

City Commission Meeting Minutes
November 3, 2020
(Approved)

This meeting was conducted partially via tele-conference.

11/3/2020 - 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 6:00 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.

Additional Information and 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 in Person: Eugene Fultz - Mayor, Al Goldstein, Curtis Gibson, Robin Gibson

Commission Members Participating Remotely: Terrye Howell

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

5. PRESENTATION/REPORT

5.I. COVID-19 Update

Joe Jenkins, Fire Chief and Emergency Operations Director, reported 987 cases in Lake Wales and our 14 day average is 5.94%.

6. COMMUNICATIONS AND PETITIONS

7. CONSENT AGENDA

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

By voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion passed 5-0.

7.I. Minutes - August 4, 2020 And August 12, 2020

7.II. Contract Amendment: ITB 20-474 1916 Seaboard Airline Freight Station Rehabilitation

[Begin Agenda Memo]

SYNOPSIS:

An amendment to the contract subsequent to ITB #20-474 to Paul Weaver Construction.

STAFF RECOMMENDATION:

1. Approve an amendment to the contract subsequent to ITB #20-474 to Paul Weaver Construction LLC.
2. Authorize the City Manager to execute the contract amendment on behalf of the City.

BACKGROUND:

The City Commission approved the contract award for ITB #20-474 1916 Seaboard Airline Freight Station Rehabilitation on September 9, 2020. Supplemental work to stabilize the north and south building frame was required. Plywood and a moisture barrier were installed to shore up the north and south frame to extend the longevity of the building and provide further protection from water intrusion.

The additional cost is \$3,819.63, and is within the total project budget. Funds from the project budget contingency will be utilized to cover these additional costs. No budget amendment is required.

OTHER OPTIONS:

Do not approve the amendment to the contract.

FISCAL IMPACT:

Original project cost of \$42,358.33. New project cost with amendment is \$46,177.96.

[End Agenda Memo]

7.III. Grant Application: Florida Humanities Council Florida Talks Speaker Series

[Begin Agenda Memo]

SYNOPSIS:

A grant application to the Florida Humanities Council for \$1000. The grant would require a 1:1 matching city contribution of \$1,000 in FY 2020-2021. The Museum will cover the cost of the match from monies allocated towards museum programming, marketing, and staffing in its 2020 – 2021 budget.

STAFF RECOMMENDATION:

1. Approve a grant application to the Florida Humanities Council for funding that will be allocated to the new Spring 2021 Talks Speaker Series.
2. Authorize approval of grant contract by the City Manager, if awarded.

BACKGROUND:

The Florida Humanities Council sponsors community based projects, facilitates important conversations among Floridians, and shines a spotlight on Florida's history, art, and culture. Established in 1973, FHC is an independent, nonprofit affiliate of the National Endowment for the Humanities. For over forty years we have developed and funded public programs that tell the stories of both Florida and those unique individuals that call this state their home. FHC is funded by the State of Florida, Department of State, Division of Cultural Affairs.

If our application is approved, the grant money will be used to help underwrite the speaker fees and marketing for the series. The grant program is a renewable award with an approved application. Any grant funds received from this application would be applicable from January 1 – May 31, 2021. The grant requires a minimum 1:1 match of funds. The Museum will cover the cost of the match from monies allocated towards museum programming, marketing, and staffing in its 2020 - 2021 budget.

OTHER OPTIONS:

Do not apply for this grant. No appropriations needed.

FISCAL IMPACT:

\$2895 in matching funds in FY 2020-2021. See attached fiscal impact statement.

[End Agenda Memo]

7.IV. Special Event Permit: Shop Small Saturday

[Begin Agenda Memo]

SYNOPSIS

This is a request by Main Street to have a Shop Small Event in the Marketplace on Saturday November 28, 2020 from 6:00 p.m. – 10:00 p.m. The event will include alcohol in the Marketplace.

RECOMMENDATION

Staff recommends

1. That the City Commission approve the serving of alcohol in the Marketplace on Saturday November 28, 2020 from 6:00 p.m. – 10:00 p.m.

BACKGROUND

Lake Wales Main Street is planning to host a Shop Small Saturday event on Saturday November 28, 2020 from 6:00 p.m. – 10:00 p.m.

