

Minutes of the Regular Meeting of the City of Auburndale held June 20, 2022, at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Dorothea Taylor Bogert, Commissioners: Keith Cowie, Richard Hamann, Jack Myers, and Bill Sterling. Also, present were: City Manager Jeffrey Tillman, City Attorney Frederick J. Murphy Jr., City Clerk Brandon Henry, and Deputy Police Chief Carin Ketcham.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Jarvis Marshall, Spirit Life Ministries, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of June 6, 2022. Upon vote, all ayes.

City Manager Tillman introduced City Clerk Brandon Henry.

City Manager Tillman invited the City Commission to the Employee Appreciation Luncheon.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda.

William Voigt, 2406 Lake Lena Boulevard, stated he would like to address illegal dumping and an illegal water hookup within the Lake Lena plat, behind Wal-Mart. He would like to know if it is the property owner's responsibility for cleaning and maintaining the area, or the City's.

City Manager Tillman answered that it is likely a law enforcement issue and referred William Voigt to Deputy Chief Ketcham.

William Voigt stated that it is a homeless issue which is not easily corrected because it is not that simple.

William Voigt stated his observation regarding a flooding issue in front of his residence at 2406 Lake Lena Boulevard. He said he noticed City staff checking the storm drains for clogging, which he said is not the problem. The problem are the leaves and debris that wash down Sunset Avenue and clogs up the grids which causes the flooding. It could be corrected with more street sweeping. He said there is a depression between the road and the lake that he must refill, and that the pipe is compromised. He asked if it is his problem or the City's problem.

City Manager Tillman referred Mr. Voigt to Public Works Director John Dickson.

## **1. PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS AMENDMENT – THE LAKES DISTRICT**

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

Community Development Director Julie Womble stated that in 2019, the City Commission endorsed "The Lakes District" Vision and Strategies for the North Auburndale area, which has been experiencing rapid growth and development. The Lakes District Vision is a master plan to help with the creation of greenway and trails corridors, mixed-use centers, walkability enhancements, and protection of environmental resources and agricultural character. At the end of 2021, the City Commission amended the Comprehensive Plan and the Land Development Regulations to include The Lakes District Master Planned Community Area, which is intended to implement the Vision and Strategies for The Lakes District.

City Staff is proposing an amendment to the Land Development Regulations, Chapter 15, Special Overlay Districts to include Architectural Standards for the Lakes District Master Planned Community Area and to correct several scrivener's errors.

She noted that on Page 56, staff would like to take out the line "unless authorized by planning staff", as part of the scrivener's errors being corrected.

She continued to say the Lakes District Master Planned Community Area Architectural Code will provide architectural definitions, architectural theme of "Florida Heritage" with four main architectural styles to choose from: Craftsman, Neoclassical, Old Florida and Modern Farmhouse.

The Architectural Code contains universal architectural rules for lands within the Lakes District Master Planned Community Area, for which all new development and redevelopments within that area must comply. The Lakes District Master Planned Community Area Architectural Universal Rules are as follows:

1. "Heavy" materials below "light" materials. For example, smaller balconies or windows on upper stories, or coarse building materials on the bottom with smooth materials above.
2. Vertically proportioned fenestration.
3. Visible joints i.e., doors, windows, and columns, are required to have spanning lintels.

A development must then identify with one of the four architectural styles and comply with the style's universal rules, the styles permitted exterior building materials, the style's permitted roofline and shape, the style's roofline materials, and at least one characteristic feature as defined for each style provided.

She made a presentation of each of the four architectural styles and the required architectural elements of each style.

She stated that staff is proposing correcting several scrivener's errors such as revising and correcting any references to figures and maps, grammatical corrections, addition of additional agency coordination for the protection of wetlands, clarifying width of garages and sidewalks and updated cross-references to other sections of the LDC.

She stated the proposed text amendment to the Land Development Regulations is consistent with the City of Auburndale Comprehensive Plan and all other Land Development Regulations.

She said the Planning Commission and staff recommended approval.

