

# City of Davenport Commission Minutes of November 4, 2024

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Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, November 4, 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, Commissioner Bobby Lynch, and Donna Fellows-Coffey. Also present were City Manager Kelly Callihan and City Attorney Tom Cloud.

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

## 1. CITY MANAGER SPECIAL PRESENTATION

This item was taken off the agenda because the recipients were not present.

## APPROVAL OF ORDER OF BUSINESS

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

## PUBLIC COMMENT

At this time the Mayor asked if there was anyone present who wished to address the City Commission on any item not on the agenda.

Michael Sloan of 409 Sapphire Drive asked for direction or any information of how to get bus stop shelters for the children in their neighborhood. He was informed that staff would reach out to the County on this.

Scott Woodlee of 1636 Aspen Avenue handed out information for the Veterans Day event he was organizing for November 11<sup>th</sup> and was asking for it to be held at Market Square Park. The City Manager responded that the gazebo was not in the best shape and was hesitant to allow it. Brief discussion ensued with the consensus of the Commission to allow him to hold it at Market Square Park but would get staff to put caution tape around it so that no one would use it.

Mr. Woodlee also asked if he could use some tables and chairs and a podium. He also asked if the city could post the flyer on their Facebook page. He would also like to see if an employee with a child in school could write an essay that could be read.

Mayor Summerlin asked him to coordinate the planting of the tree with staff.

Commissioner Fellows-Coffey asked staff to please check and make sure there weren't any wasps or ants.

In answer to Commissioner Lynch's question, the City Manager stated that he would have his secretary send an email to the employees and see if any of their children wanted to do an essay. It was also suggested that Mr. Woodlee contact the principals.

Mr. Woodlee also asked what organizations would be at the Heroes 5K Run. Commissioner Fellows-Coffey informed him that she was not organizing the event. He was informed that the ROTC would be there but for him to get with Danny.

Freida Priest of 105 E. Maple Street voiced her excitement about all the different Veterans Day programs happening in the city. She too wanted to promote the Davenport Historical Society Veterans Day event scheduled for Saturday, November 9<sup>th</sup> at 11:00 a.m.

## **CONSENT AGENDA**

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Clark to approve the Consent Agenda which consisted of the October 21, 2024 Planning Commission Meeting and the October 21, 2024 Regular Meeting minutes and the street closures for the First Baptist Church Live Nativity. Motion carried unanimously.

## **OLD BUSINESS**

### **1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1302 ASSIGNING THE LAND USE CLASSIFICATION TO 0 HORSESHOE CREEK ROAD FROM RESIDENTIAL LOW (RL) TO GOVERNMENT/INSTITUTIONAL (GI)**

At this time the Attorney was instructed to read Ordinance No. 1302 by title.

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

In answer to Mayor Summerlin's question, the City Manager answered that the applicant had provided them with everything they had asked for, including the original rendering of the water tower.

The Attorney informed them that they had found that there was a conditional use of approvals in their Code and that the second option was a PUD amendment because this was within a PUD. This made the most sense for a zoning approval.

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. 1302 on second and final reading. Motion carried unanimously.

### **2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1303 ASSIGNING THE ZONING CLASSIFICATION TO 0 HORSESHOE CREEK ROAD FROM PLANNED UNIT DEVELOPMENT (PUD) TO AMENDED PLANNED UNIT DEVELOPMENT (PUD)**

At this time the Attorney was instructed to read Ordinance No. 1303 by title.

Raymond explained that this was second reading of the Ordinance 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 Vice-Mayor Clark to approve on second and final reading, Ordinance No. 1303. Motion carried unanimously.

**3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1305 ASSIGNING THE ZONING CLASSIFICATION TO 0 10<sup>TH</sup> STREET N. FROM LOW DENSITY RESIDENTIAL (R-4) TO LOW DENSITY RESIDENTIAL (R-5)**

At this time the Attorney was instructed to read Ordinance No. 1305 by title.

Raymond explained that this was second reading of the Ordinance and there were no changes since first reading.

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

**Motion** by Commissioner Robinson and seconded by Commissioner Fellows-Coffey that the Commission approve Ordinance No. 1305 on second and final reading. Motion carried unanimously.

**4. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1318 ANNEXING THE STANDARD SAND & SILICA CO. PROPERTIES (VARIOUS PARCELS)**

At this time the Attorney was instructed to read Ordinance No. 1318 by title.

Raymond explained that this was second reading of the Ordinance. He noted for the record that the only change was the submission of the new metes and bounds.

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

**Motion** by Vice-Mayor Clark and seconded by Commissioner Lynch approve Ordinance No. 1318 on second and final reading. Motion carried unanimously.

**NEW BUSINESS**

**1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1289 ANNEXING 112 E. FULLER STREET (OWNER OF RECORD: JUDITH M. TARVER)**

At this time the Attorney was instructed to read Ordinance No. 1289 by title.

Raymond explained that this was an Ordinance annexing property at 112 E. Fuller Street consisting of .12 acres.

