

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY JULY 24, 2017
7:30 P.M.
CITY HALL**

Call to Order: Mayor Charles Lake

Invocation and Pledge of Allegiance: Pastor Jones

Roll Call: Those in attendance were Mayor Charles Lake, Vice Mayor Nancy Daley, Commissioner John Duncan, Commissioner Jack Dearmin and Commissioner Albertus Maultsby.

Staff attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Ameen Bailey-Speck, Public Works Director John Deaton, Police Chief Art Bodenheimer, Fire Chief Chris Costine, Finance Director Amber Deaton and Parks and Recreation Director Richard Weed.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood stated the Library will be hosting a nautical-themed back to school event on Saturday, August 5th at 6 pm. Join the crew for games, prizes, food, and raffles. Contact the Library or the Parks and Recreation Department for more information.

The **Fire Department** showcased the new extrication tools, demonstrating the tools and describing their use. The new tools run off batteries instead of gas making them lighter and quieter. The department also purchased new, lightweight extraction gear that not only protects them but also keeps them cooler than the other gear.

City Manager Leavengood gave an update on Ramona Ave, stating the project is well under way and on schedule. The City has had good feedback from the contractor and they've been very accommodating in regards to access. Sanitation has made arrangements for trash pick-up, and the Post Office has placed a temporary mail receptacle at the end of the street.

Police Chief Bodenheimer discussed his recent awards from the National Students Against Distracted Driving (SADD) organization and the State Teen Safe Driving Coalition. He stated that each year he participates in teaching teens from across the state. Students are taught safety practices to take back to their schools and communities. This year the conference was in Florida, there were 570 kids and most every state in the United States. He expressed his appreciation for the City Commission, the City Manager, Lt Dempsey, and his staff, for covering for him while he was away.

CITY ATTORNEY ANNOUNCEMENTS

No comments or announcements.

RECOGNITION OF CITIZENS:

Mike Jones, 155 S Glenn Ave. First Baptist Church of Lake Alfred, thanked Richard Weed for his work with the youth program. Monday, July 31 he will be working with the youth program on a Loving LA project. If anyone knows of someone that's elderly or knows a neighbor that needs assistance, let him or the youth pastor know

EMPLOYEE OF THE QUARTER – CYNTHIA “CANDY” DANIELS

Police Chief Bodenheimer stated that Candy Daniels started her career with the Lake Alfred Police Department on August 31, 2009. She is currently assigned to the relief shift in communications. In my opinion this is the hardest shift to adapt to since Candy works all three shifts, days, evening and nights during each week.

Candy is known as one of the best for her skills in communications with our citizens, staff and other department employees. Candy uses her calm demeanor and experience in difficult times to help de-escalate situations that can become volatile quickly during calls. Candy can be counted on to assist whenever needed outside the scope of her general duties also.

Candy is quite known at the department by employees, including staff, for her listening skills and ability to talk about anything to help with a peaceful resolution. Even when she is having a bad day, she has the ability to keep her emotions in check and take care of others first.

Candy is an employee that I am very proud to have working at the Lake Alfred Police Department. Our citizens and visitors can be confident that when Candy is working they are being protected by one of the best in her field of work.

PROCLAMATION – SUPPORT FOR COUNTY BROADBAND PLAN

Mayor Lake read the proclamation to support the Polk Vision Smart Communities Team and the Vision Statement of the Polk County Broadband Plan and a Call to Action. He stated that the City of Lake Alfred City Commission will encourage future planning activities take into consideration broadband access and needs, making broadband a strategic priority in planning and serve as champions to increased broadband deployment and adoption efforts of the Polk Vision Smart Communities Team to achieve the vision of the Polk County Broadband Plan.

TRANSIT PRESENTATION

Tom Philips Executive Director of the Citrus Connection and Winter Haven Area Transit and Erin Kilibrew, Director of Government and Community Relations

Mr. Philips explained the three types of public transportation services which included the fixed route service through Winter Haven Area Transit. The second service provided is a required service for the Americans with Disabilities Act, called Para-transit Service. It is eligible to elderly and disabled citizens that live within three quarters of a mile from the fixed route the buses run. The last service is the Transportation Disadvantaged, a system of last resort for citizens at or below the poverty line for medical reasons only.