City Manager Tillman stated 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 5, 2022.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

## **2. ORDINANCE #1698 AMENDING LAND DEVELOPMENT REGULATIONS – THE LAKES DISTRICT**

City Manager Tillman said staff recommends approval of Ordinance No. 1698 amending Land Development Regulations – The Lakes District Master Planned Community Area. City Manager Tillman said the City Attorney has the Ordinance.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1698 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, MAKING FINDINGS AND AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE TEXT OF CHAPTER 15, SPECIAL OVERLAY DISTRICTS RELATED TO THE LAKES DISTRICT MASTER PLANNED COMMUNITY AREA BY ADDING ARCHITECTURAL CODE PROVISIONS WITHIN THE LAND DEVELOPMENT**

---

**REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA; AND PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**, by title only.

**Motion** by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance No. 1698 amending Land Development Regulations – The Lakes District, as read on first reading by title only.

Commissioner Myers asked if this applies to all areas of the Lakes District?

Community Development Director Womble said yes.

Commissioner Myers asked if he had a Gene Leedy or Frank Lloyd Wright house design, would it be allowed to be built within the Lakes District?

Community Development Director Womble said not as the text reads right now. As staff was working with the consultant, we decided to stick with the four main themes and if those came in later, we would look into amending the text. It is up for discussion now.

Commissioner Myers sees it tying a lot of hands, especially in the larger estate lots where you would want more room to expand and be different. He finds it hard to believe that famous architects from the area would not be able to build their house on an estate lot in Auburndale.

Commissioner Cowie asked how would we handle a situation like that? Would we tell them it does not meet code?

Community Development Director Womble said that is correct if the code is adopted as is, or the Commission could make a recommendation to change some text.

City Manager Tillman said staff had discussed what do we do with the large lots.

Commissioner Myers said he was thinking larger lots would likely not be included in the four categories.

City Manager Tillman said the thought was do we want the estate district to be complementary to other housing within the Lakes District. We did not add anything to exempt the estate district. At the Commission's direction, staff can look at an addition to the text.

Commissioner Hamann asked if it would give more options as a developer or homebuyer?

Community Development Director Womble said yes it would for the larger lots. We can look at the larger lots for a text amendment and analysis for a future Commission meeting.

City Manager Tillman said it would be something that would go back to the Planning Commission for a recommendation, then to the City Commission.

Commissioner Myers says midcentury modern architectural style is on its way back.

Mayor Taylor Bogert suggests we approve the ordinance as is now and bring back a review to estate lots.

City Attorney Murphy suggests we move forward with the ordinance as presented, and that you have given staff clear direction. This is legislation that can come back.

Commissioner Hamann asked if it could come back as an amendment?

City Attorney Murphy said the concern of it coming back as an amendment is that it is a significant amendment that would need to go back to the Planning Commission. As the Mayor suggested, it is likely better to go forward with the code text as presented and being recommended by City staff and the Planning Commission with the

understanding that there would be a staff review on estate lots and potential changes addressing same moved through the planning review process to include a recommendation by the City's Planning Commission and present some additional provisions specifically for estate lots to the Commission at a later time.

Community Development Director Womble said the soonest she can bring it back would be August for the Planning Commission.

Upon vote, all ayes.

Mayor Taylor Bogert said there is consensus amongst the Commission that staff reevaluate estate lots.

### **3. PUBLIC HEARING – ZONING MAP AMENDMENT – ENCLAVE AT LAKE ARIETTA**

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

Community Development Director Julie Womble said that in March 2019, the City approved a two phased Planned Development-Housing 1 (PD-H1) Zoning classification, which included a binding site plan for 41 single family units and 25 short term rental duplex homes (50 units) for a total of 91 residential dwelling units on +/- 78.77 acres. The 7.03 acre outparcel was reserved for future development and maintained a Future Land Use designation of Low Density Residential and Zoning designation of Planned-Development Housing-1 consistent with the balance of the property.

JSK Consulting on behalf of property owner Gapway Groves Corp. is requesting for a Zoning modification to the Planned Development Binding Site Plan on +/-28.93 acres of a +/-31.43-acre tract of land. The Binding Site Plan modification removes the proposed 25 short-term rental duplex units and returns the Planned Development-Housing 1 (PD-H1) to traditional single-family residential as originally approved in 2008. Phase 2 of the Subdivision will now include 54 single-family units for a total of 95 residential dwelling units and incorporates +/-4.53 acres of the outparcel that was reserved for future development. The request is compatible with the proposed and adjoining Zoning classifications. This Zoning Map amendment does not include the first phase (+/-47.42 acres) of the development.

