

**Minutes
City Commission Meeting
Wednesday, September 10, 2014
City Hall
7:30 p.m.**

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 Jack Dearmin, Commissioner Albertus Maulsby, City Manager Ryan Leavengood, Assistant City Attorney Drew Crawford, and City Clerk Linda Bourgeois.

Staff attendance: Public Works Director John Deaton, Finance Director Amber Deaton (7:51 p.m.) and Police Chief Art Bodenheimer.

CITY MANAGER ANNOUNCEMENTS

The Ridge League of Cities Dinner is tomorrow night in Haines City at Lake Eva Banquet Hall. Social hour begins at 6:00p.m. with dinner following at 7:00 p.m.

The Lake Alfred Chamber of Commerce annual golf tournament has been scheduled for Saturday, September 20, 2014 beginning at 8:00 a.m. at Cypresswood Golf and Country Club. Please contact the Chamber of Commerce for additional information.

Prior to the next City Commission Meeting at 7:00 p.m. on September 22, 2014; the Lake Alfred Police Department will host a swearing-in ceremony for the new Police Officer, Matthew "Trent" O'Neal.

The next free community gardening workshop at the Mackay Gardens and Lakeside Preserve will be held on Thursday, October 2, 2014 at 10:00 a.m. The topic of *Florida Friendly Landscaping* will be presented by Debra Howell.

All trail naming surveys should be returned to the City by Friday, October 3, 2014. You can find them on the front page of the website, the city app, in city hall, city administration, and the library.

On Saturday, October 4, 2014, starting at 10:00 a.m. is the annual bar-b-que competition "Grillin and Chillin" at Lions Park. Bring the family out for a day filled with food, fun, and entertainment.

On September 19, 2014 at 8:00 a.m. the city will host a free illicit discharge class in City Hall.

On September 11, 2014 at 5:30 p.m. at Winter Haven Central Park honor our heroes' event commemorating the September 11th anniversary.

CITY ATTORNEY ANNOUNCEMENTS

There were none.

RECOGNITION OF CITIZENS

There were none.

EMPLOYEE LONGEVITY– ANTHONY GETTLE, POLICE DEPARTMENT- 10 YEARS

Mayor Daley said Officer Anthony Gettle began his career with the Lake Alfred Police Department on September 1st, 2004, and is currently assigned to the patrol division. He works the 6:00 a.m. to 6:00 p.m. shift. Additionally, Officer Gettle serves in the United States Army reserves where he is the Sergeant, of the Headquarters 8-108 TC, in a training position. She went on to say furthermore, Officer Gettle is a Field Training Officer with the City of Lake Alfred Police Department and is a valued employee. Congratulations on your ten year tenure. We sincerely appreciate and thank you for all the hard work that you do.

OVARIAN CANCER AWARENESS MONTH PROCLAMATION

Mayor Daley read the proclamation into record and presented Margaret Wheaton with an original for her files.

Margaret Wheaton of 330 Carolina Avenue shared she brought some car magnets and bracelets. She invited everyone to stop by the library and see the ovarian cancer display. She concluded by thanking the City Commission for helping promote public awareness.

DR. MARY MCDANIEL

Mayor Daley read a letter to Dr. Mary Daniels and congratulated her, Beverly Wright-Osment, and to Finnabair Ardmore Ned for having the best Glen of Imaal terrier in the world. The dog was awarded the best in breed world title at a dog show in Helsinki Finland.

Dr. Mary McDaniel responded and said thank you.

RARE PLANT CONSERVATION LETTER OF SUPPORT

Mayor Daley read a letter of support for a habitat restoration and conservation project to be submitted with a grant application on behalf of Bok Tower Gardens to CSX railroad.

A consensus was given to send the letter to Bok Tower Gardens.

CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES – 08/18/14& TRAFFIC SIGNAL MAINTENANCE COMPENSATION AGREEMENT AMENDMENT

Vice Mayor Lake moved to approve the minutes from the August 18, 2014 regular City Commission meeting and the amendment [Phase 1A] to the Traffic Signal Maintenance and Compensation Agreement; seconded by **Commissioner Dearmin** 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

AGENDA

1.) PUBLIC HEARING – 1337-14BUDGET ADOPTION

Mayor Daley announced this is a public hearing and read the ordinance into record.

