11, 2022, with a bid open date of February 15, 2022. There were four responsive bidders, with MG Underground presenting with the lowest responsive bid. Kimley Horn and Associates made contact with the contractor's references and is recommending MG Underground for the award of bid.

Staff recommends the Commission take the following action, approve entering into a contract with MG

Underground for \$2,770,079.40 to perform the construction installation and to authorize the City



Manager to execute the appropriate documents, on the City's behalf.

## **OTHER OPTIONS**

The Commission could chooses not to approve the contract listed above, in turn putting the septic to sewer conversion off to a later time and delay further expansion of the City's sewer system.

## **FISCAL IMPACT**

This project was submitted to the State Revolving Loan Fund for funding (SRF). Once staff has received the final contract from SRF, it will be brought back before the commission for approval.

[End Agenda Memo]

### 7.VII. Lift Station #2 Diesel Pump Purchase

[Begin Agenda Memo]

#### **SYNOPSIS:**

Staff is recommending the commission approve the expenditure of funds in the amount of \$69,798.00 for the purchase of a diesel pump to be installed at lift station 2 (LS#2).

#### **STAFF RECOMMENDATION**

Staff recommends the City Commission consider taking the following action:

1. Approve the expenditure of funds for \$69,798.00 for the purchase of a diesel utilizing State Contract #FSA20-EQU18.0.

#### **BACKGROUND**

The city of Lake Wales proposes to install a bypass pump at a critical need lift station located at 319 Lakeshore Boulevard (LS#2). The city of Lake Wales have already received a quote from a sole-source vendor (Thompson Pump) utilizing State Contract # FSA20 -EQU18.0. During significant hurricane, power is oftentimes lost to utility assets in the affected region.

For example, a storm as large as Hurricane Irma, even areas that were not directly impacted from the eyewall of the storm lost power due to sustained winds throughout the state. In Polk County during Irma, over 80% of the county lost power for sustained amounts of time. Power was not restored to the entire county for over a week after the Hurricane struck. Since Hurricane Irma impacted the entire state from the Keys through the panhandle, power restoration crews were stretched thin and unable to restore service to the lift station for a significant amount of time. Lake Wales was among the utilities that did not recover power quickly and had the majority of its lift stations go down as a result. All the water treatment plants have generators onsite. Therefore, they continued to supply water to the community, which in turn led to the community filling the lift stations with waste. The City of Lake Wales has 39 lift stations, but only ten have permanently mounted generators. The city of Lake Wales has a small number of portable generators, but since the storm was so widespread, staff had to maneuver those generators between all of the lift stations that do not have a stand-by generator. The purpose of this project is to provide permanent protection for the lift station during future storm or hazard events. As previously stated, this particular lift station is deemed critical infrastructure due to the source of its inflow and it cannot afford to go offline. Since loss of the lift station would result in an overflow and contamination of the surrounding area and groundwater, continued operation of the lift station is critical to the community.

Staff is recommending the City Commission authorize the expenditure of funds in the amount of \$69,798.00 for the purchase of a diesel pump to be installed at LS#2.

#### **OTHER OPTION**

The risks to the environment and community would remain in the event of a storm or hazard event.

#### **FISCAL IMPACT**

\$150,000 is budgeted in the Wastewater Division's FY '21-'22 Capital Improvements Plan Budget for this purpose. Funding source for this activity is the utilities operating revenue.

[End Agenda Memo]

### 7.VIII. Village Of Highland Park Fire Flow Connection

[Begin Agenda Memo]

**SYNOPSIS:** The Village of Highland Park has a fire flow problem and approached City staff and requested connection.

#### **RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve expending funds of \$97,073.56 for the purchase of materials and labor for the connection to the Village of Highland Park for their fire flow connection.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

The Village of Highland Park had their annual fire flow inspection and was notified that they were lacking in what was required for fire flow protection for the residents living in that area. At the recommendation of the Lake Wales Fire Chief, Brian Updike approached city utility staff to inquire if the city could assist them in meeting their fire flow requirement. Staff worked with Mr. Updike and his staff to come up with a viable and cost effective plan to achieve their required fire flow. The cost of materials, construction, and permitting have been submitted to the Village of Highland Park for their review and approval. Mr. Updike has approved the attached cost and would like to move forward. Once the Commission has approved the expenditure, Staff would not move forward until such time all fees have been collected from the Village of Highland Park.