In the past the City budgeted \$5,000 and the County paid the remaining, approximate \$148,000. They are requesting that the City pay 20% of the funding cost. The increase would occur over a three year period, and instead of the \$5,000 the City would pay \$ 13,208 each year. The transit company provides about 615,000 rides per year, and the route through Lake Alfred services

about 30 passengers per hour, but there is no way to identify how many are from Lake Alfred. Starting this year the transit company is implementing a card system that will be able to track where the riders are getting on and where they get off.

Commissioner Duncan asked about ridership in Lake Alfred.

Vice Mayor Daley asked about the locations of the stops, and if all the cities provide the additional funding, what services will be improved by the transit company. She also stated that the advantage of public transportation is that everyone benefits from it, the riders and employers.

Mayor Lake asked about the ability to reduce the cost to the City, if the implemented card system shows fewer riders from Lake Alfred, than the initial estimate.

Mr. Phillips stated the cost is based on mileage within the City limits. There are other pricing models that can be evaluated in the future once the transit company can look at rides versus riders. The main problem they see right now is that Winter Haven may be disproportionately funding the system. He also stated we are the only county in the nation that all veterans ride for free.

City Manager Leavengood stated that Mr. Phillips gave his transit presentation at the Managers meeting and provided the numbers previously. The phase in cost was included in the proposed expenditures and the City Commissioners have already approved two thirds of the three year expenditures.

Mayor Lake stated he serves on the board for Transportation Disadvantaged and they take care of a lot of people and it's important that we continue this service.

CONSENT AGENDA

Commissioner Dearmin moved to approve the Consent Agenda, seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote

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

AGENDA

1.) PUBLIC HEARING: RESOLUTION 08-17 [10-17]: PROPOSED TENTATIVE MILLAGE RATE

Assistant City Attorney Claytor read the Resolution 08-17 [renumbered as 10-17].

City Manager Leavengood stated the City is required to advise the Property Appraiser's office of its tentative millage rate, roll-back rate and the date, time and place of the proposed budget hearing.

- The proposed millage for FY 17/18 is 7.2390 mills which is equal to the current millage rate and is 0.33% below the FY 17/18 rolled-back rate of 7.2633.
- The date, time and place of the first public hearing on the fiscal year 2017/2018 budget is set for Thursday, September 7, 2017 at 7:30 p.m. at City Hall located; 120 East Pomelo Street, Lake Alfred, Florida.

The proposed resolution sets the millage rate ceiling for the next fiscal year. The millage rate can be lowered when considered for adoption in September but it cannot be increased beyond the initial limit set within this resolution.

Staff recommended approval of Resolution 08-17 [10-17].

Mayor Lake opened the public hearing.

Vice Mayor Daley asked about advertising that the City is raising taxes.

City Manager Leavengood explained that since we are proposing to keep the same rate, it can be lowered when in budget hearings but it can't be increased.

Commissioner Maultsby moved to approve Resolution 08-17 [10-17], and the proposed millage for FY 17/18 7.2390 mills seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

2.) PUBLIC HEARING: RESOLUTION 09-17 [11-17]: UNIFORM COLLECTION METHOD 2017 ASSESSMENT ROLL

Assistant City Attorney Claytor read the resolution. 09-17 [renumbered to 11-17]

City Manager Leavengood 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 interlocal agreements with the Property Appraiser and Tax Collector that allowed for actual costs incurred by 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 2017-2018 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. The total assessments \$4,500.

Staff recommended approval of Resolution 09-17 [11-17].

Commissioner Duncan asked if the charges listed represented a one-time abatement.

Community Development Director Bailey stated the cost depended on the property and how many time the lots had been abated. Some totals reflect three abatements while others may not be as many. The cost listed is the actual abatement and the administration fees associated with that particular property. The property listed for over \$1,000 had several abatements from the past year that the owners promised to pay to keep it off the tax roll last year. It was never paid so that total is from last year and this year cost.

