

**MINUTES  
CITY COMMISSION MEETING  
MONDAY NOVEMBER 16, 2020  
7:30 PM  
CITY HALL**

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

**Invocation and Pledge of Allegiance:**

**Roll Call:** City Clerk Ameé Bailey

**Those in attendance were** Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Brent Eden, Commissioner Charles Lake, and Commissioner Albertus Maultsby.

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

**City Manager Announcements**

**City Manager Leavengood** announced the installation of a new basketball hoop at the end of the Mackay Trail near tract eight in The Lakes, the new art was hung in City Hall this weekend by the Crossroads Art Show with the reception being at 7:00PM next Thursday, and the employee Thanksgiving luncheon will be at the Mackay Estate this Wednesday at 11:30 AM. He continued and thanked city staff for the preparation of the Veterans Day event that was cancelled due to the proximity of the tropical storm, announced the State of the City Address was this Thursday at 11:30a.m. at the Lions Park Clubhouse, and welcomed Linda Bourgeois back to the City of Lake Alfred. He concluded by personally thanking Ameé Bailey for her dedication to the City and for doing a great job of balancing both departments of Community Development and City Clerk.

**Assistant City Attorney Claytor** welcomed back Linda Bourgeois and said they were thankful to represent the great City of Lake Alfred.

**Commissioner Lake** had staff display a video of Ms. Gundy Costello's 100 birthday celebration and then said we were here tonight to honor her for her 104<sup>th</sup> birthday.

Ms. Lenore Costello of 215 Lakeview Boulevard approached the podium and shared her story of coming to Lake Alfred and living in the Boley house for 73 years. She stated she had enjoyed every day she had lived here and concluded by thanking everyone for being so nice, kind, and welcoming to her all these years. She concluded by sharing her husband was a former City Manager of Lake Alfred and said what a pleasure it was to be celebrating in her late husband's building. Thank you.

**Recognition of Citizens**

Peg Paston of 160 West Haines Blvd. approached the podium and said she owned the packing house downtown and came tonight to thank the City Commission for enacting the mask Ordinance. She concluded and said it had been a great help in keeping the town healthy and in good shape.

The City has been budgeting funding from the general fund and the Community Redevelopment Agency to implement the plan and has opted for a “pay as we go” / “low hanging fruit” approach versus taking out debt service. This has allowed us to complete less expensive projects as we work our way up the list while also ramping up the level of funding each fiscal year.

The City’s Community Redevelopment Agency’s budget has continued to snowball allowing for greater levels of project investment. Central Park and Lion’s Park are both located within the CRA Boundaries. The City currently budgets \$50,000 per year from the general fund and \$120,000 from the CRA to the Park Master Plan; an additional \$50,000 is being budgeted for sidewalks identified within the plan but that funding was temporarily reduced due to Covid reductions. Engineering estimates for Central and Lions were in excess of \$5 million and \$10 million, respectively.

Due to the size of the site-specific projects Central, Lions, and Mackay will require phasing. By breaking up these projects into more manageable pieces city staff anticipates being able to save significant funding by managing the projects inhouse.

The proposed resolution authorizes city staff to proceed with the Central Park Project. The goal of the project will be to complete the football field and parking area. We have a FRDAP grant submitted to the state for up to \$200,000. If awarded, we will install lighting on the football field. If any funding remains, we may complete other improvements identified for Central Park (e.g. internal sidewalks, on-street parking, basketball, etc.).

**Staff Recommendation:** Approve Resolution 16-20.

**Mayor Daley** opened the public hearing. Seeing no one, she closed the public hearing and opened it to Commission discussion.

**Vice Mayor Dearmin** stated there had been a lot of work put in on this project since day one and approved of the phased-in approach.

**Commissioner Eden** concurred, and thanked the City Manager and city staff. He said our City was a city to be proud of as well.

**Mayor Daley** stated our staff had always been great at avoiding large debt, and we could be proud of that especially being in the middle of something we had never expected. She concluded by saying this was a great way to keep going down the road and getting the things done.

**Commissioner Lake** stated the city may even get a couple of football stars out of it.

**Commissioner Eden** shared we had a gentleman now getting ready to play Monday night football. He was a hometown product.

**Vice Mayor Dearmin** moved to approve Resolution 16-20, seconded by **Commissioner Maulsby**. A unanimous voice call vote approved the motion.

Further discussion surrounded home rule, the Florida League of Cities position on the measure, and the clarification of voting yes on the Resolution essentially meant not supporting the funding for the M-CORES projects.

**Mayor Daley** opened the public hearing. Seeing no one, she closed the public hearing and opened it to Commission discussion.

**Commissioner Lake** moved to approve Resolution 17-20, seconded by **Vice Mayor Dearmin**. A unanimous voice call vote approved the motion.

