

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY JULY 9, 2018
CITY HALL**

Call to Order: Mayor Charles Lake

Invocation and Pledge of Allegiance: Pastor Mike Jones

Those in attendance were Mayor Charles Lake, Vice Mayor Jack Dearmin, Commissioner Nancy Daley, Commissioner John Duncan, and Commissioner Albertus Maulsby.

Staff attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, Deputy City Clerk Mamie Drane, Community Development Director Ameer Bailey, Fire Chief Chris Costine, Public Works Director John Deaton, Financial Director Amber Deaton, Parks and Recreation Director Richard Weed, Police Chief Art Bodenheimer, and other staff.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood stated the Lake Alfred Library is hosting summer programs at Lake Alfred Elementary School. All programs start at 2:00 pm, please contact the Library for more details.

The Lake Alfred Chamber of Commerce is sponsoring Christmas in July in the Downtown District on July 14th from 9:30 am – 2:00 pm. Beginning with a Parade and a visit from Santa Claus, the festivities will include a Bounce House, Water Slide, Crafts, Music and Food. Local business will be open until 5:00 pm.

Several Commissioners asked about the route of the parade during the festivities on Saturday.

Pastor Jones described the route of the Christmas parade which was approximately a square block around the bank.

City Manager Leavengood gave a brief recap of the dedication held at the site of the Rosenwald School. The event had 50 to 60 attendees to celebrate the history of the City. Participants came from Haines City, Auburndale and also representatives came from the County. The site will be placed on the County sponsored Heritage Trail and will be visited by those following the trail.

The dock on Lake Haines is complete with a newly poured ramp. There will be one more dock rebuilt this year on Lake Rochelle.

CITY ATTORNEY ANNOUNCEMENTS

No comments.

RECOGNITION OF CITIZENS

Loretta Vittorio 260 Oak Lane (Cypress Greens) thanked everyone that has been involved with planning the Christmas in July event. It's been a great experience and she looks forward to seeing everyone there on Saturday.

PROCLAMATION: PARK AND RECREATION MONTH

Mayor Lake read the proclamation recognizing July as Parks and Recreation month in the City of Lake Alfred. He urged all citizens to experience the benefits by visiting our community parks and recreation resources.

Richard Weed the Parks and Recreation Director accepted the Proclamation and said the summer camp was going great and had about 100 or so kids attending the snake education program today as one of the summer programs. It's been an exciting year and next year will be even more exciting.

Commissioner Dearmin commented that Richard has done a magnificent job with his programs and his staff is doing a great job keeping our parks beautiful.

EMPLOYEE OF THE QUARTER: RENEE "MICKI" BOND

Finance Director Amber Deaton stated Micki began employment with the City on February 8 of 2017 as a part time reserve, and was promoted to permanent part time on December 11, 2017. Her past work experience has elevated operations within the Finance Department. She is always speaking up during staff meetings, and brings a unique perspective. It is incredible how often she goes over and beyond. It is my honor to present this award to Micki.

City Manager Leavengood stated Micki is an outstanding member of the Finance Department. This is one of the few times a permanent part time position has received Employee of the Quarter. He congratulated Micki and said it was good having her as part of the team.

CONSENT AGENDA

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

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

1.) PUBLIC HEARING: RESOLUTION 09-18: UNIFORM COLLECTION METHOD 2018 ASSESSMENT ROLL

Assistant City Attorney Claytor read the Resolution title.

City Manager Leavengood stated in July of 2014 the City adopted by ordinance elements of the International Property Maintenance Code providing a unified set of building and property maintenance standards. Coupled with this ordinance were inter-local agreements with the Property Appraiser and Tax Collector that allowed for actual costs incurred by the City through the code enforcement process to be recovered as a non-ad valorem assessment on the property tax bill. As a part of this process, The City also adopted Resolution 18-14 in December

of 2014 expressing the City's intent to utilize the uniform method of collecting the non-ad valorem assessments as provided by Florida Statutes 197.3632.

The proposed Resolution is the next step required to collect liens on the 2018-2019 tax bills. Notices to property owners were mailed via certified mail, as well as regular First Class and was published in the newspaper 20 days prior to this hearing.

Staff recommended approval of Resolution 09-18.

Property involving code enforcement often have fines imposed by the magistrate. The fines are based on evidence presented, by a Code Enforcement Officer, during a Special Magistrate Hearing. If fines are imposed he will also give the property owner a certain amount of time for the property to be brought into compliance. If the problem is not corrected by the end of the allotted time the fines commence and will run till the problem is corrected. This is for the abatement costs, actual costs incurred by the City through the code enforcement process. If the property owner does not bring his property into compliance, the City, by order from the Magistrate, can hire a contractor to bring the property into compliance. The city pays the contractor to do the work and the non-ad valorem assessment will go on their tax bill. This way the City can re-coop the abatement cost.

