

The regular meeting of the Lake Wales City Commission was held on January 7, 2014 in the Commission Chambers at the Municipal Administration Building. Mayor Eugene Fultz called the meeting to order at 6:00 p.m. following the invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Michael S. Carter; Betty Wojcik; Christopher Lutton; Jonathan Thornhill; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: None

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

[Full staff memos are incorporated into the minutes. Meetings are recorded, but not transcribed verbatim.]

MAYOR

The Mayor presented a proclamation recognizing January as Human Trafficking Awareness month to Jim Weaver, representing the Lake Wales Breakfast Rotary Club; Bunnie Barker, Associate Pastor at High Pointe Church; and Miguel Kinnel from Honduras who are working towards reducing human trafficking in Honduras as well as the United States.

PRESENTATIONS

COMMUNICATIONS AND PETITIONS

Nicholas Smith, 1001 Tower Blvd, presented concerns about civil damages and other indirect costs to the community because of the Grand Hotel not being complete and other breaches of the contract. He will present a list of options at a later meeting.

CONSENT AGENDA

Agenda Item 5. Approval of Minutes: December 17, 2013, Regular Meeting

Agenda Item 6. Wells Fargo donation to Lake Wales Care Center

[Begin agenda memo]

RECOMMENDATION

That the City Commission approve the Donation Agreement between Wells Fargo Bank, N.A., as donor, and the City of Lake Wales, as donee, whereby the City will be given title to certain real property in the City which it will in turn convey to the Lake Wales Care Center, Inc. Further, that the City Commission authorize the Mayor to execute the Donation Agreement and the Quit Claim Deed by which the City will convey the donated property to the Care Center.

BACKGROUND

Wells Fargo Bank, N.A. owns a parcel of real property located at 640 Lincoln Avenue which it wishes to donate to the Care Center. The bank cannot make the donation directly to the Care Center, but it is able to make a direct donation to a municipality. The City can accept title to the property in accordance with the terms of the Donation Agreement and subsequently convey it to the Care Center in order that the intent of the bank as donor may be carried out. The Care Center's Board of Directors has authorized acceptance of the donated real property.

FISCAL IMPACT

None. The donor will pay all costs associated with the transfer to the City. The Care Center will pay the costs associated with the subsequent transfer in the amount of \$10.70 for the recording fee and documentary stamps for the charitable transfer.

ALTERNATIVES

None that will accomplish the contemplated donation.

[End agenda memo]

Agenda Item 7. Lease Agreement with Mears Motor Leasing

[Begin agenda memo]

SYNOPSIS

Staff is requesting Commission approval to lease-purchase six (6) Police pursuit vehicles from Mears Motor Leasing.

RECOMMENDATION

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

1. Approve the sixty (60) month lease of one 2014 Chevrolet Impala 9C3 unmarked police vehicle and five 2014 Chevrolet Impala 9C1 marked police vehicles from Mears Motor Leasing.
2. Authorize the City Manager to execute the necessary documents on behalf of the City.

BACKGROUND

Within the FY 2013/14 annual budget, the City Commission approved \$28,224 for additional Police Department vehicle leases (annual budget pg. 42). The City currently has existing Police Department vehicle lease obligations of \$88,644 in FY 2013/14.

Staff recommends the lease-purchase of these vehicles for the following reasons:

- The proposed lease obligation of \$23,499.63 (9 months) provided by Mears Motor Leasing came in under FY 2013/14 budgetary appropriations by \$4724.37 ($28,224 - 23,499.63 = \4724.37).
- If these new vehicles were purchased under the State of Florida Contract the total purchase price would be \$150,884. Under the Mears Motor Leasing agreement these vehicles can be leased at an annual cost of \$31,332 (total cost over the five year lease term is \$156,664). A full purchase would result in a current-year decrease in cash flow of \$150,884 as compared to \$23,499.63.
- Mears Motor Leasing's proposal has an APR of 1.54% over the sixty (60) month term with a one (1) dollar residual buyout price for each vehicle.

- If these vehicles are replaced, the annual maintenance cost assessed by Polk County Fleet Management would initially be reduced by \$4,824.
- As with all purchases, if the City were able to purchase items without the use of financing this would result in the lowest overall cost, but the greatest single annual cash flow decrease. If the City decided to use financing options, this lease-purchase option would result in the lowest financing cost over the life of the lease. The interest costs of the five-year lease-purchase option are \$5,779.

OTHER OPTIONS

1. A full purchase would result in a current year decrease of cash flow of \$150,884.92.
2. Retain the existing vehicles

FISCAL IMPACT

The proposed lease obligation of \$23,499.63 (9 months) provided by Mears Motor Leasing came in under FY 2013/14 budgetary appropriations by \$4724.37 (28,224 – 23,499.63 = \$4724.37). If the City Commission approves the vehicle lease agreement, the City is committed to a yearly lease payment of \$31,332 for the remaining four (4) years of the five (5) year lease. If revenues are insufficient in future years, an option would be to return the vehicles under the non-appropriation of funds clause. If it becomes necessary to exercise this option, however, the Police Department would suffer the loss of the vehicles.

ATTACHMENTS

Bid Submittal

[End agenda memo]

Agenda Item 8. Agreement with Lake Wales Highlander Bombers

[Begin agenda memo]

SYNOPSIS

Approval of the agreement authorizes the Highlander Bombers Baseball Club-Academy to assist the Lake Wales Little League with the mowing and maintenance of the Northwest Complex from January 7, 2014 through September 30, 2014 at no cost to the City and it establishes the complex as their home base.

