

**MINUTES
CITY COMMISSION MEETING
MONDAY JUNE 7, 2021
7:30 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley called the City Commission meeting to order at 7:30 p.m. in the City Commission Chambers located at 120 E. Pomelo Street, Lake Alfred, FL 33850.

Invocation and Pledge of Allegiance: Police Chief Art Bodenheimer provided the invocation and Mayor Daley led the Pledge of Allegiance.

Roll Call: City Clerk Linda Bourgeois

City Commissioners in attendance: Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Brent Eden, Commissioner Mac Fuller, and Commissioner Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Linda Bourgeois, Police Chief Art Bodenheimer, and Fire Chief Wallace Nix.

City Manager Leavengood announced there will be a Community Redevelopment Agency Meeting on June 21, 2021, the July City Commission meetings will be held on the second and fourth Mondays of the month, and the bass sculptures were placed throughout the city. He concluded by introducing the City's Intern, Aubrey Fuller, from the University of South Florida.

Assistant City Attorney Claytor said he remained grateful to represent the great City of Lake Alfred.

Recognition of Citizens: There were no citizens that came forward to speak to the City Commission.

Mayor Daley read the National Flag Week Proclamation into the record.

Mayor Daley presented the consent agenda for approval.

Consent Agenda:

- 1.) City Commission Meeting Minutes for April 19, 2021
- 2.) City Commission Announcements
- 3.) Special Event Application: Juneteenth Celebration

Commissioner Maultsby made a motion to approve the consent agenda. The motion was seconded by **Vice Mayor Dearmin** and unanimously approved.

Mayor Daley stated the next item was a public hearing.

Assistant City Attorney Claytor read the title of Ordinance 1456-21 into the record.

City Manager Leavengood read the analysis into the record.

On October 21, 2019, the City Commission adopted Ordinance No. 1422-19 which established the Eden Hills Community Development District (CDD). On April 5, 2021, the City Commission

approved the annexation of property adjacent to the CDD. The City received a petition to expand the boundaries of the CDD to include the adjacent property of 25.74 acres. The petition to amend the CDD boundary was found to be in compliance with the provisions set forth in Section 190.046 of the Florida Statutes.

The applicant has satisfied the petition, notice, and public hearing requirements of Section 190 of the Florida Statutes. District boundaries will be amended and enlarged to encompass approximately 396.65+/- acres. All other terms and conditions of Ordinance 1422-19 shall remain unchanged and enforceable per the City of Lake Alfred Unified Land Development Code, City of Lake Alfred Code of Ordinances, and any development order or agreement adopted by the City regarding the development of the lands within the district.

He concluded by saying the staff was recommending approval of Ordinance 1456-21 on the second and final reading.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Without discussion, **Vice Mayor Dearmin** made a motion to approve Ordinance 1456-21 on the second and final reading. **Commissioner Fuller** seconded the motion, and the motion was unanimously approved.

Mayor Daley introduced the next two business items on the agenda.

Assistant City Attorney Claytor read the title of Ordinance 1457-21 into the record.

City Manager Leavengood read the analysis into the record.

On April 5, 2021, City Commission approved Ordinance 1455-21 annexing two (2) parcels into the city limits. The staff has worked with the property owners regarding the proposed Future Land Use designations and Zoning district requests. The proposed designations for both parcels are Residential and Conservation future land use districts and the Vintage Residential Neighborhood (VRN) and Conservation (CN) zoning districts matching the surrounding area.

The southern parcel (801 Cass Road) contains a single-family residence. The northern parcel was an orange grove and has also requested to be included in the Eden Hills Community Development District. The Eden Hills subdivision is located to the west, northwest, and north of the subject properties.

Future Land Use	Proposed
Residential	20.3 ± acres
Conservation	17.4 ± acres

On May 13, 2021, at their regular meeting, the Planning and Zoning Board unanimously voted to recommend that the City Commission approve the future land use and zoning district assignment requests.

If approved on first reading, the future land use and zoning amendment ordinances will be transmitted to the Department of Economic Opportunity (DEO) for review. The proposed amendments would be presented for the second reading in August of 2021.

He concluded by saying the staff was recommending approval on Ordinance 1457-21 and 1458-21 on the first reading.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

A discussion of the City Commission ensued about the area previously being an enclave in the city, development is allowed on the Vintage Residential Neighborhood section of the parcel only, and there being only one residential home on that portion of the property.

Commissioner Eden made a motion to approve Ordinance 1457-21 Cass Road Future Land Use on the first reading. **Vice Mayor Dearmin** seconded the motion, and the motion was unanimously approved.

