

**MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY, JUNE 1, 2015
7:30 P.M.
CITY HALL**

Call to Order: Mayor Charles Lake

Invocation and Pledge of Allegiance: Pastor Mike Jones

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

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

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood stated Registration for Summer Camp is open for kids ages 5-12. Summer camp is eight weeks starting on 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.

The Lake Alfred Library will be hosting a variety of free events over the summer including superhero movies, crafts, touch-a-truck, and more. Check out the website for more details.

Mackay Gardens and Lakeside Preserve will host a free community gardening workshop on June 4th at 10 am and a guided nature walk on June 6th at 8 am. The free guided walk will be led by Vice Mayor Nancy Daley. Contact the Parks and Recreation Department to sign-up or for more details.

Mobile Career Source will be at the Lake Alfred Library on June 6th followed by the SPCA Wellness Wagon on June 13th and then the Florida Licensing on Wheels staff on June 16th.

The Lake Alfred Library will host Donuts with Dad. On June 20th at 10 am, which will include free donuts, fun and crafts.

Lake Alfred will celebrate the 4th of July from 10am to 2pm at Lions Park. Events include the Little Miss/Mr. Lake Alfred Pageant, Lions Club Fishing Tournament, food, entertainment, games, vendors, and bounce house.

The Gardener Park re-dedication will be held on June 10th at 10 am. Invitations will be sent later in the week.

Holiday decorations samples from Holiday Designs and Temple are on display for review in City Hall. The product from the low bidder is direct from the manufacturer and is a heavy-duty product that is more durable and will last the longer. The sample was custom built and modifications can be made to the design.

The City Commission stated they liked the petal design in the manufacturer's product however they would like less green in the center of the design.

CITY ATTORNEY ANNOUNCEMENTS

There were no legal announcements.

RECOGNITION OF CITIZENS

There were no citizen statements.

PROCLAMATION: FLAG DAY AND NATIONAL FLAG WEEK

Mayor Lake read the proclamation for Flag Day and National Flag Week and called upon each citizen to observe with pride and all due ceremony those days from Flag Day through Independence Day, as a time to honor America, to celebrate our heritage in public gatherings and activities, to proudly display the flag and publicly recite the Pledge of Allegiance to the Flag of the United States of America.

CITY CLERK SWEARING IN CEREMONY

Mayor Lake performed the swearing in ceremony for the induction of Mrs. Amée N. Bailey-Speck as City Clerk. Vanessa Castillo, CMC, City Clerk for the City of Winter Haven, and President of the Polk County City Clerks Association congratulated Mrs. Bailey and welcomed her to the association.

CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 5/18/15.

Commissioner Dearmin moved to approve the City Commission Meeting minutes from May 18, 2015; seconded by **Commissioner Duncan** and the motion was approved by unanimous voice call vote. There were no public comments.

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

AGENDA

1.) ORDINANCE 1353-15: PROPERTY TRANSFER WITH EAGLE-RIDGE, INC.

Mayor Lake read the ordinance title.

City Manager Leavengood stated On February 2, 2015 the City Commission authorized the execution of an agreement to convey approximately 80 acres of surplus spray field property to the University of Florida in return for two commercial properties in downtown Lake Alfred.

As discussed in the May 18, 2015 City Commission Meeting there has been a change in the final property boundaries from the original agreement authorization. Therefore, the legal descriptions have been revised to slightly reduce the overall acreage. This affects both the lands the City will convey to Eagle Ridge and the lands over which the City will retain a perpetual easement for ingress and egress to adjacent lands that the City will continue to own. As a result Eagle Ridge is agreeable to entering into an Addendum with the City showing the revised legal descriptions for the City Property and Easement as well as extending the closing for 30 days to on or before June 30, 2015.

The changes in the property description occurred along the right-of-way of White Road and a wetland which was not desired. Per section 2.09(d.7) of the Lake Alfred City Charter the conveyance or lease of any city lands must be done so by ordinance. The proposed ordinance is consistent with the previously executed agreement and is being presented to satisfy the charter requirement.

Staff recommendation is two-fold, the first is to approve the addendum to the agreement for the land exchange and the second is to approve Ordinance 1353-15 on second and final reading.

Commissioner Dearmin moved to approve Addendum to Agreement for Land Exchange; seconded by **Commissioner Duncan**. The motion was approved by unanimous voice call vote. There were no public comments.

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

Commissioner Dearmin moved to approve Ordinance 1353-15 on second and final reading; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote. There were no public comments.

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

2.) PUBLIC HEARING: RESOLUTION 02-15: UNIFORM COLLECTION METHOD 2015 ASSESSMENT ROLL

Mayor Lake read the resolution title.