Assistant City Attorney Claytor stated the assessment is a benefit to the parcel as it qualifies as an assessment not as a fine. He also corrected exhibit "A" that had a scrivener's error. Then pursuant to F.S. Section 197.3632, he read the resolution to provide the owners of the property an opportunity to come forward and present a case to the Commission and that the Commission has the authority to increase or decrease the amount of the assessment based on the actual benefit provided by the City. He proceeded to read the list of names and addresses. No one was in attendance

City Manager Leavengood introduced **Denise Purcell** to the Commissioners and asked her to give a brief background about her code enforcement experience.

Denise Purcell Lake Alfred Code Enforcement Officer stated she has been a Code Enforcement Officer for three years and has completed three levels of Code Enforcement training. She thanked the City for allowing her to attend the fourth and final training session later this year. She will then have her certification as a Code Enforcement Officer. Code Enforcement has been a passion for her for over four years. She is very happy to serve Lake Alfred and she is very happy to be here.

Brenda Arnold 435 W Pierce St. said her neighbor at 435 W Haines has tall grass and snakes have become a problem in her area.

City Manager Leavengood explained that the City Commission is meeting as an equalization board for the previously mentioned properties. The Code Enforcement Officer is in attendance, and she will be happy to take the information regarding the property in question. The City also has an app, anytime you see something that needs reporting residents can use the app or give the City a call.

Commissioner Maultsby asked if there was any response from the residents noticed.

Commissioner Duncan asked what type of evidence would be brought before the Commission that would be acceptable. He also asked how long do property owners have to pay their assessments and if any of the property owners that are repeats have paid their previous fines.

Assistant Attorney Claytor stated notice was provided to the aggrieved property owner(s) pursuant to Chapter 197, Florida Statutes. Assessments collected using the Uniform Method of Collections will be collected in the same manner as a tax. The purpose of the public hearing(s) is to provide aggrieved property owners an opportunity to be heard and present evidence relating to any assessment affecting their real property. The Code Official is here in order to present evidence on behalf of the City. There would not be an evidentiary hearing similar to a Code Enforcement matter, but there would be someone here to represent the City and present evidence related to the property. Once the fines are certified this will be placed on the non-ad valorem assessment role and a tax certificate will be issued. Once the abatement had been processed and the City had abated the property, the property owner would have until this hearing and a short time after to pay the assessment. Once it's certified and sent over to the County Property Appraisers and the Tax Collector it becomes official. After a certain amount of time has passed there can be a suit to quiet title related to that parcel.

Mayor Lake asked how many of these cases have never paid, what happens if the owners don't pay. In some way or another the City will get reimbursed.

Community Development Director Bailey stated all of the properties in question have gone through abatement multiple times over multiple years. All but one of the properties is vacant and the City maintains them because no one else does. The abatement process began in 2014 there were no cases until 2015. This is the fourth year that the City has had abatement charges on most of these properties. After the abatement costs are certified today they will be sent to the tax collector. If property owners do not pay the assessment the tax certificates can be sold. Staff can provide the City Manager with a history for these properties.

Commissioner Daley asked if the properties abatements are certified it doesn't mean the problem goes away, does the process start over?

City Manager Leavengood stated the evidence has already been presented to the Magistrate and the Magistrate has weighed the violation and made a determination to abate the property. The cost against these properties is not really debatable, these are cost that were incurred by the City. The City Commission could grant clemency but the City has already spent tax dollars to abate these properties. The City's goal is not to rack up fines or abatement cost. He asked the Attorney if the City itself should pursue the title. The City would have to look at the property on a case by case basis regarding taking over the titles. If the City didn't have the abatement method, mowing crews couldn't go in and take care of the property on behalf of the City. The perception is the City's not doing anything to clean up the properties in violation. The reality is administrative fines could go into the hundreds of thousands of dollars in code enforcement fines but if the property is homesteaded the City can't do anything about the property. Through the abatement process the City is allowed to clean the property. Over time the unpaid

assessments would allow another property owner or developer to gain possession of the property.

Assistant City Attorney Claytor stated if the City were to purchase the tax certificate it would be able to quite title. The uniform collection method is the safest and most administratively friendly method that the City could pursue. The City will be able to recover their cost via the sale of the tax certificate.