Assistant City Attorney Claytor read the title of Ordinance 1458-21 into the record.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Vice Mayor Dearmin made a motion to approve Ordinance 1458-21 Cass Road Zoning Assignment on the first reading. **Commissioner Fuller** seconded the motion, and the motion was unanimously approved.

Mayor Daley introduced the next two business items on the agenda.

Assistant City Attorney Claytor read the title of Ordinance 1459-21 into the record.

City Manager Leavengood read the analysis into the record.

On January 4, 2021, the City Commission approved Ordinance 1450-20 which annexed four parcels and a portion of a fifth parcel into the city limits. The request includes the vacated right-of-way previously known as Fletcher Cutoff Road. The portion of the fifth parcel included in this request is now part of the Polk County Northeast Government Center facility which is currently under development.

City staff has worked with the property owners regarding the proposed Future Land Use designations and Zoning district requests. Four (4) parcels are proposed as Heavy Commercial/Industrial future land use district and the Commercial Activity Center (C-3) district. Portions of the properties will also be assigned to the Conservation future land use district and the Conservation (CN) zoning district. The portion of the Polk County property is proposed as Public Building and Grounds future land use district and the Public Buildings and Grounds (PB) zoning district.

Future Land Use	Proposed
Public Buildings and Grounds	0.6 ± acres
Heavy Commercial/Industrial	20.0 ± acres
Conservation	2.5 ± acres

Three of the parcels are currently developed as an auto auction facility, a communication tower, and an office. The three parcels are currently served by well and septic tanks but will be required to connect to the City's potable water and wastewater lines upon redevelopment.

On May 13, 2021, at their regular meeting, the Planning and Zoning Board unanimously voted to recommend that the City Commission approve the future land use and zoning district assignment requests.

If approved on first reading, the future land use and zoning amendment ordinances will be transmitted to the Department of Economic Opportunity (DEO) for review. The proposed amendments would be presented for the second reading in August of 2021.

He concluded by saying the staff was recommending approval on Ordinance 1459-21 and 1460-21 on the first reading.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

City Commission discussion surrounded the taxing authority for the parcel was Lake Alfred, the postal address of the parcel being a Haines City address, the parcel's boundary being on the edge of Lake Alfred's 180 Utility Service Area, and the potential for water interconnection with Haines City when they decide to extend the water lines along US 17-92.

City Manager Leavengood said sometimes the postal districts do not match the annexed boundaries, and that would be at the postmaster's discretion.

Assistant City Attorney Claytor said he has heard from a very credible source the request had already been made to the Post Office and it was under review.

Commissioner Eden asked where Haines City's water line ended, and City Manager Leavengood stated he thought they would have a decent run to get to the subject parcel.

Commissioner Eden continued and asked if the Auto Auction had any other plans for the parcel, and City Manager Leavengood said he would get with the Community Development Director and provide an informational update to the City Commission.

Commissioner Maultsby asked if the cell tower were damaged would they be allowed to replace it?

City Manager Leavengood said the city would address that when it was necessary and shared the tower was designed to withstand hurricane-force winds, so the likelihood of damage is minimal. He said he would find out from the Community Development Director and transmit it in an update later.

Commissioner Eden made a motion to approve Ordinance 1459-21 Fletcher Cutoff Future Land Use on first reading. **Commissioner Maultsby** seconded the motion, and the motion was unanimously approved.

Assistant City Attorney Claytor read the title of Ordinance 1460-21 into the record.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Community Development Director Bailey (Zoom) said the auto auction site had been split in half, so they have started moving the vehicles to one side. The other half will be an auto service area. She said she has been working with the cell tower owners and they are very happy with the new Unified Land Development Code standards for a nonconforming use. This would allow them to rebuild and potentially expand as needed with an internal review.

City Manager Leavengood said they would have to apply for it and thanked the Community Development Director.

Vice Mayor Dearmin made a motion to approve Ordinance 1460-21 Fletcher Cutoff Zoning Assignment on first reading. **Commissioner Maultsby** seconded the motion, and the motion was unanimously approved.

Mayor Daley introduced the business item on the agenda.

Assistant City Attorney Claytor read the title of Ordinance 1461-21 into the record.

City Manager Leavengood read the analysis into the record.

On December 2, 2019, the City Commission approved Resolution 22-19 authorizing the loan application for a Drinking Water State Revolving Fund Loan for the Facility Plan.

On June 15, 2020, the City Commission approved Ordinance 1433-20 which approved the Planning Loan Agreement with the Florida Department of Environmental Protection under the State Revolving Fund to finance planning efforts for the Project. The ordinance authorized the SRF Loan Agreement for the Facility Plan for \$27,500 with a ten-year term, 1.33% annual interest, and principal loan forgiveness of \$13,750.

