

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY, MAY 4, 2015
7:30 P.M.
CITY HALL**

Call to Order: Mayor Nancy Z. Daley

Invocation and Pledge of Allegiance: Joyce Schmidt

Roll Call: Those in attendance were Mayor Nancy Daley, Vice Mayor Charles Lake, Commissioner Jack Dearmin, Commissioner John Duncan, Commissioner Albertus Maultsby, City Manager Ryan Leavengood, City Attorney Frederick John Murphy, and Deputy City Clerk Amée Bailey.

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

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood stated registration for Summer Camp is open for kids ages 5-12. Summer camp is eight weeks and begins June 8th. This year includes new field trips and activities. Interested parties can visit the website or contact Parks and Recreation for more information on the camp.

Come to the Lake Alfred Public Library on Saturday, May 9th from 10 till 11am for Muffins with mom in honor of Mother's Day.

The Flood Insurance Rate Maps (FIRM) for the City of Lake Alfred are changing. Many property owners will be affected. Now is the time to review and comment on the proposed map changes. Three public meetings are schedule to provide additional information on the map changes, impacts, and insurance premiums. Post Cards will be sent this week to affected property owners within Lake Alfred to notify them of the meeting. Additional information is also on the website. Meetings are from 4-7 pm in Bartow, Lakeland and Winter Haven.

There are several free events are scheduled at Mackay Gardens and Lakeside Preserve this week including the Community Gardening Workshop on May 7th at 10 am and the Historic Nature Walk - Preserving a Legacy of Florida on May 9th at 8 am. Also Astronomy Night at Mackay Gardens and Lakeside Preserve will also be held on May 16th from 7-10 pm. For more information contact the Lake Alfred Parks and Recreation Department.

The City will be closed in observance of Memorial Day on May 25th.

City Manager Leavengood also presented an update on the resurfacing projects and showed pictures of the staff improvements and landscaping. He thanked to the Commission for additional funding for these projects.

City Manager Leavengood discussed the Holiday decorations project priority identified during the capitol improvements discussion. He stated the City has 120 poles through the City and if holiday decorations were added to every other pole the City would need to purchase 60-70 decorations. He stated that this project needs to move forward now since the Commission discussed advancing funds and the best pricing is during the summer. The City staff contacted other adjacent cities to reduce duplication of the types of decorations (Auburndale - Christmas tree, Winter Haven - wreaths and candles, and Haines City has white angels). He showed several examples and stated that staff preferred commercial styles with LED lights and without garland. Staff also recommended choosing two different designs to alternate on the poles.

City Manager Leavengood stated that the electric quotes came in at approximately \$200-250 per pole to convert the electricity and install a plug. Therefore the cost for power is approximately \$70-75 thousand. He also mentioned the option of purchasing a sectional tree for Gardner Park. The cost is approximately \$15,000 for a 26' tree, which could be stored at the Hughes building. A formal action item may be needed as early as May in order to order to receive the maximum discount.

Vice Mayor Lake asked about the bulk discount with different decorations.

Mayor Daley asked about a discussion to choose the decorations and stated she like the decorations with poinsettias.

City Manager Leavengood stated the discount would be for the entire order and not dependent on the type of items purchased. He also stated that more information and options would be presented to the Commission at the next meeting.

CITY ATTORNEY ANNOUNCEMENTS

City Attorney Frederick John Murphy gave an update on the land exchange with the University of Florida. The due diligence time period is complete for properties and all results are acceptable. He is currently processing the getting title work. He stated that this is a 10-31 exchange under the IRS code, therefore no cash or money is changing hands. The exchange is for properties of equivalent value. The transaction should close be complete by June 1. No delays are anticipated.

RECOGNITION OF CITIZENS

Betty Bigger, 140 West Haines Blvd., stated she was proud of Lake Alfred for the turnout at Mr. John Dame's funeral.

PROCLAMATION: NATIONAL POLICE WEEK

Mayor Daley read the proclamation for NATIONAL POLICE WEEK and urged all citizens to publicly salute the service of law enforcement officers in our community and in communities across the nation. She presented the proclamation to Chief Art Bodenheimer.

CENTENNIAL BADGE CEREMONY FOR THE POLICE DEPARTMENT

Chief Art Bodenheimer presented each of the officers for pinning. He stated their years of service, type of duty, and who was pinning the officer. The officers were then pinned by family or friend. Officers receiving the Centennial Badges included: Chief Art Bodenheimer, Lieutenant Gerald Dempsey, Sergeant Jennifer Gillett, Officer Anthony Gettle, Officer Wade Garner, Officer Carolyn Spicer, Officer Jeffery Blose, Officer Juan "Tony" Lopez, Officer Brenton Trimble, and Officer Matthew "Trent" O'Neal. Officer Laurie Green was absent.

