

The meeting of the Lake Wales City Commission was held on November 18, 2014 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor 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: Terrye Howell; Jonathan Thornhill; Christopher Lutton, Deputy Mayor; Eugene Fultz, Mayor

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

ANNUAL REPORT

PRESENTATIONS

Agenda Item 5. "Hotel Market" for Polk County - Presentation by Mark Jackson, Central Florida's Polk County Tourism and Sports Marketing Director

Mark Jackson, Polk County Tourism & Sports Marketing Director, gave a PowerPoint Presentation on the need for additional lodging facilities, specifically hotels, in Polk County. He shared tourism statistics for Polk County. He explained that Lake Wales has lots of resources, especially eco-heritage tourism sites and many travelers to this area to visit those locations. He encouraged additional accommodations, restaurants, and attractions in Lake Wales. Reopening the Grand Hotel in downtown would help towards this need. Lake Wales needs to be a destination.

Deputy Mayor Lutton and Mayor Fultz agreed on the need for lodging for sports events held in Lake Wales.

Agenda Item 6. Community Volunteer Work Day Event - Presentation by James Slaton, Support/Public Services Director

Agenda Item 6 was postponed.

COMMUNICATIONS AND PETITIONS

Sue Smith, 919 Carlton Avenue, expressed concerns about the current status of the Grand Hotel project and the ability of the owner to complete the project. She distributed a copy of her statements to the City Clerk.

Reid Hardman, 300 S Lake Shore Blvd., reviewed the status of the Lake Wales Rotary Club BBQ event. He requested some revisions to the special event permit previously by the City Commission. He distributed a copy of an amended map which illustrates a larger area to consume alcohol. He also requested being able to add additional water spigots and electric outlets. The cost of these additional resources will be covered by Lake Wales Rotary.

Kenneth Fields, City Manager, said staff recommends approval of these revisions. He asked if the City Commission agreed with the changes, if so a formal agenda item will be brought to the commission at the next Commission Meeting.

Deputy Mayor Lutton asked if the event will block the bike path. Mr. Hardman said no, it will not be blocked as the event itself is open to the public. The boundaries will be identified with flags and other markings. The event is open to the public, but "crown jewels" are required to purchase food.

Deputy Mayor Lutton encouraged the need for a recreation master plan and said he looks forward to beginning that process in January.

The City Commission consented to the revisions.

Mimi Hardman, 300 S. Lake Shore Blvd., shared an article from Polk Life on the history of Lake Wales.

CONSENT AGENDA

Agenda Item 7. APPROVAL OF MINUTES: November 4, 2014, Regular Meeting

Agenda Item 8. Acceptance of Florida's Natural Growers Foundation Grant for AEDS

[Begin Agenda Memo]

SYNOPSIS

The City has been awarded \$2000 towards the purchase of two AEDs (Automated External Defibrillators) for City buildings. No match was required.

RECOMMENDATION

It is recommended that the City Commission approve the acceptance of a \$2000 grant from Florida's Natural Growers Foundation towards the purchase of two AEDs for use at City facilities.

BACKGROUND

In August 2014 the city submitted an application to the Florida's Natural Growers Foundation for \$2398 for the purchase of two AEDs (Automated External Defibrillators) for the Administration Building and the soccer complex.

On October 20, 2014 we were notified of an award of \$2000 towards the AEDs.

OTHER OPTIONS

Do not accept the grant.

FISCAL IMPACT

The 2 AEDS may cost more than \$2000. The City will be responsible for cost overruns. Materials with the AEDs such as the pads expire and will need to be replaced.

[End Agenda Memo]

Agenda Item 9. Sale of real property not needed for municipal purposes

[Begin Agenda Memo]

SYNOPSIS

The approval will allow for the sale of real property that has no municipal purpose to generate minor income.

RECOMMENDATION

The recommendation is for the City Commission to approve the sale of real property owned by the City which is not needed for municipal purposes. This matter will be considered by the CRA Board as well. The CRA Advisory Board has approved of the transactions contemplated by this Memorandum.

BACKGROUND

There are three parcels currently titled in the City of Lake Wales which, with City Commission approval, will be transferred to the CRA for the purposes contemplated by this Memorandum (The West 41.58 feet of Lot 25, GREENBRIAR PHASE I, Plat Book 67, Page 25, Public Records of Polk County, Florida; Lots 3 through 8, inclusive, Block EE, ALTA VISTA, Plat Book 5, Page 12, Public Records of Polk County, Florida; Tract A, CANDLELIGHT GROVES, Plat Book 58, Page 18, Public Records of Polk County, Florida). Polk County Property Appraiser information sheets as to these three parcels are provided herewith.

