

## **2<sup>nd</sup> Budget Public Hearing and Regular Meeting Minutes of September 22, 2022**

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Minutes of the 2<sup>nd</sup> Budget Public Hearing and Regular Meeting of the City of Davenport, Florida, held Thursday, September 22, 2022 at 7:06 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 Tom Fellows. Also present: City Manager Kelly Callihan and City Attorney Tom Wilkes. Absent were Commissioner Bobby Lynch and Commissioner Jeremy Clark

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

### **SWEARING-IN OF NEW POLICE CHIEF**

The City Manager shared that the City had received over 80 applications for this position and the Selection Committee had unanimously chosen Steven Parker.

At this time the City Clerk swore-in the new Chief of Police and provided the Oath of Office.

Chief Parker voiced how honored and appreciative he was. He thanked the City Manager and City Commission for their faith and confidence in him. He thanked his family and friends and the importance of their support. In closing, he addressed his officers and staff of the Police Department and told them that he needed their help and input and their ideas in order to service and protect the City in the best way possible. He pledged to the residents and the business community that the Davenport Police Department was committed to working with everyone to create a safe place to live and work.

The City Manager announced that there was a reception for Chief Parker at the Tom Fellows Community Center if anyone wanted to attend. The City Commission would be over there as soon as the meeting was over.

### **1. SECOND BUDGET PUBLIC HEARING**

Before proceeding with the Budget Public Hearing, the City Manager explained that costs for the proposed Building and Planning facility had increased from \$2.5 million to \$3.5 million since Staff had presented it. Staff was requesting to add this additional million dollars to the budget.

Donald noted that the ordinance that was presented in the packet would be changed from \$39,049,660 to \$40,049,660 as a result of this clerical change to accommodate the refining of budget numbers and it should be noted that the amount of the budget that they were approving is \$40,049,660.

At this time a motion was made by Commissioner Fellows and seconded by Vice-Mayor Summerlin to add the additional cost to build the new Building/Planning Complex from \$2.5 million to \$3.5 million. Motion carried unanimously with no discussion.

The Mayor and City Manager read from a prepared script which outlined the proposed millage rate of 7.5000 and the tentative budget funding for FY 2022/2023 at \$40,049,660.

#### **a) PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE 1109 SETTING THE MILLAGE RATE FOR FISCAL YEAR 2022/2023**

At this time the Attorney was instructed to read Ordinance No. 1109 by title.

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1109 on its second and final reading.

As a point of clarity, the Vice-Mayor voiced that the ordinance gave an appearance that there was a 19.17% tax increase, however he noted that the tax rate was the same as it had been for the past 6 years.

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

**b) PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE 1110 ADOPTING THE BUDGET FOR FISCAL YEAR 2022/2023**

At this time the Attorney was instructed to read Ordinance No. 1110 by title.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1110 on its second and final reading adopting the budget for FY2022/2023. Motion carried unanimously with no discussion.

**APPROVAL OF ORDER OF BUSINESS**

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

**PUBLIC COMMENT**

Speaking as the President of the Davenport Historical Society, Freida Linder Priest of 105 E. Maple Street asked what was going to happen to the building where the new Building/Planning facility was being built and was it going to remain or be torn down for a modern building. The City Manager responded that the building would remain and would be renovated and also be used for storage.

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

**CONSENT AGENDA**

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve the Consent Agenda which consisted of the September 8, 2022 1<sup>st</sup> Budget Public Hearing and Regular Meeting. Motion carried unanimously with no discussion.

**OLD BUSINESS**

**1. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1096 ANNEXING 1735 NORTH BOULEVARD WEST (OWNER OF RECORD: LUCIA HERNANDEZ DOMINGUEZ)**

At this time the Attorney was instructed to read Ordinance No. 1096 by title.

Raymond explained that this was the annexation of 1735 North Boulevard West and there had been no changes since first reading.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1096 on its second and final reading. Motion carried unanimously with no discussion.

**2. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1102 ANNEXING 1605 EVANGELIA DRIVE (OWNER OF RECORD: CATALINA MIRLES)**

At this time the Attorney was instructed to read Ordinance No. 1102 by title.

Raymond explained that this was the annexation of 1605 Evangelia Drive with no changes since first reading.

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1102 on its second and final reading. Motion carried unanimously with no discussion.

