

The meeting of the Lake Wales City Commission was held on May 6, 2014 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz 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; Jonathan Thornhill; Deputy Mayor Christopher Lutton; Mayor Eugene Fultz

COMMISSIONERS ABSENT: Betty Wojcik

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

Agenda Item 5. 2013 Earle B. Phelps Award – Outstanding Waste Water Treatment

Mayor Fultz recognized the Waste Water Treatment Plant for receiving the 2013 Earle B. Phelps Award.

Agenda Item 6. PROCLAMATION: National Public Works Week; May 18-24, 2014

Mayor Fultz presented a proclamation to Utilities Director Tom Moran and his employees honoring May 18-24 as Public Works Week.

PROCLAMATION: Police Memorial Day, May 15, 2014; Police Memorial Week, May 11-17, 2014

Mayor Fultz presented a proclamation designating May 15, 2014 as Police Memorial Day and May 11-17, 2014 as Police Memorial Week. Police Chief Velasquez accepted the proclamation.

PROCLAMATION: Municipal Clerks Week; May 4-10, 2014

Mayor Fultz presented a Proclamation honoring May 4-10 as Municipal Clerks Week. City Clerk Clara VanBlargan and Deputy City Clerk Jennifer Nanek accepted the proclamation.

PROCLAMATION: National Small Business Week; May 12-16, 2014

Mayor Fultz presented a proclamation honoring May 12-16, 2014 as National Small Business Week. Carl Hadden with the Small Business Development Council accepted the proclamation.

OLD BUSINESS

Agenda Item 7. APPROVAL OF MINUTES: April 15, 2014, Regular Meeting

Commissioner Thornhill made a motion to approve the April 15, 2014 regular meeting minutes. Commissioner Carter seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

CITY CLERK/MAYOR

Agenda Item 8. OATH OF OFFICE: Commissioner Terrye Y. Howell

City Clerk Clara VanBlargan administered the Oath of Office to Commissioner Terrye Y. Howell.

Agenda Item 9. AWARDING OF PLAQUE: Michael S. Carter

Mayor Fultz presented an appreciation plaque to Michael S. Carter on behalf of the City of Lake Wales and its citizens for his dedicated service to the community as a city commissioner from May 2010 through May 2014.

Agenda Item 10. ROLL CALL

COMMISSIONERS PRESENT: Terrye Howell; Jonathan Thornhill; Deputy Mayor Christopher Lutton; Mayor Eugene Fultz

COMMUNICATIONS AND PETITIONS

Mimi Hardman, 300 S. Lake shore Blvd., explained that the light poles near the Stuart House are on the Stuart House electric bill. She recommended that this be changed so that the Historic Lake Wales Society does not have to pay for the city's light poles since she has worked very hard raising money for the City of Lake Wales.

CONSENT AGENDA

Agenda Item 11. Bid Award - Installation of Fencing and Construction of columns at Crystal Lake Park.

[Begin agenda memo]

SYNOPSIS

The City Commission will consider awarding Alan Walters Construction the bid for the installation of additional fencing and column construction at Crystal Lake Park.

RECOMMENDATION

Staff recommends that the City Commission award the bid to Alan Walters Construction, Inc. for the installation of additional fencing and column construction at Crystal Lake Park for the amount of \$22,870.50.

BACKGROUND

In November 2013, the City Commission approved the purchase and installation of playground equipment for Crystal Lake Park and four other city parks.

To provide safety for the occupants in the play area, enhance supervision and to keep children from running out of the area into hazards, additional fencing is recommended to fully enclose the park.

Safety guidelines established by the American Standards for Testing and Materials (ASTM) recommend the enclosure of playgrounds when potential hazards exist near the playground. Crystal Lake Park is currently open to a lake, a parking lot, a drainage swale, and two streets.

Bids were as follows:

Alan Walters Construction, Inc.	\$22,870.50
SEMCO Construction, Inc.	\$31,262.00
Grove Construction	\$35,000.00

FISCAL IMPACT

Funds for this project were approved by the City Commission in the first budget amendment of FY- 2013/14 (Ordinance 2014-01) on March 4, 2104, and are provided by Parks and Recreation impact fees.

OTHER OPTIONS

The Commission may choose not to approve the project at this time.

[End agenda memo]

Agenda Item 12. Special Event Permit – 4th of July Festival

[Begin agenda memo]

SYNOPSIS

The approval allows the 4th of July Festival to be held on the shores of Lake Wailes.

RECOMMENDATION

The recommendation is for the City Commission to approve the special event permit application for the 4th July Festival to be held on Friday, July 4th from 2pm - 9pm.

