

**MINUTES
CITY COMMISSION
MONDAY, FEBRUARY 20, 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: Reverend Dorian Harris of St. Paul AME Church of Lake Alfred 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, Commissioner Albertus Maultsby, and Commissioner Mac Fuller.

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Finance Director Amber Deaton, Public Works Director John Deaton, Community Development Director Ameer Bailey, and Fire Chief Robert Turner.

City Manager Leavengood announced the following:

1. He provided an update on the Ridge League of Cities Dinner saying it was a great event and well attended.
2. The Lake Alfred Heritage Day Festival will be held this Saturday, February 25, 2023, from 10 AM to 4 PM.
3. There will not be a 2023 Municipal Election. Vice Mayor Brent Eden and former City Commissioner Charles Lake ran unopposed. The swearing-in Ceremony will be on Monday, May 1, 2023.
4. The City Commission chambers now have assisted listening devices for the public. Please see the City Clerk to try out the new technology now available.

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

Recognition of Citizens

There were none.

Mayor Dearmin presented the Consent Agenda for consideration.

Consent Agenda:

- 1.) City Commission Meeting Minutes for February 6, 2023
- 2.) City Commission Announcements
- 3.) Parks and Recreation Board Appointment
- 4.) Parks and Recreation Board Meeting Schedule

The analysis was inserted by the City Clerk for the record. [Parks and Recreation Board Section 2-112 Composition; appointment, term of members states that "Each member of the parks and

recreation board shall be an elector of the city who has resided within the city's municipal limits for not less than one full calendar year. For the purposes of this section, reside shall mean the elector maintains his or her primary residential home within the municipal city limits. The membership of the parks and recreation board shall consist of five members and may have up to two alternate members. The members shall be appointed by the city commission, and each member shall serve for a term of three years.

On January 19, 2023, the Parks and Recreation Board requested for staff to fill the alternate positions on the board. We have one volunteer that has agreed to serve and will fill the alternate position number one with the following term expiration.

Alternate Position #1: Cynthia Pereira	Term Expiration	12/31/25
Alternate Position #2: Vacant	Term Expiration	12/31/24

In addition, the Board discussed the meeting schedule and times and requested to change their meeting dates from the third Thursday of every other month to the first Tuesday of every other month and leave the time at 6:00 PM.

Tuesday, March 7, 2023	6:00 PM	
Tuesday, May 2, 2023	6:00 PM	
Tuesday, July 4, 2023	6:00 PM	(Rescheduled date TBD by the P&R Board)
Tuesday, September 5, 2023	6:00 PM	
Tuesday, November 7, 2023	6:00 PM]	

Commissioner Daley 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 first business item for consideration.

1.) Public Hearing: Ordinance 1512-23: Florida Club Major Modification

City Attorney Claytor read the title of Ordinance 1512-23 into the record.

City Manager Leavengood read the analysis into the record. He said on April 1, 2019, the City Commission approved Ordinance 1413-19 approving a request for a Mixed Use Planned Unit Development (PUD-MU). The PUD-MU was designed to accommodate an age-restricted (55+) manufactured home community with an 18-hole public golf course. The golf course and related amenities such as a Pro Shop would be open to the public. Amenities within the development include a clubhouse, pool(s), and along Lake Cummings and Lake George. The Master Development Plan proposed a maximum of 970 residential units for a gross density of 2.38 units per acre on 407 acres. The properties were sold on August 19, 2022. Subsequently, the City received an application for a Major Modification to the PUD-MU.

The applicant submitted the major modification to (1) Revise the approved Master Site Development Plan to reflect a new amenity package (i.e. remove golf); and (2) Clarifications to the Conditions of Approval and amendments to the Conditions of Approval reflecting changes to the Master Site Development Plan.” The Staff Report provides further details based on the application package, Master Site Development Plan, and Conditions of Approval modifications.

On Thursday, January 12, 2023, the City of Lake Alfred Planning and Zoning Board held a public hearing. The Board unanimously voted (6-0) to amend the Conditions of Approval specifically:

- Condition 7(d) to provide that no more than two boat docks/piers shall be constructed on each lake.
- Condition 7(e) to provide that boat ramps shall be prohibited.
- Details regarding the shelter facility were also discussed. The staff has provided a brief response to those concerns attached to this item.
- The Board then voted (4-2) to provide a recommendation of approval with the approved amendment to the Lake Alfred City Commission.

He said there was a minor clarification added to the conditions.

Section 4(c) was clarified to read “The Shoreline Protection Zone shall be 50 feet from the Seasonal High-Water Line of Lake Cummings and Lake George, as determined by the Southwest Florida Water Management District.”

The staff has coordinated with the Applicant regarding the proposed Master Development Plan and the Conditions of Approval. Additional clarifications to the Conditions of Approval have been suggested based on additional comments or questions raised at the Board meeting (highlighted in yellow). The Applicant plans to develop the project in phases and will present additional details as each phase is reviewed.

