

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY NOVEMBER 19, 2018
CITY HALL**

Call to Order: Mayor Charles Lake

Invocation and Pledge of Allegiance: Ed Arbuthnot

Those in attendance were Mayor Charles Lake, Vice Mayor Jack Dearmin, Commissioner Nancy Daley, Commissioner John Duncan, and Commissioner Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, City Attorney John Murphy, Community Development Director Ameer Bailey, Parks and Recreation Director Richard Weed, Police Chief Art Bodenheimer, Public Works Director John Deaton, Deputy City Clerk Mamie Drane.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood announced that the City offices and the Lake Alfred Public Library will be closed on Thursday and Friday, November 22nd and 23rd in observance of Thanksgiving.

Mackay Gardens and Lakeside Preserve will present Forest Magic on November 25th at 2:00 pm. Steve Franklin will guide the tour, the event is free, however reservations are required. Contact the Parks Department for reservations and more information.

The City is now accepting applications for the 2018 Christmas Parade visit the web site to download an application or contact the Parks & Recreation Department.

The Bluegrass and BBQ Bash-will be held on January 12th, at Lions Park, from 11:00 am till 9:00 pm. Join us for a great day of music, and food from BBQ vendors competing for cash prizes and trophies.

There was a citizen request brought up at the last meeting concerning the pressure washing at Twin Lake boat ramp. That project has been completed and he thanked staff. The dock project is now complete, the ramp has been poured at Lake Rochelle Park.

After the December 3rd Commission meeting, the last of the year, there will be a new sound system installed at City Hall. This is one of the many projects the City had added to project funding.

The Gardner House re-dedication / open house had a great turnout. Many of the Gardner family was in attendance. He thanked staff, and the volunteers along with the Commissioners for all the work done on the house.

Mayor Lake stated the event at the Gardener house was very well received.

CITY ATTORNEY ANNOUNCEMENTS

City Attorney Murphy stated the Gardner house project reflects very well on the City, it's a testament to the City Commissions vision. He wished everyone a healthy and happy Thanksgiving.

RECOGNITION OF CITIZENS

Jason Wilkey 160 S Pennsylvania Ave. thanked the City for helping with the success of the Inaugural Race For Liberty. He presented the Commissioners with a commemorative coin from the race.

Ed Arbuthnot 120 W Echo St. stated the race will benefit the Winter Haven VFW and Fallen Warriors. He said the race will be held every year around Veterans Day.

Mayor Lake stated the City appreciate the race being held in Lake Alfred, it brought positive attention to the City and it was for a great cause.

Beverly Moore 165 Pierce St. stated the race was wonderful and it was for a great cause.

City Manager Leavengood stated one of the City's Police Officers won the overall race.

CONSENT AGENDA

Vice Mayor Dearmin moved to approve the Consent Agenda; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

AGENDA

1.) **PUBLIC HEARING: ORDINANCE 1399-18: EAR BASED COMPREHENSIVE PLAN AMENDMENTS**

City Attorney Murphy read the ordinance title.

City Manager Leavengood stated At least once every 7 years, the City must evaluate its Comprehensive Plan to determine if amendments are necessary based on changes in State Statutes. The 2011 changes to Florida Statutes 163.3191 changed the evaluation and appraisal process from a formal mandated audit report analyzed by the state land planning agency, to a less formal review. The City notified the Florida Department of Economic Opportunity (FDEO) on November 27, 2017 that this review had been completed and the following items were identified based on a review of changes in Florida Statutes since the last time the Plan was updated:

- Adding a policy in the Future Land Use Element to address airport compatibility.
- Adding a policy in the Intergovernmental Coordination Element to address Lake Alfred's participation in the Polk County Joint Airport Zoning Board.
- Update the Definitions Section to incorporate changes to definitions to be consistent with State Statutes, or which are no longer referenced in the Comprehensive Plan.

- Removing all references to Rule 9J-5, which has been repealed by the Florida legislature.
 - Updating required time frames.
 - Changes in name from The Department of Community Affairs to the State Land Planning Agency.
 - Changes references to the “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”
- Most are housekeeping in nature.