The contemplated Intergovernmental transfer from the City to the CRA is authorized pursuant to §163.400, Fla.Stat., without consideration.

There is currently no ad valorem tax revenue flowing to the City as to these parcels. Additionally, the City is bearing the expense of maintaining these vacant parcels.

Upon approval by the City Commission and transfer of title to the CRA Board, these parcels will be advertised for sealed bid acquisition and staff will establish a minimum bid for transfer at a value that is in the public interest.

FISCAL IMPACT

Sale of the properties will generate minor income. More importantly, the properties will again produce ad valorem tax revenue for the City and the City will no longer bear maintenance responsibilities as to these parcels.

ALTERNATIVE

There is no alternative that will facilitate the contemplated improvement to the City's finances.

[End Agenda Memo]

Agenda Item 10. Lease Agreement with Mears Motor Leasing

[Begin Agenda Memo]

SYNOPSIS

Staff is requesting Commission approval to lease-purchase six (6) fully equipped Police pursuit vehicles from Mears Motor Leasing under the Master Lease Agreement.

RECOMMENDATION

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

1. Approve the sixty (60) month lease of two 2015 Chevrolet Impala unmarked police vehicles, three 2015 Chevrolet Impala marked police vehicles and one 2015 Chevrolet Tahoe 4x2 marked police K9 vehicle from Mears Motor Leasing based upon the Florida Sheriff Association Fleet competitive bid pricing.
2. Authorize the City Manager to execute the necessary documents on behalf of the City.

BACKGROUND

Within the FY 2014/15 annual budget, the City Commission approved \$26,010 for additional Police Department vehicle leases (annual budget pg. 80). The City currently has existing Police Department vehicle lease obligations of \$116,868 in FY 2014/15.

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

- The proposed lease obligation of \$21,952.14 (7 months) provided by Mears Motor Leasing came in under FY 2014/15 budgetary appropriations by \$4,057.86 ($26,010.00 - 21,952.14 = \$4,057.86$).
- If these new vehicles were purchased under the Florida Sheriff Association competitive bid pricing, the total purchase price would be \$176,701.30. Under the Mears Motor Leasing agreement these vehicles can be leased at an annual cost of \$37,632.24 (total cost over the five year lease term is \$188,161.20). A full purchase would result in a current-year decrease in cash flow of \$176,701.30 as compared to \$28,224.18.
- 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 through the proposed lease, the annual maintenance cost assessed by Polk County Fleet Management would initially be reduced by \$5,483.76.
- 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 cost of the five-year lease-purchase option is \$11,459.90 (or \$2,291.98 per year).
- The six vehicles to be replaced will be sold via an online auction with Govdeals.com. We have sold Ford Crown Victorias on Govdeals.com in the past for an average sale price of \$1,127.00. Based upon the average sale price, the expected recouped dollars would be \$6,762.00.

OTHER OPTIONS

1. A full purchase would result in a current year decrease of cash flow of \$176,701.30.
2. Retain the existing vehicles

FISCAL IMPACT

The proposed lease obligation of \$21,952.14 (7 months) provided by Mears Motor Leasing came in under FY 2014/15 budgetary appropriations by \$4,057.86 ($26,010.00 - 21,952.14 = \$4,057.86$). An additional \$16,303.62 income and savings should be realized during the first year based upon sale of replaced vehicles at auction and reduced maintenance costs.

If the City Commission approves the vehicle lease agreement, the City is committed to a yearly lease payment of \$37,632.24 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.

[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.

OLD BUSINESS

Agenda Item 11. Ordinance 2014-15, FY13'14 Budget Amendment #2 – 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider adoption of the second Amendment of FY13'14 Budget that was adopted on September 17, 2013.

RECOMMENDATION

It is recommended that the City Commission adopt Ordinance 2014-15 after second reading and public hearing.

The City Commission approved Ordinance 2014-15 after first reading on November 4, 2014. Public hearing notice requirement has been met.

