

City of Davenport Regular Meeting Minutes of December 5, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, December 5, 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 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

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

PUBLIC COMMENT

The Mayor asked if there was anyone present who wished to address the Commission on anything not on the Agenda.

Mr. Alan Becker of 960 Avenal Lane, Davenport Estates accepted the invitation and voiced his concern regarding the water restrictions, further advising that he had spoken to the Mayor about them. He asked what they could do to allow them to be able to water more. His other concern involved an accident his daughter was involved in and his desire to see the change in the law in the amount of stop signs. He felt that more stop signs were more beneficial than traffic lights in these high accident areas and also less expensive than traffic lights.

The Mayor informed him that he could go to court if he felt that his daughter was unjustly charged. As far as the water, they had nothing to do with the regulations. Mr. Becker was told to contact the Water District and voice his concerns.

There being no one else the Mayor closed Public Comment.

CONSENT AGENDA

Motion by Commissioner Clark and seconded by Commissioner Lynch to approve the Consent Agenda which consisted of the November 21, 2022 Planning Commission and the November 21, 2022 Regular Meeting. Motion carried unanimously.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1116 ANNEXING 1215 MYSTERY HOUSE ROAD (OWNERS OF RECORD: SALVADOR CALDERON AND MARIA MAGANA)

At this time the Attorney was instructed to read Ordinance No. 1116 by title.

City Planner Raymond Perez explained that this was the annexation of 1215 Mystery House Road 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 on its second and final reading, Ordinance No. 1116. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1127 AMENDING THE LAND DEVELOPMENT REGULATIONS; ADDING NON-PHOSPHATE MINING AND AMENDING EXCAVATION, BORROW PITS TO TABLE 3.07.00(B); AMENDING ARTICLE 4 REGULATIONS FOR SPECIFIC USES TO ADD A NEW SECTION TITLED NON-PHOSPHATE MINING; AND ADDING DEFINITIONS

At this time the Attorney was instructed to read Ordinance No. 1127 by title.

Raymond explained that this was an amendment to the Land Development Regulations regarding mining. He also mentioned that there had been minor revisions to the Ordinance to provide clarifications and that the city attorney had approved them.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Clark to approve on its second and final reading, Ordinance No. 1127.

In answer to the Vice-Mayor's question, the Attorney responded that the major change was the clarification on the ability to continue a "grandfathered" activity so that there was no confusion. In addition, this was a non-substantial change so there was no need to readvertise.

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

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1121 ANNEXING 4055 PARK ROAD (OWNERS OF RECORD: COLL LURIS)

At this time the Attorney was instructed to read Ordinance No. 1121 by title.

Raymond explained that this was the annexation of 4055 Park Road located south of Geneva Landings and north of Olsen Road.

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. 1121 on its first reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1124 ANNEXING 1019 POWERLINE ROAD (OWNERS OF RECORD: MARCOS TORRES GAYTON, EVANGELINA TORRES, FANNY TORRES, MARCOS TORRES AND CRISTAL TORRES)

At this time the Attorney was instructed to read Ordinance No. 1124 by title.

Raymond explained that this was the annexation of 1019 Powerline Road located just east of Powerline Road and north of Mystery House Road.

The Mayor opened the Public Hearing.

Alan Becker of 960 Avenal Lane voiced that he noticed that the city was annexing several properties and questioned if this was going to affect the availability of water to the residents. Mr.

Becker was informed that it should not and in addition, this particular property was already hooked up to city water.

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

Motion by Commissioner Clark and seconded by Vice-Mayor Summerlin to approve on first reading Ordinance No. 1124. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1128 ANNEXING 1680 HORSESHOE CREEK ROAD (OWNERS OF RECORD: BRITTANY REYNOLDS)

At this time the Attorney was instructed to read Ordinance No. 1128 by title.

Raymond explained that this was the annexation of 1680 Horseshoe Creek Road.

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve on first reading, Ordinance No. 1128. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1138 AMENDING THE FY2021/2022 BUDGET

At this time the Attorney was instructed to read Ordinance No. 1138 by title.

Finance Director Donald Carter explained that as required, the proposed ordinance will 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 \$1,785,130. Donald proceeded to highlight the proposed changes in the affected Departments.

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. 1138.

The Commission noted that basically they were only off about 3% and considering the year that they just had, they couldn't complain.

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

5. REQUEST TO PURCHASE RADIOS FOR THE POLICE DEPARTMENT FROM MOTOROLA

Chief Parker explained that the City Commission had recently approved the purchase of five (5) new police vehicles. Thus, three (3) new vehicles radios and three (3) new portable radios were now needed. He was before them to request the purchase of these radios in the amount of \$32,175.73.

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the purchase of radios for the Police Department.

It was noted that this item was over budget, but this would be absorbed by the savings in the vehicle purchase.

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

6. REQUEST TO FILL ALTERNATE MEMBER VACANCY ON THE BOARD OF ADJUSTMENTS

The City Clerk advised that there was still an Alternate Member vacancy on the Board of Adjustments. Mr. Keondre Sauveur had contacted her after seeing it on the city's website; and expressed an interest in serving. Staff was recommending the appointment of Mr. Sauveur.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch approve the appointment. Motion carried unanimously.