On February 6, 2023, the City Commission approved the ordinance on the first reading accepting the Planning and Zoning Board’s recommendations. Additionally, it was requested to make some clarifications to the language within the conditions. Those clarifications were added by the City Attorney.

He said the staff was recommending approval of Ordinance 1512-23 on the second and final reading.

Commissioner Maultsby said if this was approved, when would Phase I begin?

Bart Allen, Land Use Attorney of Peterson and Meyers PA, said they had to go back and revise the Environmental Resource Permits due to the removal of the golf course. They hope to be started within the next twelve months. He concluded by requesting a favorable vote from the City Commission.

Vice Mayor Eden asked about the prohibition of the boat ramps asking if we had that condition on any other lakes. He said he does not want it prohibited if the residents want a ramp.

City Manager Leavengood said typically no, and from a staff perspective, we evaluate for lake access. He said the nuance here was that they are not public roads so staff has taken a neutral stance and it is a policy decision of the City Commission.

Commissioner Daley said if it was a public road, they could have access and the PUD conditions apply to the development and not the lake. She continued and asked about the School Impact Fee exemption or reduction and wanted to know if the city still collected the other impact fees.

Community Development Director Bailey said that each applicant with an address has to pay. She explained the process of petitioning the County and said that would be a part of the conditions of an agreement with the County. The school boards monitor the allotted percentages of children within the age-restricted communities. There would be no waiving of any city impact fees.

A discussion ensued regarding the property tax through the tangible tax, the owners not being eligible for any property tax exemptions such as homestead or veterans, and their taxes being substantially higher.

Commissioner Daley said the roads were 24ft and wanted to know if they were going to allow on-street parking. It was shared that the fire department participated in the Technical Review Committee and it will be addressed through the construction plans. She asked about the golf cart paths and it was shared they would remain in similar locations because it was an active community.

City Attorney Claytor said as related to the age restrictions it will be a Federal and/or State issue. The applicable community owner's association will have governing documents between the owners/tenants and the association which will be controlling as related to the management of this development. The age restrictions will be outside the control of the municipality, and the municipality does not have jurisdiction to regulate the age of the residents within the community.

Commissioner Daley said if they come back to collect the impact fees would it be for those with children or the whole community? City Attorney Claytor said he did not have an answer for her at this time.

Vice Mayor Eden asked with this being tangible will this be escrowed on the property tax the same way?

City Manager Leavengood said we would research that question and share the information with the City Commission.

Mayor Dearmin opened the public hearing.

Susan Brink of 1203 Lynchburg Road said she looks over a beautiful field and looks at a sunrise every morning. She said now with taking out the golf course, she thinks she will be now looking out her window at a six-foot wall with no view of anything. She will now be living with the impact of the traffic going up and down the road. She wanted to know where the main entrance to the development was going to be.

Bart Allen said the primary project access is on the eastern edge of Highway 17/92 with emergency-gated access on Lynchburg Road. We are rebuilding Lynchburg Road. We anticipate a six-foot fence and not a fortress-style.

Commissioner Daley asked if the new ULDC standards for fencing, landscaping, and buffering applied to only 17/92 or also to Lynchburg Road. City Manager Leavengood said that is a construction plan consideration and a new ULDC would apply.

Community Development Director Bailey said the PUD conditions address the landscaping buffer. The fence was not addressed in the conditions so they would need to be installed per the Code provisions.

Mayor Dearmin asked if Lynchburg road would have a heavy impact with increased traffic and it was shared that there would be some minimal traveling to Auburndale or towards 559 from the development.

Mayor Dearmin closed the public hearing.

Commissioner Fuller made a motion to approve Ordinance 1512-23 to approve the Florida Club Major Modification on the second and final reading. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

Mayor Dearmin introduced the next business item.

2.) CR 557 Sewer Force Main Bypass Project: Phase 2

City Manager Leavengood read the analysis into the record. He said for the last several years the City's capital improvement program identified a sewer bypass force main project that was designed to service the new development along CR 557 north of Evenhouse road and carry the flow directly to the City's wastewater plant. The project was necessary because the older system south of Evenhouse Road could not handle the additional flow from the new development facilitating the need for the bypass.

The City originally budgeted \$3 million for the project. The original design for the project was to run through the Fruitland neighborhood along Lake Swoope Drive. When the project was originally bid costs were extremely high due in part to portions of the project being in wetland areas which forced a redesign of the southern half of the project. During redesign and coupled inflationary increases to projects, the City opted to purchase the pipe for the project to lock in the price in addition to saving the sales tax on the materials as well as to divide the project into phases.

