

**MINUTES  
CITY OF LAKE ALFRED  
CITY COMMISSION  
MONDAY, JUNE 15, 2020  
CITY HALL**

**Call to Order:** Mayor Nancy Daley

**Invocation and Pledge of Allegiance:** Police Chief Art Bodenheimer

**Roll Call:** Those in attendance were Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Brent Eden, Commissioner Charles Lake, and Commissioner Albertus Maulsby.

**Staff in attendance:** City Manager Ryan Leavengood, City Attorney John Murphy, Community Development Director Ameen Bailey, Public Works Director John Deaton, Finance Director Amber Deaton (via Zoom), Police Chief Art Bodenheimer, and Parks and Recreation Director Richard Weed.

**City Managers Announcements**

**City Manager Leavengood** stated staff has been in contact with BIS, the sound system supplier. The City is in the process of switching out the system. He asked Director John Deaton for an update.

**Public Works Director Deaton** stated BIS is ordering new equipment to switch out the existing system completely. Unfortunately, some parts of the system are on backorder due to the pandemic.

**City Manager Leavengood** stated the City is back to full operational status. City staff will be converting the auditorium at the new Public Works facility into an overflow room to accommodate public participation at upcoming meetings. The Federal Cares Act will reimburse any expenses incurred from these renovations.

He stated a full report would be forthcoming on the potential revenue impacts that the City has experienced. The numbers are just coming in, and the City will be able to recover some of the line items. There is approximately \$80,000 in current budget year expenses that can be saved to offset any losses. The Property Appraisers have released their estimates for the ad valorem increases on property values, and the numbers look very favorable. There will be fluctuations in the budget, but the City is in good shape to weather the changes. Revenue will be presented in August.

The appointment of the Charter Review Commission was postponed due to the canceled hearings. He stated he would be following up with the Commission to solidify the individual picks.

**City Attorneys Announcements**

**City Attorney Murphy** stated the City's Charter calls for a ten year Charter Review Commission. Some of the revisions may have to go before referenda. The next City election is in April 2021. Any changes should be ready for the Supervisor of Election by the end of 2020.

## **Recognition of Citizens:**

No comments.

## **Consent Agenda:**

**Mayor Daley** asked if the Commissioners would like to discuss any of the items on the Consent Agenda.

**Commissioner Maultsby** asked if the funds discussed in the lighting agreement with Polk County is enough to pay for the expense of the maintenance the City provides.

**City Manager Leavengood** stated he verifies the line item on every renewal of the agreement to make sure that it does cover the maintenance cost.

**City Attorney Murphy** stated this is a new contract from the Florida Department of Transportation that will exist for seven (7) years, longer than the previous agreements.

Addressing the item on the Consent Agenda regarding the Legislative policy committees, **Commissioner Lake** asked if the Commissioners would like to remain on their respective committees.

The consensus was to remain on the same committees.

**Commissioner Lake** moved to approve the Consent Agenda, seconded by **Vice Mayor Dearmin**. A unanimous voice call vote approved the motion.

**Mayor Daley** adjourned the 2019-2020 City Commission SINE DIE.

## **Call to Order: City Attorney Murphy**

**Roll Call:** Those in attendance were Commissioner Charles Lake, Commissioner Jack Dearmin, Commissioner Nancy Daley, Commissioner Brent Eden, and Commissioner Albertus Maultsby.

## **Nominations & Appointments**

**City Attorney Murphy** opened the floor for nominations for Mayor for 2020 / 2021. **Commissioner Maultsby** nominated **Commissioner Nancy Daley** for Mayor for 2020 / 2021. She accepted. Commissioner Eden nominated **Commissioner Albertus Maultsby**. He declined the nomination.

**City Attorney Murphy** asked if there were any other nominations.

**Commissioner Dearmin** made a motion to close nominations for Mayor. **Commissioner Maultsby** seconded the motion. A unanimous voice call vote approved the motion.

**City Attorney Murphy** asked for a motion to appoint Nancy Daley as Mayor for the City of Lake Alfred.

**Commissioner Lake** made a motion to appoint **Nancy Daley** as Mayor. **Commissioner Dearmin** seconded the motion.

**City Attorney Murphy** asked if there were any comments from the audience. Hearing or seeing none, he asked for a vote. A unanimous voice call vote approved the appointment.

