

**MINUTES  
CITY COMMISSION MEETING  
MONDAY, NOVEMBER 17, 2014  
7:30 P.M.  
CITY HALL**

**Call to order – Nancy Z. Daley, Mayor**

**Invocation: John Dame**

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

**Roll Call:** Those in attendance were Mayor Nancy Z. Daley, Vice Mayor Charles Lake, Commissioner John Duncan, Commissioner Albertus Maultsby, Commissioner Jack Dearmin, City Manager Ryan Leavengood, City Attorney Frederick John Murphy, Jr., and City Clerk Linda Bourgeois.

Staff attendance: Public Works Director John Deaton, Finance Director Amber Deaton, Parks and Recreation Manager Richard Weed, Community Development Director Valerie Ferrell, and Police Chief Art Bodenheimer.

**CITY MANAGER ANNOUNCEMENTS**

The employee Thanksgiving Luncheon will be held on Monday, November 24, 2014 at the Highlands Community Center 11:30a.m. – 1:00p.m.

City offices will be closed on Thursday and Friday; November 27<sup>th</sup> – 28<sup>th</sup> in observance of the Thanksgiving Holidays.

The Lake Alfred Christmas Parade and Tree Lighting Ceremony will be held on Saturday, December 6, 2014. The parade will start at 6:30 p.m. beginning at Mackay Boulevard and will end at Gardner Park. Participants in the parade should be at the Mackay Gardens and Lakeside Preserve at 5:30 p.m. for check-in and placement order. For additional information please contact the Parks and Recreation department.

The employee Christmas Party will be held on Friday, December 12, 2014 at 6:00p.m. at the Lions Club. This year all volunteer board members have been invited to show our appreciation for their service to our community.

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.

Tomorrow, November 18, 2014 the Board of County Commissioners will be entertaining the CRA plan for a public hearing and approval at 1:30 p.m.

**City Manager Leavengood** said the University of Florida property swap is still in progress. At this time it is in their legal department, and the asbestos survey was clear. The City is anticipating results back on the phase one environmental later this week. A survey will need to be completed with potential consideration in front of the City Commission slated for January.

He concluded by saying the joint Veterans Day event went well. All ten (10) City Commissioners were present and it was very well attended.

### CITY ATTORNEY ANNOUNCEMENTS

There were no legal announcements. He wished everyone a Happy Thanksgiving.

### RECOGNITION OF CITIZENS

There were none.

### CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 11/3/14

**Commissioner Dearmin** moved to approve the City Commission Meeting minutes for the November 3, 2014 regular meeting; 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>

### AGENDA

#### **1.) PUBLIC HEARING ORDINANCE 1343-14: FINAL BUDGET AMENDMENT 2013/2014**

**Mayor Daley** read the Ordinance 1343-14 into record.

**City Manager Leavengood** said as a part of the closeout process of the previous fiscal year of 2013/2014 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.

**Mayor Daley** opened the public hearing.

There were none.

**Mayor Daley** closed the public hearing.

Without any comments, **Vice Mayor Lake** moved to approve Ordinance 1343-14 on second and final reading; seconded by **Commissioner Duncan** and **Commissioner Maultsby** 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.) PUBLIC HEARING ORDINANCE 1344-14: SCHOOL ZONING**

**Mayor Daley** read the Ordinance 1344-14 into record.

**City Manager Leavengood** said he City of Lake Alfred has received a request to assign a Public Building & Grounds (PB) zoning classification to 44.47 acres located east of CR 557 and between Evenhouse Road & Creek Road. Additionally, 11 acres at the center of the site are proposed to be zoned as Conservation (CN).

He went on to say the total 55.47 acre tract of land has a designated future land use of Medium Density Residential (MDR) but does not currently have an assigned zoning classification. For perspective: An R-2 zoning classification would be permitted under the MDR future land use and would allow 12 units per acre or 536 residential units on 44.47 acres.

The proposed zoning assignment of Public Building/Grounds (PB) is consistent with the future land use designation and surrounding area. Wetland mitigation, stormwater, transportation impacts, permitting and other site specific considerations would be addressed during the site development review process. The Lake Alfred Planning Board would have to approve any proposed site development on the property. He concluded by saying the proposed zoning assignment request received a recommendation of approval from the Planning Board. Staff has no objections to Ordinance 1344-14 on second and final reading.

**Mayor Daley** opened the public hearing.

**Steve Lockhart** of 826 First Street S. in Winter Haven shared he was in attendance to answer any questions, and thanked the City Commission and staff for all of their hard work on this process.

**Kirk Connor** of 352 Creek Road shared his concerns about increased bus traffic in the area when the high school opens. He said there will be a lot of noise and traffic. He went on to talk about the possibility of rerouting the watershed channel, and potential flooding. He is not in favor of the zoning change.

