

City of Auburndale Commission Minutes April 3, 2023

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held April 3, 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 Police Lieutenant John Cruz.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Curtis Johnson, New Life Praise and Worship, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of March 20, 2023. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that the second year of City Fest will be on Saturday, April 15, at the Lake Myrtle Sports Complex. We are excited and he appreciates all the work everybody has done to coordinate it. We have an all-hands-on-deck approach to this event given that it is one of the City's largest events.

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

Commissioner Myers requested an additional item to the agenda, for a discussion regarding the Lake Ariana Boat Ramp and Park.

City Manager Tillman asked to confirm the discussion as an additional item on the agenda.

Commissioner Myers said yes, it would be brief. Unless you would want to handle it now.

Mayor Taylor Bogert said yes, let us discuss it now.

Commissioner Myers said living on Lake Ariana, he and everyone else has noticed a large amount of jet ski activity on the lake. When you go down to the park, they leave a mess. He believes they are out-of-towners, and the City of Auburndale's taxpayers are paying for this. It is a water body, and he believes everybody has the right to water bodies. It is becoming a dangerous situation. He had one neighbor tell him that one of them ran into their dock. Another said they could not pull kids behind on a tube because they are leaving big wakes. It is a dangerous activity. We used to charge admission for using the boat ramp. There was an extra charge for out-of-town members, and a slight charge for city residents. He would like to see if anybody else on the Commission is willing to have staff look into this and make suggestions before somebody gets killed down there. You can forget fishing on Lake Ariana on the weekends. It is something we need to address sooner than later.

Mayor Taylor Bogert asked if there was consensus from the Commission for staff to look into it and present it at a later date.

Commissioner Hamann asked if the City has contacted the Florida Fish and Wildlife Conservation Commission to monitor the lake?

City Manager Tillman said yes, especially when we know we have a busier weekend. They are not always available to come out, because they may be at another location. We do request them, but they likely cannot make it every weekend.

Commissioner Hamann asked if the Police Department has a boat?

City Manager Tillman said we used to, but we no longer have a boat in the Police Department.

Commissioner Myers said that could be some of the discussion later, including a revenue source.

City Manager Tillman said we would be glad to look into that.

Commissioner Myers said the burden is already on the taxpayers for the maintenance and policing.

City Manager Tillman said he would be glad to look at it comprehensively with the Fire Chief, Police Chief, and Parks and Recreation Director – and bring some suggestions back sooner than later to the City Commission.

There was consensus from the Commission for staff to look into it and present it at a later date. Mayor Taylor Bogert and Commissioner Myers expressed gratitude.

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

Shawn Wilson, President, Blue Sky Communities – 180 Fountain Parkway, St. Petersburg, said he was joined this evening by Scott Eller, Executive Director of CASL Inc.; and Robert Rihn and Donn VanStee, leaders of Tri-County Human Services, Inc. Blue Sky Communities is an affordable housing developer, and one of the leading affordable housing developers in Florida. We distinguish ourselves not only by building high quality apartment complexes that stay nice and that city leaders can be proud of for decades, but by providing services so that the low-income residents who live in our communities live, thrive, and survive – so they improve their lives so that they are good citizens and upstanding members of the community of which they live. We also distinguish ourselves by creating and nurturing great relationships with local governments. We have developed several wonderful relationships at our home base in St. Petersburg and Hillsborough County, but also in the City of Jacksonville, City of Orlando, and recently here in Polk County with Polk County government, City of Lakeland, and the City of Winter Haven. And so we commit to develop and nurture a great relationship with the City of Auburndale as well. We are not working on anything that is in the City of Auburndale, but we have been engaged in discussions with Mr. Tillman, Mr. Dickson, and Ms. Womble on providing utility services and future annexation of a property. We look forward to continuing through that permitting process with the City, and becoming good neighbors and making sure our residents are also good citizens and good neighbors. We look forward to working with the City.

