

**MINUTES  
CITY COMMISSION  
MONDAY, DECEMBER 6, 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.

**Mayor Daley** called for a moment of silence in memory of former City Commissioner Lowell Schmidt. Schmidt served as City Commissioner from 2001- 2011, became Vice Mayor in 2008, and served as Mayor in 2009.

**Pastor Richard Blocker** of the Lake Alfred Church of God by Faith 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, Commissioner Mac Fuller, and Commissioner Albertus Maultsby.

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

**City Manager Leavengood** announced the following:

1. Former City Commissioner Lowell Schmidt's memorial service will be held on Saturday, December 11, 2021, from 2-4 p.m. at the Haven Church of God. 1727 34<sup>th</sup> Street NW Winter Haven, FL.
2. 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.
3. The Ridge League of Cities Dinner will be held in Auburndale, Thursday, December 9, 2021, at the Civic Center.
4. The Lake Alfred Employees Christmas Luncheon will be held on Tuesday, December 21, 2021, at Lions Park from 11:30 a.m. – 1:30 p.m.
5. The City Offices will be closed Thursday and Friday (12/23 & 12/24) in observance of the Christmas holidays. Also, the City Offices will be closed on Friday, December 31, 2021.
6. The Lake Alfred Bluegrass Bash will be held on Saturday, January 8, 2022, at Lions Park from 11:00 a.m. – 7:00 p.m.
7. The next City Commission Meeting will be held on Monday, January 10<sup>th</sup>, 2022.
8. Both the Winter Haven and Lake Alfred Christmas Parades were very successful this year. The Lake Alfred parade had the biggest year yet with approximately 40 - 45 float participants. Commissioner Fuller was thanked for the use of his 1937 Fire Truck and his 59 Cadillac convertible.

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

Recognition of Citizens:

**Todd Koza** of Lake Alfred Elementary School spoke about his after-school program. He invited the City Commission to attend an event being held on Wednesday, December 8, 2021, at 2:00 p.m. to visit his class that builds rockets. He spoke about the history of the program, the Central Florida Aerospace Academy, and creating a flight simulator. He continued and spoke about his monetary contributions to the program, the students being 3<sup>rd</sup> – 5<sup>th</sup> graders, and his goals for the students. He concluded by saying he would like to make Lake Alfred Elementary a public school parents want to attend because we are leaders in kindergarten through fifth-grade education.

**Keith Klingensmith** of 485 N. Buena Vista Drive spoke about a code enforcement complaint regarding a walkway at Lavender and Lace. He said he was here to make the City Commission aware of the concerns.

**City Manager Leavengood** said he would have the building official take a look at the site.

**Mayor Daley** read the Lenore “Gundy” Costello 105<sup>th</sup> Birthday recognition proclamation into the record. The proclamation was accepted by Ms. Costello. She said she really loves living in Lake Alfred and has been here for a very long time. She shared it’s kind of fun to be the oldest, and said I just keep on living. She concluded by saying thank you.

**Mayor Daley** read the 100<sup>th</sup> Anniversary of the Lake Alfred Church of God by Faith proclamation into the record. The proclamation was accepted by Pastor Richard Blocker and Deacon Albertus Maultsby. Pastor Blocker thanked the City Commission for recognizing the milestone of their church. He said the great work that God has done for one hundred years is a long time. He shared that one brick at a time the building was built and it is still standing. He concluded by saying the City Commission does a great job and he loves Lake Alfred.

**Deacon Albertus Maultsby** said he has been a part of the church since birth. He said he is on his way to being 105 as he is now 91 years old. He credits the church for teaching him how to be good and a servant. He concluded by saying he is thankful for being a part of this organization and the City Commission.

**Public Works Director John Deaton** presented Larry Adams with his five years of service award. He said Larry is hard-working and always ready to help when needed. He spoke about his recent promotion to Utility Inspector and said he was pleased with his service to the City of Lake Alfred. He concluded by saying he hoped he would stay with Lake Alfred for many more years to come.