**James Wright** of 390 Creek Road said he thought this move will impact conservation. He shared that the landscaping may interfere with their drinking wells, and shared about the formation of the dip in the road on Highway 557. He claimed the area is a watershed area and needs to be protected. He went on to say he is not in favor of the zoning. He concluded by saying there are more properties in Lake Alfred which may be better suited for Discovery High School.

**Mayor Daley** closed the public hearing.

**Vice Mayor Lake** said he thought the property was a defunct orange grove with some cattle and horses. He said before anything is built on the property, the engineers will ensure proper

design for water flow and stability. He said the bus entrances would more likely be Evenhouse on Evenhouse road. He shared the property - zoned as it is - has the potential to develop over five hundred houses. He concluded by saying the City of Lake Alfred needs a high school and it is the perfect spot for it.

A discussion ensued about the difference between future land use, zoning, and having to have a specific reason for denying a request once the property has already been zoned.

**Commissioner Duncan** asked if it also had a future land use for multi- residential (R-2) zoning, which could be apartment buildings?

**City Manager Leavengood** replied yes.

A discussion occurred about the amount of developers in the early housing boom years, and the potential for decreased bus traffic due to the sharing of busses with the middle school.

**Commissioner Maultsby** moved to approve Ordinance 1344-14 on second and final reading; seconded by **Commissioner Duncan** 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>

### **3.) PUBLIC HEARING ORDINANCE 1345-14: CAPITAL IMPROVEMENT PLAN**

**Mayor Daley** read the Ordinance 1345-14 into record.

**City Manager Leavengood** said as part of an annual update, the City must review the Capital Improvement Element and the 5-year Schedule of Capital Improvements. This process is mandated by Florida statutes and the schedule is updated and transmitted to the Department of Economic Opportunity for review by December of each year. The Schedule includes the capital improvements scheduled for construction within the community to meet the Levels of Service adopted in the 2030 Lake Alfred Comprehensive Plan. He went on to say the proposed amendment is based on the Capital Improvement Plan that was adopted as a part of the FY 14/25 Budget. It does not include those capital items within Administration, Police, Fire and any other departments that are not specified for the levels of service in the Comprehensive Plan. He concluded by saying staff's recommendation is for approval of Ordinance 1345-14.

**Mayor Daley** opened the public hearing.

There were none.

**Mayor Daley** closed the public hearing.

**Commissioner Dearmin** moved to approve Ordinance 1345-14 on second and final reading; 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>

#### **4.) ORDINANCE 1346-14: ANIMALS**

**Mayor Daley** read Ordinance 1346-14 into record.

**City Manager Leavengood** said that 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 Chapter 10 of the Code of Ordinances related to animals.

He continued and said the existing provisions within Chapter 10 tie back to state law and county ordinances related to the regulation of animals. However, the code has specific reference to a city issued permit for the destruction of nuisance animals and separate regulations for dogs. 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.

He went on to say the proposed ordinance 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. He concluded by saying staff's recommendation is for approval of ordinance 1346-14 on first reading.

A discussion ensued about the provisions of Polk County's Ordinance and the Florida Fish and Wildlife when dealing with nuisance animals.

**Mayor Daley** said it makes sense to adopt what is already on the books in the County, because it would be silly to have a law here and if you took three steps to the right there would be a different law. It makes it more consistent, and we use the county for enforcement.

**Vice Mayor Lake** asked if the City of Lake Alfred received a bill for animal control services.

**City Manager Leavengood** said the Sheriff's department and animal control services are paid for through City tax payers' because we all pay a millage rate to Polk County.

**Mayor Daley** read the summary of the Ordinance's provisions.

**Vice Mayor Lake** moved to approve Ordinance 1346-14 on first reading; 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>
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VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

#### 5.) RESOLUTION 17-14: REMOVE TRANSITION SCHEDULE

**City Manager Leavengood** said Section 6.06 of the City Charter allows for the removal, by resolution, of any transition schedule when all events have occurred. He continued and said section 6.05 of the City Charter titled "Schedule" provided for an election transition schedule in 2001 following charter amendments in the fall of 2000. The events detailed in the transition schedule have already occurred rendering the provisions of Section 6.05 obsolete. He concluded by saying the proposed resolution removes section 6.05 of the City Charter consistent with the provisions of section 6.06 of the City Charter.

