

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY MAY 20, 2019
CITY HALL**

Call to Order: Mayor Nancy Daley

Invocation and Pledge of Allegiance: Pastor Billy Bamberg

Mayor Daley requested a moment of silence for the passing of Mallie Free, a former Commissioner and Mayor of Lake Alfred.

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

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, Police Chief Art Bodenheimer, Public Works Director John Deaton, Deputy City Clerk Mamie Drane, and other staff.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood announced the City Offices and the Lake Alfred Public Library will be closed on Monday May 27th in observance of Memorial Day.

Thursday, May 30th, from 6:00 pm – 7:00 pm the City will host a Community Discussion to gather input on the proposed Unified Land Development Code and Comprehensive Plan Amendments.

The Lake Alfred Summer Recreation program starts on June 10th at Lake Alfred Elementary. The Library will be providing special events open to everyone. Space is limited. Contact the Parks and Recreation Department for dates and times.

The family of Commissioner Free has invited everyone to the service at the Oak Grove Cemetery, Thursday, May 23rd at 10:00 am. There will also be a gathering after the service at the Methodist Church.

City Manager Leavengood gave an update on the new playground equipment at the Echo Terrace and Highland Park Playgrounds and also the installation of equipment along the Veterans Trail.

On May 14th he made a presentation at the Polk County City Clerks Luncheon. He spoke on the State of the City, and of the advantages and challenges that come with the rapid growth and development. The City Clerk of Haines City relayed that Haines City had 9,000 planned single family homes going in throughout the City. He stated most clerks commented that their cities were encountering the same growth as Lake Alfred.

CITY ATTORNEY ANNOUNCEMENTS

Assistant City Attorney Claytor said as this was his first Commission Meeting since the election he would like to congratulate the newly sworn in Commissioner, Brent Eden, Mayor Daley and Vice Mayor Dearmin.

RECOGNITION OF CITIZENS

Jean Brittan 370 S Echo Dr. stated her family has been enjoying the Veterans trail and the added equipment. She said they did have a concern of trash along the trail and asked that trash receptacles be added at various locations on the trail. She also reported broken concrete that had been stacked up at one of the exercise stations.

Penny Halley 130 E Columbia St. stated she called the City a couple years ago and asked when Columbia St. would be repaved. She was told Columbia St. was designated for the 2019 paving schedule. She asked if there were plans to repave Columbia St. this year. She also said brush pick-up has been disrupted, she would like to know the schedule for yard debris pick-up.

Director Deaton stated there are only a few streets on the East side that were not paved. Columbia St. is on the list, but unfortunately, it did not make the budget cut this year. In answer to the pick-up schedule, he said the schedule for the East side debris pick-up, is starting mid Tuesday and all of Wednesday.

City Manager Leavengood stated he will check the list as well, there are a lot of streets that are in comparable shape. At the worst case it will be in the next funding cycle, in 2020. There may be something that can be done to buy time until repaving takes place.

John Duncan 200 N. Ramona St. stated in the minutes from the May 6th meeting there was an error in the roll call for the consent agenda. Commissioner Eden was listed in the roll call, it should have been Commissioner Duncan. Also the seat designation will change according to who received the most votes, Commissioner Eden should hold seat one and Commissioner Maulsby should hold seat two.

Rodney Thompson 640 N Pennsylvania Ave. passed out a public records request to Mayor Daley and City Manager Leavengood and asked them to look over this handout. Stating he has made this public request six times and to date he has not received a response. He asked about the website being under remediation and how long has the ADA statement been on the website. There are many flaws on the website. He would like the website to be made user friendly. He was also concerned about the ADA requirements prohibiting new items being added to the website. He stated he liked the newsletter in the utility bill.

