
Minutes of the Regular Meeting of the City Commission of the City of Auburndale held June 18, 2018 at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Tim Pospichal, Commissioners: Dorothea Taylor Bogert, Keith Cowie, Richard Hamann, and Bill Sterling. Also present were: City Manager Robert R. Green, City Attorney V. Patton Kee, Assistant City Manager Jeff Tillman, and Deputy Police Chief Andy Ray.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor Michael Spivey of Calvary Church of Winter Haven and Police Department Chaplin and a salute to the flag.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve the City Commission Minutes of the June 4, 2018 Meeting. Upon vote, all ayes.

City Manager Robert Green said he was pleased to announce tonight that Seth Teston was named the Communications and Information Manager. He comes to us with a Bachelor's Degree from Flagler College out of St. Augustine. In his resume we noticed event coordination, public presentation, software implementation, photography and video production, audio visual setup and troubleshooting. I think that will help compliment our social media presence and also the Information and Communications Department. He asked the audience to please join him in welcoming Seth to the City of Auburndale.

Public Works Director John Dickson presented Michael Allen with a five-year longevity plaque. He said Michael is tasked with keeping our beautiful city clean by picking up debris and trash. He presented Anthony Tarli with a five-year longevity plaque. Anthony started in the Street Division and saw an opportunity in the Water Distribution Department where he was much needed.

Fire Chief Brian Bradway presented Scott Finley with a ten-year longevity plaque. He said he was promoted to the position of Fire Inspector in 2015 and played a crucial role in implementing inspection software for the department.

Deputy Chief Andy Ray presented Detective David Oros with a ten-year longevity plaque. He said David started as a communications operator. He has been a field training officer, is currently a Traffic Homicide Investigator, has time as a corporal on patrol, is the agency's firearms instructor, and also a member of the special forces unit. He presented Sergeant Don King with a 20-year longevity plaque. He started as a patrol officer. During his time as an officer he served as a community policing officer, traffic homicide investigator, a corporal on shift helping supervise a squad, was member of the crime reduction team, is the agency's traffic coordinator, a longtime member of the special forces units and currently serves as a patrol squad sergeant. He presented Sergeant Tom Lokietek with a 20-year longevity plaque. He served as a patrol officer, as a field training officer, as a corporal, and is currently the field training coordinator and a patrol squad sergeant.

Public Works Director John Dickson presented Donna Calamia with a 20-year longevity plaque. She is currently the Public Works Secretary. She started at the Allred facility, then moved to the Utility Billing Department and then moved to Public Works.

Parks and Recreation Director Cody McGhee presented Angela Turner with a 20-year longevity plaque. He said she has been like his right hand and is a life saver for the department.

Mayor Tim Pospichal asked the Commission if there were any additional items to add to the agenda.

Commissioner Richard Hamann suggested Mayor Tim Pospichal be nominated for the Ridge League of Cities Nettie Draughon Municipal Official of the Year Award. Upon consensus, Mayor Pospichal was nominated for the award.

City Manager Robert Green stated he would forward the nomination to the Ridge League of Cities.

Mayor Tim Pospichal asked for public comment. There was no public comment.

1. PUBLIC HEARING – LAND USE AND ZONING MAP AMENDMENTS – SADDLE CREEK

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Public Hearing.

City Manager Robert Green said the Notice of the Public Hearing was advertised for consideration of amending Ordinance No. 752, the City's Future Land Use Map and Ordinance No. 764, the City's Official Zoning Map.

Community Development Director Amy Palmer said the City has received a request for a Small-Scale Future Land Use Map Amendment and Zoning Map Amendment for property owned by the Saddle Creek Corporation. The property is 1.5 acres located on Moss Road West. The current Polk County Future Land Use is Residential Medium-X or RM-X. The proposed City Future Land Use is Regional Activity Center. The proposed Zoning Classification is Light Industrial. In 2013, the City approved land use and zoning designations on 220 acres plus off Moss Road and Old Dixie Highway to accommodate the Saddle Creek Corporation Distribution Center that would be developed in two phases. Phase 1 of the development was completed in October 2015 with the opening of 400,000 square feet of distribution space. Phase 2 is currently underway for the remaining 400,000 sq. ft. Saddle Creek recently acquired the 1.5 acres of property adjacent to the distribution center for use for additional storm water retention. The property was annexed into the City Limits on May 21, 2018. After annexation the City is required to do Land Use and Zoning on the property. The request before the City Commission is to establish the same Future Land Use and Zoning designations on the 1.5 acres of property and the adjacent right-of-way as applied on the distribution site. The right-of-way is included in this request as Saddle Creek Corporation has a request before the Board of County Commissioners to close that right-of-way. It will be on the BOCC agenda tomorrow. The proposed Ordinance No. 1564 establishes the Future Land Use designation of Regional Activity Center on the 1.5 acres and is consistent with the previously approved land use classification on the adjacent distribution center property. The proposed Ordinance No. 1565 establishes the Official Zoning designation of Light Industrial on the 1.5 acres and is also consistent with the previously approved zoning classification on the adjacent property and would allow for the development of the proposed use. The Planning Commission recommended approval of the proposed amendments on June 5, 2018 with a 7-0 vote. Staff would also recommend approval of the Ordinances.

