

# City Commission Workshop

Minutes March 30, 2022

(APPROVED)

3/30/2022 - Minutes

## 1. CALL TO ORDER & ROLL CALL

**Members Present:** Robin Gibson, Mayor Eugene Fultz, Terrye Howell, Jack Hilligoss, Daniel Williams

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

Mayor Fultz called the meeting to order at 2:00 p.m.

## 2. City Manager Comments

James Slaton, City Manager, announced that there will be a groundbreaking for the Park Avenue Connector trail Monday April 4 at 11am and a ribbon cutting for our Keystone project at 9am on Monday April 11.

There was a preconstruction meeting on the trail today. Construction will begin soon and we will notify residents in the area.

Mr. Slaton shared two videos produced by Eric Marshall to be distributed on social media. These will be shared with the public today. Deputy Mayor Gibson asked where the production comes from. Eric Marshall, Marketing Coordinator, reviewed the production process. The studio is in Lakeland and is part of an incubator program.

## 3. Purchase Authorization-Asphalt Paving Systems (APS), Inc

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider authorizing staff to expend funds for a street resurfacing project.

### RECOMMENDATION

1. Authorize the City Manager to execute a piggyback agreement with Asphalt Paving Systems, Inc. on behalf of the City.
2. Authorize the expenditure of \$257,311.20.

### BACKGROUND

The City's Public Services department is requesting Commission approval to expend funds for a street resurfacing project. In accordance with Sec. 2-417(d)(3) of the City's Code of Ordinances, all purchases in excess of Category 1 (\$20,000.00) require City Commission Approval.

The proposal submitted by Asphalt Paving Systems, Inc. is based on a competitively bid contract with the Sumter BOCC for similar services and staff is requesting approval to piggyback the contract. Section 2-404 of the City Code and F.S. §287.057 exempts the City from competitive sealed bid requirements when piggybacking another public entity's competitively bid contract. Asphalt Paving Systems, Inc. provides pavement preservation and resurfacing services for the Sumter County BOCC and in 2019 the City Commission approved an agreement with Asphalt Paving Systems, Inc. to begin the pavement management program for streets in the City's road network.

This agreement and expenditure continues the pavement management program for streets in the City's network.

#### **OTHER OPTIONS**

The City Commission may direct staff to solicit sealed proposals for pavement preservation in lieu of utilizing the agreement with Asphalt Paving Systems, Inc.

#### **FISCAL IMPACT**

Funds are available for this service in the adopted FY 21/22 budget.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Michael Manning, Assistant to the City Manager, reviewed this item. He shared a slideshow with proposed plans for Crystal Avenue.

4. Resolution 2022-06, Highway Maintenance Agreement With The Florida Department Of Transportation.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving Resolution 2022-06, to continue the highway maintenance for certain State Road Rights of Ways with the Florida Department of Transportation for an additional three (3) year period for an annual compensation of \$27,931.22.

#### **RECOMMENDATION**

1. Approve Resolution 2022-06, authorizing an agreement between the City of Lake Wales and the Florida Department of Transportation for maintenance of certain State Road Rights-of-Way.
2. Authorize the Mayor to execute the agreement.

#### **BACKGROUND**

The City of Lake Wales and the State of Florida Department of Transportation have entered into agreements to maintain rights-of-way on portions of US27, SR60 and SR17 (Alt. 27) within the jurisdictional limits of the City since the early nineties.

Resolution 2022-06, authorizes the mayor to renew the agreement for an additional three (3) years with an annual compensation of \$27,931.22.

#### **FISCAL IMPACT**

If we do not renew the agreement, the city will lose annual compensation of \$27,931.22.

## **OTHER OPTIONS**

The City Commission may choose not to renew the agreement.

[End Agenda Memo]

Teresa Allen, Public/Support Services Director, reviewed this item.

### 5. Award Of Bid #22-501 Force Main Extension With Septic To Sewer Conversion

[Begin Agenda Memo]

#### **SYNOPSIS:**

Award of Bid #22-501 to Cobb Site Development in the amount of \$2,933,232.94 for the construction of the forcemain extension with a septic to sewer conversion component.