Assistant City Attorney Claytor stated Mr. Thompson has presented City Manager Leavengood and Mayor Daley with a public records request. Assistant City Attorney Claytor read the request dated May 20, 2019; "I am requesting to be included in the agenda emails to the commission including agenda, agenda packets, staff analysis, commission updates, and any special meeting correspondence from April 3, 2019 – May 10 2020. This is the 5 request of same send to email ccofla19@gmail.com". In answer to Mr. Thompsons question regarding the website he stated that ADA complaint web sites have become an issue that is at the forefront, as far as legal concerns, for most municipalities. He said the City is striving to meet the ADA standard for the website. Anything posted to the website including pictures will have to be defined.

Mayor Daley stated there has been issues with PDFs being read by the ADA Readers used by sight or hearing impaired individuals. Everything will have to be removed from the website and re-formatted to be ADA accessible. It is a long, tedious, expensive process. All the Cities, in an effort to be ADA compliant, are doing this. It is better to not have items on the website that everyone cannot read, than have items on the website that only certain people can read. That explains the deficit found in City and County websites throughout the state. All of the Cities have had the same problem with ADA compliance, and some Cities are in legal situations as well. She offered to send Mr. Thompson articles that she has found regarding the ADA compliancy issue the Cites are going through in trying to make their website compliant.

John Duncan stated he has seen the notice for the meeting regarding the updating of the ULDC and the Comp Plan. He asked if the City plans to make this available with ADA accessibility once the update is complete. He said he mentioned a free service through Google. Addressing the Assistant City Attorney he asked if Municode is a third party, does the City have ADA liability with them. If not why not use a third party server for the City documents.

Assistant City Attorney Claytor stated Municode is hosting / providing website service for municipalities, he does not know the scope or services they are providing. In answer to Mr. Duncan's question he replied he is not certain what type or level of indemnification if any that Muni Code is providing the municipalities. This is all new to most municipalities, we are all in the discovery process.

City Manager Leavengood stated staff has looked at several programs and he has assigned the Deputy City Clerk and the IT Consultant to lead the effort to find the best option for the City. Other Government Facilities that pioneered ADA compliancy renovation, found even when they paid another party to assist in making their website compliant, they were still required to verify the documents to make sure the documents were compliant. Even though they had purchased a service for conversion, there were still files that needed attention. Monsido scans the site and shows the problems that should be addressed, it will score the website to track the progress. The City is taking a proactive approach and through the Monsido program we will have access to Common Look and that will make the document conversion. Going forward staff will be updating text and pictures making sure of ADA compliancy. The same question came up at the training in Lakeland attended by cities around the state; regarding if the cities are protected if there is a link to the City's website. The answer was the same as Assistant Attorney Claytor's, this is such a new issue, the case law has not been there to determine liability.

Mayor Daley stated there has been a lot of litigation and unfortunately some was frivolous, that causes problems for all cities.

CONSENT AGENDA

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

MAYOR DALEY	AYE
VICE MAYOR DEARMIN	AYE
COMMISSIONER LAKE	AYE
COMMISSIONER EDEN	AYE
COMMISSIONER MAULTSBY	AYE

AGENDA

1.) RESOLUTION 08-19: ACCEPTANCE OF PROPERTY: 485 W. HAINES BLVD

Assistant City Attorney Claytor read the Resolution title.

City Manager Leavengood stated at the regular meeting on January 22nd, 2019 the City Commission approved a purchase contract for 485 W. Haines Blvd for \$360,000 for future Public Works facility expansion. The City closed on the property on March 19th, 2019 and received the warranty deed for the property. The proposed resolution formally accepts the conveyance of the land.

Staff recommended approval of Resolution 08-19.

Vice Mayor Dearmin stated this was a good decision, if the City had to build the same facility it would have been much more costly.

Commissioner Lake asked if the building had been cleaned out.

Director Deaton stated it has been cleaned out and the Public Works Department has started moving in, the fence is up and crews have been cleaning up the front.

Vice Mayor Dearmin moved to approve Resolution 08-19 acceptance of the property at 485 W. Haines Blvd.; seconded by **Commissioner Lake**. The motion was approved by unanimous voice call vote.

