

City of Auburndale Commission Minutes January 23, 2023

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held January 23, 2023, 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, Assistant City Attorney Seth Claytor, City Clerk Brandon Henry, and Police Chief Terry Storie.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Pastor Michael Robinson, Lakes Church Auburndale, and a salute to the flag.

Motion by Commissioner Myers, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of January 9, 2023. Upon vote, all ayes.

City Manager Jeffrey Tillman said he had several announcements. We have several special guests this evening, including former Police Chief Andy Ray. When he retired in early October last year, there were several gifts given to Chief Ray from the Department. He would like to bring current Police Chief Terry Storie to introduce our special guests.

Police Chief Terry Storie said we were trying to think of a design for a coin to commemorate Chief Ray's retirement. While that process was happening, our Accreditation Manager Kassie Mooneyham had the idea to reach out to Sherry Ross, Visual Arts instructor at Auburndale High School, to see if any students might like to compete for a winning picture to use on the coin. Kassie's first contact with Ms. Ross was on August 12th – and one month later, a panel of judges consisting of himself, Deputy Chief Carin Ketcham, Lieutenant Don King, and Sargent Tom Lokietek, went to the school where several students presented their drawings. All the drawings were outstanding. The idea was to just select one winner and award that winner \$100, but there were two absolutely fantastic drawings that we just could not separate from. He said the first drawing he would like to recognize was done by Katie Pruitt.

Katie Pruitt displayed her drawing.

Police Chief Storie said Katie is here with her parents and sister. The drawing is the front side of the Auburndale Police Department building with a patrol vehicle. You can also see the sign in front of the Police Department with the shoulder patch and warrior coin. The warrior coin was the first challenge coin at the Auburndale Police Department in 2019. The patrol car design, the shoulder patch, and the coin were all designed by Chief Ray.

Police Chief Storie presented Katie with a certificate of recognition.

Commissioner Myers said Katie is also high up in State Girl's Weightlifting, so we hope to see her here again with a medal.

Police Chief Storie said the next drawing is a portrait of Chief Ray created by Zane Cronin. Zane is here with his family. He presented Zane with a certificate of recognition.

He thanked Katie, Zane, and their families for being in attendance. He also thanked Visual Arts instructor Sherry Ross, Auburndale High School Principal Tye Bruno, and Assistant Principal Tyrone Wilder. He thanked them for allowing us to use the school and students to come up with this amazing design.

Police Chief Storie presented the Commission and City Manager each with the final coin. He said they will be on sale at the Police Department for \$10.

City Manager Tillman thanked Chief Storie and former Chief Ray. He thought it was a very special sendoff for Chief Ray.

Mr. Tillman said we have another special guest this evening. In 2018, the City of Auburndale worked with the SunTrax contractor to begin digging a ski lake at Lake Myrtle Sports Complex. No different than the recruitment of the Florida Youth Soccer Association and the RussMatt Tournament to Lake Myrtle, we knew when the time came – we would be looking to attract a partner to be a part of the water ski component at Lake Myrtle. As we approach the completion of the water ski lake, he is excited to introduce Mark Jackson, Director of Polk County Tourism and Sports Marketing, for a presentation of some of the things we have been working together on to recruit that operator for the lake.

Mr. Jackson made a presentation to update the Commission on the ski lake. Things are moving, with the work by the Parks and Recreation Department and the contractors. There are a lot of partners we and the City work with to pull this off. The goal is to create economic impact in Auburndale and Polk County. People say there is nothing else like Lake Myrtle, he agrees. He listed some of the organizations that will be part of this project. He listed the types of possible sports and competitions. He presented some of the possible events. There is an education and training component. He listed some of the ski training concepts. He listed some of the target markets for the lake. He discussed operations and logistics of the lake, specifically the duties split between the City, Polk County Tourism and Sports Marketing, and other partners. He outlined partnerships, including that with Elite Cable Park and its parent company Correct Craft. He said he and Cody were adamant about having offers for the residents of the City, we feel that is important. He discussed the concept of an "aquapark".