Staff recommends the Commission take the following action, approve expending funds of \$97,073.56 for the purchase of materials and labor for the connection to the Village of Highland Park and authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **OTHER OPTIONS**

The Commission could deny the connection to the Village of Highland Park for fire flow protection.

#### **FISCAL IMPACT**

There is no fiscal impact for the City. The Village of Highland Park will bear the entire cost of connection.

[End Agenda Memo]

#### 7.IX. Commission Chambers Audio Visual (A/V) Equipment Purchase

[Begin Agenda Memo]

### **SYNOPSIS**

The City Commission will consider approving the purchase agreement of new Audio Visual (A/V) equipment for the commission chambers with the vendor AVI-SPL.

### **RECOMMENDATION**

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

1. Approve the purchase agreement for new Audio Visual (A/V) equipment for the commission chambers with the vendor AVI-SPL in the amount of \$69,694.10.
2. Authorize the City Manager to execute the necessary documents on behalf of the City.

### **BACKGROUND**

The current Audio Visual (A/V) equipment in the commission chambers is outdated and needs to be refreshed. The new equipment will modernize the chambers and allow the City to take advantage of new technology to improve both in person and streamed meetings.

City staff recommends working with the vendor AVI SPL. If approved AVI SPL will begin a six phase implementation process as outlined below:

1. Consultation
2. System design
3. Equipment Procurement
4. Installation
5. Configuration
6. Training for staff.

The proposed pricing is derived from the Omnia Program contract pricing. Omnia leverages nationwide competitively bid contracts, which the city can utilize to capitalize on nationwide economy of scale. The city is already a registered participant of the Omnia Program.

### **OTHER OPTIONS**

The Commission may elect not to approve the purchase agreement for new Audio and Video equipment.

### **FISCAL IMPACT**

The total cost of the aforementioned items is \$69,694.10. A \$75,000 capital expenditure has been

appropriated in the fiscal year 2021-2022 budget for this project.

[End Agenda Memo]

#### 7.X. Appointment Of Alternate Canvassing Board Members

[Begin Agenda Memo]

##### **SYNOPSIS:**

It is necessary for the Commission to appoint alternate members to serve on the City of Lake Wales Canvassing Board.

##### **RECOMMENDATION**

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

1. Appoint residents Al Goldstein, Jim Weaver, Jennifer Anderson-Leeks and Rodney Cannon to serve as alternate members to the Lake Wales Canvassing Board.
2. Designate the City Clerk and/or Deputy City Clerk to represent the Canvassing Board at the Pre-election Logic and Accuracy Testing of Tabulating Equipment (L&A) on Tuesday, March 29, 2022 at 3:30p.m. The City Clerk is required to attend the L&A Testing but if unavailable it is necessary to authorize a person to attend on behalf of the City Clerk if a Canvassing board member is unavailable to attend the L&A Testing.

##### **BACKGROUND**

The City Commission serves as the Canvassing Board and has legal responsibilities related to the conduct of the Municipal Election. However, there are legal rules that apply. No member can serve if they are a candidate with opposition in the election being canvassed or is actively participating in the campaign or the candidacy of any candidate who has opposition in the election being canvassed. Actively participating means undertaking an intentional effort to demonstrate or generate public support for a candidate beyond merely making a campaign contribution. Refer to DE 8-10; 09-07.

There are two seats up for election and one of the Commission members is running in the election so those members do not qualify to serve on the Canvassing Board. Three members are necessary for a quorum.

Even with three members it is still necessary for the Commission to appoint alternate members to serve on the Canvassing Board if a lack of a quorum is created on the Canvassing Board due to the legal rules that applies or any other unavoidable cause. In accordance with Sec. 8-26, Lake Wales Code of Ordinances, the City Commission may appoint the city manager, city attorney, or a resident/s to serve as a member to the Canvassing Board in the absence of the Commission member creating the lack of quorum.

Al Goldstein, Rodney Cannon, Jim Weaver and Jennifer Anderson Leeks have served as canvassing board members previously and on other City boards. The City Clerk recommends their appointment.

Per Florida Statute, Canvassing Board members are required to attend the following meetings.

Pre-election Logic and Accuracy Testing of Tabulating Equipment (L&A)

Tuesday, March 29, 2022; 3:30 p.m.

Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880 (behind the Auburndale Speedway).