On July 10, 2018, the Planning Board gave a unanimous recommendation of approval. The proposed ordinance was submitted to the Florida Department of Economic Opportunity (FDEO) for review by all the State agencies. Staff has received letters from the reviewing agencies with no comments or objections to the proposed ordinance.

Staff recommended approval of Ordinance 1399-18 on second and final reading.

Mayor Lake asked if the City had replaced John Dame as Airport liaison.

Director Bailey stated City Manager Leavengood is currently our representative, but there hasn't been a meeting since last year.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Vice Mayor Dearmin moved to approve the Ordinance 1399-18 on second and final reading; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

- 2.) **ORDINANCE 1404-18: PREPAID IMPACT FEES**
- 3.) **ORDINANCE 1405-18: UTILITY IMPACT FEES**
- 4.) **ORDINANCE 1406-18: NON UTILITY IMPACT FEES**

City Manager Leavengood stated since the three ordinances are being presented together, the City Attorney will read the titles for the motion and vote. The City collects various one-time fees from new construction to offset the ‘impact’ new development will have on the existing City services and infrastructure. The City of Lake Alfred currently collects impact fees for water, wastewater, general government, public safety, and parks and recreation.

Impact fees serve an important role in easing the impact of additional capital investment required by growth to existing residents and customers. With the growth we are currently experiencing in the City and the growth that is anticipated, it is important that our impact fees are reflective of the cost that is required to make these additional capital improvements. This is

important not only to provide services for future growth but also to maintain levels of service for existing residents.

With traditional water supplies nearly maxed out (e.g. 6% remaining in Upper Floridan), impact fees will need to reflect the increased capital costs associated with alternate water supply projects needed to accommodate new development. New growth will also need to pay for its fair share of the increased levels of service and projects identified in the Parks and Recreation Master Plan.

On June 4, 2018 the City Commission awarded a task order to Raftelis Financial Consultants to perform an impact fee study to ensure that growth related capital investments (or their portion thereof) were adequately reflected in the amount the City collects in impact fees for new development. The City's impact fees for general government, parks and recreation, and public safety have not changed since 2003; the impact fees for water and sewer have not changed since 2009.

Based on the study the proposed impact fee total for each unit of residential development is proposed to be \$7,527; an increase of \$1,861.78 over the current total of \$5,665.22 (33.8%). As expected, the most significant changes were due to the adoption of the parks and recreation master plan and the need for alternate water supply for future development. General government, police, and fire show a small reduction in the fee collected based on capital needs (i.e. due to significant facility renovation that have already been completed). Nonresidential impact fees for general, police, and fire have been converted into a square footage calculation. Utility impact fees for nonresidential development is calculated by their specific attributes (based on standards established under 64E-6 of the Florida Administrative Code) at \$7.61 per gallon per day for water and \$13.10 per gallon per day for wastewater. Further discussion ensued.

Impact Fee	Existing	Calculated	Difference
Police	\$325.00	\$254.00	(\$71.00)
Fire	325.00	230.00	(95.00)
Parks & Recreation	220.00	1,479.00	1,259.00
Gen. Government	300.00	274.00	(26.00)
Water	1,285.27	1,940.00	654.73
Wastewater	3,209.95	3,350.00	140.05
Total	\$5,665.22	\$7,527.00	\$1,861.78

The proposed ordinances implement the rates proposed in the impact fee report and cleans up the prepaid impact fee regulations within the code. Since the City implements a five year CIP, the City will never be outside the three year window, funding will available for an updated impact fee study every three years.

Staff recommended approval Ordinance 1404-18 prepaid impact fees on second and final reading.

Vice Mayor Dearmin stated he didn't remember the City ever having a study.

City Attorney Murphy stated the laws have changed over the years and the legislation has revised the burden of proof for a contest for impact fees. They require that the fees be based on localized, current data. The impact fee increase will not go into effect for 90 days, February 12, 2019.

Commissioner Daley asked at what point in the permitting process does the developer or builder pay the impact fees.