As with the previous approved binding site plans, the remaining 2.5 acre outparcel fronting Berkley Road is being reserved for future development. The 2.5 acres will maintain a Future Land Use designation of Residential Low and Zoning designation of Planned Development Housing-1 consistent with the balance of the property. Any development of this property will require an amendment to the Zoning Map and Public Hearings before the Planning Commission and City Commission.

The minimum lot size will average 9,100-9,200 sq. ft. with lot dimensions of 70' x 120' and 80' x 130'. Setbacks proposed are 25' on the front, 10' on the side and 10' on the rear. Corner lots would have a setback of 20'. A proposed six-foot high wall will run the perimeter of Phase 2.

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 5, 2022.

Community Development Director Womble referred to a presentation depicting graphics of the proposed amendment.

City Manager Tillman provided clarification that there was an advertised public hearing for a land use change but was pulled by the developer. We are just discussing the zoning map amendment.

City Manager Tillman said Staff recommended approval.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

#### **4. ORDINANCE #1699 AMENDING THE OFFICIAL ZONING MAP – ENCLAVE AT LAKE ARIETTA**

City Manager Tillman said staff recommends approval of Ordinance No. 1699 amending the official zoning map – Enclave at Lake Arietta. City Manager Tillman said City Attorney Murphy has the ordinance.

City Attorney Murphy read Ordinance No. 1699 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 A PLANNED DEVELOPMENT HOUSING-1 ZONING CLASSIFICATION ON A PARCEL OF LAND TOTALING +/- 28.93 ACRES; AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Berkley Road and Lake Myrtle Park Road)**, by title only.

**Motion** by Commissioner Myers, seconded by Commissioner Cowie, to approve Ordinance No. 1699 amending the official zoning map – Enclave at Lake Arietta, as read on first reading by title only.

Commissioner Sterling asked if the 6-foot-high wall is proposed along Berkley Road?

Community Development Director Womble clarified the location of the wall, and that staff asked the developer to continue the wall to the corner.

Commissioner Sterling asked what will the wall be made of?

City Manager Tillman said it will be a concrete block wall.

Upon vote, all ayes.

#### **5. PRELIMINARY PLAT – EVEREST PROPERTY**

Community Development Director Julie Womble said the City has received a preliminary plat from Chad Brooker of Traditions Engineering on behalf of MF Partners, LLC for a preliminary plat on +/- 32.33 acres located at US Hwy 92 W. and the Polk Parkway. The preliminary plat has been reviewed by all City Departments and meets all City Codes and Land Development Regulations.

The property is zoned Planned Development-Housing 1 (PD-H1) and Planned Development-Commercial 1 (PD-C1) and meets or exceeds all Land Development Regulations, including minimum lot size, accessibility, and setbacks. The Planned Development-Commercial 1 (PD-C1) was approved in August 2021 for a hospital. Access will be from US Hwy. 92 W., a State maintained road. All retention areas, internal roads, sidewalks, and open spaces are to be maintained by the property owner.

Preliminary plat approval by the City Commission allows the developer to proceed with construction of infrastructure including road and utility improvements. Final plat approval will be considered by the City Commission at a later date.

City Manager Tillman said Staff recommends approval.

Mayor Taylor Bogert asked for public comment. There was no public comment.

**Motion** by Commissioner Cowie, seconded by Commissioner Hamann, to approve the Preliminary Plat – Everest Property. Upon vote, all ayes.

#### **6. FINAL PLAT – LAKE JULIANA ESTATES PHASE 2C**

Community Development Director Julie Womble said the City has received a request to plat Lake Juliana Estates Phase 2C. The property is located on C. Fred Jones Boulevard and William Van Fleet Road.

On December 9, 2005, the City Commission approved a Zoning of Planned Development-Housing 1 (PD-H1) with a Binding Site Plan for the 182-acre subdivision. The Planned Development approved a total of 404 single-family lots at a net density of 2.4 units per acre.

Phase 1 of the Subdivision received final plat approval on July 24, 2006, which consisted of 210 single-family lots. Phase 2-A of the subdivision was approved on August 16, 2021, and contained 50 single-family lots. Phase 2-B was approved on January 3, 2022, by the City Commission for 59 single-family lots with the minimum lot size of 7,500 SF. Lake Juliana Phase 2C has 48 single-family lots with a minimum lot size of 7,500 SF, front setbacks of 20 feet, side setbacks of 7 feet and rear setbacks of 10 feet.

