

**MINUTES
CITY COMMISSION MEETING
MONDAY FEBRUARY 1, 2021
7:30 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley 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 Richard Blocker of Church of God by Faith provided the invocation and Mayor Daley led the Pledge of Allegiance.

Roll Call: City Clerk Linda Bourgeois

City Commission in attendance: Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Brent Eden, Commissioner Charles Lake, and Commissioner Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Linda Bourgeois, Community Development Director Ameé Bailey, Chief Art Bodenheimer, Fire Chief Wallace Nix, and Public Works Director John Deaton.

Recognition of Citizens: Items that are not on the Agenda. There were none.

Police Chief Art Bodenheimer said the story behind the name "Wil" was from Robert "Bob" Williams. There was a vintage Mercedes Benz 560 Coupe donated by Mr. Williams and the police department was able to sell enough chance tickets to reach its goal of \$10,000.00. Mr. Williams only requested that we used some part of his name and agreed when they came up with the name "Wil". Mr. Williams passed away several years ago happy that he had part in our success, and Attorney Johnny Hutchinson won the car.

He went on and said the City purchased Wil on June 26, 2012 from Metro-Dade K-9 Services in Miami and Officer Lopez was picked from three officers that applied for the K-9 position. During his tenure, Wil gathered 34 trophies and awards during these events with some of the top awards as follows:

- 2013 2nd Place - Top Dog -Narcotics
- 2014 1st Place - 2 Man Inter-Department Team
- 2015 1st Place - 2 Man Inter-Department Team
- 2015 Top Dual Team Patrol and Detector
- 2016 Top Dual Team Patrol and Detector
- 2018 3rd Place - Outdoor detector
- 2019 1st Place - Obedience and 3rd Place inter-Department
- 2020 2nd Place -Inter-Department Team

He continued and said Officer Lopez and Wil had also been very successful working the streets of Lake Alfred in narcotic intervention and suspect apprehension. Since just October 2017, Wil had been deployed 324 times, 174 for narcotic detection and 150 for patrol work. The Lake Alfred Police Department had been very fortunate to have had the team of Officer Lopez and Wil during their almost nine years together as a team. He concluded by sharing about successful teamwork and thanked Wil for his service to Lake Alfred. Wil was presented with a dog bone.

Chief Bodenheimer continued and recognized two employees for their years of service. Officer Juan “Tony” Lopez for his ten years of service and Officer Carlos Diaz for his five years of service.

He presented the pin, coin, and recognition plaque and then said to Officer Lopez we thank you for your dedication and service. He continued and presented Officer Diaz his five years of service pin, coin, and recognition plaque, shared he worked dayshift, and said he hoped he would be with Lake Alfred for many more years. He shared he was bilingual, the same as Officer Lopez, and thanked him for his service to the citizens.

Mayor Daley read the Black History Month proclamation into record and the proclamations were accepted by Pastor Richard Blocker of Church of God by Faith and Brenda Arnold.

Pastor Blocker address the City Commission and thanked them for the honor.

Brenda Arnold prepared a speech addressed to the City Manager, City Commission, City Attorney, and Citizens.

She said Black History is a time when African Americans can take the time out and see what the people before them fought for. Black History is a time of rejoicing, celebrating, and thanking those African Americans for giving us hope or a life lesson that could be used.

She continued and said Black history is just as vibrant today as it was when Woodson created it 85 years ago. Because it helps us to remember there is no more powerful force than a people steeped in their history. And there is no higher cause than honoring our struggle and ancestors by remembering. She said knowing the past opens the door to the future.

As a historian, I have always felt that slavery is an African American success story because we found ways to survive, to preserve our culture and our families. The importance of Black history month is to look back on all the things we have done over the years, to reflect on the people shoulders on which we stand on. To be proud of something we once were ashamed of. All the progress made throughout this country such as civil rights, segregation, Jim Crow.

She spoke about the pioneers that had come before us Martin Luther King, Harriet Tubman, Carter G. Woodson, First African American President, Barak Obama, and now First African American Vice President, Kamala Harris. We now today have local schools and colleges that are now offering courses, clubs in African American history.

Black History month means to me honor, culture, opportunity, achievement, progress, strength, quality, and possibility. She continued and said during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development.