**Mayor Daley** opened the floor for nominations for Vice Mayor for 2020 / 2021.

**Commissioner Eden** nominated **Commissioner Dearmin** for Vice Mayor for 2020 / 2021. **Commissioner Maultsby** seconded the nomination.

**Commissioner Maultsby** made a motion to close nominations. **Commissioner Eden** seconded the motion. A unanimous voice call vote approved the motion.

**Mayor Daley** asked if there were any comments from the audience. Hearing none, she asked for a vote to appoint **Jack Dearmin as Vice Mayor**. A unanimous voice call vote approved the appointment.

**Agenda:**

**1.) Public Hearing: Ordinance 1433-20: Drinking Water State Revolving Fund Planning Loan Agreement**

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated for several years the City has presented, in the Capital Improvement Program, the opportunity to construct an additional water plant. The current plant was initially constructed in the 1940s, and it is the City's only water plant. The ground storage tank adjacent to the plant was built in the 1970s. The new plant and ground storage tank would provide needed resilience and redundancy in the water system, which is a common practice in utility's our size (or even smaller).

The Drinking Water Facilities Program, through the State Revolving Fund (SRF), allows for principal forgiveness associated with the debt obligation on the plant. The engineering consultant believes that we would be eligible for up to 50% forgiveness on the loan. The amount of principal forgiveness would be known before committing to design or construction.

The project and associated process with SRF is divided into three steps:

- 1.) Facility Plan
- 2.) Design
- 3.) Construction

On December 2, 2019, the City Commission approved a resolution authorizing the loan application for a Drinking Water State Revolving Fund Loan for the Facility Plan. The proposed ordinance enters into the SRF Loan Agreement for the Facility Plan for \$27,500 with a ten-year term, 1.33% annual interest, and principal forgiveness of \$13,750.

Once the facility plan is complete, action items will follow for design, land acquisition, and eventual construction of the new water plant.

**Staff** recommended approval of Ordinance 1433-20 on second reading.

**Commissioner Eden** asked if there was a possibility of not getting the principal forgiveness due to revenues being affected by the Corona Virus.

**Director John Deaton** stated he is not aware of an impact that would affect the fund.

**City Attorney Murphy** stated this is a matter of contract. The City has entered into an agreement with the SRF. It is highly unlikely that the contractual performance will be impacted.

**Commissioner Maultsby** mentioned the water interconnect Lake Alfred has with Auburndale.

**City Manager Leavengood** stated we also have an interconnect with Winter Haven, and in the future, one is planned with Haines City.

**Director John Deaton** stated he had been informed that when the SRF project goes through the first phase, the project will be locked in to move forward. The funding has been assigned, and he does not foresee any disruption.

**Commissioner Lake** asked if the location of the plant had changed.

**City Manager Leavengood** stated the plan is for the facility to be at the Gapway location on the east of the City.

**Mayor Daley** opened the public hearing, seeing no one closed the public hearing.

**Commissioner Lake** moved to approve Ordinance 1433-20 on second reading, seconded by **Vice Mayor Dearmin**. A unanimous voice call vote approved the motion.

**City Manager Leavengood** praised Chief Bodenheimer for staying on top of the funding processes, stating that regardless of the size of the grant, the paperwork is the same.

## **2.) Ordinance 1432-20: ILP Lake Alfred LLC and ILP Lake Alfred II LLC, Sunset Road**

**City Attorney Murphy** read the ordinance title.

**City Manager Leavengood** stated pursuant to Florida Statutes Chapter 171, the City may consider the annexation of unincorporated areas of a county that are contiguous to the municipality, compact, and will not create an enclave. The applicant has submitted a voluntary annexation petition pursuant to Chapter 171.044 to request the annexation of three parcels into the city limits of Lake Alfred. The properties are located west of Lynchburg Rd. The applicant is seeking annexation for the purposes of receiving additional city services and the possible addition of more mobile homes. The three properties total approximately 14.51 acres. Currently, there are 86 mobile home units across the two mobile home parks and one mobile home on a 0.14-acre lot

The annexation area is contiguous to the City. The three properties are developed as mobile home parks. The City currently provides potable water services for the larger mobile home park. The smaller mobile home park is connected to the sewer for all units and has two out of 10 units connected to wastewater.