There will be signage reminding guests to observe CDC guidelines concerning social distancing. Hand sanitizer and free masks will be available in several locations.

OTHER OPTIONS

Do not approve the Special Event Permit or approve with changes.

FISCAL IMPACT

None. The cost of Off Duty Officers will be covered by Lake Wales Main Street.

[End Agenda Memo]

8. OLD BUSINESS

8.I. Ordinance 2020-18: Charter Amendment, Mission Statement - Second Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2020-18 will put a Charter Amendment on the ballot regarding the addition of a Mission Statement to the Lake Wales Charter.

RECOMMENDATION

The Charter Review Committee recommends approval of Ordinance 2020-18 after second reading and public hearing.

Staff has no recommendation. This is a Commission Decision.

BACKGROUND

This idea of adding a mission statement to the Charter was brought up to the Charter Review

Commission by Deputy Mayor Robin Gibson.

Ordinance 2020-18 will put on the April 2021 ballot the option for voters to add a mission statement to the City Charter.

The committee is recommending that the City Charter be amended to include this official city Mission Statement: The mission of the City of Lake Wales is to serve and unify its citizens, to foster economic growth while building on our City's existing small town values, and to promote the Bok ethic that we make our City a "bit better and more beautiful" for our being here.

OTHER OPTIONS

Do not approve Ordinance 2020-18.

The Commission may choose to modify the proposed mission statement or Ordinance.

FISCAL IMPACT

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-18** by title only

ORDINANCE 2020-18

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE I OF THE CHARTER OF THE CITY OF LAKE WALES TO ADD A MISSION STATEMENT; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-18** after 2nd reading and Public Hearing. Deputy Mayor Robin Gibson seconded the motion.

By roll call vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.II. Ordinance 2020-20 Charter Amendment District Residency Second Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS:

Ordinance 2020-20 District Residency will put on the April 2021 ballot an amendment changing the charter declaring a Commission vacancy if a Commissioner moves out of their district.

RECOMMENDATION

The Charter Review Committee recommends approval of Ordinance 2020-20 after Second Reading and Public Hearing.

Staff has no recommendation. This is a Commission decision.

BACKGROUND

Currently if a Commission member moves out of their district but within City Limits they can retain their seat. This change, if approved by voters, would require Commissioners to reside within their district for the duration of their term. If a Commission member moves out of their district with more than a year left of their term the seat becomes vacant automatically.

OTHER OPTIONS

Do not approve Ordinance 2020-20.

The Commission may choose to modify Ordinance 2020-20.

FISCAL IMPACT

None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-20** by title only.

ORDINANCE 2020-20

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 3.02, OF THE CHARTER OF THE CITY OF LAKE WALES TO REQUIRE AN ELECTED COMMISSIONER TO REMAIN A RESIDENT OF THE DISTRICT IN WHICH THE MEMBER QUALIFIED FOR ELECTION THROUGHOUT THE TERM FOR WHICH THE MEMBER WAS ELECTED ; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-20** after 2nd reading and Public Hearing. Deputy Mayor Robin Gibson seconded the motion.

By roll call vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.III. Ordinance 2020-21 - Charter Amendment, Filling Vacancies - Second Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2020-21 will put an amendment on the April 2021 ballot changing how vacancies are filled.

RECOMMENDATION

The Charter Review Committee recommends approval of Ordinance 2020-21 after Second Reading and Public Hearing.

Staff has no recommendation. This is a Commission decision.

BACKGROUND

Currently if there is a vacancy on the commission an appointee will serve the remainder of the full three year term. If the charter amendment is approved the appointee will serve until the next regular election in April. The newly elected Commissioner will serve the rest of the three year term.

OTHER OPTIONS

Do not approve Ordinance 2020-21.

The Commission can choose to modify Ordinance 2020-21

FISCAL IMPACT

There is no Fiscal Impact

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-21** by title only.

ORDINANCE 2020-21

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 3.08 (c), OF THE CHARTER OF THE CITY OF LAKE WALES TO REVISE THE MANNER IN WHICH A VACANCY IN OFFICE IS FILLED; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Curtis Gibson made a motion to adopt **ORDINANCE 2020-21** after 2nd reading and Public Hearing. Commissioner Goldstein seconded the motion.