BACKGROUND

The 4th of July Festival will include music and games from Parties by Robert, and food and craft vendors. City staff is in the process of arranging additional attractions and events. These might include some bounce houses, the bloodmobile, pony rides, and others. The festival will conclude with the 9pm fireworks.

OTHER OPTIONS

Do not approve the event permit.

FISCAL IMPACT

Fireworks - \$10,000

Other expenses (Parties by Robert, Portolets) - approximately \$1,000

In-kind allocation costs for staff, police, and field operations - \$2,643

[End agenda memo]

Agenda Item 13. FDOT Traffic Signal Maintenance and Compensation Agreement Amendment

[Begin agenda memo]

SYNOPSIS

The Amended Traffic Signal Maintenance and Compensation Agreement with FDOT will allow additional compensation to the City for traffic signal system maintenance in the jurisdictional boundaries of the City.

RECOMMENDATION

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

1. Approve the Amended Traffic Signal Maintenance and Compensation Agreement with FDOT to allow the City compensation for maintaining the pedestrian flashing beacons and traffic warning beacons that are part of the traffic signal system.
2. Authorize the City Manager to execute the amended agreement on behalf of the City.

BACKGROUND

The original FDOT Traffic Signal Maintenance Agreement that the City Commission approved in August 2002 compensates the City for maintaining the traffic signal system in the jurisdictional boundaries of the City. However, the City does not receive compensating for maintaining the pedestrian flashing beacons and traffic warning beacons that is part of the traffic signal system. The proposed amendment to the agreement will allow compensation for that maintenance.

FISCAL IMPACT

The City's compensation for this agreement is \$17,902.73 and increases 3% annually.

OTHER OPTIONS

If the City Commission does not approve the amendment to the traffic signal maintenance agreement, the City will not receive the addition compensation for the pedestrian flashing beacons and traffic warning beacons maintenance.

[End agenda memo]

Agenda Item 14. Metro PCS Networks Florida Cell Site Lease Amendment

[Begin agenda memo]

SYNOPSIS

Staff requests commission approval of the signing of the Metro PCS Networks Florida cell site lease amendment.

STAFF RECOMMENDATION

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

1. Accept the Amendment to the Metro PCS Networks Florida cell site lease amendment.

2. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

BACKGROUND

In November 2006, the City of Lake Wales entered into a site lease agreement with the Metro PCS Networks Florida provider allowing the corporation to construct and install cellular antennae and a control building on the High School Water Plant tower and tank yard. Metro PCS now wishes to amend the original agreement to allow for the upgrades of its network system. There will be no additional equipment added.

The Water Division staff and Utilities Director have pre-determined that the proposed replacement and upgrade of equipment will not interfere or hamper any of its daily operational activities.

OTHER OPTIONS

Choose not to allow the Cell provider the opportunity to upgrade its facilities.

FISCAL IMPACT

This provider currently pays an annual lease of \$27,186.

[End agenda memo]

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

By Voice Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Deputy Mayor Lutton "YES"
Mayor Fultz "YES"

The motion carried 4-0.

NEW BUSINESS

Agenda Item 15. Resolution 2014-08, Supplemental Joint Participation Agreement

[Begin agenda memo]

SYNOPSIS

The adoption of Resolution 2014-08 authorizes the execution of an agreement with the Florida Department of Transportation (FDOT) for the Airfield Improvements Construction Phase at the Lake Wales Municipal Airport.

RECOMMENDATION

The recommendation is for the City Commission to adopt Resolution 2014-08 authorizing the execution of a Supplemental Joint Participation Agreement by the City Manager with the Florida Department of Transportation (FDOT) for \$218,189.00.

BACKGROUND

In 2013, the City Commission adopted Resolution 2013-10, which provided funding for the engineering design phase for airfield improvements at the Lake Wales Municipal Airport for \$8,100.00.

Resolution 2014-08 is the Supplemental Joint Participation Agreement that will provide funding for the construction phase of the airfield improvements at the airport for \$210,089.00 bringing the total share of the project cost for FDOT to \$218,189.00.

FISCAL IMPACT

Funding is as follows in the FY 14/15 budget:

The construction phase of this project may start as early as July 1, 2014 if the grant offer for the FAA share of the project is received this month therefore the City will need to commit funds for the remaining quarter of FY 13/14 to cover any expenses incurred (\$561,774.30, estimating the project at 30% completion of each project).