EMPLOYEE SERVICE RECOGNITION: STEPHANIE LUDDEN – 5 YEARS

Mayor Daley asked Stephanie Ludden to join her at the podium. Mayor Daley stated that Stephanie started with the City in May of 2010. She has a great attitude, and is always willing to help. This year she became the point person for cemeteries, and she is also cross training in payroll. Her ability to learn quickly has enabled the department to shift duties, and save money. She is a valued member of the Finance Department and a great asset to the City of Lake Alfred.

The City of Lake Alfred would like to recognize you on your five year milestone. She received a five-year pin and certificate of service. Congratulations from the City Commission

CENTENNIAL PRESENTATION:

Mayor Daley stated that volunteers created a song for Lake Alfred. Paul and Cathy Butcher are musicians and created the music. Steve Franklin is the tour guide at the Mackay Gardens and Lakeside Preserve. He is also a poet and wrote the lyrics. The song was played.

CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 4/20/15.

Commissioner Dearmin moved to approve the City Commission Meeting minutes from April 20, 2015; seconded by **Commissioner Maultsby** 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

Mayor Daley adjourned the 2014-2015 City Commission sine die at 8:04 pm.

CALL TO ORDER the Canvassing Board

ROLL CALL: Those in attendance were Mayor Nancy Daley, Vice Mayor Charles Lake, Commissioner Jack Dearmin, City Attorney Fredrick John Murphy, Interim City Clerk Valerie Ferrell, and Deputy City Clerk Ameen Bailey.

Canvassing Member Lake made a motion to approve the Canvassing Board Meeting minutes from April 16 2015; seconded by **Canvassing Member Dearmin** and approved by unanimous voice call vote. There were no public comments.

CANVASSING MEMBER DALEY	AYE
CANVASSING MEMBER DEARMIN	AYE
CANVASSING MEMBER FERRELL	AYE
CANVASSING MEMBER LAKE	AYE

Adjourn the Canvassing Board 8:06 pm.

City Attorney Murphy administered the Oath of Office to Commissioner Duncan and Commissioner Maultsby.

City Attorney Murphy assumed the Mayor's chair and called the meeting to order at 8:11 p.m.

Roll Call: Those in attendance were Commissioner Nancy Daley, Commissioner Charles Lake, Commissioner Jack Dearmin, Commissioner John Duncan, and Commissioner Albertus Maultsby.

City Attorney Murphy said the first item of business for the City Commission to consider is the nomination and appointment of the Mayor for the 2015-2016 year.

Commissioner Maultsby nominated Commissioner Charles Lake as Mayor for 2015-2016.

Commissioner Maultsby made a motion that the nominations be closed and it was seconded by **Commissioner Dearmin**.

City Attorney Murphy restated the motion and asked if there were any further nominations to come before the floor. There were none.

City Attorney Murphy said there was a motion on the floor to close nominations. He asked for discussion. There was none.

City Attorney Murphy called for the vote to close the nominations. The motion was approved by unanimous voice call vote.

COMMISSIONER DALEY	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER LAKE	AYE
COMMISSIONER MAULTSBY	AYE

City Attorney Murphy then addressed the nomination of Commissioner Lake as Mayor for the City of Lake Alfred for the 2015-2016 year. He asked for any comments by the audience. There was none.

City Attorney Murphy called for the vote to appoint Charles Lake as the Mayor of the City of Lake Alfred for the 2015-16 year. The motion was approved by unanimous voice call vote.

COMMISSIONER DALEY	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER LAKE	AYE
COMMISSIONER MAULTSBY	AYE

Mayor Lake assumed the Chair and thanked everyone. He went on to say the next order of business was to open nominations for the Vice Mayor for the 2015-2016 year.

Commissioner Dearmin nominated Commissioner Nancy Daley for Vice Mayor for the 2015-2016 year and the motion was seconded by **Commissioner Maultsby**.

Commissioner Maultsby moved that the nominations be closed.

Mayor Lake called for the vote to close the nominations. The motion was approved by unanimous voice call vote.

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

Mayor Lake then addressed the nomination of Commissioner Daley as Vice Mayor for the City of Lake Alfred for the 2015-2016 year. He asked for any comments by the audience. There was none.

Mayor Lake called for a vote. The motion was approved by unanimous voice call vote.

