

City of Davenport Commission Minutes of June 17, 2024

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, June 17, 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 Donna Fellows-Coffey. Also present were City Manager Kelly Callihan and City Attorney Tom Cloud. Absent and excused was Commissioner Bobby Lynch.

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.

Joyce Hunter of 15 West Boulevard South informed the Commission that they were having a problem maintaining the Butterfly Garden near the Police Department and were asking if the city could help them. They would only be asking for an hour a month or even two hours a quarter. She stated that Lori Moffett would be happy to meet with them to show them which plants were weeds and which were not.

Mayor Summerlin asked the City Manager if they could do something.

Michael Sloan of 409 Sapphire Drive stated that the gates on their fences were constantly being broken and vandalized and before they replaced them with a solid fence, he wanted to make sure that the city didn't need access to them. The Mayor responded that the gates were put there for a reason and before they took them out, they needed to make sure that it wasn't a Police, Fire or Utility easement access. If not, then he didn't see why they couldn't. The City Manager added that staff would check.

Mr. Sloan also asked about getting some playground equipment for the kids. The City Manager informed him that the city had a community grant and to get with the City Clerk for the Information so that he could apply.

Twila Smith of 305 West Magnolia Street wanted to thank the Commission and staff that had attended their Juneteenth event Saturday. She appreciated everyone who had attended.

She also wanted to question the annexation notice that a resident had received regarding the second reading of her property, yet it wasn't on the agenda. She was informed that the notice that they had received was regarding the property next to Mrs. Stamp and she was receiving the notice because she was an adjacent owner. However, now that she would be contiguous, she would be annexed in.

There being no one else the Mayor closed Public Comment.

CONSENT AGENDA

Motion by Vice-Mayor Clark and seconded by Commissioner Fellows-Coffey to approve the Consent Agenda which consisted of the June 3, 2024, Regular Meeting. The motion carried unanimously.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1276 ANNEXING 611 HORSESHOE CREEK ROAD (OWNER OF RECORD: JUSTIN T. OAKES)

At this time the Attorney was instructed to read Ordinance No. 1276 by title.

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

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

Motion by Commissioner Fellows-Coffey and seconded by Commissioner Robinson to approve Ordinance No. 1276 on second and final reading.

In answer to the Mayor's question, Raymond responded that land use and zoning would be at their next Planning Commission meeting.

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

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1277 ANNEXING 204 NORTH BOULEVARD EAST (OWNER OF RECORD: ANTHONY STEWARD)

At this time the Attorney was instructed to read Ordinance No. 1277 by title.

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

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 Ordinance No. 1277 on second and final reading. Motion carried unanimously.

NEW BUSINESS

1. REQUEST TO APPROVE THE HOLLY HILL ROAD EAST (CITRUS RESERVE) CDD TRAFFIC CONTROL AGREEMENT

Chief Parker explained that this was an Agreement to enforce traffic laws within the community, and by law, they had to have an Agreement in place for them to do this.

The Attorney pointed out that there was a bail-out device within the Agreement. The Agreement was set up very similar to some past agreements with a couple of changes that protected the Commission a little better.

The Mayor opened the Public Hearing

Julie Steddom of 760 Citrus Reserve and President of the CDD advised that she had not seen the Agreement and was not sure what it contained and asked if it was just traffic control. Chief Parker responded that because the roads were private within the CDD, they needed this Agreement. The CDD would still enforce their parking violations, etc.

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

Motion by Commissioner Robinson and seconded by both Vice-Mayor Clark and Commissioner Fellows-Coffey that the Commission approve the Holly Hill Road East (Citrus Reserve) CDD Traffic Control Agreement. Motion carried unanimously.

2. REQUEST TO APPROVE THE PURCHASE OF THE 50HP PUMP FROM BARNEY'S PUMPS INC. IN THE AMOUNT OF \$25,185.00

Operations Superintendent James Coker explained that staff was requesting approval of the purchase of a replacement pump for the North Blvd Lift Station from Barney's Pumps Inc. in the amount of \$25,185.00. He further stated that the pump that was installed was on the shelf as a backup and allowed staff to install the pump without waiting for repairs. The replacement pump would again be on the shelf ready to install should there be another failure. He also stated that the pump that was pulled was from 2006.

Motion Commissioner Fellows-Coffey seconded by both Vice-Mayor Clark and Commissioner Robinson to approve the purchase of the 50HP pump from Barney's Pumps Inc. in the amount of \$25,185.00. Motion carried unanimously.

3. REQUEST TO APPROVE THE SELECTION OF CPH ENGINEERS FOR THE ALTERNATIVE WATER TREATMENT DESIGN PROJECT (RFQ 2024-04)

Utilities Director Mike Stripling advised that items 3 and 4 went hand in hand. He further explained that they had advertised for Request for Qualifications for the Alternative Water Treatment Design project and had received submittals from CPH Engineers and Kimley Horn. A committee was put together to review and score the proposals and a recommendation to award the contract to CPH Engineers was being presented for approval. Once they approved the contract, a Task Authorization would be presented to them.

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

Motion by Vice-Mayor Clark and seconded by both Commissioner Robinson and Commissioner Fellows-Coffey to approve the selection of CPH Engineers for the Alternative Water Treatment Design project. Motion carried unanimously.

