

**MINUTES
CITY COMMISSION MEETING
MONDAY MAY 16, 2022
7:30 PM
CITY HALL**

Call to Order: Mayor Jack Dearmin called the City Commission meeting to order at 7:30 p.m. in the City Commission Chambers located at 120 E. Pomelo Street, Lake Alfred, FL 33850.

Invocation and Pledge of Allegiance: Pastor Kyle Norton of the Lake Alfred First Baptist Church 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 Mac Fuller, Commissioner Nancy Daley, and Commissioner Albertus Maulsby.

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Linda Bourgeois, Finance Director Amber Deaton, Public Works Director John Deaton, Community Development Director Ameer Bailey, and Parks and Recreation Director Richard Weed.

City Manager Leavengood announced the new website launch would be at the end of the month, and the upcoming Ridge League of Cities Dinner.

Mayor Dearmin announced he received a phone call from Congressman Darren Soto's Office and said we were a finalist in the grant funding for a Fire Engine.

City Manager Leavengood said we were honored to be a finalist and he appreciated the new analyst that was instrumental in submitting the grant application. He said last year Soto's requests were funded and he anticipated this year his requests would be funded again.

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

Recognition of Citizens

Todd Koza of Lake Alfred Elementary School said this Friday there would be a pilot flying over the city skywriting. He shared with the City Commission the most recent projects the students were working on which were a model plane and drones. He showed the City Commission and audience members a plane schematic with a 1:3 ratio scale the next class would be constructing. He invited some of his students to speak.

Fifth-grader Kishelle Taylor spoke to the City Commission and said they had built the plane, rockets, and drones during the class. She said the rockets took two weeks to build and they would be launching them on Wednesday. The plane took two months to build and did not fly but worked, and then she spoke about the drone and how it crashed.

Another fifth-grader Trinity Serrano spoke about the ups and downs they went through in the program and said she was over the quality control for her team. She said quality control kept them from building two right wings. She said she learned a lot from building the plane. It taught her to

work independently but also as a teammate. She concluded by saying that communication was necessary during the project.

Todd Koza thanked the City Commission and said this Friday there would be crazy aerobatics in the sky.

Stacy Brinkerhoff of Our Career Centered Academy located at the First Presbyterian Church of Lake Alfred shared about the growth they have experienced with the school. She said the special needs school started with six students the first year and is now up to ninety students. She said they were excited to announce an upcoming expansion and partnership with the First United Methodist Church of Lake Alfred by creating a new campus. She said the elementary through middle school students will stay on the First Presbyterian campus and the Highschool students will go to the First United Methodist campus. The name will be changing to Life Skills Academy and they offer occupational speech therapy, vocational rehabilitation, life skills, and physical therapy. They are proud to announce two students are graduating with their General Education Diploma.

Pastor Kim DuBreuil of the First United Methodist Church of Lake Alfred said they had a huge fellowship hall that was not being used. She said churches are struggling to reach the youth and this provided an immediate opportunity. She spoke about the Covid grant allowing for this expansion and concluded by saying this was a great partnership to meet the needs of the community.

Mayor Dearmin read the Community Action Month Proclamation into the record and it was received by the Agricultural and Labor Program, Inc. (ALPI) representative Al Miller.

Al Miller thanked the City Commission. He said he was here on behalf of the Board of Directors and the Executive Director to accept this proclamation. He said ALPI has been around for fifty-eight years and they have served over 12,000 families around the state and contributed over 10M dollars to those families. He encouraged everyone to research the Community Action Program.

City Manager Leavengood presented Human Resources Manager Margarita Martin with her five years of service award. He said it's a rare pleasure for him to recognize one of his direct staff members. She was hired back in 2017. He shared he met her through a Chamber of Commerce leadership coach presentation at Cornerstone Grill. Soon thereafter she was hired as the Human Resources Manager. He said she has a very vibrant personality which is a perfect fit and is just the complete opposite of him.

He continued and provided a background of the HR duties and said it touches a little bit of everything. Everything always comes back to two things, people and money. Those are the two common denominators and the thread throughout the organization. He said HR is a core function and in the past, the city could have gotten away with a dual function such as the City Clerk or an Administrative Assistant role.

As an organization, we become more complex and it is showing up on the HR side too. We now have the same professional standards and processes as the larger cities and said Margarita works with him on the salary study, the recruitment side for all the departments, and the engagement side after the employees are hired. Margarita conducts the employee training, heads up the employee benefits program, and the wellness program to make sure we have a healthier workforce. Margarita has been upfront with the wellness project and its evolution of it.

