

City of Davenport Regular Meeting Minutes of August 2, 2021

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, August 2, 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, and Commissioner Bobby Lynch. Also present: City Manager Kelly Callihan and City Attorney Tom Cloud. Absent and excused were Commissioner Tom Fellows and Commissioner Jeremy Clark.

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

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

BUSINESS

APPROVAL OF ORDER OF BUSINESS

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

PUBLIC COMMENT – None

CONSENT AGENDA

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve the Consent Agenda which consisted of the July 9, 2021 Budget Workshop, the July 19, 2021 Planning Commission and the July 19, 2021 Regular Meeting. Motion carried unanimously with no discussion or public input.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1006 TO APPROVE THE REZONING OF 0 PALM STREET FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO MULTI-FAMILY (MF)

At this time the Attorney was instructed to read Ordinance No. 1006 by title.

City Planner Raymond Perez explained that this was to approve the rezoning from Polk County Residential Medium (RM) to Multi-family (MF) and further advised that there were changes.

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

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve on Ordinance No. 1006 on its second and final reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1017 TO APPROVE THE ANNEXATION OF 0 HIGHWAY 17/92. OWNER OF RECORD: RICHARD D. VIGGIANO TRUST (GENERAL LOCATION: SOUTHWEST SIDE OF HIGHWAY 17/92)

At this time the Attorney was instructed to read Ordinance No. 1017 by title.

Raymond explained that this was an ordinance annexing 0.17 acres 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 Lynch to approve Ordinance No. 1017 on its second and final reading. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1018 TO APPROVE THE ANNEXATION OF 1010 MYSTERY HOUSE ROAD. OWNER OF RECORD: PHILIP C. BURZYNSKI (GENERAL LOCATION: NORTH SIDE OF MYSTERY HOUSE ROAD & WEST OF POWERLINE ROAD)

At this time the Attorney was instructed to read Ordinance No. 1018 by title.

Raymond explained that this was the final reading of the annexation of a 3.94 acre parcel. 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. 1018 on its second and final reading. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1022 TO APPROVE THE ANNEXATION OF 1935 HIGHWAY 17/92. OWNER OF RECORD: RICHARD D. VIGGIANO TRUST (GENERAL LOCATION: SOUTHWEST SIDE OF HIGHWAY 17/92)

At this time the Attorney was instructed to read Ordinance No. 1022 by title.

Raymond advised that this was the annexation of 1935 Highway 17/92 consisting of 0.21 acres. 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 Lynch to approve Ordinance No. 1022 on second and final reading. Motion carried unanimously with no discussion.

NEW BUSINESS

1. REQUEST TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES FOR ADDITIONAL PARKING ON STATE STREET

The City Manager explained that Staff had finally gotten a cost estimate for the additional parking spaces on State Street. Staff was looking for approval to use Transportation Impact Fees on a cost of not to exceed \$67,406.14. He advised that this would give them about 140 additional parking spaces. He also shared that they currently had \$1.2 million in their Transportation Impact Fees.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve staff to use Transportation Impact Fees for additional parking on State Street. Motion carried unanimously with no discussion.

2. APPOINTMENTS TO BOARD OF ADJUSTMENTS

The City Clerk advised that the terms of Roger Judy, Headley Oliver and Alternate Robert Williams had expired July 31st. Staff had reached out to all the individuals. Mr. Judy had declined to serve another term due to health reasons. However both Dr. Oliver and Mr. Williams had agreed to serve another term, with Mr. Williams asking to remain an Alternate. She advised that this still left one vacancy and she had placed the vacancy on the City's website in hopes to get another resident to volunteer.

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

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to keep Mr. Oliver and Mr. Williams on this Committee for another 3 year term. Motion carried unanimously with no discussion.

3. REQUEST TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DAVENPORT AND THE POLK COUNTY SHERIFF'S OFFICE, WHICH UPDATES THE TELECOMMUNICATIONS, IT SERVICES AND FIRE/RESCUE SERVICES PROVIDED TO THE CITY

Chief Holden advised that this was an Interlocal Agreement between the City and the Polk County Sheriff's Office for Telecommunications, IT Services and Fire/Rescue Services that are provided to the City. The Police Department's share for this year was \$17,660.00 to increase 3% each year over the next 4 years. He further advised that the Fire Department's share for this year would be \$7,553.00 and was based on the number of calls. IT Services in the Interlocal Agreement were listed at \$4,000 each year.

