

**MINUTES  
CITY COMMISSION  
TUESDAY, JANUARY 24, 2023  
7:00 PM  
CITY HALL**

**Call to Order:** Mayor Jack Dearmin called the City Commission meeting to order at 7:00 p.m. in the City Commission Chambers located at 120 E. Pomelo Street, Lake Alfred, FL 33850.

**Invocation and Pledge of Allegiance:** Chaplain Cassandra Serrano provided the invocation and Mayor Dearmin led the Pledge of Allegiance.

**Roll Call:** City Clerk Linda Bourgeois

**City Commissioners in attendance:** Mayor Jack Dearmin, Vice Mayor Brent Eden, Commissioner Nancy Z. Daley, and Commissioner Albertus Maultsby. Commissioner Mac Fuller was absent.

**Commissioner Maultsby** made a motion to excuse Commissioner Fuller from tonight's City Commission Meeting. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

**Staff in attendance:** City Manager Ryan Leavengood, City Attorney Seth Claytor, Finance Director Amber Deaton, Community Development Director Ameer Bailey, Human Resources Manager Margarita Martin, Police Chief Art Bodenheimer, and Fire Chief Robert Turner.

**City Manager Leavengood** announced the following:

1. The Lake Alfred Ridge League of Cities Dinner will be held on Thursday, February 9, 2023, beginning at 6 PM at the UF/IFAS off Experiment Station Road.
2. The Lake Alfred Heritage Day Festival will be held on Saturday, February 25, 2023, from 10 AM to 4 PM at 210 N. Seminole Avenue.
3. The 1<sup>st</sup> Third Saturday Market was well attended and the City is looking forward to its continued success.
4. The Bluegrass Bash had a continuous stream of participants and was a great event.

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

### **Recognition of Citizens**

**Herb Nigg** of 700 S. Ilakee spoke about dark sky lighting. He said the City had a lot of light pollution and he would like to see the new developments be required to use those standards as well as retrofitting other areas. He continued and spoke about regulations regarding the Florida Friendly plants. He said there were a lot of exotic plants in the City. He said He would like to see one plan, not four or five lists that the city uses to determine the plants that are allowed to be planted.

**City Manager Leavengood** said there were provisions in the code for Dark Sky Developments and there were opportunities for some retrofits. He asked about the WaterStar Standards addressing the types of plants. He said the City was looking to update the ULDC this year and suggested we could tighten up on some of the provisions.

**Community Development Director Bailey** said the WaterStar standards only addressed the limits of turf grass and the Dark Sky provisions were in the Green Swamp Area of Critical State Concern. She explained the dark sky lighting saying they were hooded lamps that pointed the light to the ground and didn't bleed out into the surrounding area. She addressed the plant lists and said the City used the UF/IFAS, along with others, to determine what plants the City wanted or did not want in the City.

## **Employee Recognition**

**Former Parks and Recreation Director Weed** shared his information about the Employee of the Quarter Award through the virtual platform of Teams and **Mayor Dearmin** presented the award.

**Former Parks and Recreation Director Weed** said his department was very special to him and has some great employees. He said before he left he knew there was someone in his department that was deserving of the Employee of the Quarter and that was Susan Richardson. He said she is being recognized for her unparalleled customer service, skill, and attitude. He continued and said Susan is absolutely wonderful with all of the patrons and the library. She is funny and very charming. He continued and said he has had countless positive comments about her and she has been working with the Children's planning with Story Time. Being a former librarian, she not only brings great customer service to the table, but she also has a good in-depth knowledge of books, authors, and library operations. She is a big help to the librarian and provides a lot of good recommendations to the customers. He said she has been a wonderful addition to the Parks team and she truly deserves the Employee of the Quarter.

**Mayor Dearmin** presented her with a plaque and a \$75.00 gift card donated by a citizen.

**Susan Richardson** said wow, I'm overwhelmed and think I am going to cry. She said it is easy working in the library because everyone is great. The customers, patrons, and staff are unparalleled. It is just a great place to be.

**Mayor Dearmin** presented the Consent Agenda for consideration.

### **Consent Agenda:**

- 1.) City Commission Meeting Minutes for January 10, 2023
- 2.) City Commission Announcements
- 3.) Property Purchase: 0 Tangerine Avenue

The analysis was inserted by the City Clerk. [The proposed agreement ratifies the purchase of a vacant lot of Tangerine Avenue in the amount of \$16,500. This property is adjacent to the address that was experiencing flooding issues. The acquisition will aid the City in alleviating the stormwater concerns on the adjacent property. Funding is available in Stormwater Reserves to acquire the property. The property will be included in the upcoming Stormwater Master Plan and may be utilized as retention in the area.]

**Commissioner Maultsby** asked for clarification on the price and **Mayor Dearmin** commented that he was glad to see we were working towards a solution.

**Mayor Dearmin** opened the floor to public comments, and seeing no one, he closed the floor to public comments.

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

**Mayor Dearmin** presented the first business item for consideration.

1.) Public Hearing: Ordinance 1507-23: Police and Fire Plan Amendment

**City Attorney Claytor** read the title of Ordinance 1507-23 into the record.

**City Manager Leavengood** said the City maintains three retirement systems for its employees separated into the General Retirement and Police & Fire Retirement systems and a defined contribution system. Each pension system has its pension board that acts as a Board of Trustees that retains its attorneys and financial advisors to ensure the health of the systems. In addition, they are in place to ensure the pensions are compliant with IRS standards and other applicable laws.

This proposed ordinance amends Section 1, Definition of Salary with the clarification of the determination period, eligible members, and providing a reference for the denominator. In addition, it amends Section 28, Deferred Retirement Option Plan (DROP) increasing the DROP for a period not to exceed 96 months from 60 months.

The Ordinance was prepared by the board's pension attorney, reviewed by the City Attorney, and received a recommendation of approval from the pension board. There is no financial impact on the plan (or the City) based upon the actuary's determination.

He said the staff's recommendation is for approval of Ordinance 1507-23 on the second and final reading.

There were no questions or comments from the City Commission.

**Mayor Dearmin** opened the public hearing, and seeing no one, he closed the public hearing.

**Vice Mayor Eden** made a motion to approve Ordinance 1507-23 amending the Police and Fire Pension Plan on the second and final reading. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

**Mayor Dearmin** introduced the next two business items.

2.) Public Hearing: Ordinance 1510-23: Snyder Properties Future Land Use Assignment  
3.) Public Hearing: Ordinance 1511-23: Snyder Properties Zoning Assignment

**City Attorney Claytor** read the title of Ordinance 1510-23 into the record.

**City Manager Leavengood** read the analysis into the record. He said on November 7, 2022, City Commission approved Ordinance 1501-22 annexing five (5) parcels totaling approximately 28.2 acres into the city limits. These parcels are part of the Snyder Family properties on Evenhouse Road. The proposed Future Land Use designation is Urban Residential and Conservation and the proposed zoning is Residential Neighborhood-2 (RN-2) and Conservation (CN) zoning

districts. The requests match the Future Land Use and Zoning requests on the adjacent Snyder Family properties.

### FLU & Zoning Request Summary

FLU Categories	Zoning Categories	Proposed
Urban Residential (URES)	Residential Neighborhood-2 (RN-2)	18.5± ac
Conservation (CON)	Conservation (CN)	9.7±

On December 8, 2022, at their regular meeting, the Planning and Zoning Board unanimously voted to recommend that the City Commission approve the future land use and zoning district assignment requests.

If approved, the future land use and zoning amendment ordinances will be presented for the second reading on January 24, 2023, and transmitted to the Department of Economic Opportunity (DEO) after approval.

He said the staff recommendation was for approval of Ordinance 1510-23 on the second and final reading.

**Commissioner Maultsby** asked if the zoning was comparable to the county zoning and it was shared by the City Manager that the request was consistent with the adjacent properties. He then asked if it was pastureland and the question was deferred to the Community Development Director.

**Community Development Director Bailey** said the request was for a higher land use and zoning and said most of the property was empty pasture or vacant land. They can build on the upland areas however before the development a comprehensive analysis of the entire property would be needed.

**Commissioner Daley** asked if this was on the development list within the water and wastewater master plans and **Community Development Director Bailey** said it was not because they have not yet come in with a development or site plan.

**Vice Mayor Eden** commented the zoning would allow for more diverse housing options

**Mayor Dearmin** opened the public hearing, and seeing no one, he closed the public hearing.

**Commissioner Maultsby** made a motion to approve Ordinance 1510-23 for the Snyder Properties Future Land Use Assignment on the second and final reading. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

**City Attorney Claytor** read the title of Ordinance 1511-23 into the record.

**City Manager Leavengood** said the staff recommendation was for approval of Ordinance 1511-23 on the second and final reading.

**Mayor Dearmin** opened the public hearing, and seeing no one, he closed the public hearing.

**Vice Mayor Eden** made a motion to approve Ordinance 1511-23 for the Snyder Properties Zoning Assignment on the second and final reading. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

**Mayor Dearmin** presented the next business item for consideration.

4.) Resolution 03-23 SouthState Bank Property Conveyance

**City Attorney Claytor** read the title of Resolution 03-23 into the record.

**City Manager Leavengood** read the analysis into the record. He said the City of Lake Alfred and SouthState Bank, N.A., entered into a Purchase and Sale Agreement that was approved by the City of Lake Alfred City Commission for the purchase of the bank property at 155 N. Lakeshore Way.

On December 16, 2022, the parties transacted the closing, and SouthState Bank, N.A. delivered that Special Warranty Deed for the real property. The Special Warranty Deed was recorded on December 16, 2022, in Official Records Book 12521, Pages 2024 through 2026, public records of Polk County, Florida. This resolution officially accepts the conveyance of the property.

He said the staff's recommendation is for approval of Resolution 03-23.

**Vice Mayor Eden** asked when the city would start using the property.

**City Manager Leavengood** said the city was looking to renovate the facility and would start work in the fall or early next year. The building is anticipated to remain empty for about a year and then the building department would occupy the premises.

A discussion ensued regarding this being a win-win with the location of the building in proximity to the other City buildings, the opportunity for more parking, the funding used to secure the building, and the building not becoming a dispensary.

**Mayor Dearmin** opened the floor for public comments.

**John Reinert** of 690 S Ilakee Avenue commented on the comment "about the medical marijuana dispensary. He said there was 1.5B in Florida tax revenue and City Manager Leavengood said there was another bank building available for them and mentioned Wells Fargo.

**Margaret Pestone** of 160 W. Haines Blvd. said she would like to have the city consider putting an ATM on the property because the elderly have a difficult time getting to other towns for banking needs.

**City Manager Leavengood** said there might be an opportunity there for a third-party provider.

**Mayor Dearmin** closed the floor to public comments.

**Commissioner Maultsby** made a motion to approve Resolution 03-23 accepting the SouthState Bank Property. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

**Mayor Dearmin** introduced the next two business items for consideration.

- 5.) Resolution 04-23: Potable Water Utility Master Plan Adoption
- 6.) Resolution 05-23: Wastewater Utility Master Plan Adoption

**City Attorney Claytor** read the title of Resolution 04-23 into the record.

**City Manager Leavengood** read the analysis into the record. On October 4, 2021, the City Commission approved Task Order No. 5 with CPH, Inc. to prepare the Master Water and Wastewater Plans for the City of Lake Alfred. The Master Plans are intended to be used as a basis for planning for current and future infrastructure improvements including providing a five-year capital improvement program. The Master Plans cover a 20-year utility planning horizon with a year-end in 2042. The Lake Alfred Planning and Zoning Board was presented with the plans on January 12, 2023, and there were not any proposed amendments.

He continued and spoke about the water system's operational side with having proper force mains as it was like the circulatory system of the city. The master plan is a critical document and very valuable with the amount of growth the city is set to experience, and he concluded by saying the plan needs to be updated about every five years.

He said the staff recommendation is for approval of Resolution 04-23.

**Commissioner Daley** asked if the city would be able to get by with our water and not run short before the new plant comes online.

**City Manager Leavengood** explained the plant was capable of pumping 2.5M gallons per day and the limiting factor was the water use permit. He said the city was working on a gap permit and joined the Polk Regional Water Cooperative.

A brief discussion ensued regarding the water tower and there not being a need for it anymore due to the high-frequency pumps, the rent the water tower generates with cellular service, the opportunity to have a monopole if the water tower is removed, and the restoration costs potentially exceeding the benefits.

**Commissioner Daley** said she did not want to see the water tower torn down.

**Mayor Dearmin** opened the floor for public comments, and seeing no one, he closed the floor to public comments.

**Vice Mayor Eden** made a motion to approve Resolution 04-23 adopting the Potable Water Utility Master Plan. The motion was seconded by **Commissioner Daley**. The motion was unanimously approved.

**City Attorney Claytor** read the title of Resolution 05-23 into the record.

**City Manager Leavengood** said the staff recommendation is for approval of Resolution 05-23. He went on to say the plan included the wastewater plant expansion and these plans were the basis for the rational nexus to increase the water and wastewater connection fees.

There were not any City Commission comments.

**Mayor Dearmin** opened the floor for public comments, and seeing no one, he closed the floor to public comments.

**Commissioner Daley** made a motion to approve Resolution 05-23 adopting the Wastewater Utility Master Plan. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

**Mayor Dearmin** introduced the next business item for consideration.

7.) Resolution 06-23: Acceptance of Polk County NE Government Center Final Plat

**City Attorney Claytor** read the title of Resolution 06-23 into the record.

**City Manager Leavengood** read the analysis into the record. The applicant has requested to approve of a final plat for Polk County NE Government Center. The approximately 29.5± acre site is located east of Government Center Blvd, north of US Hwy 17/92, and south of Old Haines City / Lake Alfred Rd. The Public Buildings and Grounds zoning district was approved by Ordinance 1446-20. The City approved the preliminary plat on February 1, 2021, with Resolution 05-21.

The construction plans were approved by the City on February 18, 2021, and the City has received all state permits. The owner has substantially completed all construction. The City staff and consulting engineers have inspected and recommended acceptance of the infrastructure. The City has also received the maintenance warranty as required by the ULDC.

He said the staff recommendation was for the approval of Resolution 06-23.

**Mayor Dearmin** asked if the County had an opening date set.

**Mark Kithcart** Building Maintenance Manager of Polk County said they were still working on the interior with the opening date being a few weeks away. He said he would send an invitation to the City Commission.

**Commissioner Daley** asked about the highway access and installing a traffic light and said it is a high-speed area.

**Mr. Kithcart** said that there was not a traffic study conducted when the intersection was made.

**Community Development Director Bailey** said that the Florida Department of Transportation did evaluate for improved industrial access with turn lanes and ingress and egress. There may be a turn lane into the building, however, they determined that they would not put an acceleration lane on the exit. All the evaluations did not warrant improvements at this time but they would continue to evaluate as the area developed. The speed limit has not been addressed at all.

**Vice Mayor Eden** asked if there was more development coming in that area and City Manager Leavengood said we would experience residential development all through the area.

**Community Development Director Bailey** spoke about the cold storage facility, warehouse expansions, industrial-type facilities, and the residential developments of Hammock Reserve and Caribbean Lakes. She said she didn't see the speed limit slowing down until further development along US Highway 17/92.



**Mayor Dearmin** opened the floor for public comments, and seeing no one, he closed the floor to public comments.

**Vice Mayor Eden** made a motion to approve Resolution 06-23 accepting the Polk County NE Government Center Final Plat. The motion was seconded by **Commissioner Daley**. The motion was unanimously approved.

**Mayor Dearmin** introduced the next business item for consideration.

8.) Resolution 07-23: Support for Downtown Lane Repurposing

**City Attorney Claytor** read the title of Resolution 07-23 into the record.

**City Manager Leavengood** read the analysis into the record. The Polk Transportation Planning Organization (Polk TPO) is responsible for developing a list of Priority Transportation Projects. The list is submitted to the Florida Department of Transportation (FDOT) for consideration during the development of their Five-Year Work Program for Polk County. The projects are based on the goals and objectives of the TPO's adopted Momentum 2040 plan and are intended to promote safety, enhance mobility, and reduce congestion for all users of the transportation system.

The Resolution documents the history of US 17/92 from the conversion to the one-way pairs through to the current request to address issues created by the one-way pairs. This includes documentation of FDOT's change in the funding status over time for the original project development and environmental analysis (PD&E) at the intersection of US 17/92 and CR 557. The Resolution supports the previous planning efforts and then asks for support from both the Polk TPO and the FDOT for short-term improvements, intersection PD&E, additional PD&E of the corridor alternatives evaluation, and the overall acknowledgment of the US 17/92 corridor needs. The request specifically includes:

- a) Inclusion and advancement, of the PD&E to evaluate intersection improvements at US Highway 17/92 and County Road 557, in the Florida Department of Transportation's 2024-2028 Work Program.
- b) Inclusion of a second PD&E or expansion of the intersection PD&E, to include the alternatives analysis of the entire US 17/92 corridor in Lake Alfred as identified in the 2019 Planning Study conducted by the FDOT, into the Florida Department of Transportation's 2024-2028 Work Program.
- c) Inclusion and implementation of the short-term improvements identified in the Planning Study 557 in the Florida Department of Transportation's 2024-2028 Work Program as previously adopted by the Polk TPO Priority Transportation Projects document in 2021 and 2022.
- d) Inclusion of the overall project including the transportation needs of the system and users of all ages and abilities, including pedestrians, bicyclists, transit riders, motorists, and freight handlers into the Polk Transportation Organization Long Range Transportation Plan (LRTP).