-At least 1 member of the Canvassing Board or representative must attend the L&A Testing. Election Night Canvassing of Ballots

Tuesday, April 5, 2022, time to be scheduled by SOE (5:00 p.m.)

Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880

-A quorum must be present and must remain until all ballots are tabulated.

Certification of Election

City of Lake Wales Municipal Administration Building Thursday, April 7, 2022; 5:00 p.m.

-A Quorum must be present. Post-Election Manual Audit

Date & Time to be determined – Tuesday April 12, 2022

Elections Operations Center, 70 Florida Citrus Blvd. Winter Haven, FL 33880

-A quorum must be present.

[End Agenda Memo]

#### 7.XI. Rescheduling First City Commission Meeting In April

[Begin Agenda Memo]

**SYNOPSIS:** It is necessary for the City Commission to reschedule its first meeting in April due to the April 5, 2022 Municipal Election

#### **RECOMMENDATION**

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

1. Reschedule the first City Commission meeting in April from 6:00 p.m., Tuesday, April 5, 2022 to 6:00 p.m., Wednesday, April 6, 2022 due to the April 5, 2022 Municipal Election.

#### **BACKGROUND**

Pursuant to authority provided by F.S. § 100.3605, the City adopted the first Tuesday in April as the date for all regular city elections to fill the office of city commissioner. The City's election this year is on Tuesday, April 5, 2022, which is the same day as the first regular scheduled Commission meeting in April. It is necessary for the Commission to reschedule its first Commission meeting in April from 6:00 p.m., Tuesday, April 5, 2022 to 6:00 p.m., Wednesday, April 6, 2022.

#### **OTHER OPTIONS**

The Commission could choose another date.

### **FISCAL IMPACT**

There is no fiscal Impact.

[End Agenda Memo]

## 8. OLD BUSINESS

- 8.I. Ordinance D2021-20 Hunt Club Grove North Large-Scale CPA Of The Future Land Use Map For 68.06 Acres Of Land – Second Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on above- referenced parcels of land.

### **RECOMMENDATION**

At a regular meeting on October 26, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Hunt Club North

Current Land Use: Polk County RL-1 Residential Low Proposed Land Use: LDR low-Density Residential

The first reading to reassign land use by City Commission was approved at a regular meeting on November 16, 2021. The large-scale land use amendment was submitted to DEO for review and no impertinent comments have been returned on the amendment request.

### **BACKGROUND**

Hunt Club Grove North has a project area of about 130 acres of vacant grove land, and it is planned for residential development. Approximately 62 acres of land were petitioned for annexation into the City and it was approved at first reading on October 19, 2021 and was adopted on November 2, 2021.

The Planning and Zoning Board has recommended approval of reassigning land use and zoning designations at a regular meeting on October 26, 2021. The request to reassign land use was approved at first reading by City Commission at a regular meeting on November 16, 2021.

### **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns Future Land Use designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

### **FISCAL IMPACT**

Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in

over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Jennifer Nanek, City Clerk read **ORDINANCE D2021-20** by title only.

**ORDINANCE D2021-20**

**(Large-Scale CPA/Future Land Use Map Amendment for approximately 68.06 acres of land south of State Road 60 E)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 68.06 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, FROM COUNTY DESIGNATION RL-1 RESIDENTIAL LOW, TO CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Hilligoss made a motion to adopt ORDINANCE D2021-20 after 2nd Reading and Public Hearing. Commissioner Howell seconded the motion.

By Roll call Vote;

Commissioner Hilligoss "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 8.II. ORDINANCE D2021-21 Hunt Club Grove North Zoning Map Amendment For 68.06 Acres Of Land – Second Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Zoning Map on the above-referenced parcels of land.

**RECOMMENDATION**

At a regular meeting on October 26, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following zoning designation:

Hunt Club North

Current Zoning: Polk County RL-1 Residential Low Proposed Zoning: R-1C

The first reading to reassign the zoning designation by City Commission was approved at a regular meeting on November 16, 2021. The reading of the zoning amendment is held in contingency with the land use approval.

## **BACKGROUND**

Hunt Club Grove North has a project area of about 130 acres of vacant grove land, and it is planned for residential development. Approximately 62 acres of land were petitioned for annexation into the City and it was approved at first reading on October 19, 2021 and was adopted on November 2, 2021.

The Planning and Zoning Board has recommended approval of reassigning the zoning designation at a regular meeting on October 26, 2021. The request to reassign zoning was approved at first reading by City Commission at a regular meeting on November 16, 2021.

