

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held June 15, 2020 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 Jack Myers. Also present were: City Manager Robert Green, Finance Director/City Clerk Shirley Lowrance, and Police Chief Andy Ray. City Attorney V. Patton Kee via the telephone.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor Ben Abbott of Multiply Christian Church and a salute to the flag. He asked the pastor to tell about the church.

Pastor Ben Abbott said he was a US Air Force veteran, who was re-trained into the field of preaching. Their new church use to be Havendale Christian Church and they got to a place where they felt like they needed some help so he was called upon to take over the congregation. We talked about the many things that needed to change and thought we might as well start over. We prayed and talked about it and after two months voted overwhelming to start over. So, Havendale Christian Church ceased to be and Multiply Church came into being. We launched on March 1 and closed March 15 because of Covid. We spent a year getting ready for the launch. He said it has been a difficult road. Two weeks ago we reopened and are hopeful we will be able to meet with more people and be a strong part of the community. We are very community minded and have had a Food Bank there as Havendale Christian Church for over 30 years. We have upped the amount of food we are giving out and are feeding 60 families a week. We are doing what we can. He explained the procedure for the drive through Food Bank due to social distancing. He said we are focusing on that now and hopeful we will be able to expand that and the congregation.

Mayor Tim Pospichal said the building was beautiful.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve the Minutes of the Regular Meeting May 18, 2020 and the Special Meeting of May 27, 2020. Upon vote, all ayes.

City Manager Green asked Fire Chief Brian Bradway to come forward. He said Brian worked for the Auburndale Fire Department for seven years before he went to Polk County Fire Rescue. We had an opening for the Deputy Chief position and Brian filled that position under Fire Chief Ronnie Hall. He said he is doing a great job as Fire Chief and is being recognized for the five years of service, since being back. We could say he has 12 years.

City Manager Green said earlier today he and the Mayor participated on the County-wide phone call that the County has had since the Covid situation started. Dr. Jackson from the Health Department made some very serious and sobering comments about things not looking good with the numbers going up. There was the suggestion of, yes, we are doing more testing and as a result of more testing, you would have more numbers. They have done a lot of the tracking and tracing and have found out that it is from birthday parties, funerals, and work places for tracking back the virus. She suggested we do need to continue keeping the distance. He said an example is the spacing of chairs we have in this room. We opened the Community Center Gym today with pickleball at a most reduced level and basketball at a less capacity. He said he wanted to thank all the Departments who have done a great job. He said we had a Staff Meeting this afternoon to share Dr. Jackson's comments. We want to make sure our employees are not coming to work when they are sick and let us know if they are exposed outside the workforce. We are still checking temperatures in the Police Department and other Departments. We are still not renting our buildings. In the Phase we are in the gatherings are at 50 or less and a lot of the gatherings are larger than that. We hate not being able to accommodate that. In Doctor Jackson's closing statements, she suggested that Covid is more than just a

bad case of the flu and it was 5 to 10 times more serious than the flu and the numbers they are seeing in the hospital are spiking with a good number showing up with flu like symptoms.

Mayor Tim Pospichal said it kind of shook him up, when he heard this. He the numbers are gaining and she stressed the point of social distancing and wearing a mask. Wearing a mask is one of the ways you can keep yourself safe and your people. He said she was to the point.

City Manager Green said it was almost as we were at the front of Covid like several months ago.

Mayor Tim Pospichal asked for public comment.

Josh Star, 1200 Berkley Ridge Lane, said the 19th century is defined by the railroad, which cut the travel time between American cities in half, and yet it cannot end the harshness of slavery. The 20th century was defined by leaps in aviation allowing an individual to fly across the ocean in days and yet it took three years and twelve million dead until the world saw the horrors of the holocaust. Now we are living through the century of information. Without physically being there I can get physically sick watching a video of George Floyd gasping for air by a police officer who murdered him by pressing his knee into the back of his neck. After seeing the footage of this horrible abuse of power, people can mobilize quickly and be out protesting within an hour. Without video camera footage the injustice would have been seen by few eyes and the officers could have concocted a story. For example in 2015, a South Carolina cop shot and killed Walter Scott by firing shots into his back. The department tried to lie about the incident, but got caught when a bystander's video of the incident went public. He said he knew many good cops in the Auburndale Police Department. While every department has some officers who take advantage of the power that is bestowed upon them, the officers he knows joined the Police Department with the hope of serving and bettering their community. Requiring body cameras is in no way saying the good ones are doing a terrible job – it brings to light the actions of those who do not belong. The requirement of body cameras would allow a rebuilding of trust between the community and the Police Department. Body cameras would allow a clearer picture of specific incidents instead of enraging both sides because of conjecture. Body cameras would allow us the community to rip up the early roots of injustice before they go deeper into the system and are nearly impossible to remove. It is true, we may never see the end of injustice; however, with increased transparency, we can create a model for other communities to stamp out the flames of corruption before it burns. He said earlier he mentioned the holocaust, which may seem far-fetched when discussing or introducing body cameras to small community police departments. We must stamp out corruption and injustice before it is too late. As an example, before a volcano erupts thick flumes of black smoke emerges like an omen. No matter how slow the black smoke rises or how long it seems to last, there is an inevitable quick, landslide which buries all those who refuse to act upon the warning. He said that is why he brings up a singly, small insignificant issue and offers a solution. He wants to get the good people of his community out of the way so that we and our posterity will not have to one day have to worry about being burdened by our inaction. He said he hoped he had presented a substantial case in this short time and shown that the cost of body cameras and requiring them is worth the final product of security. He thanked the Commission.

Mayor Tim Pospichal thanked him for the comments.

Mayor Tim Pospichal recognized Alex Campbell, President of the Auburndale Chamber of Commerce.

City Manager Green said because of Covid we have curbed the public Proclamations. He said we ask to proclaim the month of July as Lakes Appreciation month and we will forward the signed Proclamation to Danny Cushmer, who has made the request on behalf of the agency.

1. PUBLIC HEARING – LAND USE AND ZONING MAP AMENDMENTS - HAVENDALE BLVD

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

City Manager Green read from the Notice for the Public Hearing and stated the purpose was to consider petitions to amend Ordinance No. 752, the City's Comprehensive Plan and Future Land Use Map and Ordinance No. 764, the City's Land Development Regulations and Zoning Map.

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 Angel Feliciano. The location of the property is Havendale Blvd. and Avenue Z NW. The Feliciano Property consisting of +/- 0.73 acres located on Havendale Blvd. and Avenue Z, NW was annexed into the City Limits in May 2020. The property currently has a Polk County Future Land Use designation of Residential Medium. The requested City Future Land Use designation of Commercial Corridor and Zoning district of Commercial Highway is consistent with adjacent properties to the north and west with frontage along Havendale Blvd. The adjacent property to the east is unincorporated Residential Medium but currently has a commercial use of an RV parts store. 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 Map Amendments on June 2, 2020 with a 6-0 vote. Staff recommended approval of the Future Land Use and Zoning Map Amendments. She displayed the location map of the property. She went through the Development Road Map related to the proposed changes. Setbacks for the property would be 25 feet front, 10-foot side, and 20 foot back. Once the Zoning Designation is complete, the property owner would apply downstairs for permits and to any other agencies necessary. We are here to consider the Future Land Use of Commercial Corridor and Zoning of Commercial Highway. Staff recommended approval of Future Land Use and Zoning Map amendments.

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. ORDINANCE NO. 1636 AMENDING FUTURE LAND USE MAP - FELICIANO PROPERTY

City Manager Green said 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 July 6, 2020. Ordinance No. 1636 establishes the Future Land Use as Commercial Corridor. Staff recommended approval.

Finance Director/City Clerk Shirley Lowrance read Ordinance No. 1636 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 +/- .73 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL MEDIUM (RM) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION COMMERCIAL CORRIDOR (CC); AND PROVIDING AN EFFECTIVE DATE. (General Location: Havendale Blvd. and Avenue Z NW).**

Motion by Commissioner Keith Cowie, and seconded by Commissioner Richard Hamann, to approve

Ordinance No. 1636, as read by title only on first reading. Upon vote, all ayes.

3. **ORDINANCE NO. 1637 AMENDING OFFICIAL ZONING MAP – FELICIANO PROPERTY**

City Manager Green said Ordinance No. 1637 establishes the Zoning as Commercial Highway. Staff recommended approval of the Ordinance.

Finance Director/City Clerk Shirley Lowrance read Ordinance No. 1636 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 COMMERCIAL HIGHWAY (CH) ON A PARCEL OF LAND TOTALING +/- 0.73 ACRES; AND PROVIDING AN EFFECTIVE DATE. (General Location: Havendale and Avenue Z NW).**

Motion by Commissioner Jack Myers, and seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1637, as read by title only on first reading. Upon vote, all ayes.

