

# City of Davenport Regular Meeting Minutes of December 2, 2024

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Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, December 2, 2024 at 7:00 p.m. in the Commission Room after having been properly advertised with the following members present Mayor Brynn Summerlin and Vice-Mayor Jeremy Clark. Commission Members: Commissioner Bobby Lynch, and Donna Fellows-Coffey. Also present were City Manager Kelly Callihan and City Attorney Elisabeth Crane. Absent and excused was Linda Robinson who was sick.

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

## **APPROVAL OF ORDER OF BUSINESS**

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

## **SPECIAL PRESENTATION**

The City Manager and Mayor presented Southern Elevations with a plaque and gift baskets in appreciation for all their help after the hurricanes and supplying equipment and personnel to help clean up hurricane debris. Kelly further added that they had put a lot of time and effort into helping the city, and it had cost them because they had to pay their employees. The city really appreciated everything they had done.

**PUBLIC COMMENT** - None

## **CONSENT AGENDA**

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to approve the Consent Agenda which consisted of the November 18, 2024 Planning Commission minutes and the November 18, 2024 Regular Meeting minutes. Motion carried unanimously.

## **OLD BUSINESS**

### **1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1322 ANNEXING 1917 HWY 547 N (CR 547 N) – (OWNER OF RECORD: CITY OF DAVENPORT)**

At this time the Attorney was instructed to read Ordinance No. 1322 by title.

City Planner Raymond Perez explained that this was second and final reading of the Ordinance and there were no changes since first reading.

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

**Motion** by Commissioner Fellows-Coffey and seconded by both Vice-Mayor Clark and Commissioner Lynch to approve Ordinance No. 1322 on second and final reading. Motion carried unanimously.

**2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1323 ANNEXING VARIOUS PROPERTIES LOCATED OFF OF HOLLY HILL ROAD (FUTURE CITY PARK) – (OWNER OF RECORD: CITY OF DAVENPORT)**

At this time the Attorney was instructed to read Ordinance No. 1323 by title.

Raymond explained that this was second and final reading of the Ordinance and there were no changes since first reading. Raymond noted that it would have to go to the Department of Commerce because it was more than 50 acres.

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

**Motion** by Commissioner Lynch and seconded by Commissioner Fellows-Coffey approve on second and final reading, Ordinance No. 1323. Motion carried unanimously.

**NEW BUSINESS**

**1. REQUEST FROM THE DAVENPORT HISTORICAL SOCIETY TO RENEW THEIR LEASE AGREEMENT**

The City Manager explained that whenever the Historical Society had come to them a few years ago to use the old Community Center for their museum he had been concerned at that time that it wouldn't be opened on a regular basis. He stated that they have done everything that they have asked them to do and have done a great job of the facility. They always have different programs going on and they have been a great partner with the city and staff recommended approval of the Lease Agreement.

Mayor Summerlin asked the term of the Lease Agreement. The City Manager responded that it was a 3-year lease. In the audience, Historical Society President Freida Priest stated that they would like a 5-year lease, if possible.

Brief discussion ensued with the consensus of the Commission to change it to 5-year lease.

**Motion** by Vice-Mayor Clark and seconded by Commissioner Lynch to approve the renewal of the Lease Agreement with the amendment of 5 years instead of 3 years.

Vice-Mayor Clark stated that it has been a great partnership and thanked them for keeping their word and keeping it open.

Commissioner Fellows-Coffey also stated that the Historical Society was a great asset to the community as were all the volunteers that staffed it. She learned something new every time she visited, and it was such a treasure trove of memories.

Commissioner Lynch also agreed that it has been a great relationship with the city.

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

## **2. DISCUSSION AND REVIEW OF CHARTER REVIEW COMMITTEE FINAL DRAFT OF THE CHARTER**

Assistant City Manager Steve Hunnicutt explained that he was tasked to chair this Committee. The five (5) residents selected to this Committee had selected the areas of concerns and were well prepared at each meeting.

They had selected the Sections listed below and were the changes being brought forward to them.

- Section 2.01. – Composition, eligibility, terms and term limits. 1. and 2.
- Section 2.03. - Mayor and Vice Mayor (b) Election of Mayor and Vice Mayor
- Section 3.01. Appointment, compensation, qualifications and removal. (d) Removal
- Section 4.01. Appointment, compensation, qualifications and removal. (d) Removal
- Section 7.02. Nominations
- Section 8.02. (a)
- Section 9.05.
- Section 10.01 which would only change if the term limits changed.