Rehabilitate taxi-way alpha:	\$1,331,968.80	x 30%	\$399,590.64
Runway 24 safety area:	\$ 352,164.00	x 30%	\$105,649.20
Airport Road	\$ 188,448.20	x 30%	\$ 56,534.46

Airport Road

City:	\$ 30,072.00 (20%)
State (FDOT):	\$ 120,289.00 (80%)

Runway 24 Safety Area/Taxiway Alpha Realignment

City:	\$ 97,900.00 (5%)
State (FDOT)	\$ 97,900.00 (5%)
Federal (FAA):	\$1,762,200.00 (90%)

Project total: \$2,108,361.00

OPTIONS

The City Commission has already accepted the grant offer from the Federal Aviation Administration (FAA) and the Florida Department of Transportation (FDOT) for the engineering design phase for this project.

[End agenda memo]

City Clerk Clara VanBlargan read Resolution 2014-08 by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (JPA), ITEM-SEGMENT-PHASE-SEQUENCE NUMBER (FINANCIAL PROJECT NUMBER): 434822 1 94 01 (REHABILITATE AN AIRPORT ROAD, PERFORM RUNWAY 24 SAFETY IMPROVEMENTS AND REALIGN TAXIWAY A WEST) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ALLOW THEIR PARTICIPATION IN AN AVIATION PROJECT AT THE LAKE WALES MUNICIPAL AIRPORT.

Commissioner Thornhill made a motion to adopt Resolution 2014-08. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"

Deputy Mayor "YES"
Mayor Fultz "YES"

The motion carried 4-0.

Agenda Item 16. Appointments – Boards, Commissions & Committees

[Begin agenda memo]

SYNOPSIS

The appointments will fill vacancies due to resignations, expiration of terms, newly established boards, etc.

RECOMMENDATION

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

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

BACKGROUND

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

Airport Authority (City Code Sec. 2-41) – The board consists of seven (7) voting members and one (1) non-voting member who is a City Commissioner. At least four (4) voting members must be qualified electors of the City (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 resident/non-resident receiving either water or sewer service

Current Members: Charles Keniston, resident
Jack Neal, resident
Katherine Rogers, resident, chairman
Charles Loomis, resident
Robert Kelly, resident
Dale Marks, resident
Mayor Eugene Fultz, non-voting member

Airport Manager (City Code Sec. 2-41(f)(5)) - City Manager

Vacancy – 1 Term expires 07/01/2014

Applying for appointment: Joley Robinson Lowd, resident

Recommendation: The recommendation is for the Mayor to appoint Joley Robinson Lowd to serve on the Airport Authority Board for a partial term expiring on 07/01/2014 and for a regular term expiring on 07/01/2017, 3yr term, because the partial term is less than two months and does not count as serving a normal term.

CRA Citizen Advisory Committee – The committee consists of five (5) members. Members must own property or operate a business within the voting district provided that the residence or business of the nominee is within the boundaries of the CRA (2-year term).

- *There is no interview process requirement for applicants applying for appointment to this board.*
- *Members are not required to file an annual Form 1, Statement of Financial Interests*
- *Current Vacancies: 3 residents in specific voting district or meeting other requirement in specific voting district (includes 3 expiring terms) 2 members (Seat 1, At-Large; Seat 5, District 28)*
- *District Vacancies are chosen by the Commissioners representing that District. Commissioners Lutton and Thornhill are encouraged to find persons from their respective districts to fill the remaining slots.*

Vacancies - 2

- 1 - Resident vacancy (Seat 1, At-Large) Term expires 07/01/14
- 1 - Resident vacancy (Seat 5, District 28) Term expires 07/01/15

Current Members: Christopher Kincaid (Seat 2 – District 19)
Narvell Peterson, (Seat 3 – District 122)
Murray Zacharia, (Seat 4 – District 27)

Applying for appointment: Robby Bryant, resident; Seat 1, At-Large

Recommendation: The recommendation is for the Mayor to appoint Robby Bryant to serve on the CRA Citizen Advisory Committee for a partial term expiring on 07/01/2014 and for a regular term expiring on 07/01/2016, 2yr term, because the partial term is less than two months and does not count as serving a normal term.

Historic District Regulatory Board (City Code Sec. 23-208.2) – The board consists of five (5) regular members (appointed in accordance with section 2-26). At least 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 residents or own property in City; or 2 non-residents meeting other requirement

Current Members: Lawrence (Larry) Bossarte, business owner
Jean Donaldson, resident
Diane Armington, owns property in the City

Vacancies – 2: Terms expire 07/01/2015

Applying for appointment: Leah Bartholomay, non-resident meeting other requirements

Recommendation: The recommendation is for the Mayor to appoint Leah Bartholomay to serve on the Historic District Regulatory Board for a partial term expiring on 07/01/2015.