7. REQUEST TO APPROVE CONTINUING SERVICES AGREEMENT WITH CHASTAIN-SKILLMAN, INC. RELATED TO BARGAIN BARN ROAD FORCE MAIN

Utilities Director Mike Stripling explained that this Task Order pertained to the extension of a developer constructed 12-inch force main beginning at the west side of Highway 17 near the intersection of Bargain Barn Road (east) and traversing along Bargain Barn Road to Highway 547 then proceeding south to the intersection of North Boulevard West connecting with the existing North Boulevard Master Lift Station force main in front of the Tom Fellows Community Center.

Mike further noted that the cost for this would be \$130,300.00. He further pointed out that this project was in the capital budget for \$250,000.00, so there was going to be some savings.

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve the Continuing Service Agreement with Chastain Skillman.

In answer to the Vice-Mayors question, the City Manager responded that the city was working with the County and some owners to realign Bargain Barn and to align it with Powerline Road. In addition to this, they were talking about a light at this intersection.

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

8. APPROVE REQUEST TO APPLY FOR A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DRINKING WATER STATE REVOLVING FUND LOAN FOR THE DESIGN OF AN ALTERNATIVE WATER SUPPLY

Mike explained that this was a request to apply for a FDEP Drinking water loan for the design of an alternative water supply. The application would be completed and submitted for \$80,000 with 50% principal forgiveness. This would put the city in the queue for funding for construction of this project.

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to approve the request to apply for a Florida Department of Environmental Protection Drinking Water State Revolving Fund loan.

The Vice-Mayor voiced his amazement that it would cost them \$80,000 to apply.

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

9. REQUEST TO APPROVE THE PROPOSAL FROM RAFTELIS FOR A UTILITY RATE AND IMPACT FEE STUDY FOR A COST OF \$59,500.00

Mike advised that this rate study was to address costs associated with the Polk Regional Water Cooperative and supply chain issues and material availability for projects that are currently in the capital improvement plan. This rate study was not anticipated in this budget; however, funding was available in the Utility Department budget in the Water, Wastewater and Collection and Distribution line items for Engineering and consulting services. The cost of this service was \$59,500.00.

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve the proposal from Raftelis.

Discussion ensued with the Vice-Mayor voicing that it had to be done and the Water District was requiring it. He understood that they had just done an increase, but the city has been forced into it.

Commissioner Fellows further added that at the last water meeting there had been a sense of urgency that all the communities get their rate studies done.

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

10. REQUEST TO PURCHASE A 2022 FORD RANGER XL 4X4 CREWCAB PICKUP TRUCK FROM BILL ESTES FORD IN THE AMOUNT OF \$34,216.10

Fire Chief JT advised that this was the vehicle for the new Fire Safety Inspector. Staff had budgeted \$35,000 to make the purchase utilizing the Florida Sheriffs Contract but given the recent ordering problems with Ford Motor Corp. staff was forced to search for a vehicle at a dealer with the vehicle in stock. While unsuccessful in finding a vehicle at a local dealer, staff was able to locate a pickup truck at Bill Estes Ford in Indiana in the amount of \$34,216.10.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the purchase of the 2022 Ford Ranger. Motion carried unanimously with no discussion.

11. REQUEST TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF DAVENPORT AND JACKSTONE DEVELOPMENT TO IMPROVE AND ENLARGE THE LEWIS MATHEWS SPORTS COMPLEX

The City Manager explained that this was the agreement between the City and Jackstone Development. This agreement will allow Jackstone Development to improve and enlarge the existing Lewis Mathews Complex. Based on the estimated costs the city will contribute \$1,400,000.00 and Jackstone Development will contribute \$2,600,000.00 to the construction of the Lewis Mathews Complex Renovations.

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the agreement between the City of Davenport and Jackstone Development.

Discussion ensued with the Commission expressing their excitement. The City Manager informed them that they would start as soon as the agreement was signed.

The Vice-Mayor asked if they knew when Powerline Road was being built and further questioned the closure of Palm Street. The City Manager responded that they were looking at the first quarter of 2023. He also informed him that it wouldn't be closed until Powerline Road was built.

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

CITY MANAGER REPORT

The City Manager drew their attention to the monthly Departmental reports at their places.

He also reminded them of the upcoming events.

- Wednesday, December 7th – Tree Lighting Ceremony at 6:30 pm.
- Ridge League of Cities dinner – Thursday, December 8th in Haines City
- WinterFest and Christmas parade - Saturday, December 10th
- Employee Christmas breakfast – Friday, December 16th at 8:30 am
- Sharing Christmas - Saturday, December 17th

CITY ATTORNEY REPORT – Nothing to report

CITY CLERK REPORT – Nothing to report

CITY COMMISSION COMMENTS

The Mayor stated that the Christmas party Saturday had been outstanding and gave kudos to Danny and all his personnel involved.

Commissioner Clark echoed the Mayor's comments; and his excitement at the upcoming Christmas parade and events. As always, he thanked the Police and Fire Departments for all they did.

Commissioner Fellows also thanked staff for the great job they do and for everything they did.

Commissioner Lynch agreed that everything had gone well at the party and the food had been great. He also asked how many floats they had for the parade. Steven responded that right now they had 55 floats with almost 400 walkers.

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

Meeting adjourned at 7:45 p.m.

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



Raquel Castillo, City Clerk