

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

Call to Order: Mayor Nancy Z. Daley

Invocation and Pledge of Allegiance

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

Mayor Daley indicated Commissioner Duncan has requested to be excused from this evening's meeting due to illness.

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

CITY MANAGER ANNOUNCEMENTS

The City of Lake Alfred's Annual Bluegrass Bash and Centennial Kickoff Celebration 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.

City offices will be closed in observance of the Martin Luther King Jr. Holiday on Monday, January 19, 2015. Also, the City Commission will need to provide a consensus to move their regular meeting to Tuesday, January 20th at 7:30pm. The Commission was in consensus to move the meeting date.

The Chamber of Commerce will hold its Annual Banquet and Silent Auction on Thursday, January 22, 2015 at 6:00pm in the First Presbyterian Church Fellowship Hall.

He also reviewed the progress on the Veterans Memorial expansion and Purple Heart monument. Installation should occur later this week, and a dedication/ribbon-cutting will be set for a later date. He stated this would also include the pedestal monument for the Korean War that is being built and donated by the Winter Haven Veterans of Foreign Wars. He shared a special thanks to Judy Schelfo, Lions Club, and Home Depot Foundation for making this project a success.

He shared the progress on the City Clerk selection process. He indicated six candidates will be interviewed over the next week, and also announced that two finalists are in attendance in the audience this evening: Melissa Konkol and Opal Jones.

CITY ATTORNEY ANNOUNCEMENTS

Assistant City Attorney Claytor indicated the City Commission should make a motion to move the regular meeting date in January since Commissioner Duncan is not present this evening.

Vice Mayor Lake moved to change the second regular meeting to January 20, 2015; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

RECOGNITION OF CITIZENS

There were none.

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

Commissioner Dearmin moved to approve the City Commission Meeting minutes for the December 15, 2014 regular meeting; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

Mayor Daley read a letter from Florida Governor Rick Scott designating January 5-9, 2015 as Florida First Responder Appreciation Week. She invited all to join in honoring the first responders who risk their lives every day to protect Florida families, visitors and businesses. This is a great opportunity to say "Thank You" to first responders and their families and share how much their service is valued.

PROCLAMATION: AGRICULTURAL AND LABOR PROGRAM, INC.

Mayor Daley read the Proclamation in its entirety.

AGENDA

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

Mayor Daley read the title of Ordinance 1347-15.

City Manager Leavengood stated that 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 was previously have adopted by reference within the City Code.

Also, he reviewed an amendment to the first reading of Ordinance 1347-15 as proposed this evening, specifically Section 2.02.07(b) removing bees from the restrictions to animals within rural zoning designations. He stated the city staff and City Attorney reviewed Florida Statutes Chapter 586, which preempts local regulations related to land use or zoning from prohibiting bees, since it is consistent with agricultural exemptions and is under the control of the Department of Agriculture.

The proposed Ordinance has been reviewed by the City Attorney, and comes with a recommendation of approval from the Planning Board. Staff recommends approval of the Ordinance on first reading.

After brief discussion, **Commissioner Maultsby** moved to approve Ordinance 1347-15 on first reading including the amendment to Section 2.02.07(b) as proposed this evening; seconded by **Vice Mayor Lake** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

2.) ORDINANCE 1348-15: SIGNAGE

Mayor Daley read the title of Ordinance 1348-15.

City Manager Leavengood stated 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.

The proposed Ordinance has been reviewed by the City Attorney, and comes with a recommendation of approval from the Planning Board. Staff recommends approval of the Ordinance on first reading.

Vice Mayor Lake requested clarification that one sandwich sign would now be permitted per business site, however they must still remove the sign at the close of business each day.

City Manager Leavengood agreed that the one sandwich sign permitted per each business site, regardless of what they may choose to have displayed in the sign, would still be required to remove the sign at the close of business each day. Permission is required from property owners to display any type signage.

Mayor Daley stated there is still a size limitation on the sandwich sign.

City Manager Leavengood concurred that the Code still limits the size of the sandwich sign to one 2' x 4' sign per business.

Commissioner Dearmin moved to approve Ordinance 1348-15 on first reading; seconded by **Vice Mayor Lake** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

3.) RESOLUTION 01-15: EMPLOYEE INCENTIVE PROGRAMS

Mayor Daley read the title of Resolution 01-15.

City Manager Leavengood indicated in July 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.)