By roll call vote:

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.IV. Ordinance 2020-23: Charter Amendment, City Manager Appointment - Second Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2020-23 will place an amendment on the April 2021 ballot requiring the City Manager upon appointment to move to the greater Lake Wales area.

RECOMMENDATION

The Charter Review Committee recommends approval of Ordinance 2020-23 after Second Reading and Public Hearing.

Staff has no recommendation. This is a Commission decision.

BACKGROUND

There is currently no requirement in City Charter that the City Manager live in Lake Wales. If this amendment is approved by voters a newly appointed City Manager would have 6 months to move to the greater Lake Wales area.

OTHER OPTIONS

Do not approve Ordinance 2020-23.

The Commission can choose to modify Ordinance 2020-23.

FISCAL IMPACT

There is no fiscal impact.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read ORDINANCE 2020-23 by title only.

ORDINANCE 2020-23

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 4.01, OF THE CHARTER OF THE CITY OF LAKE WALES TO PROVIDE A RESIDENCY REQUIREMENT FOR THE CITY MANAGER; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Curtis Gibson made a motion to adopt **ORDINANCE 2020-23** after 2nd reading and Public Hearing. Commissioner Goldstein seconded the motion.

By roll call vote:

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.V. ORDINANCE 2020-24 Charter Amendment, City Manager Purchasing – Second Reading And Public Hearing

[Begin Agenda memo]

SYNOPSIS:

ORDINANCE 2020-24 puts an amendment on the ballot in April 2021 removing dollar amounts from the City Manager's Purchase Authorization. This change refers to the Ordinance instead.

RECOMMENDATION

Charter Review Committee recommends approval of Ordinance 2020-24 after Second Reading and Public Hearing.

Staff also recommends approval.

BACKGROUND

Currently the City Manager must approve all purchases of any amount. In March of 2020 the City Commission adopted Ordinance 2020-05 modifying the purchasing thresholds for department heads and City Manager. This change to the charter would allow future changes regarding purchasing amounts and procedures to be done by Ordinance rather than by Charter Amendment.

OTHER OPTIONS

Do not approve Ordinance 2020-24.
The Commission may choose to modify Ordinance 2020-24

FISCAL IMPACT

None

[End Agenda Memo]

ORDINANCE 2020-24

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 4.04 (9), OF THE CHARTER OF THE CITY OF LAKE WALES GOVERNING THE ACTS OF THE CITY MANAGER IN THE CAPACITY OF THE CITY'S PURCHASING AGENT; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Robin Gibson made a motion to adopt **ORDINANCE 2020-24** after 2nd reading and Public Hearing. Commissioner Goldstein seconded the motion.

By roll call vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.VI. Ordinance 2020-26 Charter Amendment Capital Program – Second Reading And Public Hearing

[Begin Agenda memo]

SYNOPSIS:

Ordinance 2020-26 places on the next ballot changes to the approval of the Capital Program in the Charter

RECOMMENDATION

Charter Review Committee recommends approval of Ordinance 2020-26 Charter Amendment Capital Program after Second Reading and Public Hearing.

Staff also recommends approval.

BACKGROUND

Currently in the City Charter the Capital Program is to be submitted to the Commission three months before the final draft budget. For many years these have been submitted to the Commission at the same time.

Ordinance 2020-26 places on the next ballot in April 2021 a Charter Amendment changing the procedure so they can be distributed to the Commission at the same time.

OTHER OPTIONS

Do not approve Ordinance 2020-26.

The Commission can choose to modify Ordinance 2020-26.

FISCAL IMPACT

None.

[End Agenda Memo]

ORDINANCE 2020-26

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 6.05 (a), OF THE CHARTER OF THE CITY OF LAKE WALES TO HAVE THE SUBMISSION OF THE CITY'S FIVE-YEAR CAPITAL PROGRAM TO THE CITY COMMISSION COINCIDE WITH SUBMISSION OF THE ANNUAL BUDGET; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-26** after 2nd reading and Public Hearing. Deputy Mayor Robin Gibson seconded the motion.

