

City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, Florida 33850



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Visit: My Lake Alfred.com

**AGENDA
CITY COMMISSION MEETING
MONDAY FEBRUARY 17, 2020
7:30 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley

Invocation and Pledge of Allegiance: Rev Bamberg

Roll Call: Deputy City Clerk Mamie Drane

City Manager & City Attorney Announcements:

Recognition of Citizens: Items That Are Not On the Agenda

Employee Recognition – Swearing-In Chief Wallace Nix
Employee Recognition – Ameé Bailey – 5 Years

Consent Agenda:

- 1.) City Commission Meeting Minutes for February 3, 2020
- 2.) City Commission Announcements

Agenda:

- 1.) Resolution 04-20: Support of High-Speed Rail
- 2.) Charter Review Discussion
- 3.) Presentation: Department Updates

Recognition of Citizens: Please Limit Your Comments to 5 Minutes.

Commissioner Questions and Comments:

Mayor Daley
Commissioner Eden
Commissioner Maultsby
Commissioner Lake
Vice Mayor Dearmin

Adjourn

**LAKE ALFRED CITY COMMISSION MEETING
FEBRUARY 17, 2020**

Consent Agenda:

All matters listed under this item are considered to be routine and action will be taken by one motion without discussion. If discussion is requested by a Commissioner, that item(s) will be removed from the Consent Agenda and considered separately.

1.) City Commission Meeting Minutes for February 3, 2020

Attachments:

- Draft Minutes

ANALYSIS: Please review the minutes at your earliest convenience and if there are any questions, comments or concerns please contact the Deputy City Clerk Mamie Drane at (863) 291-5748.

2.) City Commission Announcements

Analysis: Each of the meetings/ events scheduled below may constitute a public meeting at which two or more City Commissioners or Board Members may attend and discuss issues that may come before the City Commissioners.

DATE	MEETING/ EVENT	LOCATION	TIME
FEBRUARY 20	SPECIAL MAGISTRATE HEARING	CITY HALL	3:00 PM
FEBRUARY 22	HERITAGE DAY	STREET SIDE	10:00 – 5:00
FEBRUARY 25	PLANNING BOARD	CITY HALL	6:00 PM
FEBRUARY 29	MULTI-CULTURAL ACHIEVEMENT DAY	LIONS PARK	10:00AM -3:00PM

Should any person decide to appeal any decision made at a meeting, or any meeting announced in this agenda, such person will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made in accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk not later than four days prior to the proceeding at 863- 291-5748.

**DRAFT MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY, FEBRUARY 3, 2020
CITY HALL**

Call to Order: Mayor Nancy Daley

Invocation and Pledge of Allegiance: Pastor Blocker

Roll Call: Those in attendance were Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Charles Lake, Commissioner Brent Eden, and Commissioner Albertus Maulsby.

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

City Manager Announcements:

City Manager Leavengood stated On Friday, February 7th the Lake Alfred Chamber of Commerce is holding its 5th Annual Hoedown. 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 in conjunction with the Lake Alfred Historical Society will be held Saturday, February 22nd from 10 am to 5 pm. The Festival will be located at E. Pomelo and N. Seminole Avenues. For more information, please contact the Parks and Recreation Department.

On Saturday, February 29th from 10:00 am to 3:00 pm there will be a Multi-Cultural Achievement Day Celebration at Lions Park. There will be live music, dancing, food and much more. He said the City appreciates the Community Partners as well as Commissioner Eden and Mrs. Eden for coming together to organize the celebration. Admission is free so come out and join in the Celebration.

There will be a celebration for Chief Chris Costine's retirement after a total of 36 years of service. For the Commissioners that would like to attend the event will be held on Friday, February 14th from 11:30 am to 1:30 pm.

The Friends of the Library Bookstore is open on Wednesday and Saturday from 10:00 am till 2:00 pm and asked everyone to come out and peruse the books they have.

City Attorney Announcements:

No comment.

Recognition of Citizens:

Fire Chief Chris Costine stated by the next Commission Meeting he will have retired. He thanked the Commission and the Citizens of Lake Alfred for allowing him to serve as their Fire Chief. He has been Chief for nine (9) years and has been with the City for thirteen (13) years. Now he is closing this chapter of his life and is moving on to other ventures.

Mayor Daley thanked Chief Costine and wished him the best of luck.

Joseph Buchanan 311 Water Lily Ln. asked about the status of the installation of lights on Mackay Blvd. He believes it would be beneficial for a speed sign to be installed in The Lakes so residents will be more conscious of their speed.

City Manager Leavengood stated after preliminary research Public Works Director Deaton found that for a large scale lighting project like Mackay Blvd. it will cost \$100,000 to \$150,000. That is something the City will have to plan and budget for. The City Manager offered to meet with Mr. Buchanan on Mackay Blvd to see what his concerns are and possibly find solutions to help in the interim.