At this time, he asked the Committee members in the audience to come up. Mayor Summerlin shared that this group of people were volunteered by the City Commission and what they had taken on was probably one of the most thankless tasks that could be bestowed upon them. He was happy that they were able to get through it as quickly as they had, and he gave Steve a lot of credit for it. He proceeded to present a certificate of appreciation to the Committee members which consisted of Tom Fellows, Joyce Hunter, Denise Lynch and Jerry Young. Committee member Brittney Oakes was unable to attend the meeting.

Steve announced that this would require two (2) readings of the ordinance, and the City Clerk would need it to forward to the Supervisor of Elections by January to be on the April election.

The Mayor then asked what the pleasure of the Commission was or if they wanted to wait till the next meeting. Brief discussion ensued with the Commission voicing that they had no issues with the changes and wished to move forward.

The Mayor announced that it was the general consensus to move the recommendations forward and instruct the Attorney to proceed with the ordinance.

In the audience, former Mayor Darlene Bradley questioned if they were taking public comment on this matter. The Mayor informed her that public comment would be allowed during the Public Hearing of the first reading of the ordinance.

**3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1336 AMENDING THE FISCAL YEAR 2023/2024 BUDGET**

At this time the Attorney was instructed to read Ordinance No. 1336 by title.

Finance Director Donald Carter explained that as required at the end of each fiscal year the City's annual budget must be analyzed for any revenue shortfalls and excess spending. The main purpose was to be sure that no department exceeded their total approved allocation for the year. The attached proposed ordinance would approve the amended budget to better reflect the revenues and expenditures of the past year in each Department. Donald advised that the budget was being amended by \$3,402,600.00. He noted that the majority of this amount was the recent purchase of the park property, then proceeded to outline the changes in the affected Departments.

The Mayor stated that it should be noted that every Department in the General Fund, the numbers were reduced. As he had stated in the State of the City Address, these dollars were not ad valorem tax dollars. These were dollars that were used from very smart investments. Donald added that in this budget for 2023/2024 they were looking at about \$2.3 million worth of investment income.

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

**Motion** by Vice-Mayor Clark and seconded by Commissioner Fellows-Coffey to approve Ordinance No. 1336 on first reading.

Vice-Mayor Clark thanked everyone for all their hard work.

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

**4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1337 AMENDING THE DAVENPORT POLICE OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM, PROVIDING AN UPDATED DEFINITION OF CREDITED SERVICE**

At this time the Attorney was instructed to read Ordinance No. 1337 by title.

Donald explained that at a previous meeting, the Commission had passed an ordinance adding a buyback provision allowing members to buyback previous governmental or

military years of service. It was later discovered that the ordinance did not spell out the criteria of how to repay or buy back credit. This ordinance spelled out the procedure.

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

**Motion** by Commissioner Fellows-Coffey and seconded by Commissioner Lynch to approve Ordinance No. 1337 on first reading. Motion carried unanimously.

**5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1338 AMENDING THE DAVENPORT GENERAL EMPLOYEES RETIREMENT SYSTEM, PROVIDING AN UPDATED DEFINITION OF CREDITED SERVICE**

At this time the Attorney was instructed to read Ordinance No. 1338 by title.

Donald again explained that this was the same as the ordinance above but dealt with the General Employees plan.

Commissioner Fellows-Coffey clarified that there was no immediate financial impact to the city. Donald responded that there would be no financial impact to the city since it was the employee who would be buying those years back and it was what the employee would put in.

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

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to approve on first reading, Ordinance No. 1338. Motion carried unanimously.

**6. REQUEST TO APPROVE CPH TASK AUTHORIZATION TO PERFORM A DRAINAGE STUDY**

The City Manager stated that during the budget process they knew that they had some drainage issues in certain areas, but they didn't have a total to give them during the budget process. He informed them that this was not a budgeted item, but they had the funds in the stormwater fund.

Public Services Director Darryl Koon further explained that CPH had agreed to do a drainage study on city identified streets that were experiencing flooding or excess runoff from the roads during rain events. This would be the first step to resolving these problems.

For point of clarity, the Mayor stated that this was just to do the study. The City Manager responded that this was correct, and they would be providing them with estimates of what it would cost to correct the problem.

The City Manager assured them that there was enough money to cover the cost of the study.

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

**Motion** by Vice-Mayor Clark and seconded by Commissioner Fellows-Coffey to approve the CPH Task Authorization to perform a drainage study. Motion carried unanimously.

#### **7. REQUEST TO REAPPOINT JOSH JULIANO TO THE CEMETERY COMMITTEE**

The City Clerk advised that the term of Josh Juliano expired at the end of November and has agreed to serve another term. The members are volunteers so there is not financial impact to the city, and staff recommends that the City Commission re-appoint Josh Juliano to the Davenport Cemetery Committee.

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to reappoint Josh Juliano to the Cemetery Committee. Motion carried unanimously.