She went on and provided facts about the history of Black History Month and concluded by urging all citizens to celebrate the diverse heritage and culture and to continue efforts to create a world that is more just, peaceful, and prosperous for all.

City Manager Leavengood announced the upcoming Spring Clean-up on March 15th – 19th for household, hazardous waste, and yard debris. He continued and shared city staff had met with an engineering group regarding traffic calming areas for Pierce Street to alleviate traffic concerns. He said they walked the entirety of Pierce Street and then he showed design concepts of mini-circles and medians. He said city staff was obtaining price estimates to work with the resurfacing

contractors. He concluded by saying there was the potential to have two areas constructed now, and there is the potential to phase in the other two areas in the future.

Assistant City Attorney Claytor said he remained grateful for representing the City of Lake Alfred.

Mayor Daley presented the consent agenda for approval.

- 1.) City Commission Meeting Minutes for January 19, 2021
- 2.) City Commission Announcements

Vice Mayor Dearmin made a motion to approve the consent agenda. The motion was seconded by **Commissioner Maulsby** and the consent agenda was unanimously approved.

Assistant City Attorney Claytor read the title of Ordinance 1439-20 into record.

City Manager Leavengood read the analysis for all four Ordinances into record.

- 1.) Ordinance 1439-20: Comp Plan Amendment: ULDC Rewrite
- 2.) Ordinance 1440-20: Unified Land Development Code Rewrite
- 4.) Ordinance 1443-20 Comprehensive Plan Map Series
- 3.) Ordinance 1444-20: Unified Land Development Code Map Series

Issue: The City Commission will consider an amendment to the City's Comprehensive Plan, Comprehensive Plan Map Series to accommodate the proposed Unified Land Development Code rewrite and an ordinance to rewrite the City's ULDC and Unified Land Development Code Map Series.

Analysis: In December of 2018, the City Commission awarded a task order to GAI consultants to assist with a rewrite of the City's land development code. In January of 2019, the City Commission approved a grant received from the Florida Department of Economic Opportunity to assist the City with updating the comprehensive plan and ULDC in relation to the Green Swamp Area of Critical State Concern. The Central Florida Regional Planning Council performed the tasks associated with the grant.

In February of 2019, a joint workshop was held between the City Commission and Planning Board. Key concepts and goals of the rewrite were presented in collaboration with GAI, the Central Florida Regional Planning Council, city staff, the water management district, and other stakeholders. The next year and a half have been spent undertaking the herculean task of rewriting a 450-page document originally adopted in 1993 to not only bring it up to date with current concepts but to lay the foundation for future growth for the next twenty-five years.

The proposed ordinances represent a milestone achievement in the completion of the original goal of the rewrite. The substantive goals including: streamlining the development approval process; consolidating zoning districts into fewer categories with wider standards to allow better flexibility and responsiveness to the market now and in the future (i.e. future proofing the code and hopefully reducing the need for site specific custom zoning/PUDs); increasing design standards for roads and new residential development (i.e. water star, garage setbacks, design variation, traffic calming/design speed, streetscaping/aesthetics, vehicle/pedestrian connection hierarchies) have all been addressed. Modernizing the code to reflect changes since 1993 has

also been accounted for including provisions for: using GIS data for wetland boundaries, food trucks, micro-breweries, and home occupations.

On Tuesday, September 8, 2020, the Planning Board held a public hearing on the proposed Comprehensive Plan text Amendment and the Unified Land Development Code text amendment. Both received a unanimous vote (5:0) to provide a recommendation of approval to the Lake Alfred City Commission.

On September 24, 2020, the City Commission approved on first reading the proposed rewrite of the Unified Land Development Code (ULDC) and the associated amendment to the Comprehensive Plan.

On Tuesday, October 13, 2020, the Planning Board held a public hearing on the proposed Comprehensive Plan Map Series and the Unified Land Development Code Map Series and unanimously voted (5:0) to provide a recommendation of approval to the Lake Alfred City Commission with the staff recommended changes.

On October 19, 2020, The City Commission approved on first reading the proposed Comprehensive Plan Map Series and the Unified Land Development Code Map Series.