Employee Recognition – Amber Deaton 15 Years.

City Manager Leavengood stated every now and then he is able to bring recognition to one of his team members. He considers the City to be not only a team but a family. With sixty (60) employees at the City, it is different than a City like Lakeland with 1,000. We work with each other day in and day out. He has had the pleasure of working with Director Amber Deaton for the last eight years. All departments have their own challenges and their own opportunities. From a management perspective, you have to have the Finances and Public Safety departments locked down. To have someone like Amber as a Finance Director is a fantastic asset not only to his management team but also to the City. The strength of LA is the employees. The tenure, the stability, the commitment to the organization and to the community, Amber Deaton represents all of those qualities. She has dedicated herself to continuous improvement. She always receives stellar evaluations but has never been complacent. She has continued her education, received her CPA which was not a requirement of the job. That type of comment to professionalism is rare but much appreciated and it shows in her work product. For the past decade, the City of Lake Alfred has received the prestigious Budget Award. The budget he presents to the City is the Executive Budget, Amber takes that budget and puts the additional information needed to make it an award-winning document. She has also received, for the past decade, the Excellence in Financial Accounting and the preparation of the CAFER. She works hand in hand with the Auditor to save the City money, Amber wants ownership, she cares about the end product, and she cares about saving the City money. He has enjoyed his partnership with Amber Deaton, working for the City, we have all benefitted from her years of service. Congratulations to Amber on fifteen (15) years of service.

Finance Director Amber Deaton stated she loves working for the City, living here and attending Church in Lake Alfred, and she is grateful to serve in this capacity to the City and to the Community. She doesn't think there is any place better than Lake Alfred. She is grateful for the kind words the City Manager said this evening and she is grateful for all the people she works with, and she works with great people.

Mayor Daley stated she is appreciated by the Commission, she makes every dollar count.

Consent Agenda:

Vice Mayor Dearmin 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 1431-20: Police and Fire Retirement Update – Cancer Presumption, Second and Final Read

Assistant City Attorney Claytor read the Ordinance title.

City Manager Leavengood stated the proposed ordinance amends the City of Lake Alfred Police Officers' and Firefighters' Retirement System to be in compliance with the Firefighter Cancer Presumption recently adopted by the Florida Legislature in F.S. 112.1816(1)(a). The change in state law presumes that a firefighter that is disabled as a result of cancer identified within the law is presumed to be disabled in the line of duty.

The financial impact to the plan (and the City) is minimal according to the Actuarial Impact Statement prepared by the plan actuary. The present value of disability benefits increased by \$1,659 (to \$37,138) and the City's annual required contribution increased by \$344 (to \$88,774).

In addition, he stated there was another portion of the recently passed law that requires a lump-sum payment to a firefighter should he/she be diagnosed with cancer. The City provides that through the Workers Comp policy. The City has met the requirements of the law with the Workers Comp policy and Ordinance 1431-20.

Staff recommended the approval of Ordinance 1431-20 on the second and final reading.

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

Commissioner Lake moved to approve Ordinance 1431-20 on the second and final reading; seconded by **Commissioner Eden**. The motion was approved by a unanimous voice call vote.

2.) Resolution 03-20 Septic To Sewer Program

Assistant City Attorney Claytor read the Resolution title

City Manager Leavengood stated in 2016 the City amended the utility section of the Code to allow for a program to be established to finance and/or subsidize the cost of units connecting to available sewer service. The proposed resolution establishes this program and seeks to connect existing residents or utility customers to connect to the City's sewer system. The program is designed to incur 100% of the initial cost of the homeowner connecting to the system including impact fees; the cost of connecting the home to the mainline; and properly abandoning the old septic system.

The basis for the program is that newer homes and subdivisions are automatically connected to the sewer system when they're originally built; the cost of which is included in the purchase price of the home and amortized within the mortgage on the home. Existing residents on septic systems where sewer is now available do not have this option and can remain on septic indefinitely (decades) or until those septic systems fail. Even when these septic systems fail the homeowner may opt to repair the system versus connecting to the sewer based on the time required if it is an

emergency or the high cost of connecting to the City's system (\$3,464.57 impact fee & ~\$5,000 for a plumber to connect the mainline/decommission the septic tank).

The City has a financial interest in improving its economies of scale in service delivery by providing sewer service to as many customers as possible where it is available. Additionally, converting septic systems to sanitary sewer has significant environmental benefits including the reduction of nutrients that are entering waterways which contribute to algae blooms that causes damage to natural habitats.

The program will provide for the full cost of connecting to the system and decommission their septic system for homeowners that have sewer available (approximately \$8,000, likely less). The proposed resolution initially assigns \$10,000 to the program; additional funding for the program will be provided through future budget cycles.