4. REQUEST TO APPROVE THE CONTRACT WITH CPH ENGINEERS FOR THE ALTERNATIVE WATER TREATMENT DESIGN PROJECT

The Mayor entertained a motion on this item.

Motion by Commissioner Robinson and seconded by Commissioner Fellows-Coffey that the Commission approve the contract with CPH engineers for the Alternative Water Treatment Design project. Motion carried unanimously.

Mike noted that they had gotten approved for \$1.4 million for this project from FDEP with 50% principal forgiveness.

CITY MANAGER REPORT

The City Manager invited Chief Parker up to the podium, who went on to give each of them the Department's new patch and challenge coins.

The City Manager also reminded them of the Derwin James football camp this Saturday and their 4th of July celebration coming up.

He also announced that Department Heads have turned in their budget and he was looking at their first Budget Workshop on July 8th at 5:30 p.m. This met with the consensus of the Commission.

He also shared that the city was awarded a \$4 million grant for the Lewis Mathews renovation project and \$3 million for the Powerline Road project.

In addition, he provided that the city had also received the following grants:

- Design of the lower aquifer for Alternative Water was \$1.468 million with \$734,000 principal forgiveness.
- Police Department JAG grant - \$13,300
- TPO North Lake Trail behind the Community Center – \$382,000
- Blending station project of \$608,000 with a \$304,000 grant.
- Force main project from 17/92 to North Boulevard – SRF funding of \$1.7 million with a lower interest rate.
- Fire Department TIPS grant – \$5,000.
- Horseshoe Creek Road to 17/92 16-inch water line project – SRF funding for \$2.7 million.
- Wastewater Treatment facility Phase 3 - \$12 million project with \$6 million principal forgiveness.

The City was waiting for a couple more, but they're looking at almost \$19 million dollars in grant funding, and by the end of this year they would be at \$20 million in grant funding.

He was certainly proud that they have been awarded these funds and they couldn't have done it without the help of staff and the City Commission.

CITY ATTORNEY REPORT

The City Attorney reported the Federal Court's decision to issue a preliminary injunction that changed the form filing requirement from Form 6 back to Form 1.

He shared that 125 local government officials had resigned because of this ill-fated law and it pointed to some gaps. In looking at Charter provisions that relate to successions, it appeared to him that they had a similar gap that perhaps they should address. In the coming weeks he would like to provide some suggested language as a Charter amendment that would fill that succession gap. They had no idea what the Legislature was going to do in the future. They could turn around and pass this law again. So it might not be a bad idea to make sure they covered their succession base in the Charter.

At the City Manager's request, he also reported that Statute 112.048 was a 1939 statute that provided for retirement for municipal officials who have served twenty years or more continuously and were entitled, upon request, a sum equal to one-half of the amount of their annual salary. As such, this was a valid statute and mandatory if requested.

The City Manager further added that staff had been asked about it. They currently had one seating Commissioner and another one that had just left that would fall under this category. If it was the Commission's wishes staff could place the money in the budget to fund this and they could make the decision to approve it during the budget process.

The Mayor asked him to bring them the numbers and they could decide at their budget workshop.

CITY CLERK REPORT

Following the Attorney's update, the City Clerk reminded them to file their Form 1.

Commissioner Robinson inquired if this was a permanent decision. The Attorney responded that it was not and could be appealed.

CITY COMMISSION COMMENTS

Commissioner Fellows Coffey thanked Twila Smith and Jennie Calhoun for inviting them to their event on Saturday.

To follow up to the City Manager's comments, sixteen (16) municipalities had been disappointed last week and Davenport had come out with the big win. Although not in Davenport, Polk State College had also received \$8.1 million for their Northeast Campus, which would benefit residents from both Davenport and Haines City. She thanked all the city staff that had a hand in making this happen.

Commissioner Robinson echoed Commissioner Fellows-Coffey's comments. She wanted to commend the Jamestown Concerned Citizens for the event.

She also shared that on June 5th she had attended a ribbon cutting at the I-4/County Road 557 Wildlife Crossing and she had been pleased to see Representative Tomkow there.

She had also attended the Institute for Elected Municipal Officials (IEMO) last week and had learned a lot and appreciated it that the city had budgeted for this.

She also commended Assistant City Manager Steven Hunnicutt and Administrative Assistant Maricela Arteaga for rescuing a cat underneath a car. If not for their help, it probably would have died.

She also commended City Staff for the 4-way stop signs on Maple and Bay Street. She asked if there were any others to be placed on Miami Avenue. The City Manager responded that there wasn't but there was a request for Bay Street and Kissimmee Avenue. He had also spoken to the resident that had made the initial request and had told them that once the Powerline Road Extension came in that they would reevaluate the situation and probably remove some of the stop signs.

Vice-Mayor Clark voice kudos to the City Manager and staff for the grants and the foresight to get the lobbyist.

The Vice-Mayor stated that he too had attended the Juneteenth event. He also announced that last Thursday they had their Ridge League of Cities dinner in the city, and they had over 200 elective officials attend.

In closing he thanked their heroes, both the Fire and Police Departments.

The Mayor voiced his regret that he was not there. He was out of town celebrating 26 years of marriage. He was looking forward to their 4th of July event.

The City Manager stated that they would have their new stage at the event and this year they had newcomers for the T-Shirt guns.

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

The meeting was adjourned at 7:51 p.m.

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



Raquel Castillo, City Clerk