

**MINUTES  
CITY OF LAKE ALFRED  
CITY COMMISSION MEETING  
MONDAY JUNE 17, 2019  
CITY HALL**

**Call to Order:** Mayor Nancy Daley

**Invocation and Pledge of Allegiance:** Joyce Schmidt

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, Police Chief Art Bodenheimer, Fire Chief Chris Costine, Public Works Director John Deaton, Finance Director Amber Deaton, Community Development Director Ameer Bailey, Parks and Recreation Director Richard Weed, 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 July 4<sup>th</sup> and 5<sup>th</sup>, in observance of Independence Day.

Lake Alfred's Chamber of Commerce will host a Ribbon Cutting Ceremony for the Goody Basket at 148 W. Haines, on Friday, June 21<sup>st</sup> at 9:00 am. For more information please call Marilyn at the Chamber.

**CITY ATTORNEY ANNOUNCEMENTS**

No comments.

**RECOGNITION OF CITIZENS**

There were no comments.

**CONSENT AGENDA**

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

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

## AGENDA

### 1.) **ORDINANCE 1415-08: BERRY PROPERTY FUTURE LAND USE**

**Assistant City Attorney Claytor** read the ordinance title.

**City Manager Leavengood** stated the area of land in the northern portion of the City known as the Berry Property consists of 370 acres of property that is within the municipal boundaries of the City of Lake Alfred. The total property was assigned a Very Low-Density Future Land Use (VLD-FLU) and R1-AAA zoning in 2004 and had an approved development agreement on the site set to expire in 2020.

The majority of the Berry Property (~336 acres) is located in the Green Swamp Area of Critical State Concern (ACSC). The southern portion of the property of approximately 34 acres is located outside of the Green Swamp but was included in the larger property when land use and zoning were first assigned. The VLD-FLU essentially functions as the City's "Green Swamp" FLU for residential uses as all other residential FLUs outside of the Green Swamp are Low Density (or mixed-use).

Jack M. Berry Inc. has submitted three applications related to the development of the referenced property. The applications include a request to amend the future land use, change the zoning, and modify the existing development agreement. The future land use directs the character and magnitude of development, zoning provides the density and development requirements, and finally, the development agreement provides specifics on how concurrency requirements are met and special development considerations.

The applicant is requesting a Future Land Use map amendment on the southern portion of the Berry Property that is approximately 34 acres of land. The applicant has requested a Future Land Use Map Amendment change to Low-Density Residential from Very Low-Density Residential. The Low-Density Residential FLU classification allows up to six (6) units per acre and the applicant has provided a nonbinding draft site plan showing 4.2 units per acre. On Tuesday, October 9, 2018, the Planning Board held a public hearing on the proposed Future Land Use Map Amendment and unanimously voted to provide a recommendation of approval to the Lake Alfred City Commission. The City Commission approved the request on the first reading on December 3, 2018. The request was then sent to the Department of Economic Opportunity (DEO) for review and their comments have been addressed in the updated staff report and Ordinance.

**Staff** recommended the approval of Ordinance 1408-18 on second and final reading.

**Mayor Daley** opened the public hearing, with no public comment, she closed the public hearing.

**Commissioner Lake** asked if the Ordinance had been changed from first reading to second reading.

**Director Bailey** stated there were minor changes regarding the jurisdictional wetland determination, which was under review at the acceptance of the ordinance upon first reading, as a result, there was a small change to the acreage of the conservation. Additionally, the State agency made a few comments which have been incorporated in both the Land Use and Zoning application.

**Mayor Daley** stated she voted against this ordinance at first reading due to the fact that the property is across the street from the Green Swamp she believes the property on both sides of the street is equally in critical areas. She stated when this is voted on by the Commission, it will not be just for the 4.2 houses in the agreement, it will be allowing the maximum of six (6). If this developer does not develop or the property changes hand the City will essentially allow for six (6) units per acre. The 4.2 units are from a non-binding contract.

**Commissioner Lake** stated when the Commission approved this ordinance on the first read, he thought the agreement was clear on the reduction of units from 6 to 4.2 units.

**Mayor Daley** stated what is being voted on is to change the future land use to allow up to six (6) units per acre. She asked if this development had the five (5) foot side setbacks.

**City Manager Leavengood** stated the second action item tied to this ordinance is the zoning, when the PUD is before the Commission for approval it will have the density stated. It will lock in the 4.2 units and the five (5) foot setbacks will be in the PUD action item.