The developer's engineer has certified that all necessary improvements to the subdivision have been constructed in Phase 2C and installed according to the Land Development Regulations. The intersection at C. Fred Jones Blvd. and Ethan Drive signalization improvements have not been completed and will be certified as a part of the Phase 2B bonding requirements. All retention areas, roads, sidewalks, and open spaces will be dedicated to and maintained by the Homeowner's Association.

Approval of the Final Plat allows the developer to sell the lots and begin building houses.

Staff recommends approval.

Mayor Taylor Bogert asked for public comment. There was no public comment

Timothy Waddingham, of 102 Old Nicholas Circle, asked about the location of the plat.

Community Development Director Womble said it is at the corner of C. Fred Jones Blvd. and William Van Fleet Road, at the northeast side of the City.

**Motion** by Commissioner Cowie, seconded by Commissioner Hamann, to approve Final Plat – Lake Juliana Estates Phase 2C.

Commissioner Sterling asked when will signalization be completed?

Jamie Turtle, of 11152 Windsor Place Circle, Tampa and developer for the project, said signalization has been completed.

Upon vote, all ayes.

## **7. FINAL PLAT – CADENCE CROSSING PHASE 1**

Community Development Director Julie Womble said the City has received a request to plat Phase 1 of the K-Ville Subdivision, now known as Cadence Crossing Phase 1. The property is located at the intersection of K-Ville Avenue and the Polk Parkway and has a Zoning of Single Family Residential-2 (RS-2).

On April 6, 2021 the Planning Commission recommended approval of a preliminary plat for the first phase of the K-Ville Subdivision project. Phase 1 consists of 59 single-family dwelling lots on +/- 45.54 acres. The Phase 1 preliminary plat was approved by the City Commission on April 19, 2021.

The development meets or exceeds all Land Development Regulations, including minimum lot size, minimum setbacks, and minimum house size. The RS-2 zoning district requires 25' front yard setbacks, 10' side yard setbacks, and 10' rear setbacks. Access to the subdivision will be from K-Ville Avenue, a County maintained road. Five-foot sidewalks will be provided on both sides of the street.

The developer's engineer has certified that all necessary improvements to the subdivision have been constructed and installed according to the Land Development Regulations. All retention areas, roads, sidewalks, and open

spaces will be dedicated to and maintained by the Homeowner's Association. The City's sewer system is not available in this area, so the site will access City water and utilize septic tanks.

Approval of the Final Plat allows the developer to sell the lots and begin building houses.

Staff recommends approval.

Mayor Taylor Bogert asked for public comment. There was no public comment

**Motion** by Commissioner Cowie, seconded by Commissioner Sterling, to approve Final Plat – Cadence Crossing Phase 1. Upon vote, all ayes.

## **8. MODIFICATION #1 TO INTERLOCAL AGREEMENT WITH SHERIFF – FIRE/RESCUE DISPATCH**

City Manager Tillman said the City of Auburndale began outsourcing Police dispatch services to the Polk County Sheriff's Office 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 and 2021, the Interlocal Agreement was renewed for an additional four years. The existing Interlocal Agreement with the Sheriff's Office expires September 30, 2025.

The Interlocal Agreement provides for an annual 3% adjustment for Police dispatch services and adjustments to Fire/Rescue dispatch services based on the actual number of calls dispatched, with a 5% cap.

The proposed Modification #1 to the Interlocal Agreement increases the cost for Fire/Rescue dispatch services in FY 2022-2023 to \$38,068.00 which represents a 5% increase. The proposed Expenditure Section of the FY 2023 reflects this allocation.

The proposed Modification has been reviewed by the Fire Chief, City Manager and City Attorney.

Staff recommends approval.

City Manager Tillman said the modification from the Sheriff's Office allows the City Manager to sign.

Mayor Taylor Bogert asked for public comment. There was no public comment

**Motion** by Commissioner Hamann, seconded by Commissioner Cowie, to approve Modification #1 to Interlocal Agreement with Sheriff – Fire/Rescue Dispatch and to allow the City Manager to sign.

Commissioner Sterling asked why Police is 3% and Fire is 5%?

City Manager Tillman said it may be due to call volume.

City Attorney Murphy said it was likely a business term requested by the Sheriff's Office.

Upon vote, all ayes.