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

AGENDA

1.) PURCHASE POLICE DEPARTMENT VEHICLE

City Manager Leavengood stated in the current Fiscal Year 2014/2015 Budget, \$30,000 has been budgeted for the purchase of a police cruiser. City staff has solicited bids for the purchase of a 2015 Ford Interceptor with associated emergency equipment.

The City received has solicited and received bids from the following companies:

- Bartow Ford: \$ 30,796
- Don Reid Ford: \$ 30,724*
- Duval Ford: \$ 33,592

Although the bid from Don Reid Ford came in lower, it did not include all the requested emergency equipment. In addition the vehicle could not be delivered in a timely manner.

City Manager Leavengood also stated, in the past the City has traded one of our older models in keeping with our replacement. In looking at the current status of our fleet staff is not recommending replacement at this time. One of the police department's goals is to eventually

implement a “take home” vehicle policy which will require additional vehicles. Consistent funding of this vehicle purchase, as shown in the capital improvement program, will allow the City to eventually reach that goal in a cost effective manner while still replacing high mileage vehicles (100,000+) that are outdated and costly to maintain. The current patrol cars have around 70,000 miles. Staff recommendation was to accept the bid from Bartow Ford in the amount of \$30,796.

Commissioner Maultsby asked if staff utilized the State Highway Patrol contract to ensure the City get the most for the money.

City Manager Leavengood stated that often separate pricing works better for specialized purchases.

Chief Art Bodenheimer stated that staff reviewed the Florida Sherriff’s Association bid and each year the dealerships make a better offer. In addition, Bartow Ford orders in bulk and almost always has suitable vehicles in stock. In additional they are local and easily accessible for warranty work.

Commissioner Dearmin moved to accept the bid from Bartow Ford in the amount of \$30,796 for the police cruiser; seconded by **Commissioner Duncan**. There was no public comment. The motion was approved by unanimous voice call vote.

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

2.) ORDINANCE 1351-15 - INVESTMENT POLICY

City Manager Leavengood stated as a part of a comprehensive review of City codes and policies, City staff has identified an opportunity to improve the City’s investment policy related to surplus funds. In 2003, the City adopted an investment policy following a state audit. The adopted investment policy is complex both with its requirements and investment ratios and it gives access to investment products that are higher risk. The current policy may be appropriate in organizations that have a true investment “portfolio” with specialized finance staff or contracted fund managers that would manage the City’s portfolio in accordance with a detailed policy but has little value to the City in its current format. The proposed ordinance repeals the current investment policy, thereby deferring to the state’s simple and conservative investment policy provided for in state statutes (F.S. 218.415(17)).

The state policy allows for local governments to invest surplus public funds in only a few options including intergovernmental investment pools for which the Florida League of Cities would qualify. The league is a trusted partner with the City, handling our workers compensation, property/liability insurance, and pension investments for the general employee retirement system. They offer quality low risk investment options that are simple to use and are the only investment option we would need to utilize as a City for surplus funds. The City currently has approximately \$600,000 in unrestricted enterprise reserves invested in several low risk bond funds with the league’s Florida Municipal Trust

Mayor Lake read the Ordinance tile.

Staff recommendation was to approve Ordinance 1351-15 on first reading. If approved, it would come back to the Commission for the second reading on May 18, 2015.

Commissioner Dearmin moved to accept Ordinance 1351-15 on first reading; seconded by **Commissioner Maultsby**. There was no public comment. The motion was approved by unanimous voice call vote.

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

3.) **ORDINANCE 1352-15 - BUSINESS TAX RECEIPT INCREASE**

Mayor Lake read the Ordinance title.

City Manager Leavengood stated pursuant to Florida Statutes Chapter 205, local municipalities may levy a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction every other year. State law also allows the business tax levy to be increased by up to five percent (5%) every other year. The City Commission approved the five percent increase in 2011 and rejected the rate increase in 2013.

The City currently issues 239 business tax receipts to businesses that operate within the City limits and receives approximately \$10,000 in revenue from the fee. The proposed increase of 5% would produce a \$500 increase in revenue. If approved, the proposed increase would take effect on June 30, 2015 and be reflected in the FY 15/16 Budget. Per state statutes, the next opportunity for a rate increase will be in 2017. There is no staff recommendation on this item; it is for the pleasure of the City Commission.

Commissioner Maultsby asked how the business taxes are collected and if there is a penalty for not paying. He also stated that \$500 across 250 businesses was a very small amount.