The maps for the Comprehensive Plan and the ULDC include the future land use and zoning district associated with each parcel in the City. The revisions to the ULDC and the Comprehensive Plan necessitate changes and additions to both map series. The updated maps identify areas associated with the proposed development standards, including the Overlay Districts for the Green Swamp Area of Critical State Concern, Downtown Overlay District, Historic Districts, Planned Unit Developments, and Joint Planning Areas. Lastly, two new specialty maps for the Development Limitations and Roadway Classifications have been added to the map collection.

All requests were transmitted to the Department of Economic Opportunity (DEO) for a State Coordinated Review on the Comprehensive Plan (DEO 20-01ACSC) and the Comprehensive Plan Map Series (DEO 20-02ACSC). The ULDC text and ULDC Map Series amendments were sent for cursory review.

In letters dated December 23, 2020, DEO responded with one (1) objection and three (3) comments to the proposed comprehensive plan amendments. Staff has discussed the comments with DEO and their commenting agencies with great success and feels that all items have been addressed. If approved, the comprehensive plan amendments will become effective 31 days after the state land planning agency notifies the City that the plan amendment packages are complete. The ULDC amendments will become effective after the comprehensive plan amendments are effective and after DEO approval. DEO has 60 days to render an opinion on the proposed land development regulations.

Staff's recommendation was for the approval of all Ordinances on second and final reading.

City Manager Leavengood thanked the Community Development Director Ameen Bailey, the City Attorney, and all members involved. He said this was a 2 ½ year project. The code would now be modernized, simplified, and provides a good foundation for Lake Alfred. He continued and provided a presentation on the history the four ordinances. Slides included a summary of gathering and processing of the data, meetings held with the stakeholders and citizens, the reasons for the code rewrite, the consolidation of the zoning districts, design concepts within the new code, and the new map series.

Mayor Daley presented Ordinance 1439-20 for consideration and **Assistant City Attorney Claytor** read the title into record.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Commissioner Lake said he appreciated the graphics and asked if they would be provided in printed form and on the website.

City Manager Leavengood said yes it would be on the website. He explained part of the goals were to have a "how to" guides for each zoning district. He provided several examples and said we would have the entire code available online along with printed pamphlets.

Vice Mayor Dearmin made a motion to approve Ordinance 1439-20: Comp Plan Amendment: ULDC Rewrite on second and final reading. **Commissioner Lake** seconded the motion, and the motion was unanimously approved.

Mayor Daley presented Ordinance 1440-20 for consideration and **Assistant City Attorney Claytor** read the title into record.

City Manager Leavengood said he had a note for the minutes. Article 10 was transmitted to the City Commission for the Land Development Code zoning and it will be included in the final packet. He went on to say there were a few minor revisions on various sections and the corresponding definitions would also be included.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Commissioner Lake made a motion to approve Ordinance 1440-20: Unified Land Development Code Rewrite on second and final reading. **Commissioner Maultsby** seconded the motion.

Commissioner Lake added to the motion to approve with the changes; and **Assistant City Attorney Claytor** clarified the intent was to approve Ordinance 1440-20 with the changes presented by city staff. **Commissioner Lake** restated his motion to include the amendments as presented by city staff.

Mayor Daley commented she was very appreciative of the openness of the process. She commended the City Manager and city staff for their receptiveness of their comments. She then called for the vote, and the motion was unanimously approved.

Mayor Daley presented Ordinance 1443-20 for consideration of approval. **Assistant City Attorney Claytor** inadvertently read Ordinance 1444-20. Without objection from the audience or the City Commission, the City Commission entertained 1444-20 first.

Mayor Daley opened the public hearing.

Community Development Director Bailey said as a part of the zoning map amendments they worked with property owners that had no zoning attached to the parcels and now everyone will have a zoning category. In addition, there are now new land uses for developers.

Mayor Daley closed the public hearing.

Vice Mayor Dearmin made a motion to approve Ordinance 1444-20: Unified Land Development Code Map Series on second and final reading. **Commissioner Eden** seconded the motion, and the motion was unanimously approved.

Mayor Daley presented Ordinance 1443-20 for consideration and **Assistant City Attorney Claytor** apologized to the City Commission and then read the title into record.

