

City of Lake Alfred  
120 E. Pomelo Street  
Lake Alfred, FL 33850



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**AGENDA**  
**CITY COMMISSION MEETING**  
**MONDAY, JANUARY 5, 2015**  
**7:30 P.M.**  
**CITY HALL**

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**CALL TO ORDER: MAYOR NANCY Z. DALEY**

**INVOCATION**

**PLEDGE OF ALLEGIANCE: MAYOR NANCY Z. DALEY**

**ROLL CALL: INTERIM CITY CLERK VALERIE FERRELL**

**CITY MANAGER & CITY ATTORNEY ANNOUNCEMENTS**

**RECOGNITION OF CITIZENS: ITEMS NOT ON AGENDA**

**CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 12/15/14.**

**PROCLAMATION: AGRICULTURAL AND LABOR PROGRAM, INC.**

**AGENDA**

- 1.) ORDINANCE 1347-15: ANIMALS (ULDC)
- 2.) ORDINANCE 1348-15: SIGNAGE
- 3.) RESOLUTION 01-15: EMPLOYEE INCENTIVE PROGRAMS
- 4.) BOARD APPOINTMENT

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

**COMMISSIONER QUESTIONS AND COMMENTS:**

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

**ADJOURN**



# *Proclamation*

**Whereas**, the Agricultural and Labor Program, Inc. (ALPI) is a private non-profit community based organization that has been helping people and changing lives since 1968; and

**Whereas**, ALPI's purpose is to help people maintain family strength, provide avenues for financial assistance, and create economic stability; and

**Whereas**, in the 2013-2014 fiscal year, ALPI enrolled 265 families into the Community Services Block Grant self-sufficiency program, as well as 15 youth were provided summer job opportunities and 26 adults were provided with work experience of which 20 became gainfully employed; and

**Whereas**, Head Start / Early Head Start services were provided to 974 children and their families in Polk and St. Lucie Counties through the Agriculture and Labor Program, Inc.; and

**Whereas**, additionally ALPI provided a total of 352,625 meals to pre-school and school age children via the Child Care Food and Nutrition Program; and

**Whereas**, the Low Income Home Energy Assistance Program (LIHEAP) services were expanded in partnership with 15 non-profit organizations to provide assistance to a total of 10,727 clients; and

**Whereas**, the month of January 2015 will commemorate 47 years of providing a constant flow of community support services to help socially and economically disadvantaged children and families.

**Now, Therefore**, I Nancy Z. Daley, Mayor of the City of Lake Alfred, do hereby proclaim January 24, 2015 as

## **"Agricultural and Labor Program, Inc. Day"**

in the City of Lake Alfred, Florida and urge all citizens to recognize services needed by those less fortunate in our community and encourage everyone to support the Agricultural and Labor Program, Inc.

**IN WITNESS WHEREOF**, I have hereunder set my hand this 5<sup>th</sup> day of January, 2015.

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Nancy Z. Daley, Mayor  
City of Lake Alfred, Florida

**LAKE ALFRED CITY COMMISSION MEETING  
JANUARY 5, 2015**

**CONSENT AGENDA**

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**1.) CITY COMMISSION MEETING 12/15/14**

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**ATTACHMENTS:**

- December 15, 2014

**ANALYSIS:** Please review the minutes at your earliest convenience and if there are any questions, comments or concerns please contact the Interim City Clerk, Valerie Ferrell at (863) 291-5747.

**MINUTES  
CITY COMMISSION MEETING  
MONDAY, DECEMBER 15, 2014  
7:30 P.M.  
CITY HALL**

**Call to order: Mayor Nancy Z. Daley**

**Invocation: John Dame**

**Pledge of Allegiance: Mayor Nancy Z. Daley**

**Roll Call:** Those in attendance were Mayor Nancy Z. Daley, Vice Mayor Charles Lake, Commissioner John Duncan, Commissioner Albertus Maultsby (late), Commissioner Jack Dearmin, City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, and Interim City Clerk Valerie Ferrell.

Staff attendance: Public Works Director John Deaton and Police Chief Art Bodenheimer.

**CITY MANAGER ANNOUNCEMENTS**

There will be a Ridge League of Cities Dinner to be held on Thursday, December 18<sup>th</sup>, at the Eaglebrook Club in Lakeland.

There will be a ribbon cutting on Friday, December 19, 2014 at 10am for Puerto Rican Nails and Barber Shop, at 1502 Lake Alfred Road.

The City of Lake Alfred's Annual Bluegrass Bash will be held on Saturday, January 10, 2015 at the Mackay Gardens and Lakeside Preserve. This event will start at 11:00a.m. with food, fun, and entertainment for the entire family and end at 9:00pm.

In observance of the holidays, City Offices will be closed December 24<sup>th</sup> and December 25<sup>th</sup> as well as January 1<sup>st</sup>.

