

**MINUTES
CITY COMMISSION
THURSDAY, SEPTEMBER 14, 2023
7:00 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley 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: Deacon Carl Wilkey of the First Baptist Church of Lake Alfred provided the invocation and **Mayor Daley** led the Pledge of Allegiance.

Roll Call: City Clerk Linda Bourgeois

City Commissioners in attendance: Mayor Nancy Z. Daley, Vice Mayor Mac Fuller, Commissioner Charles Lake, Commissioner Jack Dearmin, and Commissioner Brent Eden.

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Public Works Director John Deaton, Community Development Director Ameer Bailey, and Police Chief Art Bodenheimer.

The City Manager announced the following:

1. The next City Commission meeting date is Thursday, September 28th at 7:00 PM.
2. The Discovery Leadership Academy date has been changed to Thursday, September 28, 2023, at 9:30 AM
3. The City Manager provided an update on the brick paver installation at the Mackay Gardens and Lakeside Preserve and the basketball court and sidewalk projects at Central Park.

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

Recognition of Citizens

There were none.

Mayor Daley presented the Consent Agenda for consideration.

Consent Agenda:

- 1.) City Commission Meeting Minutes for August 21, 2023
- 2.) City Commission Announcements

The floor was opened by the mayor to public comments and there were no audience members that came forward to speak.

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

Mayor Daley presented the first item of business. She said the State Law requires the first substantive issue to be discussed at this hearing is the percentage increase in the millage over

the rolled-back rate and the reasons ad valorem taxes are being increased. The City of Lake Alfred's proposed operating millage is 6.850 mills and is 19.5% more than the rolled-back rate of 5.7320 mills. The ad valorem proceeds resulting from the difference between the proposed rate and the rolled-back rate will be used to offset the increased operating expenses of the city.

1.) Public Hearing: Tentative Millage Rate

The City Manager presented the analysis. He said over the past several months the City Commission has been presented with and given approval to the various draft sections of the FY 2023/2024 annual operating budget including Capital, Expenditures, Revenue, and Payroll.

The proposed FY 2023/2024 budget assembles the previously approved sections into the final budget with updates from July's experience and obtaining final revenue and expenditure projections. The proposed budget is balanced with the proposed millage rate of 6.850 which is a 0.139 mills reduction of the current year's millage rate of 6.989. The proposed millage rate of 6.850 represents a 19.5% increase over the rolled-back rate of 5.7320 mills.

The final budget with any corrections will be combined with any associated attachments and supplemental information and be presented along with the final millage rate a duly noticed City of Lake Alfred City Commission meeting and public hearing on Thursday, September 28, 2023, at 7:00 PM in the City of Lake Alfred City Commission Chambers at 120 E. Pomelo St., Lake Alfred, Florida 33850.

Commissioner Lake said he was glad we were able to reduce the millage rate when everything else was skyrocketing around us.

Mayor Daley opened the public hearing on the tentative millage rate. There were no members of the audience that came forward to speak to the Mayor and City Commissioners.

Mayor Daley introduced Ordinance 1524-23 22 on the first reading.

2.) Public Hearing: Ordinance 1524-23: FY 2023/2024 Annual Budget

City Attorney Claytor read Ordinance 1524-23, in its entirety, into the record.

Commissioner Dearmin said we are very fortunate to have the City Manager we have, to be the City that we are, and to do the projects that we do.

Mayor Daley spoke about the steady increase in the proposed budgets and shared about how the budget has increased over the years.

The City Manager explained that the increase was due to the anticipated water plant project and that the budgets were overall inflated due to the capital improvement plan for the large-scale projects. He spoke about the unprecedented growth we are experiencing, the expected costs for the new water plant, how Davenport had the same growth a few years ago as they went from about 4,000 in population to around 20,000 in a short period of time, and that Lake Alfred was insulated to that type of growth due to the Green Swamp buffer. He concluded by saying hats off to the City Commission for their master planning foresight and forward thinking.

Commissioner Eden spoke about the Field of Dreams saying, “If we build it they will come.” He went on to talk about the increase in the Community Redevelopment Agency fund, the water plant’s estimate a few years ago being 5M and asked the City Manager why was more like 9M.

The City Manager said it was due to cost appreciation and inflation. We have seen projects double or triple in price. He provided an example of the increase and spoke about the fire engine costs now versus a ladder truck a few years ago. He concluded by saying the staff was recommending approval of both the Millage rate of 6.850 and the FY 23/24 Annual Budget Ordinance 1524-23 on the first reading. He presented a summary and provided an overview of the 2023/2024 budget. The total budget was \$15,388,133 and the 2024/2025 budget at \$25,649,270.