Mayor Daley opened the public hearing. There were no members of the public that came forward to speak, and she closed the public hearing.

Vice Mayor Dearmin made a motion to approve Ordinance 1443-20 Comprehensive Plan Future Land Use Map Series on second and final reading. **Commissioner Eden** seconded the motion, and the motion was unanimously approved.

Commissioner Eden asked about the effective date and **City Manager Leavengood** shared there was 31-day period before the ordinance would take effect. He explained the city would still be working with the developers during that period.

Mayor Daley asked if the developers had pending items would they now go under the new code, and **City Manager Leavengood** said that was correct.

A brief discussion ensued regarding the happiness levels of the developers, the new code having aesthetics and design considerations that were not in the code before, the water star standards, and there being a good balance between what the city would get, and the what the developers wanted.

Vice Mayor Dearmin thanked everyone and said it was an honor that we could have the greatest staff and City Manager. He continued and made a motion to approve Ordinance 1443-20 Comprehensive Plan Future Land Use on second and final reading. **Commissioner Maultsby** seconded the motion, and the motion was unanimously approved.

City Manager Leavengood thanked the City Commission saying at the end of the day it is the policy leadership and consistency of the board that empowers staff to do the job that we are able to do. He continued and said this goes back to the testament of this City's leadership with the ability to compromise and not only to be able to see tomorrow; but five, ten, fifteen years into the future. Thank you for your leadership and getting this milestone achievement completed.

Mayor Daley said one of the reasons for that is because we work smoothly overall and explained other cities continuously work to put out fires. She continued and said this provides our city staff with the time to get through projects like this and the Downtown Overlay District, so this just goes to show that Lake Alfred is Lake Alfred.

Mayor Daley presented Resolution 05-21 for consideration of approval.

Assistant City Attorney Claytor read the title of Resolution 05-21 into record.

City Manager Leavengood read the analysis into record.

5.) Resolution 05-21: Preliminary Plat: Polk County Government Center

Issue: The City of Lake Alfred will consider the preliminary plat for the Polk County NE Government Center subdivision.

Analysis: Polk County is requesting approval of a preliminary plat on approximately 29± acres located south of Old Haines City Lake Alfred Road, north of US Highway 17/92 West, and east of Government Center Boulevard. On January 4, 2021, the City Commission approved the Future Land Use Classification of Public Buildings and Grounds via Ordinance 1445-20. On that same date, the City Commission approved Ordinance 1446-20 changing the zoning designation to Public Buildings and Grounds (P-B). Staff has worked with the applicant to ensure conformance with regulation 7.06.05.01 in the ULDC. The plat requirements have also been reviewed by the consulting City Attorney, engineer, and surveyor.

On Tuesday, January 14, 2021, the City of Lake Alfred Planning Board held a public hearing on the proposed preliminary plat and voted (4:0) to provide a recommendation of approval to the Lake Alfred City Commission.

Staff Recommendation: Recommend the City Commission approve the proposed preliminary plat of the Polk County NE Government Center.

Mayor Daley opened the floor to public comments.

Keith Tate, Facilities Manager for Polk County Florida, said they appreciated the City Commission and hoped for approval of the preliminary plat. He said he was looking forward to proceeding with construction on the site and thanked the Community Development team for moving this along. He concluded by saying thank you very much.

Commissioner Maulsby asked if construction was still on schedule for February and **Keith Tate** said he was going before the Board of County Commissioners tomorrow for approval to begin the sitework this month.

Mayor Daley closed the floor to public comments.

Commissioner Lake commented it had been almost four years since he spoke to Joe Tedder [Tax Collector] about coming to Lake Alfred.

Keith Tate replied and said the Tax Collector would have a satellite office in the Government Center.

Vice Mayor Dearmin made a motion to approve Resolution 05-21: Preliminary Plat for the Polk County Government Center. The motion was seconded by **Commissioner Maulsby** and unanimously approved.

Recognition of Citizens:

Cindy Rodriguez of the Southwest Florida Water Management District Senior Government Affairs Program Manager approached the podium. She thanked the City Commission on their vision and the water star standards as they are an important part of conservation measures. She continued and said this was a great way to address water issues by having the homes built to these standards. She concluded by expressing her gratitude and said this was a long time coming.