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. 1289 on first reading. Motion carried unanimously.

## **2. APPROVAL OF LAKELAND AREA MASS TRANSIT AGREEMENT**

The City Manager explained they had tabled this at their last meeting. For historical background of this item, the City Manager pointed out that this agreement had started out as \$3,750 than last year it had gone up to \$15,000 and this year it was for \$20,000. They gradually continued to increase the amount. He informed them that they had only budgeted \$15,000 but would move forward with what the Commission asked them to do.

Brief discussion ensued with the Commission voicing the lack of coordination with their budget process and just now presenting the agreement. The Mayor further stated he wasn't again mass transit, but they had just had a Halloween event that they could have attended and promoted it, but they hadn't done so. It was hard for him to justify adding another \$5,000 for the ridership they had.

Further discussion followed with the Attorney suggesting that they offer to split it as a compromise. The Mayor further suggested that they offer them the \$15,000 and if they didn't take it then they can place the \$15,000 somewhere else.

Commissioner Fellows-Coffey stated that at a time when their city was growing, she would hesitate to cut their services for their residents. She didn't like it and wished they did a better job of marketing it but she didn't want to let \$5,000 get in the way of them providing this service to their residents.

The Mayor stated that he had no doubt that they wouldn't take the \$15,000, but pointed out that they weren't offering additional stops either.

It was the consensus to offer the \$15,000. The City Manager advised them that in the future he would suggest to them that they come to them before their budget process.

At this time the Mayor entertained a motion which was provided by Vice-Mayor Clark and seconded by Commissioner Lynch that they approve up to \$15,000 and approve the Mass Transit Agreement.

The Mayor opened the Public Hearing.

Joyce Hunter of 5 West Boulevard North asked if there was an increase in ridership. She was informed that there wasn't to which she responded that all they wanted was their money and weren't going to give them the service they said they were going to provide but expected them to keep paying. The Mayor informed her that the door-to-door service had increased but what hadn't increased was their paid ridership.

Tom Fellows of 202 North Miami Avenue agreed with everything they had said, but the number one concern for their area was traffic and this small bus service was a small part of the solution, and he didn't make them make a knee jerk reaction. He agreed that they should come to them during budget time especially if they were asking for an increase. They all had vehicles but there were a lot of people that were not as fortunate and everyone that rode the bus was one less vehicle on the streets. They knew that this was going to be a work in progress.

He further asked what the city was doing to promote it. He asked that they think it through and not give up on it.

The Mayor continued by stating that if they didn't say no at some point that they would continue to increase their share.

Commissioner Robinson suggested placing their link on the city's website. The City Manager informed her that there were pamphlets in the front office that were available to the public and the city posted it occasionally.

Commissioner Fellows-Coffey stated that before they voted that there should be an assurance or an understanding that whenever the City Manager called them and told them they were willing to pay \$15,000 and if they said no that this would come back before them. The Mayor assured her that it would be.

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

### **3. REQUEST TO APPROVE RESOLUTION NO. 511-24 APPOINTING THE 2024 CHARTER REVIEW COMMITTEE**

The City Manager explained that staff was bringing forward the Resolution to appoint the Charter Review Committee and asking them to nominate one person to be on the Committee.

**Motion** by Commissioner Robinson and seconded by Commissioner Lynch to approve Resolution No. 511-24 appointing the 2024 Charter Review Committee. Motion carried unanimously.

At this time the Commission supplied Assistant City Manager Steve Hunnicutt with their choice.

- Mayor Summerlin - Brittany Oakes
- Vice-Mayor Clark - Tom Fellows
- Commissioner Robinson - Joyce Hunter
- Commissioner Lynch - Jerry Young
- Commissioner Fellows-Coffey - Denise Lynch

Steve informed them that he would provide packets to each of the members.

Addressing the audience, the Mayor explained that the Charter Review Committee would review the Charter and bring forth recommendations to the City Commission and if the City Commission approved them then they would be presented to the residents for approval.

### **4. REQUEST TO APPROVE RESOLUTION NO. 512-24 AMENDING THE EMPLOYEE POLICY HANDBOOK**

Human Resources Manager Dana Opitz explained that the last time the Employee Policy Handbook had been revised was in 2019 and staff was presenting changes for approval.

The changes included:

- Added definitions for *Part-time Employee* and *Performance Evaluation*.
- Increased Longevity Pay Plan by \$50.00 for each category.
- Added the Juneteenth Holiday.
- Added Personal Improvement Plan.
- Tuition Reimbursement was increased by \$1,000.
- Maternity Leave was taken out since was covered under FMLA.

Dana emphasized that any monetary change had already been budgeted during their Budget process.

Commissioner Fellows-Coffey suggested adding a definition for Personal Improvement Plan. Dana advised that she would make the change.

There being no other questions or comments, the Mayor entertained a motion for approval.

**Motion** by Commissioner Fellows-Coffey and seconded by Vice-Mayor Clark to approve Resolution No. 512-24 amending the Employee Policy Handbook. Motion carried unanimously.