## **9. PRESENTATION OF EXPENSES – FY 2023 AND FY 2024 ANNUAL BUDGETS**

City Manager Tillman said as part of the Budget preparation cycle, the City Commission gave tentative approval to the proposed Payroll Section on April 18, 2022 and the Capital Outlay Section on May 16, 2022. No changes have been made to the Payroll Section (new hires, position changes, etc.) and no additional projects or improvements have been made to the Capital Outlay Section. Both, Payroll and Capital Outlay have now been inserted into the proposed Expenditures Budget along with "Departmental Operating Expenses" and "Non-Departmental Expenses".

"Departmental Operating Expenses" include line items found in every department and division such as electricity, telephone, general supplies, training and travel, vehicle maintenance and gas, oil, and diesel.

"Non-Departmental Expenses" include line items such as insurance, pension, debt service, reserve funding, and city contributions to other agencies. Non-Departmental expenses are found on pages 15, 16 and 24 of the Expenditure Section of the proposed Budget.

City Manager Tillman gave a presentation on the Expenditures Section of the Budget.

During the presentation on election expenses, Commissioner Sterling asked if most of the election expenses goes to the Supervisor of Elections for printing the ballots and other items?

City Manager Tillman said a lot of it goes to printing the ballots and paying for volunteers.

Commissioner Sterling asked if we pay them to rent the machines?

City Manager Tillman said he would have to verify this.

Commissioner Sterling said a few years ago the City went to an odd year election because the ballot was getting so big, meaning the City would have to have its own machines which the City did not want to go to.

City Manager Tillman noted that this is specific to municipal elections.

During the presentation on Public Works Administration expenses, Commissioner Myers asked if inmate crews are not available?

City Manager Tillman said that is correct.

Presentation of the proposed Revenue Section is scheduled for July 18, 2022. Delivery of the proposed two-year budget to the City Commission is scheduled for August 1, 2022. Formal adoption of the FY 2023 Budget and conceptual approval of the FY 2024 Budget will come after the scheduled Public Hearings in September.

Staff recommends tentative approval of the Expenditures Section of FY 2023 and FY 2024 Annual Budgets.

**Motion** by Commissioner Myers, seconded by Commissioner Hamann, for tentative approval of the Expenditures Section of FY 2023 and FY 2024 Annual Budgets.

Mayor Taylor Bogert asked for public comment. There was no public comment

Upon vote, all ayes.

The Meeting was adjourned at 8:29:09 PM.

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

---

Brandon Henry, City Clerk

## City of Auburndale Commission Minutes June 20, 2022

"Departmental Operating Expenses" include line items found in every department and division such as electricity, telephone, general supplies, training and travel, vehicle maintenance and gas, oil, and diesel.

"Non-Departmental Expenses" include line items such as insurance, pension, debt service, reserve funding, and city contributions to other agencies. Non-Departmental expenses are found on pages 15, 16 and 24 of the Expenditure Section of the proposed Budget.

City Manager Tillman gave a presentation on the Expenditures Section of the Budget.

During the presentation on election expenses, Commissioner Sterling asked if most of the election expenses goes to the Supervisor of Elections for printing the ballots and other items?

City Manager Tillman said a lot of it goes to printing the ballots and paying for volunteers.

Commissioner Sterling asked if we pay them to rent the machines?

City Manager Tillman said he would have to verify this.

Commissioner Sterling said a few years ago the City went to an odd year election because the ballot was getting so big, meaning the City would have to have its own machines which the City did not want to go to.

City Manager Tillman noted that this is specific to municipal elections.

During the presentation on Public Works Administration expenses, Commissioner Myers asked if inmate crews are not available?

City Manager Tillman said that is correct.

Presentation of the proposed Revenue Section is scheduled for July 18, 2022. Delivery of the proposed two-year budget to the City Commission is scheduled for August 1, 2022. Formal adoption of the FY 2023 Budget and conceptual approval of the FY 2024 Budget will come after the scheduled Public Hearings in September.

Staff recommends tentative approval of the Expenditures Section of FY 2023 and FY 2024 Annual Budgets.

**Motion** by Commissioner Myers, seconded by Commissioner Hamann, for tentative approval of the Expenditures Section of FY 2023 and FY 2024 Annual Budgets.

Mayor Taylor Bogert asked for public comment. There was no public comment

Upon vote, all ayes.

The Meeting was adjourned at 8:29:09 PM.

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



Brandon Henry, City Clerk