City Manager Leavengood said over the past several months the City Commission has been presented with and has given conceptual approval to the different sections of the fiscal years 14/15 and 15/16 annual operating budgets including: capital, expenditures, revenue, and payroll. He continued and said the proposed fiscal year 14/15 and fiscal year 15/16 budget assembles the previously approved sections into the final budget. The proposed budgets are consistent with the previous presentations and are currently balanced with the proposed millage rate of 7.589. He reviewed the budget summary and said the overall total is for 14/15 \$6,356,220.00 and 15/16 \$6,307,102.00. He concluded by saying staff recommendation is for approval of ordinance 1337-14 on first reading.

Assistant City Attorney Crawford said just as a reminder and as an element of procedure for the budget adoption, this is the tentative budget adoption hearing. Section 200.065 (2)(e)(1) says that the first substantive issue to be discussed at the hearing tonight is the roll-back rate and the increase in the roll-back rate necessary to fund the budget. He went on to say since fiscal year 2012/2013 the millage rate has been 7.589 mills which is a 2.95% increase over the roll-back rate of 7.3714 mills. If there is any change you would like to make in the millage rate, I would advise you to go ahead and discuss that item first.

Mayor Daley opened the public hearing.

There were none.

Mayor Daley closed the public hearing.

Mayor Daley provided an overview of the Assistant City Attorney Crawford's instructions and said if we want to make any changes to the millage rate, we would have to do it at this time.

Commissioner Duncan said he wanted to know what the dollar amount difference was between the proposed current rate and the roll-back rate.

City Manager Leavengood said it is approximately \$27,763.00. He reviewed the millage rate illustration page in the budget book.

Vice Mayor Lake said so far we have tentatively adopted the 7.589, but we can still go to 7.3714.

Commissioner Duncan replied and said yes; but we would have to trim \$27,000.00 off of the budget to balance it.

City Manager Leavengood said the budget is currently balanced with capital projects and the contingency is only \$7,000 in the first year. So really you would either have to cut capital projects or you would have to bring in reserves to offset the loss.

Mayor Daley said if it was the mood of the Commission to do something like that at this point, we would have to have another workshop or meeting between now and the next meeting to approve whatever changes the City Manager found to make that amount less. The fact is we have had several budget meetings and have discussed this quite a few times, so I would think if we were to make a change we would have thought about doing it before tonight – though we could if more than one-half of us wants to do that.

Commissioner Duncan said he would have loved to have rolled it back.

Vice Mayor Lake said he was wondering why this really showed up now.

Commissioner Duncan said theoretically we would have to find \$27,000.00.

City Manager Leavengood said the millage rate illustration was presented with the payroll and revenue section of the budget. That was - not that it could not happen now – the opportunity to have the larger conversation. He went on to say, the millage rate illustration shows historical revenues and even with the increase, we are collecting the same amount of dollars that we collected in 2006. If you think about that we are paying 2014 bills with 2006 revenue.

Mayor Daley said if we keep the millage rate the same now, and with the growth going on in the city, there may be more of an opportunity in the next budget year to change the millage rate.

Commissioner Maulsby said by trimming \$27,000.00 from the budget, it would not help the citizens too much. He thinks we need to leave the money in place.

Mayor Daley said we have had to cut back so much over the last ten years, every year we had to scale back on things that we were taking for granted in the past.

Commissioner Duncan said by even keeping this years the rate the same, it afforded us a one-percent cost of living adjustment (COLA) for all of the employees. Most of the properties have kind of like stayed flat as far as values, but I think the COLA was approximately \$20,000.00 so if you were trying to figure out a way, that would probably be one on those things that is set up there because everything else is more.

Commissioner Dearmin said the way we have done the budgeting in the last two years, since the City Manager has been here, is that we have been very good stewards of the money. There have been many capital improvements and we see growth coming. The city manager, the staff, and the citizens see what we have done here. He said he believes this budget is perfectly in line with what we need.

Commissioner Duncan asked if we are looking to make a motion to not accept the rollback rate or go with the proposed rate.

Assistant City Attorney Crawford responded and said the Commission does not have to take any action on the millage rate tonight. If in your discussion you were to lower something that would allow you to reduce the millage rate that is what you would have needed to talk about first. The formal millage rate adoption will be taken at the next meeting.

Commissioner Dearmin moved to approve Ordinance 1337-14 on first reading for the adoption of the 2014/2015 annual budget; seconded by **Commissioner Duncan, Commissioner Maultsby, and Vice Mayor Lake** 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

2.) EQUAL EMPLOYMENT OPPORTUNITY PLAN ADOPTION

City Manager Leavengood said in October of 2012, the City Commission approved the Equal Employment Opportunity (EEO) Plan which was effective until September 30, 2014. The EEO plans are required by certain state and federal agencies when applying for grant funding. Additionally, the proposed plan is consistent with and reinforces the City's personnel policies providing for equal opportunity in hiring practices and continued employment. He concluded by saying this proposed plan for the 2014-2016 term has been reviewed and revised with new formatting, language, and current utilization statistical information, and staff recommendation is for approval of the plan.

