

**DRAFT MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY, FEBRUARY 17, 2020
CITY HALL**

Call to Order: Mayor Nancy Daley

Invocation and Pledge of Allegiance: Pastor Bamberg

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, Community Development Director Ameé Bailey, Fire Chief Wallace Nix, Lt. J. Dempsey, Deputy City Clerk Mamie Drane, and other staff.

City Manager Announcements:

City Manager Leavengood stated 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. 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.

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

CSX Railroad has been closing multiple roads, the City received many calls and posts on FaceBook. Unfortunately, CSX is much like a force of nature, the City has no control or input over their actions. The City Manager gave an update on the repairs that have been made to-date, and with pictures, he showed the new material CSX used to replace the wood on the tracks at crossings.

Reporting on the City art initiative he stated the vendor of the bass sculptures had the five (5) blank statues ready to go while a sixth statue has been shipped to a painter to complete the finished bass.

City Attorney Announcements:

Assistant City Attorney Claytor cautioned the Commissioners to pay close attention to legislative updates as they are presented. There is still an active movement to erode Home Rule authority.

Recognition of Citizens:

Jean Britain, 370 S Echo Dr. thanked the City for cleaning the brush out along the shoreline at Echo Terrace fishing pier. She stated the walking trail is nice for seniors now since the benches have been added and the youth are enjoying the re-vamped playground at Echo Terrace.

David Kincaid 105 S Ilakee Ave. stated the work that CSX did at night, from 9:00 pm till 6:00 am was incredibly disruptive. He asked if there were any measures the City could impose to limit CSX's work time. CSX is impossible to contact, you have to leave a message and maybe they will call you back.

Assistant City Attorney Claytor stated the City is without jurisdiction or authority where CSX is involved.

City Manager Leavengood stated CSX is a Federal level entity, they have authority and presence that goes back 150 years. Unfortunately, there is nothing the City can do.

David Salito 720 N Buena Vista St. stated he parked his boat in the field next to the Beverage Castle, an officer called him and asked him to remove his boat. He moved his boat to 290 S Lakeshore and within 3 to 4 hours an officer came to his house to ask him to move his boat from that location. When he asked who sent the officer to his house he was told it was Miss Ameé.

City Manager Leavengood stated he was unsure of the connection with the Police Department typically a violation like this would be handled through Code Enforcement. He stated the first location Mr. Salito parked his boat was City-owned property. In regards to 290 S Lakeshore, when the City passed the Downtown Overlay Code, that stopped all outdoor storage. The code does not define consignment, but if it stays there overnight it is viewed as outdoor storage.

Mr. Salito asked why are there other vehicles allowed to park in the area, like the ones for sale next to the liquor store, but he is not allowed.

City Manager Leavengood stated he saw the van on the way to work, and Code Enforcement will be reaching out to the owner of the property. There are a few properties that would fall under a Grandfather clause but he is unsure of which ones qualify.

Rodney Thompson 640 N. Pennsylvania Ave. asked if Mr. Salito can park his boat at 290 S Lakeshore during the day only. He does not think this is against code. He was concerned that the City used a policeman to ask Mr. Salito to move his boat. He stated he did not think a parking violation warranted engaging the police to pay a visit to his home. He again asked if Mr. Salito can park his boat at 290 Lakeshore during the day.

Mr. Thompson stated he wanted to thank Director John Deaton for repairing Lake Alfred Dock and fixing the drainage on Evenhouse Rd. and for the restrooms being almost complete at the Highland Center.

Assistant City Attorney Claytor stated whether or not a violation exists on a property is a case by case analysis. He said he would like to speak with Director Bailey, review the City code and identify the property in question to see if there is a violation. Code Enforcement is a complaint-driven entity, if a complaint has been received relating to a potential violation it is not an abuse of power or authority to use the resources at hand in order to investigate a violation. Code

Enforcement is part-time and the Police Department does work with Community Development in enforcing the Code of Ordinance and Land Development Regulations.

Mayor Daley asked if he would be able to park his boat at one of the properties that have been grandfathered in.