Commissioner Lake made a motion to approve the tentative millage rate of 6.850 for the fiscal year 2023/2024. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

A brief discussion ensued regarding the reason the regularly scheduled meeting date was moved to Thursday and it was shared by the Mayor that the date changed due to the Polk County Board of County Commissioners and Polk County School Board’s budget hearing dates.

Mayor Daley opened the public hearing on Ordinance 1524-23. There were no members of the audience that came forward to speak to the Mayor and City Commission and she closed the public hearing.

Commissioner Dearmin made a motion to approve Ordinance 1524-23 adopting the FY 2023/2024 Annual Budget on the first reading. The motion was seconded by **Commissioner Lake**. The motion was unanimously approved.

Mayor Daley presented the next two business items.

- 3.) Ordinance 1525-23: Lake Lowery FLU Designation
- 4.) Ordinance 1526-23: Lake Lowery Zoning Designation

The City Attorney read the title of Ordinance 1525-23 into the record.

The City Manager presented the analysis. He said On August 7, 2006, the City Commission approved Ordinance 1161-06 annexing approximately 40.15± acres into the city limits. These parcels are part of the Tree-O Groves properties north of Old Haines City Lake Alfred Road and US Highway 17/92, west of Lake Lowery Road and southeast of White Road. The current land use and zoning is Industrial and Conservation.

The proposed Future Land Use designation is Residential (RES) and Conservation (CN) and the proposed zoning is Vintage Residential Neighborhood (VRN) and Conservation (CN) zoning districts.

FLU & Zoning Request Summary

FLU Categories	Zoning Categories	Proposed
Residential (RES)	Vintage Residential Neighborhood (VRN)	15.27± ac

Conservation (CON)	Conservation (CN)	24.88 ±ac
--------------------	-------------------	-----------

On July 13, 2023, at their regular meeting, the Planning and Zoning Board unanimously voted to recommend that the City Commission approve the future land use and zoning district assignment requests.

If approved on the first reading, the future land use and zoning amendment ordinances will be presented for a second reading on September 28, 2023, and transmitted to the Department of Economic Opportunity (DEO) after approval.

The Staff recommendation is for approval of Ordinance 1525-23.

Mayor Daley requested the staff to explain the difference between the applicant's request and the city's request for future land use and zoning.

Community Development Director Bailey said she apologized if the terminology she used was a little confusing. She said any exclusions from conservation for development in the conservation area had to be approved by the City Commission. Here we presented what would normally be in conservation and what has been requested by the applicant of what is not to be in conservation in order to support the road that the staff has recommended for the east-west connectivity. She continued and pointed out on the map the identification of the road, as per the Transportation Master Plan, and said it would make it easier for the development process. She said they agreed with the applicant that is better not suited as conservation because we are asking for a road and it would be easier for that process. They are planning to do mitigation in that area along with floodplain mitigation. That is why we presented the numbers the way we did. We are in agreement with the applicant's request.

The City Manager provided a recap and said the staff is in agreement, the applicant is in agreement, the Planning and Zoning Board is in agreement, and the area proposed is consistent with the Transportation Master Plan and they still have to go through any mitigations without any protections being removed. Director Bailey replied that this is correct and the code says that the City Commission has to improve where the mitigation and the impacts can go.

A brief discussion ensued about the area being 2.2 acres, this area has already been impacted by a dirt road and traversed, the wetland has an insignificant impact and it's the floodplain that was creating the conservation area. Further, the road would be an impervious surface, there would be culverts in the area, and the City would maintain the road.

Commissioner Dearmin asked about the Vintage Residential Neighborhood (VRN) and the City Manager said that was the standard residential neighborhood zoning with up to four units per acre.

The Mayor said this used to be under heavy industrial and when we were planning the City that is where we thought the industrial area would be located. We have been moving away from that with the government center so does that mean we won't have an industrial area?

The City Manager said it is changing to where the demand is and said as we continue to annex it will be near the northern corridor area past I-4 for distribution.

Commissioner Eden asked if there was more area for industrial behind the NE Government Center. Director Bailey explained the area and said Dilbert Collins Road is becoming a standard road and on the west side is the insurance auto auction and on the east side it is a still undetermined industrial parcel and she believes it is about 25-30 acres.

Mayor Daley opened the public hearing on Ordinance 1525-23.

Bart Allen, Land Use attorney for Peterson and Myers at 225 E. Lemon Street in Lakeland said he agreed with the staff's comments, their position on this, and the Planning and Zoning Board's recommendation as proposed this evening. Alex Azan with Kolter Group as the developer is also in attendance. He requested a favorable vote on both the land use and zoning.

