

City of Davenport Regular Meeting Minutes of May 2, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, May 2, 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, Commissioner Tom Fellows and Commissioner Jeremy Clark. Also present: City Manager Kelly Callihan and City Attorney Tom Cloud.

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

PROCLAMATIONS

The Proclamations Water Safety Month and City Clerk Week were read out loud by the City Clerk.

1. PRESENTATION – Tom Phillips, Executive Director (Citrus Connection)

Mr. Tom Phillips, Executive Director with the Citrus Connection provided the Commission an annual transit update. Further pointing out Route 20X ridership of 647 boardings during Covid. Mr. Phillips drew their attention to the City's ADA ridership of 3,282 during this same period. He explained that this consisted of those individuals that were elderly and disabled and could not use the fixed route bus service. This told him that the established seniors were utilizing the ADA service much more than the fixed route service and this was something they typically didn't see in other communities and something they could be proud of.

He then presented the Fair Share breakdown by each community. He further explained that the city was currently entered into a Fair Share Agreement for about \$3,900 a year and it was coming up at the end of this year. They did have the capability to enter into another 2-year Fair Share Agreement with the City; and would simply ask them to renew the Agreement.

The Vice-Mayor shared that when they added the ADA ridership and the 647 boardings, this amounted to about 170 people a month. He further stated that the Fair Share number in his presentation shocked him. On the record, Mr. Phillips informed the Vice-Mayor that they were not asking them to go with that number and further added that Davenport and Haines City had a reprieve from this. Again, going on the record, Mr. Phillips stated that coming out of Covid, he would expect that the numbers they had today should increase 60 percent in the next 2 years and if they didn't then they needed to make some adjustments.

The City Commission thank Mr. Phillips for his presentation.

APPROVAL OF ORDER OF BUSINESS

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

PUBLIC COMMENT

The Mayor asked if there was anyone who wished to speak to them on any item not on the agenda.

Mr. Mike Swain of 113 E. Cypress Street accepted the invitation and voiced his complaint regarding noisy fowls next door. Mr. Swain emphasized that his neighbor wasn't doing anything wrong and was following the ordinance. Mr. Swain shared that they couldn't even sleep in the master bedroom

because of the noise and had to sleep in the opposite side of the house. He asked that they revisit the ordinance concerning fowl.

The Mayor voiced their understanding and informed Mr. Swain that they would look at revisiting the ordinance.

Ms. Joyce Hunter of 15 West Boulevard voiced her defense of the chickens and shared that her chickens were put them up every night in a totally enclosed area and let out in the morning. If the ordinance was changed where they had to be put up every night, this would eliminate some of the problem.

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

CONSENT AGENDA

Motion by Commissioner Clark and seconded by Commissioner Lynch to approve the Consent Agenda which consisted of the April 18, 2022 Planning Commission and the April 18, 2022 Regular Meeting minutes. Motion carried unanimously with no discussion.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1072 APPROVING THE LAND USE PLANNED AMENDMENT (LUPA) TO 720 MYSTERY HOUSE ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1072 by title.

City Planner Raymond Perez advised that there were no changes since first reading.

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

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve Ordinance No. 1072 on its second and final reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1073 REZONING 720 MYSTERY HOUSE ROAD FROM RESIDENTIAL SUBURBAN (RS) TO SINGLE FAMILY RESIDENTIAL (R-1)

At this time the Attorney was instructed to read Ordinance No. 1073 by title.

Raymond advised that this was the rezoning of the same property 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 Clark to approve Ordinance No. 1073 on its second and final reading. Motion carried unanimously with no discussion.

NEW BUSINESS

1. APPOINTMENT OF VICE-MAYOR

Motion by Commissioner Lynch and seconded by Commissioner Fellows to appoint Brynn Summerlin as Vice-Mayor. Motion carried unanimously.

