

**MINUTES  
CITY COMMISSION  
MONDAY, NOVEMBER 15, 2021  
7:30 PM  
CITY HALL**

**Call to Order:** Mayor Nancy Z. Daley called the City Commission meeting to order at 7:30 p.m. in the City Commission Chambers located at 120 E. Pomelo Street, Lake Alfred, Fl. 33850.

**Police Chief Bodenheimer** provided the invocation and **Mayor Daley** led the Pledge of Allegiance.

**Roll Call:** City Clerk Linda Bourgeois

**City Commissioners in attendance:** Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Brent Eden, and Commissioner Albertus Maulsby.

**Vice Mayor Dearmin** made a motion to excuse Commissioner Mac Fuller. The motion was seconded by **Commissioner Maulsby**. The motion was unanimously approved.

Commissioner Mac Fuller was excused.

**Staff in attendance:** City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Linda Bourgeois, Community Development Director Ameé Bailey, Police Chief Art Bodenheimer, Public Works Director John Deaton, and Parks and Recreation Director Richard Weed.

**City Manager Leavengood** announced the following:

1. The employee Thanksgiving Luncheon will be held on Tuesday, November 23, 2021, from 11:30 a.m. – 1:30 p.m. at the Lions Club.
2. City offices are closed on Thursday, November 25<sup>th</sup> and Friday, November 26<sup>th</sup> in observance of the Thanksgiving Holidays.
3. The Lake Alfred Christmas Parade is Saturday, December 4, 2021, starting at Central Park at 6:30 p.m. The City Commission participating in the parade should be at the staging area in Central Park at 5:30 p.m.
4. The Lake Alfred Chamber of Commerce will host their Christmas Social at SouthState Bank on Tuesday, December 7, 2021, beginning at 5:15 p.m. and ending at 7:00 p.m.
5. Ace Hardware will host its Grand Opening for three days on December 10<sup>th</sup> – 12<sup>th</sup>. The tentative Ribbon Cutting is scheduled for Friday, December 10<sup>th</sup> at 9:00 a.m.
6. An update on the Wells Fargo Building was provided by the City Manager. One half of the building will potentially be a UPS store and the other half will be marketed to be rented.
7. The joint Veterans Day ceremony was attended by all the City Commissioners from both the City of Auburndale and Lake Alfred. It was a fantastic event all the way around.

**Assistant City Attorney Claytor** said he remained grateful to represent the great City of Lake Alfred.

Recognition of Citizens:

There were no citizens that came forward to speak to the Mayor and City Commissioners.

**Mayor Daley** presented the consent agenda for consideration of approval.

- 1.) City Commission Meeting Minutes for November 1, 2021
- 2.) City Commission Announcements
- 3.) Board Appointment

The City Clerk has inserted the analysis for the board appointment. The Board consists of seven (7) board members. Three (3) of the board members shall be residents of the City and are appointed by the City Commission; three (3) members must be employees of the City and are elected by a majority of their peers; the seventh member is chosen by the collective six board members. Board terms are for three years. All non-employee members must be a resident of the City of Lake Alfred.

This Board administers and is responsible for the proper operation of the General Employees' retirement plan by engaging in actuarially, accounting, legal and other services required to transact the business of the system.

The position is appointed by the City Commission. Mr. Recher is currently serving on the board and has agreed to be reappointed to fulfill the full new term until 12/31/2024.

Fred Recher

12/31/2024

**Commissioner Maultsby** made a motion to approve the consent agenda. The motion was seconded by **Vice Mayor Dearmin**. The motion was unanimously approved.

**Mayor Daley** introduced the first items of business.

- 1.) Resolution 24-21: Acceptance of Waylanco Road
- 2.) Public Hearing: Ordinance 1467-21: Waylanco Road Property Annexation

**Assistant City Attorney Claytor** read the title of the Resolution into the record.

**City Manager Leavengood** said pursuant to Florida Statutes Chapter 171, the City may consider the annexation of unincorporated areas of a county that are contiguous to the municipality, compact, and will not create an enclave. The applicant has submitted to the City voluntary annexation petitions according to Chapter 171.044 to request the annexation of one (1) parcel into the city limits of Lake Alfred. The property is 0 Highway 557, further described as north of Waylanco Road, east of Highway 557, and south of Polk City Road. The annexation includes Walanco Road, which was transferred from Polk County. The applicant is seeking annexation to receive city services and for the possible development of the properties. Waylanco Road is needed for access to the site.

