

**City Commission Meeting Minutes
February 16, 2021
(DRAFT)**

**This meeting was conducted partially via teleconference.
The City of Lake Wales held this hybrid virtual public meeting using the GoToMeeting
Web/Teleconference service.**

2/16/2021 - Minutes

1. INVOCATION

Dr. Jim Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 3:00 p.m. after the invocation and the pledge of allegiance.

Mayor Fultz read a statement:

The Governor's Executive Order 20-246 allowing for meetings of a Municipality's governing boards without having a quorum of its members present physically or at any specific location has expired as of Nov. 1.

However due to the ongoing State of Emergency, while a majority of Commission Members must be present in the Chambers, members of the staff and public may still participate in our meetings virtually.

Members of the public are welcome to come into the Commission Chambers to participate in our Commission Meetings. We will check your temperature before entering the building, we ask that everyone be mindful of social distancing, wearing a mask is required, and please sit in designated seating.

Any member of the public may register to participate in our meetings virtually where they can speak at WWW.LAKEWALESFL.GOV/REGISTER

As an alternative, members of the public may submit comments and questions at WWW.LAKEWALESFL.GOV/COMMENTS for either a specific Agenda Item or for Communications and Petitions.

Procedures for public participation will be explained by the City Attorney shortly.

Albert Galloway, Jr., City Attorney, read a statement on Procedures for Virtual Public Meetings.

Mr. Galloway asked the Commissioners, "are you comfortable with all the notice provisions set forth and these uniform rules of procedures we have established for this Virtual meeting? The Commissioners answered affirmatively.

4. ROLL CALL

Commission Members Present: Eugene Fultz - Mayor, Terrye Howell, Al Goldstein, Curtis Gibson, Robin Gibson

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

5. PROCLAMATIONS AND AWARDS

5.I. Proclamation - Clayton Taylor

Mayor Fultz presented Clay Taylor, Inventory Coordinator, with an award and proclamation recognizing his service to the City of Lake Wales.

5.II. Proclamation - Lake Wales Arts Festival Month

Mayor Fultz presented a Proclamation establishing February as Lake Wales Arts Festival Month to Andrew Allen, Director of the Lake Wales Arts Center.

6. PRESENTATION/REPORT

6.I. COVID-19 Update

Joe Jenkins, Fire Chief and Emergency Operations Director, reported that today's cases for Polk County are 253. Cases are going down. The 14 day average is 8.86% down from 16% a few weeks ago. Vaccine distribution is happening. It takes about a month after registering on the site. The members of the public are made aware of locations when they get appointments. A winter storm may delay transport of vaccines.

7. COMMUNICATIONS AND PETITIONS

Terry Christian, taxpayer, spoke against recent actions of police officers. He said this was a hate crime.

(Name unclear), taxpayer, spoke against police misconduct.

Shandra, resident and taxpayer, shared concerns about the police department

8. CONSENT AGENDA

Commissioner Goldstein made a motion to approve the consent agenda. Deputy Mayor Robin Gibson seconded the motion.

by Voice vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.I. Minutes - November 17, 2020 And December 1, 2020

8.II. Edward Byrne Memorial State And Local Law Enforcement Assistance Grant

[Begin Agenda Memo]

Synopsis:

Approval of this item will allow the police department to receive grant funding to purchase a

mobile speed trailer with an automated license plate reader system (ALPRS) in FY20/21.

Recommendation:

Staff recommends that the Honorable Mayor and the City Commission authorize the Police Department to accept funding through the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant, then purchase a complete mobile speed trailer equipped with an automated license plate reader system from Millennium Products Inc. using GSA contract pricing.

Background:

Since 1999, the Police Department has received funding from the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program. Since that time, the department has utilized this funding to create numerous community programs as well as purchase needed equipment to enhance public safety. This year the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant award amount is \$34,623.76 and if approved would be included in the 2020/2021 budget through an amendment.