## **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

## **FISCAL IMPACT**

Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-21** by title only.

## **ORDINANCE D2021-21**

**(Zoning Map Amendment for approximately 68.06 acres of land south of State Road 60 East)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 68.06 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, FROM COUNTY DESIGNATION RL-1 RESIDENTIAL LOW, TO CITY OF LAKE WALES DESIGNATION R-1C; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Hilligoss made a motion to adopt ORDINANCE D2021-21 after 2nd Reading and Public Hearing. Commissioner Howell seconded the motion.

By Roll call Vote;



Commissioner Hilligoss "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.III. ORDINANCE D2021-22 Hunt Club Grove South Small-Scale CPA Of The Future Land Use Map For 24.66 Acres Of Land – Second Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on above- referenced parcels of land.

**RECOMMENDATION**

At a regular meeting on October 26, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Hunt Club South

Current Land Use: LDR Low-Density Residential Proposed Land Use: MDR Medium-Density Residential

The first reading to reassign land use by City Commission was approved at a regular meeting on November 16, 2021. The small-scale land use amendment is not reviewed by DEO, but the adopted amendment is sent upon approval. This request was taken with the Hunt Club North Large-Scale Land Use Amendment.

**BACKGROUND**

Hunt Club South has a total project area of 104 acres of vacant grove land and is planned for residential development. These parcels did not require annexation as they were already incorporated; however, a land use change on 24.66 acres of the site from LDR Low-Density Residential, to MDR Medium-Density Residential is requested.

Low-Density Residential = 5 units per gross acre Medium-Density Residential = 12 units per gross acre

The Planning and Zoning Board has recommended approval of reassigning land use designations at a regular meeting on October 26, 2021. The request to reassign land use was approved at first reading by City Commission at a regular meeting on November 16, 2021.

**CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns Future Land designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted, approved ordinance is sent to the Department of Economic Opportunity (DEO) for small-scale amendments but does not require review.

## **FISCAL IMPACT**

Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

\*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-22** by title only.

### **ORDINANCE D2021-22**

**(CPA Small-Scale/Future Land Use Map Amendment for approximately 24.66 acres of land east of 11th Street, west of Hunt Brothers Road, and south of Post Salter Road)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 24.66 ACRES OF LAND LOCATED EAST OF 11TH STREET, WEST OF HUNT BROTHERS ROAD, AND SOUTH OF POST SALTER ROAD, FROM CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL, TO CITY OF LAKE WALES DESIGNATION MDR MEDIUM-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Hilligoss made a motion to adopt **ORDINANCE D2021-22** after 2nd Reading and Public Hearing. Commissioner Howell seconded the motion.

By Roll call Vote;

Commissioner Hilligoss "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Deputy Mayor Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 8.IV. **ORDINANCE 2022-06 LDR Updates Chapter 23 Land Development Regulations – 2nd Reading And Public Hearing**

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to the following sections of the Land Development Regulations

(LDRs) (Chapter 23, Lake Wales Code of Ordinances):

- Sec. 23-303 Streets
- Sec. 23-307 Landscaping
- Table 23-421 Permitted Uses
- Table 23-422B Dimensional and Area Standards
- Sec. 23-443 Residential PDPs
- Sec. 23-767 Exemptions

## **RECOMMENDATION**

At a regular meeting on January 25, 2022, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations. City Commission approved proposed changes to the Land Development Regulations at first reading on February 15, 2022. Staff recommends approval at second reading, following a public hearing.

## **BACKGROUND**

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

### **Sec. 23-303 Streets**

Background and justification:

Traffic Impact Studies are required for all new development. The intent of this appendix to the code, according to the language prepared by the City's consulting transportation planning firm, is: to define the requirements, procedures and methodology for the preparation and submission of a traffic impact study (TIS) in the City of Lake Wales and to provide equitable, consistent and systematic means of determining the future impact of proposed developments while maintaining the adopted service levels on all roadways. (See attached ordinance).

### **Sec. 23-307 Landscaping**

Background and justification:

During the review of recent Site Development Plans for residential projects, there has been a question of interpretation regarding street trees. Specifically, some developers are stating that they will have one of the required trees (per Sec. 307.2.a.3.) to serve as the required street tree. However, the staff's intent is that the required street tree be in addition to the tree density standards. To clarify this requirement, the proposed standards are suggested.

