

# City of Davenport Regular Meeting Minutes of April 5, 2021

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Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, April 5, 2021 at 7:00 p.m. in the Commission Room after having been properly advertised with the following members present: Mayor H.B. Robinson and Commission Members Vice-Mayor Brynn Summerlin, Commissioner Bobby Lynch, Commissioner Tom Fellows and Commissioner Jeremy Clark. Also present: City Manager Kelly Callihan and City Attorney Tom Cloud.

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

## APPROVAL OF ORDER OF BUSINESS

The City Manager asked that they remove Item 6 under New Business.

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Clark to approve the Order of Business with the appropriate change. Motion carried unanimously with no discussion or public input.

**PUBLIC COMMENT** - None

## CONSENT AGENDA

**Motion** by Commissioner Clark and seconded by Commissioner Fellows to approve the Consent Agenda which consisted of the March 10, 2021 Workshop minutes, the March 15, 2021 Planning Commission minutes and the March 15, 2021 Regular Meeting minutes. Motion carried unanimously with no discussion or public input.

## OLD BUSINESS

### 1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 967 TO APPROVE THE ANNEXATION OF 1104 HIGHWAY 17/92 S. - COMPRISING OF 2.23± ACRES

At this time the Attorney was instructed to read Ordinance No. 967 by title.

City Planner Raymond Perez explained that this was the annexation of 2.23 acres and there were no changes since first reading.

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. 967 on its second and final reading.

Discussion ensued with the Vice-Mayor recalling the owner having questions and concerns and asked if they had been resolved. The City Manager answered that the City Clerk and himself had looked into this and there was nothing that would prohibit him from continuing with what he was currently doing.

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

**2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 974 TO APPROVE THE ANNEXATION OF 837 DAVENPORT BOULEVARD – COMPRISING OF 4.68± ACRES**

At this time the Attorney was instructed to read Ordinance No. 974 by title.

Raymond explained that this was the annexation of 4.68 acres and there had been no changes since first reading.

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 974 on its second and final reading. Motion carried unanimously with no discussion.

**3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 975 TO APPROVE THE ANNEXATION OF NINETEEN PARCELS OF LAND GENERALLY LOCATED NORTHEAST OF HOLLY HILL ROAD & FOREST LAKE DRIVE COMPRISING OF 117.529± ACRES (FOREST LAKE SUBDIVISION)**

At this time the Attorney was instructed to read Ordinance No. 975 by title.

Raymond explained that this ordinance annexed 117.529 acres and there had been no changes since first reading.

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

**Motion** by Commissioner Clark and seconded by Commissioner Lynch to approve Ordinance No. 975 on second and final reading. Motion carried unanimously with no discussion.

**4. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 976 TO APPROVE THE ANNEXATION OF 656 HOLLY HILL ROAD – COMPRISING OF .46± ACRES**

At this time the Attorney was instructed to read Ordinance No. 976 by title.

Raymond explained that this was the annexation of .46 acres and there was no financial impact to the City and there had been no changes since first reading.

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

**Motion** by Commission Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 976 on its second and final reading. Motion carried unanimously with no discussion.

**5. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 977 TO APPROVE THE ANNEXATION OF 214 HOLLY HILL ROAD – COMPRISING OF .92± ACRES**

At this time the Attorney was instructed to read Ordinance No. 977 by title.

Raymond explained that this ordinance annexed .92 acres and there had been no changes since first reading.

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

**Motion** by Commission Lynch and seconded by Commissioner Clark to approve Ordinance No. 977 on its second and final reading. Motion carried unanimously with no discussion.

**6. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 978 TO APPROVE THE ANNEXATION OF 620 SYLVAN RAMBLE ROAD – COMPRISING OF .18± ACRES**

At this time the Attorney was instructed to read Ordinance No. 978 by title.

Raymond explained that this annexed .18 acres and there were no changes since first reading.

The Mayor opened the Public Hearing.

In answer to some of Headley Oliver's questions, he was informed that there was no financial impact by annexing these properties because there were already homes on them. They were voluntarily annexing them and basically a housekeeping item. They were had city water. Any impact would be their Police and Fire services, but they would start paying taxes to the city.

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

**Motion** by Commissioner Clark and seconded by Vice-Mayor Summerlin to approve Ordinance No. 978 on its second and final reading. Motion carried unanimously with no discussion.

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

**7. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 979 TO APPROVE THE ANNEXATION OF 1515 NORTH BOULEVARD WEST – COMPRISING OF 1.05± ACRES**

At this time the Attorney was instructed to read Ordinance No. 979 by title.

Raymond advised that this ordinance annexed 1.05 acres and there were no changes since first reading.

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. 979 on its second and final reading. Motion carried unanimously with no discussion.

**8. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 980 TO APPROVE THE ANNEXATION OF 622 PARK ROAD – COMPRISING OF 1.01± ACRES**

At this time the Attorney was instructed to read Ordinance No. 980 by title.