**Mayor Daley** stated even if the PUD is approved tonight the development could change owners or another zoning could be applied for, and the site plan could also change.

**Commissioner Lake** moved to approve Ordinance 1408-18 on second and final reading; seconded by **Commissioner Eden**. Mayor Daley requested a roll call vote.

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

## **2.) ORDINANCE 1416-19: ZONING: BERRY PROPERTY**

**Assistant City Attorney Claytor** read the ordinance title.

**City Manager Leavengood** stated the applicant is requesting to change approximately 34 acres of land containing 28.4 acres of Single-Family Dwelling District (R-1AAA-C) to Planned Unit Development - Residential (PUD-R) on approximately 27.9 acres and to Conservation (CN) on approximately 0.5 acres of land. In addition, the request includes a change from Conservation (CN) on approximately 5.5 acres to Planned Unit Development – Residential (PUD-R) on approximately 3.6 acres with approximately 1.9 acres of land remaining as Conservation (CN) for a total of approximately 31.5 acres of Planned Unit Development – Residential (PUD-R) and approximately 2.4 acres of Conservation (CN) on approximately 33.9 acres of land. On Tuesday, June 11, 2019, the Planning Board held a public hearing on the proposed zoning change and unanimously voted to provide a recommendation of approval to the Lake Alfred City Commission.

Staff has coordinated with the Applicant regarding the proposed development and conditions of approval. Thirteen conditions for approval have been attached to the requested PUD-R through the Development Review Committee and vetted by the City's Planning Board including recreational amenities, open space and wetland protection; Florida Water Star, landscaping, lighting, and transportation improvements. Through the PUD process, the developer was

required to establish open space. Referring to a map of the area, he pointed out the open space that encircles the development stating that all of the residents have the benefit of the open areas.

**Staff** recommended the approval of Ordinance 1416-19 on the first reading.

**Commissioner Maultsby** asked about the Water Star landscaping and what type of grass will be allowed in the yards. He stated that he is concerned about the water shortage. He would like the City to restrict the grass in the development to be Bahia grass.

**Mayor Daley** stated there is a limit on the type and the amount of grass that can be on each lot. Comparing the lot size to the house size there will not be a lot of grass on each lot. Water Star will be a benefit for the City as well as the development. Water Star restricts what type of grass developers can plant as well as how much grass for each lot. She stated any stricter requirements would be negotiated by staff. She asked if there would be fencing along Cass Road. She stated she believe it would be more aesthetic if the homes were facing Cass Road.

**City Manager Leavengood** stated Water Star consists of different tiers, one is the Florida friendly landscaping that comes by way of the University of Florida, Institute of Food and Agricultural Sciences Extension (UF/IFAS) they partner with Water Star. Water Star is a good starting point, it does not limit the type but it does limit the amount. He stated staff will gage the restrictions on the type of grass that Water Star requires. Water Star achieves 90% of what the City is looking for in terms of conservation within the new development. The consensus from other cities at this point is to follow the Water Star restrictions, this will be a policy decision for the Commission.

**Vice Mayor Dearmin** asked if the applicant has selected a builder for this development.

**Director Bailey** stated the developer is working with several home builders at this time. As staff is working on code rewrite one of the provisions that are being considered is the placement of homes. Currently, code is not in place that would direct the orientation of new homes. There is a requirement for a landscape buffer along Cass Road as well as a sidewalk.

**City Manager Leavengood** stated this is a common layout for a development. There are design provisions as the lots get smaller and different amenities come into question. This is probably the last development that will have to adhere to the old code.

**Mayor Daley** stated if the quality developments come into the City and keep in mind what the area will look like after the subdivision is completed, it will benefit everyone.

**Commissioner Lake** asked if there will be space between the back of the yard and Cass Road for the trail and landscaping and he asked if the builder or homeowner will be installing fencing.

**Director Bailey** stated there will be the road, a concrete sidewalk, landscape, open space and then the building lot. The expectation is that even if homeowners install fencing, it will be behind the landscaping.

**Lauren Scwenk** representing the developer stated they would be happy to accommodate any request of the City. The developer will be fencing for the development, homeowners can finish installing fencing in their own yards as they wish. She stated that the developers have been in contact with builders familiar with Water Star requirements.

