

City of Davenport City Commission Minutes of February 1, 2021

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, February 1, 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 – No Changes

PUBLIC COMMENT – None

CONSENT AGENDA

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

OLD BUSINESS

- 1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 970 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) OF TWO (2) PARCELS OF LAND FROM RESIDENTIAL LOW-2 EXTRA (RL-2X) TO RESIDENTIAL LOW (RL). OWNERS: BANERSY CORP. GENERAL LOCATION: EAST OF HOLLY HILL ROAD & SOUTH OF FOREST LAKE DRIVE**

At this time the Attorney was instructed to read Ordinance No. 970 by title.

City Planner Raymond Perez explained that this was second reading of the Ordinance consisting of .92 acres and a request to amend the Land Use Planned Amendment from Polk County Residential Low-2 Extra (RL-2X) to Residential Low (RL). He noted that there were no changes since first reading.

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

Motion by Commissioner Clark and seconded by Vice-Mayor Summerlin to approve second and final reading of Ordinance No. 970.

Vice-Mayor Summerlin questioned if the thin strip of land to the west was a right-of-way. Raymond answered that this was correct.

Motion carried unanimously with no further discussion.

- 2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 971 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) OF TWO (2) PARCELS OF LAND FROM RESIDENTIAL MEDIUM EXTRA (RMX) TO RESIDENTIAL LOW (RL). OWNERS: ISABELO & CARMEN CUEVAS. GENERAL LOCATION: SOUTH OF HORSESHOE CREEK ROAD & EAST OF WILTON PLACE & WEST OF ALTA VISTA WAY**

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At this time the Attorney was instructed to read Ordinance No. 971 by title.

Raymond explained this was second and final reading of the Ordinance which consisted of 4.68 acres. This was a Land Use Planned Amendment from Residential Medium Extra (RMX) to Residential Low (RL). Raymond noted that this only allowed a maximum of 4.99 units per acre.

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. 971.

The Vice-Mayor clarified that this was the closest that the City had to the County's designation. Raymond responded that this was correct.

Motion carried unanimously with no further discussion.

3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 972 TO APPROVE THE REZONING OF TWO (2) PARCELS OF LAND FROM RESIDENTIAL LOW-2 EXTRA (RL-2X) TO RESIDENTIAL ESTATE 2 (RE-2). OWNERS: BANERSY CORP. GENERAL LOCATION: EAST OF HOLLY HILL ROAD & SOUTH OF FOREST LAKE DRIVE

At this time the Attorney was instructed to read Ordinance No. 972 by title.

Raymond explained that this was the rezoning of .92 acres from Polk County Residential Low-2 Extra (RL-2X) to Residential Estate 2 (RE-2).

The Mayor opened and closed the public hearing with no public input.

Motion by Commissioner Lynch and seconded by Commissioner Clark to accept Ordinance No. 972 on its second and final reading. Motion carried unanimously with no discussion.

NEW BUSINESS

1. REQUEST TO APPROVE ELECTIONS AGREEMENT WITH POLK COUNTY SUPERVISOR OF ELECTIONS FOR THE 2021 CITY ELECTION IN APRIL

The City Clerk advised that this Agreement outlined the responsibilities of the Supervisor of Elections and the City of Davenport for the April Election.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Fellows to accept the Administration Agreement with the County. Motion carried unanimously with no discussion.

2. REQUEST TO APPOINT MEMBERS TO SERVE ON THE CITY'S CANVASSING BOARD FOR THE 2021 APRIL ELECTION

The City Clerk explained that the City Commission needed to appoint members to serve on the Canvassing Board who would canvass the mail-in ballots, provisional ballots and any ballot in

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question. The Board was composed of three full members and two alternates. She also advised that she had contacted the Canvassing Board Members that had served at the last election. Those expressing an interest in serving again included: Wiley Broom, Kenny Gill, Joyce Hunter, and Emma Snipes. In addition, Staff had also received an interest from Carlos Gonzalez to serve on this Board. She pointed out that Mr. Gonzalez was the gentleman that had interviewed for the City Commissioner vacancy in August.

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 list of Canvas Board with the addition of Mr. Gonzalez as an Alternate. Motion carried unanimously with no discussion.

3. REQUEST TO PROVIDE NOTICE OF AWARD TO THE CONTRACTOR CARR AND COLLIER FOR THE WASTEWATER PLANT UPGRADES PROJECT

Utilities Director Mike Stripling explained that this was for the Notice of Award to the contractor for the WWTP upgrade project. Mike noted that this was an \$8.4 million project with \$4.25 million as principle forgiveness. Mike informed them that they had received nine (9) bids. A bid tabulation was done with Carr and Collier as the lowest responsive bidder.

