

**MINUTES  
CITY OF LAKE ALFRED  
CITY COMMISSION MEETING  
MONDAY MAY 15, 2017  
7:30 P.M.  
CITY HALL**

**Call to Order:** Mayor Charles Lake

**Invocation and Pledge of Allegiance:** Pastor Blocker

**Roll Call:** Those in attendance were Mayor Charles Lake, Vice Mayor Nancy Daley, Commissioner John Duncan, Commissioner Jack Dearmin and Commissioner Albertus Maultsby.

Staff attendance: City Manager Ryan Leavengood, Attorney Frederick John Murphy, City Clerk Ameé Bailey-Speck, Police Chief Art Bodenheimer, Fire Chief Chris Costine, Public Works Director John Deaton, and Finance Director Amber Deaton, and Parks and Recreation Director Richard Weed.

**CITY MANAGER ANNOUNCEMENTS**

**City Manager Leavengood** stated the City will be closed in observance of Memorial Day on May 29th.

The Florida Association of City Clerks, Class of 2017 has chosen to support veterans as part of their community service projects. They are collecting items to provide to veteran organizations around the state. Each member of the class, including our current clerk, Ameé Bailey, will be distributing items to local districts, cities and towns; in addition we will be distributing items to the state for homeless veterans. May is a great time to donate items in recognition of Memorial Day. Please contact Ameé if you have any items you would like to donate.

**City Manager Leavengood** provided several facilities updates. The Hughs' Building renovations are complete and include an employee break room, storage area, and a room for the Friends of the Library. Handrails were added to the new dock at Lions Park and the remains from the previous dock were removed to allow for mooring. Public Works has replaced several culverts, stormwater drains and man-holes. Two of the remaining downtown signs have been installed (Gardner Park from Haines City and on CR 557 near Growers Fertilizer). The Mackay sign is still under construction.

He also stated that the City had received a certificate of appreciation for hosting the Discovery Leadership Team.

**CITY ATTORNEY ANNOUNCEMENTS**

**City Attorney Murphy** stated the legislative session ended and they are reviewing the effects for cities. One item of interest would make a change to public records attorney fees and notice.

## **RECOGNITION OF CITIZENS**

**Jean Brittain**, 370 South Echo Dr. stated she appreciated the staff and the work around Echo Terrace (stormwater, parks, and safety).

**Vice Mayor Daley** thanked Mrs. Brittain for bringing issues to the attention of the City.

### **Proclamation: FACC 45<sup>th</sup> ANNIVERSARY**

Mayor Lake read a proclamation to recognize Municipal Clerks Week and the 45th Anniversary of the Florida Association of City Clerks. He urged all citizens to extend appreciation to our Municipal Clerk and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent. The proclamation was accepted by **Cheryl Mooney, MMC**.

**Cheryl Mooney, City Clerk for the City of Temple Terrace and the Central West District Director for the Florida Association of City Clerks** thanked the Commission. She also thanked the Commission for the opportunity to recognize City Clerk Ameen Bailey for obtaining her Certified Municipal Clerk designation.

Mrs. Bailey has been employed by the City of Lake Alfred since February 2015 as City Clerk. Prior to joining the City, she worked in the planning department at Polk County for 10 years. She became a member of the Florida Association of City Clerks in 2015 and attended her first Training Academy in June 2015.

Currently, the Florida Association of City Clerks has 606 members. Of the 606 members, there are 219 members who have reached the Certified Municipal Clerk designation.

The Certified Municipal Clerk program is designed to enhance the job performance and recognizes the professionalism of the Clerk's office in small and large municipalities. To earn the Certified Municipal Clerk designation, a Clerk must attend extensive education programs and requires experience in a municipality. The program prepares the applicants to meet the challenges of the complex role of the Municipal Clerk by providing them with quality education in partnership with institutions of higher learning.

Ms. Mooney shared her appreciation for Mrs. Bailey. Mrs. Bailey has served as the Secretary for the Polk County City Clerk's Association and Chair for the Polk County GIS users group. She is also the secretary of the FACC 2017 graduating class coordinating their class project to support Veterans. Her graduating class collects supplies for local veteran organizations and provides other supplies to the state for homeless veterans.

She thanked the City for their support of Mrs. Bailey and congratulated her on her efforts as one of our newest Certified Municipal Clerks.