Mayor Daley closed the public hearing.

Commissioner Dearmin made a motion to approve Ordinance 1525-23 for the Future Land Use Designation of Lake Lowery (Tree-O Groves) as presented on the first reading. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

The City Attorney read the title of Ordinance 1526-23 into the record.

The City Manager said the staff was recommending approval of Ordinance 1526-23 on the first reading.

Mayor Daley opened the public hearing and seeing none, she closed the public hearing.

The City Attorney explained the quasi-judicial procedures and said when you are considering amendments to the future land use map that item will be decided legislatively but when you are dealing with a quasi-judicial legal proceeding, such as zoning, you have to make the decision based on competent substantial evidence and the recommendation from the Planning and Zoning Board represents competent substantial evidence.

The Mayor asked if we wanted to change that, not that she does, what would we have to do? The City Attorney said you would have to look at the consistency with the Comprehensive Plan, if the action complies with the provisions of the Unified Land Development Code, and if it is consistent and in scale with the surrounding land uses and development. There are certain facts that can be considered in quasi-judicial proceedings but you have more flexibility in your decision-making authority when working with legislative issues.

A brief discussion ensued about the tail portion of the location map and it was articulated that the green area was the conservation and the yellow portion depicted the VRN zoning, a road can still be constructed across conservation, this action simplifies the roadway permitting process by reducing roadblocks, this is not the only access into the development, and there will be a primary road as this is just preparing for the future for a connection to White Road.

Commissioner Lake made a motion to approve Ordinance 1526-23 for the Zoning Designation of Lake Lowery (Tree-O Groves) as presented on the first reading. The motion was seconded by **Commissioner Dearmin**. The motion was unanimously approved.

Mayor Daley presented the next business item for discussion.

5.) Ridge League of Cities Discussion

The City Manager presented the analysis. He said May 1, 2023, the City Commission discussed the representation of the Legislative Policy Committees and other local boards. Commissioner Charles Lake expressed an interest in serving as the representative for the Ridge League of Cities which is currently held by Mayor Nancy Z. Daley. It was requested by the City Commission for the City staff to bring the item back for discussion in September. The decision is at the pleasure of the City Commission.

Mayor Daley spoke about Commissioner Lake was now serving on the Polk County Regional Water Cooperative, this being her twentieth year of service on the Ridge League of Cities, there were alternate positions available on the Ridge League of Cities Board, there were other committees such as Polk Vision Smart Communities, and the Florida Advocacy Committee that we needed representatives from Lake Alfred.

After a brief discussion, Commissioner Lake asked for the information on the other committees to be sent to him and said he wouldn't want to take away her twenty years of service. He said the City Commission could discuss it again next year and expressed his interest in the alternate position on the Ridge League of Cities.

Mayor Daley said she would send the information and meeting dates to the City Manager related to the other committees mentioned.

A consensus was given for Commissioner Lake to serve as an alternate on the Ridge League of Cities Board.

Mayor Daley recessed the City Commission meeting at 7:55 PM.

Chair Daley called to order the Community Redevelopment Agency meeting at 7:55 PM.

Roll Call: Linda Bourgeois, City Clerk

City Commissioners in attendance: Chair Nancy Daley, Vice Chair Mac Fuller, Board Member Jack Dearmin, Board Member Brent Eden, and Board Member Charles Lake.

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Public Works Director John Deaton, Community Development Director Ameer Bailey, and Police Chief Art Bodenheimer.

Chair Daley introduced the consent agenda for consideration.

- 1.) Community Redevelopment Meeting Minutes for May 15, 2023
- 2.) CRA Annual Report

The analysis was inserted by the City Clerk. [Pursuant to Chapter 163, Florida Statutes a community redevelopment agency is required to file an annual report with the county or municipality that created the agency and publish the report on the agency's website. The report must include the following information:

The most recent complete audit report of the redevelopment trust fund as required in s. 163.387(8), and the performance data for each plan authorized, administered, or overseen by the community redevelopment agency as of December 31 of the reporting year.

This report includes:

1. The total number of projects started and completed and the estimated cost for each project.
2. Total expenditures from the redevelopment trust fund.
3. Original assessed real property values within the community redevelopment agency's area of authority as of the day the agency was created.
4. Total assessed real property values of the property within the boundaries of the community redevelopment agency as of January 1 of the reporting year.
5. Total amount expended for affordable housing for low-income and middle-income residents.

The report also includes a summary indicating the status of the goals set out in the adopted plan along with recent projects or developments.]

Chair Daley opened the floor to public comments and seeing no one, she closed the floor to public comments.

