

**MINUTES  
CITY OF LAKE ALFRED  
CITY COMMISSION MEETING  
MONDAY AUGUST 6, 2018  
CITY HALL**

**Call to Order:** Mayor Charles Lake

**Invocation and Pledge of Allegiance:** Dennis Kirkland

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

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, Community Development Director Ameer Bailey, Fire Chief Chris Costine, Financial Director Amber Deaton, Parks and Recreation Director Richard Weed, and Lieutenant Dempsey.

**CITY MANAGER ANNOUNCEMENTS**

**City Manager Leavengood** provided an update on the City Administration building remodel. He also discussed the demolition of the buildings on the Grey property and of the future development of the site with the provisions of the Downtown Overlay District code. There will be a Dunkin Donuts, Dollar Tree and Hardee's, all built with the newer concept buildings with additional façade treatment on the buildings. The buildings will be closer to the road with parking interior to the site, there will be improvements to the retention area and cross access between the buildings. He stated that the development will increase the value of the City property and that staff will be bringing a task order in the near future to address possible environmental issues on the City property.

Police Chief Art Bodenheimer will be presenting at the next Chamber of Commerce Lunch and Learn on Friday August 10<sup>th</sup> at 11:30 am at The Back Porch. Contact the Chamber for more details.

**CITY ATTORNEY ANNOUNCEMENTS**

No Comments.

**RECOGNITION OF CITIZENS**

**Mike Sommerfield**, 725 W Pierce St. expressed his concerns over the possibility of Duke Energy power poles in the City.

**Brenda Arnold**, 435 W Pierce St. asked about the attorney letter the residents received.

**City Manager Leavengood** stated he has spoken with Duke Energy regarding the letter and possible routes. He found out that there were four or five eminent domain attorneys that sent out letters to everyone along the purposed routes. The letter is not an indication that the Lake

Alfred route has been chosen. The Duke Energy spokesman was not aware that any routes involving Lake Alfred had been chosen and the decision will not be made until later in the fall.

### **CONSENT AGENDA**

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

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

### **AGENDA**

#### **1.) ORDINANCE 1397-18: LAND DEVELOPMENT CODE AMENDMENT REGARDING BUILDING BASE LINES**

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

**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 (75ft) and collector roads (50ft) 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.

**Staff** recommended approval of Ordinance 1397-18 on second and final reading.

**Commissioner Duncan** asked if this was only changing the Downtown Overlay and will the City allow development up to and on the property line. He also asked if the new development will have curb cut access on the Shinn Street side.

**Commissioner Daley** asked if Code Enforcement could tell business where they can place their dumpster. When you have a dumpster close to the road it sometimes creates a driving safety hazard. She also asked if a change of use require business go to the new development code.

**City Manager Leavengood** stated the Downtown Overlay District (DOD) was to be an overlay with different standards prevailing against the underlying district. This is a general provision it doesn't fit into a district and a conflict was created. There is some discretions, it is zero lot lines, but basically we don't want parking between the building and the road. Most all development in the DOD will be required to go through a site plan review process.

**Community Development Director Bailey** stated the setbacks for the DOD is a maximum of fifteen feet. The normal setback for an arterial road is a minimum of seventy five feet. Even if there are zero lot lines the buildings would be up against the right-of-way with the sidewalk separating the building from the street. There is consideration for the visibility triangle making sure nothing will obscure traffic at the crossroads. The City Code does regulate the areas that dumpsters can go, they are supposed to have a fence surrounding them. The fence located on the property in the downtown area is required in the DOD, meeting the standard of screening outdoor storage. In the DOD the fences, where addressed, is only in the purpose of screening. It does not address future fences, because there's not an expectation that there should be future fences. Change of use requirements will depend on how significant the change of use is and how much the current site meets current development standards. If the use changes to something different where the previous use required two parking spaces and the new use requires seven, that will require more detailed site review. If the use is similar and the site meets current standards there won't a lot of change needed. The FDOT was restrictive in regards to the new development and the access will be either Orange or Cummings Street.

**Mayor Lake** stated his concern is at certain areas in Downtown where you can't see to make turns. He also asked how the existing golf cart business got a driveway cut on Shinn Blvd.

**City Manager Leavengood** stated the existing fencing is used as a screen around outdoor storage. Going back over the DOD the City can make changes in the code and there is some flexibility. FDOT is using the new development to correct something that they wouldn't allow now. It's a state road so FDOT has a say in this project and so does the Water Management District.

**Commissioner Duncan** stated the golf cart business made their driveway a long time ago.

**Mayor Lake** opened public hearing.

**Brenda Arnold**, 435 W Pierce St. asked if all three commercial business would be on the same lot and if the parking would be shared. Her concern was about the elderly crossing roads to get from one establishment to another.