He said as Commissioner Daley says “The “R” word is not allowed”. Margarita has a lot of years of good service to give to the City of Lake Alfred. He congratulated and thanked her for her five years of dedicated service.

Finance Director Deaton presented Accountant Tammy Coots with her five years of service award. She said Tammy Coots started with the City in May of 2017. Five years of service is a significant milestone, and it has gone by fast. Tammy’s eye for detail and commitment to excellence make her an asset to my team. She is kind, dedicated, and has a great attitude. She said she is sincerely grateful and appreciated her. Working with her has made me a better person, and I look forward to many more years together. She concluded by saying Congratulations.

Consent Agenda:

- 1.) City Commission Meeting Minutes for May 2, 2022
- 2.) City Commission Announcements
- 3.) FDOT Highway Lighting Maintenance and Compensation Agreement

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

Mayor Dearmin presented the business item.

- 1.) Resolution 07-22: Permit Fee Reduction Fund

Assistant City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said the City of Lake Alfred collects permit fees for construction and development activities. According to Florida Statutes, permit fee revenue is restricted and may only be expended on activities related to the enforcement of the Florida Building Code. The salary and benefits of the City’s Building Official, permit technicians, building inspectors, and fire marshal are all eligible expenses as well as the office space and operating expenses associated with them. Smaller apportionments to other positions and functions are also eligible and have been attributed to this function (i.e. community development director, finance, and administration).

In times of high development activity, this permit fund can build up to many times the annual cost of performing this function. In times of low development activity, we can collect less than what it takes to perform these functions and rely upon permit fee reserves to carry the program. Following the great recession, permit fee funds were exhausted and the general fund subsidized the cost of this operation for several years until development activity was restored.

In 2019, state law regarding permit fee revenue was amended to limit the amount of “excess” permit fee revenue a local government could have. The amended law allows for an amount equal to the average annual cost of eligible expenses from the prior four years to be carried forward. Amounts in “excess” of this annual equivalent carry forward must either be allocated to be spent on a capital project to house the building department (and spent within four years) or be used to rebate and reduce permit fees at the discretion of the local government.

Following several years of increased development activity the City as of September 30, 2021, has \$955,766 in permit fee revenue. The current annual cost of enforcing the Florida Building Code within the city is \$224,165 (slated to go to \$360k in FY 22/23). Based on the new law, the City has approximately \$725,000 in excess permit funding that must either be dedicated and spent

towards a capital project or used to rebate/reduce permit fee amounts. As a result, we received a noncompliance comment in our most recent audit (as well as many other cities) due to having funds in excess of our average annual operating budget.

The proposed resolution designates the “excess” permit fee revenue to be utilized as a Permit Fee Reduction Fund. The amount determined to be in excess that is not designated for a capital project will be used to reduce and discount the established permit fee rates based on the following methodology. Average Operating Budget / Excess Funds / 10 = % discount/reduction for the following year.

This meets the intent of the state statute by providing a reduction to the permit fees at the discretion of the local government while removing the incentive to increase expenditures. Additionally, spreading out the reduction over a ten-year time frame removes volatility in the rates and preserves the permit fee fund balance. This will allow current “excess amounts” to flow back into the allowable carry forward to cover operating deficits in years when development activity slows and less revenue is collected in a year than is necessary to run the building department.

Without this rate reduction fund and the 10-year smoothing methodology, increased spending would be encouraged to prevent excess funds from accumulating. Additionally, during high activity times, permit fees would be drastically reduced to prevent collecting more than the annual cost of the building department. Likewise, during low development activity times, permit fees would need to be drastically increased to collect enough to run the department.

The proposed rate reduction policy meets the requirement of the law and its intent while avoiding the volatile, feast, and famine approach to rates and operations the law unintentionally encouraged.

He said the staff recommended approval of the resolution.

Commissioner Maultsby asked if the City had a full-time inspector on staff; if the city had a capital improvement project; and how much was the City keeping in reserves.

City Manager Leavengood reviewed the staffing positions within the department, said the City had budgeted \$500,000 for expansion, and said the city could keep as much as it wanted in the reserves. He said the resolution would provide no pressure to expend additional funds.

Mayor Dearmin said we have the best City Manager and the City always does what is right for the citizens. He then opened the floor to public comments and there were no audience members that came forward to speak to the Mayor and City Commission so he closed the floor to public comments.