City Manager Tillman asked Parks and Recreation Director Cody McGhee to update the Commission on the ski lake from the City's perspective.

Mr. McGhee said he cannot say enough of the partnership between the City and Polk County Sports Marketing. Everything we do out of Lake Myrtle and the Softball Complex, Sports Marketing has a hand in bringing in. Our partnership with the County to build the facility itself is why we have what we have. It is just as important to get involved with a company we trust and are in good-standing with. This will diversify what we do out there to a degree we have not been able to do. The ski lake presents an opportunity to be creative with what we bring out. While we are focused on ski events and trainings, the fringe benefits include recreation and entertainment we have not seen at Lake Myrtle. You heard Mr. Jackson talking about things that will be offered to Auburndale residents. These will be things that are not necessarily directly related to a league. This provides an opportunity to utilize the facility on a level to have fun. We briefly talked about an aquapark. What that may bring to the table would be an aquatics piece that we just do not have in the City. This will truly be an opportunity for us to diversify the things that Sports Marketing is going after in bringing into the County, and allow us to be able to look at a few things recreationally inside the City that would be a benefit to our residents. We are pretty excited about it.

City Manager Tillman thanked Mr. McGhee and Mr. Jackson. He added that as we move forward with Elite Cable Park and get into further conversations with what that relationship would look like, we may bring them back for a presentation for the Commission to see and maybe get a consensus on regarding such a relationship. He is looking forward to that evolving as we move forward to opening the ski park.

Mayor Taylor Bogert recognized Greater Auburndale Chamber of Commerce President Alex Cam, who was in attendance.

She asked if there was public comment on any item not on the agenda. There was no public comment.

1. ORDINANCE #1725 AMENDING THE OFFICIAL ZONING MAP – SPANN PROPERTY

Community Development Director Julie Womble said the City has received a request from property owner Mark Spann for an Official Zoning Map Amendment on approximately +/- 0.15 acres. The Spann property is located at 312 Main Street, north of the intersection of Main Street and Charles Avenue.

The requested change in Zoning classification from General Residential-1 (RG-1) to General Commercial-1 (CG-1) is consistent with the underlying Future Land Use of Community Activity Center (CAC). The General Commercial Zoning classification allows for the proposed mixed-use development of office on the first floor and residential on the second floor.

The proposed Official Zoning Map Amendment is consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations, and is compatible to existing Zoning classifications adjacent to the subject site.

The Planning Commission recommended approval of the Official Zoning Map Amendment (7-0, 01/03/2023), and staff recommends approval of proposed Ordinance #1725 amending the Official Zoning Map.

City Manager Tillman said the proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading January 9, 2023 and are being considered for second and final reading. Staff recommends approval.

Assistant City Attorney Seth Claytor read Ordinance No. 1725 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 ZONING MAP RECLASSIFYING AN AUBURNDALE ZONING MAP CLASSIFICATION ON A PARCEL OF LAND TOTALING +/- 0.15 ACRES FROM CITY OF AUBURNDALE ZONING CLASSIFICATION GENERAL RESIDENTIAL-1 (RG-1) TO GENERAL COMMERCIAL-1 (CG-1); AND PROVIDING AN EFFECTIVE DATE. (General Location: Main Street and Charles Avenue),** by title only.

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

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1725 amending the Official Zoning Map – Spann Property, as read on second and final reading by title only. Upon vote, all ayes.

