

City of Davenport Regular Meeting of August 1, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, August 1, 2022 at 7:00 p.m. in the Commission Room after having been properly advertised with the following members present: Mayor H.B. Robinson and Vice-Mayor Brynn Summerlin and Commission Members: Commissioner Bobby Lynch Commissioner and 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.

At this time the Mayor introduced Bobby Green, Executive Director of the Ridge League of Cities. Mr. Green explained that he was visiting each of the municipalities. For the benefit of the audience, he provided composition of the League and their purpose in assisting member municipalities. He noted that the League would be celebrating 75 years next year.

PROCLAMATION

The Proclamation proclaiming August as Florida Water Professionals Month was read out loud by the City Clerk.

APPROVAL OF ORDER OF BUSINESS

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Order of Business. Motion carried unanimously with no discussion.

PUBLIC COMMENT - None

CONSENT AGENDA

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the Consent Agenda which consisted of the July 18, 2022 Planning Commission and the July 18, 2022 Regular Meeting minutes. Motion carried unanimously with no discussion.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 981 ANNEXING 810 HOLLY HILL ROAD (OWNERS OF RECORD: CARMEN & JESUS MATOS)

At this time the Attorney was instructed to read Ordinance No. 981 by title.

City Planner Raymond Perez explained that this was the annexation of 810 Holly Hill Road consisting of .92 acres. 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 Vice-Mayor Summerlin to approve Ordinance No. 981 on its second and final reading. Motion carried unanimously with no discussion

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1082 ANNEXING 314 NORTH BOULEVARD WEST (OWNER OF RECORD: BLANCA SANDOVAL)

At this time the Attorney was instructed to read Ordinance No. 1082 by title.

Raymond explained that this was the annexation of 314 North Boulevard West

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

Motion by Commissioner Clark and seconded by Commissioner Lynch to approve on second and final reading Ordinance No. 1082. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1070 ANNEX PARCEL NO. 27-26-32-709500-040200 – GENERAL LOCATION: NORTH OF FOREST LAKE DRIVE & WEST OF HOLLY HILL ROAD (HARTFORD TERRACE SUBDIVISION)

At this time the Attorney was instructed to read Ordinance No. 1082 by title.

Raymond explained that this was the annexation of 3 parcels totaling 82.02 acres.

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

Motion by Commissioner Lynch and second by Commissioner Fellows for approval of Ordinance 1070 on its second and final reading. Motion carried unanimously with no discussion.

NEW BUSINESS

1. PRESENTATION REGARDING THE LEWIS MATHEWS SPORTS COMPLEX

The City Manager explained that with the proposed four-laning of Powerline Road that they would be losing all of the ballfields at the Lewis Mathews Sports Complex. He informed them that he has been working with the developer and trying to negotiate the relocation of the ballfields. Drawing their attention to the overhead monitor, the City Manager presented the overall site plan for the new sports park. Refreshing their memories, he reminded them that whenever they had started building the Tom Fellows Community Center that they would build a fourth field to replace the demolition of Adair field. This, he informed them, was incorporated in the new plan.

Kelly further added that staff had not talked to any of the leagues or the Mathews family about this because he wanted to get approval from the Commission first. He emphasized that it would still be named the Lewis Mathews Sports Complex. He also informed them that the budget for this project was projected at roughly \$4 million. The developer has agreed to pay \$2.6 million and the City's portion would be \$1.4 million. In checking with the Finance Director, a portion could be taken out of Parks & Recreation Impact Fees and some out of the General Fund. Or they could also use Public Building Impact Fees to do just the buildings. He also pointed out that the amount that the developer had paid them to deed the right-of-way over to them would be included in the city's part. Staff was asking for approval to move forward with this project. He would present a firm budget at the next meeting detailing which funds would be used.

Drawing their attention to the monitor, the Vice-Mayor pointed out that Palm Street didn't go all the way through. The City Manager responded that there was still access between the fields.

The City Manager further noted that to keep the kids from being displaced, they would have to build this first then demolish the other.

Commissioner Clark questioned the activity on the tennis courts. The City Manager responded that they had incorporated this at the new gym with the addition of pickle ball courts.

The Vice-Mayor stated that there would be an increase of maintenance costs and would like to get an idea of how much it was going to cost them to maintain. The City Manager pointed out that they still had the year to year agreement with Haines City, so this would help but eventually it would go away.

There being no other discussion, the Commission voiced their consensus for the City Manager to move forward and get them some figures.