RECOMMENDATION

Staff recommends that the City Manager take the following action:

1. Approve the agreement with Lake Wales Lake Wales Highlander Bombers for the mowing and maintenance of the Northwest Complex for the period January 7, 2014 through September 30, 2014 for a compensation of zero dollars (\$ 00.00).

BACKGROUND

The Highlander Bombers Baseball Club-Academy is requesting that the City of Lake Wales enter into an agreement for the maintenance of the Lake Wales Northwest Complex (Fraiser Field) and to establish the complex as their home base.

The Lake Wales Little League will continue the maintenance of softball fields 1 and 2 at the complex until the current agreement ends September 30, 2014. The Lake Wales Highlander Bombers have agreed to assist Little League with this maintenance at no cost to the city until the city negotiates an annual compensation agreement with the Bombers for the maintenance of the complex for the period beginning October 1, 2014 and ending September 30, 2015.

City staff met with representatives of both leagues and established that there is no conflict of interest for either league if the city enters into this agreement and feel that this arrangement will be beneficial to the city, the leagues and the community.

The league shall implement Section 18-137 of the Lake Wales Code of Ordinances governing league use of city-owned fields (attached).

OTHER OPTIONS

Do not approve the agreement request

FISCAL IMPACT

There is no impact on the current FY13'14 budget.

[End agenda memo]

Agenda Item 9. Engineering Services for the C Street and Vicinity and Lift Station No. 16 Service Area Sewer Replacement

[Begin agenda memo]

SYNOPSIS

Staff recommends commission approval for the signing of the contract for engineering services with Envisors, LLC for \$53,250. This contract is for additional easements acquisition for Phase 2 of the C Street Sewer Replacement Project.

STAFF RECOMMENDATION

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

1. Approve the contract with Envisors, LLC for \$53,250.00.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf in regards to this service.

BACKGROUND

Envisors (EVI) has previously designed and permitted the Lift Station No. 16 Service Area Sewer Replacement Project. Construction of the Phase 1 Project area, funded by a Community Development Block Grant (CDBG) is currently being constructed by Killebrew, Inc. under the oversight of EVI. The City desires to apply for Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (SRF) loan to fund construction of the Phase 2 Project area. Additional easements need to be obtained by the City for the sewer route in the Phase 2 Project area. These easements are currently being obtained by the City Attorney, Mr. Albert C. Galloway, Jr., with other co-counsel. Mr. Galloway has requested that Envisors assist in preparation of approximately 60 easements, which need to be consistent with design plans.

Staff, therefore recommends commission approval to authorize the signing of the contract with Envisors, LLC in the amount of \$53,250.00 and to authorize the City Manager to execute the appropriate documents, on the City's behalf in regards to this service.

OPTIONS

Chose not to approve the contract and lose the opportunity to obtain additional funding for Phase 2 of the Sewer line Replacement in the C Street Vicinity and put a stop to the project.

FISCAL IMPACT

The Phase 2 C Street Sewer Line Replacement Project is funded in the FY2013-2014 Budget.

[End agenda memo]

The Mayor recognized members of the Lake Wales Bombers Baseball Club and the Lake Wales Little League in the audience.

Albert C. Galloway, City Attorney, said that there is a minor change to the agreement with the Bombers Baseball Club, which adds a cost of \$10 in order to make it an enforceable contract.

Commissioner Wojcik asked if this agreement conflicts with the Little League Contract currently in place. Kenneth Fields, City Manager, said there is no conflict as the Bombers agreement runs until the end of this fiscal year, which will involve all three groups working together. There will be new agreements will be drafted for both organizations for the new fiscal year.

OPENED PUBLIC COMMENT ON CONSENT AGENDA

Linda Kimbrough, 307 Florida Avenue, asked if this agreement would conflict with other public use of the Northwest Complex. Kenneth Fields, City Manager, said there would be no conflict and upgrades are planned for the Northwest complex to increase usage.

CLOSED PUBLIC COMMENT ON CONSENT AGENDA

Commissioner Lutton noted that the Lease agreement for the police vehicles is under budget by about \$8000 this fiscal year.

Commissioner Thornhill made a motion to approve the Consent Agenda. Commissioner Wojcik seconded the motion.

By Voice Vote:

Commissioner Thornhill "YES"
Commissioner Wojcik "YES"
Commissioner Lutton "YES"
Commissioner Carter "YES"
Mayor Fultz "YES"

The motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

CITY MANAGER

Agenda Item 10. City Commission Tracking Report:

Kenneth Fields, City Manager, said they have begun to enforce the newly revised sign ordinance. Over the past week, staff removed over 230 snipe signs from public right-of-way. After visiting with business owners explaining the restrictions, some of them voluntarily removed their signs. Staff returned signs to the known business owners. The other signs are stored for the unknown ones to claim. Most everyone is complying with the rules.

Agenda Item 11. City Commission Calendar

Agenda Item 12. Annual Reporting – Boards, Commissions, and Committees

This will begin January 21, 2014.

CITY COMMISSION COMMENTS

CITY MANAGER COMMENTS

Kenneth Fields, City Manager, announced on behalf of the Polk State College Arts Center a concert by a jazz band on Wednesday at noon and encouraged all to attend.

Chris Velasquez, Chief of Police, reported on status of recent shootings in Lake Wales. There have been arrests made and the community is safe. Chief Velasquez encouraged help from the community in solving some of these cases. Commissioner Carter asked if additional reward funds for tips would be helpful. Chief Velasquez said that while more money does work, there are sufficient funds for that at this time.

MAYOR COMMENTS

The Mayor shared that he has heard positive things from the community going into the New Year about the Police Department, City staff, and the City Manager. They are seeing things happen and people working together.

The meeting adjourned at 6:26 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk