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Minutes of the Regular Meeting of the City Commission of the City of Auburndale held December 16, 2019 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 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 John Gullett of St. Alban's Episcopal Church and a salute to the flag.

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve the Minutes of December 2, 2019, Regular Meeting. Upon vote, all ayes.

City Manager Green reminded the Commission of Retirement Reception for Fire Lieutenant Eddie Sebastia tomorrow at 3 p.m. He said on behalf of the City Staff, we want to congratulate Bill Sterling on his last meeting with the City of Auburndale during this term. He said he completes 21 years as a City Commissioner with the City of Auburndale.

City Manager Green requested Agenda Item #8 Approve Contract for Sale of Property at 418 Oak Street be added to the Agenda.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to add Agenda Item #8 to the agenda. Upon vote all ayes.

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

## **1. PUBLIC HEARING – LAND USE AND ZONING MAP AMENDMENT**

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 the first reading of two Ordinances amending Ordinance No. 752, the City's Comprehensive Plan and our Future Land Use Map and also Ordinance No. 764 the City's Land Development Regulations, which contains our official Zoning Map. Both hearings were advertised in the same advertisement – Helms property and Webb property.

Community Development Director Amy Palmer said as a result of annexation the City has received a request for a Future Land Use Map amendment and Zoning Map Amendment for the property owned by Stephen and Jennifer Helms. The Current Polk County Future Land Use is Residential Suburban and the proposed Future Land Use is Business Park Center. The proposed Zoning classification is Light Industrial and the

current use is one single-family residence. The Helms property is located on Dairy Road, at the intersection of Dairy Road and Senate St. – 192 Dairy Road. The 3.43 acres has a Polk County Land Use designation of Residential Suburban. The requested Future Land Use of Business Park Center and Zoning district of Light Industrial (LI) are consistent with City and County Future Land Use and Zoning on adjacent properties to the north. The proposed Future Land Use and Zoning classification corresponds to the adjacent development trends of the area on parcels of similar size and configuration. The Helms' property currently contains a single family house which will be used as an office for the family's business. The requested Future Land Use and Zoning Map amendments are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations. The Planning Commission recommended approval of the Amendments in a 4 to 0 vote on December 3. Staff recommended approval of ordinances amending the Future Land Use Map and the Zoning Map. She displayed the location of the property and went over the Development Road Map for the property. She said the property owner, Mr. Helms, was present for any questions.

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

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

## 2. ORD. #1625 AMENDING FUTURE LAND USE MAP – HELMS PROPERTY

City Manager Green said both Ordinances No. 1625 and No. 1626, Items number 2 and 3, were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be presented for second and final reading on January 6, 2020. Staff recommended approval of the Ordinance.

City Attorney Kee read Ordinance No. 1625 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE FUTURE LAND USE MAP RECLASSIFYING A PARCEL OF LAND TOTALING +/- 3.43 ACRES FROM POLK COUNTY FUTURE LAND CLASSIFICATION RESIDENTIAL SUBURBAN (RS) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION BUSINESS PARK CENTER; AND PROVIDING AN EFFECTIVE DATE** (General Location: 192 Dairy Road), by title only.

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Ordinance No. 1625, as read by title on first reading. Upon vote, all ayes.

## 3. ORDINANCE #1626 AMENDING OFFICIAL ZONING MAP – HELMS PROPERTY

City Attorney Kee read Ordinance No. 1626 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 +/- 3.43 ACRES; AND PROVIDING AN EFFECTIVE DATE** (General Location: 192 Dairy Road), by title only.

**Motion** by Commissioner Bill Sterling, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1626, as read by title on first reading. Upon vote, all ayes.

#### 4. PUBLIC HEARING – LAND USE AND ZONING MAP AMENDMENT

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

City Manager Green said the Public Hearing was properly advertised.