Mayor Daley said this is a pretty standard document because we want to be able to have the designation.

Vice Mayor Lake asked how the commission would know where the formatting, language, and utilization changes were within the document.

City Clerk Bourgeois said the document has been restructured to where it flows more freely. The affirmative action portion had been separated from the equal employment opportunity section. Language now includes new laws such as genetics, however contextually nothing had really changed. She went on to say there was a lot of redundancy and repetition that had been removed. Essentially, this document was cleaned up a lot to make it more professional.

Commissioner Dearmin said it does make sense. He shared this is a good thing.

Vice Mayor Lake moved to approve the 2014-2016 Equal Employment Opportunity Plan adoption; seconded by **Commissioner Dearmin and Commissioner Duncan** 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

3.) CPH TASK ORDER – STORMWATER PROJECT

City Manager Leavengood stated task order number nine proposes a site review of all surveys, as-builts, reports, and studies done in and around the affected East Cummings Street area. Additionally, design options to correct the drainage situation within this area will be proposed. Furthermore, CPH will review options of providing stormwater treatment to the property bordered by US 92 at the east and west side; East Pierce Street at the north and East Cummings Street at the south.

He went on to say the proposed CPH Task order for the stormwater project will be coordinated with the Florida Department of Transportation.

- Site visit, research, and coordination with the City and Florida Department of Transportation to provide recommendations and conceptual design options for review.
- Preparation of stormwater calculations, technical specifications, and construction drawings for the project.
- Submission of two (2) sets of construction documents for review and comment by City at the 60%, 90% and 100% completion levels.
- Meetings as necessary for permitting services related to the project.
- Preparation and submission of the "Right-of-Way Utilization Permit" for the installation of the storm system.

He continued and said the services that are not included within this proposal are stormwater permitting through the South West Florida Water Management District, surveying, field locates prior to design (if necessary), geotechnical engineering services, bidding and construction administration. These services can be provided by CPH in the future as necessary. He concluded and said the proposed task order is for the amount of \$49,650.00.

He presented an overview of the affected areas throughout Lake Shore Way. He described the situation and said there is a larger pipe going into a junction pipe, which is then draining into a smaller pipe. This set-up really overwhelms the system. He explained the City has met with FDOT several times on this proposed project and we now have a commitment from FDOT that they will pay the construction cost of the project, if the City pays for the design and the \$50,000.00 towards the construction costs. Our out-of-pocket expense is right around \$100,000.00 however FDOT is looking at \$500,000.00. Our share is only 20%. He showed an additional component in favor of the stormwater project, the Family Dollar's retention pond. He said FDOT made them put in the retention pond, and staffs concern is that we do not want Shinn Boulevard to retention pond row. That is not the purpose and visioning we went through for the downtown master plan. We envisioned businesses operating on both sides of the road. If the City installs the stormwater system, future development will eliminate the need for retention ponds. He said FDOT is looking to let this project sometime in 2016/2017. He

concluded and said staff recommendation is for approval of CPH, Inc. task order number nine and staff will be happy to answer any questions.

Vice Mayor Lake asked if the flooding issue existed prior to the two way pair construction.

City Manager Leavengood replied it did, and it may have exacerbated the situation.

A discussion ensued about the potential of possibly buying back the stormwater pond at Family Dollar or in the future being able to fill it in and turn it into green space.

Commissioner Maultsby asked about stormwater impact fees.

City Manager Leavengood said if the City were spending hundreds and hundreds of thousands of dollars, he would probably recommend setting that up to where they would pay their fair share when they hooked into it. Considering this minimal cost, we could absorb that to place any future businesses in more of an advantageous position.

A discussion ensued about the downtown visioning plan, retention ponds being placed in the center of the properties, and cross connectivity of parking space.

Mayor Daley commented about the mandatory versus encouraged language within the code, and said this was one area we should have had it required.

City Manager Leavengood said staff will have the planning staff look at that issue. He went on to say we that fell "victim" to the mandatory versus the encouraged language. He attributed this to the planning board and some other folks in the audience because they may have had some hesitation of the government forcing them to do something. He said he thinks, especially within the local community, they put themselves as local business people and in the same kind of shoes as the developers; and so often the developers are out of town folks.