#### **8. APPROVE THE PURCHASE OF PROPERTIES LOCATED AT WEST BOULEVARD AND DAVENPORT BOULEVARD**

The City Manager stated that as they recalled, he had brought this property to their attention before, and he had finally gotten a response from the owner and was presenting them with a contract for the purchase of said property. It was his intention to try to get commercial retail on it.

For those in the audience, the Mayor provided the exact location of the property and further stated that this would fall into their vision of providing retail corridor space.

**Motion** by Commissioner Fellows-Coffey and seconded by Commissioner Lynch to approve the purchase of property located at West Boulevard and Davenport Boulevard. Motion carried unanimously.

#### **CITY MANAGER REPORT**

The City Manager drew their attention to the Monthly Departmental reports, noting 134 new residences last month and 128 this month.

He then asked Chief Parker to come up who then introduced his new Officers Keila Beato and Matthew Prochko.

He then asked the Fire Chief to come up who introduced his new firefighters Adrian Castro, James Neal and Dustyn Velez.

Kelly also informed them that Senior Staff had the opportunity to meet with the new owners of the Holly Hill Citrus Plant this past week. They had talked to them about some commercial opportunities. They would certainly be a great partner with the city. The Mayor added that this meant jobs for the community.

The City Manager also reminded them of their parade and WinterFest, and the Employee Christmas party. He also informed them that they had been invited to the Haines City Christmas parade and needed to know who all was going to be on the float. They would also have some Police cars and the Fire truck.

He shared that City staff had gone to the Millers Ale House ribbon cutting. They had recognized that there were 30,000 people in Haines City but there were 108,000 people that had a Davenport address.

**CITY ATTORNEY REPORT** – Elisabeth stated that she hoped that everyone had a Happy Thanksgiving.

### **CITY CLERK REPORT**

The City Clerk announced that their Christmas Breakfast was December 20<sup>th</sup> at 8:30 a.m.

### **CITY COMMISSION COMMENTS**

Commissioner Fellows-Coffey shared that she had gotten a chance to check out some of the Christmas trees at the Tom Fellows Community Center today and it looked very nice. It was nice to see so many organizations participating in this.

She also shared that in addition to Miller's Ale House, Planet Obstacle had opened its doors in Davenport. It was both exciting and encouraging to see so many businesses coming in.

In jest and meaning no disrespect to Attorney Crane, Commissioner Fellows-Coffey expressed that she has endured the FSU hat sitting in front of Attorney Cloud's place throughout the year but given what happened last week she was looking forward to him being there tonight and was disappointed that he wasn't.

She also shared that the new City guides were available at City Hall.

Commissioner Lynch also hoped that everyone had a good Thanksgiving. He was looking forward to their Christmas party and all their events.

Vice-Mayor Clark hoped everyone had a good Thanksgiving. He added that this Wednesday was the Tree Lighting Ceremony at the Tom Fellows Community Center at 6:30 p.m. He was looking forward to the rest of the holiday events. He thanked the city staff for all their hard work and as always, he thanked their heroes, the Police and Fire Department.

Mayor Summerlin shared that the State of the City Address video was on their Facebook page, and he asked everyone to please view it and comment on it. There were times as him as the Mayor and them as the Commission that often wonder if they were heading in

the right direction and had the right vision. He was proud of the Address and was looking forward to hearing comments from the residents, whether good or bad.

In addition, the Charter Review Committee had looked at their Charter just to make sure that the city was current it. He explained that he hadn't allowed the resident to speak on it because they would have time to address it during the public hearing when the ordinance was presented. He emphasized that at the end, the residents would have the final say.

He too was excited for the upcoming parade and felt that they now had the best parade in Northeast Polk County. Yes, they had to deal with a lot of traffic, but it was only for a few hours. He hoped that everyone would come and enjoy themselves.

He also stated that he had received an email from a resident. They were having some issues with Commissioners not responding to emails. He was going to say this and as far as he was concerned the issue was over. They were all adults, and they all had other jobs, and he was not going to put a time limit on them to respond to any resident because it was not his job. It was their job. All he requested was that they answer emails when they saw fit. They were not getting into shouting matches, and they were not having shouting matches in their Commission Chambers ever again while he was sitting in the Mayor's seat. They had officers that could take care of this, and they would be escorted out the door if they were disruptive. They were not going to put up with that.

He respectfully requested that if they had the opportunity to answer their emails to do so, but after that it was done.

He wished everyone a happy first part of December and hoped to see everyone at WinterFest.

In conclusion, the City Manager announced that they would have t-shirt guns at WinterFest for them.

There being no further business, the Mayor entertained a motion to adjourn which was provided by Vice-Mayor Clark. Motion carried unanimously.

Meeting adjourned at 8:04 p.m.

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

  
Raquel Castillo, City Clerk