#### **5. REQUEST TO APPROVE START DATE FOR NEW UTILITY RATES AND CONNECTION FEES**

Finance Director Donald Carter explained that they had passed the Ordinance increasing the rates. Staff were there tonight to get guidance on when they wanted to enforce the new rates.

Commissioner Robinson asked if there had been some kind of notification that the rates were increasing. Donald responded that by State Statute they had to notify everyone two (2) months prior to the Ordinance being approved.

Commissioner Fellows-Coffey asked that when he had calculated the revenue estimate for the budget which rates had he used. Donald responded that he had used the new rates. She further asked which month he had based it on. Donald responded that he had used what had been projected in the study, and if they were asking if it was going to make some type of budgetary difference or put them in any kind of financial constraints or hardship, in his opinion it would not.

At this time a motion was made by Commissioner Lynch and seconded by Commissioner Robinson to start all the utility rates increases on January 1<sup>st</sup>. Motion carried unanimously.

#### **6. REQUEST TO APPROVE THE TASK AUTHORIZATION WITH KIMLEY-HORN TO COMPLETE THE ENVIRONMENTAL HYDROLOGIC MONITORING IN THE AMOUNT OF \$69,600.00**

Utilities Director Mike Stripling explained that this annual task authorization was to complete the environmental hydrologic monitoring, annual hydro-ecological monitoring, WAP transect document and piezometer installation, and EMP update, and water use permit support.

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

**Motion** by Commissioner Robinson and seconded by Commissioner Fellows-Coffey to approve the Task Authorization with Kimley-Horn to complete the Environmental Hydrologic Monitoring in the amount of \$69,600.00. Motion carried unanimously.

### **CITY MANAGER REPORT**

The City Manager reminded them of the Veterans Day events coming up and the November 9<sup>th</sup> Heroes 5K run. He also drew their attention to the Monthly Departmental reports at their places.

Bringing Darryl up, he explained that Darryl had gotten prices for rumble strips as had been suggested by Mr. Knox at their last meeting. Darryl added that these were to DOT specifications and would be placed on each side of the stop signs on North Boulevard, which would basically be in front of Mr. Knox' house.

Brief discussion ensued with Vice-Mayor Clark voicing that in his opinion he didn't think that they were going to work. Commissioner Fellows-Coffey agreed since they had to slow down anyways to stop at the stop sign. The Vice-Mayor further asked if they had any statistics if they even worked.

The Mayor stated that he would like to think about it before they move forward.

Commissioner Robinson asked if this was budgeted. She was informed that it was not. She further pointed out and something to think about was that they were questioning an additional \$5,000 for the bus service which would serve several residents as opposed to appealing one resident for \$3,000.

Commissioner Fellows-Coffey noted that there was nothing they could do to stop people from speeding. She felt that they had made a good faith effort in placing the stop signs and felt that it was a lot of money to spend.

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

### **CITY CLERK REPORT**

The City Clerk stated that she needed a head count for the Christmas Party to give to the caterer. She also reminded everyone to vote tomorrow, if they hadn't already done so.

### **CITY COMMISSION COMMENTS**

Vice-Mayor Clark noted the increase to water accounts in the monthly reports. He also shared how great their Halloween event had been. He was also excited that they were recognizing their Veterans. He thanked both the Police and Fire Departments. In his book, they were true heroes.

Commissioner Robinson echoed the Vice-Mayor's comments and thanked all the volunteers. She thanked the Davenport Historical Society and Scott Woodlee for planning Veterans Day events and thanked Danny and all his employees.

In answer to Commissioner Lynch's question, Mayor Summerlin answered that there had been 20,000+ people at their Halloween event. Commissioner Lynch also thanked staff and everyone that had helped at the event.

Commissioner Fellows-Coffey also felt that their Halloween event had turned out great. It was also wonderful to see the new stage being used which made a good impression for the city. She expressed kudos to everybody that was involved in pulling it off. She also voiced how was great it was seeing the community come together that night.

She also wanted to thank the residents that had volunteered to be on their Charter Review Committee and for giving up their time.

She echoed the City Clerk's comments and asked everyone to vote.

She wanted to thank Mr. Woodlee and the Davenport Historical Society for hosting events and honoring their veterans. She also mentioned that the Heroes 5K event was specifically not a Veterans Day event but an event to honor the veterans and all their heroes such as their Police and Fire and First Responders, their healthcare workers and teachers.

Finally, she thanked city staff for all their work at their events and in their day to day job.

Commissioner Lynch also added that he was excited about the Standard Sand annexation.

The Mayor shared the groundbreaking for the new Polk State College campus on November 21<sup>st</sup>. He also reminded them of their Winterfest event coming up in December.

There being no further business, the Mayor entertained a motion to adjourn which was provided by Commissioner Lynch and seconded by Commissioner Robinson. Motion carried unanimously.

Meeting adjourned at 8:19 p.m.

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

  
Raquel Castillo, City Clerk