

City Manager Green welcomed everyone to the Auburndale Commission Meeting for Family Night. We used to have Family Night in January where we invite all the elected officials and Department Directors to bring their families. We are more restricted in the seating this year, so we have not invited all the Department Directors and their spouses. Introductions were made of all present.

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held December 7, 2020 at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised. Commissioner Members present are listed below after the installation of the 2021 Mayor and Vice Mayor.

Mayor Tim Pospichal called the City Commission Meeting to order at 7:02 p.m.

ELECTION AND INSTALLATION 2021 MAYOR AND VICE MAYOR

City Manager Green said in accordance with the City Charter, the City Commission is to elect one of its members as Mayor and another as Vice Mayor. The electorate of the City of Auburndale, on November 7, 2017, approved an amendment to the City Charter providing that said election shall be held at its first regular meeting in December. Only Commissioners who have held office for more than ten months immediately preceding the nomination shall be eligible as candidates for nomination, as mayor and vice mayor. All City Commissioners are eligible for Mayor and Vice Mayor. He said the City Clerk will conduct the election by accepting nominations from the Commission. Upon election of the Mayor and Vice Mayor, the City Clerk will administer the Oath of Office.

Finance Director/City Clerk Shirley Lowrance conducted the nominations for the Office of Mayor and Vice Mayor for the 2021 year. Commissioner Tim Pospichal was nominated as Mayor and Commissioner Dorothea Taylor Bogert was nominated as Vice Mayor for 2021. Both were unanimously voted upon for the respective positions. She administered the Oath of Office for Mayor Tim Pospichal and for Vice Mayor Dorothea Taylor Bogert. Copies of the Oaths of Office are attached to the Minutes.

The Meeting was opened with prayer by Pastor Brad Bennett of Auburndale Community Church and the salute to the flag.

The following Commission members were present: Mayor Tim Pospichal and Commissioners: Dorothea Taylor Bogert, Keith Cowie, Richard Hamann, and Jack Myers. Also present were: City Manager Robert Green, Finance Director/City Clerk Shirley A. Lowrance, City Attorney Frederick J. Murphy Jr., and Police Chief Andy Ray.

Mayor Tim Pospichal declared a quorum present.

Motion by Commissioner Richard Hamann, seconded by Commissioner Keith Cowie, to approve the City Commission Minutes of the November 16, 2020, Meeting. Upon vote, all ayes.

City Manager Green said we received an email from the High School regarding an outdoor concert for the Imperial Sound Band. Their annual Holiday concert will be at the Lake Myrtle Sports Complex at 6:30 p.m. on December 14, 2020. He said there were two articles in the Quality Cities magazine from the Florida League of Cities mentioning Auburndale – one was a tribute to our past City Attorney V. Patton Kee and the other focused on our Rotary Club Butterfly Garden.

Assistant City Manager Jeff Tillman announced that the Community Development Block Grant sidewalk projects on Main Street and Bennett Street have been completed. He said the response from the community has been very positive on the sidewalks. He displayed a copy of the "thank you" from the ladies at the Bridge, who walk the sidewalk daily. He said the Vice Mayor and he will be attending the City of Dundee's ribbon cutting for their CDBG project, Lake Lindsey Dock. We will be there on behalf of the City of Auburndale for the ribbon cutting.

City Manager Green said as he and the Mayor attended a County Commission meeting, the County Commission was also very appreciative of the cooperation between our cities regarding the CDBG funds. We get about \$100,000 and Dundee may get \$15,000. We give them our allocation and they pay us back over several years, which allows them to do a bigger project.

Mayor Tim Pospichal asked for public comment. There were no other public comments.

1. ORDINANCE #1648 AMENDING THE OFFICIAL ZONING MAP – MFG US PROPERTY

City Manager Green said Econ South, LLC on behalf of MFG, has requested a Zoning Map Amendment on 1.49 acres from Commercial Highway to Planned Development-Commercial 2 (PD-C2) on property located at the corner of William Van Fleet Road and CR 559. This property is adjacent to a larger parcel previously approved by the City Commission for development of a shopping center. The owner desires to build a gas station/convenience store on the property. However, the City's Commercial Highway or CH Zoning classification restricts gas stations/convenience stores to properties with frontage on Magnolia Avenue (Highway 92), Berkley Road (SR 559), and Havendale Boulevard. The proposed Zoning classification of Planned Development-Commercial 2 or PD-C2 would allow the gas station/convenience store, as a permitted use, while also meeting the same CH Zoning regulations. As required by the Land Development Regulations for Planned Developments, this request is accompanied by a binding site plan. The proposed zoning classification is consistent with the Future Land Use and Zoning on surrounding properties. The Amendment is also consistent with the City's Comprehensive Plan, Land Development Regulations and Joint Planning Area with Polk County. The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed ordinance was approved on first reading November 16, 2020 and is being presented for second and final reading. The Planning Commission recommended approval of the Zoning Map Amendment with a vote of 5-0, at their meeting of November 30, 2020. Staff recommended approval of the proposed Ordinance amending the Zoning Map.