Commissioner Duncan shared Seminole and Orange (one block east over from the Grays property) and the back side of Dollar General on Shinn Boulevard floods. Will the change on the Lake Shore side alleviate the Shinn Boulevard side?

Commissioner Dearmin asked if the project would impact the traffic patterns.

Public Works Director Deaton responded and said the construction phase should not have much impact on traffic. He addressed Commissioner Duncan's question and provided a summary of the underground stormwater system connectivity. He said if the water is captured within the system from the north, then it will alleviate most of the flooding. He was unaware of the flooding behind the Dollar General store, but will research it further the next time it rains.

Mayor Daley requested for public comments.

There were none.

Commissioner Dearmin moved to approve the CPH, Inc. task order number nine in the amount of \$49,650.00; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

A discussion ensued about drainage projects being eligible for CRA funding. It would be an eligible project under the CRA plan.

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

4.) UF CITRUS RESEARCH CENTER: PROPERTY SWAP DISCUSSION

City Manager Leavengood said earlier this year properties owned by Jim Hughes's estate were given to the University of Florida (UF) that included warehouses at 100 West Cummings (Buchanan Building) and Seminole Avenue (across from the Library). For the past several months city staff has been in communication with University of Florida staff regarding the properties and their stated interest in City owned grove property. The estate is tied to citrus research and the UF Citrus Research Center in Lake Alfred desired to have land near their existing operations.

He went on to say that through staff negotiations and onsite visits the tentative consideration for the two warehouses would be approximately sixty (60) acres of City owned grove property. The proposed acreage is a part of the City spray field but it is not necessary for current or future operations. He continued and said formal appraisals have not been conducted for the respective properties. However, the commercial value of the two warehouse properties could easily double the value of the proposed City grove acreage. Additionally, the Buchanan building is located in the downtown core and has access to both Lake Shore & Shinn Blvd. Demolition of the building would both address blight and prepare the site for future development consistent with the Community Redevelopment Agency plan and the Downtown Master Plan.

He continued and said the City owns all of the property surrounding the warehouse located across from the library. The warehouse would be utilized for parks and recreation storage. This would also allow the City to save the expense of putting in a storage building at the Mackay Preserve or on other city property that had an estimated cost of \$30,000 in the previous budget year. He concluded by saying staffs' recommendation is to proceed with drafting a formal agreement for the property swap with the University of Florida.

Mayor Daley asked if there were any stipulations when the money was bequeathed to the University, that specified those exact properties are to be used only for the University or can the University sell it?

City Manager Leavengood said the estate had contained many properties, and as he understands, the caveat or requirement of the estate is that it has to be tied to citrus greening research. He said in conversations with the University, they need the land, and they need land close to their existing groves and existing operations. It made sense for them to approach the City and for us to come up with a mutual agreement. That is why the value is so high to the City, because the value is so high to the University. He conservatively estimated the grove property to be worth \$1,500.00 to \$2,500.00 per acre, so the value is right at one-hundred and twenty thousand to one-hundred and fifty thousand dollars; however the City stands to gain close to \$400,000.00 in commercial real estate. Dollars and cents alone, it is a really good deal but when you add the additional component of the storage facility and the fact that we already own all of the property around it, it just makes sense that the City would want to own that

property. He went on to say with the Buchanan building, the City can heavily market the site, and really control the development.

Commissioner Dearmin asked if we go forward with the land swap; how much land will the City have left in the area?

City Manager Leavengood said the City will still have an additional 20-30 acres that we don't need and can keep in reserve. He said there will be a future expense for the rerouting of the spray-field cannons for effluent discharge.

Commissioner Duncan asked about an easement for access to the hayfield area.

City Manager Leavengood said yes, and that would be caught within any formal agreement that would be drawn if the Commission chooses to proceed.

Mayor Daley asked if the City researched the possibility of what that land would be worth if it was to be developed into home sites.

City Manager Leavengood replied and said there were some orange groves in the area that sold for \$4,500.00 per acre, and there were some groves closer to the proposed land swap which sold for \$3,000.00 per acre. However, there were also acres near experiment station road which sold for \$1,500.00 per acre.

Mayor Daley said it makes sense to me to own these downtown properties, I would just hate to turn around in six months and see that they sold the [grove] property for a couple of million dollars.

City Manager Leavengood said that would be a pretty elaborate deception on their part. They are very much interested in the Citrus greening research.

A discussion ensued about the stability of the two buildings, and a request was made to tour them.