City Manager Leavengood stated in July of 2014 the City adopted by ordinance elements of the International Property Maintenance Code providing a unified set of building and property maintenance standards. Coupled with this ordinance were interlocal agreements with the

Property Appraiser and Tax Collector that allowed for actual costs incurred by City through the code enforcement process to be recovered as a non-ad valorem assessment on the property tax bill. As a part of this process, The City also adopted Resolution 18-14 in December of 2014 expressing the City's intent to utilize the uniform method of collecting the non-ad valorem assessments as provided by Florida Statutes 197.3632.

The proposed Resolution is the next step required to recover abatement costs on the 2015-2016 tax bills. Notices to property owners were mailed via certified mail and published in the newspaper twenty days prior to this hearing. Staff recommendation is for approval.

Assistant City Attorney Seth Claytor stated that any citizen or property listed on the assessment roll should be given the opportunity to present their case first. He also stated that the City Commission has the authority to hear evidence and adjust the assessment. He then read the list of properties owners from the Resolution.

Keith Klingensmith, 485 North Buena Vista Drive, asked if he is on the list. He then stated that Danny Clewis, Code Enforcement Officer, cited him for grass that was not in his yard, but rather in the ROW. He also stated that Mr. Clewis overstepped his authority. He does not believe his situation is a code enforcement issue, since he does not believe his property is residential. Commissioner Duncan had been to the site. He also stated that he had contacted an attorney.

City Manager Leavengood stated that the code enforcement responsibility is difficult. The goal of code enforcement is compliance with the code rather than to penalize citizens. The City Manager also provided his contact information to Mr. Klingensmith.

Commissioner Duncan asked about if the cost was associated with work already completed on the properties.

Vice Mayor Daley asked if the owner gives permission regarding the abatement and if the price could go up.

Assistant City Attorney Seth Claytor stated that the City has the authority to enter onto a property in order to abate a nuisance condition. The costs associated with any abatement action performed by the City are directly related to the services provided to the property and/or for the benefit received by that property.

City Manager Leavengood stated that the work is completed by a contract company rather than staff which aids in documenting the cost of the service. He also stated that it takes a long period of time to reach abatement. The property goes through the citation process and then goes to the Special Magistrate. The Magistrate then allows additional time for compliance. Only after several violations and hearings before the Magistrate will the abatement process be used.

Keith Klingensmith, 485 North Buena Vista Drive, restated that he grass is between the asphalt and the curb.

Commissioner Maultsby asked about the structure removed and how many times is it mowed before the City tries to re-coup cost. He also asked if the property owner is aware of the process.

Mayor Lake asked if the charges were from one incident or multiple occurrences.

Community Development Director Valerie Ferrell, stated that the structure at 695 N. Orange Ave. was removed by the County. The cost listed are only for the maintenance and removal of trash and debris by the City. The County also has a lien on this property for the demolition of the structure. Abatement amounts vary on a case by case basis and are based on the amount of time spent, equipment used, and size of the property. She also stated that many of these properties were in non-compliance for years. Each year the amounts are likely to decrease based on the new program.

Assistant City Attorney Seth Claytor stated the property owner receives multiple Notices of the Violation.

City Manager Leavengood restated that it takes a long time to get to the abatement process. In the future any cost incurred by the City will be recouped once a year through this process. Therefore these cost will not go up, however new cost may be incurred in the future. This is the end result of the process that the City initiated several years ago with the International Property Maintenance Code and agreements with the Tax Collector and Property Appraiser.

Vice Mayor Daley asked about the properties owned by an estate, if the lack of maintenance continues.

Assistant City Attorney Seth Claytor stated that the property owner of record is noticed and if not paid a tax certificate may be issued and sold, which could lead to a new property owner.

Vice Mayor Daley moved to approve Resolution 02-15; seconded by **Commissioner Dearmin**. 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.) RESOLUTION 03-15: ESCHEATMENT OF LAND - HIGHLAND SUBDIVISION

Mayor Lake read the resolution title.

City Manager Leavengood stated in May of 2015, the City of Lake Alfred received a correspondence from the Polk County offering a parcel of vacant land located within the municipal limits of Lake Alfred. The parcel of land was escheated to Polk County in January of 2015 and is approximately 0.17 acres in size. Per Florida Statutes, Section 197.592 requires that delinquent tax lands deeded to the County be conveyed to cities in which they are located when not otherwise needed for County purposes. The approval of this resolution will transfer ownership of the parcel to the City.

