

# City of Davenport Regular Meeting Minutes of July 15, 2024

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, July 15, 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: Linda Robinson and Bobby Lynch. Also present were City Manager Kelly Callihan and City Attorney Tom Cloud. Absent and excused was Donna Fellows-Coffey who was out sick.

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

## APPROVAL OF ORDER OF BUSINESS

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

## PUBLIC COMMENT

The Mayor asked if there was anyone who wished to address the City Commission on anything not on the Agenda. There was no one present.

## CONSENT AGENDA

**Motion** by Commissioner Lynch and seconded by both Commissioner Robinson and Vice-Mayor Clark to approve the Consent Agenda which consisted of the July 1, 2024, Regular Meeting. Motion carried unanimously.

## OLD BUSINESS - NONE

## NEW BUSINESS

### 1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1278 CHANGING THE LAND USE CLASSIFICATION TO 611 HORSESHOE CREEK ROAD FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO CITY RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1278 by title.

City Planner Raymond Perez explained that this was a request to change the Land Use Classification to 611 Horseshoe Creek Road from Polk County Residential Medium (RM) to City Residential Low (RL).

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

**Motion** by Vice-Mayor Clark and seconded by Commissioner Lynch to approve Ordinance No. 1278 on its first reading. Motion carried unanimously.

### 2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1279 CHANGING THE ZONING CLASSIFICATION TO 611 HORSESHOE CREEK ROAD FROM COUNTY RESIDENTIAL MEDIUM (RM) TO CITY SINGLE FAMILY RESIDENTIAL (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1279 by title.

Raymond explained that this was a request to change the Zoning Classification to the same parcel of property from Polk County Residential Medium (RM) to City Single Family Residential (RE-1).

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

**Motion** by Commissioner Robinson and seconded by Vice-Mayor Clark that the City Commission approve Ordinance No. 1279. Motion carried unanimously.

**3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1280 CHANGING THE LAND USE CLASSIFICATION TO 240 NORTH BOULEVARD EAST FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO CITY RESIDENTIAL LOW (RL)**

At this time the Attorney was instructed to read Ordinance No. 1280 by title.

Raymond explained that this was a request to change the Land Use Classification to 204 North Boulevard East from Polk County Residential Medium (RM) to City Residential Low (RL).

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

**Motion** by Commissioner Lynch and seconded by Commissioner Robinson to approve Ordinance No. 1280 on first reading. Motion carried unanimously.

**4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1281 CHANGING THE ZONING CLASSIFICATION TO 240 NORTH BOULEVARD EAST FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) TO CITY LOW DENSITY RESIDENTIAL (R-5)**

At this time the Attorney was instructed to read Ordinance No. 1281 by title.

Raymond explained that this was a request to change the Zoning Classification to the same parcel of property from Polk County Residential Medium (RM) to City Low Density Residential (R-5).

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

**Motion** by Vice-Mayor Clark and seconded by Commissioner Robinson to approve Ordinance No. 1281 on first reading. Motion carried unanimously.

**5. REQUEST TO APPROVE RESOLUTION NO. 504-24 APPROVING THE CAPRI VILLAGE TOWNHOMES FINAL PLAT (GENERAL LOCATION: WEST OF 10<sup>TH</sup> STREET SOUTH OF SOUTH BOULEVARD WEST)**

Raymond explained that this was a Resolution approving the Capri Village Townhomes final plat consisting of 12 lots.

Commissioner Lynch asked for clarification of how the units would sit on the lots. Raymond responded that the side lots had to meet all the setback requirements and therefore were wider. They would also face the roadway as depicted on the map and would enter the subdivision by 10<sup>th</sup> Street.

Mayor Summerlin asked if there was any difference from this to the preliminary plat that had been presented. Raymond responded that there was no difference.

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

**Motion** by Commissioner Robinson and seconded by Vice-Mayor Clark that the Commission approve Resolution No. 504-24 approving the Capri Village Townhomes final plat. Motion carried unanimously.