Employee Recognition:

City Manager Leavengood congratulated Chief Nix on his promotion to Fire Chief. He said Chief Nix was born and raised in Winter Haven graduated from the Auburndale High School, class of 1980. He started in Fire Service in 1992 with the City of Lake Alfred and went full time in 2005. He also worked at a station in Winter Haven from 1997 – 2015, he started with Lake Alfred and he will be closing out with us. He has over 29 years of experience in the Fire Service. **Fire Chief Wallace Nix** was sworn-in by **City Clerk Ameé Bailey** and pinned by his wife.

Employee Recognition – Ameé Bailey 5 Years

City Manager Leavengood stated this is once again a rare opportunity for him to recognize one of his management team. Ameé Bailey came to Lake Alfred to fill the role of City Clerk when the former Clerk moved on to Haines City. She fulfilled the role of City Clerk for approximately three (3) years when the Community Development Director position became available. Ameé came to Lake Alfred with eight (8) years of experience as a long-range planner with Polk County. She has a master's degree in geography with a focus on GIS, which is the information systems. She was well qualified in that arena and she also remained City Clerk with Mamie assisting. Community Development Department is the trendsetter department for the City. All the development comes through that department first and impacts the other departments. It is a front line and a point of contact for the citizens. It is a difficult job enforcing the code on a daily basis. Ameé does a good job balancing everything. She handles it all well, she has the temperament and the mindset for the job. The experience and expertise she brings to the table are exactly what Lake Alfred needs. The City is looking at economic development and future development within the next five (5) years that will dictate what Lake Alfred looks like for the next ten (10) to twenty (20) years. This is a very important time for the City to have the full team in place and Ameé is a key member of that team. Congratulations on five (5) years of service with the City of Lake Alfred.

Mayor Daley stated the City is fortunate to have Ameé.

Consent Agenda:

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

Agenda:

1.) Public Hearing: Resolution 04-20 Support of High-Speed Rail

Assistant City Attorney Claytor read the Resolution title.

City Manager Leavengood stated 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 recommended the approval of Resolution 04-20.

Mayor Daley stated Congressman Soto encouraged all the Cities to support the initiative through resolutions. He has been attentive to the different causes, especially transportation throughout his jurisdiction, which includes some of Polk County. He is willing to meet with the Cities in Polk County and he is willing to take their concerns back to the Federal Government. He keeps constituents informed on how their tax dollars are spent. Sending in a resolution signify the City's support for the High-Speed Rail project.

Vice Mayor Dearmin stated he also has met Congressman Soto and he is very good to promote spending Federal dollars in our area.

Mayor Daley opened the public hearing, seeing no one, she closed the public hearing.

Vice Mayor Dearmin moved to approve Resolution 04-20; seconded by **Commissioner Lake**. The motion was approved by a unanimous voice call vote.

2.) Charter Review Discussion:

City Manager Leavengood stated 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. 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.

Mayor Daley stated the City Charter is to the City what the Constitution is to the United States, it is the founding document. The Charter review is not the only time that the Charter can be amended, it can be amended by referendum any time in between the ten (10) year reviews.

City Manager Leavengood stated the City Commission can pass an ordinance at any time that would facilitate the need for a referendum. The review process is formalized but the ultimate deciding factor is the City Commission, then the referendum would go on the ballot.

Mayor Daley asked if there is a guideline for the referendum language itself.

Assistant City Attorney Claytor stated each referendum can only have one subject and should be easy for the constituents to understand.

Commissioner Maultsby asked if the board could be comprised of more than five (5) members.

Mayor Daley stated it would be up to the Commission to make that decision tonight. She asked if the board could contain City staff.

City Manager Leavengood stated staff would act in the same capacity as they do for other boards.

Commissioner Lake stated when reading the Charter amendments from (10) years ago the City attorney played a part in recommending and guiding the Commission.

Mayor Daley stated she agrees with having the five (5) appointed board members and maybe an alternate, in case someone is absent. The committee will be voting on the issues as they are brought up and they will decide which ones to bring before the Commission.

City Manager Leavengood stated all of the amendments passed from the last Charter Review.

Vice Mayor Dearmin stated he agreed with Mayor Daley to have a five (5) member committee with one (1) alternate. The group from the (10) years ago were all on different committees or boards.

Commissioner Maultsby asked if each Commissioner would name one member.