Director Bailey stated impact fees are paid when the permit is issued rather than at the issuance of the Certificate of Occupancy.

City Manager Leavengood stated the 90 day delay has been factored into the strategy of having three separate ordinances. Staff wanted the language that was corrected in the pre-paid impact fee section to go into effect tonight upon passage.

Commissioner Maultsby asked if there are any developers with pre-paid impact fees.

City Manager Leavengood responded by saying at one time there was a developer, for the Berry development, that had pre-paid impact fees. They have since been refunded. Staff has been in contact with the new builder / developer and they have been discussing re-zoning of the property.

Commissioner Duncan asked if there was language in the CIP requiring a three year review of the impact fees.

City Attorney Murphy stated the CIP does not have the stipulation of a three year review, but the City Manager could offer the recommendation of a review during the budgeting process. The actual study that Raftelis completed is part of the information that the City Manager passed along to the City Commission.

City Attorney Murphy read the ordinance title 1404-18

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Commissioner Daley moved to approve ordinance 1404-18 prepaid impact fees on second and final; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
VICE MAYOR DEARMIN	AYE
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COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

City Attorney Murphy read the title of ordinance 1405-18.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Commissioner Maultsby moved to approve ordinance 1405-18 Utility Impact Fee on second and final; seconded by **Vice Mayor Dearmin**. The motion was approved by unanimous voice call vote.

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

City Attorney Murphy read the title of ordinance 1406-18.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Vice Mayor Dearmin moved to approve 1406-18 Non-Utility Impact Fees on second and final; seconded by **Commissioner Maultsby** The motion was approved by unanimous voice call vote.

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

ORDINANCE 1407-18: FY 17/18 FINAL BUDGET ADJUSTMENT

City Attorney Murphy read the title of ordinance 1407-18.

City Manager Leavengood stated as a part of the closeout process of the previous fiscal year of 2017 / 2018 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. City staff has also provided an updated fund balance sheet that estimates the net changes to fund balance in the various funds based upon the budget closeout numbers.

Staff recommended approval of ordinance 1407-18 on second and final reading.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Vice Mayor Dearmin moved to approve ordinance 1407-18 Final Budget Adjustment, on second and final reading; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

City Manager Leavengood stated the City is anticipating significant growth over the next decade that will require additional investment in capital equipment, staffing, and facilities to maintain and increase the level of service currently provided. The proposed changes to the

impact fee charges reflect the anticipated level of capital investment required over the next ten years to offset the impact of new development within that timeframe.

One of the primary expenses planned for in the Public Facilities impact fee was an expansion of the Public Works facility located on West Haines Blvd. This facility sits on .86 acres and contains the City's garage, fuel pumps / storage, sanitation vehicles, equipment and storage bays, as well as the street division's vehicles, mowers, trailers, and other equipment.

As the City grows, additional staffing and vehicles will be required to meet service demands which will require more space than we have at the existing facility. Future needs will eventually require the Public Works facility to either relocate or find another piece of land to have a second facility. Either of these options will continue to become more costly in the future as property values and construction costs increase.

The currently vacant Antioch Church (485 West Haines Blvd) is for sale and is located directly adjacent to the current Public Works facility. The property is 0.8 acres in size and has several buildings on the site that in the short-term could be used for offices and additional storage space. With the site being directly adjacent to the existing facility it could be fenced, operated, and maintained as a single site. The gym located at the back of the property would be demolished to make room for additional vehicle space; long-term additional bays can be constructed and extended from the current facility into the new open space. If the City acquired the property it would effectively double the amount of land within the existing facility and allow expansion with additional bays while satisfying any land / space needs of Public Works for decades.

The association that owns the church property contacted the City to see if we would be interested in purchasing the property. Their initial asking price was \$400,000. City staff had an appraisal performed on the property that determined the value to be \$370,000. City staff tentatively reached a purchase price amount of \$360,000. The City currently has \$230,000 in general facility impact fees to accommodate the purchase. As additional general facility impact fees are collected the overage can be reimbursed to the general fund.