**Mayor Daley** announced that Willam Flack was selected as the Employee of the Fourth Quarter. She shared he was not able to be in attendance and would be recognized at the Christmas Luncheon.

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

- 1.) City Commission Meeting Minutes for November 15, 2021
- 2.) City Commission Announcements
- 3.) 2022 Meeting and Holiday Schedule

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

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

1.) Public Hearing: Ordinance 1470-21: Polk Training Center Annexation

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

**City Manager Leavengood** said according to Florida Statutes Chapter 171, the City may consider the annexation of unincorporated areas of a county that are contiguous to the municipality, compact in nature, and will not create an enclave. 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, totaling approximately 9.86± acres along with approximately an additional 2.27 acres of right of way.

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 Polk Board of County Commissioners (BoCC) setting forth the City's plans to provide urban services to the proposed annexation area. That report was submitted to the BoCC following its approval by Resolution 20-21.

The action item currently before the City Commission is on the annexation of the property into the City. Future land use and zoning designations on the property will be presented in the future following the approval of the annexation.

He concluded by saying the staff's recommendation is for approval of the ordinance.

**Commissioner Maultsby** asked about how much of an enclave would be left after the annexation and wanted to know if the home was a part of the annexation.

**City Manager Leavengood** said he would provide him with a map of the remaining enclave boundaries and said that yes, the home was a part of the annexation.

**Mayor Daley** opened the public hearing on Ordinance 1470-21. There were no comments from the public and she closed the public hearing.

**Commissioner Fuller** made a motion to approve Ordinance 1470-21 on the second and final reading for the annexation of the Polk Training Center parcels. The motion was seconded by **Vice Mayor Dearmin**. The motion was unanimously approved.

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

2.) Ordinance 1471-21: ULDC Text Amendments

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

**City Manager Leavengood** read the analysis into the record. In 2021, the City Commission approved the new Unified Land Development Code (ULDC) repealing the previous code adopted in 1993 as amended. The development of an entirely new code created new criteria for staff and developers and through implementation, staff has documented areas for clarification.

Following the adoption of the new code in April, amendments to Florida Statutes impacted some of the regulations included in the newly adopted ULDC. The main Articles impacted were Article 2 Zoning Districts and Article 3 Use Provisions. Topics included solar facilities, home-based businesses, building design elements, and Master Planned Communities.

The proposed amendments are designed to satisfy the statutory changes as well as provide clarification within the new code. Additional detail has been provided in Article 2 to provide more details on architectural elements and their usage in Article 3. The criteria for the Green Swamp Overlay District have been better defined. Lastly, formatting has been updated in some areas to provide clarification and apply rules on a larger scale.

On November 16, 2021, the Planning Board provided a favorable recommendation to the City Commission. Upon approval of the first reading, the Unified Land Development Code will be transmitted to the Department of Economic Opportunity for review. The second and final reading will be considered in 2022.

**Commissioner Eden** asked if the amendments to the code were user-friendly for the developers.

**City Manager Leavengood** said the city had been working with developers throughout the process and they appeared to be satisfied with the proposed updates.

**Mayor Daley** opened the floor to public comments. There were no comments from the public, and she closed the floor to public comments.

**Vice Mayor Dearmin** made a motion to approve Ordinance 1471-21 for text amendments to the ULDC on the first reading. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

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

3.) Resolution 25-21: Cass Road Easement Acceptance

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

**City Manager Leavengood** read the analysis into the record. On April 5, 2021, City Commission approved Ordinance 1455-21 annexing two (2) parcels along Cass Road into the city limits (0 and 801 Cass Road). During the annexation, process staff discovered that a highway easement had been granted to the public as part of a Warranty Deed filed in 1977. The easement runs along the northern and western property lines of the Eden Hills Addition property. In addition, the western easement extends south to provide access to 801 Cass Road. Since the properties were

within the County at the time of the recording of the deed, the easement was granted to Polk County. The northern easement contains a gas pipeline, and the western easement is utilized for access for the two properties (0 and 801 Cass Road). To facilitate the access relocation, the City Commission approved the agreement with Polk County to transfer the highway easement to the City on September 23. The proposed resolution formally accepts the conveyance of easement to the City.

