

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY, JANUARY 6, 2019
CITY HALL**

Call to Order: Mayor Nancy Daley

Invocation and Pledge of Allegiance: Pastor Rob Terry

Those in attendance were Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Charles Lake, Commissioner Brent Eden, and Commissioner Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, Fire Chief Chris Costine, Police Chief Art Bodenheimer, Financial Director Amber Deaton, Public Works Director John Deaton, Parks and Recreation Director Richard Weed, Community Development Director Ameé Bailey, Deputy City Clerk Mamie Drane, and other staff.

CITY MANAGER ANNOUNCEMENTS:

City Manager Leavengood stated additional speakers and a new microphone has been added to the Commission Room setup to ensure everyone can be heard.

Everyone is invited to the Lake Alfred Bluegrass & Kickin' Chickin' Wing Competition that will be held on Saturday, January 11th, 2020 at Lions Park, from 11:00, am till 8:00 pm. Come out and enjoy BBQ and Bluegrass. Please contact the Parks and Recreation Department for more information.

The Lake Alfred Chamber of Commerce is holding its 5th Annual Hoedown on Friday, February 7th. There will be a live band and food from the businesses in the Lake Alfred area. For tickets or more information please, contact the Lake Alfred Chamber of Commerce or Center State Bank.

Lake Alfred's Heritage Festival partnered with the Lake Alfred Historical Society will be held Saturday, February 22nd from 10 am till 5 pm. The Festival will be located at E Pomelo and N. Seminole Avenues. For more information, please contact the Parks and Recreation Department.

The City offices and the Lake Alfred Public Library will be closed in observance of Martin Luther King Jr. Day on Monday, January 20th. Due to the Closure, the next City Commission Meeting will be held on Tuesday, January 21st.

The dock at Lions Park is under construction and is closed at this time, due to lake water levels being at a historical high. It will be converted into a floating dock.

CSX will be addressing the repair of the railroad tracks throughout the City in February. The City has solicited bid to re-pave the road leading up to the tracks. The Public Works Director is coordinating with CSX to possibly pay the upcharge to use concrete tables instead of the wood. That will represent a long-term solution.

He proceeded to congratulate Community Development Director Ameer Bailey for receiving her designation as a Certified Planner through the American Institute of Certified Planners.

Referring to the Building Official contract in the Consent Agenda, he stated this agreement was brokered between the City of Auburndale and the City of Lake Alfred. The two cities have a long history of sharing from bucket trucks to IT personnel. With both cities trying to meet the challenge of all the new development taking place in both our cities. He then introduced Matt Rush.

Matt Rush from the City of Auburndale stated it is an honor to work with the City of Lake Alfred. He has been an inspector for over 15 years and holds the title of Master Code Professional with ICC, there are less than 850 people that hold that designation. He said he has 17 years of construction experience before becoming an inspector. He is looking forward to bringing his experience to the City and serving to the best of his ability.

City Attorney Announcements:

No comment

Recognition of Citizens:

Carolyn Underwood 745 Lake Swoope Drive stated there are a lot of cars speeding on Lake Swoope Drive. She asked if the City could do something about the speeding. She then thanked the City for the addition to the dock at Lake Swoope, however, the location of the provided bench is not conducive to sitting while fishing. She also asked about the remediation of two properties located on Midway Ave. and Grapefruit Ave. that are overgrown.

City Manager Leavengood stated the City can place the speed trailer in that location and check on moving the bench. The City has been experiencing a large volume of Code Enforcement cases there is a hearing scheduled for February.

Jane Brumbaugh 655 E. Pierce St. stated the Friends of the Library would like the residents to come out and enjoy the bookstore. The bookstore is open on Wednesday and Saturday from 10:00 am till 2:00 pm.

Employee Recognition – Robert Turner for 15 years of service presented by **Assistant Fire Chief Wallace Nix**.