Mayor Taylor Bogert presented a Proclamation recognizing April as “Water Conservation Month”. City Attorney Murphy read the Proclamation.

City Manager Tillman said the City is getting the word out on social media about Water Conservation Month with tips to conserve water. He thanked Communications and Information Manager Seth Teston for his help.

1. ORDINANCE #1730 AMENDING THE FUTURE LAND USE MAP – YARDE PROPERTY

City Manager Tillman said the next four items come to the Commission on second reading. The City has received a request for a Future Land Use Map Amendment and Official Zoning Map Amendment on the Yarde Property. It is located on Lawrence Lane and Berkley Road. 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). It has a single-family residence on it.

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 March 20, 2023, and are being presented for second and final reading.

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

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

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

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

City Manager Tillman said staff recommends approval of Ordinance No. 1731 amending 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.

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

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

3. ORDINANCE #1732 AMENDING THE LAND DEVELOPMENT REGULATIONS TEXT – DEFINITIONS

City Manager Tillman 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 provides 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.

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 March 20, 2023 and is being presented for second and final reading.

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 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.

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

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1732 amending the Land Development Regulations Text - Definitions, as read on second and final reading by title only. Upon vote, all ayes.

4. ORDINANCE #1733 ANNEXING PROPERTY INTO CITY LIMITS – EPCAR PROPERTY

City Manager Tillman said the City has received a petition from a property owner, East Polk County Association of Realtors, to annex +/-5.83 acres of property into the City limits. The property consists of one parcel located at 1062 US Highway 92, west of the Polk County Parkway. 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.

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 March 20, 2023, and is being presented for second and final reading. Staff recommends approval of Ordinance #1733 annexing the East Polk County Association of Realtors 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 Cowie, seconded by Commissioner Hamann, to approve Ordinance #1733 annexing property into City limits – EPCAR Property, as read on second and final reading by title only. Upon vote, all ayes.

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

5. PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – VARIOUS GAPWAY GROVE PROPERTIES

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida will hold a public hearing to address Future Land Use and Zoning map amendments for various Gapway Grove properties, in the City Commission Room in City Hall, on April 3rd, 7:00 p.m.

Community Development Director Julie Womble said back in August, there were six properties that were annexed. At the time, there was a lag with the Polk County Property Appraiser. We needed to wait until those showed up with the Property Appraiser as being annexed into the City before we could adopt the Future Land Use. It was not sent to the State for a full review, as they asked to do it as small-scale amendments, which is why there are six ordinances. There is one Zoning ordinance. She presented graphics depicting the proposal.

Community Development Director Womble said as a result of annexation on August 1, 2022, the City has received a request from Gapway Grove Corp. for Future Land Use and Official Zoning Map Amendments on six properties in various locations totaling +/- 77.35 acres. The properties are being reviewed independently since each parcel is considered a Small-Scale Future Land Use Map Amendment per the Department of Economic Opportunity's guidance.

The properties currently have Polk County Land Use designations of Residential Low-1 (RL-1), Residential Low-2 (RL-2) and Agricultural/Rural Residential (A/RR). The owner is requesting a Future Land Use designation of Lakes District Mixed Use (LDMU) on all the properties. The Lakes District Mixed Use Future Land Use category provides opportunities for a mix of open space, pedestrian and bicycle connectivity, residential and mixed-use village centers, and the establishment of the Transfer of Development Rights program. The proposed Future Land Use of Lakes District Mixed Use allows up to 6 dwelling units per acre.

The applicant is requesting Zoning classifications of Residential Neighborhood (RN) on +/-66.74 acres and Village Center (VC) on +/- 10.61 acres. The requested zoning classifications allow low to medium density residential areas and commercial with the intention to be scaled to the needs of pedestrians, with local destinations within walking distance such as centers, schools, and community parks.

Community Development Director Womble said she wanted to mention that there are other properties surrounding the subject properties that have already gone through the Future Land Use process. She presented additional graphics depicting the proposal.