BACKGROUND

Ordinance 2013-12, estimating revenues and appropriating funds for Fiscal Year 2013'14, was adopted by the City Commission September 17, 2013, modified March 4, 2014 by Ordinance 2014-01.

We are presenting for first reading an amendment of Ordinance 2014-15 to modify the estimates of revenues and appropriations budgeted in various funds. Exhibit A and B provide the detail for the proposed amendment. This budget amendment is based on unaudited financial reports for the accounting period ending on 09/30/2014.

OTHER OPTIONS

This is a required budgetary amendment that must be adopted no later than November 29, 2014 per Florida State Statute 166.241(4).

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2014-15

[End Agenda Memo]

City Clerk Clara VanBlargan read **ORDINANCE 2014-15** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2013-12 AS AMENDED BY ORDINANCE 2014-01 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2013-2014 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

No comments from the public.

CLOSED PUBLIC HEARING

Deputy Mayor Lutton made a motion to adopt **ORDINANCE 2014-15**, after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

NEW BUSINESS

Agenda Item 12. PDP Master Plan Amendment - Preliminary Residential PDP Plan, Multi-family "Pod 2" Phase 1, Hunter's Glen, BlockSouth Properties LLC – Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The request is for approval of an amended Master Plan for Hunter's Glen, a 350-acre residential planned development project (PDP) and preliminary PDP plan for "Pod 2" phase 1, consisting of 240 units of a 480-unit multi-family complex on 93 acres. Hunter's Glen is located on the east side of US Highway 27 and south of Waverly Road.

RECOMMENDATION

The Planning Board held a public hearing on the request October 28, 2014. The Board voted unanimously to recommend approval with conditions of the Master Plan and preliminary PDP plan for phase 1 of "Pod 2" as shown on "Hunter's Glen, Planned Development Project, Land Use Plan/Multi-Family Site Plan" dated 10.15.2014 by Professional Design Associates, Inc.

Note: Approval of a “preliminary PDP plan” allows the project to move forward to staff review of engineering/construction plans. No further board approvals are required unless major changes are requested. The Master Plan must be updated with the approval of each phase.

A public hearing is required. Public notice requirements have been met.

BACKGROUND

The property was annexed into the City in 2001 as “Imperial Ridge” and originally included a 40-acre industrial parcel to the north, fronting on Waverly Rd., now under separate ownership. The annexation agreement included a conceptual master plan for 945 dwelling units on about 350 acres. Housing types proposed were primarily single-family, with some patio homes and 360 multi-family units to be located on the south side of the entrance from US 27.

Pod 1, an 81-lot single-family subdivision called Rabbit Ridge, was platted in 2007. An entrance from US 27 and a spine road (shown as Rabbit Run/Hunter’s Glen Blvd. on plans) were constructed earlier in the decade. The property has changed hands several times in recent years. Two or three conceptual plans were reviewed by staff, but the developers did not proceed with them given the economic downturn. With the exception of Rabbit Ridge and a medical office just north of the entrance (now a separate property) no development approvals have been granted for the property.

The preferred alignment for the extension of the Central Polk Parkway crosses US 27 just north of Pedaler’s Pond mobile home park and continues eastward through the Hunter’s Glen Property before veering north near its intersection with the Scenic Highway. (See Transportation map in packet.)

It is likely that the interchange for US 27 and the Parkway will be south of the entrance to Hunter’s Glen and that the Parkway will impact future development of this property southward of Hunter’s Glen Blvd.

Master Plan

The 350-acre property is a difficult site. Highly irregular in shape, the property has frontage on only one road, US 27. There is no median cut in US 27 at the existing entrance. Much of the property is located in the 100-year floodplain, according to FEMA maps, although the applicant has stated that the floodplain actually covers significantly less area, based on site elevation data.

There are also numerous wetlands, many of them on the National Wetlands Inventory (NWI) requiring preservation.

The proposed master plan shows nine (9) pods (phases) of residential development. The proposal is to develop a variety of housing styles without exceeding the maximum of 3 units per acre allowed in the LDR – Low Density Residential land use designation. The maximum gross density is 1,038 dwelling units (346.13 x 3 du/ac). The site includes 3.75 acres of open water that cannot be included in the density calculation.

The property is zoned R-1A for single-family development; however, a variety of housing types can be approved under the PDP process.