**City Manager Leavengood** also congratulated Mrs. Bailey for the Certification of Clerk and the importance of the position.

## CONSENT AGENDA

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

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

## AGENDA

### 1.) ORDINANCE 1380-17: DRAWING OF LOTS

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated On November 3, 2014, the City Commission adopted several ordinances suggesting changes to the Charter regarding the Election Processes. Ordinance 1342-14 proposed referendum language to amended Article IV, Section 4.05(c) of the Charter to require all ties in and/or for municipal elections to be decided by a drawing of lots. The language suggested that the specific process would be determined by an Ordinance to the Code of Ordinances. Subsequently, on April 7, 2015, the citizens voted on and approved the amendments to the Charter. The proposed Ordinance provides guidance for a specific process that would meet the requirements of the Charter and Florida Law.

**Staff** recommended approval of Ordinance 1380-17 on first reading.

**Vice Mayor Daley** asked if there would be a recount before the drawing of lots.

**City Attorney Murphy** stated as a requirement of state law any tie or close-call would be recounted and would determine if the recount would need to be manual.

**Vice Mayor Daley** moved to approve Ordinance 1380-17 on first reading, seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote. There were no citizen comments.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

### 2.) ORDINANCE 1382-17: WATER SUPPLY PLAN

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated in 2005, the Florida Legislature made significant changes to Chapters 163 and 373, F.S., to strengthen the link between land use and water supply planning. The requirements adopted affect local comprehensive planning programs:

- Ensuring intergovernmental coordination with regional water supply authorities;
- Ensuring that the local government's future land use plan and development approvals are based upon the availability of adequate water supplies; and
- Identifying and including selected "alternative" water supply projects in the comprehensive plan, consistent with Southwest Florida Water Management District's Regional Water Supply Plan adopted December 2006 and updated in November 2015.

A Ten-Year Water Supply Facilities Work Plan has been prepared. It identifies existing water service providers and water supply facilities within the Lake Alfred Public Water Service Area, conservation practices and future water needs based on projected population estimates. Based on the Ten-Year Water Supply Facilities Work Plan, amendments to various elements of the City's Comprehensive Plan have been drafted. Also included is the City's 5-Year Capital Improvements Plan which outlines the City's identified Capital Improvement projects for the five-year period covering FY 2016/2017 thru FY 2020/2021.

On Tuesday, April 11, 2017, the Planning Board held a public hearing on the proposed amendments and unanimously voted to provide a recommendation of approval to the City Commission.

**Pat Steed, CFRPC** stated the City is within the Southern Water Use Caution Area (SWUCA) which has a 150 gpcd. The City's adopted level of service is 130 gpcd. The level was exceeded in 2012 and 2015 giving a five year average of 132 gpcd. The consumption rate is then multiplied by the population to project future needs. The current water use permit is for 1.3 million gpd and expires in 2023. Based on the projected demand the City is projected to exceed the permit capacity in 2025. Therefore, the City is participating in the Polk County Water Cooperative initiative. The water supply plan requires conservation efforts such as a continual audit of the system to determine areas that need repairs or to be replaced, requiring low volume plumbing fixtures in new homes, requiring Florida friendly landscape in new developments, maintaining the water conservation rate structure and education of the residents in water conservation. The City should be in good shape for a period of time and in five years this issue should be revisited. The City is already implementing conservation measures such as upgrading facilities, enforcing the new utility rates, and other conservation measures.

**City Manager Leavengood** stated the City has the capacity to pump over 3 mgd, however there may be permit limitations to water supply permits in the future. The SWFWMD will not allow for additional permitted capacity without alternate water supply methods in place such as deep well injection or desalination. The new user rate system will assist in lowering the per capita use. Water conservation is something the City will have to actively manage from here on as the City experiences growth.

**Staff** recommended approval of Ordinance 1382-17 on first reading and forward to the Department of Economic Opportunity for review.

**Commissioner Dearmin** moved to approve Ordinance 1382-17 on first reading and to transmit to the Department of Economic Opportunity, seconded by **Commissioner Maultsby**.

**Vice Mayor Daley** asked if the City had any authority to require conservation and ability to override HOA watering requirements.

**Commissioner Duncan** asked about adding to the Lake Alfred app for reporting miss-use of irrigation. He also asked about drought restrictions, how much water is used for irrigation, and if lake water can be used for irrigation.