Mayor Daley stated the Commission could go into the City and talk with residents and find individuals that may be interested in serving on the Charter Review Committee.

City Manager Leavengood stated the Charter is nonspecific on the recruitment of members. Nothing is pressing at this time and the Commission could wait until they have time to talk to a few citizens and find ones that are interested. Staff will be happy to contact your selections. It is at the Commission's discretion.

Mayor Daley asked if the Commission decides now how many will be on the committee.

City Manager Leavengood stated it will be up to the Commission to decide, however, no decision is required as this is a discussion.

Commissioner Eden stated he would be in favor of a board of seven (7) members.

Assistant City Attorney Claytor stated it is important to remember that this is an advisory committee there is no authority being delegated to this committee. They will receive and evaluate input and then they will make recommendations to the Commission. The minutes from those meetings will be available to the public, including the issues that do not receive a favorable vote. It is important not just to have input from the five (5) members but to get community input as well. The Commission will still receive the transcript if there was an item that did not receive a positive vote you would be able to see that.

Commissioner Lake stated the more members on the board will mean more input on the issues.

Commissioner Maultsby stated the board should be comprised of an odd number of members.

John Duncan 200 Ramona Ave. stated ten years ago he was on the Charter Review and he had suggestions about the up-coming Charter Review review process. He suggested term limits for the Commissioners be one of the referendums and to let the committee set the agenda. He stated he would also like to serve on the committee again.

Commissioner Maultsby stated citizens have already decided on term limits, let the people decide during the voting process.

Assistant City Attorney Claytor stated this is an issue to be brought up by the constituents or anyone in attendance at the advisory committee when they meet to discuss Charter Review items. If that is something that is felt strongly about during the meetings it should come back to the Commission. That is why advisory committees exist to allow the public to voice their concerns over issues.

City Manager Leavengood stated there will not be an aggressive slate of items from staff. From a staff perspective, there have not been many issues in terms of how the Charter functions. It will take more than one meeting, there will be an organizational meeting with the committee to review the history and the process will evolve from there.

Mayor Daley stated there will be a meeting in March to decide how many members will be on the committee and how they will be selected. She asked when will the referendums be on the ballot.

City Manager Leavengood stated the referendums will be included on the City ballot in April 2021.

Commissioner Maultsby stated it will be an opportunity for citizens to volunteer to be on the committee.

Margaret Pestone 160 W. Haines Blvd. asked if the Charter was available online.

City Manager Leavengood stated the Charter can be found on the Municode website and it can be found on the Lake Alfred website.

Brenda Arnold 435 W. Pierce St. stated she would like to be on the Committee.

David Kincade stated he would like to be considered to be on the Committee.

3.) Department Updates:

Finance Director Amber Deaton stated the Finance Department started using the ADG Accounts Receivable module this past year due to other departments billings, which totaled over \$200,000 in revenue for 2019. Accounts Payable started processing Automatic Clearing House (ACH) payments, for vendors and utility billing. The City started the process of procurement through Demandstar in 2019. Anyone can go to the City's website and obtain a bid packet for any jobs the City may have posted. The network upgrade took place this year and with assistance from the IT Director from Auburndale, Jee Hoon Kim. The City staff completed cybersecurity training. The City also upgraded to Windows 10 from Windows 7. The Fund Balance Policy was upgraded and In December the Water Meter reading software was improved. Before the upgrade, it took two men with two trucks a day and a half to complete the meter reading for the City. With the upgrade, it takes six hours and two people. The Finance Department received both the Distinguished Budget Award and the Certificate of Achievement for Excellence in Financial Reporting this year.

The Goals for this year include increasing the ACH payments, updating the Finance Manual and continue cross-training. She thanked the Commission and City Manager for all they do for her department. She commended her staff for doing a great job.

Vice Mayor Dearmin also commended her staff as being gracious with every citizen that comes in the building.

City Manager Leavengood expanding on the procurement side, he stated Amber took ownership of the process, the City wanted the benefits of the larger organizations without the red tape and bureaucracy tied to it. The City has that now. We are working on producing an agreement template to go along with the bid documents.

