

City of Auburndale Commission Minutes March 20, 2023

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held March 20, 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, 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 Pastor Jonny Smith, Berkley Chapel, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of March 6, 2023. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that on Thursday, March 23rd at 6 p.m., at the Civic Center, our school board superintendent will be hosting another community workshop. Also, we have a packed room tonight due to several items on our agenda, the first of which is recognition of employee longevity.

Public Works / Public Utilities Director John Dickson presented Paul Toler (5 years) and Derek Morehead (15 years) with their longevity plaques.

Fire Chief Brian Bradway presented Tony Ezell with his longevity plaque for 20 years of service.

Parks and Recreation Director Cody McGhee presented Cory Mercer (5 years) and Darrell Thomas (40 years) with their longevity plaques.

City Manager Tillman recognized Logan Allen (5 years), Robert Craig (15 years), and Terry Respress (15 years) for their years of service. All those recognized tonight total 120 years of service with the City.

City Attorney Frederick J. Murphy Jr. commended those employees recognized.

Mayor Taylor Bogert recognized Greater Auburndale Chamber of Commerce President Alex Cam, Auburndale High School Principal Tye Bruno, and Auburndale High School Athletic Director Pam Lancaster, who were in attendance.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda. There was no public comment.

City Manager Tillman read the Commendation for Auburndale High School student-athlete Nate Gabriel, for winning the Florida High School Athletic Association (FHSAA) Class 2A State Title for wrestling in the heavyweight division.

Auburndale High School Principal Bruno commended Mr. Gabriel. He is one of those students that make his job great. Mr. Gabriel and his sister have characteristics of being successful. He is being recruited by multiple Division-1 colleges, so he is college bound. Auburndale High School athletes who do multiple sports are ahead of their peers who do a single sport. That is what makes students like Mr. Gabriel great for Auburndale High School. If it were not for students doing multiple sports, we would not be successful like we are. We were just here several weeks ago with our state champion cheerleaders, and several years ago with soccer. He congratulated Mr. Gabriel.

Auburndale High School Wrestling Coach Antonio Thomas also commended Mr. Gabriel. His work ethic is very different. As long as he continues his path in taking his work seriously, the sky is the limit. He congratulated Mr. Gabriel.

Mayor Taylor Bogert thanked everybody in attendance.

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

1. PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – YARDE PROPERTY

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a Public Hearing on Monday, March 20, 2023, at 7:00 p.m., in the City Commission Room, City Hall, to hear and consider the first reading of a proposed Ordinance amending Ordinance No. 752, the City's Comprehensive Plan and Future Land Use Map, and Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map.

Community Development Director Julie Womble said as a result of annexation, the City has received a request to amend the City of Auburndale's Future Land Use on +/- 1.69 acres from Polk County Future Land Use of Residential Low-3 (RL-3) to City of Auburndale Future Land Use of Low Density Residential and establish a Zoning classification of Single Family Residential-1 (RS-1).

Community Development Director Womble presented a graphic depicting the proposal.

The amendments are consistent with the existing residential development of the surrounding properties. The requested Future Land Use and Official Zoning Map Amendments are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations.

The Planning Commission recommended approval of the proposed Future Land Use and Official Zoning Map Amendments (5-0, 03/07/2023). Staff recommends approval of the proposed Ordinances for the Yarde property.

City Manager Tillman 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 considered for second and final reading on April 3, 2023. Staff recommends approval of the proposed Ordinances for the Yarde property.

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 #1730 AMENDING THE FUTURE LAND USE MAP – YARDE PROPERTY

City Manager Tillman said Ordinance #1730 amends the Future Land Use Map – Yarde Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1730 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 2 PARCELS OF LAND TOTALING +/- 1.69 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-3 (RL-3) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LOW DENSITY RESIDENTIAL; AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Lawrence Lane and Berkley Road),** by title only.

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1730 amending the Future Land Use Map – Yarde Property, as read on first reading by title only. Upon vote, all ayes.