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#### **4.) Resolution 18-20: Unified Land Development Code Fee Schedule**

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

**City Manager Leavengood** stated Section 8.09 of the Unified Land Development Code (ULDC) authorizes the City Commission to establish fees and costs for the processing of applications for development by resolution. The current fee structure was adopted in 2006 by resolution which provided for annual increases to offset the effects of inflation. The City's policy also allows for cost recovery associated with third-party reviewers for the City (i.e. engineering and legal review).

In recent years, the City has experienced a higher volume of development activity which has resulted in a greater outflow of legal and engineering fees incurred by the City which then must be recovered. Attempting to collect these fees on the backend can be problematic not only from a collection standpoint but accounting for expenses/revenues across fiscal years.

Based on feedback and recommendation from the City Auditor the proposed resolution will establish deposit accounts for each application type that will be drawn down to pay for third-party review. The deposits amounts will be based on experience with the respective application type. At the end of the project any amount remaining would be returned to the applicant. If the deposit were depleted the applicant would have to replenish the deposit account.

This proposed resolution provides for the development deposit; increases the amount collected by the City for the processing of applications; additional deposit(s), if necessary; and continues the annual adjustment.

The ULDC rewrite will require additional changes to the fee structure based on new application types. In addition, the City plans to conduct a new fee study in the future to determine if the current fees are in line with other jurisdictions and the current cost of processing applications. However, initiating deposits will solve current accounting and budget questions.

He continued and explained the purpose was to inhibit the incurring of the receivable in one year and then it gets expended in the next. This is also an opportunity to do a market study to make sure we are not out of line.

The City Commission discussion surrounded having the option of individual ordinances for all proposals or having just one ordinance with all the amendments.

**Proposal 1. Current Law:**

After a catastrophic loss of all sitting city commissioners, a governor-appointed interim city commission has 90 days to hold a special election for Lake Alfred Citizens to elect new city commissioners.

**Committee's Suggested Change:**

Double the 90-day period to 180 days

**Mayor Daley** voiced concerns about the time-period of 180 days and being six months with not having a stable commission. She went on and asked where the proposed number of days had originated.

**Assistant City Attorney Crawford** explained the reasoning behind the proposed 180 days and shared about the Supervisor of Election's responsibilities. He continued and said the Supervisor may decide she was unable to provide the City with the books because of one or more potential conflicts. She has been afforded absolute discretion. He spoke about it not being the instability of the commission but rather it was a matter of the representation of the people, the Governor appointing the replacements, and the interim commission having to order the election. The extension idea was to provide time for them to meet, coordinate the staff, determine when the books were available, and still meet all the requirements of the election code to conduct the election. By doubling the number, it allowed for a maximum amount of time.

**Commissioner Lake** said six months seemed like a long time.

**Assistant City Attorney Crawford** said he understood his position and said if it remained the interim commission, they may not be able to meet the current 90-day deadline and notice requirements of the special election. He continued and said the City Commission had the opportunity to modify the number of days as this was a suggestion from the Charter Review Committee.

There was a consensus by the City Commission to accept the proposed amendment.

**Proposal 2. Current Law:**

Factual validity of a city commissioner's conflict of interest is subject to determination by the remaining members of the commission

**Committee's Suggested Change:**

Delete language permitting city commissioners to be the judge of colleagues' potential conflicts

**Mayor Daley** asked would the City Attorney's Office be the one who decided if the conflict met the intent of the State Law?

**Assistant City Attorney Crawford** said that was a matter between the City Commission and the State Commission on Ethics. He said they would provide advice on how they would exercise the duties of their office and that would include voting.

**Proposal 6. Current Law: N/A**

**Committee's Suggested Change:**

Exercise current authority to remove the obsolete transition schedule in § 6.05 of the charter

There was a consensus by the City Commission to accept the two proposed amendments and bring them back for consideration in the form of a resolution.

The City Commission entertained the minority proposal of establishing term limits.

**Commissioner Eden** shared about several local cities and their current term limits. He said the proposal was not going to impact the seated commissioners and requested discussion on this item for a separate ordinance.

Topics of discussion from the City Commission were as follows:

- Term limits may not always be a good policy
- Recruitment being an issue in smaller cities
- Term limits taking away the ability for the people to decide
- The process for removal of a seated commissioner would happen at the polls
- Term limits being counter productive
- Putting term limits on the ballot as a referendum to allow the citizens to decide if they wanted to implement term limits
- Getting involvement in local government being a challenge
- Allowing the people to choose their representation
- The vote of the Charter Review Committee being a 3-2 minority vote

John Duncan 200 North Ramona Avenue said there was a lot of discussion on this item. He continued and said this was an opportunity for the commission to put it in front of the people and to have the opportunity to preserve twelve years of service. He went on to say but if there was a referendum from the people it would effectively be written to where their current terms would now count. He concluded by saying he just wanted them to take that into consideration because the people could bring a referendum forward.