The current taxable value of the properties is \$2,515,101, and based on the City's millage rate of 7.2390 mills, the expected annual tax revenue would be approximately \$18,206.82.

The proposed ordinance annexes the property into the city limits; assignment of future land use and zoning classifications will be assigned in the future.

**Staff** recommended approval of Ordinance 1433-20 on first reading.

**Vice Mayor Jack Dearmin** asked if the land south and north of the property in question belongs to Polk County.

**Commissioner Maultsby** asked about existing requirements for the surrounding properties and if Lake Mariana was in the Auburndale city limits.

**Director Bailey** stated the property to the north is occupied by different mobile home parks where each lot is privately owned. As the owners change, they are asked to sign an annexation agreement when they apply for their utilities. In reply to Commissioner Maultsby, she stated that Lake Mariana was in Auburndale.

**City Manager Leavengood** stated the ad valorem revenue from the annexation would probably be spent on public safety. There will be a slight reduction in utility revenue as the residents were paying a 25% surcharge since the property is outside of city limits. The property owners will save upon annexation as they will no longer be paying the fire assessment fee to the County. The City offers a high level of service for what is paid.

**Commissioner Maultsby** stated he welcomes the residents into the City of Lake Alfred. He has lived here for almost ninety years, and the City has the best service around.

**Mayor Daley** opened the public hearing, seeing no one closed the public hearing.

**Commissioner Maultsby** moved to approve approval of Ordinance 1433-20 on first reading, seconded by **Commissioner Lake**. A unanimous voice call vote approved the motion.

### **3.) Ordinance 1435-20: Wales Rezoning**

**City Attorney Murphy** read the title.

**City Manager Leavengood** stated the applicants have requested to re-zone their property located at the intersection of CR557 and CR 557A in the Green Swamp Area of Critical State Concern. The Future Land Use (FLU) directs the character and magnitude of development, and zoning provides the density and development requirements. The application specifically requests to change the zoning from Very Low-Density Residential (R-1AAA) to Neighborhood Convenience Center (C-4). There is currently one site-built single-family residence on the parcel.

In August 2005, Ordinance 1111-05 annexed the property into the City of Lake Alfred as part of a 225.75± acre tract. It was assigned the FLU of Very Low- Density Residential via Ord. 1120-05. In 2010, the FLU category of Neighborhood Convenience Center-Limited (NCC-Limited) was developed and assigned to the property through Ordinance 1276-10. The intent of the Policy 1.1.10 of the Comprehensive Plan is to provide for low-impact, low-intensity commercial, office and institutional uses such as convenience stores, gas stations, offices, restaurants and drug stores to service residents of the City and the Green Swamp ACSC. However, the zoning was not changed to correspond with future land use.

Staff finds that the request to change the zoning district is consistent with the City of Lake Alfred FLU element of the Comprehensive Plan and the Unified Land Development Code. The parcel's current zoning district is incompatible with its FLU, and changing the zoning district to C-4 will make the zoning district compatible with the existing FLU, and enables future development that is compatible with existing activities in the area.

On February 25, 2020, and after holding a public hearing, the Planning Board unanimously (5:0) recommended approval of the requested zoning change.

**Staff** recommended approval of Ordinance 1432-20 on first reading.

**Commissioner Maultsby** asked if the applicant had plans to develop the property before the realignment of CR 557.

**Thomas Wales**, the applicant, stated he has no plans to develop the property other than signage for the commercial business adjacent to the property in question. When the County widens CR 557, the road in front of their current store will be made into a cul-de-sac. Customers trying to find their way to their business will need signage. Without the change of zoning, signage may not be permitted.

**Mayor Daley** opened the public hearing, seeing no one closed the public hearing.

**Commissioner Maultsby** moved to approve approval of Ordinance 1435-20 on first reading, seconded by **Commissioner Eden**. A unanimous voice call vote approved the motion.