**6. REQUEST TO SET THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2024-2025 AND SCHEDULE THE PUBLIC HEARING DATES**

Finance Director Donald Carter advised that the City Commission was required to set the tentative millage and set the dates for the Public Hearings. Donald advised that Staff has balanced the proposed budget using a millage rate of 7.2500 and recommended this rate be set as the City's tentative millage rate. He emphasized that when they set the millage that this would be the cap and could only be decreased once it was set.

In addition, he advised that Staff was also asking to schedule the Public Hearings for Thursday, September 5, 2024, and Thursday, September 19, 2024.

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

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to set the tentative millage rate at 7.2500 mills. Motion carried unanimously.

**Motion** by Commissioner Robinson and seconded by Vice-Mayor Clark that the City Commission reschedule their September meeting dates to Thursday September 5, 2024, and Thursday September 19, 2024 for their Budget Public Hearings. Motion carried unanimously.

**7. REQUEST TO APPROVE THE NORTH POWERLINE ROAD CDD TRAFFIC CONTROLL AGREEMENT**

Chief Parker explained that this was an Agreement to enforce traffic laws within the community. Chief Parker also stated that this CDD encompassed the communities of Horse Creek and Deer Run.

**Motion** by Vice-Mayor Clark and seconded by Commissioner Robinson to approve the North Powerline Road CDD Traffic Control Agreement.

The Mayor provided that they already had Agreements with other CDD's and they would probably see more in the future.

The Attorney also pointed out that there was an exit clause within the Agreement.

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

**8. REQUEST TO APPROVE THE PURCHASE OF A NIDEC/US MOTOR FOR WELL #4 AT WATER PLANT 2 FROM BARNEY'S PUMPS INC. IN THE AMOUNT OF \$15,598.10**

Utilities Director Mike Stripling explained that this was a request to purchase a motor for Well 4 at Water Plant 2 in the amount of \$15,598.10. Mike further stated that the previous repairs to Well 4 did not include the motor but they had noticed that grease had gotten into the winding of the motor. So while they did the repairs, they were replacing the motor. They would take the existing motor and have it cleaned out and place it on the shelf for a backup.

The Mayor asked if they knew how much it was going to cost to clean it up to place it back on the shelf. Mike responded that they didn't, but the threshold amount would be under the approval of the director and likely come out of their repair and maintenance budget.

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

**Motion** by Commissioner Lynch and seconded by Commissioner Robinson to approve the purchase of the motor for Well #4 at Water Plant 2. Motion carried unanimously.

**9. REQUEST TO APPROVE AMENDMENT ONE TO THE WATER & WASTEWATER UTILITIES AGREEMENT WITH JACKSTONE DEVELOPMENT LLC AND GLK REAL ESTATE LLC**

Mike explained that a couple of weeks ago they had approved the initial agreement with Jackstone Development for improvements related to water and sewer infrastructure in the ROW for the new Powerline Road. These improvements did not include the water line extending North from Horseshoe Creek Road to US 17/92 and the force main from US 17/92 West and South to the force main on North Boulevard. This amendment will complete the water line and force main for the developments to the East on Horseshoe Creek Road. The cost for the additional water line is \$1,279,605.52 and the cost for the additional force main is \$2,164,754.43.

In answer to Commissioner Robinson's question, Mike answered that the total for this project would be about \$5 million.

**Motion** by Commissioner Lynch and seconded by Commissioner Robinson to approve Amendment One to the Water and Wastewater Utilities Agreement. Motion carried unanimously.

**10. REQUEST TO APPROVE THE SELECTION OF ENGINEER FOR THE REUSE MASTER PLAN PROJECT – RFQ 2024-02**

Mike explained that proposals had been received and staff was requesting approval of the selection of Pennoni for this project. He also explained that there was no financial impact with this item until a contract for Design was brought to them.

**Motion** by Commissioner Robinson and seconded by Vice-Mayor Clark to approve the selection of engineer for the Reuse Master Plan project. Motion carried unanimously.

**11. REQUEST TO APPROVE THE SELECTION OF ENGINEER FOR THE CONTINUING CIVIL SERVICE – RFQ 2024-03**

Mike explained that he had advertised for Qualifications and the review committee had selected the following engineers:

- CPH
- Chastain Skillman
- Civilsurv
- CHA Consulting
- Pennoni
- Kimley Horne

**Motion** by Vice-Mayor Clark and seconded by Commissioner Robinson to approve the selection of engineers for the continuing civil service. Motion carried unanimously.