Assistant Librarian Selina Lawrence passed away last week, rather suddenly. The City will be offering condolences to the family and

He reviewed the City Clerk duties being distributed to staff, including Valerie Ferrell serving as Interim City Clerk, while he will be taking over Human Resources duties and Cemetery sales will be handled by the Finance Department. He continued by stating the City Clerk applications are currently being reviewed, with 17 applications received with varying ranges of experience.

He stated there will be an upcoming meeting in January with Polk County staff regarding the Fire Protection Services Agreement and indicated he will apprise the Commission of any updates.

**CITY ATTORNEY ANNOUNCEMENTS**

There were no legal announcements.

## RECOGNITION OF CITIZENS

**Dorothy Selhime, 345 N Echo Drive**, stated she was interested in locating former City Commissioner Joseph Gallo. Also, she referenced former volunteer firefighters Bill Ramsey and Robert Wiggins who were an asset to the community and suggested they be recognized for their years of service.

**Karen Abdul-Hameed, 825 James Way**, stated she serves on the Planning Board and greatly appreciated the inclusion of advisory board members at the Lake Alfred Employee's Holiday dinner last week.

### CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 12/1/14

**Vice Mayor Lake** moved to approve the City Commission Meeting minutes for the December 1, 2014 regular meeting; seconded by **Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

## AGENDA

### **1.) PUBLIC HEARING – RESOLUTION 18-14: UNIFORM COLLECTION METHOD**

**Commissioner Maultsby** was in attendance at 7:48pm.

**Mayor Daley** read the title of Resolution 18-14.

**City Manager Leavengood** stated the City Commission 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. In summary, the City is seeking recovery of abatement costs to bring properties into compliance such as mowing tall grass or weeds or demolition costs in extreme cases. The recovery does not include daily fines as set by the Special Magistrate. The abatement costs include the physical costs incurred by the City, and through this method, can be collected annually on the property tax bill. The proposed resolution expresses the City's intent to utilize the uniform method of collecting the non-ad valorem assessments as provided by Florida Statutes 197.3632. Also as required by Statute, this item was published in the News Chief for four consecutive weeks prior to tonight's public hearing. Staff recommendation is for approval of Resolution 18-14.

**Mayor Daley** opened the public hearing.

There were none.

**Mayor Daley** closed the public hearing.

After some discussion, **Assistant City Attorney Claytor** clarified the process to approve the assessments on individual properties must be reviewed annually and approved by the City Commission. When the Resolution is presented annually, property owners will then have an opportunity to address the Commission in a public hearing, and the Commission will have the ability to increase or decrease the assessment. The Resolution this evening simply states the City's intent to utilize the uniform collection method to proceed forward.

Without any comments, **Commissioner Dearmin** moved to approve Resolution 18-14; seconded by **Vice Mayor Lake** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

## **2.) RESOLUTION 19-14: 2015 CENTENNIAL**

**City Manager Leavengood** stated the City of Lake Alfred, Florida will celebrate its Centennial in the year 2015 marking its 100<sup>th</sup> Anniversary with events scheduled throughout the year. Resolution 19-14 declares 2015 as the Centennial year based upon the incorporation date of the 29<sup>th</sup> day of June, 1915. The first event Centennial event will be the Bluegrass Bash held on January 10, 2015 at the Mackay Gardens and Lakeside Preserve. He introduced the 2015 Commemorative Centennial Calendar which will be distributed throughout the year.

**Mayor Daley** read Resolution 19-14 in its entirety.

After brief discussion, **Commissioner Duncan** moved to approve Resolution 19-14; seconded by **Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

## **RECOGNITION OF CITIZENS**

**Joyce Schmidt, 365 E Sanford St,** indicated the new Family Dollar store will be opening this Wednesday December 17<sup>th</sup>.

**Karen Abdul-Hameed, 825 James Way**, indicated there was a correction needed to the Centennial Calendar to reflect the correct date for the Bluegrass Bash event.

### **COMMISSIONER QUESTIONS AND COMMENTS**

**Mayor Daley** congratulated the City on another successful Christmas Parade and also thanked staff for the holiday dinner. She attended a grand opening for Duke Services which provides tax preparation services. She wished everyone a Happy Holiday season.

**Commissioner Dearmin** wished everyone a Happy Holiday season. He concurred that the Christmas Parade was a success.

**Commissioner Duncan** wished everyone a Happy Holiday season. He attended the Lake Alfred Youth Football season-end celebration and presented a plaque from the League showing their appreciation of the partnership. Lake Alfred Little League baseball is beginning registration as well.

**Vice Mayor Lake** expressed regrets for not being able to attend the holiday dinner, but was happy to hear the advisory board volunteers were included this year. He also mentioned FDOT will be marking the City cross-streets with directional arrows. He also wished everyone a Happy Holiday season.

