

# City of Davenport Regular Meeting Minutes of October 3, 2022

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Minutes of the Regular Meeting of the City of Davenport, Florida, held Monday, October 3, 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.

## **PROCLAMATION**

The Proclamation proclaiming October as National Long-Term Care Residents' Rights month was read out loud by the City Clerk.

## **APPROVAL OF ORDER OF BUSINESS**

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the Order of Business. Motion carried unanimously with no discussion.

## **PUBLIC COMMENT**

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

Mr. Michael Pittman accepted the invitation. Mr. Pittman shared that he had just recently moved to Florida into the Citrus Reserve subdivision with his wife Veronica. He was eager to hear and see what was going on and also wanted to come and meet everyone. He shared that he was a retired Police Officer from Philadelphia and his wife was retired from the Public School system.

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

**CONSENT AGENDA** - None

## **OLD BUSINESS**

1. **PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1074 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO HARTFORD TERRACE SUBDIVISION FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) AND RESIDENTIAL LOW (RL-3) TO RESIDENTIAL MEDIUM (RM)**

At this time the Attorney was instructed to read Ordinance No. 1074 by title.

Raymond explained that this was a request to approve the Land Use Planned Amendment of this parcel from Polk County Residential Medium (RM) and Residential

Low (RL-3) to Residential Medium (RM). Raymond advised that this was second reading with no changes.

The 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. 1074. Motion carried unanimously with no discussion.

**2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1075 TO REZONE HARTFORD TERRACE SUBDIVISION FROM POLK COUNTY RESIDENTIAL MEDIUM (RM) & RESIDENTIAL LOW (RL-3) TO PLANNED UNIT DEVELOPMENT (PUD)**

At this time the Attorney was instructed to read Ordinance No. 1075 by title.

Raymond explained that this was the rezoning of the same property from Polk County Residential Medium (RM) and Residential Low (RL-3) to Planned Unit Development (PUD) consisting of 82.59 acres. He noted that outlined in the Ordinance that there were conditions that had to be met. He further stated that had been reviewed by the City of Haines City and the County and staff had also provided some input on this project.

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. 1075 on its second and final reading.

Commissioner Fellows asked if the 82.59 acres was just Phase 1 or the entire project. Raymond responded that the 82.59 acres was the entire project.

Commissioner Lynch voiced his objection of the 40" lots.

Commissioner Clark asked if there was a second entrance. Raymond responded that there were three entrances and proceeded to outline them on the overhead monitor.

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

**NEW BUSINESS**

**1. REQUEST TO APPROVE THE PURCHASE OF A CHIPPER INCLUDED IN THE FY2022 – 2023 BUDGET FROM VERMEER SOUTHEAST WITH PRICING EQUAL TO OR LESS THAN THE FLORIDA SHERIFFS ASSOCIATION OF COUNTIES PROGRAM**

Public Services Director Darryl Koon explained that this was a request to purchase a Chipper included in the FY2022 – 2023 budget from Vermeer Southeast under the Florida Sheriffs Association of Counties Program in the amount of \$56,864.85.

The Vice-Mayor asked how soon for delivery. Darryl responded that they were looking at 2 months.

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Lynch for approval of the chipper request.

The Vice-Mayor asked if it was big enough. Darryl responded that it was.

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

**2. REQUEST TO ENTER INTO A CONTRACT WITH CPH ENGINEERS TO PERFORM CONSTRUCTION INSPECTION SERVICES FOR THE NORTH BOULEVARD WATER LINE PROJECT**

Utilities Director Mike Stripling explained that this was a contract in the amount of \$167,640 to perform construction inspection services for the North Boulevard water line project they had approved last month.

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

**Motion** by Commissioner Lynch and seconded by Vice-Mayor Summerlin to enter into a contract with CPH Engineers for the inspection services for the 16” waterline. Motion carried unanimously.

**3. REQUEST TO APPROVE A NOTICE OF AWARD TO POOLE AND KENT FOR THE CONSTRUCTION OF PHASE 2 OF THE WASTEWATER TREATMENT FACILITY TO INCREASE THE CAPACITY OF THE PLANT**

Mike advised that this project was anticipated in 2019 to be constructed for \$12,000,000. Due to cost increases and supply chain issues the cost associated with the project had almost doubled to \$22,900,000. City staff had met with Poole and Kent staff along with the engineering team at Penonni and had rescoped the project to the current cost of \$19,800,000. They didn't have much choice since this was the capacity portion of the plant. Mike shared that the City would be put on a priority list for the remainder of the funding through the Florida Department of Environmental Protection State Revolving Fund meeting in November; and the remainder of the items would be moved to the Phase 3 project that includes principal forgiveness.