#### **RECOMMENDATION**

It is recommended that Commission take the following action:

1. Approve the award of bid #22-501 to Cobb Site Development for construction services for the installation of the forcemain extension with a septic to sewer conversion component for \$2,933,232.94.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **BACKGROUND**

The City of Lake Wales authorized Kimley-Horn and Associates, Inc. to prepare construction plans and specifications to extend a force main, design a new pump station and bring sanitary sewer to an unsewered area within the City limits of Lake Wales. The project went out to bid on January 11, 2022, with a bid open date of February 15, 2022. There were four responsive bidders, with Cobb Site Development presenting with the lowest responsive bid. Kimley Horn and Associates made contact with the contractor's references and is recommending Cobb Site Development for the award of bid.

Staff recommends the Commission take the following action, approve entering into a contract with Cobb Site Development for \$2,933,232.94 to perform the construction installation and to authorize the City Manager to execute the appropriate documents, on the City's behalf.

#### **OTHER OPTIONS**

The Commission could chooses not to approve the contract listed above, in turn putting the septic to sewer conversion off to a later time and delay further expansion of the City's sewer system.

#### **FISCAL IMPACT**

The project was placed on the State Revolving Loan Fund (SRF) February 2022 funding list for funding. Once staff has received the final contract from SRF, it will be brought back before the commission for approval.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Hilligoss asked how many homes would be connected. Ms. Kirkland said 40-45 homes from

Bel Ombre and Scenic side such as Hillcrest and Grove.

6. Award Of Bid #22-503 Northwest Water Main Extension

[Begin Agenda Memo]

**SYNOPSIS:**

Award of Bid #22-503 to MG Underground in the amount of \$2,188,072.00 for the construction of the water main extension and approve construction phase services to be performed by CHA for \$54,079.00.

**RECOMMENDATION**

It is recommended that Commission take the following action:

1. Approve the award of bid #22-503 to MG Underground for construction services for the installation of the northwest water main extension for \$2,188,072.00.
2. Approve construction phase services to be performed by CHA for \$54,079.00 for bid #22-503.
3. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

**BACKGROUND**

The City of Lake Wales authorized CHA Engineering to prepare construction plans and specifications to extend a larger water main to the Northwest section of town. The project will consist of the installation of approximately 5,450 LF of 12" C900 PVC Water Main between East Sessoms Avenue and the intersection of Washington Avenue and E street areas. The water main will be parallel to N 1st Street, Dr. JA Wiltshire, B Street and Washington Avenue. The purposes of this water main extension is to replace existing water main that has reached the end of its useful service life and to improve fire flow capabilities in the area.

The project was sent out to bid on January 25, 2022, with a bid open date of February 28, 2022.

There were four responsive bidders, with MG Underground presenting with the lowest responsive bid.

CHA made contact with the contractor's references and is recommending MG Underground for the award of bid.

Staff recommends the Commission take the following action, approve entering into a contract with MG Underground for \$2,188,072.00 to perform the construction installation, approve the agreement for construction phase services, to be performed by CHA Engineering, and to authorize the City Manager to execute the appropriate documents, on the City's behalf.

**OTHER OPTIONS**

The Commission could chooses not to approve the contract listed above, in turn putting the northwest watermain extension project off to a later date and delaying the improvement to the water system.

**FISCAL IMPACT**

The project was placed on the State Revolving Loan Fund (SRF) February 2022 funding list for funding. Once staff has received the final contract from SRF, it will be brought back before the commission for approval.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

7. Wastewater Lift Station Rehabilitation: Stations 1, 6, & 24

[Begin Agenda Memo]

**SYNOPSIS:**

Staff recommends the City Commission approve expenditures for \$89,995.00 to Engineered Sprayed Solutions, LLC for the rehabilitation of 3 lift stations.

**STAFF RECOMMENDATION**

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

1. Approve the expenditure of funds for \$89,995.00 to Engineered Sprayed Solutions, LLC for rehabilitation of lift stations 1, 6, & 24.

**BACKGROUND**

The City, as part of its collection system, owns, operates, and maintains 121 Miles of 8 to 16 inch Gravity Sewer Line, 75 Miles of 2 to 16 inch Force Mains, hundreds of manholes, and approximately 40 lift stations. The collection system is connected by a series of manholes, which aid in the transportation of the collected waste to the wastewater treatment plant for processing. When gravity flow is not an option, it becomes necessary to have lift stations in the system to help facilitate the flow to the wastewater treatment plant for processing.