3. ORDINANCE #1731 AMENDING THE OFFICIAL ZONING MAP – YARDE PROPERTY

City Manager Tillman said Ordinance #1731 amends the Official Zoning Map – Yarde Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1731 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 SINGLE FAMILY RESIDENTIAL-1 (RS-1) ON 2 PARCELS OF LAND TOTALING +/- 1.69 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Lawrence Lane and Berkley Road), by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1731 amending the Official Zoning Map – Yarde Property, as read on first reading by title only. Upon vote, all ayes.

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

4. PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – DEFINITIONS

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a public hearing on Monday, March 20, 2023, at 7:00 p.m., in the City Commission Room, City Hall, to hear and consider the first reading of the Ordinance amending Ordinance No. 764, the City's Land Development Regulations.

Community Development Director Womble said in working with developers on properties located within the Central Florida Innovation District, the Land Development Regulations (LDR's) are lacking descriptions for uses needed to assist in making development decisions. Chapter Four (04) of the Land Development Regulations provide terms and definitions to assist with simple interpretation and technical assistance for planning. Due to growth and new development, along with new uses since the Land Development Regulations were established, definitions are needed for different manufacturing types, mixed-use development, research and development, warehousing, and distribution centers. These commercial definitions will assist staff and the City in understanding uses and applying Land Development Regulation criteria.

Definitions are recommended based on research conducted from Polk County Land Development Code, Lake Alfred Unified Land Development Code, Winter Haven Unified Land Development Code and the American Planning Association, A Planners Dictionary. All development criteria, specified within the Land Development Regulations or Comprehensive Plan, will still dictate permitted or prohibited uses and standards.

Community Development Director Womble said in the past two years, we have received many asks of developers, in the Innovation District specifically. Because we lack these definitions in the Land Development Regulations, it is difficult to understand what some of the requests are, and how they would complement other development or meet the vision of the City – especially in the Innovation District. It is also important as we present to the Planning Commission and the City Commission to explain the uses for each site correctly. Staff needs direction.

She presented a graphic from the Central Florida Development Council regarding the leads we received. They include 100 manufacturing leads, 15 research and technology leads (i.e. research and development), and 14 distribution leads. If you added all of the calls and meetings with prospective developers, the list would double, or sometimes triple in certain categories.

She presented examples of the new definitions being proposed.

The Planning Commission recommended approval to amend Chapter 04, Definitions of the Land Development Regulations (4-0, 03/07/2023). Staff recommends approval of proposed Ordinance #1732 amending the Land Development Regulations, Chapter 04, Definitions.

City Manager Tillman said 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 considered for second and final reading on April 3, 2023. Staff recommends approval of proposed Ordinance #1732 amending the Land Development Regulations, Chapter 04, Definitions.

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.

5. ORDINANCE #1732 AMENDING THE LAND DEVELOPMENT REGULATIONS – DEFINITIONS

City Manager Tillman said staff recommends approval of proposed Ordinance #1732 amending the Land Development Regulations, Chapter 04, Definitions.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1732 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING CHAPTER 04 DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE**, by title only.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1732 amending the Land Development Regulations, Chapter 04, Definitions, as read on first reading by title only.

Commissioner Cowie said he has a question about outdoor storage. It is noted a couple times that certain zoning districts allow it. He asked for clarification.

Community Development Director Womble answered that Heavy Industrial is a zoning category that allows for outdoor storage, and can also allow for warehousing and distribution centers in their permitted uses. We are defining what those uses look like, sound like, or function as. The zoning categories lists them, we just did not provide definitions for them.

Commissioner Cowie asked so the zoning categories will address them?

Community Development Director Womble said yes. That is why we put them. She does not want anyone to come in and think they can have a warehouse and outdoor storage, and it is in a different zoning category that would not allow it. We want to make sure we tighten it up.

City Manager Tillman said for clarification, this was brought up as a result of us working with developers in the Central Florida Innovation District. As we are having dialogue with them, there were different types of uses that we were discussing, such as research and development. We know on the Industrial Planned Unit Development out on Pace Road, we have a research and development building out there, but we do not have anything that clarifies what that is. This provides some definitions, so we are all on the same page with the development community.

Upon vote, all ayes.