**Mayor Daley** opened the floor to public comments. There were no public comments, and she closed the floor to public comments.

**Commissioner Maultsby** asked for clarification on the location and it was provided to him by the City Manager.

**Commissioner Maultsby** made a motion to approve Resolution 25-21 for the acceptance of the Cass Road Easement. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

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

4.) Resolution 26-21: Ruthanne Stonewall Retirement

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

**City Manager Leavengood** read the analysis into the record. On November 10, 2021, Ruthanne Stonewall announced her retirement as the Executive Director of the Ridge League of Cities after eighteen years of service. Bobby Green was appointed as the new Executive Director. This resolution pays tribute to the outstanding service of Ruthanne Stonewall and supports Bobby Green in his new position as the new Executive Director of the Ridge League of Cities.

**Mayor Daley** opened the floor to public comments. There were no public comments, and she closed the floor to public comments.

**Vice Mayor Dearmin** made a motion to approve Resolution 26-21 for the recognition of the retirement of Ruthanne Stonewall from the Executive Director position of the Ridge League of Cities. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

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

5.) Resolution 27-21: United States Post Office Boundary Review Request

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

**City Manager Leavengood** read the analysis into the record. The City's eastern boundary which includes the new County Government Center is in a separate area code that is designated for Haines City. The remainder of the City is in the 33850 area code. The City Commission and staff have expressed concern over confusion for voting, emergency services, and community identity as that portion develops. The City has been in contact with Congressman Soto's office for guidance as to how to amend the City's current 33850 area code to include that area.

The United States Postal Service (USPS) has developed a “ZIP Code Boundary Review Process” that promises “every reasonable effort” to consider and if possible accommodate municipal requests to modify the last lines of an acceptable address and/or ZIP Code boundaries.

The overview of the process:

- The municipality and community groups that desire a ZIP code change must submit the request in writing to the manager of the district with any rationale and justification.
- District Office forwards the request to the Area Office for review and approval.
- If the request is approved at the area level, “the proposal is sent to Headquarters Address Management System (AMS) for review and approval.
- If denied, the district manager must notify the city in writing and provide specific justifications for the denial based on the results of the analysis within sixty (60) days.
- If the request is feasible, a formal survey of all the customers impacted by the proposed change will be conducted.
- A simple majority of the survey respondents are adequate for final approval.
- There is an appeal process if denied in a case prompted by “municipal identity” issues.

The proposed resolution submits the Boundary Review request with supporting documentation to the district manager for our area to begin the formal review process.

A brief discussion ensued regarding the potential to be preemptive with garnering letters of support by coordinating the efforts with Congressman Soto’s Office, Polk County, and the Postmasters of both Haines City and Lake Alfred. Further discussion surrounded the process not being political, the appeal process and issues Haines City had faced without providing education to the residents before the USPS survey was mailed, the Lake Alfred Post Office having the capacity, and the boundary review process being Lake Alfred’s best option to redraw the ZIP code boundary lines.

**Mayor Daley** opened the floor to public comments. There were no public comments, and she closed the floor to public comments.

**Commissioner Eden** made a motion to approve Resolution 27-21 for the request to have the Boundary Review Process submitted to the United States Postal Service district manager. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

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

#### 6.) Vehicle Purchase

**City Manager Leavengood** read the analysis into the record. The City has budgeted funds for vehicle replacement in various City departments. The general replacement guideline is for vehicles that are in continuous use to be eligible for replacement after 10 years or more than 100,000 miles. Intermittent use vehicles may have significantly longer use periods (e.g. Fire Engines, Bucket Trucks, etc.).

#### Community Development

Budgeted: \$30,000

Replacement: Unit No. 60 – 2011 Ford Escape

Proposed: 2022 Ford Explorer 4x2 with an equipment package

Bids: Staff solicited the following bids:

- Bartow Ford: \$27,933.00
- Rush Truck Center: \$32,040
- Gator Ford: Did not submit a bid

He concluded by saying the staff was recommending awarding the purchase of the 2022 Ford Explorer 4x2 to Bartow Ford in an amount not to exceed \$27,933.