On July 7, 2020, the Commission approved piggybacking Sarasota's contract with Engineered Sprayed Solutions, LLC for manhole and structure rehabilitation. Engineered Sprayed Solutions, LLC will rehabilitate three stations, lift stations 1, 6, and 24. Lift station 1 is one of the city's largest lift stations and one of the main stations that sends waste to the treatment plant. Staff recommends the commission authorize the expenditure of funds for \$89,995.00 to complete the rehabilitation of the three lift stations referenced.

**OTHER OPTIONS**

None. Maintenance of these wastewater system components becomes necessary from time to time to maintain the integrity of the system

**FISCAL IMPACT**

The Wastewater Division has placed \$250,000.00 in the FY 21'-22' Capital Improvements budget for lift station rehabilitation.

[End Agenda memo]

Sarah Kirkland, Utilities Director, reviewed this item.

8. Wastewater Manhole Rehabilitation

[Begin Agenda Memo]

**SYNOPSIS:**

Solutions, LLC for \$74,744.00 to epoxy coat fifteen manholes using the polyurethane coating

method.

## **STAFF RECOMMENDATION**

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

1. Approve Engineered Sprayed Solutions, LLC to complete manhole rehabilitation on fifteen manholes using the polyurethane coating method for \$74,744.00.

## **BACKGROUND**

The City, as part of its collection system, owns, operates, and maintains 121 Miles of 8 to 16 inch Gravity Sewer Line and 75 Miles of 2 to 16 inch Force Mains. The collection system is connected by a series of manholes which aid in the transportation of the collected waste to the wastewater treatment plant for processing. Due to the corrosive nature of raw sewage gases, it becomes necessary to perform periodic maintenance on these manholes to ensure they continue to function as intended.

On July 7, 2020, the Commission approved piggybacking Sarasota's contract with Engineered Sprayed Solutions, LLC for manhole and structure rehabilitation. Engineered Sprayed Solutions, LLC will spray coat fifteen manholes with epoxy. Staff recommends the commission authorize the expenditure of funds for \$74,744.00 to rehabilitate fifteen manholes with epoxy coating by the polyurethane coating method.

## **OTHER OPTIONS**

None. Maintenance of these wastewater system components becomes necessary from time to time to maintain the integrity of the system

## **FISCAL IMPACT**

The Wastewater Department has placed \$75,000.00 for manhole rehabilitation in the M&R Manholes FY21'-22' annual budget for this maintenance item.

[End Agenda memo]

Sarah Kirkland, Utilities Director, reviewed this item.

Deputy Mayor Gibson asked to confirm that these were competitively bid. Ms. Kirkland said some contracts were piggy-back contracts with the same prices.

9. Watershed Management Structure Survey

[Begin Agenda Memo]

## **SYNOPSIS:**

Kimley Horne and Associates is preparing a Watershed Management Plan that will address problematic areas of flooding and water quality. As a part of this plan, approximately 100 structures have been identified for which survey information is needed. Staff recommends the Commission approve expending funds to Cypress Land Surveys for \$28,750.00

## **RECOMMENDATION**

It is recommended that Commission take the following action:

1. Approve expending funds for survey services with Cypress Land Surveys in the amount of \$28,500.00

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

## **BACKGROUND**

The City currently operates Stormwater management facilities and programs within the incorporated city limits. To address flood protection for the city's residents, the City seeks to identify and address critical issues through the creation and implementation of a Watershed Management Plan.

A thorough Watershed Management Plan identifies water quality problems in a designated watershed, proposes solutions, and creates a strategy for putting those solutions in action. Watershed Management Plans take a long-term, comprehensive approach, which has proven to be successful in a number of watersheds. In order to formulate an effective watershed plan, information like invert elevation and direction of flow is needed, therefore requiring approximately 100 stormwater structures to be surveyed.

Staff recommends the Commission take the following action, approve expending funds to Cypress Land Surveys for \$28,500.00 to perform surveying according to the scope of services provided and authorize the City Manager to execute the appropriate documents, on the City's behalf.

## **OTHER OPTIONS**

The Commission could choose not to approve the contract and to expended funds, which would result in incomplete information and would produce an incomplete watershed management plan.

