

City of Davenport Regular Meeting Minutes of April 18, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, April 18, 2022 at 7:00 p.m. in the Commission Room after having been properly advertised.

Mayor Robinson declared a quorum present and opened the meeting with invocation and a salute to the flag.

The Oath of Office was administered to Commissioner Lynch by the City Clerk.

Roll call was called with the following members present: Mayor H.B. Robinson and Vice-Mayor Brynn Summerlin and Commission Members: Commissioner Bobby Lynch, Commissioner Tom Fellows and Commissioner Jeremy Clark. Also present: City Manager Kelly Callihan and City Attorney Tom Wilkes.

APPROVAL OF ORDER OF BUSINESS

Motion by Vice-Mayor Summerlin and seconded by Commissioner Clark to approve the Order of Business. Motion carried unanimously.

PUBLIC COMMENT

Ms. Elaine Jenkins of 163 Lakeshore Drive accepted the invitation and shared that back in January she had an incident at the Post Office and as a result she had to go to the hospital. Her neurologist needed some information from the Post Office but was unable to get it because the Post Office had informed her that they did not have cameras and the manager had been very rude and disrespectful to her and they had been very uncooperative. In addition, some time ago when she was traveling, she had mailed some mail to Davenport. The mail truck's door had fell open and all of the mail had fallen out all over the highway. She had mailed her water bill and unbeknownst to her the bank had closed out her account to keep anyone from using her account information. They had provided her with a letter which she had presented to the Utilities Department and they had not accepted it and had informed her that she would not be able to pay her water bill with a check and would have to pay it by either money order or cash. It disturbed her because every other place had honored the letter from the bank.

The City Manager informed her that next time she came that he would go with her and see the Finance Director and honor her check and assured her that she wouldn't have any problems.

The City Manager asked her if the Police and Fire Department had responded to her incident. Ms. Jenkins answered that they had and they had been very cooperative.

The Mayor shared a personal incident where they had also been rude and he had contacted Darren Soto and it had been taken care and further suggested that she do the same.

There being no one else, the Mayor closed Public Comment.

CONSENT AGENDA

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Consent Agenda which consisted of the April 4, 2022 Regular Meeting minutes. Motion carried unanimously with no discussion.

OLD BUSINESS - None

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1060 REQUEST APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO THE BELLA VITA PHASE 3 SUBDIVISION FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO RESIDENTIAL MEDIUM (RM)

At this time the Attorney was instructed to read Ordinance No. 1060 by title.

City Planner Raymond Perez explained that this was a request to assign the Land Use Planned Amendment from Polk County Residential Medium (RM) to Residential Medium (RM) consisting of 53.13 acres with a density of 9.99 units per acre.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Clark and seconded by Commissioner Lynch to accept Ordinance No. 1060 on first reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1061 REZONING THE BELLA VITA PHASE 3 SUBDIVISION FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO PLANNED UNIT DEVELOPMENT (PUD)

At this time the Attorney was instructed to read Ordinance No. 1061 by title.

Raymond advised that this was the rezoning of the same property from Polk County Residential Medium (RM) to Planned Unit Development (PUD) and had to go to DEO for review.

The Mayor opened the Public Hearing.

Billie Sedore questioned the name of the lake depicted on the map. She was informed that this was a pond north of Roberts Lake.

There being no one else, the Mayor closed the Public Hearing.

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve Ordinance No. 1061 on its first reading.

The Vice-Mayor clarified that this was an extension and tie-in from Phase 2 and that all the exits and entrances had been met. He was informed that it was.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1063 REQUEST TO UPDATE THE LANGUAGE IN THE LAND DEVELOPMENT REGULATIONS RELATING TO ACCESSORY DWELLING UNITS

At this time the Attorney was instructed to read Ordinance No. 1063 by title.

Raymond explained that this was a request updating Article 3 Zoning Districts more specifically section 3.07.00 to remove guest houses as accessory uses from the zoning districts of AG, TN-1, TN-2, R-1, R-2, R-3, R-4 and R-5.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 1063 on its first reading. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1072 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO 720 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1072 by title.

Raymond explained that this was the Land Use Planned amendment from Polk County Residential Suburban (RS) to Residential Low (RL).

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1072 on its first reading.

Commissioner Fellows asked if this property was vacant. Raymond responded that the property had a structure on it.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1073 REZONING 720 MYSTERY HOUSE ROAD FROM RESIDENTIAL SUBURBAN (RS) TO SINGLE FAMILY RESIDENTIAL (R-1)

At this time the Attorney was instructed to read Ordinance No. 1073 by title.

Raymond advised that this was the rezoning of the same property from Polk County Residential Suburban (RS) to Single Family Residential (R-1).

The Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Clark to approve Ordinance No. 1073. Motion carried unanimously with no discussion.

6. APPROVE SETTLEMENT OF A LIABILITY CLAIM BROUGHT AGAINST THE CITY OF DAVENPORT FOR \$60,000

The City Manager advised that this was more of a transparency matter that staff wanted to bring forward to them. He explained that one of the City's Police Officers had been involved in an accident. The City's insurance provider had been in negotiations with the claimant and a settlement amount had been reached in the amount of \$60,000. He further noted that the insurance company was paying this claim.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Clark to allow the City Manager and Finance Director to work with the insurance company to approve the settlement. Motion carried unanimously with no discussion.

