

City of Davenport Regular Meeting Minutes of February 21, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Tuesday, February 21, 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 and Commissioner Jeremy Clark. Also present: City Manager Kelly Callihan and City Attorney Tom Wilkes. Absent and excused was Commissioner Tom Fellows.

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

PUBLIC COMMENT

Mr. Howard Gill of 604 Pink Apartments Road shared that every morning he walked around Lake Play. Recently he had noticed a gentleman around the lake picking up trash. He informed them that the lake was littered with trash and looked like a junk yard. He also produced a bag of trash that he had picked up on Williams Street that had been there for 3 weeks. Mr. Gill further added that everyone from the City workers, City Hall employees and Police Officers either walked or drove by it every day and not one had picked it up. He had finally gotten tired of looking at it and done it himself. He felt that this was unacceptable.

He also complained that City workers were wearing the lawnmowers out mowing nothing. There was no grass to mow and all they did was create dust.

The Mayor assured him that the City Manager would take care of this quickly.

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

CONSENT AGENDA

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Consent Agenda which consisted of the February 7, 2022 Regular Meeting. Motion carried unanimously

OLD BUSINESS – None

NEW BUSINESS

- 1. PUBLIC HEARING AND FIRST READING OF ORDINANCE 1050 REZONING FOUR (4) PARCELS OF PROPERTY FROM POLK COUNTY EMPLOYMENT CENTER (EC) TO PLANNED UNIT DEVELOPMENT (PUD). PARCEL NO. 272634-000000-021010 (235 TEMPLES LANE), PARCEL NO. 272634-000000-021050 (325 TEMPLES LANE), PARCEL NO. 272634-000000-021060 (505 TEMPLES LANE) & PARCEL NO. 272634-000000-021070 (TEMPLES LANE)**

At this time the Attorney was instructed to read Ordinance No. 1050 by title.

City Planner Raymond Perez advised that this was the rezoning of 4 parcels totaling 39.11 acres, from Polk County Employment Center (EC) to Planned Unit Development (PUD).

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

Motion by Commissioner Clark and second by Commissioner Lynch to approve on first reading Ordinance No. 1050. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1059 ANNEXING PARCEL NO. 272702-713000-030191 & PARCEL NO. 272702-713000-030211 – GENERAL LOCATION: NORTH BOULEVARD EAST (BELLA VITA PHASE 3)

At this time the Attorney was instructed to read Ordinance No. 1059 by title.

Raymond explained that this was the annexation of the Bella Vita Phase 3 subdivision totaling 56.58 acres.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Clark to approve Ordinance No. 1059 on first reading. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1062 ANNEXING PARCEL NO. 272710-730000-041001 (720 MYSTERY HOUSE ROAD)

At this time the Attorney was instructed to read Ordinance No. 1062 by title.

Raymond advised that this was the voluntary annexation of 1 parcel totaling .50 acres.

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

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve on first reading Ordinance No. 1062. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1068 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO 630 PARK ROAD FROM POLK COUNTY RESIDENTIAL LOW 1 (RL-1) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1068 by title.

Raymond advised that this was a Land Use Planned Amendment to 630 Park Road from Polk County Residential Low 1 (RL-1) to Residential Low (RL).

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

Motion by Commissioner Clark and seconded by Vice-Mayor Summerlin to approve on first reading Ordinance No. 1068. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1069 REZONING 630 PARK ROAD FROM POLK COUNTY RESIDENTIAL LOW 1 (RL-1) TO RESIDENTIAL ESTATES 1 (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1069 by title.

Raymond stated that this was the rezoning of the same parcel from Polk County Residential Low-1 (RL-1) to Residential Estates 1 (RE-1). Raymond explained that the RE designation was the most appropriate classification for this parcel.

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. 1069 on its first reading. Motion carried unanimously with no discussion.

6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1071 AMENDING THE USER FEES, EVENT CENTER FEES AND ALCOHOL PERMIT

At this time the Attorney was instructed to read Ordinance No. 1071 by title.

Parks & Recreation Director Danny McClain explained that staff was asking to amend this Ordinance. Staff was asking that no alcohol be served at functions that were for minors. As witnessed by staff over the past months, they were also asking that the user fees be adjusted to better reflect the needs of the community. Staff felt that these fees were more fair and equitable to both residents and non-residents. Also incorporated into this Ordinance were family and senior rates.