Project Summary: Total Budget: \$3,000,000

- Pipe: \$808,124 (Purchased)
- Phase 1: \$221,673 (Completed)
- Phase 2: \$1,121,824 (Proposed)
- Remaining Budget: \$848,377 to complete the final Phase 3

The proposed Phase 2 project piggybacks the previous competitive bid that we received for Phase 1 and the contractor has agreed to honor the linear foot installation bid on the previous phase.

He said the staff recommendation was to award the bid to Odom Contracting in the amount of \$1,121,824 for Phase 2 of the County Road 557 Sewer Force Main Bypass Project.

Commissioner Daley asked why the bid award went straight to Odom Contracting and City Manager Leavengood said the City's procurement policy allowed for piggybacking and they were awarded the bid for Phase 1. The company agreed to honor the same pricing structure.

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 awarding the bid to Odom Contracting in the amount of \$1,121,824 for Phase 2 of the County Road 557 Sewer Force Main Bypass Project. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

Mayor Dearmin deferred to City Manager Leavengood for the introductions of the Department Director presentations.

Presentation Overviews

Finance Director Deaton presented and thanked the City Commission for their support.

- Moved away from the Bond Fund with the Florida League of Cities
- Established a new relationship with Florida Safe for cash flow analysis and laddering investments.
- Larson Consulting for a financial advisor and funding future capital projects
- The bank moved and we are driving to the bank.
- Netsuite Software investment will set the City up for success for years to come.

Vice Mayor Eden asked how long we were with ADG and she replied we were with ADG from 2006 until 2024 and before ADG we were with Fund Balance.

A discussion ensued regarding the cost of the software being \$34,000 per year, the City received a steep discount by being the first city to implement, and the cost was paid out of the operating budget.

- Netsuite will continue to invest in the product and stay up to date with changes. Example: Windows 7 to Windows 10.
- Web-based programs will allow for flexibility in remote work.
- Technology allows management to continue to provide a high level of service that our citizens have come to expect.
- She reviewed the timeline for implementation.
- She reviewed the departmental goals and said the department overall is seeking excellence, not perfection.

City Clerk/ADA Coordinator was presented by City Clerk Bourgeois.

- Website project completed and went live in May of 2022
- New ADA Coordinator appointed in July.
- The ADA is a federal civil rights law that prohibits discrimination against people with disabilities in everyday activities. It guarantees that people with disabilities have the same opportunities as everyone else to enjoy employment opportunities, goods, and services and participate in state and local government programs.
- Received ADA Coordinator certification in December and it was designed to be a three-year program.
- Established an ADA Compliance Team and shared their responsibilities.
- Self-evaluation is underway to create the Transition Plan; All public facilities, parks, boat ramps, and docks have been completed.
- Working on City policies and public rights-of-ways.
- Training conducted with staff, civic engagement, and affiliations were reviewed.

Vice Mayor Eden asked about the identified ADA projects and if there was a cost estimate associated.

City Clerk Bourgeois said there were a lot of smaller projects identified such as signage, repositioning soap and towel dispensers that could be done in-house, and several larger projects that would take engineering and cost estimates.

Fire Department was presented by Fire Chief Turner.

- Transitioned into the position in July of 2022.
- Promoted Tyler Sanders to Fire Marshall
- All full-time personnel outfitted with uniforms, to include boots, to promote professionalism within the department.
- A new Weather Alert system purchased to better inform city leaders, personnel, and citizens of inclement weather.
- “Hot Sticks” purchased for the safety of crews and citizens during downed power line scenarios.
- New chainsaws were purchased to replace outdated chainsaws, for storm clean-up and roof ventilation when needed.
- Chainsaw chaps to protect personnel when operating chainsaws and prevent costly injuries during training and operations.
- These chaps and other forms of PPE are to be worn every time a chainsaw is operated by a city fire employee, and they shall be properly trained.
- Over 1,400 calls for service since last year.
- Each employee is required to complete a set amount of training per shift to improve their skills and knowledge.
- All employees are required to complete Annual Training assignments to remain State Certified.
- We’re in the process of all full-time employees becoming certified in Pump Operations, Fire Inspection & Investigation, and Fire Officer 1 to provide a higher level of service to the citizens and prepare for future growth.
- 4 major training events will occur quarterly including Water Rescue, Vehicle Extrication, Chainsaw Operation, and Live Fire Training.

Community Development Department presented by Director Bailey.

Annexations

- Lake Lowery Rd- 37.81
- Lake Mariana Pointe - 13.6
- Waylanco - 16.6
- Polk Training Center - 11.97
- Serdjenian - 27.7
- Snyder - 28.0
- Burton Ranch - 270.8

FLU/Zoning

- Waylanco (2)
- Caribbean Distillers
- Lake Lowery Rd
- FL Gas
- Lake Mariana Pointe
- Polk Training Center

Long Range Planning

- ROW – accept and vacate
- Master Planning
- Water
- Wastewater

- Transportation
- Traffic Calming
- Fee Studies

She reviewed the building activity relative to building permits, new homes, lien searches, and code enforcement cases were reviewed. She concluded by presenting the staff's accomplishments and upcoming goals were reviewed.