4. **APPOINT VOTING DELEGATE FOR FLORIDA LEAGUE OF CITIES CONFERENCE**

City Manager Green said the Florida League of Cities 92nd Annual Conference was previously scheduled to be held August 13-15, 2020 at the Diplomat Resort in Hollywood, Florida. Unfortunately, the Diplomat is still closed due to COVID-19. Considering the coronavirus pandemic and the surrounding circumstances, the FLC Board approved a scaled-down format for the annual conference, which will be held in-person and with remote access from a location in Orlando. The hotel and final arrangements will be made in early July. The FLC By-Laws require that each Member City select one of their elected officials to cast their votes at the annual business session. Vice Mayor Dorothea Taylor Bogert has agreed to serve if this is the pleasure of the City Commission. Staff recommended approval of a voting delegate.

Motion by Commissioner Jack Myers, and seconded by Commissioner Keith Cowie, to approve Commissioner Dorothea Taylor Bogert as the Voting Delegate for the August Florida League of Cities Conference. Upon vote, all ayes.

5. **PRESENTATION OF EXPENDITURES FOR FY 2021 AND FY 2022 ANNUAL BUDGETS**

City Manager Green said we are pleased to have all our Department Directors here with us this evening, as it has been several meetings since they have been present. On behalf of the Department Directors, he thanked the Commission for the budget process and buying into the two-year budget process. Several Meetings back we presented the Payroll section of the budget, then later the Capital section and tonight we will present the Expense section. We are mindful that out of 17 communities, 15 have a higher tax rate than the City of Auburndale. We do more with less, but the product we provide is top notch and the Department Directors have a lot to do with that. On May 4, we presented a payroll plan that amended staffing levels for the next two fiscal years. Not all cities do a two year budget. On May 18, Capital Outlay was tentatively approved for the next two years. The Payroll and Capital Outlay are expenditures, but tonight we will talk about departmental expenses and non departmental expenditures. We account for every dime that is spent and charge it to a line-item within the budget. As we started our Meeting with the words of the pastor, these are some challenging times, economic challenging times. With the environment we are in, Tallahassee is already discussing Special Sessions to address the loss of sales tax and fuel tax and those dollars that trickle down to local government that allow us to do the job that we do. We will adjust our budget to reflect

the new projections. We are not going to spend, if we do not have it. He went over the Pooled Cash account for the City, which shows all the different funds and the reserves. The Emergency Reserve had \$4.5 million, which represents 25% of our General Fund Budget. Even with less revenue from the State and a possible hurricane, we are in good shape because of your Fund Balance Policy. We worked hard to get up to the 25%. It is a lock box of funds that only the Commission can spend by Commission vote. The funding is based upon the annual General Fund budget. He said there are 26 pages of Expenditures and we have highlighted all line items which increased or decreased by \$5,000 over the prior Budget. With the help of the Directors we even fine tuned some of our Department line-items. He went over the Department Expenses for each Department. Some of the changes discussed were:

- Legal Department - Extra Services increased to \$10,000 for Code Enforcement expenses related to recent foreclosure action.
- IT Department - License and Subscriptions from \$30,000 to \$46,000 and Microsoft 365 as \$30,000 from zero, due to the implementation of Office 365. The annual cost will be \$30,000.
- Finance/City Clerk Department - Election expenses at zero in the first year and \$5,000 in the second. The Elections are held every other year.
- Library Division – The Budget stayed much the same. He said we never shut down the Library as far as staffing during the past few weeks. While the building was closed to the public, we painted the building, replaced carpet, and completed the annual inventory.
- Fire Department – Had no changes with a \$5,000 deviation. For the six months they were at 58%.
- Community Development Department – We are currently contracting the Building Official position and it is working well. We still have an open employment advertisement for the position. If we hire a Building Official, we will move the expense line-item for Contract Services to a Payroll expense line-item.
- Police Department – Last year we began the lease agreement with Enterprise Leasing. This program would keep our fleet newer and give us less expenses for Repair and Maintenance cost. We are budgeting \$82,000 in the first year and \$75,000 in the second year for Repair and Maintenance. The total Police Department budget at six months was 49%.
- Public Works Administration –Stormwater Fee Project showed an expense of \$49,959. We are Budgeting \$10,000 for next year, as improvements are done on an as-needed basis. We will move money into the Budget for any future improvements.
- Sanitation Division – The Contract Service Employee line-item increased to \$25,000 from \$20,000, Curbside Recycling Disposal Fee increased to \$290,000 from \$275,000, and Hobos expenses increased to \$30,000 from \$25,000. Our Curbside Recycling Contract is up this September and we are meeting with the vendor this week. The increase for the line-item is based on growth in the north Auburndale area. The Recycling expense is reimbursed from customer fees and equal to the collection. We will let you know more about the Recycling Contract, as we get with the hauler.
- Street Division - Highway Lighting Maintenance decreased to \$10,000 from \$15,000.
- Parks and Recreation – Electricity at the Little League was reduced to \$2,000 from \$7,500 due to the new Youth Baseball Facility, Park Activities increased to \$15,000 from \$10,000, and CityCon was renamed to CityFest. We are planning a nice big CityFest at Lake Myrtle, when we are able to have the event.
- Cemetery Division, Civic Center, Senior Center, Tennis Pro Shop, Lake Ariana Park, Women’s Club and the Baynard House all had not proposed budget changes over the \$5,000 deviation.
- Auburndale Softball Complex – Electricity showed a reduction to \$20,000 from \$25,000 and City Utility Bill line-item was reduced to \$14,000 from \$22,000.
- Lake Myrtle Sports Complex - Sanitation Charges were reduced to \$8,000 from \$13,000, the City Utility Bill was increased to \$25,000 from \$10,000, Facility Maintenance was increased to \$40,000 from \$30,000, Soccer Field Maintenance Supplies was increased to \$43,000 from \$35,000, Baseball

Field Maintenance was increased to \$57,000 from \$45,000, Youth Baseball Maintenance was established at \$8,000, and Youth Baseball Agricultural & Horticulture was established at \$5,000.

- Community Gym - Electricity was reduced to \$50,000 from \$55,000 and Facility Maintenance was increased to \$30,000 from \$25,000.
- Community Redevelopment Agency Budget was already presented to the Board.
- Water Distribution - Maintenance and Repair Water Lines was increased to \$70,000 from \$60,000.
- Utility Billing - Consulting Rate Study was budgeted at 40,000. We have a rate study about every five-years to determine the cost of doing business for Public Utilities. The cost looks at labor cost, cost of repairs, and capital improvements. The new rate study will not take affect until our second year.
- Allred Wastewater Plant – The Sludge Disposal Contract was reduced to \$35,000 from \$40,000. Facility Maintenance increased to \$15,000 from \$6,000, Maintenance of Sprayfields decreased to \$10,000 from \$15,000, Maintenance and Repair of Lift Stations increased to \$200,000 from \$100,000, Maintenance and Repair Sewer Lines increased to \$120,000 from \$75,000, Chemicals decreased to \$45,000 from \$50,000, and Gas increased to \$35,000 from \$25,000.
- Regional Wastewater Treatment Plant – The Consulting Engineer line-item increased to \$30,000 from \$25,000, Electricity decreased to \$225,000 from \$240,000, and Chemicals increased to \$60,000 from \$50,000.
- General Fund Transfer was budgeted at \$1,412,186. It represents the benefits of the employees in the Water and Sewer Fund charged to the General Fund.

He said the Budget was adjusted up and down for various line-items, but is pretty much a status quo budget.

City Manager Green went over the Non-Departmental Expenses such as Health Insurance, Workers Compensation, Pension, and etc.

- The proposed Budget reflected a 10% increase in Health Insurance, Workers Compensation, and General Liability Insurance. Renewal rates will be received from the carriers in the next few weeks.
- General Employee Pension went down to \$1,347,267 due to the Actuary calculation of costs. The Defined Contribution Pension (401) increased by \$20,000 due to new employees entering the Plan.
- Consulting Fees Planning was proposed at \$10,000 due to the Lakes District Consulting invoicing in next year.
- Bus Service decreased to \$81,530 from \$93,798 based upon the economic conditions and our fair share.
- Tallahassee Day line-item at \$5,000 was a new expense.
- Community Projects related to CDBG had a proposed budget of \$110,000 and included the \$20,000 due from Dundee for the repayment.
- The CRA Tax Increment City Portion was increased by the valuation of our properties in the CRA District. The number was \$561,200. Our CRA does not have debt service.
- Reserves as shown in the Expense Section of the Budget represent where we are saving the money in the bank. We are funding the reserves. When you see Reserves in the Revenue Section, we are bringing money out of the bank.
- Debt Service is shown for the General Fund and the Utility Fund and relates to the Bond or Bank Borrowings for each Fund.
- The Interfund Transfer to the General Fund was \$3,517,076 in FY 2021 and \$3,805,760 in FY 2022.