[End Agenda memo]

Sarah Kirkland, Utilities Director, reviewed this item. Ms. Kirkland said that there were typos in the memo where the cost is identified inconsistently. The correct cost is \$28,750.

## 10. ORDINANCE 2022-10, League Background Checks

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider adopting an Ordinance to require background check for organizations utilizing City-owned facilities.

## **RECOMMENDATION**

It is recommended that the City Commission approve Ordinance 2022-10 after first reading.

## **BACKGROUND**

The City of Lake Wales makes many of its recreational and other facilities available for use by outside organizations to provide recreational and/or educational opportunities for minor children.

The purpose of this policy is to ensure the safety of the participating minors by providing criteria for background checks of the coaches and other persons involved in the administration of these recreational/educational activities who have or may have contact with the participating minors.

Prior to approval for the use of any City-owned facility, all requesting organizations will submit to the City's Recreation Department evidence of completion of the required background checks for all applicable persons.

Background Check Criteria will include: All Sex Offenses

Violent Felonies

Violent Misdemeanors (includes Domestic Violence and Battery Offenses) (within the last 10 years)

Misdemeanor or Felony Drug offenses including sale, delivery, and distribution

Misdemeanors related to children

Proposed Ordinance 2022-10 was presented to the current members of the Recreation Advisory Board for review and discussion on March 21, 2022. The members recommend that the City Commission adopt this ordinance.

#### **OTHER OPTIONS**

The City Commission may choose not adopt Ordinance 2022-10 or modify the language.

#### **FISCAL IMPACT**

None.

[End Agenda Memo]

Stephanie Edwards, Support Services/Recreation Manager, reviewed this item.

#### 11. Pilot Services Agreement – Kayaks And Paddleboards

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving the Pilot Services Agreement with Rent.Fun for Kayaks and Paddleboard Rentals.

#### **RECOMMENDATION**

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

1. Approving the Pilot Services Agreement with Rent.Fun.
2. Authorize the City Manager to execute the agreement on behalf of the City.

#### **BACKGROUND**

City Staff is continuously looking for opportunities to bring additional recreational activities to the community.

Rent.Fun is a company that provides self-service equipment rentals that activates communities and open spaces. This agreement is for the installation of an eight (8)-unit locker system that will have six (6) sit on top kayaks and two (2) stand-up paddleboards, with associated paddles and life jackets. Rent.Fun will provide maintenance personnel who will visit the site to perform general maintenance and cleaning of all equipment. Rent.Fun will be responsible for all minor maintenance issues that are a result of normal wear and tear resulting from rentals of the equipment - which includes cleaning and repair of all watercraft, paddles, and safety equipment; replacing missing equipment; adjusting locker doors, locks, and door hinges to achieve alignment. In the event a safety or maintenance issue is discovered on any equipment available for rent, the equipment will be made unavailable to users and be removed or repaired before it is put back into service.

The proposed site for this locker system is at the boat ramp on Lake Wailes Lake.

## **OTHER OPTIONS**

The City Commission may choose not to enter into this agreement.

## **FISCAL IMPACT**

The Activation Fee for this system is \$15,000. The City shall receive 80% of the gross rental revenue received from watercraft rentals until the City recoups the Activation in full. After the City recoups the Activation Fee, the City shall receive 20% of program revenue for the duration of the contract.

[End Agenda Memo]

Stephanie Edwards, Support Services/Recreation Manager, reviewed this item and shared a slideshow about how this work.

Ms. Edwards said we are looking for similar facilities in other parks.

Commissioner Howell asked if a kid can access this. Ms. Edwards said there are waivers to sign in the app. Commissioner Howell said she was concerned about liability if a kid went out on the water. Ms. Edwards said there are life jackets in the lockers as well.

Mayor Fultz asked about paddleboats for Crystal Lake. Ms. Edwards said we can look into that and add in the future.

Commissioner Williams said we need to be careful about kids and do our due diligence. A waiver won't matter if one dies.

12. ORDINANCE 2022-11 Amending Chapter 16, Pension & Retirement – General Employees' Pension Plan – First Reading

[Begin Agenda Memo]

## **SYNOPSIS:**

The City Commission will consider adopting Ordinance 2022-11 to allow for the coordination of benefits between the 401(a) (defined contribution plan) and the City's General Employees' Pension Plan and Trust (defined benefit plan).

