

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY JULY 8, 2019
CITY HALL**

Call to Order: Mayor Nancy Daley

Invocation and Pledge of Allegiance: Pastor Mike Jones

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, Finance Director Amber Deaton, Parks and Recreation Director Richard Weed, Deputy City Clerk Mamie Drane, and other staff.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood announced the Legislative Policy Committee Meetings will be held on July 19, 2019, from 10:00 am to 3:00 pm at the Embassy Suites, Lake Buena Vista South in Kissimmee.

Mackay Gardens and Lakeside Preserve will host Landscaping for Butterflies as part of the Mackay Gardening Series. The workshop will be on Thursday, July 11 from 10:00 am to 12:00 pm. If you plant it they will come.

Also at Mackay Gardens and Lakeside Preserve there will be an Astronomy night Saturday, August 3 from 7:00 pm to 10:00 pm. The presentation will be on the Precision of the Equinoxes. On Thursday evenings from 6:30 to 7:30 pm Natures Finest Yoga will take place inside the Mackay House. Bring your own yoga mat and come as you are. Donations are accepted.

He stated that he had received a letter of appreciation from Cypress Greens Golf Community for the traffic light at CR 557 and Evenhouse Road.

He then gave an update on the Playgrounds at Fruitland Park and Echo Terrace pointing out the new shade structure.

Commissioner Lake asked if Parks and Recreation were still planning to plant shade trees at the parks.

City Manager Leavengood stated the installed shade has taken care of the immediate concern and Parks and Recreation will plant smaller trees around the area to provide additional shade in the future.

CITY ATTORNEY ANNOUNCEMENTS

No comments.

RECOGNITION OF CITIZENS

John Duncan, 200 N Ramona stated he would like a status on the restroom availability for the Highland playground.

City Manager Leavengood stated he has spoken with both Public Works Director Deaton and Parks and Recreation Director Weed about a restroom on the outside of the building at the Highland playground. The City does have the availability and it will be evaluated.

Rodney Thompson, 640 N. Pennsylvania asked for an update on the rebuilding of two (2) of the City's docks and the Mackay Gardens and Lakeside Preserve schoolhouse. He stated the schoolhouse was approved a few months ago and nothing has been started. He also would like to see restrooms installed at the Highland playground.

Director Weed stated the construction of the School House at Mackay Gardens and Lakeside Preserve will begin in August. Staff wanted to be able to schedule a time for the construction that would not interfere with any wedding plans. The docks have been scheduled, the construction should start soon.

City Manager Leavengood stated there was a delay from approval to commencement on the previous docks as well. The delay is due to the prefabrication of the dock after the prefab is done the docks are installed in a few days.

Employee of the Second Quarter: Celeste Stillion

Police Chief Bodenheimer stated Celeste began her law enforcement career with the Haines City Police Department as a Communications Operator in late 1990. From there she moved to the Polk County Sheriff's Office where she spent over nine (9) years rising to the rank of Assistant Shift Supervisor. In April 2017 Celeste was hired as a Communication Operator with the Lake Alfred Police Department. She has shown experience and knowledge of the job assisting in many projects. In April 2018 she was promoted to Communications Coordinator where she has become an integral part of records management, scheduling, training and any other task requested of her. He said it is a pleasure to have Celeste as an employee of the Lake Alfred Police Department.

CONSENT AGENDA

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

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

AGENDA

1.) **ORDINANCE 1416-19: ZONING: BERRY PROPERTY**

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 lumped into the larger property when land use and zoning were first assigned. The Very Low Density (VLD)-Future Land Use (FLU) essentially functions as the City's "Green Swamp" FLU for residential uses as all other residential flu 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 the modification of the existing development agreement. The future land use amendment was approved on final reading at the last regular City Commission meeting.

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 standards, additional landscaping, lighting, and transportation improvements.

Staff recommended the approval of Ordinance 1416-19 on the second and final reading.

Commissioner Lake asked if anything had changed from the first reading.

City Manager Leavengood replied that there were no changes from the first reading.

Mayor Daley stated she has concerns about this PUD-R as she did not want the six (6) units per acre (the allowable number of units in the ULDC for this zoning) to be approved. In this PUD the applicant is requesting 5' setbacks on the sides and the 10' setbacks on the rear of the

property. She presented examples of what the lots would look like with the 5' and 10' setbacks. She suggested making the roads narrower, stating the developers would still be able to build the same number of houses while increasing the back yards. She said she wants to ensure the new developments coming into the City is a product the City can live with far into the future. She would also like to offer the developers incentives to make the changes the City would like to see rather than to dictate to them. She also did not want to limit the builders or homeowners to one type of house due to the limited setbacks.