### **Sec. 307.2 Landscaping standards.**

a . Tree density.

2. Non-residential density requirement.

A minimum of two (2) three (3) trees shall be required for each one-quarter ( $\frac{1}{4}$ ) acre or ten thousand

eight hundred ninety (10,890) square feet of land or fraction thereof in the non-residential development.

### 3. Residential density requirements.

Lots less than 10,000 s/f: two, three two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree. Lots 10,000 s/f or greater: three, four two-inch caliper shade trees, minimum of eight feet at planting. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree. NOTE: Street Trees are required to have root barriers. Root barriers shall be approved by the Administrative Official prior to planting.

#### Definitions:

Root Barrier – Typically used for Street Trees, Root Barriers are structures and/or materials that redirect tree roots down and away from hardscapes, preventing costly root damage while preserving the health and functionality of trees.

Street Tree – A tree that is currently located or proposed for planting along streets or highways. Such tree can be located on private property or on publicly held land. Street trees are typically planted in a linear fashion and provide spatial enclosure as well as other technical and aesthetic benefits (Wildwood Mo.)

#### Table 23-421 Permitted Uses

##### Background and justification:

1.) In order to reduce automobile dependency for short trips, a change to the Permitted Use Chart to allow all new residential developments to provide support non-residential uses within a portion of the development (mixed-use) through the PDP process is proposed. A note is added to ensure that such non-residential uses may be those only consistent with the C-4 Neighborhood Commercial zoning district.

2.) In order to open up the city's industrial zones to heavy manufacturing, it is proposed to change Manufacturing – Heavy, from S (special exception use permit), to P (permitted), in the I-1 zoning district. 3.) Within the LCI Limited-Commercial zoning district, a district designed to promote a mix of commercial and industrial uses, Staff proposes to allow small grocery or convenience stores, with or without gasoline sales, by right.

4.) Allow manufactured home communities through the PDP process only, in residential districts. This provision does not allow individual infill or subdivided lots to place a manufactured home.

##### Note added:

Non-residential uses are permitted as a subordinate part of a residential Planned Development Project and are limited to those uses permitted in the C-4 Neighborhood Commercial zoning district.

#### TABLE 23-422B

#### DIMENSIONAL AND AREA STANDARDS—NONRESIDENTIAL DISTRICTS\*

##### Background and justification:

Table 23-422 guides land development by requiring standard dimensional and area standards, including building height and setbacks, maximum lot coverage, and maximum building coverage. Currently, front building setbacks are determined by one of three factors: what is standard to the

zoning district, what is in keeping with the surrounding area (infill development), or the right-of-way width of the roadway on which it fronts.

Current note below the setback table: The minimum front setback shall be as designated or one-half (&1/2;) the width of the required right-of-way for the street on which the lot fronts, whichever is larger. For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.

Proposed: The minimum front setback shall be as designated or one-half (&1/2;) the width of the

required right-of-way for the street on which the lot fronts, whichever is larger. For development fronting on an arterial highway, the minimum front setback shall be 50 feet. For infill lots, the administrative official may grant a waiver allowing a reduction of the front yard setback requirement, provided the reduction is compatible with building setbacks in the immediate vicinity.

This change primarily affects development on County and State roads where the right-of-way widths are wider, and change periodically. Currently, US Highway 27 has a (newly increased, without the City's knowledge) right-of-way width of 200 feet; therefore, new development along this corridor would now be subject to a 100-foot front setback. This new setback requirement may potentially create unbuildable vacant commercial lots along our commercial corridors. It also encourages site design where buildings are setback so far, that a sea of asphalt parking is the prominent site feature, rather than street-oriented architecture and landscaping.

#### Sec. 23-443 Residential PDPs

##### Background and justification:

Staff recommends removal of a code provision which gives developers open space credit for private residential yards, in order to achieve the required 20% minimum site-wide open space. Credit for open space should only be considered in common and public areas of the development.

Sec. 23-443.1 Minimum design standards—Residential PDPs. The preliminary plan for a residential PDP shall demonstrate that the site design complies with the minimum design standards of this section.

a. Density. The number of units per acre shall not exceed the maximum as allowed for the classification of the property under the Future Land Use Element of the Comprehensive Plan. Acreage for density calculations shall not include areas of open water or lands within the "Conservation" classification of the Future Land Use Map.

b. Open space. Excluding roadways and parking areas open space shall make up a minimum of twenty (20) percent of the site area. If open space is provided as private yards for individual units, such yards shall make up only fifty (50) percent of the open space required. The remaining fifty (50) percent shall be common open space in the form of recreation area, pedestrian or bicycle paths, or landscaped common areas. The recreation area required under section 23-310 may be included to meet the open space requirement except that recreation buildings and parking areas shall not be included.