6. ORDINANCE #1733 ANNEXING PROPERTY INTO CITY LIMITS – VICE PROPERTY

Community Development Director Womble said the City has received a petition from the East Polk County Association of Realtors, on behalf of property owner Lamar Vice, to annex +/-5.83 acres of property into the City limits. As of this weekend, the East Polk County Association of Realtors is actually now the owner of the property. The property consists of one parcel located at 1062 US Highway 92, west of the Polk County Parkway. She presented a graphic depicting the location. The property is adjacent to City limits to the north and south. The annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and proposed office redevelopment.

Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City. She further clarified the location and

proposed redevelopment. Staff recommends approval of Ordinance #1733 annexing the Vice property into the City limits.

City Manager Tillman said 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 April 3, 2023. Staff recommends approval of Ordinance #1733 annexing the Vice property into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1733 entitled: **AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUBURNDALE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE (General Location: US Hwy 92 and Polk Pkwy)**, 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 #1733 annexing the Vice property into the City limits, as read on first reading by title only.

Commissioner Myers said his office brokered this deal, but it already closed – so he does not have any financial gain at this point.

City Attorney Murphy said he concurred. He thanked Commissioner Myers for disclosing.

Upon vote, all ayes.

7. CONSIDER RANKINGS OF DESIGN-BUILD FIRMS FOR THE LAKE ARIANA PARK PROJECT

City Manager Tillman said this is very exciting. He thanked the selection committee that was made up of Assistant City Manager Amy Palmer, Finance Director Christopher Reeder, Building Official Tim Miller, City Clerk Brandon Henry, and Parks and Recreation Director Cody McGhee.

Assistant City Manager Palmer said on February 7, 2022, the City Commission endorsed the Conceptual Master Plan for the redevelopment of Lake Ariana Park. The conceptual plan includes the relocation of the Civic Center to the park, new boat dock, picnic pavilions, outdoor event space, playground, and parking to accommodate all uses. A Request for Qualifications (RFQ) was advertised on December 2, 2022 that the City would receive Statements of Qualifications from experienced design-build teams for professional design and construction services for Lake Ariana Park with a deadline of January 13, 2023.

Between February and December last year, staff was deciding how to proceed with this project. Traditionally, more recent projects we have done were Design-Bid-Build. We decided for this project to do a Design-Build.

A Selection Committee made up of City Staff met to rank the proposals on January 31, 2023 at a publicly noticed meeting. Four proposals were received and the Selection Committee decided to ask the top three ranked firms to make presentations on February 28, 2023. Following the presentations, the results of the final rankings were announced and are as follows:

1. Springer Construction
2. Collage Companies
3. Rodda Construction
4. Ajax

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Approval of the rankings by the City Commission will authorize the City Manager to commence negotiations for design-build services with the top ranked firm, Springer Construction. State Statute and the Request for Qualifications provide that negotiations would continue with the second ranked firm, and then the third ranked firm, if the City cannot negotiate a satisfactory contract with that firm being engaged. A Design-Build Contract will be presented to the City Commission at a later date after successful negotiations.

Springer's design-build team includes Chastain-Skillman, The Lunz Group, and Catalyst. Two landscape architects for Catalyst have done work for us previously. We are very confident that we have a good team moving forward into negotiating a contract and going into design of the park and construction.

Staff recommends approval of the rankings of the design-build firm for the Lake Ariana Park project.

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

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve the rankings of the design-build firm for the Lake Ariana Park project.

Commissioner Hamann commended the selection committee.

Commissioner Myers asked for clarification on the square footage of our current and proposed Civic Center.

Assistant City Manager Palmer said the current Civic Center is 10,000 square feet. We are also considering the Recreation Hall and the Senior Center with the Civic Center, so a lot of the activities that take place there would move to the Civic Center.

Commissioner Myers asked who were the architects for Rodda Construction and Collage Companies?

Assistant City Manager Palmer said Collage Companies teamed up with Rhodes+Brito Architects, and Rodda Construction teamed up with Straughn Trout Architects.

Upon vote, all ayes.

The Meeting was adjourned at 7:48:25 p.m.

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

A handwritten signature in black ink, appearing to read 'Brandon Henry', written over a horizontal line.

Brandon Henry, City Clerk