Assistant Chief Nix recognized a co-worker and good friend that has been with Lake Alfred for 15 years. December 25, 2004, Robert Turner accepted a full-time position with the City and

Christmas of 2004 was his first day on the job. He has a total of 39 years in the fire service, and 16 years in law enforcement. He and his wife Cindy have 7 children and 8 grandchildren. Robert was promoted Captain on December 1st, 2019 and is responsible for shift operations, maintaining the manpower and coverage for the Chief and Assistant Chief when both are unavailable. He holds many certificates and it is an honor to present him with his 15-year plaque.

Employee Recognition – Charles Parr for 10 years of service presented by **Fire Chief Chris Costine**.

Chief Costine stated Charlie has been in the Fire Service for 32 years he began his career as a volunteer firefighter. He received his Fire Standards in 1988 and his EMT 1989. He was hired by Winter Haven Fire Department in 1991 and was promoted to driver in 1999. He came to Lake Alfred in 2009 on Christmas Eve. He and his wife Karen have 4 children and 5 grandchildren. Chief Costine thanked Charlie for the past 10 years.

CONSENT AGENDA:

Commissioner Lake moved to approve the Consent Agenda; seconded by **Commissioner Maultsby**. The motion was approved by a unanimous voice call vote.

AGENDA:

1.) Public Hearing Ordinance 1424-19: JNS Investment, Mosley Road Future Land Use (FLU)

Assistant City Attorney Claytor read the Ordinance 1425-19 Title

City Manager Leavengood stated on October 21, 2019, the City Commission approved the annexation of the JNS property on Mosely Road which currently contains two (2) single-family homes and five (5) mobile homes on the 1.86-acre site. The applicant has requested a Future Land Use classification of Medium Density Residential (MDR). The primary function of the Medium Density Residential classification is to accommodate higher density residential uses, typically consisting of townhouses, duplexes, or mobile home parks. The three parcels are currently under one ownership and operate as a mobile home park. The City only allows mobile home parks in the MDR R-2 Zoning District. The site is currently served by City water and City sanitation services are 1,200 feet from the property. The residential densities on the property and to the south are between 3-6 units per acre. The properties to the north allow up to 12 units per acre. The current development is similar in the size and scale of development in the surrounding area. If the site is redeveloped under the RMD classification, it could serve as a transition between the commercial uses allowed to the north and the predominately residential uses to the south. On Tuesday, November 12, 2019, the Planning Board held a public hearing on the proposed Future Land Use Map Amendment and unanimously voted (6:0) to provide a recommendation of approval to the Lake Alfred City Commission.

Staff recommended the approval of Ordinance 1424-19 on the second and final reading.

Mayor Daley asked when the applicant will be coming in for their zoning designation.

Director Bailey stated the current owner has the property on the market for sale. He wanted to have the property annexed into the City before the sale. The current owner chose to apply for Land Use only thus allowing the future owner to decide on zoning.

Mayor Daley opened the public hearing.

Stacy Brinkerhoff 725 Mosley Road asked how the City will handle the dumping of trash on the adjacent property. She said Mosley Road seems to have a lot of traffic that has to turn around due to it being a dead end. She asked if it would be possible to post that the road dead ends. She asked how is the City different from the County in how the trash from illegal dumping is handled.

Mayor Daley asked about the road access to the property in question, once it is given this future land use, it will create the opportunity for more homes.

City Manager Leavengood stated this property will not but the area to the south and to the west there is already a mobile home park. The northern property fronts Hwy 17/92. As the area is annexed the City will have more control through the development process and the City Codes to alleviate the problems mentioned.

Commissioner Lake moved to approve Ordinance 1424-19 on the second and final reading; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

2.) Public Hearing Ordinance 1425-19: Valentin, US 17/92 Future Land Use (FLU)

3.) Public Hearing Ordinance 1426-19: Valentin, US 17/92 Zoning

Assistant City Attorney Claytor read the title of Ordinance 1425-19.

City Manager Leavengood stated the analysis is for both Future Land Use and Zoning, Ordinances 1425-19 and 1426-19. On October 21, 2019, the City Commission approved the annexation of the vacant Edwin Padua Valentin properties on US 17/92 totaling approximately 5.69 acres.