**3. PUBLIC HEARING AND SECOND AND FINAL READING OF ORDINANCE NO. 1105 ANNEXING PARCEL NO. 272711-734500-030300 - 605 HORSESHOE CREEK RD. (OWNERS OF RECORD: NANCY & DERREN OAKES) & PARCEL NO. 272711-735500-000140 - 0 FINNEY RD (OWNERS OF RECORD: HOWARD GILL, FATIMA GILL, DAVID T. GILL & TATIANA GILL) – ROLLINS COURT SUBDIVISION**

At this time the Attorney was instructed to read Ordinance No. 1105 by title.

Raymond provided that this was the annexation of 605 Horseshoe Creek Road and 0 Finney Road consisting of 49.79 acres.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1105 on its second and final reading. Motion carried unanimously with no discussion.

**NEW BUSINESS**

**1. REQUEST TO APPROVE RESOLUTION NO. 481-22 WHICH CHANGES SECTION (F) MEAL REIMBURSEMENT OF THE CITY'S TRAVEL POLICY FOR ALL CITY EMPLOYEES**

Donald explained that it has become necessary to make an adjustment to the daily meal per diem provisions because it has not been adequate enough to cover the associated costs when traveling in certain areas. He advised that the current daily per diem rate was \$55.00 per day, allocating \$10.00 for breakfast; \$15.00 for lunch; and \$30.00 for dinner. This Resolution increased the daily rate to \$90.00 per day, allocating \$20.00 for breakfast; \$30.00 for lunch; and \$40.00 for dinner.

In answer to the Vice-Mayors question, the City Manager responded that those Commissioners that traveled had brought it to Staff's attention and Staff felt it was time to adjust them.

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Resolution No. 481-22. Motion carried unanimously with no other discussion.

**2. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1085 TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO REEDY ISLE SUBDIVISION FROM POLK COUNTY LEISURE/RECREATION (LR), RESIDENTIAL HIGH (RH), RESIDENTIAL MEDIUM (RM), AND AGRICULTURE/RURAL RESIDENTIAL (A/RR) TO RESIDENTIAL LOW (RL)**

At this time the Attorney was instructed to read Ordinance No. 1085 by title.

Raymond explained that this was the LUPA reclassification of the Reedy Isle Subdivision from Polk County Leisure/Recreation (LR), Residential High (RH), Residential Medium (RM) and Agriculture/Rural Residential (A/RR) to Residential Low (RL). He noted that the Planning Commission had recommended approval earlier in the evening.

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

For the record, Vice-Mayor Summerlin explained that he was an adjacent property owner and could not participate in either Ordinance No. 1085 or Ordinance No. 1086.

**Motion** by Commissioner Fellows and seconded by Mayor Robinson to approve Ordinance No. 1085 on its first reading. Motion carried unanimously with no discussion.

**3. PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 1086 TO REZONE REEDY ISLE SUBDIVISION FROM POLK COUNTY LEISURE/RECREATION (LR), RESIDENTIAL HIGH (RH), RESIDENTIAL MEDIUM (RM), AND AGRICULTURE/RURAL RESIDENTIAL (A/RR) TO PLANNED UNIT DEVELOPMENT (PUD)**

At this time the Attorney was instructed to read Ordinance No. 1086 by title.

Raymond explained that this was the rezoning of the same property from Polk County Leisure/Recreation (LR), Residential High (RH), Residential Medium (RM) and Agriculture/Rural Residential (A/RR) to Planned Unit Development (PUD). He noted the recommendation for approval from the Planning Commission earlier in the evening.

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

**Motion** by Commissioner Fellows and seconded by Mayor Robinson to approve Ordinance No. 1086 on its first reading. Motion carried unanimously with no discussion.

**4. PUBLIC HEARING AND FIRST 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.

Raymond explained that this was the LUPA reclassification of 810 Holly Hill Road from Polk County Residential Low (RL-2) to Residential Low (RL) and recommended for approval by the Planning Commission.

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1088 on its first reading. Motion carried unanimously with no discussion.

**5. PUBLIC HEARING AND FIRST 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 the rezoning of 810 Holly Hill Road from Polk County Residential Low (RL-2) to Residential Estate (RE-1) and recommended for approval by the Planning Commission.

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1089 on its first reading. Motion carried unanimously with no discussion.

**6. PUBLIC HEARING AND FIRST 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 the LUPA reclassification for 314 North Boulevard West from Polk County Residential Low (RL-1) to Residential Low (RL).

