

City of Davenport Regular Meeting Minutes of October 17, 2022

Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, October 17, 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 Bobby Lynch, Commissioner Tom Fellows and Commissioner Jeremy Clark. Also present: Assistant City Manager Steven Hunnicutt and City Attorney Tom Cloud. Absent and excused were Mayor H.B. Robinson and City Manager Kelly Callihan.

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

Before proceeding the Vice-Mayor turned the floor over to Police Chief Parker.

Chief Parker accepted the floor and recognized Officer Lauren Shpigler as their 3rd Quarter Employee.

Assistant City Manager Steven Hunnicutt shared that Officer Shpigler has been an integral part of enforcing the new water restrictions.

Going on the record, Commissioner Clark congratulated her and thanked her for all of her sacrifice.

APPROVAL OF ORDER OF BUSINESS

The Vice-Mayor announced that staff was requesting the addition of Item 10 - Purchase of five (5) Police Vehicles.

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the Order of Business with the addition of Item 10 for the purchase of five (5) police vehicles. Motion carried unanimously with no discussion.

PUBLIC COMMENT

At this time the Vice-Mayor asked if there was anyone in the audience that wished to address the City Commission on any item not on the Agenda.

Mr. Paul Williams of 110 Merrimack Boulevard informed them that heading north on Escambia Avenue there was a speed limit sign, but heading south there wasn't one. The Vice-Mayor asked Public Services Director Darryl Koon if he could look into this and get it taken care of.

Mrs. Freida Linder Priest of 105 E. Maple Stret also accepted and congratulated the city on their hard work in recovering from Hurricane Ian and how fast the city had picked up her debris. The Vice-Mayor echoed her comments, further adding that he too was impressed on how quickly it had been taken care of.

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

CONSENT AGENDA

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve the Consent Agenda which consisted of the September 22, 2022 Commission Workshop, the

September 22, 2022 Planning Commission, the September 22, 2022 Regular Meeting and the October 3, 2022 Regular Meeting Minutes.

OLD BUSINESS

1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1088 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 810 HOLLY HILL ROAD FROM POLK COUNTY RESIDENTIAL LOW (RL-2) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1088 by title.

City Planner Raymond Perez explained that this was a request to approve the Land Use Planned Amendment to 810 Holly Hill Road from Polk County Residential Low (RL-2) to Residential Low (RL).

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 second and final reading Ordinance No. 1088. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1089 TO REZONE 810 HOLLY HILL ROAD FROM POLK COUNTY RESIDENTIAL LOW (RL-2) TO RESIDENTIAL ESTATE 1 (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1089 by title.

Raymond explained that this was a request to approve the rezoning of the same parcel from Polk County Residential Low (RL-2) to Residential Estate 1 (RE-1). He further added that there were no changes since first reading.

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

Motion by Commissioner Lynch and seconded by Commissioner Clark for approval on second and final reading of Ordinance No. 1089. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1090 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) 314 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1090 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment to 314 North Boulevard West from Polk County Residential Low (RL-1) to Residential Low (RL) with no changes since first reading.

The Vice-Mayor opened the Public Hearing.

Ms. Gina Marie Brown of 1015 Theodore Street voiced her concern with the infrastructure and the number of homes that were going up on both sides of Holly Hill Road. She further stated that she was not in agreement.

Commissioner Fellows informed her that this particular item was for one home, but she was correct in saying that there were more homes being built. He further noted that the west side of Holly Hill Road was in the City of Haines City's service area. He further informed her that the city was in the process of expanding both its water and sewer to accommodate this growth. He agreed that this was a huge issue but it was an issue all over Florida.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve Ordinance No. 1090 on its second and final reading. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1091 TO REZONE 314 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO RESIDENTIAL ESTATE 1 (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1091 by title.

Raymond explained that this was a request to approve the rezoning of the same parcel from Polk County Residential Low (RL-1) to Residential Estate 1 (RE-1) with no changes since first reading.

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 second and final reading Ordinance No. 1091. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1092 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 808 KINGHAM FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1092 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment to 808 Kingham Road from Polk County Residential Low (RL-1) to Residential Low (RL) with no changes since first reading.

The Attorney questioned the categorization of the agenda item as a "project" and further suggested titling it something different such as just a "residential lot". This would certainly be less confusing to people.

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

Motion by Commissioner Fellows and seconded by Commissioner Lynch to approve on its second and final reading Ordinance No. 1092. Motion carried unanimously with no discussion.

6. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1093 TO REZONE 808 KINGHAM FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO RESIDENTIAL 3 (R-3)

At this time the Attorney was instructed to read Ordinance No. 1093 by title.

Raymond explained that this was a request to approve the rezoning to 808 Kingham Road from Polk County Residential Low (RL-1) to Residential 3 (R-3).

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

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve on second and final reading Ordinance No. 1093.

Commissioner Fellows asked why some of these parcels were given different zoning classifications. Raymond responded that the size of the parcel was a factor in determining the classification given.

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

7. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1094 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 1721 LAKEWOOD ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1094 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment 1721 Lakewood Road from Polk County Residential Suburban (RS) to Residential Low (RL).