The Lake Wales Police Department proposes to purchase one mobile speed trailer equipped with an automated license plate recognition system (ALPRS). This equipment will serve two purposes for the City. It will display a visible warning to drivers that are exceeding the speed limit while also providing law enforcement with vehicle speed and traffic volume statistics. Additionally, it will enhance our enforcement and investigative capabilities, complement our crime suppression initiatives and expedite the tedious and time consuming process of comparing vehicle license plates with lists of stolen, wanted, missing persons and other vehicles of interest. The Vigilant Automated License Plate Reader system technology is utilized throughout Polk County by law enforcement agencies, providing maximum interoperability and information sharing capability.

The proposed budget of the Lake Wales ALPRS II Program includes:

\$38,700.00 – One (1) complete mobile speed trailer equipped with an ALPR system. This package includes all cameras, hardware, software, accessories, service/access subscriptions, shipping, installation and training.

Matching funds are not required for this project; however, Police Forfeiture funds will be used to cover the additional \$4,076.24 not funded through the grant.

Other Options:

The Commission may choose not to authorize application for and accept the Edward Byrne Memorial State and Local Law Enforcement Assistance Grant or purchase this equipment.

Fiscal Impacts:

The Finance Department has reviewed this application. There is an annual reoccurring ion fee of \$1,050.00 associated with this purchase.

[End Agenda Memo]

- 8.III. Submittal Of Grant To The Polk Transportation Planning Organization (TPO) For The Lake Wales Connector Trail

[Begin Agenda Memo]

SYNOPSIS: The purpose of this request is for the Mayor and Commission to approve the Polk

O Grant Application for the Ridge Scenic Connector Trail.

RECOMMENDATION

Staff recommends the City Commission approve the Ridge Scenic Connector Trail grant application.

BACKGROUND

The Polk TPO recently notified local governments of the opportunity to for various grants for Multi- Use, Regional Multi-Use Trails, Complete Street and Transportation Alternatives Projects. As part of the City's efforts to implement Lake Wales Connected, staff has applied for a Regional Multi-Use Trail grant.

This grant application is for the Ridge Scenic Connector Trail. As shown below, the proposed trail will connect the Lake Wales Trailway to both First Street and State Road 17 at Central Avenue (please see attachment).

On January 19, 2021, the City Commission approved Resolution 2021-03, which supported the Ridge Scenic Highway Connector Trail. However, pursuant to Section 2-802 of the Code of Ordinances, an analysis of present and future impact is required. This provision then directs the City Commission to authorize the City Manager to execute the grant application documents or elect not to submit the application.

As part of the application, a preliminary cost estimate (using FDOT unit costs) was prepared. Based on these figures, the preliminary cost estimate is \$985,000. Included in this figure is a local fund expenditure of \$44,160. This amount will be for the repaving of 3rd Street from Central to Park Avenue. While not directly related to the project, staff proposes to repave this portion of 3rd Street concurrent with the construction of the Trail. This repaving project would occur in FY 2026- 2027, which would be earliest possible date that DOT would start construction.

In addition to the repaving costs, the City will eventually expend funds for the maintenance of both the Trail and the proposed Scenic Highway Trailhead. However, the cost is not expected to be greater than that for any other roadway/sidewalk project or recreational facility.

LAKE WALES CONNECTED PLAN ACTION STEPS

Action # Description

3

Create a refined map and illustrations for connections between Downtown, Crystal Lake Park, and Lake Wailes Park, based on the concepts in the Lake Wales Connected trails & bikeways map and the underlying research of the Olmsted Brothers history in planning for the region and its public open spaces. This effort should aim to integrate and connect Downtown, Crystal Lake, Lake Wailes, and potentially other areas of the regional green/blue network.

54 Create a plan and detailed design for the Lake Wales Trailway Extension and Ridge Scenic Highway Trail within the core of Lake Wales in coordination with the Florida Office of Greenways and Trails, FDOT, CSX Corporation, and Ridge Scenic Highway Corridor Management Entity (CME).