Community Development Director Amy Palmer said as a result of annexation, the City has received a request for a Future Land Use Map Amendment and Zoning Map Amendment on property owned by Philip Webb. The property is located on Hughes Road and bordered by Tschetter Drive and US Hwy 92 E. The property is located behind Badcock on Havendale Blvd. The current Polk County Future Land use is Linear Commercial Corridor and the proposed Future Land Use is Commercial Corridor. The proposed zoning classification was Highway Commercial. The Webb property on US Highway 92 at Hughes Road was recently annexed into the City limits. The 1.89 acres has a Polk County Land Use designation of Linear Commercial Corridor (LCC). The requested Future Land Use of Commercial Corridor and Zoning district of Highway Commercial are both compatible with Future Land Use and Zoning designations on adjacent properties. The amendments are consistent with development trends of the area. The proposed Land Use and Zoning will allow the relocation of the owner's towing business to the site. The requested Future Land Use and Zoning Map amendments are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations. The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be presented for second and final reading on January 6, 2020. The Planning Commission recommended approval of the Amendments in a four to zero vote on December 3, 2019. Staff recommended approval of the Ordinances. She displayed the location map and went over the Development Road Map for the property. She displayed the Future Land Use Map and Zoning Map. She said Mr. Webb was present for the meeting.

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

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

#### 5. ORDINANCE #1627 AMENDING FUTURE LAND USE MAP – WEBB PROPERTY

City Manager Green said the ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be presented for second and final reading on January 6, 2020.

City Attorney Kee read Ordinance No. 1627 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 +/- 1.89 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION LINEAR COMMERCIAL CORRIDOR (LCC) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION COMMERCIAL CORRIDOR; AND PROVIDING AN EFFECTIVE DATE** (General Location: Hughes Road,

Tschetter Drive, and US Hwy 92 E.), by title only.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1627, as read by title on first reading.

Commissioner Bill Sterling asked about the ingress and egress for the property.

Community Development Director Amy Palmer said we have not seen the site plan yet, but probably Hughes Road.

Mr. Webb said Hughes Road.

Upon vote, all ayes,

#### **6. ORDINANCE #1628 AMENDING OFFICIAL ZONING MAP – WEBB PROPERTY**

City Attorney Kee read Ordinance No. 1628 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 COMMERCIAL HIGHWAY (CH) ON VARIOUS PARCELS OF LAND TOTALING +/- 1.89 ACRES; AND PROVIDING AN EFFECTIVE DATE** (General Location: Hughes Road, Tschetter Drive, and US Hwy 92 E, by title only.

**Motion** by Commissioner Bill Sterling, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1628, as read by title on first reading. Upon vote, all ayes.

#### **7. PRESENTATION OF BIDS – BRADDOCK ROAD YOUTH BASEBALL COMPLEX**

City Manager Green said he was very excited about this item coming to the Commission. He said for several years, the City has planned for the construction of new Youth Baseball facilities at the Lake Myrtle Sports Complex. In May 2016, the City awarded the engineering and design work for the youth baseball complex to Chastain Skillman, the City's consulting engineer. In January 2017, the City entered into a 20-year Lease Agreement with Polk County for approximately 35.5 acres of vacant land adjacent to the Lake Myrtle Sports Complex on Braddock Road to construct the facilities. In August 2019, the City exercised a 20-year lease extension through December 31, 2056 necessary to secure bond financing for construction. We were looking to build the facility and went after the Bond money to finance the project. In October 2019, the City advertised and solicited secured bids for the construction of the project. The specifications of the bid requested three youth sized fields and one senior-league sized field. The specifications included batting cages, a concession stand/office building, lighting, parking facilities, and other amenities. Two additive alternates were included in the bid process to allow for the stand alone pricing of these two alternatives, not included in the base bids. The first alternate relates to special drainage work being constructed by and paid for by the Florida Department of Transportation related to the Braddock Road Improvements Project. The

second alternate was for a t-ball sized multipurpose/special needs field. In November 2019, the City received the following four bids:

	<u>Base Bid</u>	<u>Alt.1</u>	<u>Alt. 2</u>	<u>Total Base + Alts.</u>
Miller Construction, Lakeland	\$6,448,000	\$234,900	\$698,000	\$7,380,900
SEMCO Construction, Bartow	\$6,905,000	\$243,700	\$776,000	\$7,924,700
Tiger Contracting, Lakeland	\$7,594,412	\$159,092	\$766,016	\$8,519,520
Bergeron, Fort Lauderdale	\$8,500,000	\$280,000	\$648,000	\$9,428,000

He went over Alternate #1 related to the Braddock Road Improvement Project. We noticed there was conflict with Braddock Road Improvements being made along with the County and DOT related to SunTrax and the new interchange at Braddock and the Polk Parkway. He said they got with DOT and worked out the conflict for them to tie into the existing or proposed stormwater improvement throughout the Complex, without cutting across any of the fields. He said DOT will be paying for that Alternative.