**Commissioner Maultsby** apologized for his tardiness this evening and wished everyone a Happy Holiday season. He congratulated the staff for improvements throughout the City.

**City Manager Leavengood** also mentioned the City is proceeding with the necessary arrangements with the University of Florida to exchange properties and he plans to present some final documents for the City Commission to consider in the new year.

**Mayor Daley** also mentioned the Mackay Historic Home will also celebrate its 100<sup>th</sup> Anniversary in 2015 and an event is being planned to celebrate this piece of Lake Alfred history as well as a fundraiser for the Mackay Gardens and Lakeside Preserve.

With there being no further business to discuss, **Mayor Daley** adjourned the meeting at 8:11 pm

Respectfully submitted,

Valerie Ferrell  
Interim City Clerk

**LAKE ALFRED CITY COMMISSION MEETING  
JANUARY 5, 2015**

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**1.) ORDINANCE 1347-15: ANIMALS (ULDC)**

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**ISSUE:** The City Commission will consider an ordinance providing for revisions to the Unified Land Development Code relating to animals.

**ATTACHMENTS:**

- Ordinance 1347-15
- Planning Board Minutes Excerpt 12/17/14

**ANALYSIS:** As a part of a comprehensive review of city codes and policies, city staff has identified an opportunity to clean-up and improve Section 2.02.07 of the City's Unified Land Development Code (ULDC) related to zoning limitations on domestic and wild animals. The City Commission recently passed a similar ordinance amending the City's Code of Ordinances, removing city regulations in favor of utilizing Florida Fish & Wildlife (FWC) and the County's Animal Control Ordinance to regulate nuisance animals and nuisance wildlife within the City.

The proposed ordinance removes language from the land development code that regulates the breeding or maintenance of wildlife within the City. Florida Fish & Wildlife is the agency that regulates these activities within the state and requires permits with requirements that are detailed within the Florida Administrative Code. Additionally, the ordinance removes language from the land development code that regulates the number of dogs a residence may have. The intent of this provision is already regulated under the County Animal Control Ordinance related to nuisance animals that we previously have adopted by reference within the City Code.

**STAFF RECOMMENDATION:** Approval of Ordinance 1347-15 on first reading.

## ORDINANCE 1347-15

### **AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA AMENDING SECTION 2.02.07 OF THE CITY OF LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE REGARDING LIMITATIONS ON ANIMALS AND ZONING FOR AGRICULTURAL USES WITHIN THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake Alfred City Commission approved the Unified Land Development Code in 1993, and prescribed regulations as related to animals; and

**WHEREAS**, as originally adopted by the City Commission of the City of Lake Alfred, Florida, the regulations governing animals within the municipal boundaries of the City of Lake Alfred, Florida, were codified in Section 2.02.07, Article 2, Unified Land Development Code; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has adopted certain amendments to the Unified Land Development Code of the City of Lake Alfred, Florida, as related the regulations governing animals in order to maintain consistency with Florida law; and

**WHEREAS**, the City of Lake Alfred City Commission approved an update to said Code of Ordinances via Ordinance 1346-14 on December 1, 2014 providing consistency with applicable state law and local county ordinance on wild game, nuisances and domesticated animals such as dogs and cats; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has determined that the Unified Land Development Code of the City of Lake Alfred, Florida, and the regulations governing animals must be amended in order to maintain consistency with Florida law, the regulations prescribed by the Florida Fish and Wildlife Conservation Commission, and the regulations prescribed by Polk County, Florida; and

**WHEREAS**, amending Article 2 of the Unified Land Development Code of the City of Lake Alfred, Florida, in order to maintain consistency with Florida law and incorporate the regulations prescribed by the Polk County Animal Control and Animal Services Ordinance will advance the health, safety and welfare of the residents and citizens of the City of Lake Alfred, Florida.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**Section 1.** Section 2.02.07 of the Unified Land Development Code of the City of Lake Alfred is hereby amended to read as follows (language stricken is shown in ~~stricken~~ format; language added is shown as underlined format):

**2.02.07 Limitations on Animals and Zoning for Agricultural Uses (Including Farm Animals)**

~~(A) No person shall keep or maintain in connection with any residential dwelling unit more than two (2) dogs aged six (6) months or older. No person shall keep or maintain more than two (2) dogs in connection with any building used for commercial or industrial purposes.~~

(B) No person shall breed or maintain farm animals, fowl, or other livestock within the City of Lake Alfred except in residential districts RR and RE with the restrictions outlined in (D) below. These shall include, but are not limited to, ~~bees~~, cattle, chickens (including roosters), goats, horses, peacocks, pigeons, and pigs.