City staff estimates approximately thirty homes could eventually benefit from this program at the onset. A third of this number will be from a previous sewer infill project (near Rainero Drive) that the City completed the mainline extension a decade ago but have yet to connect. This program will also be important in future infill projects (e.g. Experiment Station). We can receive grant funding to offset the mainline extension from the state (for infill projects) which could cover our costs of implementing the connection program in these areas. The Commission has approved the sewer line for Hwy 17/92. There are no grants for the new sewer line project but there may be grants for the infill projects that will stem off this project.

Staff recommended the approval Resolution 03-20

Public Works Director John Deaton stated since the Rainero Drive and Sanford St. project there have been four (4) residents that have connected to the sewer line the other residents in that area have properly functioning septic systems. He believes when this Resolution is accepted, there will be more residents that will agree to hook up to the sewer line. On the west side of the City, there is sewer on one street but the next street over does not have sewer. It is confusing in certain areas, which streets have sewer available and which streets do not.

City Manager Leavengood stated when the City starts fulling funding the project a part of the allocation will cover the outreach and education program. Reaching out and educating the residents that still have septic but have sewer available.

Commissioner Lake stated this has been on the Legislative Committee Meetings he attends this topic has been on their list for a while, but it is one of the items that does not make the priority list. He asked what happens to the septic tank after someone hooks up to sewer. He asked does the City have sewer lines for Experiment Station Road.

Public Works Director John Deaton stated the City will properly abandon the tank, which requires opening the tank up, draining it, then punch a hole in the bottom of the tank, to allow water to drain through and the tank is filled with dirt. Then it is recorded with the Polk County Health Department. They are allowing the City to abandon and have the inspection as part of the program.

City Manager Leavengood stated the Experiment Station Road citizens would not benefit from this program because the main sewer line has not been run yet. This will help the residents that have a mainline located at the road in front of their house. There will be public push-back, they are not accustomed to paying a monthly sewer bill. That makes it hard to get this type of program moving forward. If the City asks someone to come up with \$8,000 for connecting then ask them to pay an additional \$40 per month for sewer there will be opposition. Let the City get the grant

money from the state and offset the \$8,000 he believes will make it easier for residents to hook up.

Commissioner Maultsby asked how will the City educate the public that lives outside the city limits. He also asked if connecting Experiment Station Road would require a lift station.

Mayor Daley asked if the impact fees will be forgiven or will the City pay itself back. Also, if someone applies for this service and it is granted to them, and meanwhile their next-door neighbor just spent a lot of their own money paying for the same service, will the residents come to the City for some type of rebate or compensation.

City Manager Leavengood stated this was in the email from the Bond Council, the City has to use non-water and sewer funds initially to pay for the project but there will be an inter-fund transfer to the General Fund. This project will be a sort-of first come / first serve.

Commissioner Eden asked how many homes are on Experiment Station Road.

Public Works Director John Deaton stated there are about thirty (30) to fifty (50) homes on Experiment Station Road. If there is an infill project in the Experiment Station Road it would require a lift station. The infill project would include the station. We do not have sewer lines in place on Experiment Station Road, this program is not considering that area at this time. When we do an infill project for Experiment Station Road the City would include the connections of the homes at the same time.

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

Commissioner Maultsby moved to approve Resolution 03-20; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

Recognition of Citizens

No comments.

Commissioner Questions and Comments:

Vice Mayor Dearmin stated he wanted to thank Director Amber Deaton for the service she has given, the City owes Amber a debt of gratitude for the work she has done over the past fifteen years. He attended Polk County Day at Tallahassee this week and met Sam Killebrew and Kelli Stargel and spoke to them regarding funds they requested from the Governor for the Fire Department.

Mayor Daley stated she went to a luncheon for all the Mayors in the County. Congressman Daren Desoto gave an update on the different transportation projects. His big push is for transportation looking forward to the High-Speed Rail coming up from Miami into Orlando. Some of the mentioned stops included Posner, Celebration, Lakeland, and Tampa. He is also working on a project to run SunRail through Lake Alfred and Auburndale to Lakeland. He has asked for support and resolutions, she asked for the City Manager to pull together a resolution in support for the High-Speed Rail.

Commissioner Eden stated he will have flyers and handouts for the Lake Alfred Multi-Cultural Achievement Day Celebration at the next Commission Meeting. It is a celebration of Black History, there will be a lot of activities for the kids and adults, plenty of vendors and food. Happy Valentines Day.

Commissioner Maulsby stated he likes to see the growth within the City. He asked if the 700 plus acres on CR 557 were inside the city limits of Lake Alfred. He said he can see a grocery store coming into Lake Alfred.

Commissioner Lake stated he is anxious for the Ridge League Dinner last year they ran out of food. He thanked Amber.

With no other business, the meeting was adjourned at 8:13 pm.

Respectfully submitted,

Reviewed by,

Mamie Drane
Deputy City Clerk

Ameé Bailey
City Clerk

**LAKE ALFRED CITY COMMISSION MEETING
FEBRUARY 17, 2020**

Agenda

1.) RESOLUTION 04-20: SUPPORT OF HIGH-SPEED RAIL

ISSUE: The City Commission will consider Resolution 04-20 that supports Virgin Trains' high-speed future rail project to connect Tampa to Orlando.