**Mayor Lake** asked if there was any way to determine the water sources for yard watering and if information could be posted on the website or provided to HOAs.

**City Manager Leavengood** stated having a language in the comp plan is the first step. One of the biggest concerns right now is unregulated irrigation wells are still allowed and residents have no idea how much they are using monthly. There is a societal cost associated with this usage. It would be better if they were on a regulated system. The City does not track water usage by other sources or water strictly used for irrigation unless a resident has a separate irrigation meter. The City needs to work with the other cities, County and the WMD to regulate and educate about water usage.

**City Attorney Murphy** stated that with a concerted effort with other regulatory agencies.

**Community Development Director Bailey** stated that water usage is policed by the water district, especially during droughts. Just like Code Enforcement it is citizen based calls, they monitor communities and notify residents when they water their lawns on the wrong days, and they do issue tickets.

**Public Works Director Deaton** provided the current SWFWMD guidelines of watering two days a week. A resident can use lake water for irrigation, however they must follow the same watering schedule. He went on to say if anyone sees a broken sprinkler please notify Public Works and they will contact the home owner. Public Works is also required to report any violations issued.

The motion was approved by unanimous voice call vote. There were no citizen comments.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

### **3.) ORDINANCE 1383-17: UTILITY VACATION POLICY**

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated In January of 2016 the City entered into a continuing service agreement with Raftelis Financial Consultants to perform a utility rate study. The goal of the study was to restructure the existing rate system to be more equitable and to promote conservation by lowering the base rate and having a larger portion of the utility bill based upon usage. The new rate system removed the 6,000 gallons included in the old base rate of \$53.49. It also lowered the base rate to \$38.45 with a usage charge applied to every 1,000 gallons used by each customer. The new rate structure was designed to be revenue neutral with a breakeven

point between the rate two systems for individual customers at approximately 4,500 gallons of usage per month.

By establishing a base rate without any usage included the City established a true “service availability fee.” A side effect of this change was the effective removal of the City’s informal vacation policy that allowed part-time residents to shut off service (or to keep irrigation on) and not pay for water or sewer service at their residence when they were away. The vacation policy, in effect, is already built into the new rate structure since each customer is no longer charged for usage when they are away (whether it’s for the weekend or six months). The base service charge represented everyone’s fair share of the cost in having the service available. This type of setup is also consistent with the fact that approximately 80%+ of the cost of providing utility service is fixed.

However, based on utility customer feedback, city staff and Raftelis took a second look at the vacation rate to see if there were any other options to consider. In summary, even though we lowered our base rates under the new system, other utilities in our area still have considerably lower base rates (and higher usage charges) and by extension lower vacation rates:

	Minimum Bill	Vacation Rate	
Old Lake Alfred:	\$53.49	\$0-\$19	Old Rate (Mariana paid \$19)
New Lake Alfred:	\$38.45	\$38.45	Existing Rate: 100% Base Charge
		\$19.23	Proposed Rate: 50% Base Charge
Auburndale:	\$48.38	\$0 - \$10.67	
Bartow:	\$31.87	\$17.67	
Lake Wales:	\$31.77	\$15.89	
Winter Haven:	\$18.07	\$18.07	
Dundee:	\$77.95	\$17.00	

A fifty percent (50%) reduction in the base rate would bring our vacation rate for inside customers to \$19.25 which is consistent with the other vacation rates that Raftelis looked at in our area (\$24.06 for outside customers with the 25% outside customer surcharge which is also consistent with the petition we received from the residents of Mariana Acres for the \$25 a month rate).

In the original rate study Raftelis averaged out part-time residents for revenue and rate purposes (i.e. they treated 2 part-time residents as one resident). As a result, any vacation rate option the Commission selects will not have a financial impact to the utility.

The proposed ordinance provides a vacation policy with a fifty percent (50%) credit on base service charges for residential customers for the months they have no appreciable water usage

on their home meter. The vacation policy is available to residential customers that are away for a minimum of two months and may receive a maximum credit for up to six months in a given year.

In the future (5-15 years), as we and the other surrounding utilities move into higher cost alternate water supply projects and conduct rate studies to accommodate these large capital expenses it is uncertain whether these types of policies will be able to continue.

**Staff** recommended approval of Ordinance 1383-17 on first reading.

**City Clerk Bailey** stated some minor changes were made and the updated documents were provided to the City Commission.