Commissioner Dearmin moved to approve the Resolution 09-18 Uniform Collection Method 2018 Assessment Roll as read by the City Attorney, seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
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2.) ORDINANCE 1397-18: LAND DEVELOPMENT CODE AMENDMENT REGARDING BUILDING BASE LINES

Assistant Attorney Seth Claytor read the resolution.

City Manager Leavengood stated the downtown overlay district in the City's Unified Land Development Code (ULDC) provides new standards for development to accomplish the vision of the downtown master plan. One of the primary standards for new development in the downtown is "zero setbacks" with a maximum setback of 15ft. This allows structures to be built adjacent to the property line instead of being "setback" from it. Overtime, the effect of this development standard will be to corridor the downtown, slowing traffic, increasing sense of place, as well as increasing the downtown aesthetic as parking will now generally be located interior to the site.

During a recent Site Development Review, planning staff discovered a building standard in the general provisions of the Unified Land Development Code that conflicts with the language established in the Downtown Overlay District (DOD) relating to setbacks. The general provisions in the ULDC provide for setbacks for arterial (75 ft) and collector roads (50 ft) that are in addition to the building setbacks found in individual zoning districts. The general provision states that, "No structure in any zoning district shall be placed forward of the base building line, regardless of the normal front or side street setback requirements for the district." This code provision generally ensures that new construction is far enough away from the existing road to accommodate future lane expansion.

The number of current lanes in downtown (3-5 with all other roads feeding into it only having 1-2 lanes) combined with the goals and regulations within the downtown overlay district are inconsistent with this general standard (we're actually trying to reduce the number of lanes in downtown). The proposed ordinance keeps the general provision regarding building baselines intact but exempts the downtown overlay district from them consistent with the intent of the

downtown overlay district and downtown master plan. The proposed ordinance is cleanup in nature and received a unanimous recommendation of approval from the Planning Board.

On June 5, 2018, the Lake Alfred Planning Board unanimously voted to forward the proposed amendments to the City Commission with a recommendation of approval with changes. If approved on first reading, the public hearing will be set for July 23, 2018.

Staff recommended approval of Ordinance 1397-18 on first reading.

Mayor Lake opened public hearing, with no public comment, he closed public hearing

Commissioner Duncan asked if the drainage ditches will be moved to the other side of the building.

City Manager Leavengood stated this is just for the building itself it will have no impact on the drainage system.

Commissioner Daley asked about changes that had been noted by the planning board on it's approval of the change.

Community Development Director Bailey stated the Planning Board noticed the table had referenced only one of the provisions. Since there are two sections they noted the change should be made to both.

Assistant Attorney Claytor asked Director Bailey what date the Planning Board's meeting was held. To which **Community Development Director Bailey** replied June, 05, 2018.

Mayor Lake opened public hearing, with no public comment, he closed public hearing

Commissioner Daley moved to approve the Ordinance 1397-18 on first reading, seconded by **Commissioner Dearmin**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
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3.) RESOLUTION 10-18: 50th ANNIVERSARY OF HOME RULE

Assistant Attorney Seth Claytor read the resolution.

City Manager Leavengood stated a presentation on Home Rule was given at the 2017 Florida League of Cities (FLC) conference. They discussed the need to preserve the rights of local self-

government. In recent years, the Florida Legislature has passed or, attempted to pass, a number of pieces of legislation that would erode the home rule power of Florida cities. The FLC has included the protection of local government under municipal Home Rule powers as one of its' 2018 Legislative Priorities and this will be the focus of the 2018 conference. The FLC asked that local municipalities support the priority through a resolution, which Lake Alfred passed in February. The FLC has asked that every city pass a resolution celebrating the 50th Anniversary of Home Rule.

Staff's recommendation is the pleasure of the City Commission.

Mayor Lake stated the fight for Home Rule has been ongoing for some time and is a priority of the Florida League of Cities. A number of cities have already passed their resolution and the City needs to send in their support.

Commissioner Daley asked if the residents understood what Home Rule means. The legislature can pass rules that affect the City, requiring provisions, without providing means for the City to accomplish them. The City should have the ability to pass rules, without legislature telling us what to do.

Kevin Thomas 160 W Swoope St. asked for an example of Home Rule.

City Manager Leavengood stated Florida is a large state and when the legislature wants to govern all Cities the same the smaller cities are cheated. One size fits all does not fit all. Legislators are unable to pass a law for just one City it has to be state wide. Special interest groups target the legislators and try and erode the City's authority on a number of different issues. He provided examples regarding tree maintenance and business tax receipts.

Mayor Lake stated the theme for the Florida League of Cities this year is "Let Cities Work".