ATTACHMENTS

- Resolution 04-20

ANALYSIS: On Monday, February 3, 2020, a group of Polk County Mayors met with Congressman Darren Soto and discussed support for an initiative that could connect areas of Polk County along the I-4 corridor to Tampa, Orlando, and South Florida on a high-speed commuter rail. High-speed rail has the opportunity to diversify transportation options, providing relief to current systems and improving the connectivity of residents to these areas. High-speed rail also brings with it opportunities for increased economic development and community investment.

The current project underway is a 170-mile extension that will connect Orlando Airport to the existing system that stretches between Miami and West Palm Beach. The extension is set to open in 2022. Future potential plans include extending the line to connect to Disney and then to Tampa which will run through Polk County. The proposed resolution supports this plan as well as encourages stops to be considered along the line in Polk County.



STAFF RECOMMENDATION: Approve Resolution 04-20.

RESOLUTION NO. 04-20

A RESOLUTION OF THE CITY OF LAKE ALFRED, FLORIDA; IN SUPPORT OF BRIGHTLINE-VIRGIN TRAINS ESTABLISHING A RAIL STOP IN POLK COUNTY, FLORIDA; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a delegation from Polk County is scheduled to travel to South Florida this spring to meet with Brightline-Virgin Trains regarding a local stop in Polk County, Florida along their proposed Orlando-Tampa route; and

WHEREAS, on Monday, February 3, 2020, several Polk County Mayors met with Congressman Darren Soto and discussed the railway initiative; and

WHEREAS, high-speed rail is one of the many transportation innovations and changes that will potentially be coming through Polk County over the next decade; and

WHEREAS, the City Commission of Lake Alfred supports a rail stop in Polk County, Florida citing the following reasons:

- Improvement of transportation options to Polk County residents and visitors traveling to the Orlando or Tampa area;
- Increased economic growth occurs in near rail stops;
- Trains provide a cost-effective alternative form of travel;
- Trains provide an eco-friendly transportation option;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE ALFRED, FLORIDA:

Section 1. RECITALS INCORPORATED. The foregoing Recital clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. PROJECT SUPPORT. The City Commission of Lake Alfred, Florida supports and urges Brightline-Virgin Trains to consider creating a rail stop in Polk County, Florida; and

Section 3. AUTHORIZATIONS. The City Commission of Lake Alfred hereby directs the City Clerk to transmit a copy of this Resolution to the local legislative delegation, Brightline – Virgin Trains, the Polk County Transportation Planning Organization, and any other appropriate entity.

Section 4. CONFLICTS. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5. SEVERABILITY. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 6. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption by the City Commission of the City of Lake Alfred, Florida.

PASSED and APPROVED in a regular session of the City Commission of the City of Lake Alfred, Florida, this 17th day of February 2020.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

Nance Z. Daley, Mayor

ATTEST:

Amee Bailey, City Clerk

APPROVED AS TO FORM:

Frederick J. Murphy, Jr., City Attorney

**LAKE ALFRED CITY COMMISSION MEETING
FEBRUARY 17, 2020**

2.) CHARTER REVIEW DISCUSSION

ISSUE: The City Commission will consider

ATTACHMENTS

- List of Current Board Members
- Excerpt(s) from 2010 Charter Committee Meetings/Minutes

ANALYSIS: Section 5.04 of the City Charter requires that every ten years in conjunction with the decennial national census that the City Commission shall appoint a committee to review the Charter. The committee will provide input and provide recommendations to the City Commission regarding any suggested amendments and revisions to the Charter.

The City Charter is the foundational document of the City, acting in many ways as a Constitution would for a State or the Federal government. It includes higher level provisions such as the establishment and delegation of authority between legislative and administrative functions, election and budget processes, and the establishment of specific offices or services.

The City Charter (in conjunction with state law) is the umbrella or the framework under which the City functions and operates as determined by the citizenry through the referendum process. It tends to be more broad in scope; allowing for specifics to be addressed through the Code of Ordinances, the Unified Land Development Code, and the Annual Budget. By design, this allows the City to be responsive and adaptive to changing conditions while still operating within the general framework approved by the citizens.

The referendum process is available to the citizens at large for voter-initiated changes at any time within the processes outlined within the Charter and State Law. The formal review is an opportunity to review the Charter with the assistance of staff to identify any opportunities or deficiencies experienced with the Charter over the past decade. A report will be generated based on the review and recommendations of the committee for the City Commission's consideration. Any recommended changes that the City Commission desires to advance forward will require an ordinance to place those items on the ballot for consideration in a referendum in 2021.