Raymond explained that this annexed 1.01 acres. There was no financial impact to the city and there were no changes since first reading.

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. 980 on its second and final reading. Motion carried unanimously with no discussion.

**9. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 982 TO APPROVE THE ANNEXATION OF 0 PALM STREET – COMPRISING OF 9.44± ACRES**

At this time the Attorney was instructed to read Ordinance No. 982 by title.

Raymond explained that this ordinance annexed 9.44 acres. This was second reading of the ordinance and there was no financial impact to the City.

The Mayor opened the Public Hearing.

Headley Oliver of 682 Highland Meadows Avenue accepted the invitation and questioned why there was no financial impact. He was informed that it wasn't costing the city anything to annex it. When it was developed there would be a financial impact to the city but there would also be a financial revenue stream to offset this.

He further asked what would make the city reject an annexation. The Vice-Mayor answered that they would reject any that they didn't want to be a part of and relied on City Staff to guide them and answer the right questions.

Dr. Oliver expressed kudos to the Commission for their great vision.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 982 on its second and final reading.

Commissioner Fellows questioned what the plans were for the property. He was informed that it would be a home development.

There being no one else, the Mayor called for the vote. Motion carried unanimously.

**10. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 985 TO APPROVE THE ANNEXATION OF 926 GOTTS ROAD – COMPRISING OF 1.00± ACRES**

At this time the Attorney was instructed to read Ordinance No. 985 by title.

Raymond explained that this ordinance annexed 1.00 acres and there had been no changes since first reading.

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

**Motion** by Commissioner Lynch and seconded by Commissioner Clark to approve Ordinance No. 985 on its second and final reading. Motion carried unanimously with no discussion.

## NEW BUSINESS

### **1. REQUEST TO APPROVE RESOLUTION NO. 460-21 APPROVING THE FINAL PLAT FOR FOREST LAKE SUBDIVISION PHASE 1 (GENERAL LOCATION: EAST OF HOLLY HILL ROAD & NORTH OF FOREST LAKE DRIVE)**

Raymond advised that this was a request to approve the final plat for Forest Lake Subdivision, a 388 lot subdivision. Raymond provided that it was located at the corner of Forest Lake Drive and Holly Hill Road. He emphasized that the preliminary plat had been approved by the County and the Commission had just annexed it under Old Business. It was also noted that there was other property to the north and that the subdivision would be developed in phases.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Resolution No. 460-21 approving the final plat for Forest Lake Subdivision.

In answer to Commissioner Fellows' question, Raymond answered that there would be two entrances, one at Holly Hill Road and the other on Forest Lake Drive.

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

### **2. REQUEST TO APPROVE RESOLUTION NO. 461-21 APPROVING THE FINAL PLAT FOR BELLA VITA 1A & 1B1 (GENERAL LOCATION: EAST OF HWY. 17/92 & NORTH OF BARGAIN BARN ROAD)**

Raymond advised that this was a request to approve the final plat for Bella Vita 1A and 1B1.

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

**Motion** by Commissioner Lynch and seconded by Commissioner Fellows to approve Resolution No. 461-21 approving the final plat for Bella Vita 1A and 1B1.

In answer to the Vice-Mayor's question, the City Manager responded that the entrance would be at North Boulevard East and come out on Highway 17-92 where the Spring Lake Mobile Home Park was located.

Vice-Mayor Summerlin questioned the crossing of Horse Creek. In the audience, the developer answered that they had to get a permit to cross Horse Creek.

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

### **3. REQUEST TO APPROVE RESOLUTION NO. 463-21 TO ENTER INTO AN AGREEMENT WITH CSX FOR A SIX (6) INCH DIAMETER SUB-GRADE PIPELINE CROSSING, SOLELY FOR THE CONVEYANCE OF RAW/TREATED SEWAGE, LOCATED AT MYSTERY HOUSE ROAD**

Utilities Director Mike Stripling explained that this was for the Mystery House Road subdivision to install a wastewater force main. The gravity sewer would serve the subdivision and the lift station and force main would be a master station. Mike noted that there was a right-of-way north of the Cottonmouth Airboat business.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Resolution No. 463-21. Motion carried unanimously with no discussion.

**4. REQUEST TO APPROVE A TASK AUTHORIZATION WITH CPH FOR THE WATER TREATMENT PLANT NO. 2 EXPLORATORY TEST WELL AND PRELIMINARY ENGINEERING SERVICES**

The City Manager advised that as they were aware, the City had hired CPH to do the study for their own alternative water. Staff and the Attorney had sent a letter to the Water Cooperative notifying them of their 90 day notice to respond to the City. However at their last meeting they had gone ahead and placed the item on their Agenda. They had aggressively tried to talk to as many of the members as they could to get approval for the city to do a stand-alone well. As a result, they haven't received the vote to allow the city to do it on its own so they were presenting this item to them for consideration.