~~(C) No person shall breed or maintain any wild animal or poisonous reptile that, in the opinion of the Chief Building Official, poses a threat to human safety in Lake Alfred. Excluded from this restriction are animal shelters, medical or scientific facilities, pet shops, zoos or other locations where the showing or maintenance of such animals is a permitted use under the provisions of this Code. No person shall breed or maintain captive wildlife within the City of Lake Alfred without first obtaining a Captive Wildlife Permit from the Florida Fish and Wildlife Commission. Captive wildlife requiring a permit may include venomous reptiles, conditional reptiles, and Classes I, II and III Wildlife pursuant to 68A-6.002, 68A-6.0021 and 68A-6.0022 Florida Administrative Code.~~

(D) Property that was previously classified and zoned by Polk County for agricultural uses; and is used for a "Bona Fide Agricultural Purpose", as certified by the Polk County Property Appraiser; and qualifies for an agricultural tax exemption by the State of Florida under F.S. 193.461; may be annexed into the City with the Rural-Residential/Agriculture, Very Low Density Residential or Low Density Future Land use classification to allow the property owner to continue his agricultural (including farm animal) activity. These lots may only be zoned under an RR or RE district.

Lands that are surrounded by the city limits, and are known as "enclaves", may not be annexed in and zoned agricultural (including farm animal) activity unless the use is a limited agricultural use. For the health, safety and welfare of the citizens of Lake Alfred, this activity will only be permitted at the perimeter of the City, in areas that already support agricultural uses and have qualifying agricultural tax exemptions. At the time of development, or subdivision of the land for development, or when the agricultural tax exemption is removed, all rights to agricultural uses (including the keeping of farm animals) shall cease.

**Section 2.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances, unless such repeal is explicitly set forth herein.

**Section 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof,

irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Alfred; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or re-codified copy of same with the City Clerk.

**Section 5.** The effective date of this Ordinance shall be immediately upon adoption at Second Reading.

**INTRODUCED AND PASSED** on first reading at a regular meeting of the City Commission of Lake Alfred, Florida held this 5<sup>th</sup> day of January, 2015.

**PASSED AND ENACTED ON SECOND READING**, with a quorum present and voting, at the regular City Commission meeting of Lake Alfred, Florida, this 20<sup>th</sup> day of January, 2015.

**CITY OF LAKE ALFRED  
CITY COMMISSION**

ATTEST:

By: \_\_\_\_\_  
Nancy Z. Daley, Mayor

By: \_\_\_\_\_  
Valerie Ferrell, Interim City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Frederick J. Murphy Jr., City Attorney

**Planning Board Meeting  
Amendment to ULDC Section 2.02.07 Animals**

The following is an excerpt from the Planning Board meeting minutes for the December 17, 2014 regular meeting.

Mamie Drane  
Mamie Drane, Administrative Assistant

Date: 12/29/14

**3.) PUBLIC HEARING: CONSIDER MAKING A RECOMMENDATION TO THE CITY COMMISSION TO AMEND SECTION 2.02.07 OF THE CITY OF LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE, RELATING TO LIMITATIONS ON ANIMALS.**

**Director Ferrell** stated this amendment was prepared as a part of a comprehensive review of the City Charter, City codes, and policies, city staff has identified an opportunity to clean-up and improve Section 2.02.07 in the Unified Land Development Code relating to limitations on animals as it relates to zoning. Staff also presented a companion Ordinance to the City Commission amending Chapter 10 of the Code of Ordinances related to animals providing clarity on nuisance animals and preemption of Florida Fish and Wildlife laws as well as the Polk County Animal Control Ordinance. The existing provisions within Section 2.02.07 provide for prohibitions to breed or maintain wild animals in the City, however Florida Fish and Wildlife is the regulatory agency who oversees permitting captive wildlife. Also, the limitation on adult dogs per residence is arbitrary and difficult to enforce by city staff. The Florida Fish and Wildlife already have definitions and procedures in place for addressing nuisance wildlife. Additionally, the county animal control ordinance that we previously adopted by reference already provides regulations and penalties related to dogs and other animals. The proposed amendment removes these provisions within our code and better aligns it with state law and county ordinances related to the regulation of animals within the City.

**Chair Roach** opened the public hearing.

There were no public comments.

**Chair Roach** closed the public hearing.

After brief discussion, **Board Member Spokony** made a motion to recommend approval of changes to Section 2.02.07 in the Unified Land Development as presented; seconded by **Board Member Hoffman** and the motion was approved by unanimous voice call vote:

|                                  |            |
|----------------------------------|------------|
| <b>CHAIR DAME</b>                | <b>AYE</b> |
| <b>VICE CHAIR ROACH</b>          | <b>AYE</b> |
| <b>BOARD MEMBER BIGGAR</b>       | <b>AYE</b> |
| <b>BOARD MEMBER HOFFMAN</b>      | <b>AYE</b> |
| <b>BOARD MEMBER SPOKONY</b>      | <b>AYE</b> |
| <b>BOARD MEMBER ABDUL-HAMEED</b> | <b>AYE</b> |
| <b>ALTERNATE MEMBER HULTS</b>    | <b>AYE</b> |

**LAKE ALFRED CITY COMMISSION MEETING  
JANUARY 5, 2015**

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**2.) ORDINANCE 1348-15: SIGNAGE**

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**ISSUE:** The City Commission will consider an ordinance providing for revisions to the Unified Land Development Code relating to sandwich signs and special event signs.