Finance Director Amber Deaton stated that new business come in to find out what is need for their business. They generally need water service and a business account. This is also when they pay the business tax receipt. Then the business is sent an annual renewal. There is a penalty of \$250 for non-renewal; however the city has never imposed the penalty. Once notified, all businesses have come into compliance.

Vice Mayor Daley stated that she was not in favor of raising business taxes at this time and since it is such a small amount to the City. She also asked if the item did not pass if there would be a public hearing.

City Attorney Murphy reminded the Commissioners that if they did not approve the Ordinance tonight the item would die and not be presented to the public.

Mayor Lake also stated he did not think the taxes should be raised. He did not think it was business friendly. He then asked about how the City finds out home business if the home has water service. For example, if a home occupations listed Lake Alfred as the business address.

Finance Director Amber Deaton stated they try to work with businesses and can ask code enforcement to notify the business if they are not in compliance.

Vice Mayor Daley asked where the funds are used.

City Manager Leavengood responded that like most code enforcement actions it is general a complaint by a neighbor or by what can be seen from the road such as a sign. It can also be tricky to get proof of a violation. Even if they have a business vehicle, it does not mean they operate in Lake Alfred. The tax does not generate much income, but is also used for statistics. The tax is allocated to the general fund.

Commissioner Dearmin stated that he was not in favor of the tax no matter how small.

Commissioner Duncan asked about increasing at a rate less than 5%.

City Attorney Murphy commented that it would need to be reviewed if the Commission could approve a smaller percentage.

City Manager Leavengood restated that the item was brought forward based on the Florida Statute. He asked if the Commission would not want to see the item on the next two year cycle. The general consensus was to maintain the two year review. He also commented on the Florida Statute on the ability to consolidate the fees, but it was a very difficult task. The way the statute reads when you group categories you have to use the lowest tax rate in the group for the entire group because you cannot raise any individual category by more than 5%.

Lowell Schmidt, 365 East Sanford St., stated that he paid as a restaurant, then as a home occupation. The home occupation had restrictions such as sales and no visitors to home. He stated the City needs to address the home occupations for code enforcement and business taxes even if it is micro money.

Judy Schelfo, 640 East Lakeview Blvd., stated that she appreciate the conversation to not increase the tax because some business have several licenses and the little increases add up.

Vice Mayor Daley made a motion to NOT approve the ordinance on first reading, seconded my **Commissioner Duncan**. The motion was approved by unanimous voice call vote.

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

RECOGNITION OF CITIZENS

Chief Art Bodenheimer thanked everyone for their support of the Police Department and stated that Police Officers' Memorial Service would be held this Thursday at the Lakeland Center at 10 am.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Maultsby stated that the City is very professional and excels from the City Manager to the garbage truck driver for a small city. The City provides full service and he likes how the City looks. He has a few items he will bring forward this year to improve the City. He is proud to be a resident and appreciates the employees and thanked citizens for re-electing him.

Commissioner Dearmin congratulated the new Mayor and Vice Mayor on their appointment. He was also impressed with the centennial pinning ceremony. He stated the City look good and moral is good which is a tribute to the managers.

Vice Mayor Daley congratulated the re-elected Commissioners, thanked Chief Bodenheimer on the badge ceremony and the members of the audience for attending. She stated that on May 9th the President of the local Audubon will be leading the tour at the Mackay Gardens and Lakeside Preserve. She also stated that the volunteer appreciation dinner was held last week and was well received. She thanked Joyce Schmidt for the invocation. She also asked the Deputy Clerk to meet with Mayor Lake regarding some of the upcoming Mayor events.

Commissioner Lake thanked the Commission for the opportunity and that he is looking forward to a productive year. He also reminded the Commissioner about the legislative committees.

City Manager Leavengood stated that the Commission packet included the Florida League of Cities legislative information and that they requested members to remain with their current committees this year. The next Ridge League dinner will be held in June.

Commissioner Duncan thanked everyone for their support and vote.

City Manager Leavengood was asked by Mrs. Schelfo about a memorial fund for John Dame. Discussions have included a plaque at the Veterans Memorial, street renaming or, a memorial tree along the trail.

Nancy Timmer, 530 North Pennsylvania Ave., stated that the Friends of the Library have been accepting donations in Mr. Dame's name. They have placed a memorial plaque in the library and have been purchasing civil war books in his honor.

With there being no further business to discuss, Mayor Lake adjourned the meeting at 8:52 pm.

Respectfully Submitted,



Ameé N. Bailey
Deputy City Clerk

Reviewed by



Valerie Ferrell
Interim City Clerk