Utilities Director Mike Stripling further explained that this was the next step in the Alternative water supply development. The project consisted of developing a work plan, a lower Floridan Aquifer test well project work plan, a preliminary basis of design report, and project funding options. The total for this was \$296,800.00.

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

**Motion** by Commissioner Fellows and seconded by Commissioner Lynch to approve the task authorization with CPH for the water treatment plant.

The Vice-Mayor voiced his disappointment that they had to pay for a 160' casing that they didn't plan on but they had to do it. For clarification he pointed out that they were going to do a test well that was going to go over 500' down. Mike answered that it would be a minimum of 1,000' and could go as far as 1,400' depending on what water quality they would get at 1,000' but the target depth was 1,000'.

Commissioner Fellows noted the increase of cost due to having to do a new well rather than using part of the old well. Mike informed him that the 30% design was not in the initial projection and this had added \$40,000 to the cost. In addition, the project funding options had added another \$24,800.

The Vice-Mayor questioned how long was it going to take to drill the well, Mike responded that within a month they would see some drilling. However getting permits from the District might deter this.

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

**5. REQUEST TO APPROVE RESOLUTION NO. 464-21, CHANGING THE DEFINITION OF A FIXED ASSET FOR AUDIT PURPOSES**

Finance Director Donald Carter explained that this was just an ongoing effort to keep their Accounting policies and procedures in place up to date and current. He explained further that the definition of a "fixed asset" for audit purposes needed to be revised. It was currently set

at \$750.00 and Staff was asking it to be set at \$5,000.00. This amount would more in line with current guidelines.

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

**Motion** by Commissioner Fellows and seconded by Commissioner Clark to approve. Resolution 646-21.

In answer to the Vice-Mayor's question, Donald explained that anything below \$5,000 would now just be an operational item and would be expensed on an annual basis. However, this didn't mean that it wouldn't be tracked. If it was over \$5,000 and with certain attributes, would become a fixed asset and would be depreciated over the life of the asset.

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

### **CITY MANAGER REPORT**

The City Manager thanked the Commission and Staff that had participated in the Sunrise Easter Service. He hoped that this was something they could continue to do every year.

He also thanked City Staff for the Easter Egg Hunt event. In addition, the project list and monthly Department reports along with the latest Newsletter were at their place on the dais.

He announced that the PRWC was still working on the implementation agreement, however it was being presented with no numbers. They would be presenting the Agreement with the participation buy-in of \$960,000 with an "off ramp" at 60% design. In the next couple of weeks it would be brought to the Commission to make a decision.

He also informed them that the contract with the Economic Development Council (EDC) was up and would be placed on their next Agenda.

**CITY ATTORNEY REPORT - Nothing**

### **CITY CLERK REPORT**

The City Clerk formally introduced her new Assistant Madie Ortega. She also expressed thankfulness that she didn't have an Election to run tomorrow.

### **CITY COMMISSION COMMENTS**

The Mayor thanked everyone that had participated at the Easter Egg Hunt. The only complaint was that it had ended too soon. He too voiced how well the Easter Sunrise service had gone. He also shared that the Church's Helicopter egg drop had gone well. He too thanked Danny and the staff for the good job at the City's Easter Egg Hunt.

Commissioner Clark express kudos to staff for the Easter Egg Hunt. He also thanked the Police and Fire Departments for all they did.

Commissioner Fellows also thanked Danny, the City Manager and all the staff for the good job they had done at the Easter Egg Hunt. He too thought that the Sunrise Service had turned out well and hoped they continued it.

He also commented that as everyone was aware, Haines City was going to need a new City Manager soon. As they recalled, they had looked at their last City Manager and rumor had it that they were going to do that again. He therefore wanted to publicly give their City Manager a vote of confidence.

He further added that there was nothing wrong with Haines City making him an offer. They might not be able to compete with them moneywise but they certainly could offer him a whole lot better working environment and probably the best staff in Polk County. All this being said, he wanted him to know that he had a Commission that stood behind him 100%.

Commissioner Lynch announced the Grills Gone Wild event coming up in a few weeks. He too echoed Commissioner Fellows' comments and echoed that they would like to keep him as long as they could.

The Vice-Mayor stated that they had a real good City Manager who had created a very good staff and certainly had a vote of confidence from all of them.

Regarding the Implementation Agreement discussed earlier, he voiced his displeasure that it was obvious that they hadn't listen to what they had said at their meeting. One of the things they had asked for were dollar amounts. It sounded like they were going to get the same nonsense they were pushing at the Workshop. The Commission had agreed to listen but if the preliminary data that was coming out of that was the same, then it was going to make their decision easier. In his opinion, they probably thought this was the same sleepy town from 30 years ago but this was no longer the case.

In addition, he thanked those that had gotten up early with Danny and himself for the Sunrise Service. He shared that he had gotten with Commissioner Clark about doing this and anticipated him reaching out to other Pastors to get involved next year. It had been a nice event but he just wished that there had been more people.

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

Meeting adjourned at 8:17 p.m.

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

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Raquel Castillo, City Clerk