City staff has reached out to Habitat for Humanity to determine if this parcel would be a good fit for their housing construction program. The parcel is included in the City's recently established Community Redevelopment Agency (CRA) area and funding received could be used to aid in the redevelopment of the parcel. Habitat for Humanity builds approximately 10 houses per year and the property was submitted to determine if it was a good fit for this program. Habitat for

Humanity claims it takes approximately \$60,000 to build a house assuming they have ownership of the property and when water and sewer are available. Habitat for Humanity partners with different entities and organizations for funding to match their funds to build houses. If suitable, there is potential that within 2-3 years the property could have a home on the property. Normally, City dollars could not be spent for this purpose. However since a Community Redevelopment Area (CRA) has been established to address blight, the CRA funding could be spent to assist in building a house. The CRA could have a \$20-30 thousand dollar budget in the first year. Staff has not yet heard if the site is suitable, but will keep the Commission informed. Staff recommendation is for approval.

Vice Mayor Daley asked if the Resolution was for accepting the parcel or development of the property. She was curious if the City could donate such a large amount to one organization. She stated the property could be sold for profit, used as a park or storm water system and that a Habitat for Humanity house was only one option.

City Manager Leavengood stated the Resolution is strictly to take possession of the property. He also stated that many cities have partnered with Habitat for Humanity to build homes in their communities. The CRA allows for the opportunity or the city could sell the property.

Mayor Lake stated that the Habitat for Humanity has been looking for property in the area and this property may be a good fit.

Commissioner Maultsby stated that a property this size could support more than one Habitat for Humanity home which would be a good fit. He stated that each lot is worth approximately \$7,500 and the city would recoup cost based on water, sewer, and service fees and taxes.

Commissioner Maultsby moved to approve Resolution 03-15 for Escheatment of Land; seconded by **Commissioner Dearmin**. The motion was approved by unanimous voice call vote. There were no public comments.

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

4.) RESOLUTION 04-15: FDOT HIGHWAY LIGHTING MAINTENANCE, AND COMPENSATION AGREEMENT

Mayor Lake read the resolution title.

City Manager Leavengood stated the City has a Highway Lighting, Maintenance, and Compensation Agreement with the Florida Department of Transportation (FDOT) that provides for reimbursement to the City for maintenance of the lighting system within our municipal boundaries. A summary of fees was included in the analysis and the proposed fees for the 2015/16 year is amount is 94 lights at \$258.86 for a total of \$21,899.56. The proposed contract represents an increase of \$637.89 over the prior year's agreement. Staff recommendation is for approval.

Vice Mayor Dearmin moved to approve Resolution 04-15; seconded by **Commissioner Duncan**.

Vice Mayor Daley asked if the funds were sufficient to cover the City cost.

Public Works Director John Deaton stated the amount is enough to cover maintenance cost such as replacement of bulbs and ballasts. However it does not cover the replacement of a pole which cost \$6,000. In addition the cost may not cover all supply parts. Montoya Electric is used for any specialized repair.

City Manager Leavengood stated that the City has several agreements with the Florida Department of Transportation (FDOT) including the signal maintenance contract. However the City is proposing to allow the County to take over the contract since the signal maintenance requires specialized contractors. In addition the equipment cost for replacement can be much higher.

The motion was approved by unanimous voice call vote. There were no public comments. There were no public comments.

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

5.) RECYCLING DISCUSSION: REPUBLIC'S PROPOSED RENEWAL

City Manager Leavengood stated that the City of Lake Alfred currently provides residential curbside recycling services through Republic Services, Inc. at a monthly rate of \$2.38 cents per customer. The City pays for this service directly to Republic and the City recovers the cost by placing a \$2.33 charge on each customer's monthly utility bill (City pays the 5 cent difference from the General Fund). The current agreement with Republic is set to expire on September 30, 2015.

Representatives from Republic have proposed a renewal rate of \$5.00 (per month, per customer) for the new term beginning on October 1, 2015. The proposed rate is more than double our existing rate and from the information Republic has submitted is based, in part, on the reduction in the resale market for recycled materials. City staff supplied the information presented by Republic. Staff has brought the item forward to gather comments from the City Commission and public.

Debbie Mulling with Republic Services 3820 Main Ave, Lakeland
Chris Jones, General Manager with Republic Services 15504 Sandfield Loop, Winter Garden

Debbie Mulling stated that the CNG trucks pick up the recyclable, then the materials are delivered for processing. There has been a decline in the recycling commodity market which has reached an all-time low in six years. The processing cost, insurance, labor rates, and facility investments and maintenance has increased. The down-turn has created insufficient revenues to cover operation al cost. Republic did initially propose a cost that was double the existing cost, however Republic is willing to work with the City to refine the cost adjustment. If the City wants to research alternatives, Republic would assist wherever needed such as on a request for proposals.