2. ORDINANCE #1726 AMENDING THE FUTURE LAND USE MAP – RITCHEY/CEM DEVELOPMENT

Community Development Director Womble said before we go into this presentation, she wanted to address the Commission's question that was asked last time about solid walls. The City's code requires walls between zoning districts. It refers to the Planned Development zoning districts "PD-C1", "PD-C2", or "IPUD" otherwise known as Industrial Planned Unit Development. If it is backing up or siding against a residential lot, it would require a six-foot wall along those lot lines zoned residential. Chapter 5 also gives some choices – those being fences, a solid wall, or a 25-foot landscape buffer between residential and non-residential. The burden lies on the non-residential developer. Currently, the Land Development Regulations do not provide language that only require a solid wall between those zoning districts. Right now, we have options, regardless of multi-family to single-family, or residential to commercial.

So if it is the direction of the Commission, staff can research and provide recommendations for regulations to include solid walls around subdivisions between zoning uses such as multifamily and single-family, and create stronger language for a solid wall, as opposed to providing options.

Mayor Taylor Bogert said she would like to ask for consensus from the Commission for us to move forward at looking at that information on requiring walls and what we would like to put in between mixed commercial and multifamily and multiuse and residential. Does she have consensus from the Commission for staff to begin working on that?

Commissioner Hamann said he is in favor with going forward with it.

Mayor Taylor Bogert asked if anyone has any issues with that.

Commissioner Myers asked what is the purpose?

Community Development Director Womble said the question at the last meeting was do we require walls; because a lot of the presentations lately have been Planned Developments, which have requirements for a solid wall. It is to create more consistency with all the development in Auburndale, and not just the difference between Planned Developments to residential/commercial, but also look at all residential/commercial or multi-family/residential that has straight zoning.

Mayor Taylor Bogert asked do we have a consensus?

Commissioner Myers said we can look at it.

Mayor Taylor Bogert said this is just a consensus for them to look and evaluate it.

Commissioner Myers asked is there a reason this is happening?

Commissioner Cowie said he thinks he brought it up last meeting, because this item and the next item was proposed as multi-family, and there are houses next to it. He said he asked what the buffering was – are we putting a wall or fence up? As Community Development Director Womble explained, if you do it as a Planned Development, it requires the wall. If you do not do it as a Planned Development, you have those options. So I would like to see us consistent, one way or the other, whether we change the Planned Development or we change the other. But he thinks sometimes developers might look at that as an option to get around doing something.

Commissioner Myers said he does not know if a developer would look to get around doing something, but on a big enough project, you are talking hundreds of thousands of dollars in the cost difference between green landscaping on a fence, or a solid wall. A solid wall is very expensive. It is not going to keep noise out, it is going to go over the top of it.

Commissioner Cowie said he is more concerned with the difference in uses, where you might have single-family homes and then put an apartment complex in the backyard. – those types of situations.

Mayor Taylor Bogert said she thinks we have consensus to at least start looking at it and have staff bring it back.

Commissioner Hamann said he brought up walls a while back, and aesthetically speaking when coming into 559 – you have these walls and fences, half of which were blown away during the hurricanes and were not put back.

Commissioner Myers said then Code Enforcement needs to make them put it back.

Community Development Director Womble asked if we have consensus?

Mayor Taylor Bogert and Commissioner Hamann answered yes.

Community Development Director Womble said she will take all the comments tonight and look into it and provide at a later date.

She said the City has received a request from Shelton Rice of Peterson & Myers P.A., on behalf of property owner CEM Development, for a Future Land Use Map Amendment on approximately +/- 32.51 acres and Zoning Map Amendment on approximately +/- 18.33 acres. The property consists of five separate parcels that are currently vacant or occupied with mobile homes or single-family residential structures. The property includes the +/- 1.22 acres Ritchey property which was annexed in December 2022.

The properties have been annexed over a period of time and have a variety of County and City Future Land Use designations, and either no Zoning classification or a Zoning classification of General Residential-2. The proposed Amendment will designate all the properties into a single Future Land Use of High Density Residential,

will delineate the appropriate Conservation/Wetland Future Land Use, and will designate one Zoning classification of General Residential-2.

She presented a graphic depicting the proposal. She said in speaking with the developer that they have decided to do some form of fence or wall to buffer against the residences to the north of the property.