By roll call vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.VII. Ordinance 2020-28 Charter Amendment, Duties Of The Mayor – Second Reading And Public Hearing

[Begin Agenda memo]

SYNOPSIS:

Ordinance 2020-28 places on the ballot a Charter amendment modifying duties of the Mayor concerning board appointments.

RECOMMENDATION

The Charter Review Committee recommends approval of Ordinance 2020-28 Charter Amendment, Duties of the Mayor after Second Reading and Public Hearing.

Staff has no recommendation.

BACKGROUND

Currently in the City Charter the Mayor appoints members to our citizen boards which are approved by the Commission.

The Charter Review Committee in response to discussions about board appointments at recent meetings recommends putting an amendment on the next ballot modifying the duties of Mayor to allow the Commission a greater role in recruiting and selecting members of various City Boards and Committees.

OTHER OPTIONS

Do not approve Ordinance 2020-28.

The Commission can choose to modify Ordinance 2020-28

FISCAL IMPACT

None

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-28** by title only.

ORDINANCE 2020-28

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 3.06 (e) OF THE CHARTER OF THE CITY OF LAKE WALES TO ALIGN THE FUNCTION OF THE MAYOR WITH THOSE OF THE INDIVIDUALS SERVING AS CITY COMMISSIONERS CONCERNING APPOINTMENT TO CITY BOARDS, COMMITTEES AND COMMISSIONS; PROVIDING UPON FINAL PASSAGE OF THE ORDINANCE FOR THE PROPOSED AMENDMENT TO BE PLACED ON THE BALLOT FOR A VOTE OF THE ELECTORS OF THE CITY AT THE 2021 MUNICIPAL ELECTION OR AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF VOTING ON A CHARTER AMENDMENT AND PROVIDING FOR AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-28** after 2nd reading and Public Hearing. Commissioner Curtis Gibson seconded the motion.

By roll call vote:

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9. NEW BUSINESS

9.I. ORDINANCE 2020-29 FY19'20 Budget Amendment #1, 1st Reading

[Begin Agenda Memo]

SYNOPSIS:

The City Commission will consider approval of the first amendment of FY 19'20

Budget that was adopted on September 24, 2019.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2020-29 after first reading.

BACKGROUND

Ordinance 2019-09 estimating revenues and appropriating funds for Fiscal Year 2019'20 was adopted by the City Commission September 24, 2019.

We are presenting Ordinance 2020-29 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2020-29

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-29** by title only.

ORDINANCE 2020-29

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2019-20 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2019-2020 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.

Dorothy Abbott, Finance director, reviewed this item.

Deputy Mayor Robin Gibson made a motion to approve **ORDINANCE 2020-29** after 1st reading. Commissioner Goldstein seconded the motion.

By roll call vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion passed 5-0.

9.II. Agreement: Parks, Trails, And Open Spaces Master Plan – S&ME, Inc.

[Begin Agenda Memo]

SYNOPSIS:

Staff is requesting Commission approval to enter into an agreement with S&ME, Inc. for professional planning services to develop a Parks, Trails and Open Space Master Plan.

RECOMMENDATION

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

1. Approve the agreement with S&ME, Inc. and the associated expenditure of \$162,206.00.
2. Authorize a budget amendment of \$12,206.00.
3. Authorize the City Manager to execute the necessary documents on behalf of the City.

BACKGROUND

The City does not currently have a Parks, Trails, and Open Spaces Master Plan. A master plan will serve as a guiding tool in order to elevate the current level of services, existing facilities and identify gaps and opportunities for future parks, trails, and open spaces.

The Request for Qualifications was advertised twice, the first attempt (RFQ 20-468) only received two responses. To meet the requirements of the "Consultants' Competitive Negotiation Act," F.S. 287.055, no fewer than three responses are required. The second attempt (RFQ 20-468(2)) resulted in the three firms needed to proceed.

S&ME is currently working as the main consultant or sub-consultant for the Crystal Lake Park Connector Trail, Northwest Sidewalks Plan Development, Market Plaza Design, and Park Avenue Streetscape Design.

The City received a proposal from S&ME, Inc. to perform the Parks, Trails and Open Space Master Plan for \$162,206.

The FY 2020/2021 adopted budget includes funding for \$150,000 to perform this Parks, Trails, and Open Spaces

OTHER OPTIONS

City Commission may choose to not approve this agreement at this time.