The total area is approximately 41.8 acres with the road. The property is approximately 39.9± acres. The site is currently developed as a citrus grove. The property is located in the Green Swamp Area of Critical States Concern (GSACSC) and contains areas of wetlands and flood zone 'AE.' The property to the west, across County Road 557, is the site of the future Springs of

Lake Alfred development, a subdivision currently in the site planning stage. The developers of Springs of Lake Alfred have submitted plans to extend the City's potable water and wastewater lines to serve their future residents. Future development of the annexed site would be able to extend and connect to the City's potable water and wastewater lines. Future developments would also be able to connect to the extended utility services.

The action items currently before the City Commission are the acceptance of Waylanco road and the annexation of the Waylanco property into the City. If approved, establishing Future Land Use and Zoning designations would be considered in future action items presented to the Planning Board and City Commission.

**Mayor Daley** opened the floor to public comments on Resolution 24-21. There were no comments from the public and she closed the floor to public comments.

**Mayor Daley** asked if the road would be improved; if there was enough right-of-way; and if it was going to be a two-way road.

**City Manager Leavengood** said the developer would be responsible for the road improvements, there was sufficient right-of-way, and it would be a regular two-way road.

**Vice Mayor Dearmin** made a motion to approve Resolution 24-21 for the acceptance of Waylanco Road. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

**Assistant City Attorney Claytor** read the title of the Ordinance into the record.

**City Manager Leavengood** said the city staff was recommending approval of both items.

**Mayor Daley** opened the public hearing on Ordinance 1467-21. There were no comments from the public and she closed the public hearing.

**Commissioner Maultsby** asked how much of the property was uplands and **Community Development Director Bailey** said the vast majority (80-85%) of the site was uplands. The property was a former citrus grove.

A brief discussion ensued regarding the Green Swamp regulations for open space, the Low Impact Development (LID) standards, and the Dark Sky development standards.

**Commissioner Maultsby** made a motion to approve Ordinance 1467-21 for the Waylanco Road Annexation on the second and final reading. The motion was seconded by **Vice Mayor Dearmin**. The motion was unanimously approved.

**Mayor Daley** introduced the next business item.

3.) Public Hearing: Ordinance 1468-21: Personnel Handbook Update

**Assistant City Attorney Claytor** read the title of the Ordinance into the record.

**City Manager Leavengood** read the analysis into the record. The employee handbook sets forth in detail the personnel policies, benefit programs, and rules that apply to City employees. The last formal review of the Personnel Manual was conducted in 2019 and adopted on March 4, 2019.

Following the major revisions from previous years, staff has reviewed the policies continually and how they have been implemented and applied. The proposed changes are predominantly cleanup in nature and are designed to clarify and to improve the intent of existing policies or to provide guidance on specific issues that have arisen since the previous revision.

Notable changes include:

- Addition of Juneteenth as a recognized City Holiday.

He said the staff was recommending approval of Ordinance 1468-21 on the second and final reading.

**Mayor Daley** opened the public hearing for the Personnel Handbook Update. There were no comments from the public, and she closed the public hearing.

**Commissioner Maultsby** said Juneteenth was an important holiday and he was in support of the city adding it as a regular holiday.

**Commissioner Maultsby** made a motion to approve Ordinance 1468-21 for the Personnel Handbook update on the second and final reading. The motion was seconded by **Vice Mayor Dearmin**. The motion was unanimously approved.

**Mayor Daley** introduced the next business item.

#### 4.) Public Hearing: Ordinance 1469-21: Budget Adjustment

**Assistant City Attorney Claytor** read the title of the Ordinance into the record.

**City Manager Leavengood** read the analysis into the record. As a part of the closeout process of the previous fiscal year of 2020/2021, the City is required to submit an amended budget that includes any changes made from the original budget. These changes can include unanticipated projects, expenses, or revenues that were not included; or changes to existing line items that did not meet exact revenue or expenditure projections. The proposed budget adjustment accounts for these changes and rebalances the total budget and each of the funds.

Conservative budgeting during COVID combined with greater than anticipated revenue and lower expenses than budgeted resulted in approximately a \$380,000 surplus in the general fund. The surplus has been allocated in the proposed budget amendment as follows:

- Debt repayment: \$80,000 (downtown parcel environmental cleanup)
- Park Master Plan Assigned Reserves: \$200,000
- General Fund Reserves: \$100,000

He concluded by saying the staff was recommending approval of Ordinance 1469-21 on the second and final reading.

**Mayor Daley** opened the public hearing for Ordinance 1469-21. There were no public comments, and she closed the public hearing.