The proposed Future Land Use of High Density Residential and proposed Zoning of General Residential-2 (RG-2) would permit a proposed multi-family development. Currently, +/- 4.51 acres of the southern portion of the east parcel has a City of Auburndale Future Land Use of Conservation/Wetland, which was assigned to reflect the "wetland" area of the parcel. A wetland delineation was conducted on this parcel which shows the wetland/upland line south of the current Conservation/Wetlands Future Land Use line. As part of this request, the applicant is requesting to shift the Conservation/Wetlands Future Land Use line to match the wetland delineation line. This reduces the Conservation/Wetlands Future Land Use to +/- 1.02 acres.

The proposed Future Land Use and Official Zoning Map Amendments are consistent with residential uses to the east and south in the County and are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations.

The Planning Commission recommended approval of the Future Land Use and Official Zoning Map Amendments (6-1, 01/03/2023). Staff also recommends approval of proposed Ordinance #1726 amending the Future Land Use Map and proposed Ordinance #1727 amending the Official Zoning Map.

City Manager Tillman said the proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading January 9, 2023 and are being considered for second and final reading. The first Ordinance is #1726 amending the Future Land Use Map.

Assistant City Attorney Seth Claytor read Ordinance No. 1726 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 PARCELS OF LAND FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1) ON +/- 1.22 ACRES AND CITY OF AUBURNDALE FUTURE LAND USE COMMUNITY ACTIVITY CENTER (CAC) ON +/- 17.11 ACRES AND CONSERVATION/WETLANDS ON +/- 3.49 ACRES TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION HIGH DENSITY RESIDENTIAL; AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: OLD DIXIE HIGHWAY AND POLK COUNTY PARKWAY),** by title only.

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

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1726 amending the Future Land Use Map – Ritchey/CEM Development, as read on second and final reading by title only.

Commissioner Myers asked if the representatives for CEM Development are in attendance?

Community Development Director Womble answered yes, the attorney is.

Commissioner Myers asked what is the name of the developer?

A representative answered Adam Kemp.

Commissioner Myers said he said he would need to abstain from voting as his real estate office has property listed that is contingent upon these actions.

Upon vote, all ayes, with Commissioner Myers abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, which is attached to the Minutes.

3. ORDINANCE #1727 AMENDING THE OFFICIAL ZONING MAP – RITCHEY/CEM DEVELOPMENT

City Manager Tillman said the proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading January 9, 2023 and are being considered for second and final reading. Staff recommends approval.

Assistant City Attorney Seth Claytor read Ordinance No. 1727 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 GENERAL RESIDENTIAL-2 (RG-2) ON PARCELS OF LAND TOTALING +/- 18.33 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Old Dixie Highway and Polk County Parkway),** by title only.

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

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1727 amending the Official Zoning Map – Ritchey/CEM Development, as read on second and final reading by title only.

Upon vote, all ayes, with Commissioner Myers abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, which is attached to the Minutes.

4. PROPOSAL FOR REPLACEMENT OF 2005 FIRE PUMPER APPARATUS

Fire Chief Brian Bradway said in planning for apparatus replacements, the Auburndale Fire Department's 5-Year Capital Improvement Program (CIP) allocates \$200,000 in apparatus reserves each year. In September 2022, the City Commission approved the planned purchase of a new fire engine (pumper) in the Fire Department Capital Improvement Program in Fiscal Year 24/25 in the amount of \$600,000.

In preparation for future year Budgets, Fire Department staff discovered that lead times for an apparatus has been increasing and current orders are reflecting a 36-month minimum lead time. In comparison, the Department's previous fire engine purchase had an 11-month lead time in Fiscal Year 18/19. There have been several price increases since our last engine purchase in Fiscal Year 18/19 with additional anticipated increases.