**ATTACHMENTS:**

- Ordinance 1348-15
- Planning Board Minutes Excerpt 12/17/14

**ANALYSIS:** As a part of a comprehensive review of city codes and policies, city staff has identified an opportunity to clean-up and improve Sections 4.03.00 and 4.05.02 in the Unified Land Development Code (ULDC) relating to signs.

The current regulations on permanent business signage within the City do not regulate the contents of signage or whether it is onsite or offsite. In order to protect first amendment rights, our “content neutral” regulations focus instead on the number and size of signs each business may have.

As a holdover from earlier versions of our signage regulations that were likely overlooked in previous revisions, sections 4.03.00 and 4.05.02 related to special event and sandwich signs still contain language restricting signage based on content (onsite/offsite). The proposed ordinance removes the onsite requirements of these signs thereby making them content neutral and consistent with our regulations on permanent business signage.

(Sandwich signs are limited to one (1) 2’ x 4’ per business and special event signage must be permitted by the Community Development Department.)

**STAFF RECOMMENDATION:** Approval of Ordinance 1348-15 on first reading.

## ORDINANCE 1348-15

### AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA AMENDING SECTIONS 4.03.00 AND 4.05.02 OF THE CITY OF LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE REGARDING EXEMPTED SIGNS AND SPECIAL EVENT SIGNS WITHIN THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, the City of Lake Alfred City Commission approved the Unified Land Development Code in 1993, and prescribed regulations as related to signs; and

**WHEREAS**, as originally adopted by the City Commission of the City of Lake Alfred, Florida, the regulations governing signs within the municipal boundaries of the City of Lake Alfred, Florida, were codified in Article 4, of the Unified Land Development Code of the City of Lake Alfred; and

**WHEREAS**, on December 17, 2014 the City of Lake Alfred Planning Board held a public hearing on the proposed amendments to the Unified Land Development Code of the City of Lake Alfred as more particularly set forth below and after hearing from all interested persons and members of the public in attendance who desired to address the Planning Board, the Planning Board recommends that the City Commission of the City of Lake Alfred adopt the proposed amendments related to regulations governing signs to the Unified Land Development Code of the City of Lake Alfred; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has adopted certain amendments to the Unified Land Development Code of the City of Lake Alfred, Florida, as related to regulations governing signs in order to maintain consistency with Florida law; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has determined that the Unified Land Development Code of the City of Lake Alfred, Florida, and the regulations governing signs must be amended as more particularly set forth below in order to maintain consistency with Florida law and other provisions of Article 4 of the Unified Land Development Code of the City of Lake Alfred; and

**WHEREAS**, amending Article 4 of the Unified Land Development Code of the City of Lake Alfred, Florida as more particularly set forth below, will advance the health, safety and welfare of the residents and citizens of the City of Lake Alfred, Florida.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**Section 1.** Sections 4.03.00 and 4.05.02 of the Unified Land Development Code of the City of Lake Alfred are hereby amended to read as follows (language stricken is shown in ~~strike through~~ format; language added is shown as underlined format):

#### **4.03.00 Exempted Signs**

(B) Sandwich or sidewalk signs may not exceed a dimension of 2 feet by 4 feet. One sandwich or sidewalk sign may be displayed for each business located within development site provided the business maintains a valid City issued business tax receipt. This type of sign shall follow all other sign regulations as to safety and condition, but shall not be limited as to the number of signs per development site or the total sign area restriction. All sandwich or sidewalk signs must be ~~displayed on site and~~ removed to the interior of the business at the close of each business day. All sandwich or sidewalk signs are permitted on commercial or industrial zoned property only.

#### **4.05.02 Special Event Signs**

The following signs may be allowed up to four times per calendar year in connection with a special event and shall require a permit issued by the Chief Building Official. Such permit shall be valid for a specified period not to exceed fourteen (14) days, after which time the sign or object shall be removed. ~~All special event signs must be placed on site of the permitted business.~~

**Section 2.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances, unless such repeal is explicitly set forth herein.

**Section 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Alfred; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or re-codified copy of same with the City Clerk.

**Section 5.** The effective date of this Ordinance shall be immediately upon adoption at Second Reading.

**INTRODUCED AND PASSED** on first reading at a regular meeting of the City Commission of Lake Alfred, Florida held this 5<sup>th</sup> day of January, 2015.