## **RECOMMENDATION**

It is recommended that the City Commission adopt Ordinance 2022-11 on first reading.

## **BACKGROUND**

The City sponsors multiple retirement systems, including a Defined Benefit Plan and a Defined Contribution plan. Ordinance 2022-11 is being presented to provide for coordination of benefits with the 401(a) Plan.

In 2013 the City established a \$75,000 maximum annual benefit cap for all City employees. Once an employee reaches the \$75,000 Cap, the employee and City contributions are discontinued. Coordination of benefits with the 401(a) Plan (Defined Contribution Plan) will enable employees who reach the \$75,000 maximum annual benefit cap to join the 401(a) Plan. This will allow the city to contribute 16.5% of an individual's payroll costs, which is the average of the current pension plans, and is determined by the

actuary for the Defined Benefit Plans, subject to applicable IRS limits.

As a result of establishing the pension cap, some employees may reach the cap prior to reaching normal retirement age.

Allowing employees who've reached the cap to transition into the 401(a) Defined Contribution plan is the most cost effective solution, compared to making changes to the actual pension plans as it is outside the pension plan and has no impact on the City's Unfunded Actuarial Liabilities.

## **OTHER OPTIONS**

Increase the pension cap, however the Costs to the City will be exponentially higher as it will increase the Unfunded Actuarial Liabilities.

Do nothing.

## **FISCAL IMPACT**

Coordination of benefits with the 401(a) plan will require the City to continue making a retirement contribution on behalf of an employee who reaches the \$75,000 benefit cap to the 401(a) plan.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item. He recommended for the two employees that have hit the cap 5 years ago retroactively pay 16.5% for 2 years into their defined contribution plans. That would be about \$61,000.

Commissioner Williams asked why only 2 years. Mr. Slaton said that is up to the Commission. Two years seemed reasonable to him.

Mayor Fultz said this is a good effort to address this issue. He had a concern about the 2 years too. He would like the amount for the full 5 years. Mr. Slaton said doing quick math it would be \$95,000 for one and \$85,000 for the other. Mayor Fultz said that was fair as they stayed with us during that time. Mr. Slaton said we have the funds. Mayor Fultz said he felt this was fair.

Commissioner Howell expressed concern about drawing down reserves in case of emergency such as a hurricane. Mayor Fultz asked if this would hurt our reserves. Mr. Slaton said no we have the funds. He agreed that its important to help keep long time staff here.

Deputy Mayor Gibson said once the cap is hit no more goes into their retirement. Mr. Slaton confirmed this. Deputy Mayor Gibson explained that pensions make public jobs more attractive. This is a good move for a good reason.

Commissioner Howell asked how they will get this money. Mr. Slaton said if approved it would go into their retirement account. If this is approved. everyone will be tracked so we know when the cap is hit. This just hasn't been addressed. Commissioner Howell asked if this only happens for Department heads. Mr. Slaton says this is for anyone depending how long they stay. Commissioner Howell said this would not get COLA or other increases. Mr. Slaton confirmed this.

Commissioner Howell asked about raising employee wages up to \$15 an hour. Mr. Slaton explained how they are increasing wages to keep up with the required increases.

Deputy Mayor Gibson says we can change this in the future if needed. Mr. Slaton said this will have to be addressed again in the next 10 years. This is the least expensive bridge solution for now.

Commissioner Howell said she does not mind helping in this situation. Mayor Fultz said this is the most

economic way to address this.

Commissioner Hillgoss said there is concern about where the money comes from. Mr. Slaton said the general fund.

Deputy Mayor asked staff to come back at the meeting with a recommendation.

13. ORDINANCE 2022-07 Annexation – 2nd Reading And Public Hearing 15.98 Acres Of Land North Of State Road 60 East And East Of Evergreen Drive

[Begin Agenda memo]

**SYNOPSIS:** Ordinance 2022-07 proposes the voluntary annexation of approximately 15.98 acres of land located north of State Road 60 East and east of Evergreen Drive, and contiguous to the incorporated City limits.

#### **RECOMMENDATION**

Staff recommends adoption after second reading of Ordinance 2022-07, following a public hearing.

Public Hearing notice requirements have been met.