#### **4.) Agreement: Florida Division of Emergency Management (Generators)**

**City Manager Leavengood** stated following Hurricane Irma city staff applied to receive federal disaster relief funds from the Federal Emergency Management Agency (FEMA). The request was for the purchase and installation of five 25kw and three 40kw generators on eight lift stations within the City that do not currently have dedicated backup power.

During Hurricane Irma, the City had dedicated generators for two of twelve primary lift stations. During the power outage, utility staff was rotating three portable generators between approximately ten lift stations to prevent them from overflowing (or backflowing into resident's homes). The City has since purchased three additional portable generators. The proposed grant will provide dedicated power to the primary lift stations. The backup generators will then be used as a backup (in case one of the central generators fails)

The total cost to purchase and install the eight generators is \$229,171. The proposed grant reimburses the City for \$171,878.25 or seventy-five percent (75%) of the cost of the project. The City's twenty-five percent (25%) match is \$57,282.75, which we can provide from enterprise fund balance.

**Staff** recommended approval of the grant agreement with the Florida Division of Emergency Management for the purchase of emergency generators.

**Director John Deaton** stated this purchase would be very beneficial to the City if there is a hurricane. He thanked Director Bailey for her involvement in the funding process.

**Commissioner Lake** asked if the grant had been approved or will the City have to wait on funding.

**Mayor Daley** asked if the generators will be permanent at the lift stations, and how many lift stations are without generators. She also asked if there was a generator at the Cummings and Ramona St lift station.

**Director Deaton** stated the funds had been approved. The City has over thirty lift stations. However, they are not all collector stations. With the generators in place, it would be easier during power outages for staff to run the smaller generators to the remaining lift stations. In reply to Mayor Daley, he said there is not a generator at the lift station at Cummings and Ramona as it is a smaller station and can run with a small generator.

**Mayor Daley** opened the public hearing, seeing no one closed the public hearing.

**Commissioner Lake** moved to approve the grant agreement with the Florida Division of Emergency Management for the purchase of emergency generators, seconded by **Vice Mayor Dearmin**. A unanimous voice call vote approved the motion.

## **5.) Budget Presentation: Expenditures**

**City Manager Leavengood** stated the proposed expenditure sections of the FY 20/21 & 21/22 budgets include the approved expenditures from the previously approved second-year budget and the capital projects that were approved by the City Commission at the March 16, 2020 meeting. Changes made from the current year budget to the proposed FY 20/21 Budget have been highlighted. They are based on feedback from department heads for anticipated expenditures or changes based upon experience in the current and previous fiscal years.

If approved, the expenditure sections will be included in the preparation of the final budget for consideration in public hearings in September, along with any changes that the Commission may determine or that may be necessary due to changes in revenue or expenditure projections. The Revenue and Payroll sections will be presented at a regular City Commission meeting in August.

**Staff** recommended approval of the proposed draft Expenditure Sections of the FY 20/21 & 21/22 Annual Operating Budgets.

**Commissioner Dearmin** stated it is an honor to have a City Manager and Staff that has such cohesiveness regarding the budgeting process.

**Commissioner Eden** asked about the percentages paid on of the debt service and if the City would receive any of the CARES funding. He also asked about additional funding for parks and recreation maintenance since there are additional parks and facilities.

**City Manager Leavengood** stated that Commissioner Eden was referring to quarterly payments for the debt service, and not all the payments are shown due to the time when the report was run. The line item for parks maintenance and staffing will need to grow over time to be able to maintain the park's infrastructure.

**Commissioner Lake** asked if the police uniforms will include the kevlar vest. He also asked if the officers will be wearing body cameras. He also asked what happens to the old fire hydrants when they are replaced. He believes someone would want them since they are antiques.

**Chief Bodenheimer** stated the Police Department had a meeting with the companies that sell the vests, the sales reps brought samples, and the Department was able to do limited wear-

testing. This meeting was before the COVID pandemic. Travel has since been restricted. When the travel restrictions have been lifted, and testing of the products is made available, the Department will move forward with their selections. Selecting vest is not a one size fits all, and presently they are at a standstill. He said the officers would not be equipped with body cameras at this time.

**Director John Deaton** stated the City has been scraping the old hydrants. A request rarely comes in for a used hydrant.