The Vice-Mayor opened the Public Hearing.

Ms. Maria Eva Hernandez of 648 Venetian Way voiced her concern with kids walking through this property with no proper lighting in the area and lack of sidewalks.

The Attorney responded that the city couldn't force a property owner to build or place anything on their property.

Staff further informed her that the property she was inquiring about was further down on the Agenda and asked her to come up then and voice her concerns.

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

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve Ordinance No. 1094 on its second and final reading. Motion carried unanimously with no discussion.

8. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1095 TO REZONE 1721 LAKEWOOD ROAD FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL ESTATES (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1095 by title.

Raymond explained that this was a request to approve the rezoning to 1721 Lakewood Road from Polk County Residential Suburban (RS) to Residential Estates (RE-1).

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows for approval on its second and final reading of Ordinance No. 1095. Motion carried unanimously with no discussion.

9. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1108 DE-ANNEXING 0 PALM STREET – PARCEL NO. 272702-713000-040170 (OWNER OF RECORD: CASSIDY HOLDINGS, LLC)

At this time the Attorney was instructed to read Ordinance No. 1108 by title.

Raymond explained that this was de-annexation of 0 Palm Street.

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 second and final reading Ordinance No. 1108.

Commissioner Lynch questioned the reasoning for the de-annexation of the property. Raymond responded that this had been annexed and had since been purchased along with several other parcels. The intent was to process it through the County and then annex all the parcels back into the city.

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

10. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1115 MODIFYING SECTION 14-12 IMPLEMENTATION AND SCHEDULE OF GARBAGE COLLECTION FEES

At this time the Attorney was instructed to read Ordinance No. 1115 by title.

Donald explained that this was second and final reading of the Ordinance which sets the rates. He explained that back in August they had entered into a solid waste agreement and the rates had increased considerably. At the last meeting there was a question regarding the rate that residents from Center Crest RV Park paid. He explained that they had four 8-yard dumpsters that were picked up 3 times a week. So based upon the new rates, the \$20.25 was an appropriate rate to charge them. He also noted the corrected rate to the Commercial Containers to \$10.75.

The Vice-Mayor opened the Public Hearing.

Peter Williams of 110 Merrimack Boulevard expressed that he would like see a budget breakdown from Republic Services on the distribution of the 5% increase and hoped that it included raises for its employees.

Motion by Commissioner Lynch and seconded by Commissioner Clark for approval of the second and final reading of Ordinance No. 1115. Motion carried unanimously with no further discussion.

NEW BUSINESS

1. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1097 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 1735 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-2) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1097 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment to 1735 North Boulevard West from Polk County Residential Low (RL-2) to Residential Low (RL).

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. 1097 on its first reading. Motion carried unanimously with no discussion.

2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1098 TO REZONE 1735 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-2) TO RESIDENTIAL ESTATE 1 (RE-1)

At this time the Attorney was instructed to read Ordinance No. 1098 by title.

Raymond explained that this was a request to rezoning the same parcel from Polk County Residential Low (RL-2) to Residential Estate 1 (RE-1).

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. 1098. Motion carried unanimously with no discussion.

3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1106 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 605 HORSESHOE CREEK ROAD (PARCEL ID NO: 272711-734500-030300 & 0 FINNEY ROAD (PARCEL ID NO: 272711-735500-000140) FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL LOW (RL)

At this time the Attorney was instructed to read Ordinance No. 1106 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment to 605 Horseshoe Creek Road and 0 Finney Road from Polk County Residential Medium (RM) and Residential Suburban (RS) to Residential Low (RL).

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

Motion by Commissioner Lynch and seconded by Commissioner Clark to approve on its first reading Ordinance No. 1106. Motion carried unanimously with no discussion.

4. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1107 TO REZONE 605 HORSESHOE CREEK ROAD (PARCEL ID NO: 272711-734500-030300 & 0 FINNEY ROAD (PARCEL ID NO: 272711-735500-000140) FROM POLK COUNTY RESIDENTIAL

MEDIUM (RM) AND RESIDENTIAL SUBURBAN (RS) TO PLANNED UNIT DEVELOPMENT (PUD)

At this time the Attorney was instructed to read Ordinance No. 1107 by title.

Raymond explained that this was a request to approve the rezoning to the same parcels from Polk County Residential Medium (RM) and Residential Suburban (RS) to Planned Unit Development (PUD) consisting of 46.17 acres.

The Vice-Mayor opened the Public Hearing.

Peter Williams of 110 Merrimack Boulevard questioned how they were going to make the modification of Powerline Road to Highway 17/92. The Vice-Mayor responded that Powerline Road was going to extend north from South Boulevard, crossing over Horseshoe Creek Road and going through the Lewis Mathews Sports Complex and coming out on North Boulevard East and then bending around and coming out to a realigned Bargain Barn Road.

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

Motion by Commissioner Fellows and seconded by Commissioner Clark to approve Ordinance No. 1107 on its first reading. Motion carried unanimously with no discussion.

5. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1111 UPDATING THE LAND DEVELOPMENT REGULATIONS TO PROVIDE CLARIFICATION TO REGULATIONS

At this time the Attorney was instructed to read Ordinance No. 1111 by title.