**PASSED AND ENACTED ON SECOND READING**, with a quorum present and voting, at the regular City Commission meeting of Lake Alfred, Florida, this 20<sup>th</sup> day of January, 2015.

**CITY OF LAKE ALFRED  
CITY COMMISSION**

By: \_\_\_\_\_  
Nancy Z. Daley, Mayor

ATTEST:

By: \_\_\_\_\_  
Valerie Ferrell, Interim City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Frederick J. Murphy Jr., City Attorney

**Planning Board Meeting  
Amendment to ULDC Sections 4.03.00 and 4.05.02 Signs**

The following is an excerpt from the Planning Board meeting minutes for the December 17, 2014 regular meeting.

Mamie Drane  
Mamie Drane, Administrative Assistant

Date: 12/29/14

**4.) PUBLIC HEARING: CONSIDER MAKING A RECOMMENDATION TO THE CITY COMMISSION TO AMEND SECTIONS 4.03.00 AND 4.05.02 OF THE CITY OF LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE, RELATING TO EXEMPTED SIGNS AND SPECIAL EVENT SIGNS.**

**Director Ferrell** stated as a part of a comprehensive review of the City Charter, City codes, and policies, city staff has identified an opportunity to clean-up and improve Sections 4.03.00 and 4.05.02 in the Unified Land Development Code relating to signs. The existing provisions restrict sandwich signs to be on-site with the business advertised on the sign. Also, it requires that all special event signs must be located on site of the business which is advertising the event. According to Article 4 definitions, commercial signs are defined as "any sign protected by the First Amendment of the U.S. Constitution which proposes a commercial transaction and is solely related to the economic interest of the user of the sign." With the message of the sign being protected by the First Amendment, the city cannot regulate content within the sign unless it is obscene, offensive and can cause confusion or safety concerns for motorists and pedestrians. Therefore, the City cannot regulate that the content of a sandwich sign must be placed on-site with the business being advertised, because the owner of the sign and property may choose to advertise another business. Also, special event signs are intended to be of general public interest, and is not effective on-site of the property where the event is hosted. The proposed amendment provides for content-neutrality, protecting First Amendment rights.

**Chair Roach** opened the public hearing.

There were no public comments.

**Chair Roach** closed the public hearing.

After brief discussion, **Board Member Dame** made a motion to recommend approval of changes to Sections 4.03.00 and 4.05.02 in the Unified Land Development as presented; seconded by **Board Member Abdul-Hameed** and the motion was approved by unanimous voice call vote:

|                                  |            |
|----------------------------------|------------|
| <b>CHAIR DAME</b>                | <b>AYE</b> |
| <b>VICE CHAIR ROACH</b>          | <b>AYE</b> |
| <b>BOARD MEMBER BIGGAR</b>       | <b>AYE</b> |
| <b>BOARD MEMBER HOFFMAN</b>      | <b>AYE</b> |
| <b>BOARD MEMBER SPOKONY</b>      | <b>AYE</b> |
| <b>BOARD MEMBER ABDUL-HAMEED</b> | <b>AYE</b> |
| <b>ALTERNATE MEMBER HULTS</b>    | <b>AYE</b> |

**LAKE ALFRED CITY COMMISSION MEETING  
JANUARY 5, 2015**

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**3.) RESOLUTION 01-15: EMPLOYEE INCENTIVE PROGRAMS**

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**ISSUE:** The City of Lake Alfred will consider a resolution amending the City's employee incentive programs

**ATTACHMENTS:**

- Resolution 01-15

**ANALYSIS:** In July of 2014 the City Commission adopted guidelines for employee incentive programs including: tuition assistance, commercial driver license assistance, and education incentive pay.

Following adoption and implementation of these guidelines staff has identified several improvements that will better generalize the guidelines while still meeting the original intent of the program. Namely:

- Opening tuition assistance to all Florida regionally accredited schools instead of just "Florida Public State" regionally accredited schools. The previous language prevented someone from receiving assistance from Florida Southern since they are a private college but otherwise met the same standards of education as other public institutions with regional accreditation.
- Cleanup of eligibility language based on budget guidelines.
- Removed education incentive pay formula. The formula was too specific to be included in general guidelines and is better served in departmental policies and considered by the Commission as a part of the budget process (along with salary, longevity pay, holiday pay, etc.)

