

City of Davenport Regular Meeting Minutes of January 18, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Tuesday, January 18, 2022 at 7:00 p.m. in the Commission Room after having been properly advertised with the following members present: Vice-Mayor Brynn Summerlin and Commission Members: Commissioner Tom Fellows, Commissioner Jeremy Clark and Commissioner Bobby Lynch. Also present: City Manager Kelly Callihan and City Attorney Tom Wilkes. Absent and excused was Mayor H.B. Robinson.

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

The Proclamation – School Choice Week was read out loud by the City Clerk.

APPROVAL OF ORDER OF BUSINESS

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

PUBLIC COMMENT - None

CONSENT AGENDA

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve the Consent Agenda which consisted of the January 3, 2022 Regular Meeting. Motion carried unanimously

OLD BUSINESS – None

NEW BUSINESS

1. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1049 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272634-000000-021010, 272634-000000-021050, 272634-000000-021060 AND 272634-000000-021070 FROM POLK COUNTY EMPLOYMENT CENTER (EC) TO RESIDENTIAL MEDIUM (RM)**

At this time the Attorney was instructed to read Ordinance No. 1049 by title.

City Planner Raymond Perez explained that this was the Land Use Planned Amendment of 4 parcels totaling 39.11 acres from Polk County Employment Center (EC) to Residential Medium.

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

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve Ordinance No. 1049 on first reading. Motion carried unanimously with no discussion.

2. **PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1050 APPROVING THE REZONING DESIGNATION FOR 4 PARCELS OF PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272634-000000-021010, 272634-000000-021050,**

272634-000000-021060 AND 272634-000000-021070 FROM THE CLASSIFICATION OF POLK COUNTY EMPLOYMENT CENTER (EC) TO CITY LOW DENSITY RESIDENTIAL (R-5) (ORDINANCE IS BEING REQUESTED TO BE TABLED)

Motion by Commissioner Clark and seconded by Commissioner Lynch to table Ordinance No. 1050.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1051 APPROVING THE ANNEXATION OF 630 PARK ROAD (PARCEL NO. 272704-723500-008035) – MINESH PATEL)

At this time the Attorney was instructed to read Ordinance No.1051 by title.

Raymond explained that this was a voluntary annexation of one parcel totaling 3.45 acres.

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve on first reading Ordinance No. 1051. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1052 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272709-728000-023002 FROM POLK COUNTY INDUSTRIAL (IND) TO INDUSTRIAL (IND) – GENERAL LOCATION: 0 HIGHWAY 17/92

At this time the Attorney was instructed to read Ordinance No. 1052 by title.

Raymond explained that this was a request to change the Land Use Planned Amendment from Polk County Industrial (IND) to Industrial (IND).

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve Ordinance No. 1052 on its first reading. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1053 APPROVING THE REZONING TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272709-728000-023002 FROM POLK COUNTY INDUSTRIAL (IND) TO INDUSTRIAL (I-2) – GENERAL LOCATION: 0 HIGHWAY 17/92

At this time the Attorney was instructed to read Ordinance No. 1053 by title.

Raymond explained that this was the rezoning of the same property from Polk County industrial (IND) to Industrial-2 (I-2). This zoning was being recommended by Staff because of the outdoor storage at this property.

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve Ordinance No. 1053 on first reading. Motion carried unanimously with no discussion.

6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1054 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272716-000000-014010 FROM POLK COUNTY INDUSTRIAL (IND) TO INDUSTRIAL (IND) – GENERAL LOCATION: 1935 US HIGHWAY 17/92

At this time the Attorney was instructed to read Ordinance No. 1054 by title.

Raymond advised that this was a request to change the Land Use Planned Amendment from Polk County Industrial (IND) to Industrial (IND).

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

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 1053 on its first reading. Motion carried unanimously with no discussion.

7. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1055 APPROVING THE REZONING TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272716-000000-014010 FROM POLK COUNTY INDUSTRIAL (IND) TO INDUSTRIAL (I-2) – GENERAL LOCATION: 1935 US HIGHWAY 17/92

At this time the Attorney was instructed to read Ordinance No. 1055 by title.

Raymond advised that this was the rezoning of the same parcel from Polk County Industrial (IND) to Industrial-2 (I-2).

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

Motion by Commissioner Lynch and seconded by Commissioner Clark for approval of Ordinance No. 1055. Motion carried unanimously with no discussion.

8. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1056 APPROVING THE REZONING TO PROPERTY IDENTIFIED BY TAX PARCEL IDENTIFICATION 272709-728000-032200 FROM POLK COUNTY SINGLE FAMILY RESIDENTIAL (R-3) AND CONSERVATION DISTRICT (CN) TO LOW DENSITY RESIDENTIAL (R-5) AND CONSERVATION DISTRICT (CN)

At this time the Attorney was instructed to read Ordinance No. 1056 by title.

Raymond explained that this was the rezoning of 3900 Olsen Road from R-3 and Conservation (CN) to R-5 and Conservation (CN).

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve Ordinance No. 1056 on first reading. Motion carried unanimously with no discussion.

9. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1057 APPROVING THE REZONING FOR SEVERAL LAND PARCELS COMPRISING OF 59+/- ACRES & LOCATED NORTH OF PALMETTO STREET EAST AT THE INTERSECTION OF EAST BOULEVARD AND HORSESHOE CREEK ROAD AND JUST SOUTH OF SOUTH BOULEVARD, WEST OF POWERLINE ROAD, AND JUST NORTH AND SOUTH OF NEAL ROAD; CHANGING THE ZONING FROM LOW DENSITY RESIDENTIAL (R-5) AND RESIDENTIAL ESTATES/SINGLE FAMILY RESIDENTIAL (RE-1) TO PLANNED UNIT DEVELOPMENT (PUD) – (POWERLINE ROAD SOUTH)

At this time the Attorney was instructed to read Ordinance No. 1057 by title.

Raymond explained that this was the rezoning of 59.0 acres from RE-1 and R-5 to Planned Unit Development (PUD). He further explained that the reason for this zoning category was because the owner wanted a 20' front setback instead of the 25' front setback required in R-5.

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

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 1057 on its first reading.

In answer to Commissioner Fellows' question, Raymond responded that nothing had changed but the setback.

Commissioner Lynch further questioned would the reduction of the front back setback create problems with on-street parking. Raymond responded that with this particular project nothing had changed and it was approved for a right-of-way of 50' which was the standard in the LDR's and they would also have to meet all the requirements necessary by the LDR's pertaining to the size of the streets, sidewalks, easements, etc.

Commissioner Lynch again questioned the allowance of on-street parking. Raymond responded that this would and might fall under the CDD's requirements on whether or not to allow it.

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

10. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1058 INCREASING THE GARBAGE COLLECTION RATES AND ESTABLISHING SECTION 14-18, GARBAGE ONLY ACCOUNTS OF THE CITY CODE

At this time the Attorney was instructed to read Ordinance No. 1058 by title.

Finance Director Donald Carter explained that this Ordinance increased the garbage rates by \$.50 per month. This increase would increase Residential Service from \$17.50 to \$18.00 per month, Center Crest RV Park from \$14.50 to \$15.00 per month and Commercial from \$8.50 to \$ 9.00 per cubic yard per container size per frequency.

Donald also drew their attention to the current contract expiring in September and that staff would be coming to them at a later date to discuss whether to renew or go out for proposals.

He also added that the second part of this ordinance dealt with those properties with garbage service only accounts. The Ordinance implemented a schedule of fees and established deposit amounts for these accounts and rules for delinquent accounts.

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve Ordinance No. 1058 on first reading.

Discussion ensued with Vice-Mayor Summerlin stating that at the rate that everything else was going up \$.50 was a non-issue. Unless there was a large increase when the contract came up for renewal in September; he would be whole heartedly in favor of continuing the contract. He was afraid of what they would get if they went out for bids. The City has always had good service with them. Commissioner Fellows agreed.

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

11. REQUEST TO AWARD ITB 2022-01 PUBLIC SERVICES UTILITIES EQUIPMENT WAREHOUSE 2 TO WATTS CONSTRUCTION THE LOW RESPONSIVE BIDDER

Utilities Director Mike Stripling explained that the City had received five (5) bids on this project with Watts Construction being the apparent low bidder. This was a budgeted item and staff was requesting that the bid for the Public Services Utilities Equipment Warehouse be awarded to Watts Construction in the amount of \$136,466.77. Mike further added that the remaining funds would be used for the driveways, which staff was looking at using limerock.

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

In answer to Commissioner Lynch's observation in the difference of the high and low bids, Mike answered that the difference was the cost of concrete and labor.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve the contract with Watts Construction. Motion carried unanimously.

12. REQUEST APPROVAL TO ENTER INTO A CONTRACT WITH CPH FOR THE REQUIRED UPDATE TO THE CITY OF DAVENPORT'S TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN

Utilities Director Mike Stripling explained that this was to enter into a contract with CPH for the required update to the City's Ten-Year Water Supply Facilities Work Plan in the amount of \$37,500.00.

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

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve the contract with CPH for the Ten-Year Water Supply Plan. Motion carried unanimously.

CITY MANAGER REPORT

The City Manager asked Mike to come up and give them an update on the well.

Mike reported that when they had started the well, they had started with a 16" casing. They are at 192' with a 16" drill bit. They would continue with the 16" as far as they could go. If they ran into a problem between there and 700' then they would set the 10" casing in. Mike stated that they were moving along, but not as quickly as he wanted to be.

The City Manager announced that Mike has also been working with DEP to get additional funding to get them to reclaimed water. Mike continued and explained that staff had submitted an application for a rather large amount of money that the state was getting from the federal government. The City had been unsuccessful in getting this loan/grant. He had pointed out to DEP that no one from Polk County had received any of this money. This had set a priority for them to make sure that the City was given some funding and as a result, the City was getting \$6,300,000.00 in grant funding to go towards their \$12 million project.

Mike also credited Pennoni for helping him put the application together.

The City Manager also added that there were about 3 acres of property that were designated as conservation at the wastewater treatment property that needed to be used. He had spoken to a few companies about doing a survey on the conservation piece. Staff was hoping that this property was no longer needed for conservation and could be used.

The City Manager also shared that the coffee and pastry shop was now opened. He reminded them that Thursday, January 27th was the Chamber Banquet and Taste of Davenport was February 5th.

CITY ATTORNEY REPORT – Nothing to Report.

CITY CLERK REPORT – Nothing to Report.

CITY COMMISSION COMMENTS – No Comments.

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 7:47 p.m.

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

Raquel Castillo, City Clerk