City Manager Leavengood stated for clarification that the example used is from The Lakes Tract 8, and showed some of the major site restraints experienced in that development. The original development was to be townhomes, in the process of conversion to single-family homes the developer had additional challenges and he did not have a lot of options. The City code states that regular road width should be 24' wide and 22' wide in the Green Swamp. As the City goes through the Code rewrite this is one of the items to address and furnish with a greater level of design detail.

Commissioner Lake asked if there was a possibility to change the front and rear setback since the front lot has a 20' setback, and the rear setback is 10', by swapping them it would allow additional room in the back.

City Manager Leavengood stated revisiting the City Code the front setbacks are 20'. The rewrite could offer more options and flexibility going forward.

Vice Mayor Dearmin stated his concerns, as well as residents that have called him, are for the on-street parking.

Mayor Daley pointed out that within this PUD street parking is allowed on certain sides on the street. The street width is consistent throughout the development but there are designated homes that are allowed street parking. She asked how that was determined and how will it be enforced. Street parking is prohibited throughout the City.

Discussion ensued with concerns regarding on-street parking.

Dennis Wood, of Wood Engineering, representing the developer, stated it is a standard practice within the subdivisions to allow street parking on one side of the street. The address numbers establish what side of the street that vehicles will be allowed. When parking is restricted to one side there is room on the street for emergency vehicles and garbage trucks to pass.

Assistant City Attorney Claytor stated the City Code Chapter 54 Article 3 is not specific to regular car parking on the street, however, it does discuss certain types of vehicles that are not allowed to park on the street. The regulation would be up to the developer and the Declaration of Covenants and Restrictions to privately enforce the restrictions at this time.

Mayor Daley opened the public hearing.

Rennie Heath 346 E Central Ave, Winter Haven, representing the landowner, stated as a developer he understands the Commission's concern about street parking. When the streets are narrower, from 24' down to 22' the two (2) feet makes a difference and they have placed signs on one side of the street allowing parking on one side only. It is up to the HOA or the CDD to enforce the parking regulations.

In regards to the setbacks, he stated when the lots are 50' by 110' they sell them to National Builders. They require this size lot along with a 40' by 70' building pad, it does not mean the home will be that size. The pad will also have the garage and patio included within the plan.

Mayor Daley asked why there is a 10' setback in this lot layout.

City Manager Leavengood stated the 10' setback is in the City Code, the PUD-R zoning did not change the existing code.

Mayor Daley closed the public hearing.

Commissioner Lake moved to approve Ordinance 1416-19 on second and final reading; seconded by **Commissioner Eden**. The motion was approved by a unanimous voice call vote.

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

2.) DEVELOPMENT AGREEMENT: BERRY PROPERTY

City Manager Leavengood stated the applicant is requesting to remove the parcel known as Tract 2 south of Cass Road from the current Development Agreement. A Development Agreement is required for properties within the Green Swamp. Although this parcel is not located within the Green Swamp it has always been included in the overall project and therefore the Development Agreement. The request is consistent with the FLU and Zoning actions to complete the separation of this property from the larger development north of Cass Road which is within the Green Swamp Area of Critical State Concern.

The current Development Agreement will remain in effect; it will NOT be extended, or changed in another fashion other than to remove this parcel. Staff anticipates working with the applicant to address other changes or to terminate the current Development Agreement prior to the expiration.

Staff recommended approval of the Second Amendment to the Belmont Ranch Estates Development Agreement and to transmit to the Florida Department of Economic Opportunity.

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

Commissioner Maultsby moved to approve the Second Amendment to the Belmont Ranch Estates Development Agreement and to transmit to the Florida Department of Economic Opportunity; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

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

Commissioner Maultsby asked when the project will start.

Rennie Heath replied to Commissioner Maultsby, that it would probably be no longer than six(6) months before the project starts.

3.) CONTINUING ENGINEERING SERVICES

City Manager Leavengood stated the City of Lake Alfred currently utilizes CPH and Chastain Skillman for engineering services through a continuing service agreement (we predominantly have used CPH in recent years). The selection of engineering services is governed under the Consultant's Competitive Negotiation Act (CCNA). The selection process requires that firms be evaluated and selected based on qualifications and selected in order of preference of no fewer than 3 firms deemed most qualified.