City Manager Leavengood said the building across from the library is in good shape for what it is. There used to be some antique cars in there. The roof is new and it is solid construction.

Commissioner Duncan shared he was in the Buchanan building two years ago, and it was sound in there as well.

City Manager Leavengood said the City will probably need to do a phase one environmental study on the property, and if we need a phase two, we can go from there. We have set up the brownfields, and there are additional federal programs even if there is some contamination. The City is in a much better position to mitigate that and deal with that rather than a property purchaser. He said he would get with the City Attorney to find out what the best means or proposed format will be. He concluded by saying we will work directly with the University of Florida real estate staff on the formalities, including the access easement. Once staff has a comfort level with the form of the document or the agreement itself, he will bring it back to the City Commission for formal consideration.

A consensus was given for the City Manager to move forward with the negotiation process and bring back a formal agreement.

Mayor Daley requested for any public comment.

There were no comments.

City Manager Leavengood said if the Commission is interested, he can reach out to the University and schedule a time for all of us to attend, and we can notice it so all the Commissioners can be present at the same time to tour the buildings.

RECOGNITION OF CITIZENS

There were none.

COMMISSIONER QUESTIONS AND COMMENTS

Commissioner Maultsby said sometimes when he goes to pick up the mail at the post office, he talks with the citizens. He said everything is positive. They like our code enforcement, they like the way the medians are being kept pristine, and have good things to say about our city. We want to keep it that way. He said our meeting attendees are nice and we want to keep things going just as they are. We have no turmoil in our City and he thinks Lake Alfred is great. We are a small full-service city and we accomplish more than cities which have three times more than our population. Everything is done by someone else water, garbage collection, and everything. We are very conservative and spend our money wisely. Let's keep it that way.

Mayor Daley said she was very happy to attend the ribbon cutting for the new [Cornerstone Grill] restaurant. Bay News nine came out and did a story on it, which was very exciting. She went on to say there have been a few mentions in the newspaper about the naming of our trail. She said the City has been working on making it a little easier for people to email suggestions to them. She reminded everyone that this coming Friday is a Florida League of Cities policy committee meeting in Orlando. She concluded by thanking the City Manager for assisting with an incident which occurred involving a sunken boat on Lake Haines. There were environmental concerns and the boat was towed away the following day. She concluded by saying she appreciated the City's help with that.

Commissioner Dearmin thanked city for the hard work that went into the budget. He went on to say he is very happy with the decision that was made by the City Manager and staff on our new Parks and Recreation person which will be coming on board very soon. He said he is looking forward to all of next years' celebrations and said it looks like he will be jumping right on in pretty quick. He concluded by saying he sees good things happening here and we just need to support our businesses and citizens. With our improvements, they will continue to see how well we work together; commission, citizens, and staff. He concluded by saying he is looking forward to the next couple of months.

Commissioner Duncan reported that the football league was very satisfied with the concession stand upgrades. They extended their thanks. He said over the weekend the scoreboard was left on, however it was taken care of rather quickly.

City Manager Leavengood said within the next week or two, the picnic tables will be assembled and installed.

Commissioner Duncan said the budget document is much better than previous years. It is probably 1/10 the thickness, and it makes it a lot easier to understand. He continued and said he has had several people interested in volunteering and he has been telling them to come and

see the City Clerk. The Presbyterian Church has a new pastor and she starts this Sunday, and her name is Deb, so please come meet her if you get a chance.

Vice Mayor Lake said he made a comment a few months ago about the attendance at the PTO meetings and had complained about how we never get a chance to say anything. But, anybody that rides on Interstate 4 and takes the exit #48 and knows that the sign is always knocked over, they are actually going to do something about it. They are going to make a lane to where you can go, make that turn, and pull out. The only problem is that this will not happen until the year 2022 or 2035. He was just happy that Lake Alfred even got mentioned. He continued and said the City has not even talked about the 100th anniversary at all and we are in September.

A discussion ensued about hosting a Centennial workshop in October to obtain direction from the City Commission and the community about the different types of activities the City wants to pursue.

Vice Mayor Lake provided the City Manager with a few sheets of proposed logos.

Mayor Daley asked the City Manager if he had any luck with the Christmas decorations.

City Manager Leavengood replied and said we have looked at those; we have to order some, and get them in. He would like to test a few before we commit to the full order, but we will be ordering those here within the next week or two.

Without any other business or comments, the City Commission Meeting was adjourned at 8:41 p.m.

Respectfully Submitted,



Linda Bourgeois, M.M. C.
City Clerk