Pods/Phases:

- 1 – Existing low density residential – 30.03 acres (81 single-family lots)
- 2 – Multi-family residential – 93.04 acres (480 multi-family units)
- 3 – Medium density residential – 6.97 acres
- 4 – Medium density residential – 44.89 acres
- 5 – Community recreation center – 26.48 acres
- 6 – Medium density residential – 37.10 acres
- 7 – Low density residential – 31.48 acres
- 8 – Low density residential 39.14 acres

- 9 – Low density residential 14.91 acres

The multi-family units (Pod 2) and houses on the existing platted lots (Pod 1) will constitute 53% of the density allowed in the development.

A development schedule for the remaining pods/phases has not been established. Each phase will need to come through an approval process with the City.

Frontage and road access:

The property has minimal frontage along US Highway 27. Hunter's Glen Blvd. provides access to the 81 platted lots in pod1 and will also provide primary access to pod 2. This roadway has been unused since 2007 and will need some rehabilitation.

The applicant is asking for a waiver of the requirement for a secondary entrance for a development over 50 units. They are proposing to provide an emergency entrance and roadway that will be converted to a permanent, full access roadway with construction of the second phase of the multi-family project. There is a median cut in US 27 opposite the proposed second entrance, but not at the existing entrance.

Wetlands: On the site are 93.1 acres of wetlands, distributed across seven of the nine development pods. Pod 2 (multi-family) has 41.6 percent of the site's wetland area within its boundary.

Floodplain: Portions of the site are in the FEMA 100-year flood plain. The applicant proposes an application to FEMA to adjust the flood-plain boundaries based on elevation data.

A condition of approval is recommended to elevate all of the access roads and parking spaces for the apartments above the base flood elevation for the FEMA floodplain. City code requires that structures be constructed one foot above the base flood elevation.

Multi-family "Pod 2" phase 1

Pod 2 is 93 acres located north of Hunter's Glen Blvd. The applicant is proposing 480 units in twenty (20) three-story walk-up buildings and is seeking approval for the first phase, 240 units (buildings 1 thru 10) at this time.

Layout: Pod 2 surrounds a large wetland area, with Phase 1 on its western side. A temporary *cul-de-sac* will be constructed at the terminus of the road for Phase 1. This will be well lit and landscaped. When phase 2 is constructed, the *cul-de-sac* will be removed and the road will continue through Phase 2 to Hunter's Glen Blvd.

Recreation and open space: Recreation areas are provided throughout the site. Almost 30 acres of park, open space, and recreation area is proposed for all of Pod 2, with over 11 of those acres located in Phase 1. The minimum requirement for neighborhood and mini parks is 2.5 acres for 480 units. The minimum open space in a residential PDP is 15%. Multi-family development allows for much more common open space than single-family development.

A clubhouse with pool and tot lot area is proposed in phase 1 of Pod 2. There is an extensive sidewalk system throughout the development. A pedestrian trail is also proposed to provide additional recreation opportunities for residents. Final park amenities and layouts will be done with the final landscaping plan approval during the construction phase.

Parking: Proposed are 395 parking spaces, 35 above the 360 spaces required for phase 1. This includes ADA spaces that will be distributed throughout the development with a minimum of one ADA space per building.

Conditions as recommended by the Planning Board:
Master Plan

1. Allow for a mix of housing styles throughout the development as allowable through the PDP process as long as the overall density maximum of 3 units per acre in the LDR low-density residential designation is not exceeded. Specifically the overall development will not exceed 1,038 units on the 350 acres. Pod 2 will not exceed 480 units.
2. All access drives, roadways, and parking areas will be elevated to or above the Federal Emergency Management (FEMA) base flood elevation.

Phase 1, Pod 2 (240 multi-family units)

The following waivers are granted:

1. Allow parking to back into the access roads. (Sec. 23-306.2.a.2)
2. Allow for twenty-five (25) foot light poles for access drive and parking safety. (Sec. 23-303.12)
3. Allow the secondary access to be emergency vehicle only for phase 1 of Pod 2. A full secondary access is required for any construction beyond Pod 1 (81 houses) and Pod 2, Phase 1 (240 multi-family units). (Sec. 23-303.4)
4. Allow for the delay of construction of the required sidewalk along the main boulevard until realignment takes place. (Sec. 23-303.9)
5. Roads within the development are to be private. (Sec. 23-303.14)

The Board also recommended that the storm water system for Phase 1, Pod 2 be designed for the 25-year storm event if the site is an open basin and for the 100-year storm event if the site is a closed basin, and as required by the Southwest Florida Water Management District (SWFWMD).