**Vice Mayor Dearmin** moved to approve the proposed draft Expenditure Sections of the FY 20/21 & 21/22 Annual Operating Budgets, seconded by **Commissioner Lake**. A unanimous voice call vote approved the motion.

### **Recognition of Citizens:**

**Brenda Arnold** 435 W. Pierce St. asked about power outages, and what has been causing them. She stated there is a rodent problem in her neighborhood. She also wanted to know who trims the tree limbs when they are growing over the power lines and if there would be additional lighting on Pierce St. Ms. Arnold said speeding is back on her street and asked Police Chief Bodenheimer if he would look into the traffic on Pierce.

In answer to the power outages, the Commissioners collectively answered TECO. The City manager offered to assist with contact TECO.

**Mayor Daley** stated the lighting the Commission talked about earlier was for a maintenance contract with the County.

**Director Bailey** stated that it is in part due to the vacant fields. It is also because of the recent rains. The mice are looking for higher ground, and typically that is our homes.

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

**Commissioner Eden** thanked the audience for attending. He partnered with the Supervisor of Elections on a voters drive over the weekend, which went well. He applauded the Police Chief for the great relationships that continued during the current climate. He also asked that the Police Department focus on hiring the right fit for new offices that are representative of the community. He also asked for more information regarding the decision not to use body cameras.

**City Manager Leavengood** stated he had discussed this with Chief Bodenheimer regarding the body cameras. The Polk County Sheriff has also stated his opposition to the use of body cameras. From the management side, there is the difficulty of managing the records created and has to be maintained. In addition, there are personnel hours associated with reviewing and redacting the digital records for public records requests.

**Chief Bodenheimer** stated the City was short three (3) officers and two (2) communication operators. Monday, May 22, one of the communication operator positions was filled, and maybe by the end of the week, the other will be filled as well. There are two (2) officers that are going through the background checks finalizing two of the vacant positions. These officers have experience and varied backgrounds. The Police Department is very selective in hiring.

It would not be hard to receive a grant for cameras for the officers. There are other factors involved with equipping the officers with cameras that have been discussed with the City Manager, such as storage and determination of when to record officer actions. The City has a "no victim information policy." The City does not give out the victim information. That would equate to having an employee that does nothing but maintain public records for the storage of that material. Not to mention the cost of the servers to store the collected data.

**City Manager Leavengood** stated the Commission has made a significant investment over the years into the salary survey system. The City has competitive wages, take-home vehicle policy, and the pension upgrade. We have recruited officers from Winter Haven. Lake Alfred offers a community policing environment that some officers look for in a position. The City is very sensitive to selecting the right officers for our community.

**Commissioner Lake** asked if the City had lost three (3) officers.

**Chief Bodenheimer** replied that one was added to the budget this year, there was one vacancy when Captain Dempsey retired that brought the total to three (3).

**Commissioner Maultsby** stated he had missed meetings due to COVID distancing requirements. He thanked staff for their consideration and help during this time.

**Commissioner Lake** stated the zoom meetings have been interesting, and he is glad they are all back. Superintendent Jacki Byrd resigned. Ms. Grice at Lake Alfred Polytech, Tony Delgado, and Ken Fields retired.

**Vice Mayor Dearmin** thanked Commission and City staff for allowing them to serve the community. He congratulated Mayor Daley on her re-election as Mayor. He stated the City never stopped during the pandemic, and he would like to recognize every staff member and employee that worked during the "shutdown".

**Mayor Daley** reminded everyone to submit their financial disclosures they have to be in by July 1, 2020. There was COVID testing at the Highland community center; they tested 61 people. There is an ethics class coming up via a zoom meeting. FLC Conference to two days reduced to the required business meetings. She thanked everyone for signing up for the policy committees and the continued confidence in her as Mayor.

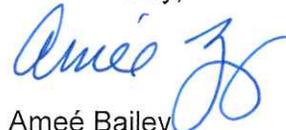
With no other business, Mayor Daley adjourned the meeting at 9:39 pm.

Respectfully Submitted,



Mamie Drane  
Deputy City Clerk

Reviewed by,



Ameé Bailey  
City Clerk