#### Sec. 23-767 Exemptions

##### Background and justification:

Current code provides for the exemption from the payment of impact fees for the redevelopment of sites which have been vacant less than three years. Staff proposes to increase the window of opportunity to five years, which mirrors the County's code provision.

The following shall be exempted from payment of impact fees:

a. Alterations, expansions or replacement of an existing dwelling unit which do not increase the number of families for which such dwelling unit is arranged, designed or intended to accommodate for the purpose of providing living quarters.

b. The alteration or expansion of an accessory building or structure which will not create additional dwelling units or will not increase the usable square footage space associated with the principal building on the land.

c. The replacement of a dwelling unit or building with a new dwelling unit or building of the same size and use and which will not increase the square footage associated therewith; provided that the replacement of a dwelling unit or building which has been destroyed or otherwise rendered uninhabitable must be replaced within three (3) five(5) years of the date it was destroyed or rendered uninhabitable in order to be exempted from the payment of impact fees.

#### CODE REFERENCES AND REVIEW CRITERIA

- Sec. 23-303 Streets
- Sec. 23-307 Landscaping
- Table 23-421 Permitted Uses
- Table 23-422B Dimensional and Area Standards
- Sec. 23-443 Residential PDPs
- Sec. 23-767 Exemptions

#### FISCAL IMPACT

None

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2022-06** by title only.

#### ORDINANCE 2022-06

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS AMENDING SECTION 23-303 STREETS, SECTION 23-307 LANDSCAPING, TABLE 23-421 PERMITTED USES, TABLE 23-422B DIMENSIONAL AND AREA STANDARDS, SECTION 23-443 RESIDENTIAL PDPS, AND SECTION 23-767 EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Robin Gibson made a motion to adopt **ORDINANCE 2022-06** after 2nd Reading and Public Hearing. Commissioner Howell seconded the motion.

By Roll call Vote;

Deputy Mayor Gibson "YES"

Commissioner Hilligoss "YES"

Commissioner Howell "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 9. NEW BUSINESS

### 9.1. Polk Regional Water Cooperative Implementation Agreement

[Begin Agenda Memo]

**SYNOPSIS:** The City has to decide what level of participation it will take in the next phase of the Southeast Wellfield Project being designed for the Polk Regional Water Cooperative.

#### **RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve signing the Polk Regional Water Cooperative (PRWC) implementation agreement as a Project Associate.
2. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

It is anticipated there will be a need for additional supply given future expected development and system expansion. Alternatives for future additional supply may potentially include bulk water purchases from the PRWC (Polk Regional Water Cooperative). The City is a participant of the PRWC who is developing the Southeast Wellfield Project. Whether to sign on to this project is a significant water supply decision for the Staff and Commission to make. Therefore, Staff wants to provide the Commission with all relevant information to make an informed decision, which will affect its citizens for years to come.

Signing the implementation agreement as a Project Associate allows the City time to perform some due diligence as to the feasibility of a City funded Alternative Water Source project. The Commission approved for the City to be represented as a project associate at the April 20, 2021 city commission meeting. The agreement is being brought back before the commission because of some minor changes made to the agreement. While there have been changes to the agreement, it does not affect the city's position to continue as a project associate at this time.

Staff recommends the Commission take the following action, approve the City becoming a Project Associate, until such time the City's own Alternative Water Source Study is completed, and authorize the Mayor to execute the appropriate documents, on the City's behalf.

#### **OTHER OPTIONS**

The Commission could choose not to approve the City becoming a Project Associate of the Southeast Wellfield project. The other options would be for the City to become a Project Partner, which would obligate the City financially for the debt to be incurred, which is somewhat still undetermined.

The final option is to elect to not be a part of the Cooperative.

## **FISCAL IMPACT**

Becoming a Project Associate will not obligate the City for any of the debt at this time. If at any time the City changes its position and chooses the option to become a Project Partner of the Southeast Wellfield project, it is at that time financial responsibility will be determined.

[End Agenda Memo]

Mayor Fultz reviewed this item. James Slaton, City Manager, reviewed this item.