The makeup and composition of the Charter Review Committee are entirely at the City Commission's discretion. In the past, the City Commission has appointed members from various boards (Planning, Adjustment, Pension, Parks & Recreation, etc.), members of civic groups (Chamber, Lion's Club), engaged citizens, and city staff.

Lake Alfred Board Members 2020

Board of Adjustments

Chair - Ike Fountain
Vice Chair - Joyce Schmidt
William Castle
Rick Roach
Irving Spokony
Deborah Byrne

Planning Board

Chair Joseph Hults
Vice Chair Loretta Vittorio
Karen Abdul-Hameed
Bette Mae Biggar
Herbert Nigg
Matthew Noone
Wanda Daley

Parks and Recreation Board

David Fawcett
Ron Schelfo

Police and Fire Retirement Board

Chair Art Bodenheimer (Police Elctd)
Wallace Nix (Fire Elctd)
Ed Arbuthnot (Resident - CC appt)
Timothy O'Rourke (Resident - CC appt)
Miguel Lopez (CC appt - At Large)
Scott Christiansen – Attorney

General Employee's Retirement Board

Chair John Deaton (Elctd)
Eddie Adams
Secretary Kendon Daniels
Terry Macomber (Board Appt - At Large)
Edwin Standerfer
Fred Reacher (Resident-CC appt)



120 E. Pomelo Street
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CITY OF LAKE ALFRED

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AMENDED
**LAKE ALFRED CHARTER REVIEW COMMITTEE
AGENDA**

**OCTOBER 21, 2010
5:30 P.M.**

CITY HALL

CALL TO ORDER: CHAIR MARY LOU COLEMAN

PLEDGE OF ALLEGIANCE: VICE CHAIR LEON JUDAY

ROLL CALL: LINDA BOURGEOIS – DEPUTY CITY CLERK

NEW BUSINESS

- 1.) CONSIDER APPROVAL OF MINUTES FOR OCTOBER 4, 2010 CHARTER REVIEW COMMITTEE.**
- 2.) OPEN DISCUSSION OF THE FINAL CHARTER RECOMMENDATIONS WITH CITY ATTORNEY FREDERICK J. MURPHY JR.**
- 3.) CONSIDER RECOMMENDING APPROVAL OF CHARTER RECOMMENDATIONS TO BE SUBMITTED FOR CONSIDERATION BY THE CITY COMMISSION.**
- 4.) CONSIDER FINAL FORM AND MANNER FOR CHARTER RECOMMENDATIONS TO BE PRESENTED TO THE CITY COMMISSION.**

RECOGNITION OF CITIZENS (PLEASE LIMIT YOUR COMMENTS TO 5 MINUTES.)

ADJOURN

New Business Item No. 1

CONSIDER APPROVAL OF MINUTES FOR
October 4, 2010 CHARTER REVIEW
COMMITTEE.

ATTACHMENTS:

- October 4, 2010 Charter Review
(Minutes will be distributed on Tuesday October 19, 2010 for your review)

ANALYSIS: Please review the minutes at your earliest convenience and if there may be any questions, comments or concerns please contact Deputy City Clerk, Linda Bourgeois at (863) 291-5270 as soon as possible so corrections can be made and disseminated prior to the meeting.

New Business Item No. 2

**OPEN DISCUSSION OF THE FINAL
CHARTER RECOMMENDATIONS WITH CITY
ATTORNEY FREDERICK J. MURPHY JR.**

ATTACHMENTS:

- Memo from City Attorney's Office
(Memo to be delivered on Tuesday, October 19, 2010)

ANALYSIS: Based on comments received at the October 4, 2010 Charter Review Committee Meeting, City Attorney Frederick J. Murphy Jr. will be present to review the Attorney's findings on the Committee's Preliminary Charter Recommendations.

STAFF RECOMMENDATION: It is at the pleasure of the Charter Review Committee.

New Business Item No. 3

**CONSIDER RECOMMENDING APPROVAL OF
CHARTER RECOMMENDATIONS TO BE
SUBMITTED FOR CONSIDERATION BY THE
CITY COMMISSION.**

ATTACHMENTS:

n/a

ANALYSIS: After discussion and clarification from City Attorney in New Business No. 2, the Committee may choose to make a final recommendation of approval for the proposed Charter Recommendations.

Since the committee is advisory in nature, its motion should state a recommendation of approval to the City Commission to adopt the proposed Charter revisions as presented by the Charter Review Committee.

STAFF RECOMMENDATION: It is at the pleasure of the Charter Review Committee.

ATTACHMENTS:

n/a

ANALYSIS: The Charter Review Committee will review the final form and presentation of its recommendations. Items to be considered would include:

- Format of Charter Recommendations (strike-through underline document, or memo explaining each change and appropriate section it would revise, etc)
- Select presenter as representative of Committee to recommendations with City Commission or determine if a joint workshop is needed.
- Decide a date when documents would be prepared, so to be included with the next Regular City Commission Meeting Agenda packets.
- Determine best date to present Committee recommendations to City Commission at one of their Regular Meetings.