**12. REQUEST TO APPROVE THE SELECTION ENGINEER FOR SURVEY AND GIS SUPPORT – RGQ 2024-05**

Mike explained that staff was presenting the following Surveyors and GIS Engineers for approval.

- Robert Stevens
- Epic Engineering
- CPH
- Civilsurv
- Southeastern
- Pennoni

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to approve the selection engineer list for the Survey and GIS Support. Motion carried unanimously.

**13. REQUEST TO APPROVE THE 2023/2024 STORMWATER TAX ROLL FOR THE CITY'S STORMWATER TAX ASSESSMENT**

Mike explained that this was the annual report that was sent to the Property Appraiser and Tax Collector to assess for the stormwater assessment. The assessment for mobile homes was \$48, single family was \$60 and commercial was based on square footage. He also advised that the total they would collect through this assessment would be \$363,628.30.

The Mayor opened the Public Hearing.

Joyce Hunter of 15 West Boulevard questioned the fee already on her water bill. She was informed that this was a backflow fee.

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

**Motion** by Commissioner Lynch and seconded by Vice-Mayor to approve the 2023/2024 Stormwater Tax Roll Assessment. Motion carried unanimously.

#### **14. REQUEST TO APPROVE AND AWARD THE 2023/2024 COMMUNITY GRANT**

Before proceeding with discussion of this item, Vice-Mayor Clark stated that he had to recuse himself because he was Pastor of the Gate Church and it would be a conflict of interest.

The City Clerk announced that the city had received nine (9) applications from the following organizations:

- The Gate Church
- Shalom Christian Center
- Davenport Historical Society
- Jamestown Concerned Citizens
- First Friday Kids Support Group
- Nature's Place
- Golden Ridge HOA
- Cordero Music, Inc.
- Andover HOA

After review and calculation, City Staff was recommending approval and allocation of the \$3,000 to be disbursed as follows:

- The Gate Church - \$600
- Shalom Christian Center - \$600
- Davenport Historical Society - \$600
- Jamestown Concerned Citizens - \$600
- First Friday Kids Support Group - \$600

**Motion** by Commissioner Robinson and seconded by Commissioner Lynch to approve and award the 2023/2024 Community Grants. Motion carried unanimously.

#### **15. REQUEST TO CONSIDER AND APPROVE A MERIT RAISE AND COLA FOR THE CITY MANAGER AND CITY CLERK**

The Mayor explained that the City Manager and City Clerk were under them and they needed to approve their merit and COLA

**Motion** by Vice-Mayor Clark and seconded by Commissioner Robinson to approve the merit of 4% and COLA of 4% for the City Manager and City Clerk. Motion carried unanimously.

#### **16. REQUEST TO APPROVE THE PURCHASE OF THE TORGERSEN PROPERTIES**

The Mayor shared that several months ago the City Manager had brought him an opportunity to acquire property for a park consisting of 50 acres. The property was located on the curve

off Holly Hill Road. The price had been negotiated with the owners and the Attorney had drawn up the contracts. He was excited about this, and was a tremendous opportunity for them. He felt that it wasn't whether they could afford it, but could they afford not to.

The City Manager went on to state that it would be a park with a little bit of everything. It could include a dog park, areas for playgrounds, and walking trails. He shared that the property had ponds on it and they could work with the Game and Fish Commission to have catch and release. They could place picnic pavilions and have tree houses, similar to Bonnet Springs Park. He cautioned that if they waited, it might not be available, and they would miss this opportunity.

Commissioner Lynch stated that he too had rode around the property. He further added that growth had taken up all the land around them and this property was truly old Florida. The first thing that had struck him was that it had a lot of character, and he could see it being a park.

Using their 4<sup>th</sup> of July event as an example, the Mayor pointed out how packed it had been and asked them to imagine how many people it would draw if they had a park of this size.

Vice-Mayor Clark stated that it would be a game changer in Polk County and a place for people to flock to. The whole character of the property was tremendous.