City Manager Robert Green stated we are in a Public Hearing.

Mayor Tim Pospichal asked for citizen comment.

Bart Allen, 242 W. Central Avenue, Winter Haven, stated he was a land-use attorney with the Peterson and Meyers law firm on behalf of the Saddle Creek Corporation. He stated we have our engineer, Dave Carter, and representative, Jim Sidou, from Saddle Creek's General Counsel in case there are any questions.

Mayor Tim Pospichal closed the Public Hearing and re-opened the Regular Commission Meeting.

2. ORDINANCE #1564 AMENDING FUTURE LAND USE MAP – SADDLE CREEK

City Manager Robert Green said the proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on July 2, 2018.

City Attorney Pat Kee read Ordinance No. 1564 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING A PARCEL OF LAND TOTALING +/- 1.5 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL MEDIUM-X (RM-X) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION REGIONAL ACTIVITY CENTER; AND PROVIDING AN EFFECTIVE DATE** (General Location: Moss Road W.), by title only.

Motion by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1564 as read by title only. Upon vote, all ayes.

3. ORDINANCE #1565 AMENDING OFFICIAL ZONING MAP – SADDLE CREEK

City Manager Robert Green stated if approved on first reading, the proposed Ordinances will be presented for second and final reading on July 2, 2018.

City Attorney Pat Kee read Ordinance No. 1565 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE OFFICIAL ZONING MAP BY ESTABLISHING AUBURNDALE ZONING MAP CLASSIFICATION OF LIGHT INDUSTRIAL (LI) ON A PARCEL OF LAND TOTALING +/- 1.5 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE** (General Location: Moss Road W.), by title only.

Motion by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Ordinance No. 1565 as read by title only. Upon vote, all ayes.

4. TRANSMITTAL PUBLIC HEARING – LAND USE MAP AMENDMENT – BERKLEY RANCH

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Transmittal Public Hearing.

City Manager Robert Green said the first two items you acted on this evening were known as a Small-Scale Future Land Use Map Amendment and a Zoning Map Amendment. Now we are bringing before you a Large-Scale Future Land Use Map Amendment. The difference being the acreage, that then requires the Land Use Designation be sent to the State for a Finding of Compliance. He stated the Notice of the Transmittal Public Hearing was advertised for consideration of amending Ordinance No. 752, the City's Future Land Use Map. Upon approval by the City Commission, the proposed Future Land Use Map Amendment will be submitted to the Florida State Land Planning Agency for an expedited review with State law. A second Ordinance, that will take the same action that you did this evening, amending the City's Comprehensive Plan and Zoning Map amendment, will come to you at a later date.

Community Development Director Amy Palmer stated the City has received a request for a Large-Scale Future Land Use Map Amendment for property owned by Berkley Ranch Investors, LLC for property located at Berkley Road and Pearce Road. It is currently a vacant piece of property, about

43.57 acres. The current Polk County Future Land Uses are: Residential Low-2; Residential Low-4X; Preservation-X. The proposed City Future Land Use is Low Density Residential. The Berkley Ranch Investors, LLC properties consists of plus or minus 43.57 acres that was annexed into the City Limits on May 21, 2018. So very similar to the last action that you took, because it was annexed, now we go through Land Use and Zoning. The only difference with this property is because it is larger than ten acres, it is a Large-Scale Map Amendment. The Department of Economic Opportunity does request to review all Land Use Amendments that are over ten acres. So, this is the Transmittal Public Hearing that would send that Future Land Use to the State for review. The property is currently vacant and is proposed for a 130-lot single family residential subdivision. The development will have access on Pearce Road and will also have access to Berkley Road by crossing the TECO-Auburndale Trail. These issues would be addressed during the Zoning portion of the process, which will take place after the Department of Economic Opportunity, or the State, reviews the Future Land Use and it comes back to the City Commission. At the time that the City Commission then adopts the Future Land Use, the Zoning would also be reviewed at that point. The action before you tonight is only on the transmittal of the Future Land Use up to the State. The proposed Future Land Use Amendment of Low-density Residential is consistent with the City's Comprehensive Plan, the Land Development Regulations, the Joint Planning Agreement with Polk County, and with surrounding development in the County. Following public comment and Commission approval, the proposed Future Land Use Map Amendment will be transmitted to the State for a compliance review. Adoption of the Future Land Use Map Amendment and related Zoning Map Amendment will be considered by the City Commission at a later date following the State review. The Planning Commission recommended approval of the Future Land Use Map Amendment on June 5, 2018 on a 7-0 vote. Staff would also recommend approval of the Transmittal Resolution.

Mayor Tim Pospichal asked for citizen comment.