The requested Future Land Use and Zoning Map Amendments are consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations, the City of Auburndale and Polk County Joint Planning Area (JPA), and The Lakes District Vision and Strategy.

The Planning Commission recommended approval of the proposed Future Land Use of Lakes District Mixed Use (LDMU) on each parcel and Zoning classification of Residential Neighborhood (RN) and Village Center (VC) – (6-0, 08/02/2022).

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 presented for second and final reading on April 17, 2023. Staff recommends approval of proposed Ordinances #1734, #1735, #1736, #1737, #1738, and #1739 amending the Future Land Use Map and proposed Ordinance #1740 amending the Official Zoning Map - Various Gapway Grove Properties. He said the proposed ordinances are consistent with all the visioning we did throughout the Lakes District public hearings and vision map.

Mayor Taylor Bogert asked for public comment.

Angel Sims, 506 Hillside Drive, said it looks like her house is near the property subject to Ordinance #1737. What is it?

Community Development Director Womble said it is the entrance to their future subdivision, that just was not annexed into the City. And so to tie up the future development of whatever they decide to do, they already have a Future Land Use on it, they needed to get that entryway into the City limits.

Ms. Sims said we also own a property across Gapway Road. It looks like there is going to be an entrance to something major going across her property. We own that property across the street. She is curious.

Community Development Director Womble asked for clarification regarding the location of Ms. Sims property.

Ms. Sims clarified the location. She said her driveway straddles Gapway and Hillside Drives. Across the street, we have been paying property taxes on a sliver of land – it is ours, and that is where it looks like the amendment is.

Community Development Director Womble said she knows that the applicant owns the property subject to the amendment. Anytime someone comes before the City with an application, they need to provide proof of ownership – which is also reviewed by the City Attorney. She said she would be happy to get Ms. Sims' contact information to follow-up and clarify.

Ms. Sims expressed gratitude.

Austin Broer, 100 Lake Ariana Boulevard, said he does not know much about the Lakes District. He said he was gone for a while, but was born and raised in Auburndale. It feels like Auburndale is not what Auburndale was. Why are we allowing up to six dwellings per acre on Gapway Road, when we already have infrastructure and roadways that are not in a place to handle current Auburndale development?

Community Development Director Womble said we recently finished a Transportation Plan. In working with an engineer, we have plans in place to look at all of the intersections on Gapway. There is a light going in at Adams Road.

Mr. Broer asked if Gapway is going to be four lanes?

Community Development Director Womble answered no, that is not the recommendation of the engineer.

Mr. Broer asked how will six dwellings per acre benefit all of us in Auburndale right now? That is roughly 300 to 400 dwellings for the proposed area, if you spread them out.

City Manager Tillman said when that annexed in many years ago, it was given a residential zoning and was entitled to six units an acre.

Mr. Broer said that was before we allowed thousands of other houses to be built.

City Manager Tillman said they would still be entitled to the six units an acre. When they came in and annexed, they were given that zoning category many years ago.

Mr. Broer asked how would that benefit Auburndale, if they put in six dwellings per acre?

Commissioner Myers said it is going to benefit the citizens of Auburndale because it is going to be high end housing, it is a master planned development – much like Celebration or Winter Garden. It will be walkable – so it will not mess with transportation needs because they would not have to go out onto Gapway or 559. There will be shopping in-house right there.

Mr. Broer asked so you are putting commercial real estate on Gapway as well?

Commissioner Myers said yes, it is mixed-use.

Commissioner Hamann said it may not be on Gapway.

Mr. Broer asked where would it be?

Commissioner Hamann said it would be on what is developed. You have a master plan, with roads, alleys, and village centers.

Mr. Broer said so this is a massive development of Auburndale, like Champion's Gate?

Commissioner Hamann said we did a master plan study with the four largest landowners out there.