**STAFF RECOMMENDATION:** Approval of Resolution 01-15.

**RESOLUTION NO. 01-15**

**A RESOLUTION OF THE CITY OF LAKE ALFRED, FLORIDA AMENDING RESOLUTION NO. 09-14 TO ADD AND DELETE CERTAIN PROVISIONS PERTAINING TO THE EMPLOYEE INCENTIVE PROGRAMS REGARDING TUITION REIBURSEMENT, COMMERCIAL DRIVER'S LICENSE (CDL) ASSISTANCE AND EDUCATION INCENTIVE PAY FOR ELIGIBLE CITY EMPLOYEES, AND PROVIDING FOR SEVERABILITY, REPEAL, ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in November, 2013, the City Commission adopted Ordinance 1328-13 revising the City of Lake Alfred Personnel Manual and Employee Handbook and provided that Employee Incentive Programs regarding Tuition Reimbursement, Commercial Driver's License (CDL) Assistance and Education Incentive Pay could be established by Resolution; and

**WHEREAS**, in July, 2014, the City Commission of the City of Lake Alfred adopted Resolution No. 09-14 which established Employee Incentive Programs regarding Tuition Reimbursement, Commercial Driver's License (CDL) Assistance, and Education Incentive Pay for eligible employees as determined by the City Manager; and

**WHEREAS**, the City Commission finds that amending certain provisions of these Employee Incentive Programs better enhances the value of the City's work force by encouraging employees to invest in themselves and the City by furthering their education and job skills; and

**WHEREAS**, the City Commission wishes to reward employees that have invested in themselves by furthering their education and job skill abilities and to encourage other employees to do so and makes the following amendments as more particularly set forth herein;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE ALFRED, FLORIDA:**

**SECTION 1.** Sections 4-22, 4-23, and 4-24 of the City's Personnel Manual and Employee Handbook regarding Employee Incentive Programs are hereby amended to further define and revise provisions pertaining to Tuition Reimbursement, Commercial Driver's License (CDL) Assistance, and Education Incentive Pay (language stricken is shown in ~~strikethrough~~ format; language added is shown as underlined format):

**4-22. Tuition Assistance Program**

A Tuition Assistance Program for eligible employees as determined by the City Manager is hereby established in accordance with the following provisions:

1. Tuition Reimbursement will be limited to degree seeking courses at a "regionally accredited" Florida ~~Public State~~ University.

2. The ~~amount of funding available to the program~~ benefit amount to each Employee will be based on ~~limited by~~ the budgeted amount within the "Tuition Assistance" line item in the City's Budget in a given fiscal year.
3. Employees that leave employment with the City ~~anytime~~ within one year of receiving the tuition reimbursement must repay the full amount to the City.

#### **4-23. Commercial Driver's License (CDL) Assistance Program**

A Commercial Driver's License (CDL) Assistance Program for eligible employees as determined by the City Manager is hereby established in accordance with the following provisions:

1. CDL Assistance will be limited to positions within the City that will benefit from having a Commercial Driver's License, as determined by the City Manager.
2. The amount of ~~CDL assistance opportunities will be based on~~ funding available to the program ~~will be limited by~~ the budgeted amount within the "CDL Assistance" line item in the City's Budget in a given fiscal year.
3. Employees that leave employment with the City anytime within a one year of receiving the CDL Assistance must repay the full amount to the City.

#### **4-24. Education Incentive Pay Program**

An Education Incentive Pay Program for eligible employees as determined by the City Manager is hereby established in accordance with the following provisions:

1. Education Incentive Pay shall be tiered and provided monthly based upon the highest degree obtained:
  - i. Associate Degree
  - ii. Bachelor Degree
  - iii. Master Degree
2. The rate of incentive pay shall be established and amended by departmental policy subject to City Commission approval of funding within the budget to cover the cost of the incentive pay. ~~Notwithstanding the foregoing, the amount of incentive pay provided to a respective degree tier shall not exceed the greater of \$25 or 50% of the amount in the previous tier (e.g. a Master Degree could not exceed \$75 a month if the Bachelor Degree tier was \$50 a month) and in no case shall the monthly incentive pay be greater than \$200 for any degree tier.~~
3. Education Incentive Pay shall be given for degrees obtained from a "regionally accredited" university.
4. The City shall not provide education incentive pay to employees that are already being provided with incentive pay for their respective degrees through a different program, agency, or requirement. Should the City's incentive pay be greater than

that of the amount provided from the other source, the City shall provide the difference up to the full amount established within this program.

**SECTION 2.** The City Manager shall be responsible for the implementation and execution of the amended Employee Assistance Programs established herein and shall develop, by departmental policy, additional guidelines and/or provisions that are designed to enhance, supplement, manage, and direct the amended Employee Incentive Programs established herein.

**SECTION 3.** If any section or portion of a section of this Resolution proves not to be valid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

**SECTION 4.** All Resolutions inconsistent with this Resolution are repealed to the extent necessary to give this Resolution full force and affect.

**SECTION 5.** Any provision in this Resolution may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his designee, without need of consideration by the City Commission, by filing a corrected or recodified copy of same with the City Clerk.