Pierce is the uniformed fleet of the Auburndale Fire Department and dates back to the first Pierce apparatus purchased 28 years ago in 1995. Ten-8, the City's Pierce apparatus vendor, has drafted a proposal for a fire apparatus comparable to the previous purchase in Fiscal Year 18/19. The proposal pricing is based off of the National Purchasing Partners Government (NPPGov) Contract PS20240, which places the apparatus at today's price of \$761,164. Ten-8 has presented an option to secure this pricing by submitting a signed proposal and purchase order prior to the next price increase Feb 3, 2023.

Approval of the proposal would secure the \$761,164 price that would be due for payment upon delivery of the apparatus in January of 2026, one year after the current planned purchase in the Fiscal Year 24/25 Budget. Staff would also need to amend the current Capital Improvement Program to reflect the change in purchase year and cost increase. Moving the purchase of the fire engine from Fiscal Year 24/25 to Fiscal Year 25/26 in the Capital Improvement Program would also allow the City to build additional reserves to offset the cost increase and have the appropriate funds available for this purchase.

The new apparatus will replace the 2005 fire engine and help complement the planned construction of an additional fire station in the Fiscal Year 26/27 Budget year.

Staff recommends approval of the proposal for purchase a Pierce Fire Pumper Apparatus in Fiscal Year 25/26 in the amount of \$761,164.

City Manager Tillman presented photos depicting the proposal. He appreciates Chief Bradway in planning during the budget process. We do stick to our Capital Improvement Program and try to plan those things. He appreciates Chief Bradway's research and bringing this to our attention. By locking in the price now, it may save us quite a bit of money by the time we get to the fiscal year we actually receive it.

He presented a slide depicting the Capital Improvement Program. We have the reserve funding where we put \$200,000 every year aside for the purchase of an apparatus. This year it is a tanker. In Fiscal Year 22/23, we start to reserve that money for the Fiscal Year 24/25 pumper truck, which is really like an engine. Due to the estimated lead time, that needs to now move to Fiscal Year 25/26. With the price change going from \$514,000 to \$761,000, it would give us more time to build up additional reserves so that we would have the available funding at that time. But then that 2007 pumper that we would start to put reserves for away in Fiscal Year 25/26 would not actually start until Fiscal Year 26/27, so it spreads the timeline out for apparatus purchases. Once we get into the budget processes this year, we will reflect that change in the Capital Improvement Program. Staff recommends approval of the proposal for purchase a Pierce Fire Pumper Apparatus in Fiscal Year 25/26 in the amount of \$761,164.

Mayor Taylor Bogert asked for public comment.

William Voigt, 2406 Lake Lena Boulevard, asked if the old apparatus has any resell value that can offset costs?

Commissioner Myers thanked Mr. Voigt for asking that. He asked if we are decommissioning the old apparatus or selling, or adding it to the fleet because of the new fire station?

Chief Bradway said we have sold some in the past. This 2005 truck is actually in reserves now. He thinks it would be wise to us to keep it as a reserve truck, especially as we grow. If that same station comes to fruition, it would remain as a reserve truck.

Commissioner Myers asked what has the cost of maintenance been on it?

Chief Bradway answered good, consistent since we have gotten it. He cannot think of any major work done to it.

Commissioner Hamann asked if it is not costing us a lot of money through the years?

Chief Bradway answered they are typical maintenance costs.

Mayor Taylor Bogert asked what is the lifespan?

Chief Bradway answered the lifespan of a fire apparatus on the frontline is 15 years. That is based off national recommendations from the National Fire Protection Association. We follow those recommendations. After 15 years, they recommend taking them off frontline and using them as a reserve apparatus, which is what we are doing today.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve of the proposal for purchase a Pierce Fire Pumper Apparatus in Fiscal Year 25/26 in the amount of \$761,164. Upon vote, all ayes.

The Meeting was adjourned at 7:48:12 PM.

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



Brandon Henry, City Clerk