Commission approved Ordinance 2022-04 at first reading on March 15, 2022. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

#### **BACKGROUND**

Trinity Baptist Church of Lake Wales Inc, owner, petitioned annexation into the corporate city limits of Lake Wales on January 11, 2022.

“Attachment A” to the ordinance shows the property’s location. It is contiguous to the City Limits along its southern boundary.

#### **OTHER OPTIONS**

Decline to annex the property.

#### **FISCAL IMPACT**

The approval of the annexation would allow the applicant to sell a portion of their property for potential development in the city limits. The entire property is currently valued at \$2,455,040, which would bring in additional property taxes upon subdivision of the lot which will add to the City’s tax roll.

[End Agenda memo]

Mark Bennett, Development Services Director, reviewed this item.

14. ORDINANCE D2022-05 2nd Reading And Public Hearing - Future Land Use For 29.94 Acres Of Land South Of Old Scenic Highway And East Of Scenic Highway North

[Begin Agenda Memo]

**SYNOPSIS:** Story Family Limited Partnership, LLC., owner, requests approval of City Commission to amend the Future Land Use Map of the Comprehensive Plan on the above-mentioned parcel of land totaling approximately 29.94 acres.

## RECOMMENDATION

Adoption at second reading, following a public hearing to reassign the following land use designation, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Land Use: Polk County A/RR Proposed Land Use: MDR

At first reading, City Commission approved the request to reassign land use at a regular meeting on March 15, 2022.

## BACKGROUND

The subject property is located south of Old Scenic Highway and east of Scenic Highway North. This parcel is south of Mountain Lake Estates and east of Al's Place.

The property owner petitioned annexation into the corporate city limits of Lake Wales on November 22, 2021 and was officially annexed on February 1, 2022. The Planning and Zoning Board had recommended approval of reassigning the land use designation at a regular meeting on February 22, 2022. The request to reassign land use was approved at first reading by City Commission at a regular meeting on March 15, 2022.

This parcel will become part of a residential development; however, development plans have not yet been submitted to the City. Plans would need to be presented to the Planning & Zoning Board for recommendation of approval to City Commission for a Planned Development Project.

A Land Use designation of MDR is compatible with the surrounding area and serves as a transitional land use from commercial to residential.

## CODE REFERENCES AND REVIEW CRITERIA

The City Commission assigns future Land Use designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

## FISCAL IMPACT

Re-assignment would enable the redevelopment of this property and the potential increase in property value.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

15. ORDINANCE D2022-08 2nd Reading And Public Hearing - Zoning For 29.94 Acres Of Land South Of Old Scenic Highway And East Of Scenic Highway North

[Begin Agenda Memo]

**SYNOPSIS:** Story Family Limited Partnership, LLC., owner, requests approval of City Commission to amend the Zoning Map on the above-mentioned parcel of land totaling approximately 29.94 acres.

## RECOMMENDATION

Adoption at second reading, following a public hearing, to re-assign the following Zoning designations, as recommended by the Planning and Zoning Board at a regular meeting on February 22, 2022:

Current Zoning: Polk County A/RR Proposed Zoning: R-3

At first reading, City Commission approved the request to reassign zoning at a regular meeting on March 25, 2022.

## **BACKGROUND**

The subject property is located south of Old Scenic Highway and east of Scenic Highway

North. This parcel is south of Mountain Lake Estates and east of Al's Place.

The property owner petitioned annexation into the corporate city limits of Lake Wales on November 22, 2021 and was officially annexed on February 1, 2022. The Planning and Zoning Board had recommended approval of reassigning the zoning designation at a regular meeting on February 22, 2022. The request to reassign zoning was approved at first reading by City Commission at a regular meeting on March 15, 2022. The reading of the zoning amendment is held in contingency with the land use approval.

This parcel will become part of a residential development; however, development plans have not yet been submitted to the City. The development plans would need to go through the Planned Development Project procedure to be approved by Planning and Zoning Board and City Commission.

A Zoning designation of R-3 is compatible with the surrounding area and serves as a transitional zoning from commercial to residential.