**Commissioner Lake** asked if the developers will be installing privacy fencing or open fencing.

**Mayor Daley** opened the public hearing, with no public comment, she closed the public hearing.

**Commissioner Lake** moved to approve Ordinance 1416-19 on first reading; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

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

### 3.) **DEVELOPMENT AGREEMENT: BERRY PROPERTY**

**Assistant City Attorney Claytor** stated the draft of the agreement the Commissioners received in the packet may be a previously drafted copy, not the most recent revised draft. There was not anything substantive and he deferred to the Community Development Director Bailey.

**City Manager Leavengood** asked if the changes were substantive or more of a scrivener error.

**Mayor Daley** asked if the agreement the Commissioners had was the actual development agreement. She then asked if this item should be tabled until the actual development agreement can be passed out to the Commissioners.

**Director Bailey** stated the Where As clause that Assistant Attorney Claytor is speaking of is in the agreement, regarding the first amendment. There were spacing issues that occurred due to formatting.

**City Manager Leavengood** requested the item be tabled and pull the item. It can be presented at the same time as the second reading of the zoning ordinance.

**Vice Mayor Dearmin** moved to table the item till July 8, 2019; seconded by **Commissioner Lake**. The motion was tabled by a unanimous voice call vote.

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

**4.) RESOLUTION 09-19: LAND ACCEPTANCE**

**Assistant City Attorney Claytor** read the resolution title.

**City Manager Leavengood** stated On April 15, 2019, the City Commission adopted Ordinance 1414-19 which authorized the release of reservations of right of way and the release of reversionary interests in portions of the old Wells Fargo property. Within the ordinance, the release of the City’s interests was contingent upon the property owner conveying an adjacent parcel to the City. This parcel was traditionally used by the City in conjunction with the City-owned land for event parking. The proposed resolution formally accepts the conveyance of the parcel to the City.

**Staff** recommended the approval of Resolution 09-19.

**Commissioner Eden** asked when Ace Hardware will begin construction.

**Director Bailey** stated the only item currently in action is the demolition permit. The owners are working on their site development plan and to date, there has not been an application submitted.

**Vice Mayor Dearmin** stated it will be a great addition to the City.

**Mayor Daley** opened the public hearing, with no public comment, she closed the public hearing.

**Vice Mayor Dearmin** moved to approve Resolution 09-19 Land Acceptance; seconded by **Commissioner Maultsby**. The motion was approved by a unanimous voice call vote.

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

**BUDGET PRESENTATION: EXPENDITURES**

The proposed expenditure sections of the FY 19/20 & 20/21 budgets include the approved expenditures from the previously approved second-year budget and the capital projects that were approved by the City Commission at the April 1st, 2019 meeting. Changes made from the current year budget to the proposed FY 19/20 Budget have been highlighted and are based on feedback from department heads for anticipated expenditures or changes based upon experience in the current and previous fiscal years.

If approved, the expenditure sections will be included in the preparation of the final budget for consideration in public hearings in September along with any changes that the Commission may determine or that may be necessary due to changes in revenue or expenditure projections. The Revenue and Payroll sections will be presented at the regular City Commission meeting in August.

*\*\*The attached budget pages contain notes regarding the changes for each department.*

**Commissioner Lake** asked when did the IT expenditures change as it was not the same as the first draft.

**City Manager Leavengood** stated that the change was made after verifying with the consultant on Thursday prior to the final Agenda on Friday. The one presented to the Commissioners tonight has the \$35,000. The agenda went out on Thursday and the meeting with the IT Consultant was on Friday.

**Commissioner Eden** asked how soon will the City purchase another fire truck and what is the life expectancy of the second truck.

**City Manager Leavengood** stated the purchase of the fire truck is a few years out. The expenditure will probably be in the third year. The current fire truck is nearing its end and at the scheduled time the City will have replacement cost set aside. He said one fire truck is a 1996 and the other is a 2001. The Fire Department has done an excellent job at preserving the trucks. The replacement for the second truck will be at least five (5) years out.

**Mayor Daley** stated that with more electric cars making their way to the roads the gas tax that the City receives will be a declining income.

**Commissioner Lake** asked about the replacement of the K-9 for the Police Department.

**Chief Bodenheimer** stated it depends on the health of the dog as to when the department needs another K-9 unit. He said right now Wil is in good shape.

**Commissioner Eden** asked in regard to the 20/21 plan when will the City require additional Police and Firefighters for the upcoming developments proposed for Lake Alfred.

**City Manager Leavengood** stated the development off of Lynchburg is on a two to three (2-3) year timeline for phase one (1) which is less than 200 units. The demands from the 55 and up communities are more on the fire department side.