He went over Alternate #2 and said it was for purposes of pricing and whether we could afford the amenity. The Alternative was for the stand alone T Ball or special needs facility field and it would be located adjacent to the fields and part of the Complex. He said as he suggested at our Christmas Lunch recently, this was a special project to him, having coached 12 years of T Ball in the Little League Program. He said as with himself and others, we played youth baseball at the Spivey Complex 50 years ago. He said this was a needed improvement. He said we are very pleased to bring this project forward. We borrowed \$6.3 million for the Baseball facilities, which was part of \$9 million for projects.

He said the base bid from Miller Construction comes in at \$6,448,000, Alternate 1 comes in at \$234,900, and Alternate 2 comes in at \$698,000. The total base bid and Alternates is \$7,380,900. He displayed the funding proposal for the Project including the Alternates. He said they reviewed the plans looking for items that were not complimentary to other improvements in the Lake Myrtle Sports Complex. The dugout design was totally above what we have at the Stadium Field for the collegiate field. We backed out some of the improvements such as benches to have no backs and pavilions changes. The Youth baseball is different, as this is not a tournament facility being built to attract teams from around the nation. This really is a Youth baseball project for the recreational leagues and the use of our local students. We found \$630,000 worth of savings. Also Alternate 1 is being paid by DOT in the amount of \$234,900. With the reduction of \$630,000 and the DOT funding of \$234,900, we are \$216,000 after adding in the Bond proceeds. From the list of Bond projects, we have already completed some of the projects. Some of those projects have come in under budget and will assist with some of the overage. He said we also have Recreational Impact Fees that are collected on a single-family home construction. The Recreation Impact Fees are an eligible revenue to use to complete the project. We currently have about \$500,000 in this line-item. He said the funding is available to capture that overage shown. The City has reviewed the bids and determined Miller Construction Management of Lakeland as the low bidder at \$7,380,900, including both alternates. The bids and supporting documents were reviewed by Chastain-Skillman, which also recommended the low bidder. All responses to references were received favorably, including the City of Lakeland and have done several jobs including work at the RP Funding Center. The project is scheduled for completion in the fall of 2020. Staff recommended awarding the total bid including alternates to Miller Construction Management of Lakeland in the amount of \$7,380,900. He said are pleased to see some familiar faces in the audience from our Auburndale Youth Baseball. He said we are very excited to bring this project before the Commission and hopefully we will have the project ready for fall ball.

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

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve the bid for the Braddock Road Youth Baseball Complex to Miller Construction in the amount of \$7,380,900. Upon vote,

all ayes.

#### 8. APPROVE CONTRACT FOR SALE OF PROPERTY 418 OAK STREET – CODE ENFORCEMENT

City Manager Green said the City acquired the property at 418 Oak Street in 2013 through forfeiture action related to code enforcement violations on the property. Structures on the property were demolished and the City currently maintains the vacant lot. The proposed Contract for Sale of Property with Elite Property Ownership Group is for \$17,000 and represents the City's Code Enforcement administrative, legal and lawn maintenance costs. Elite Property Ownership Group acquired the adjacent property at 310 US Highway 92 in 2016 and currently operates the Cricket Wireless store, on the site. Acquisition of the property at 418 Oak Street will allow for future expansion of commercial activity utilizing the depth of both properties, which are currently zoned with a Commercial Highway designation. He thanked the City Attorney for his work in preparing the contract and stated the contract has been approved by the proposed buyer. He displayed the location of the property, with the building on the site. He said with the acquisition of the lot, they will be able to increase the depth of this space. He said it also eliminates the City's liability for the property. Staff recommended approval of the Contract for Sale Property at 418 Oak Street.

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

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve the contract for sale property at 418 Oak Street for \$17,000. Upon vote, all ayes.

City Manager Green said this completes the Meeting, which is the last meeting of the month, year and decade.

Commissioner Richard Hamann said he would like to thank Commissioner Sterling for all his time and effort with the City Commission. He said we have been here many years together. We are going to miss him.

Commissioner Bill Sterling thanked him for the comments.

Kim Fleeman, President of the Auburndale Youth Baseball said she wanted to thank the Commission for all your hard work on getting the Baseball Complex. She said this was huge and it is meaningful to them. She said she wanted to make sure they had the opportunity to thank them for everything you have done. She said they do the baseball because we believe in this community and the kids of this community.

Meeting adjourned at 7:33 p.m.

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

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Meeting adjourned at 7:33 p.m.

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

  
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Shirley A. Lowrance, Finance Director City Clerk