

---

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held October 15, 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, Finance Director/City Clerk Shirley Lowrance, City Attorney V. Patton Kee, and Police Chief Andy Ray.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor W. Fred Leonard, Mt. Zion Missionary Baptist Church and a salute to the flag.

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve the City Commission Minutes of the October 1, 2018 Meeting. Upon vote, all ayes.

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

Commissioner Keith Cowie said he would like to ask a question of Staff. He said he heard rumors about a proposed logistic center on Pace Road in between the Parkway and Berkley Road. He said he wondered if Staff had any knowledge of that or has heard about that.

City Manager Green said yes, the City has been made aware of a warehouse that is being built in the unincorporated area. He asked Community Development Director Amy Palmer to address the question.

Community Development Director Amy Palmer said there is a proposal along Pace Road for a 1.4 million square foot distribution center in three different buildings along that corridor. She said they were contacted a month or two ago by Tim Campbell and a company named Seefried to take a look at the plan and review it and provide some comments back to them. They are also requesting the Board of County Commission for approval of the distribution centers, mainly because the building is over 250,000 square feet and their Land Use Plan requires the Board's approval for any large building, larger than that size. She said that was considered a Conditional Use Permit and that does have to go through the Board of County Commission and the Planning Commission. Part of the approval process, as stated clearly in the Land Development Code for the County, is that in order for it to be approved the Board of County Commission also has to consider neighboring jurisdictions and their input. We believe that is one of the reasons Mr. Campbell requested us as staff to review it. She said that corridor is also in our Joint Planning Area so that would also cause the County to ask what do we think of this. The Pace Road corridor was identified as a mixed use area. We feel the Pace Road corridor should be mixed use area, something that would compliment Florida Poly and Suntrax and tie those two projects together. She said they had a very good meeting with the president of Florida Poly and he kind of believed that as well, that this is the area that ties those two projects together. The timeline for the project: it goes to the Planning Commission on December 12 and there is no date set for the Board of County Commission, but it will be January.

Mayor Tim Pospichal asked if we could have them come and do a presentation at our meeting.

Community Development Director Amy Palmer said she would ask them. She said she thought it was a very good idea to have them do a presentation and get the Commissions input.

City Manager Green said the next meeting was November 5. He asked if that would fit into their timeframe.

Community Development Director Amy Palmer said she thought so, as they will have to go to the CRA Board for their architectural review on November 6. She said she thought they would be ready for a presentation on November 5 for the City Commission. She said she would contact Mr. Campbell and Seefried tomorrow.

City Manager Green said Tim Campbell is the attorney representing the developer.

Community Development Director Amy Palmer said the developer is Seefried and they develop distribution centers similar to Prologis that developed the Sharrett property on C. Fred Jones Blvd. They are out of Atlanta.

Commissioner Keith Cowie said our Joint Planning Agreement is what we agreed on with the County for the area.

Community Development Director Amy Palmer said the Land Uses that are in place in the county now along Pace Road are Interchange Activity Center and Business Park Center. She said those Land Uses could accommodate mixed use, but we feel like the development of a distribution center does not meet that goal of mixed use. She said you may hurt your opportunities for mixed use going forward, if you have a large, million square foot building.

Commissioner Keith Cowie said he thought it would be nice to have them come see us and lay out the project and what they are looking at.

City Manager Green said we will set that up.

City Attorney Kee read the Proclamation for National Breast Cancer Awareness month.

City Manager Green said the pink t-shirts are an initiative of our Fire Department. He thanked everyone for wearing pink.

City Attorney Kee read the proclamation for Florida City Government Week – October 22 to October 28, 2018.

City Manager Green said this was an initiative of the Florida League of Cities and we will make sure they get a copy of the proclamation.

City Attorney Kee read the Proclamation for Red Ribbon Week, to show support of a Drug-Free environment – October 23 to October 31, 2018.