Vice Mayor Eden made a motion to approve resolution 07-22 adopting the permit fee reduction fund policy. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

At 8:04 p.m., **Mayor Dearmin** recessed the City Commission Meeting and called to order the Community Redevelopment Agency Board Meeting.

Roll Call: City Clerk Linda Bourgeois

Board Members in attendance: Chairman Jack Dearmin, Vice-Chair Brent Eden, Board Member Mac Fuller, Board Member Nancy Daley, and Board Member Albertus Maultsby.

Chair Dearmin presented the Consent Agenda for consideration of approval.

- 1.) Community Redevelopment Meeting Minutes for February 21, 2022
- 2.) CRA Annual Report

Board Member Maultsby made a motion to approve the CRA consent agenda. The motion was seconded by **Board Member Fuller**. The motion was unanimously approved.

Chair Dearmin presented the business item for consideration.

- 1.) CRA Resolution 01-22: Residential Façade Grant: FY 21/22 Program Cycle

Assistant City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said the Lake Alfred Community Redevelopment Agency provides a Residential Façade Improvement Grant Program. The program incentivizes residential owners and tenants to renovate and update the exterior properties located within the CRA district by providing financial assistance.

The program is a grant award that will pay the contractor directly to perform the exterior façade improvements. Grant funds will cover 100% of eligible project costs with the grant award not to exceed the greater of \$15,000 per residential property or \$5,000 per housing unit on a multi-residential property.

The City has received thirty applications for the FY 21/22 residential grant cycle. The proposed grant cycle applications that met the eligibility requirements based on the program and grant cycle have been included for consideration.

Funding for \$100,000 has been set aside in the current fiscal year for both the commercial and residential programs. Approximately \$50,000 was awarded to the commercial program leaving \$50,000 for the residential cycle. Based on the level of demand staff is recommending that we repurpose \$50,000 from the parks and recreation master plan project allocation of \$150,000 to the residential façade program to give up to a total budget of \$100,000. Between the \$100k general fund allocation, \$250k CRA allocation, and available impact fees we will have ample funding to complete the next Central Park Phase without the additional \$50,000.

Based on the level of interest and the lack of available funding city staff is recommending a shift in the execution of the program for this grant cycle. Awarding up to \$15,000 to each applicant would limit the program to potentially 6 applicants even with the increase in funding to \$100,000. To spread the benefit to the maximum number of applicants and achieve the greatest economies of scale, the staff is recommending that we perform specific improvements across the majority of applicants to spread the benefit and maximize efficiency and cost-effectiveness.

The proposed resolution allows staff to scope, bid, and execute the program based on the following prioritization across all the eligible applicants:

1. Windows & Doors
2. Canopies & Awnings

3. Tree pruning & removal

Based on the high level of initial interest in the new program, the next several future grant cycles could be directed at specific items such as painting, roof replacement, and landscaping, to spread the benefit and achieve the greatest economies of scale. As the program matures and as available funding increases we can settle into more residence-specific improvement cycles.

He said the staff recommendation is for approval.

Board Member Daley asked if the applicants could reapply since we were targeting specific tasks and if the City would limit how often they could apply.

City Manager Leavengood said yes they could reapply and said the city may need to pivot and amend the policy in some areas as this was still a learning experience. He said the City could do an aggregate approach to the applicants for non-specific projects however he would like to amend the program to be fair to all.

Chair Dearmin said he was glad to see the policy was flexible.

A brief discussion ensued about the CRA residential area being small consisting mainly of Fruitland Park, Echo Terrace, and the residential area leading to Central Park. In addition, after three or four grant cycles the applications will naturally narrow due to progress.

Board Member Maultsby asked what did the applicants have to do to qualify for the CRA funds.

City Manager Leavengood said they had to have a home within the CRA area, their property taxes had to be paid, no code enforcement liens on the property and a tenant could initiate the process and then get permission from the owner. He continued and said the current CRA Facade Grant Programs did not include or specify the churches within the CRA. He said there was an interest communicated to him and said that would be a judgment call from the board. He explained the purpose of the CRA Facade Improvement Grants and said if the churches were considered under the commercial program matching funds would be required.

Board Member Maultsby asked if the winners of the grants would have to go out and get the bid or would it be the city and once a contractor is located would it be completed by task orders.