The applicant has requested a Future Land Use (FLU) classification of Industrial (IND), Commercial (COM) and Conservation (CON). The applicant has also requested a Zoning Designation Industrial (I-1), General Commercial (C-3) and Conservation (CN). The primary function of the requested FLU and zoning is to accommodate commercial uses along the US 17/92 corridor. The 1.04± acres Industrial (IND) property is located on the north side of US 17/92 adjacent to the Gapway Groves property. The properties on the south side of US 17/92 were requested for approximately 2.34± acres of General Commercial and approximately 2.31± acres of Conservation. The conservation area aligns with the existing wetland and floodplain areas on site. The requested commercial is located on the remaining upland area next to the road. The request is similar in nature to the development in the surrounding area.

On Tuesday, November 12, 2019, the Planning Board held a public hearing on the proposed Future Land Use Map Amendment and Zoning designation and unanimously voted (6:0) on both requests to provide a recommendation of approval to the Lake Alfred City Commission.

Staff recommended the approval of Ordinance 1425-19 on the second and final reading.

Mayor Daley opened the public hearing. Seeing no one she closed the public hearing.

Vice Mayor Dearmin moved to approve Ordinance 1425-19 on the second and final reading; seconded by **Commissioner Lake**. The motion was approved by a unanimous voice call vote.

Assistant City Attorney Claytor read the title for Ordinance 1426-19.

Staff recommended the approval of Ordinance 1426-19 on the second and final reading.

Mayor Daley asked if the three different parcels delineate the three different zonings.

City Manager Leavengood stated the different zones are woven throughout the three parcels.

Mayor Daley opened the public hearing. Seeing no one she closed the public hearing.

Commissioner Lake moved to approve Ordinance 1426-19 on the second and final reading; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

4.) Public Hearing Ordinance 1427-19: County Auto Auction, Fletcher Cut off Road Future Land Use (FLU)

5.) Public Hearing Ordinance 1428-19: County Auto Auction, Fletcher Cut off Road Zoning

Assistant City Attorney Claytor read the title for Ordinance 1427-19.

City Manager Leavengood stated the analysis is for both Future Land Use and Zoning Ordinances 1427-19 and 1428-19. On October 21, 2019, the City Commission approved the annexation of the County Auto Auction of Central Florida, LLC properties on US 17/92 totaling approximately 1.3 acres.

The applicant has requested a Future Land Use (FLU) classification of Commercial (COM) and a Zoning Designation General Commercial (C-3). The primary function of the requested FLU and zoning is to accommodate commercial uses along the US 17/92 corridor. The adjacent properties are developed or in the process of development. The City is currently extending utility services along the frontage of adjacent property (Gapway Groves), therefore utilities could also be provided to this property. The request is similar in nature to the development in the surrounding area.

On Tuesday, December 10, 2019, the City of Lake Alfred Planning Board held a public hearing on the proposed preliminary plat and voted (6-0) to provide a recommendation of approval to the Lake Alfred City Commission

Staff recommended the approval of Ordinance 1427-19 on the second and final reading.

Mayor Daley opened the public hearing. Seeing no one she closed the public hearing.

Commissioner Maultsby asked if the parcel in question is the same property as the auction.

City Manager Leavengood stated it is not the same property, however, the City also has a petition from the auction property. The site has an enclave in the interior due to a cell tower placement, the City is working out the details and that property may be presented in the second

wave of annexations. There are some small homes located on the property that will most likely be demolished upon annexation there has been speculation of a Dollar General Store that is interested in the site.

Vice Mayor Dearmin asked if the homes will be removed from the property.

Vice Mayor Dearmin moved to approve Ordinance 1427-19 on the second and final reading; seconded by **Commissioner Eden**. The motion was approved by a unanimous voice call vote.

Mayor Daley moved to Ordinance 1428-19

Assistant City Attorney Claytor read the title for Ordinance 1428-19.

Staff recommended the approval of Ordinance 1428-19 on the second and final reading.

Mayor Daley opened the public hearing. Seeing no one she closed the public hearing.