The resolution requests prioritization funding for US Highway 17/92 for these projects and supports the resubmittal of the grant application for the short-term improvements. Applications are due January 27<sup>th</sup> and the Polk TPO Board will consider its final list of Priority Projects in June to submit to FDOT. He said he had included the previous grant application in the agenda packet



for them to review.

He said the staff recommendation was for the approval of Resolution 07-23.

**Community Development Director Bailey** said this resolution was crafted to work on various support levels and with various agencies. She reviewed the different options such as supporting the grant submission for the lane repurposing to the Florida Department of Transportation (FDOT), getting the PD&E study moved up in the Transportation Planning Organization's (TPO) work plan for the CR557 intersection, and expanding the PD&E study to include the whole corridor, as recommended by the TPO, into next year's funding.

**Commissioner Daley** shared about an FDOT representative calling her regarding support for the Dixie Trail and her telling them that the intersection needed priority first. She said by adding the trail may be more pleasing to them.

**Community Development Director Bailey** said those conversations were already happening for connectivity with CR557 and Highway 17/92. The Old Dixie Trail is a multimodal priority.

**Mayor Dearmin** opened the floor for public comments.

**Ron Pestone** of 160 W. Haines Blvd asked what did all of this mean.

**City Manager Leavengood** explained that this resolution was in support of having a PD&E study conducted, which would cost about 3M to do the environmental study and preliminary design before construction. The goal is to repurpose the lanes to go back to multi-directional traffic so the City would have a main street that would allow for pedestrians and bicycling. The repurposing plan was recommended by the Florida Department of Transportation.

**Mayor Dearmin explained** about when the one-way pairs came in it was a way to prevent too many people from just zipping through town.

[Beverly Moore's comments were moved to recognition of citizens.]

**Commissioner Daley** made a motion to approve Resolution 07-23 supporting the Downtown Lane Repurposing Project. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

### **Recognition of Citizens**

**Beverly Moore** of 165 E. Pierce Street thanked the City Manager and staff that had helped her with a communication problem. She shared she went to the City Manager and he made a phone call and now she has a new roof. She spoke about the company not getting a permit and now she has the permit. She continued and talked about the company not re-installing the gutters and not being able to find anything about the gutters within the contract. She said she is now trying to get ahold of an inspector.

**City Manager Leavengood** asked her to stay after the meeting so he could help her.

### **Commissioner Questions and Comments:**

**Vice Mayor Eden** thanked all of the first responders including both Chiefs. He thanked all of the staff as well saying he appreciated Ryan and the great job he does. He provided examples of growth like with the grant writer. He thanked his fellow Commissioners for doing a great job and then thanked the City Clerk.

**Commissioner Maulsby** asked if Congressman Soto's office had received a thank you and City Manager Leavengood said the edible arrangement would be sent this week. He thanked the City of Lake Alfred and the citizens for the Serdjenian Subdivision Annexation. [January 10, 2023, mail-in ballot election results were 10 in favor and no opposition.]

**Commissioner Daley** sadly reported that the Cornerstone Grille is closing after eight years of being in business. She encouraged everyone to go on Saturday to have a meal and say thank you. She expressed her concerns about the development intensity and what it is going to cause our city to maintain and take care of. She appreciates the staff and Ryan who are trying to stay ahead of it all but it is so scary. She said she was nervous back in 2007 when we had thirteen developments in progress and now we have thirty-nine and they are not even all on the list. It is a little nerve-wracking because if we cover up all of the space, the water is going to come up higher because there will be no place for it to go. She mentioned the traffic, the schools, the doctors, and the hospitals, it's just everything. She spoke with the City Attorney saying there is not a whole lot we can do because you can't turn down somebody that has the land and the zoning and you can't say no. Hopefully, we can keep them to the standards we want to see like the WaterStar and light pollution. There is just so much we can do and maybe keep them to as much as a minimum as we can. Thank you.

**Mayor Dearmin** complimented the City Commissioner for doing a great job and working together. We have all seen how much has happened in the years we have been up here. He thanked the City staff, the City Manager, and the City Clerk. He said second to none. He said the Bluegrass Bash was great even though it was cold but we had a good turnout. He said the first market had a nice layout and he was looking forward to the next one.

Without further comments, at 8:20 PM, the City Commission meeting was adjourned.

Respectfully submitted,



Linda Bourgeois, BAS, MMC,  
City Clerk