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1090 on its first reading. Motion carried unanimously with no discussion.

**7. PUBLIC HEARING AND FIRST 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 the rezoning of the same property from Polk County Residential Low (RL-1) to Residential Estate 1 (RE-1)

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1091 on its first reading. Motion carried unanimously with no discussion.

**8. PUBLIC HEARING AND FIRST 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 the Land Use Planned Amendment to 808 Kingham Road from Polk County Residential Low (RL-1) to Residential Low (RL).

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1092 on its first reading. Motion carried unanimously with no discussion.

**9. PUBLIC HEARING AND FIRST 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 the rezoning of 808 Kingham Road from Polk County Residential Low (RL-1) to Residential 3 (R-3).

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1093 on its first reading. Motion carried unanimously with no discussion.

**10. PUBLIC HEARING AND FIRST 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 the Land Use Planned Amendment to 1721 Lakewood Road from Polk County Residential Suburban (RS) to Residential Low (RL).

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

**Motion** by Vice-Mayor Summerlin and seconded by Commissioner Fellows to approve Ordinance No. 1094 on its first reading. Motion carried unanimously with no discussion.

**11. PUBLIC HEARING AND FIRST 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 the rezoning of 1721 Lakewood Road from Polk County Residential Suburban (RS) to Residential Estates (RE-1).

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

**Motion** by Commissioner Fellows and seconded by Vice-Mayor Summerlin to approve Ordinance No. 1095 on its first reading. Motion carried unanimously with no discussion.

**12. PUBLIC HEARING AND FIRST 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 advised that this was the de-annexation of 0 Palm Street by the applicant.

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

The City Manager shared that this was the parcel just past the Lewis Mathews Sports Complex on the right. The previous owner had annexed it into the City and shortly after that it was purchased along with several other large tracts from Palm Street all the way over to Horseshoe Creek Road. They had already started the process with the County on the other parcels when they were able to contract this parcel so they were asking to de-annex it to continue the process through the County. They would be annexing it back into the City once it went through that process.

For clarity, the Vice-Mayor paraphrased that they were de-annexing this parcel so that the developer could put together a larger plan then they were going to re-annex everything in the near future. The City Manager responded that this was correct. To which the Vice-Mayor further asked if they were going to have heartburn with what the county was going to approve, i.e. 40' lots. The City Manager responded that it was currently zoned for townhomes and would be brought in with the same zoning. Raymond reiterated the City Manager's comments and stated that this was a Residential Medium and was anticipated for that particular type of Land Use and this was the density that would continue because it was within the same density limit as the County.

There being no other discussion the Mayor entertained a motion.

**Motion** by Vice-Mayor and seconded by Commissioner Fellows to approve Ordinance No. 1108 on its first reading. Motion carried unanimously with no other discussion.

**CITY MANAGER REPORT**

The City Manager informed them that the City had closed on the Holly Hill property.

He also shared figures on the Polk Regional Cooperative process for future budget processing. He advised that staff would be contacting Raftelis to look at the water and sewer rates to align the numbers to know exactly what the residents would be paying for water and sewer in the future. He noted that there were grants that they could get to help reduce the amount. He also expressed that Staff would continue to work on the lower well to help offset some of this. He emphasized that these are still moving numbers because they still had to buy right-of-way for the transmission line to get the water to Davenport and at this point they are only initial numbers.

Commissioner Fellows stated that the purchase of right-of-way and the transmission line would change them significantly once this was factored in. These numbers were mind boggling and he didn't see how it would work.

The Vice-Mayor stated that he would love to know the dynamics of how they had derived at the first, second and third year numbers. Commissioner Fellows responded that the City was going to be taking the biggest bite of the apple in the first phase. Vice-Mayor Summerlin agreed.

The City Manager pointed out that the city's permitting quantity had gotten eaten up with all the new development and they had to go back for additional quantity. The City would need the most alternative water and the earliest because of the additional growth. It was important for them to continue with their lower well, which could ultimately offset some of their costs.

**CITY ATTORNEY REPORT** – Nothing to report

**CITY CLERK REPORT** – Nothing to report

**CITY COMMISSION COMMENTS**

The City Manager shared that Attorney Cloud had informed him that Polk City had changed their meeting night so he would be representing the City unless he had an issue then Attorney Wilkes would be in attendance.

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

Meeting adjourned at 8:08 p.m.

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

  
Raquel Castillo, City Clerk