Commissioner Dearmin moved to approve Resolution 10-18: 50th Anniversary of Home Rule, seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
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4.) DISCUSSION: LEGISLATIVE POLICY COMMITTEE

City Manager Leavengood stated The City of Lake Alfred has always been active in participating on the Legislative Policy Committees. The policy committees develop the Florida League of Cities legislative priorities and help their staff understand the real world implications of proposed legislation. In an effort to get more cities involved, the Florida League of Cities is

requesting that each city be represented on one or more of the League's Legislative policy committees.

In the past, the City Commission has requested this item as an opportunity to discuss the topic in advance of submittals to the League of Cities. If a Commissioner so desires they may request to change the Committee they serve on and this request can be forwarded to the Florida League of Cities for consideration.

The current City of Lake Alfred participants are:

- Mayor Lake – Urban Administration Committee
- Vice Mayor Dearmin - Growth Management & Economic Affairs Committee
- Commissioner Daley - Transportation & Intergovernmental Relations Committee
- Commissioner Maultsby – Finance, Taxation & Personnel Committee
- Commissioner Duncan - Energy, Environment & Natural Resources Committee

2018-2019 Legislative Policy Committee Meeting Dates:

Policy committee meetings will be held in the fall due to the 2019 legislative session convening on March 5.

- Friday, September 14, 2018 from 10:00 am to 3:00 p.m. at the Hilton Orlando.
- Friday, October 12, 2018 from 10:00 a.m. to 3:00 p.m. at the Hilton Orlando Bonnet Creek.
- Thursday, November 15, 2018 and Friday, November 16, 2018 at the FLC Legislative Conference in the Kissimmee Embassy Suites Lake Buena Vista South.

Commissioner Daley stated there's a lot to be said for staying on the same committee, and she would like to stay on the Transportation & Intergovernmental Relations Committee. It means a lot to the City for us to have a voice in the committees we serve. The City also benefited from participation on the Transportation Committee regarding a project in Lake Alfred.

Commissioner Dearmin stated he is honored to serve on the Growth Management & Economic Affairs Committee.

Mayor Lake stated there are sometimes twenty to thirty cities being represented at the meetings and all are trying to say something about their issue. The Commissioners want to be there so they can have a say in what's being done.

Commissioner Maultsby stated there is taxation on line that will mean a lot to the larger cities. It's beneficial to be able to vote on items that will be good for the City.

RECOGNITION OF CITIZENS:

There were no comments.

COMMISSIONER QUESTIONS AND COMMENTS:

Commissioner Daley stated she appreciates the City Commission is so involved, going to all the meetings. She stated the Rosenwald School presentation was amazing and there was a great turnout. She wished the City had a feature article, photos and something in the newspapers. She also attended the Ridge Ledge of Cities seminar and all the Chamber of Commerce in the region were invited. There was a very good turnout and very informative. It was a chance for the Chambers to share with their businesses.

Commissioner Duncan stated the Haines dock is great but needs lighting and builders did a great job with the drainage. The residents are very happy with the material that was used, and they are looking forward to Lake Rochelle's dock to be finished. He asked if next year the City would be re-building one dock or two. Also some residents have been asking about the dock that used to be in Lions Park that was mainly used for fishing.

City Manager Leavengood stated the City will be completing two docks in the next year which includes the Twin Lakes and Fruitland docks. That would leave only one to be rebuilt and that is the North Echo dock. The dock at Lions Park is so big that it would be a major undertaking and would be considered a capital project at approximately \$60-70 thousand. With all the other park priorities that the City has at this time other items have higher priority.

Commissioner Maulsby stated he wanted to thank the residents for allowing him to represent them and supporting him.

Mayor Lake stated he wanted to thank the Commissioners for sticking with the Committees it's important to the City. He will be going to Plant City and transportation meeting in Tampa. The Polk Regional Water Coop is coming up soon. He also announced the City Manager will be on vacation.

Vice Mayor Dearmin stated he was out on one of the docks today where there was a Lake Region Management crew working on the seawall. He thanked them for the Hainesport Ramp and considered that a testament of two government agencies working together.

City Manager Leavengood stated he wanted to pass on his compliments to staff, Director Deaton and Director Weed, both have a great relationship with the Canal Commission. It is critical to have relationships with other agencies in different jurisdictions. The Canal Commission is willing to come to Lake Alfred to work with us because they know we work well with them.

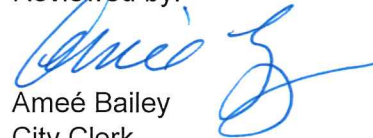
With no further business the meeting was adjourned at 8:37 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by.



Ameé Bailey
City Clerk