STAFF RECOMMENDATION: It is at the pleasure of the Charter Review Committee.

**LAKE ALFRED CHARTER REVIEW COMMITTEE
MINUTES
OCTOBER 21, 2010
5:30 P.M.
CITY HALL**

CALL TO ORDER: CHAIR MARY LOU COLEMAN

PLEDGE OF ALLEGIANCE: VICE CHAIR LEON JUDAY

ROLL CALL: Those in attendance were Chairperson Mary Lou Coleman, Vice Chairperson Juday, John Duncan, William Castle, Eileen Hoobin, City Attorney Frederick J. Murphy Jr., and Deputy City Clerk Linda Bourgeois.

Absent were Herb Nigg and Wayne Thomas.

NEW BUSINESS

CONSIDER APPROVAL OF MINUTES FOR OCTOBER 4, 2010 CHARTER REVIEW COMMITTEE.

Board Member Castle requested changes prior to the meeting and the corrected minutes were distributed prior to the meeting commencement. **Board Member Hoobin** had a correction on page five and **Vice Chair Juday** had corrections on page six and at the top of page three. Without any other corrections to the minutes, **Vice Chair Juday** made a motion to approve the October 4, 2010 minutes as corrected; seconded by **Board Member Castle** and approved by unanimous voice call vote.

MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE

It was agreed that the Lake Alfred Charter Review Committee would work by motions this evening rather than consensus actions. Each section of the Attorney's draft titled "Proposed Charter Review Committee Report with legal comments" will be gone through for finalization. This document is attached and hereto made a part of the minutes.

OPEN DISCUSSION OF THE FINAL CHARTER RECOMMENDATIONS WITH CITY ATTORNEY FREDERICK J. MURPHY JR.

Section 2.02; Qualifications

After discussion about proof of residency, **Vice Chair Juday** made a motion to approve section 2.02; qualifications as written by the attorney; seconded by **Board Member Duncan** and approved by unanimous voice call vote.

JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE

Section 2.04; Compensation and Expenses

Board Chair Coleman pointed out that the minutes of the last meeting reflected a change incorporating the word “and” in place of the word “or” in section 2.04. It should read “The commission may determine the annual salary of all commissioners and the mayor by ordinance...”.

City Attorney Murphy stated he would amend this section and without any other comments, **Board Member Castle** made a motion to accept section 2.04 with Board recommendations; seconded by **Board Member Duncan** and approved by unanimous voice call vote.

WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE

Section 2.05; Mayor

Chair Coleman stated that there was a typographical error at the bottom of page eight. The sentence should read “mayor” rather than “major”.

City Attorney Murphy also pointed out that in section ii; an insertion of “to be” should be placed after the word “need” and before “renewed”.

Board Member Castle made a motion to accept 2.05; Attorney recommendations; seconded by **Vice Chair Juday** and approved by unanimous voice call vote.

LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE

Section 2.07; Forfeiture of Office

Vice Chair Juday made a motion to accept the recommended language and format as depicted on page 12 for section 2.07 (b); 1 and 2 and section 2.07 (c); seconded by **Board Member Castle** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
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MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

Section 2.08; Rules and Journal

City Attorney Murphy pointed out that on section 2.08 (b) Rules and Journal, section ii, in the last sentence the word “the” should be eliminated.

Board Member Castle requested clarification on the motion because section 2.07 (d) and (e) were not discussed. After a brief discussion the Charter Review Committee amended the motion to incorporate (d) and (e) and agreed to accept the proposed recommendations from the attorney’s office.

City Attorney Murphy stated that on page 15, referencing section 2.08, is the recommended attorney’s terminology for Voting. He pointed out that a space needs to be inserted after “Attorney General Opinion 75-305”.

Board Member Castle inquired about breaking section 2.08 voting into two sentences.

City Attorney Murphy stated this could be done at the pleasure of the Charter Review Committee.

Vice Chair Juday made a motion to accept the recommendations on the bottom of page 13 for section 2.08 (b) by the Attorney; seconded by **Board Member Castle** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

Section 2.08; (c) Voting

Chair Coleman stated that by breaking this section into two sentences and crossing out “provided that”. It would read ...and shall be recorded in the journal. Any Commissioner may order that votes be cast on an ordinance or resolution...

Board Member Castle made a motion to accept the proposed changes voiced by Chair Coleman for section 2.08 voting; seconded by **Board Member Hoobin** and approved by unanimous voice call vote.

MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE

Section 4.03 (a); Nominations for City Commission

City Attorney Murphy stated the attorney recommendations are on the top of page 17.

Vice Chair Juday and Chair Coleman expressed opposition to the word “shall” and wanted this changed to the word “may”.

Vice Chair Juday made a motion to accept the word “may” in place of “shall” in section 4.03 (a); Seconded by **Board Member Castle**, and approved by unanimous voice call vote.

JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE

A discussion ensued about the placement of a provision within section 4.03 (a) allowing for only one signature per candidate. This sentence shall be added to section 4.03 (a) as the last sentence. “Each elector may subscribe to one nominating petition for each of the places to be filled, and no more. “

Board Member Duncan made a motion to insert the above noted sentence in section 4.03 (a); Seconded by **Board Member Castle**, and approved by unanimous voice call vote.

WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE

Board Member Castle inquired about the consistency of using the terminology of elector instead of voter throughout the entire document.

City Attorney Murphy said he would check the final document for consistency.

Section 4.05 (a); Elections

Discussion section V, has a typographical error in the second to last sentence. It should read “get” not “gen”. Also on the recommendations “be” and “should” are superimposed. In the discussion there was reference to a wayward “s”.

A discussion ensued about the timeframe of the transition schedule and how imperative it is that each candidate knows that there is a possibility of having a term limit of one year if the referendum of annual elections is approved by signing a release or acknowledgement.

Board Member Castle made a motion to accept the recommended attorney changes for section 4.05 (a) transition schedule; seconded by **Board Member Hoobin** and approved by unanimous voice call vote.

LEON JUDAY	AYE
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EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE

Section 3.02 (b); Removal of City Manager

In the discussion section ii; there is a typographical error of “come” and it should be “some”.

Board Member Castle wanted on record that these motions are being enacted on by the document of proposed Charter Review Committee Report with legal comments provided by the City Attorney’s office.

Board Member Castle made a motion to adopt the recommended attorney changes for section 3.02 (b) City Manager Removal as it appears on page twenty; seconded by **Vice Chair Juday** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

Section 3.03; Acting City Manager

Board Member Castle made a motion to adopt the proposed amendments in section 3.03 and add an “s” to the “week” making it plural; seconded by **Board Member Duncan** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

Section 3.04 (a) and (h); Powers and Duties of the City Manager.

Chair Coleman stated that after reviewing the context of the proposed Charter changes for section 3.04 (a) that the Charter Review Committee originally recommended, she thinks the proposed changes should be left alone.

This area was agreed to be left alone with no proposed changes.

Board Member Castle requested clarification on the word difference “all” city employees or “any” city employees.

City Attorney Murphy stated that this area could possibly be cleaned up as a scrivener’s error.

After some discussion it was also agreed to leave the wording alone.

Section 3.04 (h); Powers and Duties of the City Manager.

It was agreed to adopt the proposed Attorney changes in section 3.04 (h).

Board Member Castle made a motion to accept the amendments in section 3.04 (h); seconded by **Chair Coleman** and approved by unanimous voice call vote.

MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE

Section 3.05; City Manager supervision of departments.

A discussion ensued about protecting the City Clerk's and the Finance Director's positions from being held by the City Manager. It was agreed to place those job exceptions within the Charter.

Board Member Castle made a motion to accept the attorney's recommendations and language for section 3.05 as it appears on page twenty two; seconded by **Vice Chair Juday** and approved by unanimous voice call vote.

JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE

Section 3.07; City Attorney

Chair Coleman stated that she has noticed the City Attorney has placed legal comments within the document in this section. She shared her concerns that if it is written where the City attorney disagrees with the proposed changes legally, then it will carry great weight with the City Commissioners. She continued by requesting the City Attorney to remove his comments if he truly does not have a problem with the change.

City Attorney Murphy stated he could revise this area. He shared that all changes are subject to City Commission approval. He inquired about whether the Charter Review Committee's intentions are to eliminate the City Manager from the process of hiring a City Attorney.

After consideration by the Charter Review Committee, **Vice Chair Juday** made a motion to accept the attorney's version of Section 3.07 as written under the recommendations section at the bottom of page 22; seconded by **Board Member Castle** and approved by unanimous voice call vote.

WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE

GENERAL AMENDMENTS

Section 2.14 (c); Financial prohibitions

With a brief discussion, **Vice Chair Juday** made a motion to adopt section 2.14 (c) as written in the recommendation area at the bottom of page 23; seconded by **Board Member Duncan** and approved by unanimous voice call vote.

LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE

Section 3.06; Personnel system

Chair Coleman stated that in this section the Charter Review Committee wanted to insure that all personnel changes are adopted by ordinance. The word “may” is proposed to be changed to “shall”.

Board Member Hoobin made a motion to accept 3.06 Recommendation as written by the attorney on page 24; seconded by **Board Member Castle** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

Section 5.02; Charter Review

Chair Coleman explained this was the area requesting the Charter be reviewed in conjunction with the decennial census.

Without any objections it was agreed to allow for the renumbering and formatting changes as recommended by the attorney. **Board Member Castle** made a motion to accept 5.02 as written by the attorney with inclusion of the legal proposal; seconded by **Board Duncan** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

4. EDITORIAL COMMENTS

Board Member Castle made a motion to accept all recommendations presented within the editorial comments section; seconded by **Chair Coleman** and approved by unanimous voice call vote.