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. 1071 on its first reading.

Discussion ensued with the Vice-Mayor voicing that he had no issue with the alcohol portion and was not aware of any issues. He also commended them for coming up with a senior fee and family fee, which would bring more participation by families.

The City Manager explained that there had been an incident that had occurred involving adults at a party for a 15 year old and this had caused staff to revisit this section of the ordinance.

Commissioner Lynch agreed with the alcohol portion and adjusted fees too.

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

7. REQUEST TO APPROVE TASK AUTHORIZATION TO CONTINUING AGREEMENT WITH PENNONI FOR ADDITIONAL BIDDING AND TECHNICAL SERVICES FOR THE WASTEWATER TREATMENT FACILITY PHASE 2 IMPROVEMENTS TECHNICAL SERVICES DURING CONSTRUCTION IN THE AMOUNT OF \$960,000

Utilities Director Mike Stripling explained that this was a request to approve the Task Authorization with Pennoni for additional bidding and technical services during construction for the Wastewater Treatment Facility Phase 2 improvements. The project would also add the capacity to the plant from 525,000 gallons per day to 1,500,000 gallons per day.

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

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve the Task Authorization for this Agreement with Pennoni for additional bidding and technical services. The Mayor called for the vote. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager asked Mike to provide them with an update on the well. Mike informed them that the company was at 204 feet today using the pounding method. They would drive down until they got the 12" embedded into the rock and would bore from that point forward. In answer to the Vice-Mayor's question, Mike responded that they would stop pounding at 250' which was the max. He also added that the SWFWMD was giving them a variance to get to 250'. Right now they were in good shape and he hoped it would stay that way.

The City Manager shared a letter from the Southwest Florida Water Management District (SWFWMD) applauding the City for adopting the Florida Water Star Standard into its Ordinance to help conserve water.

The City Manager announced that Rossy had given her 2 weeks' notice and would be leaving them. Donald and him had discussed the opportunity of hiring two people and splitting the duties and lowering the salaries. They wanted to present this idea to them to get a consensus in order to go ahead and advertise.

He then asked Donald to come up and explain staff's recommendation. Donald explained that they have been utilizing the City Clerk's Assistant in their Department but as the City was growing they have been stretched with only two full-time employees in the Finance Department. He shared that he planned on asking for an additional position during budget time and felt that this was an opportunity to take a step back and instead of having just an Accountant, look at two clerks and at some point in the future adding a higher level employee with accounting experience. Right now they needed someone to do the day-to-day items. He had done some preliminary numbers and for the rest of the year it would cost the city a little over \$9,000.

Brief discussion ensued with the consensus of the City Commission agreeing that the Finance Department needed help and the additional help would make the Department more efficient. Staff was instructed to bring them back the item with numbers at their next meeting.

At this time the City Manager asked Public Services Direct Darryl Koon to come up and talk to them on the traffic issue. He further advised that after further investigation, staff had found that DOT owned more property than they had first anticipated.

Darryl reiterated the City Manager's comments about DOT owning more property, more specifically 2 feet on the other side of the sidewalk. After consideration, Staff's suggestion was to make the intersection a 3-way stop. The expense of tearing up the road and installing a stormwater structure was going to be costly.

The Vice-Mayor pointed out that they had to do what they had to do and although he didn't think that it was going to fix the problem, it was the best solution and if this didn't work then they would talk about another solution. The rest of the Commission agreed.

CITY ATTORNEY REPORT – Nothing to report.

CITY CLERK REPORT

The City Clerk advised that qualifying had ended last Friday with Commissioner Lynch and Christopher Lopez both qualifying for Seat 3. In addition, she announced that the new polling site would be at the Tom Fellows Community Center and would be posted on the City's website and postcards would be mailed out.

CITY COMMISSION COMMENTS

Commissioner Lynch reminded them of the Highwaymen Event coming up.

The Mayor thanked the Vice-Mayor for sitting in for him at the meetings that he missed while at conference.

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 7:45 p.m.

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

Raquel Castillo, City Clerk