Bart Allen, 242 W. Central Avenue, Winter Haven, stated he was a land use attorney with the Peterson and Meyer law firm here on behalf of the applicant, Highland Equities. He stated staff has given a good overview of this Large-Scale Comprehensive Plan Amendment. We would request a favorable vote for transmittal to the Department of Economic Opportunity. He stated he appreciates staff's work. Mr. Pearson and Mrs. Palmer have done a great job in helping us get these projects worked through the process.

Mayor Tim Pospichal closed the Transmittal Public Hearing and re-opened the Regular Commission Meeting.

5. RESOLUTION #2018-01 TRANSMITTING MAP AMENDMENT TO STATE – BERKLEY RANCH

City Manager Robert Green stated when the transmittal approval does come back to the City from the State, there will be additional Public Hearings before the City Commission on the Land Use and Zoning and then two reading of Ordinances at that time as well.

City Attorney Pat Kee read Resolution No. 2018-01 entitled: **A RESOLUTION PROPOSING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA AND TRANSMITTING SUCH PROPOSED AMENDMENT TO THE FLORIDA STATE LAND PLANNING AGENCY FOR AN EXPEDITED STATE REVIEW** (General Location: Berkley Road and Pearce Road), by title only.

Motion by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Resolution No. 2018-01.

Commissioner Richard Hamann asked will there be an ORC report sent back on that or what would be an old ORC report?

City Manager Robert Green stated it is similar to that. You will get a letter that will basically suggest that they reached out to the other agencies and the like. There would either be no comment or the like.

Commissioner Keith Cowie asked as a follow up, that would talk about this crossing the TECO trail issue?

City Manager Robert Green stated probably not. It is just a Land Use review. You are basically sending to the State stating that we are going to put a Future Land Use of Low-density Residential on that property. Do you have any issue with that? The other issues that came up somewhat already in discussion before the Planning Commission will come back to you when you discuss Zoning. That Planning Commission recommendation on the Zoning will come back to you at that time.

Commissioner Bill Sterling stated his only concern was crossing the trail. Stop signs or maybe a flashing red light like down on PK can be installed if people are going into that subdivision. If they are not familiar with that subdivision, they do not live there, they may not be aware there is a trail there.

City Manager Robert Green stated just north of that, to where when the trail crosses Pace Road and Mount Olive Road. There are not that many crossings on the trail and so we would treat it the same with the stop signs on the trail. We would do the same at that crossing if in fact it would be approved. That will come back to you with the site plan at the Zoning.

Community Development Director Amy Palmer stated that was also a condition that the Planning Commission placed on the Planned Development. That will come back to you as one of the recommendations from the Planning Commission during the Zoning.

Commissioner Bill Sterling asked so there will be a stop sign on the trail, but not on the road crossing the trail?

City Manager Green stated that is correct. That is really no different than on any of the roads.

Commissioner Taylor Bogert stated that one of the Polk County Future Land Uses was Preservation. I am assuming a portion of that was preserves, or is that something that is going to be addressed at the next meeting, if this passes the transmittal?

Amy stated the Future Land Use Map was generalized when it was created in the County. They have done an environmental and a soil study of the property and there were found to be no wetlands on the property, which what the Preservation would have designated. There are no wetlands on the property.

Upon vote, all ayes.

6. MODIFICATION #1 TO POLK COUNTY FIRE/RESCUE EMERGENCY 911 DISPATCH AGREEMENT

City Manager Green said the City of Auburndale began outsourcing Police dispatch services to the Polk County Sheriff's Office back in 2008 and Fire/Rescue dispatch services in 2010. In 2013, the City Commission approved an Interlocal Agreement which consolidated two separate agreements into one. In 2017, the Interlocal Agreement was renewed for an additional four years through September

2021. The Interlocal Agreement provides for a 2 percent adjustment for the Police dispatch services and adjustments to Fire/Rescue dispatch services would then be based on the actual number of calls dispatched, with a 5 percent cap. The new FY 2018-2019 Fire/Rescue contract will be for \$31,320, which represents the 5 percent increase. The City Commission on June 4, 2018 gave tentative approval on the proposed Expenditure Section of the proposed FY 2019 and FY 2020 Budgets which reflected this allocation. So, we have approved the allocation. This basically is the agreement for those services. The proposed Modification has been reviewed by the Fire Chief, City Manager and City Attorney. Staff would recommend approval of Modification No. 1 to the Interlocal Agreement with the Polk County Sheriff's Office for Fire/Rescue dispatching services for FY 2018-2019 beginning in October.

Mayor Tim Pospichal asked for citizen comment. There was no citizen comment.

Motion by Commissioner Bill Sterling, seconded by Commissioner Dorothea Taylor Bogert, to approve Modification No. 1 to the Interlocal Agreement with the Polk County Sheriff's Office for Fire/Rescue dispatching services for FY 2018-2019.

Commissioner Dorothea Taylor Bogert asked that 5 percent increase then is based on the number of dispatch calls?

City Manager Green stated yes, it actually exceeded that, but the 5 percent cap in the base agreement capped it at the 5 percent.

Upon vote, all ayes.

Meeting adjourned at 7:31 P.M.

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



Jeff Tillman, Assistant City Manager