There is one typographical error in section vi; it should read “By contrast, resolutions need to be...

MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE

CONSIDER RECOMMENDING APPROVAL OF CHARTER RECOMMENDATIONS TO BE SUBMITTED FOR CONSIDERATION BY THE CITY COMMISSION.

Chair Coleman stated that the proposed document prepared by the City Attorney along with the adopted changes would be what the Charter Review Committee should consider to submit to the City Commissioners for the presentation of the final document.

Board Member Castle raised a question as to whether or not the original Charter document should accompany the Attorney’s document with the recommendations, additions, or deletions presented in strikethrough and underline format for comparison.

City Attorney Murphy stated it is not necessary and the Commissioners will be provided with sets of all the minutes from the past meetings.

Vice Chair Juday made a motion that this document as amended be the final report submitted to the City Commissioners for consideration; seconded by **Board Member Castle** and approved by unanimous voice call vote.

JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE
EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE

EXHIBIT “B”

Chair Coleman read into record Amendment number (1) one. There were no changes.

Amendment number (2) two. There were no noted changes.

Amendment number (3) three. Ballot language is correct by the 2.05 and 2.08 is duplicated.

Board Member Duncan stated that the change should occur in section 2.08; Procedure. He concluded by stating that then no changes will have to be made in section 2.05; Mayor.

Amendment number (4) four.

Ballot language was requested to be changed to read “proposing that the City Commission be authorized to fill vacant Commission seats by appointment until the next regular City election or the next April if no regular City election is scheduled within (12) months of the date of appointment.”

Amendment number (5) five.

There were no changes.

Amendment number (6) six.

There were no changes.

Amendment number (7) seven.

There were no changes.

Amendment number (8) eight.

There were no changes

Amendment number (9) nine.

There is a change in the (a) section of this proposed ballot language because it has been eliminated and will not go forward; (h) is still going forward.

Amendment number (10) ten.

There were no changes.

Amendment number (11) eleven.

There were no changes.

Amendment number (12) twelve.

There were no changes.

Amendment number (13) thirteen.

Ballot language needs amending.

Proposing that candidates for the office of City Commission may obtain signature nominations from no less than one percent of the total number qualified electors of the City as of the day before the first day of qualifying on a nominating petition to be created by the City Clerk and executed in accordance with the procedures published by the City Clerk at least 90 days before the qualifying period.

Amendment number (14) fourteen.

There were no changes.

Amendment number (15) fifteen.

There is a spelling error. Census not census. There was no substantive content change.

**CONSIDER FINAL FORM AND MANNER FOR CHARTER RECOMMENDATIONS
TO BE PRESENTED TO THE CITY COMMISSION.**

Chair Coleman explained that she would like to have a special workshop with the City Commissioners to go over the recommended amendments that the Charter Review Committee has proposed.

Vice Chair Juday disagreed and stated that there are no formal actions allowed in workshops.

A discussion ensued as to the various options of presenting the review document. It was determined that the Charter Review discussion be placed on a November 15, 2010 deadline. It was also agreed that the sunset date of the Committee would take place after the second reading adoption or rejection of the proposed Ordinance.

Vice Chair Juday made a motion to present the review report as a routine document given to the City Commissioners as a part of their agenda package; seconded by **Board Member Castle** and motion failed due to lack of majority voice call vote.

WILLIAM CASTLE	AYE	
LEON JUDAY	AYE	
EILEEN HOOBIN		NAY
MARY LOU COLEMAN		NAY
JOHN DUNCAN		NAY

Board Member Castle made a motion that the report be provided to the City Commissioners within their agenda packets for the November 15, 2010 meeting and a brief overview be presented by Chair Coleman at the City Commission meeting; seconded by **Board Member Hoobin** and approved by majority voice call vote.

LEON JUDAY		NAY
EILEEN HOOBIN	AYE	
MARY LOU COLEMAN	AYE	
JOHN DUNCAN	AYE	
WILLIAM CASTLE	AYE	

With expressions of gratitude and appreciation shared by all, **Board Member Castle** made a motion to adjourn the Charter Review Committee meeting; seconded by **Chair Coleman** and approved by unanimous voice call vote.

EILEEN HOOBIN	AYE
MARY LOU COLEMAN	AYE
JOHN DUNCAN	AYE
WILLIAM CASTLE	AYE
LEON JUDAY	AYE

ADJOURNMENT 7:46P.M.

Respectfully Submitted,

Linda Bourgeois,
Deputy City Clerk C.M.C.

**LAKE ALFRED CITY COMMISSION MEETING
FEBRUARY 17, 2020**

3.) PRESENTATION: DEPARTMENT UPDATES

ISSUE: The City Commission will hear a presentation and update from several of the City's departments.