Commissioner Fuller asked for an update on the Government Center. It was shared the goal was to open in phases with the Tax Collector, Property Appraiser, and Supervisor of Elections opening in March. The courtroom side is anticipated to open by the end of the year.

Commissioner Daley asked if there was an indication of a slow-down in development.

Community Development Director Bailey said it has been varied but there has been a slowdown in Tract 6. She spoke about Eden Hills and LA Pines and said the commercial side was not slowing down. She spoke about Taco Bell, the two cold storage facilities, and a medical warehouse.

Commissioner Fuller asked if there was any movement on the old Wells Fargo building and it was shared there was no awareness of it anytime soon.

A discussion ensued about the City of Lake Alfred being rather insulated, there may be a 10-20% slowdown in the area, and the developments are coming in as smaller phases.

The City Commission thanked the Department Directors for their presentations and thanked them for all of their hard work.

Commissioner Daley said she was proud of the Directors for hearing words such as deep discounts, cost savings, and getting early certifications.

Recognition of Citizens

Hunter McNeer of 630 S. Glencruiten Avenue spoke about the traffic running through the stop signs in front of his house. He said the first stop sign was installed in 1999. He asked for help in getting a resolution and said it was one block from the school.

City Manager Leavengood spoke about the efforts to lower the design speeds with speed tables and chicanes. He shared he would reach out to the engineers to evaluate that area so we could implement a few components of traffic calming this year.

Vice Mayor Eden asked about the approximate cost of the speed tables on Pierce Street, and it was shared they were about \$3,000 each to install and said raised intersections are a higher cost.

A discussion ensued about increasing visibility at the crosswalks, new signage, and the potential to put a used police car as a deterrent.

Commissioner Questions and Comments:

Commissioner Maultsby asked about the water use Gap Permit, and it was shared we were right at the finish line with the processing phase. He shared a story about unsafe drivers at a railroad crossing. He then asked about the fire truck and it was shared there was an eighteen-month lead time on ordering to vehicle. He thanked Margarita Martin for her assistance at the Ridge League of Cities Dinner. Thank you.

Commissioner Daley thanked the City staff for the Ridge League of Cities Dinner and congratulated the City on a great event. She shared that she wanted to put the barrel bridge at the end of Mackay Blvd. on the National Register of Historic Places but that it needed a name. She suggested naming it after the original owner, Alexander Mackay. City Manager Leavengood said we would take it to the Parks and Recreation Board. The City Commission was in agreement with the name. She continued and shared about her transportation meetings and encouraged everyone to participate in the SunRail study. She concluded by saying there was a State Community Forum on April 21st from 8:30 AM-12:30 PM and she would get the information for the City Commission.

Mayor Dearmin said he was looking forward to the upcoming Heritage Day. He said he was proud that Lake Alfred was the first to kick off the Ridge League speaker series with the City Manager Nathaniel Bonaparte of Sanford, Florida. He thanked the staff for their hard work.

Commissioner Fuller thanked the staff and said he had been participating in the Ridge League now for about two years and had made many friends. He thanked the Police, Fire, and first responders and said he is looking forward to Heritage Day. He spoke about the anniversary of the Parkland shooting. He spoke about the train derailment in Ohio and asked everyone to keep them in their hearts and prayers. Thank you.

Vice Mayor Eden thanked the Police and Fire Chiefs and the first responders of the city. He asked for an update on the marketing firm for the properties.

City Manager Leavengood said we were working with them to come and present in person. There has been some progress and there has been an interest in the downtown site. He spoke about some site limitations such as the old flea market property and a 2M intersection improvement that would be on the developer. As the land continues to fill in and the value of the land appreciates then it will naturally clear that hurdle. He spoke about the increase in value for the end users with the increase in residents.

Commissioner Daley said she hates hearing about the Publix near I-4 when we have advocated for a grocery store, and it is useless to the residents in the core area of town.

City Manager Leavengood said there is a potential opportunity for a Walmart Market and the market will always drive those decisions. We are banking on residential development. He said there has been growth in commercial development and said our numbers continue to improve so we are generating more interest in commercial development.

Vice Mayor Eden said there is not a grocery store here so there is no competition. He suggested even the Wells Fargo building now that Harvest Meat Market is gone. He concluded by saying that all the drivers from any part of the Country always say that the other part of the Country's drivers doesn't know how to drive. Thank you.

Without further comments, at 9:30 PM, the City Commission meeting was adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Linda Bourgeois". The signature is written in a cursive, flowing style.

Linda Bourgeois, BAS, MMC,
City Clerk