**Fire Chief Costine** was asked about repairs on the fire truck and what repairs are done in house; he replied; the in house service is basic maintenance, any actual service requires an Emergency Vehicle Technician.

**Commissioner Lake** asked what the City does with the contaminated equipment from the Fire Department.

**City Manager Leavengood** stated it is disposed of, there is nothing hazardous about the equipment.

**Director Amber Deaton** explained the new service from the IT Consultants that will provide internet service at the Mackay Gardens and Lakeside Preserve and WIFI service in the City Commission Chamber.

**Commissioner Lake** asked if the WIFI will be public or private.

**City Manager Leavengood** stated the City will be able to set up different channels so the service would be both public and private.

**Commissioner Lake** asked about WIFI for the Historical Society building.

**Director Amber Deaton** stated she thought the Society had service currently. She said she would look in to service at their building.

**City Manager Leavengood** asked Director Deaton about an increase in the lease of traffic signals.

**Director Amber Deaton** stated the line item was the annual lease payments to CSX railroads. The City has several contracts with CSX, charging the City for the signals on the railroads.

**Commissioner Eden** asked when the next garbage truck would be purchased, how much will a new truck cost and should the City start putting money aside for that purchase.

**Director John Deaton** stated it will be at least two to three years (2-3) before the City will purchase another garbage truck. The sanitation trucks run on alternate schedules with the ability to increase the runs if the need arises. A new one arm truck will cost between \$250,000 to \$280,000.

**City Manager Leavengood** stated the City currently trends at \$100,000 per year. The account has been zeroed out this year due to the purchase of the new lightening loader. We will not have a replacement for three (3) years, if we continue at \$100,00 per year, the City will have \$300,000 in the bank when the replacement is needed.

**Director John Deaton** was asked to explain the repair or replacement of the water hydrants; he stated that some of the hydrants in the City pre-date the incorporation of an isolation valve. There is not a way to turn the valve off to work on the hydrant. If anything happens to a hydrant the water supply must be turned off at a valve in the mainline. With the line item in question, Public Works will be able to replace two (2) hydrants a year.

**Staff** recommended approval of the proposed draft Expenditure Sections of the FY 19/20 & 20/21 Annual Operating Budgets.

**Vice Mayor Dearmin** stated the staff should be commended for the work that goes into the budget preparation.

**Commissioner Lake** stated it is nice to see the City budget as it is, everything works out right and the City is not in debt.

**Mayor Daley** opened the public hearing, with no public comment, she closed the public hearing.

**Commissioner Lake** moved to approve the proposed draft expenditure sections of the FY 19/20 & 20/21 Annual Operation Budget; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

**Brenda Arnold** 435 W Pierce St. presented Polk State promotional items to the City Commission and staff.

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

COMMISSIONER EDEN  
COMMISSIONER MAULTSBY

AYE  
AYE

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

There were no comments.

**COMMISSIONER QUESTIONS AND COMMENTS:**

**Commissioner Maultsby** thanked the Parks and Recreation Department for the Echo Terrace and Fruitland Park playgrounds. He appreciates the balanced budget and the way the City is growing we will soon have our grocery store.

**Commissioner Lake** stated he attended the Farm Bureau Legislative wrap up. The Senator from Hillsborough County gave a presentation on the gas taxes. In the Legislative Committee Meeting, short term rentals received a lot of attention. He also attended the TPO meeting and they have been replacing signs around the City as promised. He thanked the City Manager for the budget presentation.

**Vice Mayor Dearmin** stated his Committee discussed the CRA's, private property rights of citizens within the cities and the Floodplains.

**Mayor Daley** commended the City Commission for quickly placing the stop signs at Mackay Blvd. She participated in the Mayors Give Back program, in Lake Wales they painted a transition home for the Care Program. She wished Community Development Director Bailey Happy Birthday.

**Commissioner Eden** thanked the staff for the hard work on the budget. He attended the Policy Committees for the first time, one of the main points was the cancer benefit program for the firefighters.

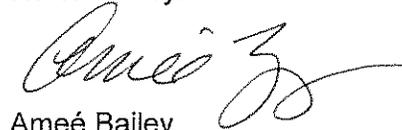
With no further business, the meeting was adjourned at 9:51 pm.

Respectfully submitted,



Mamie Drane  
Deputy City Clerk

Reviewed by.



Ameé Bailey  
City Clerk