Deputy Mayor Gibson asked about the status of exploring our own Alternate water potential. Mr. Slaton said our engineers are still working on it. They have meetings forthcoming on this. Deputy Mayor Gibson said this will be of great interest.

Mayor Fultz said this is a critical juncture for us. We will retain our status in the PRWC, go our own way if needed, but we can still participate if our own project doesn't work out.

Deputy Mayor Gibson made a motion to approve the agreement as a project associate. Commissioner Howell seconded the motion.

By Voice Vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 9.II. High Point Church Water Main Reimbursement

[Begin Agenda Memo]

**SYNOPSIS:** To facilitate the connection to the City's water system, High Point Church upsized and extended the water main in the Scenic Highway right of way.

## **RECOMMENDATION**

It is recommended that the Commission take the following action:

1. Approve expending funds of \$45,624.00 for the reimbursement to High Point Church for the water main upsized and extension.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

## **BACKGROUND**

While going through the plan review process for the construction of the new High Point Church located



at 4025 Scenic Highway North, staff saw the opportunity to begin the systematic expansion of the water main to this area. It is anticipated and planned in the 5 -year Capital Improvements budget for the extension of a 12" water main and ground storage tank construction in the northeast portion of the city's utility service area. This extension allows for the looping of the system and will help alleviate the pressure problems the Dinner Lake area is currently experiencing. While High Point only needed an 8" water main for their design, staff requested they upsize it to a 12" and extend the main to their southern property line. Staff felt this was the most economical way for this portion of the extension to occur.

This project already had the water main installation permit and the FDOT right of way permit, which would have been a process staff would have had to repeat if the upsize occurred later.

Staff recommends the Commission take the following action, approve the reimbursement to High Point Church for \$45,624.00, and authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **OTHER OPTIONS**

None. The line has been installed and it helps to facilitate the systematic expansion of the water main down Scenic Hwy, which will assist with the volume and pressure issues in the Dinner Lake area.

#### **FISCAL IMPACT**

The total for this reimbursement is \$45,624.00. The funds for the reimbursement will come from the FY '21-'22 M & R Water mains budget line item. The total allotted for this budget line is \$175,000.00.

[End Agenda Memo]

Commissioner Hilligoss recused himself from this vote and discussion as he is connected to the project.

Deputy Mayor Gibson said this is sensitive due to the Mayor's race.

James Slaton, City Manager, reviewed this item. Deputy Mayor Gibson asked if we would do this if there were not a Mayor's race. Mr. Slaton said yes. The plans for this were put in place before Jack Hilligoss began his campaign or was even a Commissioner.

Commissioner Howell made a motion to approve the reimbursement. Deputy Mayor Gibson seconded the motion.

By voice vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Williams "YES"

Mayor Fultz "YES"

Motion passed 4-0.

Commissioner Hilligoss returned to the meeting.

Albert Galloway, Jr., City Attorney, had no report.

11. CITY MANAGER

James Slaton, City Manager, said the surveys are in the mail and encouraged citizens to respond.

Mr. Slaton said that our marketing department is working on a series of video news updates. The first will be out in a few weeks.

11.I. Tracking Report

11.II. Commission Meeting Calendar

12. CITY COMMISSION COMMENTS

Deputy Mayor Gibson asked about the Lake Wales Connector Trail. Mr. Slaton said he will have more updates after a meeting on Monday. Staff will keep residents on Park Avenue updated on the status of this project.

Commissioner Howell asked about repaving our Streets such as Wiltshire and the founder streets. Mr. Slaton said that they are reworking the quote. The recommendation will be brought to the Commission soon.

Commissioner Howell asked about the roof at the Austin Center. Mr. Slaton said he will check on this. We were waiting on materials.

Commissioner Williams said we need to move forward on the Austin Center roof.

Commissioner Hillgoss reported on the Lincoln Avenue event the Saturday before last and it was a good event.

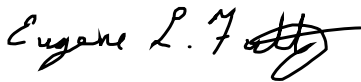
Commissioner Hillgoss reported that he attended the Police and Citizens advisory council last night. There was positive interactions between citizens and police.

13. MAYOR COMMENTS

Mayor Fultz reminded every one of the State of the City Address Friday. He encouraged everyone to vote in the upcoming election.

14. ADJOURNMENT

The meeting was adjourned at 6:55 p.m.



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Mayor

ATTEST

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City Clerk