Vice Mayor Dearmin moved to approve Ordinance 1428-19 on the second and final reading; seconded by **Commissioner Lake**. The motion was approved by a unanimous voice call vote.

6.) Public Hearing: Downtown Property: Analysis of Brownfields Cleanup Alternatives

City Manager Leavengood stated over the past several years the City has assembled a commercial tract in the downtown area. The property is located within a designated brownfield area established through the Florida Department of Environmental Protection, which gives the City access to grants, loans, and cleanup credits for environmental testing and site remediation. On April 1, 2019, the City Commission adopted Ordinance 1412-19 to enter into a low-interest loan with the Central Florida Regional Development Council for downtown site remediation. On November 18, 2019. On November 18th, 2019 the City Commission passed the Brownfield Site Rehabilitation Agreement (BSRA) which provides the mechanism to remediate the site and receive voluntary cleanup tax credits of up to 75% of the cost of assessment and remediation (~90% resale value for a public entity).

As a part of the site rehabilitation process, an Analysis of Brownfields Cleanup Alternatives (ABCA) must be completed. The ABCA contains information about the site and contamination issues (e.g., exposure pathways, identification of contaminant sources, etc.), cleanup standards, applicable laws, alternatives considered, and the proposed cleanup. The ABCA for this project has evaluated three alternatives with a recommended option of removal of the impacted soil. The City was required to provide the general public access to the draft for a thirty-day comment period which has been completed without receiving any public comment. A public meeting is required to discuss the ABCA and any comments received. The City made the Draft ABCA available for public review and comment in accordance with the requirements for the comment period. The entire document can be found on the City website.

Staff recommended the approval of the Analysis of Brownfields Cleanup Alternatives

Miles Ballogg Cardno Inc. 380 Park Place Blvd Suite 300, Clearwater introduced the Project Manager to review the technical portion of the project. Funding has been provided for all the Phase 1 and Phase 2 environmental assessments. The funding being mentioned tonight has been provided as a sub-grant, basically, the City will be getting tax credits back on funding that has been granted to the City.

Terry Griffin Cardno Inc., 380 Park Place Blvd Suite 300, Clearwater, presented a brief history of the site. He stated there are different types of contaminants that are associated with the type of activity previously seen on the site. Cardno has tested soil and groundwater and combined all the information into the report submitted to the EPA and available on the website for review. Mr. Griffin explained the soil and groundwater impacts and the assessment results, which are currently under review by the Florida Department of Environmental Protection (FDEP). He proceeded to explain the proposed remedial actions stating that no additional action is proposed for groundwater, however, there are approximately 80 tons of impacted soil that will be excavated. The work must be completed by October 2020.

Commissioner Lake asked where does the contaminated soil go once excavated.

Vice Mayor Dearmin asked how long will the excavation take.

Mr. Griffin stated there are three landfills in Florida that accept contaminated soil. Excavation will take a week and Cardno will bring clean fill to the site up to grade.

Commissioner Maultsby asked if the water tests contaminated for a second time what will that involve and can all this be done by the October 2020 deadline.

Mr. Griffin stated there are a few options including active remediation or a restrictive covenant that may be placed on the property that does not allow groundwater use. A covenant is frequently used in Florida for this type of situation. The soil remediation for the grant funding must be completed by October 2020, if there is active remediation after that, the project will be on a different schedule.

Mayor Daley opened the public hearing.

Rodney Thompson 645 N Pennsylvania Ave stated there are four places that will be excavated, he asked what are the contaminants of most concern at the site, and did the contaminants come from outside the site. He also asked if removing two feet of the area soil will be enough to get rid of the contaminants.

Mr. Griffin stated the four areas were contaminated with arsenic within shallow soil. Arsenic is present in Florida soils in high concentration this may be naturally occurring. The excavation method is faster and more cost-efficient. The larger concern is petroleum in groundwater. The two-foot excavation will only be addressing the arsenic removal, it does not address the petroleum issue.

Mayor Daley stated the time between the two tests 2017 and 2019 the City completed a major stormwater project she asked if this could influence the outcome of the latter test.