MAYOR DALEY	AYE
VICE MAYOR DEARMIN	AYE
COMMISSIONER LAKE	AYE
COMMISSIONER EDEN	AYE
COMMISSIONER MAULTSBY	AYE

2.) CPH: TASK ORDER #17: US 17-92 FORCE MAIN EXTENSIONS

City Manager Leavengood stated the City of Lake Alfred is proposing to extend the water and sewer lines on the North side of 17-92 to provide utilities to the Gapway Grove property to accommodate their development of the approximately 175 acre commercial site. The extension will also give the opportunity to provide utility services to the property directly east of Fletcher Cutoff Road (at the end of the proposed extension) that has signed an annexation petition with the City. Polk County would like to build a new Government Center in the North East section of the County. This location is closer to the SR 27 Corridor and the population growth that is going on in that section of the County. The County Commission has deemed this site their number one choice.

The City shall work out a cost share arrangement with the owner for the actual extension of the lines as there are benefits to both parties. The City's portion of the line extension will be paid for out of water and sewer impact fees. Any expense incurred will be recovered through the collection of impact fees on the future development the line extension is serving. This will come forward as a future action item for construction once the engineering task order is completed.

Staff recommended approval of Task Order # 17 in the amount of \$26,500.00.

Commissioner Lake asked if the water plant, that the City has plans for, will tie in to this extension. He stated four out of five Commissioners are in favor of the plant going in that location, if the sellers get their numbers right.

Director Deaton stated the new water plant will tie into the extensions.

Mayor Daley opened the public hearing.

John Duncan 200 Ramona asked if the agreement for the property for the location of the water plant will be the same as a prior agreement involving cost sharing.

City Manager Leavengood stated the City will not go into another agreement as referred to by Mr. Duncan.

Commissioner Maultsby moved to approve Task Order # 17 in the amount of \$26,500; seconded by **Vice Mayor Dearmin**. The motion was approved by unanimous voice call vote.

MAYOR DALEY	AYE
VICE MAYOR DEARMIN	AYE
COMMISSIONER LAKE	AYE
COMMISSIONER EDEN	AYE
COMMISSIONER MAULTSBY	AYE

RECOGNITION OF CITIZENS:

Joyce Schmidt 365 E. Sanford St. stated she would like to thank staff for publishing the newsletter in the utility invoice and she mentioned the letter on the back congratulating Fire Chief Costine. She asked what is an ISO rating. She also asked when a candidate has run for an office how long do they have to remove their political signs.

City Manager Leavengood explained the Insurance Data Provider (ISO) rating and process for achieving the desirable rating.

COMMISSIONER QUESTIONS AND COMMENTS:

Mayor Daley stated school will be out this week please watch for kids as you drive through the City. There is another traffic light in town it is at Evenhouse and CR 557.

Janet Messina 235 Park Lane asked if the traffic light at Evenhouse and CR 557 is only for school traffic or will it be functioning year round.

Commissioner Lake stated the light will remain a functioning traffic light year round.

Mayor Daley stated the traffic light is on a County road and the lights can be regulated by a sensor or by timing.

Commissioner Eden congratulated the graduates and wishes everyone a safe weekend.

Commissioner Maultsby stated he is concerned about water shortage and the additional development coming into the City. He asked if the City can apply to SWFWMD for additional water allotment.

City Manager Leavengood stated the City's current permit is for 1.3 million gallons per day (mgd) and the demand is approximately 1 mgd. The City still has some capacity in the permit. The Water Management District is not issuing additional increases to traditional water supplies. That is why the Polk Water Cooperative was formed which will start to look and feel like Tampa Bay water. There was a board meeting last week that discussed the different alternate water sources in the County. There will be more information as the process moves forward and as the next steps are evaluated.

Mayor Daley stated we should also concentrate on conservation as well. The developments will follow the Water Star Standard and that is a good thing for the City.

Commissioner Lake stated he has been very busy attending meetings the past two weeks. At the Lions Club awards were given out, he accepted an award for the Fire Chief Chris Costine he was hoping to give him the award at tonight's meeting.

Vice Mayor Dearmin stated he wished everyone a safe and happy holiday.

With no further business the meeting was adjourned at 8:31 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by.



Ameé Bailey
City Clerk