Vice Mayor Daley asked if Republic was still processing the recyclables at the facility in Lakeland and if the facility receive recyclables from other areas. She also asked about the timeframe for a future contract.

Debbie Mulling said the facility is located in Lakeland and it receives materials from Polk, Highlands, Pinellas, Hillsborough, Orange, and Pasco County.

Commissioner Maultsby asked about the price of the recycling commodities.

Chris Jones replied that the pricing for each recycling material is produced each month. The products are sorted and bailed and then a negation is made for each material. The average value of each commodity has gone down by 20% since October. The cost for running the facility has increased while the value of the commodity has decreased. Therefore Republic is losing money on their recycling contracts. The company is public traded and they have a responsibility to their share holder to make a profit. Therefore they are evaluating all their contracts. They would like to continue business with the City. Mr. Jones stated that all options are on the table for discussion.

City Manager Leavengood stated that he appreciated Republic's openness with the contract process and willingness to work with the City. He stated that the City is responsible for looking after the interest of the citizens. Staffs recommendation is to look at bidding and possible alternatives. Markets change and the bidding process would demonstrate the cost in the market. In addition, the City does not want to be locked into an unfavorable rate if market changes again. Staff would like to review other rates and contracts.

Mayor Lake commented that the City is responsible to the citizens and their rates. In addition if the rates are too high, people will not recycle.

Assistant City Attorney Seth Claytor reminded the commissioners that this is a discussion item and no formal action is required.

City Manager Leavengood stated that if the Commission was interested, Staff would provide the next steps and alternatives a meeting prior to the September deadline.

Vice Mayor Daley stated that there is always the option to not recycle and she asked if certain items are more valuable.

Chris Jones stated that the different commodities are worth different values, but office paper is generally more valuable. He restated that the \$5.00 cost is based on an initial analysis and could change based on the discussion and situation based on the contract options. The contract can be written for equal risk and equal benefits based on market changes. He also stated that the lowest rate does not always equal the best service.

Mayor Lake recommended that staff continue the analysis.

Ron Schelfo 640 East Lakeview Road, stated that the rates did not go down when recycling reduced the amount of waste going to the landfill or when the companies went to one man truck. He stated he would rather not recycle than to see the rates go up.

City Manager Leavengood stated that if the City took the recyclables to the landfill the cost would be an additional \$10,000. He also stated that modernization has allowed the City to keep the rates the same rather than to raise rates in the past. It has also compensated for inflation.

Josephs Hults, 824 James Way, asked why the commodity price has decreased.

Vice Mayor Daley mentioned the point system that Republic marketed in the beginning and asked why the program failed.

Debbie Mulling replied was that there was a partner that was going to implement the program. Ultimately the program failed and the partnership dissolved.

Chris Jones stated that Republic is happy to have further discussion in the future.

RECOGNITION OF CITIZENS

There were no citizen statements.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Duncan mentioned today is the first day of Hurricane Season and Thursday is the last day of school in Polk County.

Commissioner Maultsby mentioned he will be on vacation for several days.

Mayor Lake mentioned he attended the Mayors Round Table event. They discussed economic development, fire assessment, strong mayor/weak mayor, hot topics, and successes within each City

The Gardner monument re-dedication will be held on June 10th and items for the time capsule are due to Valerie Ferrell. He asked about the format for time capsule items.

Community Development Director Valerie Ferrell stated that the Commission could provide a document together or individually. She provided several suggestions for the Commission including a State of the City document from the Commission, advice for future commissions, community concerns or struggles, or facts and figures. The time capsule box is 2 feet by 2 feet and 6" thick. She also stated that an update on items will be provided to the Commission.

Mayor Lake stated he thought each Commissioner should prepare their own document for the time-capsule. He also stated that Financial Statements are due and the Ridge League Dinner is June 11th in Lakeland at the Sun and Fun Museum.

Vice Mayor Daley mentioned that she attended the Central Florida Water Initiative public meeting. Many people spoke on water conservation and mandatory requirements. They asked for everyone to provide comments at cfwiwater.com. She also thanked staff for installing the gopher tortoise fence near MacKay. The fence is helping the tortoises, developer and City. The fences looks good and is the right place. Lastly, she congratulated the new City Clerk on performing her oath.

Commissioner Dearmin also acknowledged the new City Clerk and complimented staff on the agenda items, and maintenance of the City properties.

City Manager Leavengood thanked Valerie Ferrell for assisting during the interim. She filled in during the vacancy, provided consistency during the election, and was an asset to Mrs. Bailey.

With there being no further business to discuss, Mayor Lake adjourned the meeting at 9:03 pm.

Respectfully Submitted,



Ameé N. Bailey
City Clerk