After brief discussion, **Vice Mayor Lake** moved to approve Resolution 01-15; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

4.) BOARD APPOINTMENT

Mayor Daley stated the Commission will consider appointment of Mr. Herbert Nigg to the General Employee's Retirement Board. Mr. Nigg currently serves on the Board of Adjustment but has submitted his resignation pending appointment to the General Employee's Retirement Board. Also the City Commission will consider re-appointments of Lowell Schmidt to the General Employee's Retirement Board and re-appointment of Ed Arbuthnot and Lee Evett to Police/Fire Retirement Board. All members have expressed an interest in continuing to serve for an additional three year term

Interim City Clerk Ferrell stated the Police/Fire Retirement Board members serve for a four year term and indicated Mr. Arbuthnot and Mr. Evett have agreed to continue their service to that Board.

Commissioner Dearmin moved to appoint Herbert Nigg to the General Employee's Retirement Board; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

Commissioner Maultsby moved to appoint Lowell Schmidt to the General Employee's Retirement Board; seconded by **Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

Vice Mayor Lake moved to appoint Ed Arbuthnot and Lee Evett to the Police/Fire Retirement Board; seconded by **Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

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

**AYE
AYE
AYE**

RECOGNITION OF CITIZENS

Ron Schelfo, 640 E Lake View Rd, made a suggestion for new businesses to be provided with a guideline of general rules in the City of Lake Alfred in regards to items such as signage, outside displays, etc.

Assistant City Attorney Claytor suggested if staff were to implement this, that the form be an acknowledgement of all code regulations. He stated to avoid selective enforcement, therefore a very general statement would be recommended.

City Manager Leavengood stated staff has implemented something similar in regards to a sign code acknowledge as well as a general sign brochure.

Commissioner Dearmin also commented on the City's Downtown Vision and many improvements being made to the community.

Mayor Daley also added that the City App is useful for identifying code enforcement issues that residents may observe. Many business owners may not realize they have a violation until it is brought to their attention.

There was some discussion on a public awareness campaign for promoting the City App to more residents. City staff will report back to the Commission on this endeavor. **City Manager Leavengood** continued by referencing code language and policy changes are proposed to match the Commission's vision of community. Code can be ambiguous and difficult to enforce, yet the key is to be consistent. Based on the vision of community, staff has worked to propose several code updates including downtown overlay language, property maintenance code, and even establishing the CRA. He concluded that City staff is working towards the same goals.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Dearmin stated he was looking forward to a new year in Lake Alfred, and expressed his enthusiasm for the upcoming Bluegrass Bash event Saturday.

Commissioner Maultsby wished all a prosperous New Year. He also expressed satisfaction with recent sidewalk projects and asked how to continue receiving funding for this type project. He also inquired about the Community Development Block Grant fund program and if sidewalk projects are eligible under this funding mechanism.

City Manager Leavengood indicated several sidewalk projects have been funded through the Safe Routes to Schools program. The City has been successful for several years in receiving sidewalk projects, however the routes are being completed and leaving less projects that would qualify under this program. He also stated the Community Development Block Grant program is based upon low to medium income levels which are derived on US Census data. He stated our Census tracts do not reflect a high percentage of low to medium income levels. He then reviewed the City's participation in the Community Development Block Grant program, and how the City was removed from the Polk County entitlement program and is currently in the State of Florida competitive funding program. The intent of competing in the State program was to

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Vice Mayor Lake also commended the Polk County Complete Streets program and Safe Routes to Schools programs for sidewalks recently completed in the community. He also mentioned the recent grand opening of Family Dollar. He mentioned the Centennial Calendar can be distributed to the Chamber of Commerce office as well as City Hall.

Mayor Daley stated there will be a Gardening Workshop held on Thursday, January 8, 2015 at 10am at the Mackay Gardens and Lakeside Preserve. She stated the meeting will also include information regarding Mackay improvement projects, volunteerism and a presentation from Bill Bissett, naturalist and expert in land management, on landscape design concepts for Mackay. She invited any Commissioners and members of public to come to this informative meeting and find out how to become more involved at the Mackay Gardens and Lakeside Preserve. She also had some concerns about the Lake Alfred Animal Hospital and other businesses located on North Lake Shore Way regarding their business signage and if they will be included in the Wayfinding signage program.

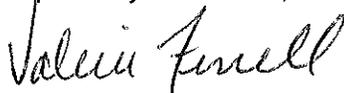
City Manager Leavengood stated staff is working to address this in several areas, including contacting Google for clarification on this location as well as reviewing the availability to have it included in the Wayfinding signage program. He will continue to research viable options.

Mayor Daley also indicated she attended a Central Florida Legislative Delegation meeting that was very informative. She also commended our local first responders with the Police and Fire Department staff.

Commissioner Maulsby also commended our Police and Fire Department staff and expressed appreciation for their service to the community.

With there being no further business to discuss, Mayor Daley adjourned the meeting at 8:27p.m.

Respectfully Submitted,



Valerie Ferrell
Interim City Clerk