## **1. TRANSMITTAL PUBLIC HEARING – LAND USE MAP AMENDMENT – JULIANA VILLAGE**

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

City Manager Green said the purpose of the Public Hearing was to consider an amendment to the Comprehensive Plan and Future Land Use Map for the Julianna Village.

Community Development Director Amy Palmer said the City has received a request for a large scale Future Land Use Map amendment for the Juliana Village Subdivision, which is owned by Walker Grove Land Partners, LLC. The property is located at the intersection of Hwy. 559 and Cone Road. The current use is 90.24 acres of residential, the Polk County Land Use is Residential Low 1X and Preservation-X, and the proposed City Land Use is Low Density Residential GS (Green Swamp) and Conservation Wetlands GS (Green Swamp). In June 2017, the Polk County Board of County Commissioners approved a 170-lot single-family residential subdivision on 90.24+/- acres located within the boundaries of the Green Swamp Area of Critical State Concern. In July 2018, Phase 1 of the Juliana Village Subdivision was approved by Polk County. The Phase 1 infrastructure has been constructed and platted by the County. Phases 2 and 3 will be platted by the City at a later date. As a result of the annexation of the development into the Auburndale City limits in August 2018, the subdivision is required to go through the City's Comprehensive Plan Large Scale Future Land Use and Zoning Map amendment process and then be forwarded to the Florida Department of Economic Opportunity (DEO) for compliance review of State law. The proposed City Future

Land Uses of Low Density Residential-GS and Conservation/Wetlands-GS are consistent with the Polk County Future Land Uses of Residential Low -1X and Preservation-X, which are currently applied to the property. The proposed Land Use is also consistent with surrounding development, the City's Land Development Regulations, Comprehensive Plan, and the Joint Planning Agreement with Polk County. Upon receipt of the State Review, the City Commission will hold an additional Public Hearing on the adoption of the Land Use designation and proposed zoning designation. The action of the Resolution is only on transmitting the Resolution to the State for review. The property has undergone a subdivision review and subdivision approval in Polk County. After it was subdivided, the City then annexed it into the City in August. She said the City Land Use and City zoning will be approved at a future date after the State review. The property was developed in Polk County and this is just applying the City's Land Use to the property. The Planning Commission recommended approval of the Land Use with a 5-0 vote on October 2, 2018. Staff recommended approval of the Resolution.

Commissioner Richard Hamann asked if the City would get an ORC report back on the State's review.

Community Development Director Amy Palmer said yes, it will be full blown review as it is in the Green Swamp. She said she did not anticipate any issues, as it has already been approved by Polk County.

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

Mayor Tim Pospichal closed the Public Hearing and reopened the City Commission Meeting.

## 2. **RESOLUTION #2018-09 TRANSMITTING MAP AMENDMENT TO STATE – JULIANA VILLAGE**

City Attorney Kee read Resolution No. 2018-09 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 A COORDINATED STATE REVIEW (GENERAL LOCATION: SR 559 and Cone Road)**, by title only.

City Manager Green said Staff recommended approval.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Resolution No. 2018-09, as read by title only.

Commissioner Dorothea Taylor Bogert said there was a little bit of talk in the Planning Commission about the sidewalks. She asked if that was something that would change or has it already been approved.

City Manager Green said that will come up during zoning. The subdivision is under construction and that happens when the property is annexed while the subdivision is in the process of being built. He said he imagined the zoning will come as a Planned Development and the binding site plan will be what the County approved. He said we do not have a whole lot of opportunity to tweak the sidewalks, roads, or setbacks, since they have already got approval in the County.

Commissioner Dorothea Taylor Bogert said that would come in the phases, as we do Phase II.

City Manager Green said that was correct.

Upon vote, all ayes.

## 3. **TRANSMITTAL PUBLIC HEARING –LAND USE MAP AMENDMENT – BERKLEY RANCH PHASE 2**

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

City Manager Green read from the Public Hearing notice and said it was properly advertised.