2. REQUEST TO TAKE ACTION ON THE APPLICATIONS RECEIVED AS PART OF THE 2021/2022 DAVENPORT COMMUNITY GRANT PROGRAM

The City Clerk explained that the City Commission has allocated \$3,000 for the community grant program. The City received five applications. City Staff has ranked them based on the criteria outlined in the grant application and after review and calculation, City Staff recommends approval and allocation of the \$3,000 to be disbursed as follows:

- The Gate Church \$850
- Jamestown Concerned Citizens \$850
- Davenport Historical Society \$850
- Nature's Place \$450

At this time Commissioner Clark recused himself because The Gate Church was his organization.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to follow the recommendation of the committee. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1100 SETTING CONDITIONS FOR GRANTING SOLID WASTE HAULING FRANCHISES WITHIN THE CITY OF DAVENPORT

At this time the Attorney was instructed to read Ordinance 1100 by title.

The Attorney presented the Ordinance and explained that in reviewing the current Ordinance and the Agreement with Republic Services, he had noticed that there was a franchise fee. He explained that in Florida in order to have a franchise fee you had to grant a franchise and according to Article 2.09(d) in their Charter, this had to be done by an ordinance. So he had put together a standard solid waste franchise ordinance. He emphasized that it would have virtually no impact on the negotiations with the current hauler because there was nothing in the ordinance that would prevent them from reaching an agreement with them. He further explained that the next ordinance and item on the agenda was the ordinance that would grant the

franchise subject to the agreement that they negotiated and stated that these were being presented tonight so that they could get it done in time and in place for their budget.

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

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve Ordinance 1100 on its first reading.

Commissioner Fellows voiced that he had noticed some insurance requirements that were a lot higher than what they were in the Agreement and asked if there was a reason for this. The Attorney thanked Commissioner Fellows for catching this and responded that he would go through the section on insurance and true it up to the Agreement.

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

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1101 APPROVING A SOLID WASTE AND RECYCLING COLLECTION FRANCHISE AGREEMENT WITH REPUBLIC SERVICES OF FLORIDA AND GRANTING A FIVE YEAR FRANCHISE AGREEMENT TO PROVIDE SOLID WASTE AND RECYCLING COLLECTION SERVICES WITHIN THE CITY

At this time the Attorney was instructed to read Ordinance 1101 by title.

The Attorney further explained that this was the ordinance that would be authorized by the adoption of Ordinance 1100 that would incorporate whatever agreement was negotiated between the City and Republic Services.

The City Manager advised them that staff would have the agreement at the next meeting.

In answer to the Vice-Mayor's question, he was informed that this wasn't the final agreement.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve Ordinance No. 1101 on its first reading. Motion carried unanimously with no discussion.

CITY MANAGER REPORT

The City Manager drew their attention to the Monthly Departmental Reports at their places. He also reminded them of the Pig Roast this Friday and the City's Reverse Raffle on Saturday.

He also announced that as of today there were 64 applicants for the Police Chief position and asked that they decide among themselves of who wanted to sit on the Review Committee for this position.. Vice-Mayor Summerlin volunteered to sit on the Committee.

Before moving on to the Attorney's report, the Mayor once again asked if any of them were interested in taking his place at the Ridge League of Cities. Commissioner Lynch offered to take the position.

CITY ATTORNEY REPORT

The Attorney advised that he had attended the FMMA Conference and provided an update on Senate 620 which had passed the Legislature but had been vetoed by the Governor. This Bill would have allowed businesses to sue cities if they adopted an ordinance that impacted their business. The other Bill that didn't quite make it out of the Legislature was the one that would require cities to do an economic impact analysis before adopting an ordinance. He noted that this Bill was going to come back and would probably pass this year.

CITY CLERK REPORT – Nothing to report.

CITY COMMISSION COMMENTS

Commissioner Clark updated the Commission on their Back to School Backpack event at the Tom Fellows Community Center. He advised that they had given out 460 backpacks with school supplies. He thanked the city and staff for all of their help and support. They had cooked almost 800 hotdogs and the Police Department had provided snow cones. It had been refreshing to see that they were able to help so many people.

Commissioner Fellows voiced that he was fortunate enough to attend this event. He too thanked all the city staff for their help.

The Vice-Mayor shared that while he was at the Tom Fellows Community Center meeting with Danny and Edgar, his observation while he was there was unbelievable. He was impressed on how well the facility was being used by everyone and how impressed he was with the staff. This was tax dollars being well spent and used by the city residents.

The Mayor echoed the Vice-Mayor's comments.

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

Meeting adjourned at 7:44 p.m.

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



Raquel Castillo, City Clerk