City Manager Leavengood explained the City would scope the projects and put them out to bid. The city would facilitate the program through agreements with the contractors and as the projects are completed the City would pay the invoices. We would treat it like it was one of our projects.

Vice-Chair Eden said it was great we were getting to the point where we are doing something and said thank you to the City Manager.

Board Member Daley asked what department would be responsible to facilitate the program and if the funds could be used from the permit fee reduction fund to pay the staff.

City Manager Leavengood said some of the things like the inspections may be able to be paid and said it will be a combination of departments facilitating the program. He explained Community Development, Public Works, Finance, and the Analyst would be involved. It's no different than when we do projects now. He said since this is a grant program it would be a good program for the Analyst to run, at least on the application and fielding side.

Board Member Daley said she appreciated putting ourselves out there because of the whole process.

A brief discussion ensued about roofs and the insurance taking care of them, roof repairs may be one of the last cycles we do, and the board will have to weigh and conduct research before the consideration of roofs.

Assistant City Attorney Claytor said the best way would be to have a contract with the homeowner that applies for that type of benefit. Contractually, there would be a recovery mechanism if the insurance and CRA both paid. That is how we would handle any insurance issue.

Chair Dearmin opened the floor to public comments.

Stacy Brinkerhoff of the future Life Skills Academy located in the First Presbyterian Church of Lake Alfred said they were one of the ones that asked about the program. She spoke about the need for parking lot improvements, handicapped accessibility, and signage. She said the programs did not say the churches could or could not be included. She asked for their consideration of adding non-profits to the program because they do a lot of work in the City of Lake Alfred supporting the special needs and handicapped people.

Board Member Fuller said it was an industry issue and we were feeling it in Lake Alfred as well because we have a lot of substantially older homes. He spoke about the importance of monitoring the ages of the homes from an underwriting perspective. There may be new guidelines that will not allow people to let their roofs just go on and on. He said the lifetime of a roof is a marketing thing and explained it was based upon the condition that it lives in such as straight sun, shade, wet conditions, or hot or dry conditions. You can't always depend on the insurance company to come through just because you have a worn-out roof. He used the analogy of a used car. He said he was all for hail or storm damage but people should not wait for a storm thinking they will get a new roof. He spoke about adjusters that are hired by the insurance company. He asked about the landscaping component of the grant.

City Manager Leavengood said the landscaping was in terms of the front yard for curbside appeal and would include pruning or tree removal. He used an example of a hazardous tree that may need to be removed and explained the city had already hired a tree company and said maybe we just hire them a few extra days to take care of the requests on the private property which we would not be able to do if it were not for the program.

Board Member Fuller thanked the City Manager and said it will be the responsibility of the homeowner to maintain the improvements.

Board Member Maultsby made a motion to approve the CRA Resolution 01-22. The motion was seconded by **Board Member Fuller**. The motion was unanimously approved.

Board Member Daley said the CRA Annual Report scope was very detailed and complete. She said this took a lot of work and was a great document. She thanked the City.

City Manager Leavengood said it was the work product of the Community Development Director Bailey and then said she did a great job.

At 8:33 p.m., **Chair Dearmin** adjourned the Community Redevelopment Agency Meeting and reconvened the City Commission Meeting.

Roll Call: City Clerk Linda Bourgeois

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

Recognition of Citizens: There were none.

Mayor Dearmin said he was thrilled about how these meetings are going and the work that all of us do together here. He said the City Manager and his staff are second to none. He said he was pleased about the call from Congressman Soto today. He said I told him we love Lake Alfred and his response was we do too.

Vice Mayor Eden said it was great to see the young students here tonight. He was glad they had a program director that was keeping their interest, the students were excited and focused, and they were able to come up here and speak. He congratulated all of the graduates from college and high school. He thanked the first responders and all of the staff. Thank you.

Commissioner Maultsby said he was honorably discharged from the army in 1959 and just this week he received from the US government a National Defense award. He said why did they wait ~62 years to mail it out? Thank you.

Commissioner Daley said two weeks ago she received a call from the Florida Department of Transportation (FDOT) staff alerting her they were looking for an alternate route to get traffic from Highway 544 to US Highway 17 and they said they were looking at the possibility of taking it through the City of Lake Alfred. She said if you speak on behalf of the City it has to be after you talk to your City Commission and have at least gotten a consensus on the position of the City. She said it was going to be on the City of Winter Haven's agenda and the Transportation Planning Organization's (TPO) agenda and they reached out to her to notify her of the intent to present it to them. She said in the past two weeks she has spoken with the following people gathering research: Planning Administrator Ryan Kordek of the TPO, L.K. Nandam of FDOT District One, the TPO Director Parag Agrawal, and Roger Griffiths the District Director of the Lakes Management District. A map was displayed showing the route going over the Mackay bridge, down Mackay Blvd, and ending at US Highway 17/92.