Commissioner Myers said it becomes a private property rights issue as well. These people owned this property, they tried to farm it, they were not able to farm it, and they have to do something with it. They have had these entitlements for years, and for us to go back and take it away from them – we would not stand a chance.

Mr. Broer said he did not ask to take it away from them. How would it benefit Auburndale?

Commissioner Myers said time will tell.

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

6. ORDINANCE #1734 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1734, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1734 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 TOTALING +/- 1.55 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1734 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

7. ORDINANCE #1735 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1735, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1735 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 TOTALING +/- 9.05 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1735 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

8. ORDINANCE #1736 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1736, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1736 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 TOTALING +/- 4.56 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1736 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

9. ORDINANCE #1737 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1737, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1737 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 TOTALING +/- 0.01 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1737 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

10. ORDINANCE #1738 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1738, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1738 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 TOTALING +/- 45.4 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1738 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

11. ORDINANCE #1739 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1739, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1739 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 TOTALING +/- 16.78 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1739 amending the Future Land Use Map – Gapway Grove Property, as read on first reading by title only. Upon vote, all ayes.

12. ORDINANCE #1740 AMENDING THE OFFICIAL ZONING MAP – VARIOUS GAPWAY GROVE PROPERTIES

City Manager Tillman introduced Ordinance #1740, amending the Official Zoning Map – Various Gapway Grove Properties.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1740 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 RESIDENTIAL NEIGHBORHOOD (RN)**

AND VILLAGE CENTER (VC) ON PARCELS OF LAND TOTALING +/- 77.35 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Gapway Road and Lake Alfred Road), by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1740 amending the Official Zoning Map – Various Gapway Grove Properties, as read on first reading by title only. Upon vote, all ayes.

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

13. PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT PRIORITY PROJECTS

City Manager Tillman said the City Commission of the City of Auburndale, Florida will hold a Public Hearing on Monday, April 3, 2023, at 7:00 p.m., in the Commission Room, City Hall, to receive input on the Fiscal Year 2023/2024 Community Development Block Grant funding cycle project priorities.

Assistant City Manager Amy Palmer said in compliance with the Community Development Block Grant (CDBG) regulations, the City of Auburndale is holding a Public Hearing for the purpose of receiving direct citizen input on suggested proposals. After a presentation by City Staff on suggested proposals, the Commission will entertain public comment on these and other community development needs.

The City of Auburndale is scheduled to receive an estimated \$93,683 in Community Development Block Grant funding for Fiscal Year 2023-2024. Combined with the Town of Dundee's estimated allocation of \$12,813, the City of Auburndale will have approximately \$106,496 to spend in the targeted Community Development Block Grant area. The Fiscal Year 2023-2024 reimbursement represents the fourth and final installment received from the Town of Dundee.

City Staff is proposing to utilize the Fiscal Year 2023-2024 Community Development Block Grant funding to purchase and install a backup generator at the Bridgers Avenue stormwater lift station.

In addition, the City anticipates roll-over funds from previous funding cycles (Fiscal Year 2020 through Fiscal Year 2022) to spend during the 23/24 funding cycle. The City plans to continue the following project that was approved in previous funding cycles. This project has been delayed due to complications with property acquisition. That project is additional parking adjacent to Auburndale Community Center. That project may include acquisition, demolition, and construction.

Assistant City Manager Palmer presented a slide breaking down the funding.

She said the Commission may recall after the storm season; Pastor Leonard spoke during a City Commission meeting to talk about the flooding the Preston neighborhood received during the storm. This is because the lift station that is located on Bridgers Avenue, in front of the mini-storage – fails without power. It is supposed to pump stormwater up to Dickey Pond and then onto the rest of the stormwater system. When this lift station fails, the neighborhood floods – including everybody's backyards and the street. We were fortunate not to have flooding inside homes with this last storm, but it is still a major inconvenience and problem in the neighborhood. Getting a generator permanently installed at this lift station will definitely help the neighborhood. The generator has been purchased, as there is a really long lead time. The total price is \$56,000. There will be another \$15,000 - \$20,000 for the installation. It should be coming in during the next fiscal year for installation.