Mike further noted that the Contractor would provide the City with the necessary documentation to move forward with a contract then a Notice to Proceed would be issued. Staff was recommending the approval of the Notice to Award to Carr and Collier.

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

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve the Notice of Award to Carr and Collier for the Wastewater upgrades.

The Vice-Mayor asked Mike if he had vetted the contractor. Mike responded that they had and they also had previous experience with this contractor.

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

4. REQUEST TO APPROVE A CONTRACT WITH PENNONI AND ASSOCIATES FOR SERVICES RELATED TO THE CONSTRUCTION UPGRADES AT THE WASTEWATER TREATMENT PLANT

Mike explained that this was the contract with the engineer that would be doing the inspections on the project. He asked that they keep in mind that this was a Department of Environmental Protection SRF loan and that it came with American Iron and Steel Requirements, and Davis Bacon requirements. There was also an allowance for engineering and construction inspections and the contract before them was well within the limits that they are allowed to charge on a project this size.

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

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Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve the contract with Pennoni & Associates for services related to the upgrades for the Wastewater Treatment Plant. Motion carried unanimously with no discussion.

5. APPROVE PURCHASE OF PROPERTY WEST OF AND ADJACENT TO THE CITY'S WASTEWATER TREATMENT PLANT

The City Manager advised that he had brought this item to them for preliminary approval at a previous meeting. He was asking for approval on the purchase of the property adjacent to the City's Wastewater Treatment Plant.

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

Motion by Commissioner Clark and seconded by Commissioner Lynch to approve the purchase of the property west of the Wastewater Treatment Plant.

Discussion ensued with the Vice-Mayor voicing that this was a lot of money but they needed to expand their plant and they needed to secure this property while they could before the Wastewater Treatment Plant was land locked. Motion carried unanimously with no further discussion.

CITY MANAGER REPORT

The City Manager drew their attention to the Project List and Monthly Departmental Reports at their place.

CITY ATTORNEY REPORT

The Attorney updated the Commission on the mediation water dispute. He also informed them that he had created ordinances for three other cities about going back to holding virtual meetings. With the increase in cases in Polk County, it would be remiss of him not to let them know that this option was available.

CITY CLERK REPORT

The City Clerk advised that she would be doing interviews this week for her Administrative Assistant position.

She also drew their attention to their W-2's/1099 at their place.

CITY COMMISSION COMMENTS

Commissioner Clark announced that the Gate Church had gotten an extension of 12 weeks for food giveaway. They would be feeding 120 families for the next 12 Fridays at 5pm. He also thanked City Staff and the Police and Fire Departments for their amazing job.

Commissioner Fellows thanked his colleagues and City Staff for their part in getting him inducted into the Chamber's Hall of Fame. He appreciated all their help and to him they were the Hall of Famers in his book.

Commissioner Lynch noted that the Community Center was coming along. The City Manager added that the Community Center would be finished September 28th and by October 1st they

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would be in it. In addition, they would need to bring a Banquet Manager in early to help with the banquet hall part. Staff would bring this back to them sometime in August.

Everything else was coming along as scheduled.

Commissioner Lynch also noted that the waterlines were coming along too. The City Manager announced that they were slated to be finished in May. Staff was looking at re-evaluating its ISO rating to get it at an ISO rating of 1. He was proud to be able to say that all of the Departments are exceptional and would put them up against any other department in the County or State.

The Vice-Mayor asked at what point they would start accepting reservations on the new Community Center. The City Manager responded that they had already taken reservations, which the Vice-Mayor questioned the rate schedule. The City Manager answered that the individuals were being placed on the schedule for now and it was being explained to them that the new rate schedule would be presented to the Commission for approval. The City Manager also added that Danny was in the process of preparing a new rate schedule to bring back to them for approval.

The Vice-Mayor thanked the Mayor for letting him stand in for him in his absence.

Mayor Robinson congratulated Mr. Fellows, further adding that this just brought more and more honor to the city.

The Mayor also advised that he had gotten inquiries about the barbeque event. The City Manager answered that staff would have an update on the status of this event within the next 2 or 3 weeks and would bring it to them. But as of right now, they weren't 100 percent sure if they were going to have it. They still had to determine what they were going to do. Staff had a conference call tomorrow with the County and would receive a report from Ms. Jackson. If they were able to have it they would but they also wanted to be safe.

The Vice-Mayor pointed out that he had just participated in large event that had been done very safely. He would offer Staff that Dr. Jackson was very open to plans and making sure everyone social distanced and there was good open space. The Vice-Mayor added that she understood that some of these events had to happen for public goodwill.

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 7:33 p.m.

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

Raquel Castillo, City Clerk