She opined that it would completely obliterate our traffic grid through town. She reflected on a meeting about The Lakes Development and having the traffic going down Glencruiten Avenue and said we had about three hundred people saying don't do that. I know there will be that type of emotion. She shared one of our historical gurus was working on a historical preservation application for the Mackay bridge to have it placed on the National Register of Historic Places. She explained if they built the road they would need ninety feet. She spoke about the potential to encroach on homes and the intersection at the end of the Mackay Boulevard. They predict that between 10,000 to 13,000 cars and trucks would travel that route. She asked to speak as a representative of the City and said this bisects the State protected land that is supposed to be protected in perpetuity and the cost of it goes through our wetlands and the ambiance of the whole neighborhood would be completely altered for the rest of time.

She asked for the City Commission's thoughts and said there were three other ways they could go than through Lake Alfred.

Commissioner Maultsby said he feels the same way she does.

Mayor Dearmin concurred and said when you see the monumental view of ~10,000 vehicles that is just a detriment to our community and you have my support for the City.

Commissioner Fuller agreed and said the bridge is a personal thing that impedes him from getting from the south to the north chain, however it has historical significance.

Vice Mayor Eden asked if after they crossed the bridge would they be taking a left on Glencruiten or where would they go?

City Manager Leavengood explained it would be Mackay Boulevard by cutting through the wetlands and end at an intersection that we are already having problems with. A lot of them would want to potentially turn on Glencruiten. This may be fifteen to twenty years from now but if it were to happen we would have to seriously consider cutting Glencruiten off because that type of traffic would be corrosive to the eastern side of Lake Alfred. It may even be 15,000 – 20,000 vehicles by then.

A discussion ensued about semi-truck traffic, having the section through Lake Alfred removed from consideration due to the safety, costs, and historical value of the area, and also having a united front from the City Commission. Further discussion surrounded having the bridge placed on the National Register of Historic Places, the road construction requiring the removal of a row of homes along Mackay Boulevard, and the potential to dedicate the bridge area as an official City park for recreational purposes.

Commissioner Daley suggested creating a park with a picnic bench where our residents can fish. She said she would be in favor of naming it Colonel John H. Dame, Sr. Memorial Park because he was on the City Commission and was instrumental in fighting for that area.

Commissioner Maultsby and **Mayor Dearmin** agreed.

City Manager Leavengood said an advocacy process would be started. The PD&E study has been funded and they are looking at a portion of Highway 544 for feasibility. He reviewed the options through Carefree Cove and the golf course areas and said another option would also be a no-build option where they look at the feasibility study and just determine they won't do anything. He gave credit to the Community Development Director and Winter Haven's City Manager saying this is just a conversation now and not a battle. We are all dealing with development and congestion throughout the county and we just need to communicate with them through the appropriate channels.

Vice Mayor Eden agreed and said United We Stand.

By consensus, the City Commission agreed to have Commissioner Daley request that the City of Lake Alfred is removed from the Florida Department of Transportation options for consideration.

Commissioner Daley said thank you for your support.

Commissioner Fuller thanked all of the guests and said it was great to see the kids. He complimented the program director saying he is looked up to for the projects and he continues to work with building and coming up with the supplies on his own. His efforts are appreciated. He

shared he had the opportunity to visit the boys club and said he was impressed with the girls and their ability to speak to a crowd. He thanked Stacy Brinkenhoff and said what a great program they provide. He congratulated them on moving forward with the new association with the First United Methodist Church. He thanked Director Bailey for her hard work and asked her to please extend his appreciation to her staff. He continued and thanked the department heads, and the police officer, and said it has been a great couple of weeks. He said to the Mayor it was a great meeting and congratulated former Mayor Daley saying she led this City and he appreciates everything she does for us.

Commissioner Daley commented on the resource officers saying they are winding down to the end of school in a few weeks and they do a fantastic job. She said they are amazing and she feels comforted when she sees them at school.

Without further comments, at 8:54 p.m., the City Commission meeting was adjourned.

Respectfully submitted,



Linda Bourgeois, BAS, MMC,
City Clerk