

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
September 20, 2011
6:00 p.m.**

**City Administration Building
Commission Chambers
201 W. Central Avenue
Lake Wales, FL 33853**

[CRA Meeting; 5:00 p.m.]

1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **ROLL CALL**

MAYOR

5. **PROCLAMATION:** Family Day – A Day to Eat Dinner with Your Children™; September 26, 2011
6. **Public Comments by email during City Commission Meeting**

APPROVAL OF MINUTES

7. August 23, Special Meeting
September 7, Workshop Meeting
September 7, Regular Meeting

BUDGET HEARINGS

8. **Ordinance 2011-16, Adoption of FY2011-12 Millage Rate – 2nd Reading & Public Hearing**
Ordinance 2011-17, Adoption of FY2011-12 Budget – 2nd Reading & Public Hearing
The Commissioners will consider adopting a millage rate of 7.9998 mills for Fiscal Year 2011-2012 which is the City's rolled-back rate. The Commissioners will also consider adopting the proposed operating budget.
9. **Ordinance 2011-18 Five-Year Capital Improvement Plan FY2011/12 - FY2015/16 – 2nd Reading & Public Hearing**
The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2011/12 through 2015/16.

CONSENT AGENDA

10. **Approval of Special Event Permit: Annual Kiwanis Club Christmas Parade**
Approval of the special event permit application and the street closing request will allow the Christmas parade to be held on Saturday evening, December 10, 2011
11. **Approval of Special Event Permit: Lake Wales Revival**
Approval of this request will allow Capernaum Ministries Inc. to hold the "Lake Wales Revival" in Lake Wales Park November 3, 2011 to November 6, 2011
12. **Approval of Special Event Permit: West Side Baptist Church Homecoming Activities**
Approval of the special event permit application will allow the closing of Gibson Avenue on October 15, 2011 during the event held at the West Side Baptist Church

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13. **Approval of Special Event Permit: Farmer's Market**
Approval of the Special Event Permit application will allow Main Street to hold a "Farmer's Market" in the Marketplace and on the Marketplace Parking Lot every Saturday for six months.
14. **Approval of Expenditure: Police Forfeiture Funds**
The Commission will consider approving the request for expenditure of Forfeiture Funds for tuition reimbursement
15. **Approval of Outdoor Seating on Public Property: Stuart Avenue Sidewalk – Keith Thompson**
Beans-N-Brushes (222 Stuart Avenue) is requesting Commission approval to allow seating on public property, specifically the sidewalk in front of their place of business.

OLD BUSINESS

16. **Ordinance 2011-19, Solid Waste Services – 2nd Reading & Public Hearing**
Staff is recommending amendment to the Code of Ordinances for solid waste services.
17. **Ordinance 2011-20, Concerning the Legislature's statutory preemption of control of firearms and ammunition and its revision of §790.33, Florida Statutes – 2nd Reading & Public Hearing**
The City Commission will consider approval of Ordinance 2011-20.
18. **Ordinance 2011-21 - Vacation of Alley 402 E. Park Avenue, Associate Reformed Presbyterian Church of Lake Wales – 2nd Reading & Public Hearing**
Vacation of an alley running through the residential property at 402 E. Park Ave. has been requested by the owner, the Associate Reformed Presbyterian Church of Lake Wales. Public use of the alley was apparently curtailed in 1936 when a garage was built across it, but there is no record that the alley was formally vacated. "Vacation" means that the public will no longer have a right to use the alley.

NEW BUSINESS

19. **Ordinance 2011-22, Pill Mill Moratorium – 1st Reading**
A moratorium on the approval of pain clinics is proposed in response to a request by two substance abuse organizations in Polk County. The moratorium will extend for 120 days or until regulations on pain clinics are enacted by the City. Several types of medical facilities are exempted from the moratorium. The proposed ordinance is similar to that enacted by Lakeland and other communities.
20. **Ordinance 2011-23, Chapter 23 Amendment to Concurrency Zoning Regulations – 1st Reading**
Adjustments are proposed to the requirements for reserving capacity in the City's sewer and water systems. Because of the economic downturn, most residential developments have been removed from the utility capacity queue at the developers' request and partial pre-payments of impact fees have been refunded. The amendment removes requirements no longer necessary for maintaining the queue and allows refund of remaining queue payments.
21. **Ordinance 2011-24. Amendments to Chapter 12, Health, Sanitation, Nuisances – 1st Reading**
In March of this year the Code Enforcement division was reassigned from the Police Department to the Department of Planning and Development. As a result, a review of Chapter 12 was undertaken to clarify and update cross references as well as remove redundancies that were found in the chapter.
22. **Approval of Contract for Law Enforcement Services: Lake Wales Housing Authority, 2011**
Commissioners will consider approving a contract with the Lake Wales Housing Authority for providing supplemental law enforcement services at the Grove Manor public housing complex.
23. **Approval of Contract for Law Enforcement Services: Eagle Ridge Mall**
Commissioners will consider approving supplemental law enforcement services at the Eagle Ridge Mall, which will be funded through an interim contract with 451 Eagle Ridge Drive Holdings, LLC. This contract will be effective from September 20, 2011 through December 31, 2011

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24. **Approval of Contract for Engineering Services: Envisors**
Commissioners will consider approval of a contract with Envisors to prepare the Facility Plan required by FDEP State Revolving Fund (SRF) for the "C" Street and Vicinity Sewer Improvements project.
25. **Redistricting Committee**
A fifth and final member must be appointed to the Redistricting Committee.
26. **Board Appointments**
The appointments will fill vacancies on various citizen boards.
27. **Discussion of Preliminary Financial Statements thru August 31, 2011 Fiscal Year To Date**
The preliminary financial statements report revenues received and expenditures made through the end of August 2011.

CITY MANAGER

City Commission Tracking Report

COMMUNICATIONS AND PETITIONS

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record. Please limit your discussions to five (5) minutes.

CITY COMMISSION COMMENTS

(The full staff memo will be incorporated into the official record)

Minutes of the City Commission meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the City Commission with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.