FISCAL IMPACT

A local fund expenditure of \$44,160 is proposed. This amount will be for the repaving of 3rd Street from Central to Park Avenue. While not directly related to the project, staff proposes to repave this portion of 3rd Street concurrent with the construction of the Trail.

OTHER OPTIONS

Do not approve the application and direct staff to withdraw the grant application.

[End Agenda Memo]

9. OLD BUSINESS

10. NEW BUSINESS

10.I. Pilot Program - Body Cameras

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider approving a pilot program for body cameras to be worn by officers of the Lake Wales Police Department.

COMMISSION ACTION(S)

1. Choose one of the following pilot program options:
 - a. Test and Evaluate four cameras from Axon Enterprises for a 90-day period at not cost
 - b. Purchase eight cameras from Axon Enterprises for a 5-year commitment of \$14,993 annually
2. If option B is chosen, authorize a budget amendment for the amount of \$14,993

BACKGROUND

At the request of the City Commission, staff has prepared options for a body worn camera pilot program.

Option A

Axon Enterprises, Inc. has agreed to allow the Lake Wales Police Department to test and evaluate four cameras for a 90-day period at no charge. Staff will report the effectiveness of the camera program evaluation to the City Commission following the 90-day test period. The product evaluation will assist staff in making an informed recommendation to the City Commission on a body camera program implementation.

Option B

If the City Commission would like to increase the amount of cameras in the pilot program, staff recommends eight cameras be purchased. If this option is chosen, the cost is \$14,993 in the current fiscal year and \$14,993 in the subsequent years, as a 5-year licensing agreement is required. A budget amendment is requested as funds were not appropriated for this purchase in the adopted FY'21 budget.

Whichever option is chosen, current staff will initially be utilized to administer the video evidence as effectively as possible during the pilot period. If at any point the workload exceeds current staff ability, the City Manager will make the City Commission aware and will bring forth a staffing recommendation.

OTHER OPTIONS

1. The City Commission take no action at this time
2. The City Commission can defer this item until the FY'22 budget preparation

FISCAL IMPACT

Option A – No current fiscal impact

Option B - The fiscal impact is \$14,993 and will require a budget amendment from non-appropriated fund balance.

[End Agenda Memo]

OPENED FOR PUBLIC COMMENT

Michelle Threat, resident, said she has a good relationship with police officers and has been in law enforcement for 15 years. She said some people are scared of the officers if they come and speak. We need to do something now. The cameras can go both ways. They can get rid of some of the bad officers. We need better relationships with the police and the community.

Terry Christian, resident, said that concerns about retaliation are real. We need to do something about police officers that commit crimes. There is a lot of retaliation and incrimination. This is a shame. He spoke against a recent incident on video.

A woman (name unclear) spoke sharing examples of negative interactions with the police and said many don't feel safe sharing their stories.

A woman (name unclear) a taxpayer shared a story of someone inappropriately searched by a police officer. Something needs to be done.

Michelle Lee, resident, shared concerns about raising her two sons being stopped by officers. She said some are afraid to speak out but she will speak out.

Gregory Massey, resident, expressed concern about division over the issue of police and body cams. Body cams should not be an issue. He asked that the yearly cost of \$14,000 is for.

Ms. Richards, taxpayer, shared a story about police harassing someone frequently. People shouldn't be afraid of police. There is much evil on the police force. We need the body cams and more.

Chandra, resident, said she wants body cams and said they must be required. We should not drag it out for more people to be victimized. The body cams are a necessary step. There was an incident where everyone was stopped at a certain point.

Jennifer Leeks, resident, shared some personal experiences with the police. She said that cameras don't lie. They will help more than hurt.

A man (name unclear) shared his experiences with the police. He said the body cams will help. The problems are not just Lake Wales but everywhere. The cameras work. Pictures speak for themselves.

A man (name unclear) said we don't know the police officers now. We have a lot of outsiders on the force. The names of some officers are very well known. He spoke in favor of cameras to prevent false accusations. We should want cameras. A few bad names should not ruin the reputation of the city. He shared an experience with his grandson and police.