Community Development Director Bailey In preparation for the Unified Land Development Code (ULDC) changes staff has worked with the Regional Planning Council to draft policies to consider changing in the Green Swamp Area of Critical Concern and sent them to the state. Any time the City is requested to change the Land Use of a property, it changes the Comprehensive Plan we had one change this past year with the Barry Property. The ULDC is the City's mid-range planning document, and it details what development should look like within the City. When a developer wants something outside of the code they ask for a different type of application process, recent examples are the Planned Unit Development (PUD), conditional uses. This year the City has also processed applications for the Eden Hill Development, the Florida Club, 7-Eleven and Discovery High School.

The staff began the ULDC rewrite last year, and it is a long process. In December we received the complete first draft of the ULDC from GAI, the consultant. Staff is working through the different revisions with GAI. This will be the main focus of Community Development through the upcoming year. As part of this rewrite, the Comprehensive Plan will require companion amendments to accompany the ULDC.

Staff is looking for a change in how the Green Swamp is regulated and how development is regarded. Director Bailey recommended having residential development above twelve (12) units per acre. If the opportunity for townhomes or apartments arose, the restriction of twelve units per acre would prohibit that type of development.

The FDOT lane repurposing study is complete and will be included in the FDOT's long-range transportation plan. In 2019 the community rating system was updated, the City's ISO rating went from a seven (7) to a six (6). The CRA Façade Grant was created, and the downtown parcel remediation was also completed this past year. The local mitigation strategy update is a five (5) year update, being led by the County, which will define how the local jurisdictions prepare for emergencies.

This past year the City had several annexations, the City has not had annexations since 2008. The City has been contacted by several large property owners that have requested annexation. In 2019 the larger developments that have gone through site plan review include The Lakes Tract 5, 7-Eleven, and the Dollar General on Hwy 17/92. As the City goes into 2020 site plans have been turned in for Ace Hardware, Eden Hills Subdivision and Discovery High School Phase 4, Humanities Building. Staff is anticipating the Polk County Government Center, The Florida Club, and the Gum property site plans being submitted by the end of the year.

Director Bailey stated there have been several plat acceptances this past year comprising of The Lakes Tract 4, Waters Edge and Willcar Estates. The City acquired several roads from Polk County including Hainesport, Buena Vista, Lake George, Pierce, and Lynchburg. The City accepted roads and stormwater for Tract 1, 2, and 3 of The Lakes and took over several easements in 2019. This upcoming year the City will accept Tract 5 and Eden Hills plats and process the acquisition of the roads in Lake Alfred Estates and Magnolia Ridge.

In 2019 the Building Department processed 439 permits and issued 46 new home permits. There were 1,996 Building inspections and 217 Lien Searches.

The Community Development Departments' goals for 2020 include cross-training of personnel, the Comprehensive Plan and the ULDC update, software updates and online access for applications. She stated she is thankful to be here and is looking forward to completing the ULDC rewrite.

City Manager Leavengood stated he attended a meeting at FDOT headquarters where they discussed that now that the planning study is complete how does the City get the needed funding. The FDOT priority list now requires a second review.

Commissioner Maultsby asked how many homes does the mobile home park have and does the City have enough capacity for them and the long-range projects.

Director Bailey stated the mobile home park has 210 homes, most of the homes are already on City water and some are also on City sewer.

Vice Mayor Dearmin asked about Ace Hardware is anything going on with the developers.

Commissioner Lake asked if Ace Hardware still had plans for the old bank building.

Director Bailey stated they have submitted site plans and have asked for a few variances. The Planning Board will be meeting on February 25 to go over those plans. The bank building has been gutted, during that process, the developer realized the bank building was not suitable for their original plans. The owner of Ace Hardware has partnerships with restaurant owners, his goal is to have a restaurant or two establish themselves in the bank building.

Mayor Daley asked if the roads in Eden Hills will be taken over by the City.

Director Bailey stated the City will accept the roads, the developer will build the roads then the City will take over the roads.

Commissioner Lake asked what the difference is between a Building Official and Building Inspector.

Director Bailey stated a Building Official has more certifications and can inspect both residential and commercial. The building Official reviews and approves plans and can condemn a building.

Mayor Daley asked about adding restrictions for PVC fencing in the ULDC, and where does the City have the ability to restrict the type and placement fencing.