Planning & Zoning Board (City Code Sec. 23-205.2) – The board consists of seven (7) members. At least six (6) members must reside in the City and one (1) member must either reside in or own real property in the city. (3 year term)

- An interview process is required for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 resident or own property in the City or hold a valid occupational license issued by the City

Current Members: Joanne Fuller, resident
Mark Bennett, resident

Bob Gibson, resident
Charlene Bennett, resident
Sharon Allen, resident
Lloyd (Jack) Van Sickle, resident

Vacancies – 1: Term expires 07/01/2016

Applying for Appointment: John Gravel, non-resident, owns property in City

Recommendation: The recommendation is for the Mayor to appoint John Gravel to serve on the Planning & Zoning Board for a term expiring on 07/01/2016.

OPTIONS

Do not appoint the applicants named above and seek other applicants; however, it may be difficult for the boards to obtain a quorum until vacancies are filled.

FISCAL IMPACT

None. These are volunteer citizen boards.

[End agenda memo]

Mayor Fultz appointed Joley Lowd to serve as a member to the Airport Authority Board for a partial term expiring on July 1, 2014 and a regular three-year term expiring on July 1, 2017. The City Commission affirmed the appointments made by the Mayor.

By Voice Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Deputy Mayor Lutton "YES"
Mayor Fultz "YES"

The motion carried 4-0.

Mayor Fultz appointed Robby Bryant to serve as a member to the CRA Citizens Advisory Committee for a partial term expiring on July 1, 2014 and a regular two-year term expiring on July 1, 2016. The City Commission affirmed the appointments made by the Mayor.

By Voice Vote.

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Deputy Mayor Lutton "YES"
Mayor Fultz "YES"

The appointment was approved 4-0.

Mayor Fultz appointed Leah Bartholomay to serve as member to the Historic District Regulatory Board for a partial term expiring on July 1, 2015. The City Commission affirmed the appointment made by the Mayor.

By Voice Vote.

Commissioner Thornhill "YES"

Commissioner Howell "YES"
Deputy Mayor Lutton "YES"
Mayor Fultz "YES"

The appointment was approved 4-0.

Mayor Fultz appointed John Gravel to serve as a member to the Planning and Zoning Board for a term expiring on July 1, 2016. The City Commission affirmed the appointment made by the Mayor.

By Voice Vote.

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Deputy Mayor Lutton "YES"
Mayor Fultz "YES"

The appointment was approved 4-0.

CITY MANAGER

Agenda Item 17. City Commission Tracking Report:

Kenneth Fields, City Manager, reported the following:

- The Airport project is moving along. Now that the FDOT agreement was approved tonight, we wait on the FAA for their approval.
- The playground upgrades are almost complete except for an additional playground system for Crystal Lake Park and the Lake Wailes Trail Project will get under way soon.
- The benches downtown have been installed
- The new fire station is complete, and the dedication and open house were held.

Agenda Item 18. City Commission Calendar

Next Tuesday, May 13, at 5pm will be the first budget workshop. This will be to get an idea of what the Commission's goals are for the next fiscal year.

A forthcoming workshop in June will focus on the extension of Utilities along West HWY 60.

Agenda Item 19. Annual Reporting – Boards, Commissions, and Committees

The CRA Citizens Advisory Commission and the Recreation Commission will present an annual report on May 20, 2014.

CITY COMMISSION COMMENTS

At the request of Deputy Mayor Lutton, Utilities Director Tom Moran provided a status on the cemetery project. A meeting is scheduled to review 75% of the design plans. Mr. Fields said the plans would be presented to the Commission at a future meeting.

Deputy Mayor Lutton inquired about the Heartland project. Mr. Fields responded that we haven't heard from them.

CITY MANAGER COMMENTS

Kenneth Fields, City Manager, reported on a request from the Green and Gold Foundation to write a letter of support for a grant application which he will do if it is okay with the Commission.

Mr. Fields said he received a request from the NAACP to change the name of Washington Avenue, a city and county road. This will require a public hearing and a vote by the City Commission, which will take place at a future meeting. Mr. Fields will provide additional information to the Commission on the process.

MAYOR COMMENTS

The Mayor announced that he would be absence for June 17 workshop meeting and the June 18 regular meeting.

The Mayor conveyed excitement about the forthcoming arrival of the new EDC Director. Mr. Fields reported that he would be at the Commission meeting on June 3 to give the EDC Quarterly report.

The meeting was adjourned at 6:52 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk Clara VanBlargan, MMC