**Mayor Daley** opened the floor to public comments. There were no public comments, and she closed the floor to public comments.

City Commission discussion surrounded why Gator Ford had not submitted a bid, if the city was going to dispose of the vehicle, and the current inventory being low at the auto dealerships.

**Public Works Director Deaton** said he did not know why Gator Ford did not submit a bid and said he had contacted other dealerships for bids as well.

**Vice Mayor Dearmin** made a motion to approve the 2022 Ford Explorer 4x2 not to exceed \$27,933 from Bartow Ford. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

Recognition of Citizens

**Brenda Arnold** said the City Commission was doing a great job. She complimented Police Chief Bodenheimer with the traffic and keeping our citizens safe. She thanked the City Commission and the city staff for the parade saying it was the best she had ever attended with the crowds and the length of the event. She concluded by saying "Keep up the good work, we are doing a great job here in Lake Alfred".

**Commissioner Fuller** congratulated the church on their 100<sup>th</sup> anniversary and said it is great to see the participation of the citizens in this meeting in a show of support for their organization. He spoke about the two parades and having a great time. He continued and said he was proud to be a part of the parade. He introduced his wife, Debbie, his sister Margaret and her husband Tom Thornburg from Colorado, and a friend Jerry Solt. He said they hosted a Military Police reunion and he thanked both Tom and Jerry for their service. He concluded by thanking the city manager, directors, and city staff for their participation in making the Lake Alfred parade a great success.

**Commissioner Eden** echoed the blessings of the 105<sup>th</sup> birthday and the 100<sup>th</sup> church anniversary this evening. He said he was unable to make the first parade but was able to participate in the Lake Alfred parade because he was feeling better. He said his family had a blast. He asked about the parking lot at the football field and wanted to know where the little league would be able to practice since they can't use the football field.

**City Manager Leavengood** said the paving of the parking lot would be in a future phase of Central Park.

**Parks and Recreation Director Weed** said the practice field for the little league was anticipated to be in the area of the basketball courts after they are moved.

**City Manager Leavengood** said when the city relocates the basketball courts, that area would be a multipurpose field area.

**Mayor Daley** asked about the lighting at Central Park.

**City Manager Leavengood** said the city had applied for the Florida Recreation Development Assistant Program (FRDAP) grant for the field lighting and had not been selected this cycle. The lighting has been rolled into a future phase and the city will reapply for the FRDAP grant again in the upcoming cycle.

**Commissioner Eden** thanked the first responders and the Police Chief. He concluded by wishing everyone a Merry Christmas and Happy New Year.

**Commissioner Maulsby** shared he was out of the country a few weeks ago and said it made him proud that he was an American. He shared about going to a country where the people were thankful but did not have anything. We should be thankful we are in America. He shared about his tour in France and Germany and said they did not have too much. He concluded by saying he was proud to be an American.

**Vice Mayor Dearmin** thanked everyone and said we had a great year. He thanked the city staff for putting the Christmas Parade together. He concluded by wishing everyone a Merry Christmas and Happy New Year.

**Mayor Daley** asked the City Commission to keep an eye out for bills circulating in the Legislature and mentioned a bill regarding ordinances that would make the process difficult for municipalities to adopt them. She encouraged the City Commissioners to participate with responses and to also let the Florida League of Cities know they responded. She continued and reminded everyone the pandemic is not over and encouraged them not to let their guard down. She said she was proud of Lake Alfred over the past year because we have persevered and thrived by adding new businesses. She said she is so proud of our city staff, the City Manager, and the City Attorney's Office. We have done well in Lake Alfred when other places did not. It seems to be a theme in Lake Alfred all through the years. She said this was her twentieth year and we always seem to trend upwards. She concluded by wishing everyone a Merry Christmas and a Happy New Year.

At 8:48 p.m., the City Commission Meeting was adjourned.

Respectfully Submitted,



Linda Bourgeois, BAS, MMC,  
City Clerk