Board Member Eden made a motion to approve the CRA Consent Agenda. The motion was seconded by **Board Member Dearmin**. The motion was unanimously approved.

Chair Daley introduced the first business item for consideration.

- 1.) CRA Resolution 03-23: Capital Improvement Program and Budget Adoption FY 23/24

The City Attorney read CRA Resolution 03-23, in its entirety, into the record.

The City Manager presented the analysis. He said the proposed capital improvement program (CIP) for the Community Redevelopment Agency (CRA) is consistent with previous budget presentations. The FY 23/24 & FY 24/25 budgets include \$200,000 each year being set aside for projects and initiatives from operating revenues. The Budget & CIP also has \$150,000 set aside each year to fund commercial or residential façade grants.

Future years in the CIP show a buildup of funds for streetscaping projects which may act as a partial match or complement future FDOT projects in the downtown area (signalization, road diet, design improvements, etc.).

The staff recommendation is for approval of the CRA Resolution 03-23.

Chair Daley opened the public hearing. There were no audience members that came forward to speak and she closed the public hearing.

Board Member Dearmin made a motion to approve CRA Resolution 03-23 adopting the Capital Improvement Program and CRA Annual Budget for FY 2023/2024. The motion was seconded by **Board Member Eden**. The vote was unanimously approved.

Chair Daley introduced the next CRA business item for consideration.

- 2.) Residential Facade Improvement Grant Program: FY 23/24 Program Cycle

The City Manager presented the analysis. He said the CRA maintains residential and commercial façade grant programs. The FY 23/24 budget allocates \$150,000 in funding to the residential

program. The proposed grant cycle for FY 23/24 will target the Echo Terrace neighborhood (the previous cycle focused on the Fruitland Park neighborhood). All eligible residences within the CRA may apply but preference within the ranking will be given to the target area.

Grant recipients will be eligible for up to \$15,000 per residential property for eligible improvements. Each grant will be limited to one residential property and each eligible property is able to receive funding through this program once every seven years. Mailers will be sent out to residents within the targeted area. The application cycle will open on October 1st and close on December 31st. Applications will be reviewed by the Community Redevelopment Agency staff and presented to the Board for consideration in 2024.

He concluded and said the Staff recommendation was for approval of the Residential Facade Grant Cycle for Fiscal Year 2023-2024.

Chair Daley asked how this affected people who just flipped houses, not that she is for or against it because it is for fixing up the neighborhood but do we want people to come in and take advantage of the money and then walk away with the proceeds from the sale of the house.

The City Attorney said the purpose of the program is to eliminate blighted areas, so our purpose as a municipality or as the CRA board is going to be to improve those blighted areas.

The City Manager said there were some advantages to being a smaller city as we are going to know the neighborhood and the owners. He said it would be a decision point that the board weighs and provided some examples.

Information shared was that the CRA programs can be rotated around the CRA area with targeted neighborhoods, general projects such as roofs, painting, tree removal, and repaving of roads or sidewalks throughout the areas. The board has a lot of flexibility.

The **Chair** then asked if there was one landowner with different tenants, how would that work and the City Manager said the Community Redevelopment Agency Board has the ability to evaluate and be fair with the ranking and it is at the board's discretion.

Board Member Eden asked if there were going to be any advertisements in the targeted area and the City Manager said the City staff would send out mailers and post the brochure on the website.

Vice Chair Fuller asked if we could recognize the Community Redevelopment Funding projects by putting a yard sign in front of the homes that are receiving funding. The City Manager said we could do that and it could be a part of their agreement.

Chair Daley opened the floor for public comments. There were no audience members that came forward to speak and she closed the floor to public comments.

Board Member Dearmin thanked the City staff for the professional brochure that was created for the CRA program.

Board Member Eden made a motion to approve the Residential Facade Improvement Grant Program for the FY 23/24 program cycle. The motion was seconded by **Board Member Dearmin**. The vote was unanimously approved.

At 8:11 PM, **Chair Daley** adjourned the Community Redevelopment Agency meeting.

At 8:11 PM Mayor Daley reconvened the City Commission meeting.

Recognition of Citizens

There were none.

City Commission Questions and Comments

Commissioner Eden thanked all of the first responders, the Chief, and the City staff. He said it was nice to see everyone back up on the dais.

Commissioner Dearmin thanked everyone and said it was great we were all up here again. He said he went to the FLC legislative meeting and they spoke about mobility plans and sovereign immunity. He said he is getting ready for the upcoming Heroes and Hotrods event. He thanked the first responders for a job well done at the Dollar Tree the other day. He concluded by saying he had five inches in his rain gauge the other night. Thank you.