There was not a consensus of the City Commission to accept the minority proposal.

The City Commission thanked the Charter Review Committee for their hard work and dedication to the City of Lake Alfred.

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**6.) Police Forfeiture Funds: K-9 Purchase**

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**City Manager Leavengood** stated the City's Police Department currently had a single K-9 Officer and handler. "Wil" has served as the City's K-9 officer since 2012 and was retiring.

- The City does not currently utilize fireworks for any public events.
- While the fireworks could be enjoyed by the public it is not an advertised event nor is it associated with a typical date that would have fireworks (e.g. 4<sup>th</sup> of July, New Year's). Individuals with pets or sensitivity to loud noises may not be aware of the event.
- If approved, staff would recommend closure of the boat ramp to limit boat activity in proximity to the barge and/or require public safety personnel to be in the Lake to maintain the perimeter around the barge at the applicant's expense.

**Staff Recommendation:** Pleasure of the Commission.

Mike Snell, of Four Seasons, stated the display fireworks were for color rather than loud sounds. He explained they would-be low-level fireworks, and the show would last approximately five minutes. He thanked the City Commission for their consideration.

A discussion ensued by the City Commission regarding the following:

- This being the first time considered in Lake Alfred
- Concerns about noise levels and safety
- Not limiting access to the public boat ramps
- The inspection process prior to the event
- The type of fireworks being shot in proximity to the shoreline
- Having the low decibel requirement being a part of the permit
- Making the decision based on the Code and not a specific event
- The potential to scare household pets
- The display time frame being between 8:00PM-8:30PM
- This type of event providing the City with a measurable standard
- The potential to put patrol boats on the lake

**Mayor Daley** opened the public hearing.

Herb Nigg of 700 S. Ilakee Avenue said he was in favor of allowing them to have the fireworks and not shutting down all the fun in Lake Alfred.

Brenda Arnold of 435 West Pierce Street said she agreed about the decibel levels and was not against the firework display. She shared about the airboat noise levels, noises frightening children, and it being a wedding. She concluded by saying again she agreed about the monitoring of the noise levels for future criteria.

Loretta Vittorio 260 Oak Lane said she was glad we had the opportunity to try this out. She shared her experience with the noises near her home and said she was in favor of allowing the permit.

**Commissioner Lake** moved to approve the special events permit with conditions, seconded by **Commissioner Eden**. A unanimous voice call vote approved the motion.

The CRA Budget and CIP includes \$40,000 for this year and the next two years to fund the three-year agreement. Their proposal includes a case study/reference from Lake City. The proposed agreement utilizes a piggyback of Lauderdale Lakes which contracted with Retail Strategies, LLC through competitive procurement.

**Staff Recommendation:** Approve CRA Resolution 02-20.

Vice President of Business Development Sarah Beth Thornton with Retail Strategies presented to the City Commission.

**Presentation Overview**

- 150 years of retail real estate experience
- Direct connections to retailers and developers
- Hands-on approach
- Discovery with data and analytics
- Connection with real estate analysis
- Advance with market analysis, retail recruitment plan, and marketing guides

She continued and spoke about several clients and their successes with the partnerships, and then stood for any questions.

**City Manager Leavengood** explained the process for recruitment and the importance of the criteria for the businesses such as daily traffic counts, access to the properties, and proximity to similar industries and locations. He continued and said our expertise was Lake Alfred and they know their market, so it is the combination that then may put us in a position to close the deal. He went on to talk about the progression of development, the economic growth in Lake Alfred and said that was where they could assist us in getting those better end users.

The City Commission discussed the potential for a variety of businesses, the downtown city property, having more control and expectations for development, and the design elements of the city's property.

**Assistant City Attorney Claytor** stated this would be specific to the properties in the Community Redevelopment Agency area.

**Member Maultsby** asked about when the City would get a grocery store.

**Sarah Beth Thornton** said sometimes it could take a while and they would work very hard to achieve that goal.

**Vice Chair Dearmin** said since the City Manager had been here the City had seen some very beautiful things happen. He concluded by saying he was in favor of the agreement.

**Chair Daley** asked about the term limit of the agreement.

Organization Meeting on Friday. He asked about a potential business closing in Lake Alfred and concluded by sharing about the back of the 2020 Quarter being bats. Thank you.

**Commissioner Eden** said Happy Veterans Day again to everyone and shared he was disappointed of the cancellation of the event as well. He shared about a birthday and concluded by wishing everyone a Happy Thanksgiving and safe holiday.

**Mayor Daley** announced the next meeting was December 7, 2020 and that it would be the last City Commission meeting for the year. Without any further discussion at 9:58 p.m., Mayor Daley adjourned the meeting.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Ameé Bailey".

Ameé Bailey,  
City Clerk