**Mayor Daley** read Resolution 17-14 into record.

Without any discussion, **Commissioner Dearmin** moved to approve Resolution 17-14 to remove the Charter the referenced section of the transition schedule; seconded by **Commissioner Duncan** 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 DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

#### 6.) ANNUAL BOARD REAPPOINTMENTS

**City Manager Leavengood** said the City maintains various boards that are both essential to and benefit the City including: Planning, Board of Adjustments, and Parks & Recreation. All Board members serve for three (3) year terms and the following board members are up for renewal:

Planning Board:

- Judy Schelfo
- Bette Biggar
- Deborah Hoffman

Board of Adjustments:

- Joyce Schmidt
- Wanda Daley

Parks and Recreation:

- David Fawcett

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

**Commissioner Dearmin** moved to approve the reappointments to the City Boards as indicated; seconded by **Commissioner Maultsby** 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>

#### **7.) PURCHASE OF MINI-EXCAVATOR**

**City Manager Leavengood** said the City has included \$60,000 in the current year 14/15 Budget for the replacement of the Public Works Department's mini-excavator. The excavator is used for water line repairs, sidewalk repairs and other projects. The City has received the followings bids for the replacement of the mini-excavator:

Caterpillar	\$ 53,424
Polk Tractor Company	\$ 49,270
Vemeer Southeast	\$ 45,608

The existing mini-excavator is in decent condition and staff will attempt to sell it locally or on govdeals.com. Staff's recommendation is to purchase the mini-excavator from Vemeer Southeast for \$45,608.

**Vice Mayor Lake** asked about the different brands quoted in the bids submission.

**Public Works Director** replied they are all the same size machine. The excavators go by weight and these are all between 7,000 and 8,000 pounds. The bids are reflective of equality amongst the machine and attachments quoted.

A discussion ensued about Vemeer being the company, and the brand they are selling was the Yanmar.

**Commissioner Dearmin** said the bid came in fifteen thousand dollars less than what the City had budgeted.

**Vice Mayor Lake** moved to approve the purchase of the mini-excavator from Vemeer in the amount of \$45,608.00; 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>

**City Manager Leavengood** provided a presentation on the new sidewalks being installed on Hoffman Street around Central park. He said now there will be three sides finished, and indicated we could possibly catch the last leg during this budget year. He also said the west side of town is preparing for the installation of the safe routes to school sidewalk project as well. He concluded by unveiling the City of Lake Alfred Centennial logo.

## RECOGNITION OF CITIZENS

There were none.

## COMMISSIONER QUESTIONS AND COMMENTS

**Vice Mayor Lake** said the combined Veterans Day celebration was very nice. He shared about his legislative policy committee meeting last week, and wished everyone a Happy Thanksgiving. He announced to the audience that Saturday, November 29, 2014 is the small business day, and concluded by sharing he was going to visit the Polk Correctional Institute.

**Commissioner Maulsby** shared about the legislative policy committee he serves on, and said they are focusing on police and fire pension reform. He said they are favoring self-rule rather than someone in Tallahassee telling us how we should spend our money. He continued and said many larger companies want to do away with the communication service tax and local business tax. He said some of the big cities receive a lot of money from this. He concluded by saying let's hope we can get something done about the pension reform, and the communication and business tax.

**Mayor Daley** said the Veterans Day event was really spectacular, and the weather was really nice. There was a good turnout. She continued and shared about the Women's and Men's forum, and said the City Manager is working with the Florida Fish and Wildlife for some controlled burning on the Mackay Gardens and Lakeside Preserve property. She said maybe in a couple of months we can begin some of the property restoration. She concluded and said that will be a good and positive improvement to restore the property.

**City Manager Leavengood** said the City of Lake Alfred is fifth on the list, weather dependent. It should be within the first quarter of next year.

**Commissioner Dearmin** said he also attended the Intergovernmental Relations and Transportation policy committee meeting. He shared they worked on language for rewording the goal for transportation funding, which a lot of members want to make sure home rule stays in play. He went on to say the other hot topic was the Uber taxi type business which is coming. He concluded by thanking the board volunteers, and said he is glad we are moving in the right direction with the Family Dollar coming into the City.

**Commissioner Duncan** asked about the turn-around time for a receipt of the permit and the printing of the wayfinding signs.

**City Manager Leavengood** said we are running with those things concurrently and we are expected to get a preliminary review back from the State back before the end of the holidays. The bid submissions are due on December 2, 2014, and then we will look to present them at the first meeting in January. We are moving aggressively on this and hopefully we should have them installed in the first part of spring of 2015.

**Commissioner Duncan** asked if we can reach out to the Chamber and get a list of businesses wanting to be on the side street signs?

**City Manager Leavengood** said yes, and we will work with staff – it will be intuitive to some degree of what businesses need to go on what signs – and so we will kind of do a draft plan so the Chamber does not have to feel like they have to come up with everything. If you want to be on the sign, you will pretty much have the option to be on the sign. We will be doing outreach in the next month or so.

**Commissioner Duncan** shared they had a fantastic 100<sup>th</sup> year celebration for his church. He thanked Commissioner Maulsby for his attendance and said it was a very neat event. He concluded by saying he learned a lot of historical things this past weekend.

**Mayor Daley** thanked Carol Faulks and her associates for coming out this evening.

Without any further comments, the meeting adjourned at 8:24 p.m.

Respectfully Submitted,



Linda Bourgeois, M.M.C.  
City Clerk