Mayor Daley thanked her and said they appreciated her coming and educating them about the whole

project. Without any further comments from the audience, Mayor Daley closed the floor to public comments.

Commissioner Questions and Comments:

Commissioner Maultsby said he had a Lake Alfred address for almost 90 years and was only away when he served the Country in the Army. He shared a story about being in France and said his friend said he would make a good Frenchman. He continued and spoke about not wanting to be a Frenchman but wanted to remain an American. He went on to speak about the service he has provided on various boards and committees at the request of the County Commission, the School Board, and the City Commission. He listed the Polk County Code Enforcement, the Polk County Desegregation Committee, the Lake Alfred City Commission, the Retirement Board, and the Tree Committee. He said he always found time to give back to his Country and concluded by saying he was glad to be a part of the City of Lake Alfred.

Mayor Daley asked about the election and qualifying dates, and **City Clerk Bourgeois** said the dates of qualifying were February 15th – 19th with the election will be on April 6, 2021. She continued and said she was very happy we were able to honor Black History Month by proclamation especially this year since there was so much attention on cultural diversity and inclusion. She shared about a class on unintentional bias that she thought everyone should take. Sometimes we may think we are doing the right thing and just do not realize how others might construe what we are doing. It helps to be more aware of our intentions. She went on and asked about the trees removed at the ACE Hardware construction site and wanted to know if there were any code provisions in place.

Community Development Director Bailey said tree preservation was addressed in the current and proposed code and it does give credit for the existing canopies. She explained it was a unique situation on a unique site due to the new structure on the property. There is always going to be an evaluation of the existing trees and in this case, the trees were starting to decline. They were becoming unhealthy and they were not urban trees. She explained one was invasive and a couple of them were Laurel Oaks. The replacement trees will be more urban style trees. She shared they would be evaluating and updating the pallet of landscaping vegetation and the best urban trees for Lake Alfred. She concluded by saying the city did not regulate the tree removal process, rather they worked with the developers to meet everyone needs.

Mayor Daley shared trees added value to the property and said she does not like seeing them removed even on private property. She thanked Director Bailey and yielded the floor to Vice Mayor Dearmin.

Vice Mayor Dearmin thanked the City Commission for the excusal at the last City Commission meeting. He said he was honored we were a city that moved forward in leaps and bounds. He gave kudos to the City Manager and said this document would be beneficial to more than just the City. He concluded by saying he appreciated the City Manager.

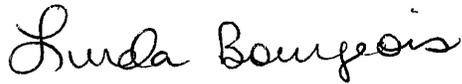
Commissioner Lake said he was aware we thanked a lot of people tonight for the work on the code rewrite and felt the Planning Board deserved a lot of credit as well. They did a lot of work on this project. He shared many business items were vetted through the Planning Board before we even entertained them for consideration. He requested to pass on the thanks from the City Commission to the Planning Board members. He continued and spoke about the ACE Hardware coming to Lake Alfred, and the testing of the slowdown cones on Lakeshore way.

Police Chief Bodenheimer said he did not expect the cone event to be on a Sunday afternoon. He said the contractor for the Florida Department of Transportation had installed them and he did not believe his truck would even fit between them. He shared there was damage to the cones the first day. He said safety had called him and said the intentions were for them to be left up full time to which he said he did not agree to at all. He said, in fact, he took them up on Monday after there were people slamming on brakes and near misses of potential horrific accidents. He went on to say they would help to install the ones in the school zone and shared his officers would continue to run radar and laser in the area. He concluded by saying hopefully this pilot program will be successful and so they can place them in the southbound lanes to help slow traffic down in the school zones.

Commissioner Eden thanked Mr. Buddy for his service and Ms. Brenda Arnold for her speech. He said this coming Sunday will be the Superbowl with two good teams and it should be a good game. He said he liked both teams but wanted the Buccaneers to win. He continued and said he was glad to see ACE Hardware start to move dirt around. He concluded by thanking the Police and Fire Departments and the service departments for all they do.

Without any further comments, at 8:58 p.m. the meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Bourgeois".

Linda Bourgeois, BAS, MMC,
City Clerk