**Mike Sommerfield**, 725 W Pierce St. clarified that the City would soon have three different types of Dollar Stores.

**Commissioner Daley** stated as a City we can't tell property owners what they can and can't build.

**Mayor Lake** closed public hearing.

**Vice Mayor Dearmin** stated staff has worked diligently on this project, anything to improve our City he's all for he then moved to approve Ordinance 1397-18 on second and final reading; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

## 2.) **ORDINANCE 1398-18: MARIANA SHORES PARCEL CONVEYANCE**

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

**City Manager Leavengood** stated City staff was contacted by a law firm representing a party that was attempting to purchase Lot 27 in Lake Mariana Shores. Polk County had previously owned the lot and conveyed ownership to the Lake Mariana Shores Corporation. When the City made purchase of the utility from the County in the same area they mistakenly included the property's description in the parcels that were conveyed to the City as a part of that purchase.

Since the title was transferred to the Lake Mariana Shores Association previously the City has no ownership interest in this property. However, since the property was conveyed a second time it is creating a cloud on the title that was discovered in the title search as a part of the purchase. The proposed ordinance approves a quitclaim deed on Lot 27, releasing the City's interest in the property (which is nothing) and removes the cloud on the title from the County's double conveyance.

The proposed ordinance is ministerial and cleanup in nature. However, the charter requires the sale or release of interest in any City owned property by ordinance.

**Staff** recommended approval of Ordinance 1398-18 on second and final reading.

**Commissioner Daley** asked if there was a boat ramp and dock on this property.

**City Manager Leavengood** stated this property does have a boat ramp and dock, it was a common area servicing the Mariana Shore area.

**Assistant City Attorney Claytor** stated this is a phantom deed and/or wild deed, it was property conveyed and wasn't owned at the time of the conveyance.

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

**Vice Mayor Dearmin** moved to approve Ordinance 1398-18 on second and final reading; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote.

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

### 3.) BUDGET PRESENTATION: REVENUE & PAYROLL

**City Manager Leavengood** stated the proposed revenue and payroll sections for the upcoming FY 18/19 budget have been prepared using the previously approved second year budget. Proposed changes been highlighted and are based on experience from the current and previous fiscal years or from anticipated changes based on future projections. Referring to the on screen spreadsheet, he said numbers that are in white were previously approved budget items and then extended into the 19/20 budget. A value in green denotes an increase in the revenue or decrease in expenditure while the orange denotes a decrease in revenue or increase in the expenditure. He went on to identify the different categories and explain what each increase and decrease meant. The General Fund, the Enterprise Fund and the CRA are all balanced in both years. The City is generally trending upward in all categories.

**Mayor Lake** asked about the changes in the dumping fees.

**City Manager Leavengood** stated that because of actions the City took a few years ago we are ahead of the curve. The City went out to bid for trash service a few years ago, because of the bids we received, the staff knew that an in house service would serve the City best. Having renewed the MURPH agreement with Republic Services for another three years to take the collected trash and recyclables to their facilities. The City has another two years before any decision will have to be made.

The City performs a salary survey every two years. Staff compares the City against other cities so we can make informed decisions about compensation. The salary survey was performed against 15 other cities similar to Lake Alfred as well as the local labor market.

**Mayor Lake** asked if the two additional firefighters would help the Fire ISO rating.

**Commissioner Duncan** asked about the two Police Department positions listed in the Growth Plan, and will the City purchase two cars in those years as well. He also asked if there be purchases related to hiring of firefighters.

**City Manager Leavengood** stated the additional firefighters would help with the ISO rating but the immediate solution will be the call back system. The City may only have two firefighters on a shift, but there are 15 firefighters total. We will be adding vehicles to the Police Department and we have ample equipment for the Fire Department. We are looking at impact fees to offset the cost for any additional expenses.

Proposed changes to payroll have been highlighted and include a two and a half percent (2.5%) cost of living adjustment, (COLA) depending on final budget, and other increases based upon



**Brenda Arnold**, 435 W Pierce St. stated she liked the idea of a part-time position in Parks and Recreation.

**Mayor Lake** closed public hearing.

**Vice Mayor Dearmin** moved to approve the draft Revenue & Payroll Sections to be included in the FY 18/19 Budget; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

#### **RECOGNITION OF CITIZENS:**

There were no comments.

#### **COMMISSION COMMENTS:**

**Commissioner Maultsby** thanked the City Manager and staff for the presentation of the balanced budget.

**Mayor Lake** stated he was the judge at the summer rec talent show. He also went to the “Meet the Candidates” in Winter Haven where he told them about Lake Alfred. The Administrative front office is very nice, it looks a lot like a bank. The Commissioners will be going to Hollywood Florida next week for the Florida League of City conference. This was a great budget meeting, the City Manager is doing a great job.

**Vice Mayor Dearmin** thanked the City Manager and staff and he is looking forward to the FLC Conference. The CRA is always on the radar at the conference, they should see what Lake Alfred has accomplished.

**Commissioner Daley** thanked the City Commission and staff for the Downtown Overlay and the forward thinking and strategy to plan what we wanted the City to look like. She also reminded everyone of the upcoming primary election and to get out and vote.

**Commissioner Duncan** stated that each year the budget presentation gets better and he is looking forward to bringing in additional staff. He also reminded everyone that school starts and be cautious around the buses.

With no further business the meeting was adjourned at 9:18 pm.

Respectfully submitted,

Reviewed by.

Mamie Drane  
Deputy City Clerk

Ameé Bailey  
City Clerk