Now that the city is now entering into the design phase of the project, a modification to the loan agreement is necessary. The proposed ordinance amends the Drinking Water Loan Agreement with the State Revolving Fund (SRF) to include design with funding of \$630,938 at 1.33% interest which is eligible for fifty percent (50%) principal loan forgiveness.

The estimated Project costs are revised as follows:

CATEGORY	PROJECT COSTS (\$)
Planning and Design Activities	630,938
Principal Forgiveness	(315,470)
Capitalized Interest	<u>3,000</u>
TOTAL (Loan Principal Amount)	<u>318,468</u>

The project and associated processes with the SRF are divided into three steps:

- 1.) Facility Plan
- 2.) Design
- 3.) Construction

Once the design phase is completed, action items will follow for land acquisition and eventual construction of the new water plant.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Commissioner Maultsby asked how much land the city would need to construct the facility and if the city would get a deal on the land purchase from the property owners.

City Manager Leavengood said the parcel was approximately two acres and he anticipated to pay the full retail price as it was in a decent location to ensure proper pressure and resiliency for heavy commercial water usage in the industrial area.

Commissioner Eden asked if this parcel purchase was set in stone, and **City Manager Leavengood** said we could look for another parcel if necessary because there is enough property in that area. He continued and said the city has been in contact with the property owners for a long time and they were looking to negotiate with the city.

Commissioner Maultsby asked about the status of funding from Congressman Soto's office.

City Manager Leavengood said the city had aggressively applied for federal funding for several projects and he would reach out to Darren Veriday for an update on the appropriations and pass the information on to the City Commission.

Vice Mayor Dearmin made a motion to approve Ordinance 1461-21 Drinking Water SRF Loan Agreement Amendment No. 1 on the first reading. **Commissioner Maultsby** seconded the motion, and the motion was unanimously approved.

Recognition of Citizens: There were no citizens that came forward to speak to the City Commission.

Vice Mayor Dearmin said he was glad the mayor was back and safe. He continued and said he was excited about the first Legislative Policy Committee meeting coming up on Friday. He shared he was honored to be asked to serve as the Chairman of the board. He concluded by saying he anticipated a busy summer and said he glad we got things moving forward.

Commissioner Maultsby congratulated the Vice Mayor for being the Chairman of the board and said it was quite an accomplishment.

Mayor Daley congratulated Vice Mayor Dearmin. She said she loved the fish and the participation with the community and the kids. There has been a lot of positive buzz about them. She continued and said she would like to see the city apply for the City Spirit Award with the Florida League of Cities. She thanked the City Commission for the excusal of her absence and shared her brother was doing much better. He appreciated all the support and prayers. She concluded by saying Covid was a deadly disease, and we needed to do all we could to keep it at bay.

Commissioner Fuller asked how the city determined who the decorators of the fish would be.

City Manager Leavengood said the city ordered extra fish sculptures to ensure we had reserves if needed and said we could go back to the schools and also look for additional locations to place the sculptures such as in the City's parks.

Commissioner Fuller thanked everyone for their attendance. He said he was also attending the Florida League of Cities Committee meeting on Friday. He said the fish and the removal of the

minicircles have received great positive reviews on social media. He concluded by saying it was great to be here tonight and have the mayor back safely from her trip.

Mayor Daley thanked him.

Commissioner Eden said, "Go Bulls!" and spoke about the athletics program. He said he says this at every meeting, but it is truly in his heart, and he wanted to thank all of those that serve and continue to serve, both the Chiefs and all of those who serve in this community. He gave a round of applause to the teachers, students, and parents for this past school year and how they all made it work. He asked if there was an update on the stimulus funding with what it could be used for in the city.

City Manager Leavengood said the Finance Director was able to obtain some good information from the conference she attended a few weeks ago. He continued and said as he understood, it looked like the funding would be able to be used for utility infrastructure projects and parks may potentially be excluded. He said he has not gotten the final on the options however he would keep the City Commission updated. He concluded by saying there were several utility projects in the Capital Improvement Plan and his concern was with supply issues and the increase in demand.

Commissioner Eden said thank you.

Commissioner Maultsby asked if there were any inquires from other cities about the fish?

City Manager Leavengood said he was not aware of any inquires but we have had many compliments.

Without further comments, at 8:20 p.m. the City Commission meeting was adjourned.

Respectfully Submitted,



Linda Bourgeois, BAS, MMC,
City Clerk