Assistant City Attorney Claytor read the resolution to provide the owners of the property an opportunity to come forward and present a case to the Commission and the Commission has the authority to increase or decrease the amount of the assessment based on the actual benefit provided by the City. **Assistant City Attorney Claytor** proceeded to read the list of names and addresses. No one was in attendance

Commissioner Dearmin moved to approve Resolution 09-17 [11-17], seconded by **Vice Mayor Daley**. The motion was approved by unanimous voice call vote.

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

3.) ORDINANCE 1386-17: ULDC TEXT AMENDMENT ON PHARMACIES

City Manager Leavengood In 2016 the Florida voters approved a ballot initiative to allow the sale and use of marijuana to treat debilitating medical conditions for eligible patients. On January 3, 2017, the City Commission adopted a moratorium on the placement and permitting of medical marijuana dispensaries in the City for a period of 180 days to allow time for the State to provide guidance on implementation. On June 23, 2017, the Governor signed the medical marijuana bill into law that went into effect on July 1

Following the adoption of state law on medical marijuana dispensaries the City has the option of either banning their placement within the City or to permit them in the same manner as pharmacies. Following direction from the City Commission at the June 19th regular meeting, staff has drafted an ordinance that adds “pharmacies” to the table of uses in the Unified Land Development Code (ULDC) to be permitted in the C1, C2, C3 zoning districts. The proposed ordinance also includes medical marijuana dispensaries in the definition of pharmacies.

The proposed ordinance also includes provisions for medical marijuana distribution facilities required by the State including: location requirements (minimum 500 ft from school property); hours of operation (not allowed to dispense between 9 pm-7 am); and safety provisions (alarm system, video surveillance, secured storage, outdoor lighting, at least 2 employees on-site).

On Tuesday, July 18, 2017, the Planning Board held a public hearing on the proposed Amendments and recommended approval with changes. The Planning Board recommended that the location of pharmacies be approved through a public hearing process such as a Special Exception.

Staff recommended the location of pharmacies fall within conditional use, as that seems to be the best use for all pharmacies, providing the Commission approves the rest of the ordinance

Commissioner Duncan asked how are other cities were permitting pharmacies, is it conditional use or do they have designation for a pharmacy. Is the City treating gas stations as conditional use? Why doesn't the City require the security provisions for CVS and Walgreens? Can we require CVS and Walgreens to have security cameras?

Community Development Bailey stated that the status depended on the zoning district within each city and it varies. Staff suggested conditional use since the City does not have businesses that operate 24 hours. It is not uncommon for a purchase agreement to include provision to allow time for zoning processes. Gas stations, truck stops and other businesses that are more intensive are treated as conditional use.

Marisa Barmby, Central Florida Regional Planning Council stated that as of today the City's code does not include pharmacies, they would be treated like retail. Most of the codes the Council works with don't specifically call pharmacies out.

City Manager Leavengood, stated, the security provisions for the dispensaries, are from state law.

Consensus was to move forward with conditional use.

RECOGNITION OF CITIZENS:

There were none.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Dearmin stated that within the committee on Land Management, CRAs are a focal point with the state as well as the Home Rule.

Commissioner Maultsby asked about and what happens if we are unable to collect the funds from the abatement. He also asked, could a tax certificate be issued to a property owner for not mowing his yard. He thanked the citizens of Lake Alfred for allowing him to represent them.

Assistant City Attorney Claytor answered the charges will be collected via the non-ad valorem assessment added to the tax roll.

Community Development Bailey stated some property owners have been paying at the time they pay their tax bill.

Mayor Lake wished Commissioner Dearmin Happy Birthday as his birthday is Tuesday.

Vice Mayor Daley stated she appreciated the Fire and Police Department for their presentation. Mackay Gardens will be having work days on Tuesday and Saturday. The two big issues within the Policy Committee deal with Home Rule. The committee is standing strong against it

Commissioner Duncan thanked Public Works for helping out with the mail on Ramona. Asked about the CSX crossing he has been getting complaints from the Citizens.

With there being no further business to discuss, Mayor Lake adjourned the meeting at 8:51 pm.

Respectfully Submitted,



Ameé Bailey
City Clerk