Tiffany Davis, resident and member of the Citizens and Police Advisory Board, said she is not against police. She found the recent video to be disturbing. She encouraged the commission to vote for the body cams. People should not continue coming to complain about police. This can be repaired.

James, resident, said he agreed with hiring in house for the police department. Some officers just come

here to be trained. people stop folks on the way to church. Body cameras provide accountability on both ends. There are judgements even against the cameras. These concerns are falling on deaf ears.

Rev. Smith, resident and Pastor in the City, said he has gotten a lot of feedback from people. He wants what is best for the City. He wants to be a voice for the community. He expressed support for the cameras.,

Ms. Gibson, resident, shared an experience where cameras helped her grandson. She said we should have cameras.

Greg Massey, resident, said the cameras are beneficial to everyone. If this is about funding maybe we don't need a police department. What is the problem with moving forward. We should not wait until someone is killed.

CLOSED FOR PUBLIC COMMENT

Commissioner Goldstein said the cameras work both ways. We need more community policing. We need to move forward and work together.

Commissioner Goldstein made a motion to move forward with the cameras. Commissioner Howell seconded the motion.

Deputy Mayor Robin Gibson said he is in favor of option A. He has thought about this and something needs to be done. He expressed concern about sending money to Arizona. There is a trust issue on both sides. Some people are afraid of the police. We have a personnel problem. He explained how personnel issues are handled in the city. Option A will give us time to work on our personnel issues. After that maybe we need to explore contracting police services with the Polk County Sheriff's Office.

Commissioner Curtis Gibson said he is in favor of Option C. We need a firm policy regarding when the cameras should be on. He will support option B to get us started. He hopes that we will keep going.

Commissioner Goldstein said maybe we should start with option A and give us 90 days to get a policy in place. We need more cooperation from the police and review board. We need to work together. He is not in favor of contracting out Policing to the Sheriff's Office.

Commissioner Howell said some of the issues should have been discussed in the workshop. We need to put lives before money. We spend money on the YMCA and downtown without issues. She is not in favor of Option A as the police can hold off for 90 days. The camera needs to always be on.

Mayor Fultz said all the comments tonight did not fall on deaf ears. As a black man in America he has experienced some of these things. He is concerned for the future of his children, grandchildren and great-grandchildren who live in the area. He is in favor of something to sustain their lives.

Commissioner Howell asked for clarification that we are voting for option B. Mayor Fultz confirmed that the motion is for option B.

by roll Call Vote:

Commissioner Goldstein "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

James Slaton, City Manager, said it will take 6-8 weeks to get equipment in and have training on this to get the pilot program working. Mayor Fultz said that is the benefit of the pilot program to get the officers familiar with the cameras and when to use them so that all officers will be ready to use them later.

Mayor Fultz thanked everyone for coming and speaking out.

11. CITY ATTORNEY

Albert Galloway, Jr., City Attorney, gave an update on the Seminole Hotel. There was an order to allow Mr. Kebabjin to work on 5 affirmative areas. We will have to do our own discovery requests. He will have to justify the claims he is making.

12. CITY MANAGER

James Slaton, City Manager, reported that the Northwest Mural project is this weekend and that opening ceremonies are Friday morning at 8:30a.m.

Mr. Slaton said he has heard the discussion tonight and said that the message is received.

12.I. Tracking Report

James Slaton, City Manager, reported that we will be closing on the purchase of Park Water company officially on Thursday.

The design work on First Street is underway. The Northwest Pedestrian Improvements will be ready to begin next budget year.

12.II. Social Media Tracking Report

12.III. Commission Meeting Calendar

13. CITY COMMISSION COMMENTS

Commissioner Goldstein encouraged everyone to call him with any concerns.

Commissioner Curtis Gibson thanked everyone for speaking out and encouraged everyone to participate more and not stop.

Deputy Mayor Robin Gibson said he hopes we can move forward together.

14. MAYOR COMMENTS

Mayor Fultz thanked the pastors for coming and being involved.

15. ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

Mayor

ATTEST

City Clerk