The City has solicited proposals for civil engineering and consultant processes under the CCNA process. The selection committee comprised of the City Manager, Public Utilities Director, and Community Development Director evaluated the submittals and provided the following ranking:

1. CPH
2. Chastain Skillman
3. Wright-Pierce
4. Pennoni
5. Wood Environmental
6. Civil Surv (tied with Wood)

City staff is recommending negotiating continuing service agreements with the top three ranked firms. If the City Commission approves this ranking and the proposed number of firms the Master Consulting Agreements will be presented back to the City Commission at a future meeting for consideration. Expenses incurred with these firms will typically be for specific projects approved through task orders under their respective master agreement.

With the growth the City is experiencing and the anticipated projects we have in the Capital Improvement Program (CIP) having updated agreements with several engineering firms capable of handling the workload is advantageous to the City.

The last time the City went through a CCNA process for continuing engineering services was in 2008. The length of the proposed agreements is for five (5) years with the plan being to perform a new CCNA process every five (5) years. Some of the projects the City is looking forward to in the future are tied to grants. This will satisfy the requirement of competitive procurement for the engineering portion as required by some of the grant programs.

Staff recommended approval of the proposed ranking consistent with the CCNA process and proceed with negotiating continuing service agreements with the top three ranked firms: CPH, Chastain Skillman, and Wright-Pierce.

Vice Mayor Dearmin stated it is impressive that the City received so many bids. The City has had great relationships with CPH and the other three as well.

City Manager Leavengood stated the digital submittals and the records are available if anyone would like to review them.

Mayor Daley asked when ranking the prospective firms was consistency and history a consideration or did diversity play a bigger role in the selection.

Vice Mayor Dearmin asked if the City will be requesting bids for engineering services every five (5) years.

City Manager Leavengood stated that was the purpose of the committee, there were three perspectives, they were all assembled and that became the recommendation. Going forward, his plan is to solicit bids every five (5) years keeping the City current on competitive procurement.

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

Commissioner Lake moved to approve the proposed ranking and subject to the provisions of RFP-1920-1 proceed with negotiating continuing service agreements with the top three ranked firms: CPH, Chastain Skillman, and Wright-Pierce; seconded by **Vice Mayor Dearmin**. The motion was approved by a unanimous voice call vote.

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

RECOGNITION OF CITIZENS:

Rocco Pilieri, 535 S Rochelle stated his concerns about the CSX Railroad tracks.

Director John Deaton stated he has made numerous calls to CSX and they are not responding to his calls. The representative he spoke to said the railroad crossings were rated by the amount of traffic that crossed the tracks. Lake Alfred's crossings were not rated as a heavily used road, even though several crossings have semi-trucks frequently going over them. He encouraged citizens to write letters or emails to CSX and complain about the crossings. The crossings that are on County Roads can be somewhat repaired by the County, but not the tracks themselves. He said he will reach out to the County.

City Manager Leavengood asked if there was a formal request that the City could make to CSX Railroad and said he would draft a letter on behalf of the Commission. He asked Director Deaton if staff had tried going through the County for their assistance. The crossing on Pierce St. is in such a state of disrepair that the spikes are coming up as cars are crossing.

Commissioner Lake stated the last time the crossings on CR 557 was repaired CSX acknowledged that the repair was a temporary fix. CSX is working on some of the crossings but the ranking of the crossings should also be a concern.

Vice Mayor Dearmin stated he has seen railroad work-crews repairing the tracks between Auburndale and Lake Alfred.

COMMISSIONER QUESTIONS AND COMMENTS:

Commissioner Lake wished the City Manager a good vacation and the Community Development Director a belated happy birthday. He also mentioned the Building Official Donnie True's last day is Friday, July 12th there will be a breakfast for him in the Commission Chamber.

Vice Mayor Dearmin stated he is looking forward to the upcoming Policy Committee meeting on July 19th.

Mayor Daley stated she had the pleasure of attending two ribbon cuttings in the City for Hardees and the Goodie Basket. She also wished the City Manager a happy vacation.

Commissioner Eden stated he appreciates the Parks and Recreation crew finishing up the two parks in the City.

Commissioner Maulsby stated he is concerned about the water shortage.

Mayor Daley stated her concern as well, cities around Lake Alfred are building at such a fast rate, she worries about the balance.

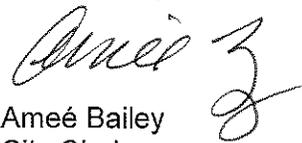
With no further business, the meeting was adjourned at 8:38 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by.



Ameen Bailey
City Clerk