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

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve the Interlocal Agreement between the City of Davenport and the Sheriff's Office.

The breakdown of the charges were clarified for the Vice-Mayor by Chief Holden. The Chief further added that he had spoken with the City's IT Department about how much it would be to take over all the IT and it was considerably higher than what the Sheriff's Office was charging them.

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

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1038 INCREASING THE BENEFIT ACCRUAL RATE TO 3.0% FOR ALL YEARS OF SERVICE FOR THE CITY OF DAVENPORT POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT PLAN; RECOGNIZING THE MUTUAL CONSENT AGREEMENT AUTHORIZING THE CITY TO UTILIZE ALL OF THE ANNUAL INSURANCE PREMIUM TAX PROCEEDS IN ORDER TO OFFSET PLAN EXPENSES

The City Manager explained that this Ordinance increased the plan multiplier to 3% for all years of service. A Mutual Consent Agreement was executed allowing the City to use all of the annual

insurance premium tax proceeds (pursuant to Chapters 175 and 185, Florida Statutes) in order to offset Plan expenses.

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. 1038.

Discussion ensued with Vice-Mayor Summerlin clarifying that this was really no cost to the city since it was monies they were getting from the State to pay for it. Donald explained that State Statutes 175 and 185 created the Pension Plans for both Police and Fire. Donald further explained that insurance premium tax rebates from the State were used to reduce the City's contribution to the Retirement Plan.

It was also explained that the benefit accrual rate was being increased from 2.75% to 3.0%

Mayor Robinson questioned how long the employees had to work before they could collect. Staff responded that it was 7 years.

At this time the Attorney was instructed to read Ordinance No. 1038 by title.

The motion carried unanimously with no further discussion.

5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1039 AMENDING THE PARKS AND RECREATION FACILITY USER FEES

At this time the Attorney was instructed to read Ordinance No. 1039 by title.

Parks and Recreation Director Danny McClain explained that this ordinance authorized them to charge fees for the use of the City facilities, rentals, membership fees, equipment and the participation in the programs sponsored by the City.

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

Motion by Mayor Robinson and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1039.

Brief discussion ensued with the Vice-Mayor voicing that he did not have any issues with the resident rates but felt that the non-resident fees were too cheap. Since the residents were the ones paying for it then they should be the ones getting the benefit of the facility and the best deal.

He further suggested adjusting the fees by 30%. He also suggested basing the Off-duty Officer fee based on numbers.

The City Manager shared that he still had the letter that he had sent to the County to share in the expense of the facility because County residents would be using it too. There was going to be County residents that would complain about the fees, but he was going to post his letter plus the County's response that there was no money now nor was there any money in the future.

Along with it, he would be posting the County Manager and County Commissioners' email addresses for the people to contact them.

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

6. APPROVE THE SCHOOL RESOURCE OFFICER AGREEMENT WITH NAVIGATOR ACADEMY OF LEADERSHIP, INC.

Chief Holden explained that this was an Agreement with Navigator Academy to provide the school with a School Resources Officer. The School was agreeing to pay the City while an Officer was present at the school during the school year.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the contract for the School Resource Officer with Navigator Academy of Leadership.

Discussion ensued with Chief Holden pointing out the correction of the amount from \$47,620 to \$56,113 due to the current pay raise in October, if approved. In answer to the Vice-Mayor's question, Chief responded that it did include cost benefits, etc.

Chief Holden also noted that with the addition of a high school in the next year or so, that there would be a need for an additional School Resources Officer.

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

CITY MANAGER REPORT

The City Manager advised that the City Attorney had drafted the Davenport Historical Society lease agreement and it had been forwarded to the Historical Society and the City Commission for review. It was a draft for them to look at and informed them that it would be placed on the next agenda. He would provide them with any comments from the Historical Society and hopefully everyone would agree on an Agreement for approval.

CITY ATTORNEY REPORT – Nothing to report.

CITY CLERK REPORT – Nothing to report.

CITY COMMISSION COMMENTS

Commissioner Lynch asked for an update on the drilling. Mike responded that they were at 450' with a 4" test well as of this afternoon.

The Mayor shared that last week he had attended the Historical Society's Meet & Greet and had appreciated the invitation.

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

Meeting adjourned at 7:46 p.m.

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

Raquel Castillo, City Clerk