7. REQUEST TO REPLACE SOME OF THE LANDSCAPE, TWO BASKETBALL GOALS AND BBQ GRILLS AT THE JAMESTOWN PARK

Parks and Recreation Director Danny McClain explained that this was a CDBG project and advised that the bid had come in a little over the allotted grant amount. It was Staff's recommendation that they approve the installation of the two basketball goals, barbeque grills, and landscaping in Jamestown Park and that the left over balance be rolled over to the next cycle. Danny informed them that staff would be doing this in-house.

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the request to replace the landscape, two basketball goals and barbeque grills at Jamestown Park.

Vice-Mayor Summerlin asked how much was the grant and what was the amount of the bid. Danny responded that the grant was for \$26,150 and the bid had come in at \$38,000. It was explained that the scope of the job was much bigger than what they were asking for approval tonight.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager thanked all the City staff and Commission for a great Ridge League of Cities Dinner. He had heard nothing but great compliments. In addition, staff had done a great job at the Easter Egg Hunt. They had also had a good turnout at the Son Rise Services. He shared that their next event was the Grills Gone Wild BBQ April 29th and 30th. He also congratulated Commissioner Lynch for being reelected.

The City Manager also shared that once again the City had received another insurance rebate check for \$107,077 and would be receiving another one for \$69,868 for a total of \$177,645. Last year they had received a rebate and the Commission had voted to give the employees a one-time bonus of \$1,000. With the economy and the cost of gas and food,

they had an opportunity again to do the same and take \$83,000 from this and give the employees a one-time \$1,000 bonus again. This would still leave the city with \$94,645. Staff was asking if they would consider doing this again and would reevaluate it every year. If this met with their approval, he would instruct the Finance Director to place it in the upcoming payroll.

Brief discussion ensued with the Commission voicing their approval of giving the employees \$1,000 and further voicing that this rebate was largely due to the employees themselves and keeping themselves healthy and practicing good safety measures. The Commission also questioned the remainder of the funds and how they would be distributed and the need to place something in an emergency fund in case of a catastrophic insurance issue. It was pointed out that staff would be working on the budget real soon and they would come up with something that they could earmark it towards.

Motion by Commissioner Clark and seconded by Commissioner Lynch to give \$1,000 to each employee and distribute the remaining balance as determined by Staff. Motion carried unanimously with no further discussion.

CITY ATTORNEY REPORT – Nothing to report.

CITY CLERK REPORT

The City Clerk shared that she was glad that the Election was over. She also announced that Commissioner Clark had received a Certificate from the Florida League of Cities for his completion of the Leadership Academy held this past month in Kissimmee.

CITY COMMISSION COMMENTS

Commissioner Clark congratulated Commissioner Lynch and stated that he couldn't think of a better man to sit up there with him. He also thanked all the staff for all the events this past week. He also thanked the Police and Fire Departments for everything they did.

Commissioner Fellows commended City staff and the City Manager for the Ridge League of Cities Dinner. The dinner had been great and the city had been well showcased. The whole County was still talking about it. He also thanked the Police and Fire Departments for all they did.

Commissioner Lynch voiced that he too was glad the Election was over and thanked all the citizens for their support. He too voiced that the Ridge League dinner had been one of the best ones he had attended. Staff had done an excellent job and it truly had showcased the city.

In addition, he shared that he had gotten a call from the owner of The Hotel and stated that the Chief of Police had been called on an incident that had happened there. He didn't want them to forget about this issue and felt that they needed to address it further.

Adding to Commissioner Lynch's comments, the Vice-Mayor further added that they had to do something different and needed to revisit this issue. What they had done was not enough and they needed to think outside the box because what they had done had not

gotten the attention. They were at the point now for additional enforcement or strips because somebody was going to get hurt.

On a better note, he shared that he was not a frequent attendee of the Ridge League of Cities dinners but he might have to rethink about attending them if they were as good as theirs had been. He too added that people were still talking about it and how good it had been.

The Mayor echoed the Vice-Mayor's comments on the dinner and asked how they were going to make it better next year. The City Manager assured him that it would be.

In response to Commissioner Lynch's comments, the City Manager stated that staff thought that they had provided a solution, however it hadn't worked. The cost of the rumble strips were well within his purchasing parameter and he would instruct Darryl to get two sets. But having said this; and as they had talked before, they were placing them in a commercial zone and they were not going to place them in the residential areas. If this didn't work then they would have further discussion on the issue. In addition, the Police Department would be asked to provide further enforcement in the area. He didn't want the business owner to think that they weren't doing anything. City government ran slow, but the City took pride to make sure that when something was brought up, they took care of it.

The Vice-Mayor explained that no one was saying that the City hadn't done anything but the question was whether or not they had gone far enough.

There being no further business, a motion to adjourn was made by Vice-Mayor Summerlin and seconded by Commissioner Lynch and carried unanimously.

Meeting adjourned at 7:49 p.m.

I HEREBY CERTIFY that the foregoing Minutes are true and correct.

Raquel Castillo, City Clerk