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

**Motion** by Commissioner Clark and seconded by Commissioner Fellows to approve a Notice of Award to Poole & Kent for the construction of Phase 2 of the Wastewater Treatment Plant.

Vice-Mayor Summerlin shared that at one time they had gotten approved for a 3 million gallon system that had gotten rejected by the residents. This project was long overdue. He didn't like the number, but there was nothing they could do about it. They were getting some principal forgiveness along the way that would help them out. If the general public had allowed them to do this project when it was originally planned a number of years ago it probably would have been half or a third of the cost. This had to be done and they had no choice at this point. They had the houses and now they had to supply the service.

In answer to Commissioner Clark's concern about the financial impact to the City, the City Manager responded that the city was fine in this regard.

Commissioner Fellows ask the timeframe on the contract. Mike responded that it was a 550 day contract.

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

**4. REQUEST TO APPROVE THE RESALE OF ONE (1) CEMETERY SPACES BACK TO THE CITY**

The City Clerk advised that she had received a request from Mr. Jesus Tirado to sell his grave space back to the City. Mr. Tirado is moving out of state with his daughter Brenda Tirado and won't be needing the space. Staff is recommending buying the space back in the amount of \$500.00.

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Lynch to approve the purchase of the grave space. Motion carried unanimously with no discussion.

**5. PUBLIC HEARING AND FIRST 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.

Finance Director Donald Carter explained that back in August they had entered into a solid waste agreement and the rates had increased considerably. This Ordinance increased the garbage rate yearly based on the 5% increment as outlined in the contract. He also advised that currently the residents paid \$18.00 per month and the new rate by Republic Services was slightly higher than this, thus the need to increase the rate. He pointed out that the Ordinance in their packet had since been amended to

reflect a corrected date and insertion of a table showing extended charges based on the 5% annual increase.

The 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. 1115.

Vice-Mayor Summerlin questioned why Center Crest RV Park paid a lesser rate. The City Clerk responded that the residents took their bags of garbage to a centralized location and didn't get door-to-door service.

The Vice-Mayor felt that they were residents of the city and got the same service. Residents of Davenport were residents of Davenport and it needed to be equitable across the board. This drew lengthy discussion on how Republic Services billed the city for Center Crest residents vs what the residents paid. Donald advised that he would have to get with the Utilities Clerk to verify the billing and get clarity on payment to Republic Services. The City Manager advised that staff would get this information to them before second reading.

Commissioner Lynch noted the increase to Commercial cart service.

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

### **CITY MANAGER REPORT**

The City Manager reminded them of the Chamber's Wine & Cheese Event this Friday at Barmoral in Haines City from 6pm-9pm.

He provided an update on Hurricane Ian. He thanked all the staff for working all the long hours these last few days.

He drew their attention to the Monthly Departmental reports at their places. He also reminded them of the City's Halloween Event October 31<sup>st</sup>.

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

### **CITY CLERK REPORT**

The City Clerk reminded them of the Ridge League Dinner next Thursday in Winter Haven.

## **CITY COMMISSION COMMENTS**

The Mayor expressed how organized preparations for this hurricane had gone. The city had done an outstanding job. He commended his fellow Commissioners for approving the many items such as the generators and equipment staff had requested from them which had allowed them to be prepared for the hurricane. He commended everyone that had worked during the hurricane.

The Vice-Mayor shared that he had engaged in a conversation with a resident this morning with his point being, that the citizens were not aware of how much the City was prepared and what the city has done to get the proper equipment. Preparation from years back had helped them be more prepared for the hurricane. As a result of purchasing generators and the right equipment, the city had not lost water or power to their sewer system. Not only did their Commission needed to be commended, but staff as well for the forethought to be ready to go.

Commissioner Lynch agree and felt that everything had gone well. They were blessed that this hurricane had not come in harder than it did. Everybody had pulled together to get through it.

Commissioner Fellows mirrored what the Vice-Mayor had said. He too commended the entire staff. He thanked those for leaving their families and coming to work and taking care of the City. They made their job easy and they got the credit but they were the ones that did the work.

Commissioner Clark voiced how extremely proud he was to be a resident. He was thankful to staff. He wanted to thank Duke Energy for everything they had done and in the amount of time. Kudos to The Hotel who had provided meals to the residents and the linemen. He also welcomed Chief Parker and voiced his appreciation to the Police and Fire Department.

There being no other business, a motion to adjourn was made by both Commissioner Lynch and Commissioner Clark and seconded by Vice-Mayor Summerlin. Motion carried unanimously.

Meeting adjourned at 7:46 p.m.

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

  
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Raquel Castillo, City Clerk