Community Development Director Amy Palmer said the City has received a request for a large scale Future Land Use Map amendment from Berkley Ranch Investors LLC, on behalf of the property owners Andrew and Margaret Hanzlik. The property is located on Pearce Road, west of Berkley Road and north of Pace Road. The current County Future Land Use is Residential Low -4X and Preservation-X. The proposed City Land Use was Low Density Residential. The property is adjacent to the property that was just approved to the north, the Berkley Ranch Subdivision. Phase I of the Berkley Ranch Subdivision was approved by the City Commission in September 2018 with a Future Land Use designation of Low Density Residential. The investors of the subdivision have under contract an adjacent 19.52 acres owned by Andrew and Margaret Hanzlik, which is now being considered as Phase II of the Berkley Ranch Subdivision. The property is currently vacant and is proposed for a 60-lot single-family residential subdivision. As a result of the annexation of the adjacent property into the Auburndale City limits in September 2018, the property is required to go through the City's Comprehensive Plan Large-Scale Future Land Use and Zoning Map amendment process and then forwarded to the Florida Department of Economic Opportunity (DEO) for compliance review. The proposed City Future Land Use of Low Density Residential is consistent with the Polk County Future Land Uses of Residential Low-4 and Preservation-X, which are currently applied to the property. The proposed Land Use is also consistent with surrounding development including Phase I of the subdivision, the City's Land Development Regulations, Comprehensive Plan, and the Joint Planning Agreement with Polk County. Upon receipt of the State Review, the City Commission will hold an additional Public Hearing on the adoption of the Land Use designation and the proposed Zoning designation. The Planning Commission recommended approval of the Land Use with a six to zero vote. Staff recommended approval of the Resolution.

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

Mayor Tim Pospichal closed the Public Hearing and reopened the City Commission Meeting.

#### **4. RESOLUTION #2018-10 TRANSMITTING MAP AMENDMENT TO STATE – BERKLEY RANCH PHASE 2**

City Manager Green said for clarification, you may have noticed that the vote on the first Map Amendment was with a 5-0 vote and this one was with a 6-0 vote. He said one Planning Commission member came in late and joined the meeting later. He was not present to vote on the first one, but was able to vote on the second one.

City Attorney Kee read Resolution No. 2018-10 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: Pearce Road)**, by title only.

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Resolution No. 2018-10, as read by title only.

Commissioner Bill Sterling asked how the 19 acres ties into the other road structure.

Community Development Director Amy Palmer said zoning will come back before the Commission. She said there are two internal roads that will connect this property and there are no other entrances to that property. She said the two Phases will be tied together through the road system.

City Manager Green said we will see that at zoning.

Upon vote, all ayes.

**5. QUIT CLAIM VACANT PROPERTY TO MT ZION MISSIONARY BAPTIST CHURCH – PRESTON ST**

City Manager Green said the City has received a request from W. F. Leonard, Pastor of the Mt. Zion Missionary Baptist Church, to give consideration of vacating a small tract of City owned property adjacent to the church and deeding the property to the church. In addressing this request, the City needed to define and plat the right-of-way for Cleveland Street extension between the Community Center/Gym and Leta Street. Robert A. Stevens and Associates, Inc. provided the necessary surveying and legal description for the Plat. The Plat was recorded on October 5, 2018. The established right-of-way left a small triangle shaped vacant lot between Cleveland Street and the church. The City has no current or future need of the small parcel, as all utilities, drainage, and proposed sidewalk improvements can be accommodated in the available right-of-way. He displayed a picture of the property and the church property. The pastor also suggested the need for sidewalk improvements along Cleveland Street. From the platted area, the City took enough property for the sidewalk improvement and that left a triangle shaped piece of property, which is suggested to be deeded to the church. He thanked Public Works Director John Dickson and Public Works for identifying all the drainage, sidewalk improvement area, and triangle piece of property. He said we appreciate the partnership with the Church in making that happen. He thanked City Attorney Kee for providing the legal review and Quit Claim Deed. The City Clerk will get the deed recorded in Bartow and will become part of the public records. Once the recorded deed is back, we will provide the Church a copy. Staff recommended approval of the Quit Claim Deed to Mt. Zion Missionary Baptist Church.