Community Development Director Amy Palmer displayed where the property was located. The gas station property is one of the out parcels for the Publix Shopping Center. She displayed a picture of the plat for the Shopping Center. She went over the steps for a zoning change for the property and said there would be a binding site plan for the proposal. She said the petitioner's representative Sara Case was here from Econ South.

Sara Case, Econ South, 6700 S. Florida Ave. Suite 4, Lakeland, said they petitioned with the City to apply for a convenience store gas station on the outparcel that has 1.49 acres of the overall shopping center for Publix, that was approved earlier this year. Said she would stand for questions and appreciated the Commission's vote of approval.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1648, which was presented and passed on first reading on November 16, 2020, by title only.

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

Motion by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1648, as read on second reading, by title only.

Commissioner Dorothea Taylor Bogert asked about the preliminary binding site plan timeframe.

Community Development Director Amy Palmer said the timing on this binding site plan was requested at five years and it is typically one year. She said because of timing of the development of the shopping center they have requested a longer timeframe. The shopping center would have to be in place first before the gas station.

Upon vote, all ayes.

2. ORDINANCE #1649 AMENDING THE OFFICIAL ZONING MAP – OTTER POND PROPERTY

City Manager Green said in 2004, the City annexed 95.34 acres of property belonging to the Gapway Groves Corporation. The property was given a City Future Land Use of Low Density Residential and a zoning classification of Open Use Agricultural or OUA. The City has received a request from JSK Consulting, on behalf of Gapway Groves Corp, to rezone 11.2 acres of the larger parcel to Single Family Residential-2 or RS-2 to accommodate a future 28-lot residential subdivision. The Otter Pond property is located east of the recently developed Magnolia Estates subdivision and has frontage on Bolender Road and Keystone Road. At this time, just the zoning of the property is coming before the Commission.

Community Development Director Amy Palmer displayed an aerial picture of the property. She went over the steps for the rezoning for the Otter Pond property from OUA to RS-2. She displayed a picture of the zoning map.

City Manager Green said the proposed ordinance was prepared by the Community Development Department and reviewed by the Manager and the Attorney and is being presented for second and final reading. The Planning Commission approved of the Zoning Map Amendment with a 5-0 vote at their Meeting of November 3, 2020. Staff recommended approval of the proposed Ordinance amending the Zoning Map.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1649, which was presented and passed on first reading on November 16, 2020, by title only.

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

Motion by Commissioner Keith Cowie, seconded by Commissioner Jack Myers, to approve Ordinance No. 1649, as read on second reading, by title only. Upon vote, all ayes.

3. ORDINANCE #1650 AMENDING THE FISCAL YEAR 2019-2020 ANNUAL BUDGET

City Manager Green said in accordance with Florida Statutes, adopted auditing practices, and on the recommendation of the City's Auditor, the City needs to amend by Ordinance the FY 2019-2020 Annual Budget, which ended in September, to properly appropriate for revenue and expenditures that may exceed budgeted amounts. As provided by Ordinance No. 1026, the level of budgetary control for the City's Annual Budget is at the Fund Level. We have five funds we operate under. Events occur during each fiscal year, which were not anticipated at the time of budget approval. The proposed Ordinance amends the FY 2019-2020 Budget to reflect the collection of unanticipated revenue and appropriation for unanticipated expenditures. He displayed on the screen the Fund totals, as shown below. He said no changes have been

made since the last meeting. The bottom-line total approved initially and then the amended budget is \$62,982,094. Staff recommended approval of the Ordinance. `

**CITY OF AUBURNDALE
SUMMARY BY FUND BUDGET AMENDMENT FY 2019-2020**

SUMMARY OF FUNDS	CURRENT BUDGET	CHANGE +/-	AMENDED BUDGET
General Fund (001)	\$31,488,988	\$2,024,700	\$33,513,688
Gen. Fund Impact Fee (110)	\$245,500	\$1,630,200	\$1,875,700
Comm. Redev. Agency (151)	\$1,391,600	\$114,200	\$1,505,800
Water & Sewer Fund (430)	\$19,012,600	\$2,775,106	\$21,787,706
W & S Impact Fee (440)	\$1,410,400	\$2,888,800	\$4,299,200
TOTAL BUDGET	\$53,549,088	\$9,433,006	\$62,982,094

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1650, which was presented and passed on first reading on November 16, 2020, 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. 1650, as read on second reading, by title only. Upon vote, all ayes.

4. FLORIDA LEAGUE OF CITIES PRESENTATION – RICHARD HAMANN 25 YEARS OF SERVICE

City Manager Green said Commissioner Richard Hamann is being recognized for earning the Florida League of Cities' Mayor John Land - Years of Service award for 25 years of service as an elected official with the City of Auburndale. The Award is named after John Land, who served 65 years as Mayor of Apopka, Florida between 1949 and 2014. Richard Hamann was first elected to the Auburndale City Commission in 1991. He served two three-year consecutive terms through 1996, then again from 1998 through 2003. After two years off the Commission, he returned in 2006, serving two consecutive four-year terms through 2013. He rejoined the Commission in 2016. Commissioner Hamann served as Mayor in 1996, 2002, 2010 and 2013. At years end, Commissioner Hamann will have completed his 25th year as an Auburndale City Commissioner. He holds the record for the longest tenure of any Auburndale elected official. He asked Commissioner Richard Hamann to join Mayor Tim Pospichal and Vice Mayor Dorothea Taylor Bogert for the presentation of the Resolution.

City Attorney Frederick J. Murphy Jr. read the Resolution from the Florida League of Cities for his 25 years of service to the City of Auburndale.

Commissioner Dorothea Taylor Bogert presented Commissioner Richard Hamann with a clock from the City Commission and a pen for 25 years of service from the Florida League of Cities.

Commissioner Richard Hamann said he could not have done it without Commissioner Keith Cowie's help, as it was the first time he got to vote.

Commissioner Jack Myers gave congratulations to Richard and said he has had the pleasure of serving quite a few of the years with him. He said when he speaks up here, he has usually talked to a lot of people in the barber shop and got a lot of opinions on how the citizens feel. He listens and it has worked out really well. He is probably one of the most popular guys in Auburndale and it is well deserved.

Commissioner Keith Cowie said he has known Richard since he was 10 years old and botched up his brother's hair and his mother had to bring his brother into the barber shop. He said he has really treasured the time he has spent serving with Commissioner Hamann. He said he has learned a tremendous amount from him over the years not just about government, but about life. He said we have had a lot of good talks and he appreciates his friendship and everything he has done for the City of Auburndale.

Commissioner Dorothea Taylor Bogert thanked him for being such an amazing role model for so many elected to office. She said he has set such an amazing example for all of us and something for us to strive to be.

Mayor Tim Pospichal said as Mr. Murphy read when you are an elected official at this level you are literally the closest to the people. He said that means every time you go to the grocery store, Walgreen's or anywhere, there is somebody there who knows who you are, and they come and talk to you. Richard has been doing this for 25 years. After 2021, Richard will have served the City of Auburndale in four decades 1990, 2000, 2010, and 2020. He said when he was first elected, the first thing everybody said was "I know Richard Hamann". He said he has come to believe this as Richard is known in Tallahassee and at the County level. He is the epitome of a dedicated public servant, he shares everything he knows, and he is always there. He said it has been a great honor and privilege for him and all of us and the citizens of Auburndale to have him serve our City.

Commissioner Richard Hamann said thank you for all the compliments. He said it is not one person - it takes a team to build and run a City. He thanked the Commission for their dedication, both current and past Commissioners. He thanked the citizens for having the confidence in him to elect him. He said usually you cannot catch me with nothing to say, but this is hard. He thanked City Manager Green, the Department Directors, and all the employees of the City for helping to make this job much easier. He said for a lot of the decisions made here, we get information from you. He thanked his family for sacrificing our time together so he could do this and for being so supportive in what he has done here for the City and for the City that he loves. He said thanks to everybody here tonight, that he appreciated it.

RESOLUTION #2020-09 NAMING A CITY OWNED FACILITY THE KEE BUILDING

City Manager Green said in August 2020, the City of Auburndale purchased the building adjacent to City Hall located at 108 Park Street E. The building previously served as the private law practice office of Attorney V. Patton Kee. Prior to his passing, Attorney Kee would serve the City of Auburndale in various positions including 23 years as City Attorney from 1996 through 2020. The proposed Resolution officially names the office building "The Kee Building", in honor of the former City Attorney.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2020-09 entitled: **A RESOLUTION NAMING THE CITY OWNED BUILDING LOCATED AT 108 PARK STREET, IN HONOR OF FORMER CITY ATTORNEY V. PATTON KEE**, in full.