We went over the reserve funding for both the General Fund and Public Utilities. He said the Reserves we are budgeting create a safety net within the Budget, as the revenue projections from Tallahassee and our collections on rentals, tennis and other services are down. He explained the Budgeted Revenues and Expenses must equal by law and that each Fund must balance. We have added two additional Funds due to the State Law regarding accounting for Impact Fees. We added the General Fund Impact Fees Fund and the Utility Fund Impact Fees. He said this suggests that someone, somewhere spent Impact Fees on something they should not have. The State Law now requires that when we collect the Impact Fees they have to come into their own Impact Fee Fund and be balanced. Within the General Fund Impact Fee Fund we have the Fire Impacts, Police Impacts, and Recreation Impact Fees. Within the Utility Fund Impact Fees, we have the Water Impact, Sewer Impact, and Fire Sprinkler Impact Fees. All the Impact Fees have an Ordinance and have to be spent based on the Ordinance. We have to be accountable for those dollars. The new Funds are 110 for the General Fund and 440 for the Utility Fund. In Revenue, we propose to collect \$1,410,000 in the Utility Fund Impact Fees or Fund 440. The money will be moved into the Water and Sewer Fund for use in Debt Service. All water and sewer impact fees go into paying for debt service. He went over the Summary Budget for each Fund and said the Contingency for FY 2021 was \$150,583 and the FY 2022 Contingency was \$103,138. He explained the Interfund Transfer was \$3,517,076 for FY 2021 and \$3,805,761 for FY 2022. He said the cycle for the Budget was presentation of the proposed Revenue Section is scheduled for July 20, 2020. Delivery of the proposed two-year budget to the City Commission is scheduled for August 3, 2020. Formal adoption of the FY 2021 Budget and conceptual approval of the FY 2022 Budget will come after the scheduled Public Hearings in September. He said we have the pleasure of all the Department Directors here tonight and we will be glad to stand for any questions.

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

Motion by Commissioner Keith Cowie, seconded Commissioner Dorothea Taylor Bogert, to give tentative approval of the Expenditures of the proposed FY 2021 and FY 2022 annual Budgets.

Commissioner Richard Haman said he would like to thank all the Department Directors and City employees. He said this was a very conservative budget. He thanked City Manager Green and Finance Director/City Clerk Shirley Lowrance.

Mayor Tim Pospichal asked about the Police Chief Foundation Scholarship, as shown on page 17. He said there was no budget for the FY 2022 year.

City Manager Green said the line-item was created several years in the name of our former Police Chief Nolan McLeod. He passed away in 2012, while he was our Chief and the Commission at that time decided to contribute \$1,000 a year for 10 years. This upcoming first year budget would be the last year for that contribution and that is why you do not see that expenditure in the second year.

Mayor Tim Pospichal said he would hate to see that go away. Chief McLeod was a great person.

City Manager Green said it helps fund education for the kids of our police officers. Since inception of that program, we have had two police officer's children benefit by their child being selected for the scholarship.

Mayor Tim Pospichal asked if there was any way to put that back into the Budget.

City Manager Green said it was a policy decision at the time and if it is the pleasure of the Commission it may be modified. He said the Commission could vote on this item tonight.

Motion by Commissioner Keith Cowie, seconded by Commissioner Jack Myers, to fund the contribution for the Police Chief Foundation Scholarship for another 10 years, at \$1,000 per year. Upon vote, all ayes.

City Manager Green said Nolan was a good Chief and friend. Our Police Officer of the Year Award is named in his honor. His family always comes to our Christmas lunch to help us present the Award. The money goes to the Polk County Police Chief's Association and they administer the program.

Vote on motion for approval of tentative Expenditure Section of the Budget. Upon vote, all ayes.

Mayor Tim Pospichal said he attended the Auburndale High School graduation at Tiger Town today. He said the sun was unrelenting, but it was great to see everyone come out. The graduates looked great. He said we are very proud of our educators and students.

Meeting adjourned at 8:22 p.m.

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


Shirley A. Lowrance, Finance Director/City Clerk