**Vice Mayor Dearmin** made a motion to approve Ordinance 1469-21 for the FY 20/21 Budget Adjustment on the second and final reading. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

**Mayor Daley** introduced the next business item.

5.) Ordinance 1470-21: Polk Training Center Annexation

**Assistant City Attorney Claytor** read the title of the Ordinance into the record.

**City Manager Leavengood** read the analysis into the record. Pursuant to Florida Statutes Chapter 171, the City may consider the annexation of unincorporated areas of a county that are contiguous to the municipality, compact, and will not create an enclave. The City may process annexations according to Chapter 171.0413 provided the criteria are met. The Polk Training Center requested the annexation of two (2) parcels. The parcels are currently located within an enclave. Polk County has consented to the annexation of the right-of-way for the adjacent roads without a transfer agreement. To further reduce the enclave, the parcel owned by the Florida Gas Transmission Co., at the intersection of Evenhouse Road and CR 557, has been added to this annexation process. Together there are three parcels proposed for annexation, total approximately 9.86± acres. The additional right-of-way of approximately 2.27 acres creates a total of approximately 12.13 acres for annexation. The Polk Training Center parcels total 81% of the proposed annexation.

The City can pursue annexation of the parcels according to Section 171.0413, Florida statutes, provided:

- No registered electors are residing in any of the parcels proposed for annexation;
- Owners of more than 50 percent of the land area consent to annexation; and,
- Owners of more than 50 percent of the parcels in the area proposed for annexation consent to the annexation.

Section 171.042 of the Florida Statutes required that the City Commission prepare and file a report with the Board of County Commissioners of Polk County, Florida, setting forth the City's plans to provide urban services to the proposed annexation area. On October 4, 2021, Resolution 20-21 was adopted by the City Commission for the Urban Services Report which authorized the City Manager to file the Urban Services Report with the Board of County Commissioners of Polk County, Florida.

The action currently before the City Commission is only on the annexation of the property into the City. The future land use and zoning classification on the property would be presented following approval of the annexation. If approved on the first reading, the proposed Ordinance will be presented for the second and final reading on December 6, 2021.

He concluded by saying the staff was recommending approval of Ordinance 1470-21 on the first reading.

**Mayor Daley** opened the floor to public comments for Ordinance 1470-21. There were no public comments, and she closed the floor to public comments.

A brief discussion surrounded the location of the annexation, Lake Alfred Estates being within the municipal boundaries, and some properties adjacent to this annexation being in Polk County.

**Commissioner Eden** made a motion to approve Ordinance 1470-21 for the Polk Training Center Annexation on first reading. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

Recognition of Citizens:

**Brenda Arnold** thanked the City for doing a great job. She said she appreciated the City recognizing Juneteenth as a city holiday. She thanked the Police Chief for getting the students across the busy road safely, the utility department for all of their hard work every day, and the fire department for their quick response to an incident that had recently happened. She concluded by saying thank you.

Commissioner Questions and Comments:

**Mayor Daley** shared about the Art Reception and the Florida League of Mayors legislative policy committee meeting. She thanked everyone for their participation in the drive-by celebration for Ms. Lenora Costello's 105 birthday. She said she appreciated the Veterans Day Ceremony and thanked all of the employees who worked hard to make the event happen. She shared about the Friends of the Park meeting on Saturday and spoke about the Geocache on the property. She asked about the transportation for the Havendale Christmas Parade on December 3<sup>rd</sup> and was told the City Commission would be riding in Commissioner Mac Fuller's Fire Truck and potentially the older Cadillac. She concluded by saying thank you.

**Commissioner Eden** wished everyone a Happy Thanksgiving and a safe holiday for those traveling. He announced that the Auburndale High School football team had played their first playoff game and won so they will move up to the next level. Since they are undefeated they are hosting the game this Friday. He concluded by thanking the first responders and all of the staff for the hard work they do. Thank you.

**Commissioner Maultsby** thanked the Stettner brothers. He shared the story about the distillery fire several years ago and said their family had donated the right-of-way for them to have a back exit out of the Fruitland neighborhood. He said he appreciated their generosity and asked the Stettner brothers to stand and be recognized. He continued to speak about the fire and explosions of the barrels of alcohol and concluded by thanking the Stettner family again.

**Vice Mayor Dearmin** echoed the comments about the Veterans Day ceremony and the great work by our city staff. He said Happy Thanksgiving. He concluded by encouraging everyone to keep up the great work and said he appreciated it. Thank you.

**Commissioner Maultsby** shared about an upcoming trip and said he would be out of town.

At 8:11 p.m., the City Commission Meeting was adjourned.

Respectfully Submitted,



Linda Bourgeois, BAS, MMC,  
City Clerk