## **CODE REFERENCES AND REVIEW CRITERIA**

The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

## **FISCAL IMPACT**

Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

### 16. Special Event Application - Leashes For Change October 1, 2022

[Begin Agenda Memo]

## **SYNOPSIS:**

Approval of this Special Event Application will allow the Oscars Cause organization to sponsor a Leashes for Change Community Pet and Music Fest on October 1, 2022

## **RECOMMENDATION**

Staff recommends that the City Commission consider taking the following action:

1. Approve the Special Event Permit Application for the Leashes for Change event on Saturday October 1, 2022 from 6:30 a.m. – 6:00 p.m.
2. Approve the request to allow alcohol within designated boundaries during the event.

**BACKGROUND**

The Oscars Cause Organization has applied to host a festival type of event in Lake Wailes Park on October 1, 2022. The event will include alcohol.

**OTHER OPTIONS**

Do not approve the event

**FISCAL IMPACT**

No In-kind services were budgeted for this event. Costs will be paid at 100% by Oscars Cause.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

- 17. Olmsted Day In The Park – Lake Wales Heritage Inc Special Event Permit Application

[Begin Agenda Memo]

**SYNOPSIS:**

Approval of this Special Event Application will allow the Lake Wales Heritage organization to sponsor an Olmsted Day at the Park on April 30, 2022

**RECOMMENDATION**

Staff recommends that the City Commission consider taking the following action:

- 1. Approve the Special Event Permit Application for the Olmsted Day at the Park event on Saturday April 30, 2022 from 9:00 a.m. – 7:00 p.m.
- 2. Approve the request to allow alcohol within designated boundaries during the event.

**BACKGROUND**

The Lake Wales Heritage Inc. has applied to host a festival type of event in Lake Wailes Park on April 30, 2022. The event will include alcohol.

**OTHER OPTIONS**

Do not approve the event

**FISCAL IMPACT**

In-kind services were budgeted for this event. Costs will be paid at 25% by Lake Wales Heritage Inc.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

- 18. Board Appointments - Recreation Commission

[Begin Agenda Memo]

**SYNOPSIS:** Appointment to fill a vacancy on the Recreation Commission

**RECOMMENDATION**

Staff recommends that the Mayor and Commission make the following appointments and reappointments as deemed appropriate.

1. Appoint Keri Hunt to the Recreation Commission to a term to expire July 1, 2024.

**BACKGROUND**

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).

Recreation Commission (City Code Sec. 2-161) – The Recreation Commission consists of thirteen (13) members from Community Organizations providing a recreation program for the Community and three citizen members representing the citizens at large. A Quorum shall consist of 6 members (3-year term)

- There is no interview 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: 2 Citizen Vacancies

Current Meeting Schedule is the third Mondays of the month at 12:00 p.m. noon in the City Manager's Conference Room.

Current Members: **Keri Hunt, Citizen, 07/01/2017-07/01/2020, 3**

**Jim Reddick, Citizen, 05/07/2019 – 7/1/2021, P**

Laura Donaldson, Citizen 07/01/2021-07/01/2024, P+1

Curtis Reddick, Lake Wales Boys and Girls Club

Scott Blackburn, Lake Wales Little League

Burney Hayes, Lake Wales PAL

Patty McKeeman, Lake Wales Pram Fleet

Kara Wiseman, Lake Wales Public Library Robbie Shields, Lake Wales Soccer Club

Jeanne Ward, Lake Wales Steelers

Eileen Farchmin, Webber International University Vacant – Tennis

Vacant – Lake Wales YMCA Vacant - Polk County School Board

Vacant – Lake Wales Charter Schools

Applying for Appointment: Keri Hunt for a term to expire July 1, 2024.

The Recreation Commission at its last meeting recommended her appointment although a quorum was not present.

**OPTIONS**

Do not appoint those that have applied.

**FISCAL IMPACT**

None. These are volunteer boards.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

19. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Hilligoss commended staff on getting the recent grant money announced last week and keeping the surprise.

Deputy Mayor Gibson referred to the recent resolution concerning the Charter Schools that was suggested by a news article to be a conflict of interest. He explained why it was not an ethical conflict of interest. Commissioner Williams why he felt it was a conflict. That is not anything the City should be involved in.

Mayor Fultz referenced a recent article where he mentioned about not having a quorum. He clarified that he was concerned about the subject and was not pointing fingers at anyone. There were legitimate reasons why some Commissioners were absent from recent meetings.

20. ADJOURN

The meeting was adjourned at 3:10 p.m.

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Mayor

ATTEST

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City Clerk