FISCAL IMPACT

\$150,000 is appropriated in the adopted FY 2020/2021 budget for this project. A budget amendment for Recreation Impact Fees will be used to fund this project.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Commissioner Curtis Gibson asked to confirm that this is separate from the facilities plan. Mr. Slaton confirmed that they are separate. Commissioner Curtis Gibson said he wants to be sure the plan lines up with the vision as identified by Dover-Kohl. Mr. Slaton explained that it will as this firm is working with Dover-Kohl on designs for other elements of the plan such as Park Avenue. Deputy Mayor Robin Gibson said we are fortunate to have three good firms working on our downtown although we should not get complacent. Mr. Slaton reviewed the bid and selection process.

Mayor Fultz said he is glad this is moving forward.

Deputy Mayor Robin Gibson made a motion to approve the agreement. Commissioner Curtis Gibson seconded the motion.

by Voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Curtis Gibson "YES"

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. CITY ATTORNEY

Albert C. Galloway, Jr., City Attorney, gave an update on the Seminole Hotel. A motion for summary judgement will be filed today. There will be a hearing in 30 or 40 days. He doesn't anticipate a 3rd bidder so hopefully the City can get title to the building. It may take 3 months before it is finalized.

Mayor Fultz said he has received calls on this building. Some citizens want to give the owner a chance to move forward on this. Mr. Galloway said the problem is that there is a cloud on the title to the property and explained that there is a lien on the building. Commissioner Curtis Gibson asked what the Commission can do on this? Mr. Galloway said the City can rescind the fines but there is still a lien on the property. Deputy Mayor Robin Gibson said the best thing is to let the process play out so we get clear title. Mayor Fultz agreed.

11. CITY MANAGER

James Slaton, City Manager, said there is a virtual open house on the market place will be November 18 at 5:30 p.m..

There will be drop in office hours with Department heads once a month this Friday. This Friday Mark Bennett will be available to meet with the public in the Chambers at 11:30 a.m.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Calendar

Mr. Slaton said that next week's CRA meeting is Tuesday November 10 at 3pm. There is a work

session Wednesday at 3pm.

12. CITY COMMISSION COMMENTS

Deputy Mayor Robin Gibson reported on the recent pension board meeting and pension fund status. The general employee pension fund is in overall good shape. Our operating costs and performance is better than the Florida retirement system. Despite the current economy we are doing quite well. There is a question about borrowing money to pay off obligations. They are looking into it. It will be explored carefully.

Commissioner Howell asked about the wi-fi near B Street if it was still working. There was some problems with it over the weekend.

Commissioner Howell asked if moss should be cleaned from the trees? Two people have asked her about this.

Commissioner Howell asked about cleaning up vegetation in the lakes. The responsibility of the lakes was discussed.

Commissioner Curtis Gibson agreed with the need to clean up the lakes. James Slaton, City Manager, said he will check the schedule but this effort may be postponed.

Commissioner Curtis Gibson said our community needs to have special events again, especially Mardi Gras, if they can abide by CDC guidelines. Other communities are having events. He would like to have the City open again. We need to get back to a sense of normalcy. Mr. Slaton said he has spoken to the Mardi Gras organizers and they decided to cancel for financial reasons and will plan smaller events.

Commissioner Curtis Gibson said we should allow certain special events if they can show they will abide by social distancing guidelines. Commissioner Goldstein said he agreed with allowing special events. Social distancing works especially outside. We need to get the City open. Deputy Mayor Robin Gibson said some events are organized by other organizations and not the City. The City issues the permit. We need to determine where the blame lies. Mr. Slaton reviewed that the City has had a moratorium on special events. We are now allowing smaller events. Mayor Fultz said many people at other events do not follow CDC guidelines. Mr. Slaton said we need to find a balance. Commissioner Curtis Gibson said special events should be treated like athletic teams where a plan can be presented on following CDC guidelines. Mayor Fultz suggested that this topic be discussed further at a workshop.

Commissioner Goldstein said we should let people decide for themselves whether to take the risk and participate in events or not.

13. MAYOR COMMENTS

14. ADJOURNMENT

The meeting was adjourned at 10:06 a.m.

Mayor

ATTEST:

City Clerk