No other projects in the current 5-year Capital Improvement Program are scheduled to utilize general facility impact fees so there is no discernable 'opportunity cost' in purchasing the property. If acquired, additional long-term growth related costs (i.e. additional bays, etc.) can be planned for and provided for in the CIP and funded through future receipt of general facility impact fees. Using pictures he pointed out the location and attributes of the property.

Public Works Director Deaton stated the property could fulfill many different uses for the City. The large area of land behind the building could be use as storage and open truck parking. The current front building could be used as offices, breakrooms or training rooms. The gymnasium would probably have to be torn down to make room for open bay storage. A lot of the work to improve this site could be done in house, especially the smaller projects. It's an ideal opportunity for the City.

Mayor Lake asked if the buildings were usable as they are for parking vehicles. He also stated he was concerned about making a former church into a garage.

Commissioner Daley voiced her concern about a tree located between the properties.

Commissioner Maultsby asked how much land will the City own when the two parcels are combined.

Director Deaton assured **Commissioner Daley** if there is any way to avoid cutting the tree down or to work around it he will see that it's done. In response to **Commissioner Maultsby** he stated the combined properties will be approximately 1.6 acres.

Discussion ensued with Consensus being given to the City Manager to continue forward on the project.

Mayor Lake opened public hearing.

Margaret Wheaton 330 Carolina Ave. stated no one has mentioned how the neighbors feel about the additional activity that will result from the City purchasing the property. She also asked the Commission not to forget the Library.

City Manager Leavengood stated there will not be a lot of added activity. Care will be given with how the City buffers the site, proper fencing and landscaping will be added for buffering and there will be one entrance and one exit.

Leon Juday 535 N Todhunter Way stated the details from the appraisal showed the gym as being almost 50% of the estimate. If the City has no use for the building the City should take that into account when making an offer.

RECOGNITION OF CITIZENS:

There were no comments.

COMMISSION COMMENTS:

Vice Mayor Dearmin stated some of the Commissioners went to the Legislative Committee Meetings. His meeting was on CRAs and Annexations, CRA's seem to be popular again and a few of the Cities are having problems with annexations. He wished everyone a Happy Thanksgiving.

Commissioner Daley stated she wasn't able to go the Policy Committee Meeting as it was on the same day as the Teach In at Lake Alfred Elementary School. She has been keeping up with the Transportation Committee. She has been very thankful for the law enforcement that monitors the schools. She is grateful to Police Chief Bodenheimer and the LAPD making us feel safe. She also wished everyone a Happy Thanksgiving.

Commissioner Duncan stated he wasn't able to go to the policy committee as he attended a memorial service. His committee is the Energy, Environmental and Natural Resources he was able to vote on the water issue before returning home. He stated he is always looking for ways to improve the City and he thinks the addition of the property is a good idea, the gym is in questionable condition, but it is a good opportunity for the City. He also would like to start to work on a memorial for Police and Fire. He also wished everyone Happy Thanksgiving.

City Manager Leavengood stated if the City decided on placing a memorial statue, bronze would be preferable. Staff can work on the project and present concepts to the Commission.

Mayor Lake asked where would the memorial be located.

Commissioner Duncan said the memorial could be placed on the other side of Veterans Park. In Gardner Park along with the other memorials.

Commissioner Maulsby stated he attended the workshop last Thursday, he is representing the City on the Taxation and Finance Committee. Most of the time was taken up by the communications tax. There are communication companies that are working to abolish the tax and he hopes the lobbyist can save the communications tax as it is a revenue for the City.

Mayor Lake stated at the legislative meeting he attended the priority was short term rentals, it seems to be a large problem in the coastal areas. At the luncheon they attended Dr. Susan MacManus, a political analyst, discussed what happened at the election. She pointed out changes throughout the year as a result of the election. He wished everyone a great Thanksgiving.

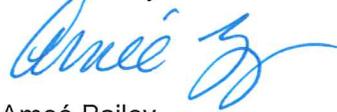
With no further business the meeting was adjourned at 8:50 pm.

Respectfully submitted,



Mamie Drane
Deputy City Clerk

Reviewed by.



Ameé Bailey
City Clerk