Mr. Griffin stated the water table difference was probably due to rainfall fluctuations. FDEP could request additional testing because of the difference in findings.

Mr. Ballogg stated natural attenuation will happen, petroleum contamination, over time, with dilution and other factors, will lessen. Also, the FDEP may only ask for the site to be monitored, which will avoid additional active remediation.

Henry Townsend 646 Creek Rd. stated he also works with soil and groundwater testing. He asked if the same facility performed both tests for different years.

Mr. Griffin stated both wells were tested by the same person both years.

Commissioner Lake moved to approve the Analysis of Brownfields Cleanup Alternatives; seconded by **Commissioner Maultsby**. The motion was approved by a unanimous voice call vote.

7.) Resolution 01-20: Eden Hills Preliminary Plat

Assistant City Attorney Claytor read the Resolution title.

City Manager Leavengood stated the applicant, Jack M. Berry, INC is requesting approval of a preliminary plat on approximately 34 acres located south of Cass Road. On October 21, 2019, the City Commission approved Ordinance 1422-19 approving the Community Development District (CDD) on approximately 371 acres, which includes the 34 acres included in this preliminary plat. The City Commission approved the Future Land Use Classifications of Low-Density Residential (LDR) and Conservation (CON) on June 17, 2019, via Ordinance 1408-19. On that same date, the City Commission approved Ordinance 1416-19 changing the zoning designation to Planned Unit Development-Residential (PUD-R) and Conservation (CN) for a total of approximately 31.5 acres of PUD-R and approximately 2.4 acres of CN on approximately ±34 acres of land. There are 13 conditions of approval associated with PUD-R approval. Staff has worked with the applicant to assure conformance with regulation 7.06.05.01 in the ULDC in addition to the PUD requirements. The plat requirements have also been reviewed by the consulting City Attorney, engineer, and surveyor.

On Tuesday, December 10, 2019, the City of Lake Alfred Planning Board held a public hearing on the proposed preliminary plat and voted (5-0) to provide a recommendation of approval to the Lake Alfred City Commission.

Staff recommended the approval of the Resolution 01-20: Eden Hills Preliminary Plat with the conditions of approval.

Mayor Daley asked about the Planned Unit Development (PUD) conditions and when the developers have to meet the conditions.

Director Bailey stated the conditions of approval cover many requirements that will be addressed throughout the development process. All of the conditions associated with the plat have been met. Some items will be reviewed during the construction planning phase and some will be review during the site and building inspections.

Vice Mayor Dearmin asked how many preliminary plats will there be for the property.

Director Bailey stated this is the first phase, staff does not know how many phases the property owner is planning.

Mayor Daley opened the public hearing. Seeing no one she closed the public hearing.

Commissioner Lake asked if there will be problems with set-backs.

City Manager Leavengood stated the zoning process was defined in the PUD process.

Commissioner Maultsby moved to approve the Resolution 01-20: Eden Hills Preliminary Plat; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

Mayor Daley opened the second recognition of citizens, seeing no one she moved on.

COMMISSIONER QUESTIONS AND COMMENTS:

Commissioner Maultsby stated 50 years ago he asked what could be done for affordable housing or starter houses in the City. He stated the problem still exists within Lake Alfred.

Mayor Daley stated while on a policy committee with the Florida League of Cities there was a lot of discussion regarding workforce housing as opposed to affordable housing. The housing market is above the reach of people that have regular good jobs. It is a problem throughout the state.

Stacy Brinkerhoff 725 Mosley Road stated the Florida Prosperity Partnership has a low-income focus group to assist the public.

Commissioner Lake thanked everyone and wished everyone a Happy New Year.

Vice Mayor Dearmin stated he is excited about the Bluegrass event coming up. He thanked everyone for working together. He wished everyone Happy New Year.

Mayor Daley thanked everyone for coming out tonight and take the opportunity to ask questions and comment on the issues going on in the City. She wished everyone Happy New Year

Commissioner Eden wished everyone a Happy New Year and stated he is looking forward to the next year.

With no other business, the meeting was adjourned at 8:57 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by



Ameé Bailey
City Clerk