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 Quit Claim Deed from the City to the Church. Upon vote, all ayes.

**6. ORDINANCE #1575 ANNEXING PROPERTY INTO CITY LIMITS – LEIS PROPERTY**

City Manager Green said the City has received a petition from the Ranell B. Leis Trust requesting to annex .45 acres of property into the City limits. The property is located at 1360 US Highway 92 W., at the intersection of West Bridgers Avenue and US Highway 92 West. The property is contiguous with existing City limits and does not create an enclave. The property contains a single building that currently accommodates a bakery and formerly a gas/convenience store. Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City. 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 Ordinance will come back for final reading on November 5, 2018. Staff recommended approval of the Ordinance annexing the property into the City limits.

City Attorney Kee read Ordinance No. 1575 entitled: **AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUBURNDALE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE (General Location: Bridgers Avenue W. and US Hwy. 92 W),** by title only.

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

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve Ordinance No. 1575, as read on first reading by title only.

Commissioner Bill Sterling asked if there was a food truck on the property.

City Manager Green said it is outside the City limits and when it comes in, it will come into compliance. He said the property is actually getting ready to change its whole use.

Upon vote, all ayes.

#### **7. APPROVE PURCHASE OF GARBAGE TRUCK & BRUSH TRUCK UTILIZING STATE COMPETITIVE BID**

City Manager Green said the City currently utilizes two rear-load garbage trucks to collect curbside bagged yard waste and small brush piles on Wednesday routes. This purchase will allow the oldest in the fleet, originally purchased in 2005, with 113,842 miles to be pulled out of service. This purchase is budgeted in the FY 2018-2019 Budget, which started October 1, and was included in the Five-year Capital Improvement Plan. Using the Sheriff's Association bid Lou Bachrodt – Freightliner, Pompano Beach is the low bid utilizing the State bid - \$187,626. We also utilize three trash "claw" trucks to collect curbside brush and junk piles on daily routes. Purchase of this truck will allow the oldest in the fleet, originally purchased in 2007, with 147,080 miles to be pulled out of service and only used as a reserve vehicle or back up. Currently we share and utilize the City of Lake Alfred's truck from time to time, when we have a truck that goes down. Both the garbage truck and the trash truck are through the Florida Sheriff's Association contract bidding process. The City received two bids: Lou Bachrodt – Freightliner, Pompano Beach - \$139,910 (Florida Sheriff's Association Bid) and Petersen Industries Lightning Loader, Lake Wales - \$148,337.00. Lou Bachrodt Freightliner, Pompano Beach, was the low bid. Where available, quotes were requested from other local dealers that were higher than the State Bid pricing. The specifications for both the garbage truck and trash truck are uniform and allows our fleet to be streamlined for operation and maintenance. Staff recommendation was to award both the bids to Lou Bachrodt – Freightliner, utilizing the Florida Sheriff's Association Bid. For the garbage truck, we budgeted \$185,000 and the bid was \$186,626. For the trash truck, we budgeted \$160,000 and the bid was \$139,910.

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

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve the purchase of the garbage truck and trash truck utilizing the Florida Sherriff's Association bid to Lou Bachrodt Freightliner.

Commissioner Dorothea Taylor Bogert asked why there was not second bid on the garbage truck.

City Manager Green said that a lot of times by the time we put the specs out the State bid is the only one that matches the specs. Also, they may know that we shop the purchase.

Upon vote, all ayes.

Meeting adjourned at 7:30 p.m.

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

  
Shirley A. Lowrance, Finance Director/City Clerk