Director Bailey stated it is a balancing act, and it would be a policy decision.

City Manager Leavengood stated the street design and house placement plays a big part in the fencing in a subdivision. There are also different requirements that the City could enforce, such as landscaping in front of the fencing.

Discussion ensued regarding fencing throughout the City.

Vice Mayor Dearmin stated the Community Development Department staff he stated they do a great job.

Commissioner Eden asked what is the strategy for marketing the City property.

Director Bailey stated staff is planning to have everything ready by the Fall for the marketers' upcoming session.

City Manager Leavengood stated the code compliments the economic development, the City can not dictate the market but it can help facilitate what is progressing in the larger economic development.

Fire Chief Nix stated the Fire Department has gone through growing pains in 2019, with all the promotions, positions changes and retirements. In December he was promoted to Deputy Chief in anticipation of Chief Costing retiring. Firefighter Robert Turner was promoted to Captain, he has been with the City for 15 years. Jason Lamanna, one of the new firefighters, was promoted to Shift Captain. He continued to introduce the other firefighters highlighting their careers and longevity. Captain Jeff Allen started with the Lake Alfred Fire Department as a volunteer while still

a teenager. He retired, after 22 years with the department as a Captain, February 14th, he will remain with the department as a part-time firefighter.

Chief Nix stated he is certified in fire officers 1 and 2 (FO1 & FO2), EMT, fire inspector, fire investigator, and a hydraulic pump certification. **Captain Turner** is certified with FO1 and FO2, fire inspector 1 & 2, fire investigators 1 & 2, EMT, and child fire starter program. **Brian Beasley** is a paramedic, FO1 and is working on the fire inspector certification. **Jason Lamanna** has FO1 and is working on certification of a hydraulic pump. **Charles Parr** has been in the fire service for 38 years and he has been a driver/engineer with the City of Winter Haven for over 26 years. All of the veteran firefighters have stepped up and are making sure all the new firefighter are trained on the trucks and equipment.

Over the next two (2) to three (3) years the Department is hopeful of being able to replace the old engine with a new one with a clean cab. The department has received new radios upon finding out the existing radios will no longer be serviceable. There is a new GIS solution for the hydrant system, going into the department it will aide in the immediate location of hydrants throughout the City. **Chief Nix** went over the annual equipment testing and the call volume, totaling 743, for 2019. In 2019 the Lake Alfred Fire Department, along with several surrounding Cities, has implemented a policy about the type of call response. By eliminating the non-life threatening, alpha calls, or lift assist calls, that have a tendency of pulling resources away from Lake Alfred residents, call volume will decrease in the future.

Commissioner Lake asked if any of the Part-Time firefighters were on call on a 24-hour basis.

City Manager Leavengood stated every fight fighter gets the alert but the City only needs two to respond.

Mayor Daley asked if dispatch replies that no one will be coming to the non-life threatening calls.

Chief Nix stated if they are told that it is a minor injury or ailment from the County they inform the caller that they will be monitoring the channel.

City Manager Leavengood thanked Chief Nix for the insight into the level of communication and decision making.

Vice Mayor Dearmin commended the Fire Department staff.

Commissioner Eden also commended the department. He personally experienced the work of the Fire Department when he called 911 for his infant son.

Recognition of Citizens

No comments.

Commissioner Questions and Comments:

Mayor Daley congratulated the City on the retirement party for Chief Costine. She invited everyone to come out and see the Garden Room at Mackay Gardens. She commended the Public Works Staff for the correct trimming of crepe myrtles.

Commissioner Eden stated he is looking forward to the two upcoming events, Heritage Day and the Multi-Cultural Achievement Day. He thanked the Department heads for their presentations.

Commissioner Maulsby stated he is happy we have started the annexations, and he thanked the police and fire department for their prompt response when someone called them for him.

Commissioner Lake congratulated the new Fire Chief and Ameé Bailey as the Community Development Director. He stated he is now the Chairman of the Transportation Planning Organization.

Vice Mayor Dearmin thanked the Department Heads and Congratulated Chief Nix.

With no other business, the meeting was adjourned at 10:15 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by,



Ameé Bailey
City Clerk