**City Manager Leavengood** stated that Mr. Juday pointed out the provision that a landowner cannot receive a lien for a tenant's utility bill.

**City Attorney Murphy** stated the information from Raftelis dated March 10, 2017 which is included as back-up to the ordinance.

**Commissioner Duncan** asked if residents in Marianna Acres have one or two meters.

**Public Works Director Deaton** stated there is a small amount of residents in Marianna Acres that have two meters. Residents in Kingspoint have two meters.

**Lowell Schmidt**, 365 East Sandford St. asked if the irrigation and potable water have the same cost and if a resident can use lake water for irrigation.

**Commissioner Maultsby** asked how the policy would be applied to a resident in a mobile home park and if it would save them money if they annexed.

**City Manager Leavengood** stated the water rate is the same for potable or irrigation water. The water cost is the same for a mobile home or site built home. The sewer charge for a resident with only one meter is capped at 10,000 because it is assumed that the resident is using the water for irrigation. Residents could save money by annexing and would receive City services.

**Commissioner Duncan** moved to approve Ordinance 1383-17, with Mr. Juday's correction, on first reading, seconded by **Commissioner Dearmin**. The motion was approved by unanimous voice call vote.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

#### **4.) ORDINANCE 1384-17 - BUSINESS TAX RECEIPT INCREASE**

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated pursuant to Florida Statutes Chapter 205, local municipalities may levy a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction every other year. State law also allows the business tax levy to be increased by up to five percent (5%) every other year. The City Commission approved the five percent increase in 2011 and rejected the rate increase in 2013 and 2015.

The City currently issues 234 business tax receipts to businesses that operate within the City limits and receives approximately \$10,000 in revenue from the fee. The proposed increase of 5% would produce an approximate increase of \$500 in revenue. If approved, the proposed increase would take effect on June 30, 2017 and be reflected in the FY 17/18 Budget. Per state statutes, the next opportunity for a rate increase will be in 2019.

The primary function of the business tax receipts is for the City to have a record of businesses that are operating within the city limits and to initiate contact with new businesses so that we can perform inspections. As with previous years, staff has no objection with rejecting the rate increase as the revenue increase it would generate is minimal.

There is no **Staff** recommendation on this item.

**Vice Mayor Daley** moved to reject Ordinance 1384-17, seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote. There were no citizen comments.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>
<b>COMMISSIONER DUNCAN</b>	<b>AYE</b>
<b>COMMISSIONER MAULTSBY</b>	<b>AYE</b>

## **5). MASTER CONSULTING AGREEMENT: GAI CONSULTANTS**

**City Manager Leavengood** stated on March 20<sup>th</sup>, 2017 the City Commission gave staff approval to pursue a Master Consulting Agreement with GAI Consultants for preparing a Citywide Parks and Recreation Master Plan.

The proposed agreement establishes a general basis between the firm and the City for performing services (umbrella agreement). Specific projects or services will be carried out under separate agreements or “task orders” that will specify the scope, timeline, cost, and other provisions specific to each project. This setup is identical to the engineering services provided to the City through CPH through a master agreement.

**Staff** recommended approval of the Master Consulting Agreement with GAI Consultants.

**Vice Mayor Daley** moved to approve the Master Consulting Agreement with GAI Consultants, seconded by **Commissioner Dearmin**. The motion was approved by unanimous voice call vote. There were no citizen comments.

<b>MAYOR LAKE</b>	<b>AYE</b>
<b>VICE MAYOR DALEY</b>	<b>AYE</b>
<b>COMMISSIONER DEARMIN</b>	<b>AYE</b>

COMMISSIONER DUNCAN  
COMMISSIONER MAULTSBY

AYE  
AYE

## 6). GAI CONSULTANTS: TASK ORDER #1: PARKS & RECREATION MASTER PLAN

**City Manager Leavengood** stated the proposed Task Order #1 with GAI consultants for the Park Master Plan provides for an inventory and analysis of existing facilities; public, staff, and community input; identified projects; and implementation plan. These elements will form together to create a vision and master plan which will guide future projects and investments into the City's parks and recreation services and facilities.

Funding in the amount of \$30,000 has been included in the current fiscal year budget for the Parks and Recreation Master Plan.