Raymond explained that this was a request to approve request to update the Land Development Regulation, providing clarifications.

These include items such as:

- Adjusting minimum lot sizes
- Changes to definitions
- Changes to Dimension Table
- Changes to names of City Positions
 - Code Enforcement Officer
 - Public Services Director
- Changes to accessory buildings section
- Changes to Maintenance Bond Amount and others

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows for approval on its first reading Ordinance No. 1111. Motion carried unanimously with no discussion.

6. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1112 ANNEXING 1737 LAKEWOOD ROAD (OWNERS OF RECORD: ANGEL LUIS FERNANDEZ MORALES AND MARIA DE LOURDES CASTILLO RODRIGUEZ)

At this time the Attorney was instructed to read Ordinance No. 1112 by title.

Raymond explained that this was a request to annex property located at 1737 Lakewood Road consisting of 4.73 acres. Raymond outlined the location of this parcel on the overhead monitor.

The Vice-Mayor opened the Public Hearing.

Ms. Maria Eva Hernandez of 648 Venetian Way reiterated the same concerns from earlier in the evening and further asked how they were going to improve the area. Mr. Hunnicutt informed her that the request tonight was for a voluntary annexation of the property and the owner had not presented staff with any plans for it. The Vice-Mayor also added that the city was actively contacting members in the Lakewood Park area to annex. At some point the city would take in the roads and street lighting. Right now, however there was a mixture of city and county properties and the city couldn't do many of things she wanted done until such time that the county properties came into the city.

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

Motion by Commissioner Clark and seconded by Tom Fellows to approve on first reading Ordinance No. 1112. Motion carried unanimously with no discussion.

7. REQUEST TO APPROVE THE PURCHASE OF A HIGH SERVICE PUMP AND MOTOR FOR WATER PLANT 2 FROM BARNEY'S PUMPS INC.

Utilities Director Mike Stripling advised that this was a request to approve the purchase of a High Service Pump and Motor for Water Plant 2 included in the FY20202 2023 budget. Ultimately this would increase the capable capacity at Water Plant 2.

Commissioner Clark commended the Department for their vision. He had heard some horror stories about other cities having issues during the hurricane. They were certainly lucky that because of this vision they didn't have to face these issues themselves.

Commissioner Lynch agreed and added that it was better to be proactive then reactive.

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

Motion by Commissioner Clark and seconded by Commissioner Fellows to approve the purchase of the high service pump from Barney's Pumps Inc. Motion carried unanimously with no discussion.

8. REQUEST TO APPROVE THE PURCHASE OF A BYPASS PUMP FROM THOMPSON PUMP WITH PRICING EQUAL TO THE FLORIDA STATE CONTRACT #FSA20-EQU18.0

Mike explained that this was a request to purchase a bypass pump from Thompson Pump. This equipment would be utilized by the Utilities Department at lift stations, the Wastewater Plant for repairs and for emergencies such as power failures, pump failure and plumbing failure in the wet well.

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows to approve the purchase of the bypass pump from Thompson Pump. Motion carried unanimously with no discussion.

9. REQUEST TO PURCHASE A PORTABLE STAGE

Parks and Recreation Director Danny McClain explained that this was a request to purchase a new mobile portable stage for the city events from Century ShowMaster in the amount \$135,000. Danny pointed out that this had a 14-month production estimate. He also informed them that the additional amount would be absorbed through other savings in the budget.

Brief discussion ensued with Commissioner Lynch questioning handicapped accessibility. He was informed that this was something that could be budgeted and added. It was further shared that this was a modular type of equipment that accessories could be added. It was the consensus that this was long overdue and yes it was expensive but they would use it for a long time.

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

Motion by Commissioner Clark and seconded by Commissioner Lynch to purchase the portable stage. Motion carried unanimously with no further discussion.

10. APPROVE THE PURCHASE OF FIVE (5) POLICE VEHICLES

Chief Parker advised that this was a request to purchase five (5) Police vehicles, which entailed replacing two (2) vehicles due to age and high mileage and purchasing three (3) for the additional personnel. Chief Parker further added that Jarrett-Gordon Ford was matching the Sheriff's Cooperative Purchase Agreement price. The total cost for the vehicles would be \$217,072.50 with an additional \$53,848 for auxiliary equipment for each. Chief also shared that these vehicles had come in at about \$36,000 under budget.

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

Motion by Commissioner Lynch and seconded by Commissioner Fellows to agree to the purchase of the five (5) vehicles for the Police Department. Motion carried unanimously.

CITY MANAGER REPORT

Steven Hunnicutt informed them that by the end of the week they would be completely done with the hurricane debris.

CITY ATTORNEY REPORT - Nothing to report

CITY CLERK REPORT – Nothing to report

CITY COMMISSION COMMENTS

Commissioner Fellows echoed Commissioner Clark's comments earlier in the evening on commending Staff for the cleanup after the hurricane.

Commissioner Lynch also agreed with Commissioner Clark's comments. They had certainly dodged the bullet with this one and staff had stepped up and gotten them back to normal

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