City Manager Green said Staff recommended approval of the Resolution.

Motion by Commissioner Jack Myers, seconded by Commissioner Keith Cowie to approve Resolution No. 2020-09, as read in full.

City Manager Green said after the vote of the City Commission, everyone is invited to step over to the Kee Building porch for the unveiling of the plaque on the front of the building. The building is not totally complete, but we would love everyone to take a tour of what has been done to date. Community Development Director Amy Palmer and her Department are there to welcome you.

Upon vote, all ayes.

Meeting adjourned at 7:40 p.m.

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

Shirley A. Lowrance, Finance Director/City Clerk

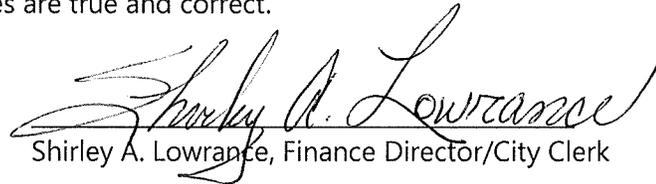
Motion by Commissioner Jack Myers, seconded by Commissioner Keith Cowie to approve Resolution No. 2020-09, as read in full.

City Manager Green said after the vote of the City Commission, everyone is invited to step over to the Kee Building porch for the unveiling of the plaque on the front of the building. The building is not totally complete, but we would love everyone to take a tour of what has been done to date. Community Development Director Amy Palmer and her Department are there to welcome you.

Upon vote, all ayes.

Meeting adjourned at 7:40 p.m.

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


Shirley A. Lowrance, Finance Director/City Clerk



City of Auburndale
Auburndale, Florida 33823

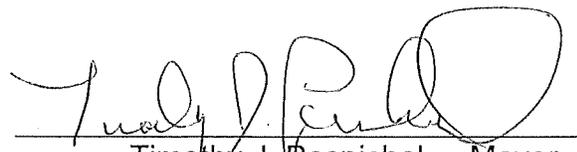
Finance Department / City Clerk

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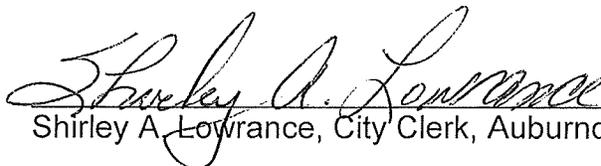
OATH OF MAYOR

CITY OF AUBURNDALE
POLK COUNTY, FLORIDA

Before me the undersigned authority, duly qualified to administer oaths and take acknowledgments, on this day personally appeared: Timothy J. Pospichal, who being by me swears, deposes and says for himself and repeating his name after the word "I": I, Timothy J. Pospichal, solemnly swear that I will support, protect and defend the Constitution of the United States of America, the State of Florida, and the Charter of the City of Auburndale against all enemies, domestic, and foreign, and that I am entitled to hold office under said Constitution and said Charter. I will well, truly and faithfully perform the duties of Mayor of the City of Auburndale, Polk County, Florida on which I am about to enter SO HELP ME GOD.


Timothy J. Pospichal - Mayor

Sworn to and subscribed before
me this 7th day of December, 2020


Shirley A. Lowrance, City Clerk, Auburndale, Florida

CITY
SEAL





City of Auburndale
Auburndale, Florida 33823

Finance Department / City Clerk

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OATH OF VICE MAYOR

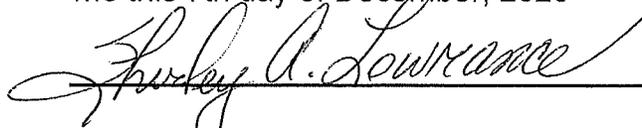
CITY OF AUBURNDALE
POLK COUNTY, FLORIDA

Before me the undersigned authority, duly qualified to administer oaths and take acknowledgments, on this day personally appeared: Dorothea Taylor Bogert, who being by me swears, deposes and says for himself and repeating his name after the word "I": I, Dorothea Taylor Bogert, solemnly swear that I will support, protect and defend the Constitution of the United States of America, the State of Florida, and the Charter of the City of Auburndale against all enemies, domestic, and foreign, and that I am entitled to hold office under said Constitution and said Charter. I will well, truly and faithfully perform the duties of Mayor of the City of Auburndale, Polk County, Florida on which I am about to enter SO HELP ME GOD.



Dorothea Taylor Bogert - Vice Mayor

Sworn to and subscribed before
me this 7th day of December, 2020



Shirley A. Lowrance, City Clerk, Auburndale, Florida

CITY
SEAL