**Staff** recommended approval of Task Order #1 with GAI Consultants in the amount of \$30,000.

**Commissioner Duncan** asked about public meetings with the residents.

**Kristin Caborn** stated there will be only one meeting but there will be a lot of opportunity for input. GAI will be setting up focus groups that will be open to the residents at different times, to include everyone that is interested. The outreach events include one open public meeting, focus group meetings (open but require RSVP), staff work shop, Commission workshop (public meeting), and a Parks and Recreation Board meeting (public meeting).

**City Manager Leavengood** stated they had discussed outreach events. The task order is the starting point and as we get into the project, if we need to add an additional events, they can be added.

**Commissioner Dearmin** moved to approve Task Order #1 with GAI Consultants in the amount of \$30,000, seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote. There were no citizen comments.

MAYOR LAKE  
VICE MAYOR DALEY  
COMMISSIONER DEARMIN  
COMMISSIONER DUNCAN  
COMMISSIONER MAULTSBY

AYE  
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## RECOGNITION OF CITIZENS

**Errol Evens** asked if the City would address traffic on Hwy 557 and the railroad crossings.

**City Manager Leavengood** stated The CSX and County Road 557 were repaired a few years ago by CSX, although they did not hold up very well. Neither County Road 557 nor the CSX railroad are within the City's jurisdictions. The City has made CSX and the County aware of the problems on CR 557 and SR 17/92. FDOT has evaluated the light timing.

**Community Development Director Bailey** stated that FDOT has funded a study for Hwy 27 involving alternative routes. County Road 557 has been identified as one of the alternative routes for Hwy 27, as a result they have upgraded the status of CR 557 to a regional roadway.

Changing the status opens up more funding opportunities and they can look at the process for four lanes. Also, the FDOT has agreed to fund a study to evaluate the traffic movement at Pomelo and CR 557.

**Joyce Schmidt**, 365 East Sanford St. asked about a public meeting to educate the public on water conservation measures with an advertisement on the new digital board.

**Public Works Director Deaton** stated the City is working with other cities to apply for a grant program for low flow toilets, aerators, and low flow fixtures along with several other conservation tools, and education.

**Mayor Lake** asked about a public service announcement.

**City Manager Leavengood** stated the changes to the rates and grant opportunities to change out fixtures will assist in reducing water use. The City can use the website and social media to announce the programs.

**Wes Warren** 2137 Lois Blvd in Lake Marianna Acres and the President of Lake Marianna Acres HOA thanked the City Commission for the utility vacation rate.

**City Manager Leavengood** stated the vacation rate change was passed on first reading and will be heard in two weeks for final action. If approved, a notice will be sent out with the utility bill.

### **COMMISSIONER QUESTIONS AND COMMENTS**

**Commissioner Maultsby** thanked the Police and Firefighters for their work.

**Mayor Lake** stated this is National Police Week, and flags at half-staff today. He congratulated Ameer on her Certified Municipal Clerk designation and that May 26 is the last day Langs restaurant will be open for the season. There will be an event at the Historic Society on Saturday May 27<sup>th</sup>.

**Vice Mayor Daley** congratulated City Clerk Bailey on her accomplishments. She stated that there is a new rack card at Mackay that show the trails and lakes around the Mackay property. She also asked about the 'for sale' sign that was taken down at the Buchanan property.

**City Manager Leavengood** stated it was in part due to a request by Grays and to update the signs. The new signs will reflect the additional acres.

**Commissioner Duncan** stated there is a City Managers meeting hosted by the Ledger. He then asked about the Gardner house grant funding, and the drainage project on Shinn Blvd. He also thanked the City for the Lions Park dock railings.

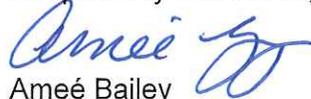
**Ron Schelfo**, 640 East Lakeview Rd. asked about drainage at SR 17/92 and Cummings.

**City Manager Leavengood** stated he was aware of the Managers meeting and the main topic will be the Water Coop. The work is on line relocation in preparations for the July roadway projects.

**City Clerk Bailey** stated the grant funding is still unclear.

**Commissioner Dearmin** hoped everyone had a wonderful Mothers Day.  
With there being no further business to discuss, Mayor Lake adjourned the meeting at 9:23 pm.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Ameé Bailey". The signature is stylized and cursive.

Ameé Bailey  
City Clerk