OTHER OPTIONS

Conditions of approval may be modified. The City Commission can deny a PDP plan with specific reference to the land development regulations.

[End Agenda Memo]

Margaret Swanson, Director of Planning and Development, reviewed this item.

Bart Allen, of the law firm Peterson & Myers, introduced the other members of the Hunters Glen development team. (Two members of the team, Jack Brandon of Peterson & Myers and Bob Cantu of PDA, were introduced but did not speak.) He noted that this is a good project for the City and that the team had worked closely with staff to address the site issues as well as possible, particularly the access issues. The proposed emergency entrance from US 27 will become the main access and there will be improvements made to the spine road. The 81 single-family lots in Rabbit Run will be developed. He then introduced Jim Clendening with Blocksouth Properties.

Jim Clendening, 4425 W Ezeel St., Tampa, agent for BlockSouth Properties, handed out a list of projects the Blocksouth group has done and shared the background on the company, how they got this project, who the partners are and how it has moved forward. The project team included Peterson & Myers, Professional Design Associates (PDA), Modica (Environmental), and ECLS Global (engineers). He said this property was chosen because of its location on US 27 between Lake Wales and Winter Haven, close to generators of people needing apartments, such as Legoland and State Farm Insurance. He described efforts to analyze the site and how best to develop it. He then explained the need for flexibility on the various housing types as project moves forward. He thanked the planning staff for their help with the project.

Mike Statham, (3039 Martin St Orlando), of Professional Design Associates, described the different pods and their features. The development will have recreation amenities and an organic feel as possible. Some features such as the roadway curves will help calm traffic. Buildings will have a mix of 1 and 2 bedroom apartments and 2 and 3 bedroom apartments. He showed conceptual architectural renderings of the buildings.

Deputy Mayor Lutton asked if an alternative plan is in place if the Central Polk Parkway extension cuts through. Mr. Statham said they have not been contacted by FDOT but they will work around where the parkway might go through. Kathy Bangle, Assistant Director of Planning and Development, explained that the parkway is planned to extend through the southern portion of the overall site and will not affect this next phase of development.

Ms. Swanson noted that there are two other possible roadway connections for future pods toward the rear of the site, one of which could connect Hunter's Glen Blvd. to C. F. Kinney Rd.

OPENED PUBLIC HEARING

No comments from the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve the PDP Master Plan Amendment and the Preliminary Residential PDP Plan, Multi-family "Pod 2" Phase 1, for Hunter's Glen as recommended by the Planning & Zoning Board. Commissioner Thornhill seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

CITY MANAGER

Agenda Item 13. City Commission Tracking Report:

Kenneth Fields, City Manager, reported that the Airport Project has begun, and that while the trail project is behind schedule it should be completed within the month.

Agenda Item 14. City Commission Calendar

Mr. Fields announced a tree lighting ceremony on December 2nd at 5:30pm prior to the City Commission meeting and on December 16th there will be a Menorah lighting ceremony on the 1st night of Hanukkah also at 5:30pm.

Mr. Fields reported that this past week, police officers successfully resuscitated someone with an AED unit in their car highlighting the need for unit in this building and at the soccer complex.

Mr. Fields requested City Commission consent on allowing an extra optional holiday on Friday December 26th, the day after Christmas. The City Commission consented. Mr. Fields clarified that the City Administration Building will be open on Friday January 2nd.

Mr. Fields reported that he met with the Deputy County Administrator and we will be notified shortly that while the County Commission approved our OPA for fire protection this year, these will likely be eliminated next year. This will create a \$246,000 hole in our budget. The county and City will discuss this further. Some areas to the east & west the county can probably cover but to the north the City will still have to cover. Given this information, he would like to explore the issue of a fire assessment for the budget for next year. With this assessment we could reduce millage. Many cities are using fire assessments now and he will explore this and bring information to the City Commission next year.

Agenda Item 15. Annual Reporting – Boards, Commissions, and Committees

CITY COMMISSION COMMENTS

CITY MANAGER COMMENTS

MAYOR COMMENTS

The Mayor invited everyone to both the tree lighting ceremony on December 2nd and the menorah lighting ceremony on December 16th.

The meeting was adjourned at 7:28 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk Clara VanBlargan, MMC