

City of Davenport Regular Meeting Minutes of February 5, 2024

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, February 5, 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: Tom Fellows and Bobby Lynch. Also present: City Manager Kelly Callihan and City Attorney Tom Cloud. Absent and excused was Donna Fellows-Coffey who was out of the country on business.

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

At this time the city's first Citizens Academy group was introduced by Maricela Arteaga.

The Commission thanked the group for their willingness to participate and for showing an interest in how the city operated. They hoped that once they completed it that they would continue to be involved in the city and spread the knowledge.

APPROVAL OF ORDER OF BUSINESS

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

PUBLIC COMMENT

The Mayor asked if there was anyone in the audience that wished to speak on any item not on the agenda. There being none, the Mayor closed Public Comment.

CONSENT AGENDA

Motion by Commissioner Lynch and seconded by Vice-Mayor Clark to approve the Consent Agenda which consisted of the January 16, 2024 Planning Commission and the January 16, 2024 Regular Meeting. Motion carried unanimously.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1225 ANNEXING 0 WILTON PLACE (OWNER OF RECORD: JAMES WILLWERTH)

At this time the Attorney was instructed to read Ordinance No. 1225 by title.

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

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

Motion by Commissioner Fellows and seconded by Vice-Mayor Clark to approve Ordinance No. 1225 on its second and final reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1226 ANNEXING 0 WILTON PLACE (OWNERS OF RECORD: TARAIN L. BEAUDET AND RHONDA A. BEAUDET)

At this time the Attorney was instructed to read Ordinance No. 1226 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows to approve on second and final reading Ordinance No. 1226. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1228 ASSIGNING THE LAND USE CLASSIFICATION TO 234 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1228 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve on second and final reading Ordinance No. 1228. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1229 ASSIGNING THE ZONING CLASSIFICATION TO 234 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1229 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Commissioner Fellows and seconded by Vice-Mayor Clark to approve Ordinance No. 1229 on its second and final reading.

For the purpose of informing the Citizens Academy group, Commissioner Fellows and the Mayor explained that what they were doing tonight was assigning the land use and zoning classifications to all these properties. They had recently been annexed and they were now being given city land use and zoning classifications.

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

5. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1230 ASSIGNING THE LAND USE CLASSIFICATION TO 330 MYSTERY HOUSE ROAD

FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1230 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows to approve on its second and final reading, Ordinance No. 1230. Motion carried unanimously with no discussion.

6. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1231 ASSIGNING THE ZONING CLASSIFICATION TO 330 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1231 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Vice-Mayor Clark to approve Ordinance No. 1231 on second and final reading. Motion carried unanimously with no discussion.

7. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1232 ASSIGNING THE LAND USE CLASSIFICATION TO 336 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1232 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Commissioner Fellows and seconded by Vice-Mayor Clark to approve Ordinance No. 1232 on its second and final reading. Motion carried unanimously with no discussion.

8. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1233 ASSIGNING THE ZONING CLASSIFICATION TO 336 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1233 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows to approve on second and final reading Ordinance No. 1233. Motion carried unanimously with no discussion.

9. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1234 ASSIGNING THE LAND USE CLASSIFICATION TO 312 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1234 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve Ordinance No. 1234 on second and final reading. Motion carried unanimously with no discussion.

10. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1235 ASSIGNING THE ZONING CLASSIFICATION TO 312 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 1 (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1235 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Commissioner Fellows and seconded by Commissioner Fellows to approve Ordinance No. 1235 on its second and final reading.

Mayor Summerlin again explained the process of what they were doing to these properties. Vice-Mayor Clark pointed out that it may seem to them like they were going through these items fast, but they had heard these same Ordinances during the Planning Commission meeting and during the Regular Meeting during their first reading.

Commissioner Lynch also explained that this lot was called a flag lot.

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

11. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1236 ASSIGNING THE LAND USE CLASSIFICATION TO 216 MYSTERY HOUSE ROAD

FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1236 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows that on second and final reading approve Ordinance No. 1236. Motion carried unanimously with no discussion.

12. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1237 ASSIGNING THE ZONING CLASSIFICATION TO 216 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1237 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve Ordinance No. 1237 on second and final reading. Motion carried unanimously with no discussion.

13. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1238 ASSIGNING THE LAND USE CLASSIFICATION TO 240 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1238 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Commissioner Fellows and seconded by Vice-Mayor Clark to approve Ordinance No. 1238 on its second and final reading. Motion carried unanimously with no discussion.

14. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1239 ASSIGNING THE ZONING CLASSIFICATION TO 240 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1239 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows to approve on second and final reading Ordinance No. 1239. Motion carried unanimously with no discussion.

15. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1240 ASSIGNING THE LAND USE CLASSIFICATION TO 1235 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1240 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve Ordinance No. 1240 on second and final reading. Motion carried unanimously with no discussion.

16. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1241 ASSIGNING THE ZONING CLASSIFICATION TO 1235 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1241 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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. 1241 on its second and final reading. Motion carried unanimously with no discussion.

17. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1242 ASSIGNING THE LAND USE CLASSIFICATION TO 738 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1242 by title.

Raymond explained that this was second and final reading 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 Commissioner Fellows to approve on second and final reading Ordinance No. 1242. Motion carried unanimously with no discussion.

18. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1243 ASSIGNING THE ZONING CLASSIFICATION TO 738 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO CITY RESIDENTIAL ESTATES 2 (RE-2)

At this time the Attorney was instructed to read Ordinance No. 1243 by title.

Raymond explained that this was second and final reading and there were no changes since first reading.

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

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve Ordinance No. 1243 on second and final reading. Motion carried unanimously with no discussion.

19. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1261 AMENDING SECTION 2. ARTICLE IV, CHAPTER 2, CODE OF ORDINANCES, MORE SPECIFICALLY SECTION 2-135 – TOM FELLOWS COMMUNITY CENTER FACILITY USER FEES

At this time the Attorney was instructed to read Ordinance No. 1261 by title.

Parks & Recreation Director Danny McClain explained that the Ordinance amended their user fees and rental items. This was also second reading and there were no changes since first reading.

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. 1261 on its second and final reading.

Mayor Summerlin shared that the changes were inflationary type items, and they were just trying to recover their costs due to increases in prices.

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

NEW BUSINESS

1. REQUEST TO APPROVE THE TASK AUTHORIZATION WITH CPH ENGINEERS TO PERFORM A SAND SKINK SURVEY IN THE AMOUNT OF \$16,500.00

The City Manager clarified the location of this project and added that they wanted to remove the property from the conservation designation to use the property for future expansion.

Utilities Director Mike Stripling further explained that this Task Authorization consisted of a cover board survey. He explained that in order to remove the conservation area designation, they had to do a sand skink survey. In addition, there was a potential to buy into a skink conservation bank and this was the first step to get to that determination.

Commissioner Lynch asked during what time of the year did they perform the survey. Mike responded that it would be done between March 1st through May 31st.

Commissioner Fellows asked that if they found any would there be a relocation cost. Mike answered that there would be a cost to relocate them either way since it was designated as a conservation area.

Vice-Mayor Clark asked if this was a budgeted item to which Mike answered that it was in the budget but not designated for this and would be taken out of the Wastewater Consulting Services.

The Mayor opened the Public Hearing.

Ms. Twila Smith of 305 West Magnolia Street accepted and stated that there was something going on across the street on Magnolia. She was informed that this item was on North Boulevard West, but the next item dealt with what she was hearing on Magnolia street.

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve the \$16,500 with CPH Engineers for the sand skink survey. Motion carried unanimously.

2. REQUEST TO APPROVE THE TASK AUTHORIZATION WITH CPH ENGINEERS FOR AN ALTERNATIVE WATER SUPPLY (AWS) FACILITY PLAN FOR A COST NOT TO EXCEED \$80,000.00

Mike explained that this was the Task Authorization for the AWS Facility Plan at a cost of \$80,000 to complete the planning document for the FDEP State Revolving loan that they had approved in January. The facilities plan included the alternatives required to gain approval for the design loan and ultimately the construction loan. The process will include the likely outcomes of the water quality once the lower Floridan Aquifer well is constructed and then would move to the next phase to design the facilities once the water quality is determined. Mike also added that this \$80,000 came with a \$40,000 principal forgiveness.

Addressing Mrs. Smith, the City Manager explained that they were drilling down to the lower Floridan Aquifer well and this would help offset any costs that they would have from the Polk Regional Water Cooperative.

The Mayor further added that she would learn about the Polk Regional Water Cooperative during the Citizens Academy. He also told her that the noises she was hearing were from pipe being driven into the ground.

The Mayor opened and closed the Public Hearing.

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows to approve the Task Authorization with CPH Engineers not to exceed \$80,000. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager drew their attention to the Monthly Departmental Reports at their places.

He also announced that February 9th and 10th was their Grills Gone Wild event and shared that they would have their new stage out.

At this time, Chief Parker came up and introduce his new employee, Officer Sengova Sandi who came to them from New York with 17 years of experience. The City Commission welcomed him to the city.

The City Manager also welcomed the Citizens Academy group.

CITY ATTORNEY REPORT

The Attorney announced that there were several bills in the Legislature that were aimed at local governments. One of them dealt with the rates and trying to limit the ability to charge a surcharge on outside city limit customers, which would not have an impact on them because they were following a policy of infill through annexations which was very beneficial.

The second bill was trying to remove all the exemptions from the Business Impact Estimates statute. The Commission has taken an approach to do Business Impact Estimates on all of its ordinances so whether they did or didn't pass it, it wouldn't affect them.

CITY CLERK REPORT

The City Clerk announced that nineteen were going to the Ridge League of Cities Dinner in Lake Wales this Thursday. She also announced that Qualifying started Monday February 12th at noon through Friday, February 16th at noon and packets were available in the City Clerk's office.

CITY COMMISSION COMMENTS

Commissioner Lynch thanked everyone that had signed up for their first Citizens Academy and invited everyone to their barbeque event this weekend.

Commissioner Fellows also welcomed everyone to the Citizens Academy and for taking an interest in the community and getting involved. He invited everyone to the Grill Gone Wild event also.

Vice-Mayor Clark also thanked the group for their interest and further stated that one thing that he had learned about the city was that they took pride in what they did and they were going to see that during their classes.

He too invited everyone to come out Friday and Saturday, and thanked the City Manager for everything he did and his vision of keeping them ahead of things.

The Vice-Mayor thanked both the Police and Fire Departments for everything they did and for keeping them safe.

Mayor Summerlin reported that the Vice-Mayor, the City Manager and himself had gone to Tallahassee this past week for the Florida League of Cities Legislative Action Days. They had met with some of their local representatives to try to push things needed for the residents of the city. He himself had learned a lot of things and looked forward to going again.

The Mayor once again explained that it may have seemed that they had gone through the Agenda rather quickly but it didn't mean that they hadn't looked at or studied their items. This Commission was very efficient in how they moved through it.

There being no other business, a motion to adjourn was made by Commissioner Fellows and carried unanimously.

Meeting adjourned at 7:58 p.m.

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


Raquel Castillo, City Clerk