**SECTION 6.** This Resolution shall take effect immediately upon passage.

**INTRODUCED AND PASSED** by the City Commission of the City of Lake Alfred, Florida, in regular session this 5<sup>th</sup> day of January, 2015.

**CITY OF LAKE ALFRED, FLORIDA  
CITY COMMISSION**

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Nancy Z. Daley, Mayor

**Attest:**

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Valerie Ferrell  
Interim City Clerk

Approved as to Form:

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Frederick J. Murphy Jr., City Attorney

**LAKE ALFRED CITY COMMISSION MEETING  
JANUARY 5, 2015**

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**4.) BOARD APPOINTMENTS (AMENDED)**

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**ISSUE:** The City Commission will consider appointing Herbert Nigg to the General Employee's Retirement Board, as well as approve reappointments to both The General Employee's Retirement Board and Police/Fire Retirement Board.

**ATTACHMENTS:**

- Volunteer Application from Mr. Herbert Nigg

**ANALYSIS:** The Lake Alfred General Employee's Retirement Board is a 7-member group, with three employee-elected positions, three City Commission-appointed residents, and one at-large member that could be either resident or employee and appointed by the Board itself.

There has been a vacant resident position on the Retirement Board since January 2014 with a term that would expire in November 2016. Mr. Nigg currently serves on the Board of Adjustment but has submitted his resignation pending appointment to the General Employee's Retirement Board.

(The Board of Adjustment meets on an as-needed basis, less frequently than the quarterly meetings of the Retirement Board.)

Also, the City Commission will consider the following re-appointments to the General Employee's Retirement Board and Police/Fire Retirement Board:

General Employee's Retirement Board:

Lowell Schmidt

Police/Fire Retirement Board:

Ed Arbuthnot

Lee Evett

All members have expressed an interest in continuing to serve for an additional three year term

**STAFF RECOMMENDATION:** Approval of appointment of Mr. Herbert Nigg to the General Employee's Retirement Board and approval of reappointments



# APPLICATION FOR VOLUNTEER POSITIONS

New Application                       Re-application

- Board of Adjustments
- Parks and Recreation Board               Day Meetings
- Planning Board                                       Night Meetings
- Retirement Board

Name: Herbert Nicholas Nigg  
(First) (Middle) (Last)

Present Address: 700 S. Flakee Ave  
(Street, P.O. Box #, Apt #)

Lake Alfred FL 33850  
(Mailing Address) (City) (State) (ZIP Code)

Home Phone #: 863-956-4964 Alternate Phone #: 863-412-7589

Occupation: Prof. Emeritus Univ of Florida

Business Phone: 863-412-7589 E-Mail Address: hnNigg@earthlink.net

Do you reside within the City Limits?  Yes  No How Long: 25 yrs.

- Please rank your Board Preferences:
- 1.) \_\_\_\_\_
  - 2.) \_\_\_\_\_
  - 3.) \_\_\_\_\_

Have you ever served on a volunteer board or in a volunteer capacity with the City of Lake Alfred before?  
 Yes: BoA & Adjustments Planning Bd  
(Board Name and Dates of Service)

No  
Why would you like to serve on this board: A profound sense of civic duty.

What special skills would you bring to this position? 32 years of management experience

List fields of work experience: Scientific Research

List any licenses and/or degrees (location and year): B.S. Biol. Sci 1967, PhD Entomology 1972

Local References: (other than relatives)

|                            |                                        |
|----------------------------|----------------------------------------|
| Name: Jimmy Davis          | Telephone Number: 863 287-7290         |
| Address: 495 S. Ilakee     | E-mail Address: dmisdies101@aol.com    |
| Lake Alfred                | Alternate Number:                      |
| Name: Madeline Deaf        | Telephone Number: 863-651-6523         |
| Address: 690 S. Ilakee     | E-Mail Address: madgator.4@verizon.net |
| Lake Alfred                | Alternate Number:                      |
| Name: Eddie McGuire        | Telephone Number: 863-956-4874         |
| Address: 730 S. Ilakee Ave | E-mail Address: emcguire@certigy.com   |
| Lake Alfred                | Alternate Number:                      |

**EDUCATION:**

| SCHOOL  | NAME/LOCATION OF SCHOOL | DATE ATTENDED | COURSE OF STUDY | YEARS OR CREDITS COMPLETED | DID YOU GRADUATE? | DEGREE / DIPLOMA |
|---------|-------------------------|---------------|-----------------|----------------------------|-------------------|------------------|
| COLLEGE | U of Ill                | 1967-72       | Entered         | 5                          | Yes               | PhD              |
| *HIGH   | Caro Public             | Grad. 1959    | —               | 12                         | Yes               | Yes              |

I acknowledge that the above information is true, complete and correct to the best of my knowledge and belief.

SIGNATURE OF APPLICANT:  DATE: 12/16/14