2. APPROVE AGREEMENT BETWEEN THE CITY OF DAVENPORT AND POLK COUNTY TRANSFERRING A PORTION OF 42ND STREET FROM HIBISCUS AVENUE NORTH TO BARGAIN BARN ROAD

The City Manager explained that this was the small section from Hibiscus Street to Bargain Barn Road. He further added that Staff has had numerous conversations about this project and was recommending that the city accept that portion of 42nd Street from the County.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the agreement between the City and Polk County. Motion carried unanimously with no discussion.

3. REQUEST TO APPROVE THE PIGGYBACK CONTRACT THROUGH SUMTER COUNTY WITH ASPHALT PAVING SYSTEMS FOR DAVENPORT STREET REPAIR

Public Services Director Darryl Koon advised that Staff was asking that they approve the piggyback contract with Sumter County with Asphalt Paving Systems to do this year's streets paving.

Motion by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve the piggyback contract with Sumter County with Asphalt Paving Systems.

Discussion ensued with Vice-Mayor Summerlin noting that they were not spending all the money that was budgeted. Darryl responded that this was correct and was planning on using the balance by partnering with the County again this year to pave and repair the city's portion of Bargain Barn Road.

On a side note, the City Manager informed them that the County would be fixing the apron at Escambia Avenue and South Boulevard.

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

4. REQUEST TO APPROVE TASK AUTHORIZATION – ADDENDUM NO. 1 WITH PENNONI FOR WASTEWATER TREATMENT FACILITY PHASE 1 IMPROVEMENTS TECHNICAL SERVICES DURING CONSTRUCTION

Utilities Director Mike Stripling explained that due to delays with supply chain issues, the contractor has been given an additional 91 days to complete the project. He noted that Pennoni would still be performing project services and reports. They were asking for \$46,000 for the additional 91 days and 50% of this was principal forgiveness. Mike further added that if the contractor failed to make the 91 day extension then they would be charged \$1,000 per day for liquidated damages.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Task Authorization. Motion carried unanimously

5. REQUEST TO APPROVE THE RESALE OF TWO (2) CEMETERY SPACES BACK TO THE CITY

The City Clerk advised that she had received a request from Ms. Nancy Delgado to sell back the

cemetery lots that she had inherited from her father Richard McCoy. Said spaces were purchased for \$400 each. If approved, staff would draw up the necessary documents transferring the spaces back to the city.

Motion by Commissioner Clark and seconded by Vice-Mayor Summerlin to approve the resale of the spaces. Motion carried unanimously with no discussion.

CITY MANAGER REPORT

The City Manager drew their attention to the monthly Departmental Reports at their places. He also thanked all the City Staff that had worked this past weekend at the Grills Gone Wild BBQ event and also thanked all the sponsors.

He also invited Raymond to come up and explain the revision to one of their plats. Accepting the invitation, Raymond advised that the developer with Powerline Road South was reducing the number of lots to the subdivision from 206 lots to 162 lots. Raymond noted that there were no changes to the lot size or the requirements that were needed to be met for the PUD.

CITY ATTORNEY REPORT

The City Attorney announced that the Bill "Local Business Protection Act" was still pending with urgency that the Governor would veto it.

CITY CLERK REPORT

The City Clerk reminded them of the Davenport Historical Society Open House this Saturday at 1:30 p.m. She also stated that on behalf of the City Clerk's office they wanted to thank the City Commission for the bonus last week. It was very much appreciated.

CITY COMMISSION COMMENTS

Commissioner Clark expressed that this past weekend event was amazing and Staff always did an amazing job.

Commissioner Fellows stated that unfortunately he was called out of town, but he thanked the staff for putting on a good event.

Commissioner Lynch also echoed his fellow Commissioner's comments. He had heard good comments from the vendors and car show participants.

The Vice-Mayor thanked his fellow Commissioners for asking him be Vice-Mayor again. He too was glad to see a packed house at the Grills Gone Wild event. All the reports he had received had been extremely good.

Mayor Robinson also echoed how great the event had been.

There being no further business, meeting adjourned at 7:55 p.m.

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

Raquel Castillo, City Clerk