Vice Mayor Fuller thanked the directors and said he appreciated everything they did. He thanked Director Deaton and Police Chief Bodenheimer for a quick response to a call he made to them. He shared about a parking incident and thanked Director Bailey for her preparation for the meeting tonight. He said he was proud of the recognition for their service on the Florida League of Cities policy committees. He requested consideration to attend the Fast Fly-In on October 17th and 18th to discuss key federal issues impacting municipalities.

After a brief discussion, it was agreed by consensus of the City Commission that the Vice Mayor be approved to attend the Fast Fly-in.

He continued and said he attended a car club meeting Tuesday night and they are excited about the upcoming Heroes and Hotrods event. They walked through Lions Park and said there was a lot of room there for the event. He concluded by thanking the Parks and Recreation director for a great job.

Mayor Daley said congratulations on another successful budget season as we move forward to the second and final reading. She shared about a huge pothole on CR-557 Police Chief Bodenheimer said he had called the County three times about it and would follow up tomorrow. She continued and said she was glad the Discovery Leadership event was moved so now she can attend because the other date was on the Mayor's Roundtable. She said on October 2nd there will be a volunteer initiative to plant eight hundred plants at the lakefront at the Mackay Gardens and Lakeside Preserve. She thanked Director Deaton and Director Deal for the organization of the project. She asked Director Bailey about the giant crater being dug on CR-557A with about 20-30 trucks entering and leaving every day and wanted to know if they were filling in wetlands offsite or building a mountain.

Director Bailey said it was not all retention area and they are doing a swap to align the retention area. They are moving dirt around and their idea of a berm was different than that of Silverlake. Silverlake built up and left it flat. This development has been dug down so when you see it from the road, the retention pond will be first and the houses will be behind that. It is a different design and our code doesn't get into the engineering and cut and fill as long as the site balances and does what it needs to do. Engineering-wise, we don't dictate design and she provided other neighborhood design examples.

Mayor Daley asked where the dirt was going and Director Bailey said in this particular instance some were going to Gum Lake and they also may be selling it as fill dirt. That is the capital market where they can get the most bang for their buck. Mayor Daley continued and shared that the Transportation Planning Organization (TPO) Board reapportioned the votes and they decided that Lake Alfred and Davenport could have a vote. She shared how that was accomplished by taking one of six votes away from Lakeland and increasing the board's size. There are now twenty-two board members and now Lake Alfred and Davenport have their own votes. She shared that the TPO had their Federal Certification meeting.

Vice Mayor Fuller asked if anything came up in their Legislative Policy Committee meetings in regard to the Form 6 Financial report and the City Commission responded no.

Mayor Daley said she asked what committee would be undertaking that and felt like they had no interest in the requirement. For her, cyber security is a big deal to her.

Vice Mayor Fuller said that cyber security is one of the issues on the Municipal Administration Committee that they will be discussing.

Mayor Daley said they were focused on the three-day permitting, they spoke about Port St. Lucie's drive-through permitting program, and the heliports now called vertiports.

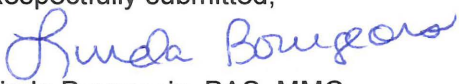
Vice Mayor Fuller said many municipalities were discouraged by how the last legislative session ended and we need to get involved because the session starts in January instead of March. It was a good meeting.

Commissioner Lake reminded everyone that this Saturday is the Saturday Market at Lions Park with at least 32 vendors coming in. It was mentioned to him that Lake Alfred is one of the few cities in the State of Florida that has representatives on each of the policy committees. He said that is what we get paid to do to be there. He shared about School Board Member Lisa Miller of District Seven wanting to attend the mock city commission meeting and said he would have to let her know of the date change to the 28th. He went on to share about the old Presbyterian Church across from the 7-11 saying the historical society finally got to go in there and there was not much in there anymore just a lot of office furniture and supplies, wills, and other legal paperwork. All the pews and stained glass were gone but they were able to salvage the moulding and a few books. It was disappointing. He thanked the City Manager and Director Deaton for having the air conditioning installed at the Gardner House after 108 years. He shared that in his legislative policy committee, they learned about PSAF foam related to the firefighters' usage on fires. They didn't settle anything. He said he would be in New Jersey at his granddaughter's wedding in October. He concluded by saying that Sunday is his birthday and he will be attending a 70th Wedding Anniversary for someone else [Leon Juday]. Thank you.

Commissioner Dearmin congratulated Commissioner Lake on his birthday. Happy Birthday.

At 8:40 PM, the City Commission meeting was adjourned.

Respectfully submitted,


Linda Bourgeois, BAS, MMC,
City Clerk