Commissioner Robinson concurred with everybody's comments and added that it was a gorgeous piece of land. It was a great opportunity that they could save a piece of land that would remain beautiful and that families could enjoy.

Former Commissioner Tom Fellows of 202 North Miami Avenue approached the floor and voiced that it was an excellent opportunity. He expressed kudos to the City Manager and the Mayor for getting together and making it happen. They had already taken care of the infrastructure, the water and the sewer and now they needed some parks for the residents.

Judy Torgersen Thompson also spoke and share that her grandfather had purchased the property in the early 1900's. Her father was raised on the property, and she had raised her children on it too. She had prayed over this and was excited that it would be used for this, and the property would be preserved forever.

The Mayor stated that it was going to cost them \$4.3 million for the property and asked where the money was coming from. The City Manager responded they would be purchasing the property by just the interest alone from their investments. If they wanted to purchase the property, they certainly had the funds to purchase it.

Mr. Michael Sloan of 409 Sapphire Drive stated that photography was his hobby and would like to volunteer his services and document the park for the next couple of years. The Mayor responded that they would be happy to take him up on his offer. As they moved forward, he was sure that the Historical Society ladies would be happy to work with him on the history of the property.

**Motion** by Commissioner Robinson and seconded by Vice-Mayor Clark to approve the purchase of the Torgersen properties. Motion carried unanimously.

## **CITY MANAGER REPORT**

The City Manager reminded them of their Reverse Raffle coming up August 3<sup>rd</sup>. Tickets were \$40 dollars. He also announced that a shed would be auctioned off.

**CITY ATTORNEY REPORT** – Nothing to report.

**CITY CLERK REPORT** – Nothing to report.

## **CITY COMMISSION COMMENTS**

Commissioner Lynch stated that staff had done a great job at their 4<sup>th</sup> of July event. He also voiced that the Budget had gone well and staff had done a great job on it.

Commissioner Robinson also agreed that their July 4<sup>th</sup> was a great event and thanked Danny and his staff. She was also delighted that the Commission had agreed to purchase the Torgersen property. She was glad that the City Manager and Mayor had the forethought and had brought it to them for their approval.

Vice-Mayor Clark agreed that their July 4<sup>th</sup> event had been amazing. The top shelf leadership that they had was tremendous and it started from the top, and he would put them up against anyone. He thanked their Police and Fire Departments for their service and help.

At this time the 4<sup>th</sup> of July event video was displayed on the overhead monitors.

Mayor Summerlin shared that there had been a malfunction during the fireworks show and that these things happened. To his knowledge this had been the first issue they had ever had. However, they had one of the most professional fireworks companies in the country that did their event. This was still a premier event and something the city could be proud of.

He shared that there had been 50 vendors at the event, the most they have ever had and even had to turn some of them away. This indeed had been a huge event for them.

He also shared that there were 200 students from University of Oklahoma and the University of Texas that had come to Orlando for a Christian retreat. This was their third or fourth year of coming to their event. Last year there were 100 students and this year there were 200 students. They especially came to see their show and their town. As the Mayor, it made him very proud and very proud of their city. As a longtime resident of the city, it made him extremely proud. Davenport was on the map and they would continue to be so.

Before closing, the City Manager informed them that himself and Steve have been working with DOT about changing the signs at the I-4 and Highway 27 interchange to say Davenport Exit instead of Haines City and Clermont. They had responded back to them that they were working on changing this.

He also mentioned that they had talked a little bit about the \$3 million received for the appropriations for the utilities, but he wanted them to know that they had also received an additional \$4 million from the state appropriations for the Lewis Mathews Sports Complex. It would be an \$8 million dollar project with half of the money coming from the State and \$2.6

million from the developer and only \$1.4 million from the city. The City was getting over half of the money covered by grant funding. Again, he couldn't thank the Governor enough for giving them \$7 million dollars this year. He had sent an email to the Governor's Office to ask him to try to get him to come and present a check to them or do the ground breaking or ribbon cutting.

Commissioner Robinson voiced that Lewis Mathews would be so proud.

There being no further business, a motion to adjourn was made by Commissioner Lynch and seconded by Commissioner Robinson.

Meeting adjourned at 8:17 p.m.

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

  
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Raquel Castillo, City Clerk