The second project is the additional parking in front of the Community Center, on Cleveland Street. We are looking to purchase, or possibly foreclose if we are not able to come to an agreement with the property owner – there are a lot of code enforcement liens on these properties. They are not in good condition. So we propose purchasing these properties, tearing them down, and creating additional parking on that site for the Community

Center. The estimated budget for this project is \$180,000, which includes acquisition, demolition, and construction.

City Manager Tillman thanked Public Works / Public Utilities Director John Dickson, who took a hard look at the Bridgers Avenue lift station to see what we could do, such as getting an easement. We were able to squeeze a generator into the current space that we have. We feel that we are not in need to get an additional easement. He thanked Assistant City Manager Palmer for ordering the generator. As soon as it gets here, we are going to work to get it installed. We do have backup plans if it is not installed before the next storm gets here. But we are happy to report we have a permanent solution for it. Staff recommends approval of the proposed projects for the Fiscal Year 2023-2024 Community Development Block Grant funding.

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.

14. APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

City Manager Tillman said staff recommends approval of the proposed projects for the Fiscal Year 2023-2024 Community Development Block Grant funding.

Commissioner Sterling asked for staff to summarize Dundee's repayment.

Assistant City Manager Palmer said four years ago, the Town of Dundee is in the County's Partner Program for Community Development Block Grant funding. They are a much smaller jurisdiction, and do not receive as large of a portion of money the County receives. Occasionally, we can assist one of the smaller cities. This is the second time we have done this. The City of Auburndale allocated all of its funding that one fiscal year to the Town of Dundee. They repay that with their funding. This is the last allotment of that.

City Manager Tillman said this past funding cycle, they were able to do a nice dock. The mayor and himself went down for the ribbon cutting, it is a great partnership we have with Dundee. As funding is available, we will reach out to Dundee to continue that partnership. It is successful.

Mayor Taylor Bogert said they were incredibly grateful.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve the proposed projects for the Fiscal Year 2023-2024 Community Development Block Grant funding.

Commissioner Myers asked if the backup plans would be a backup generator?

Public Works / Public Utilities Director John Dickson answered yes.

Upon vote, all ayes.

15. PRESENTATION OF SIDEWALK BIDS – COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Assistant City Manager Palmer said the City has identified Green Street between W. Polk Street and Dickey Drive, and Center Street between E. Lake Ave and Green Street for necessary sidewalk improvements. These two areas are located within the Community Development Block Grant Target Area. In March 2022, the City Commission gave approval of these improvements as a priority project utilizing Community Development Block Grant Funding.

A request for sidewalk construction bids was advertised in the local media on February 2, 2023 and distributed to three (3) local contractors. On March 20, 2023 the City received the following bids:

Timothy Gaskins, Inc.	\$67,995.00
-----------------------	-------------

Curb Man, Inc.	\$86,262.00
----------------	-------------

Timothy Gaskins Inc. of Auburndale was the low bid to construct sidewalks on Green Street and Center Street in the amount of \$67,995. The bids were reviewed by the Public Works Department and City Manager's Office. The City has had positive work experiences with the contractor in the past.

The project is included in the Fiscal Year 2022-2023 Budget with offsetting revenue coming from the \$113,450 Community Development Block Grant Revenue line item.

City Manager Tillman said staff recommends awarding the bid to Timothy Gaskins, Inc. of Auburndale in the amount of \$67,995.00 to construct sidewalks on Green Street and Center Street.

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

Motion by Commissioner Cowie, seconded by Commissioner Sterling, to award the bid to Timothy Gaskins, Inc. of Auburndale in the amount of \$67,995.00 to construct sidewalks on Green Street and Center Street.

Commissioner Hamann asked to confirm if this is in the Fiscal Year 2022-2023 budget, and not Fiscal Year 2023-2024?

City Manager Tillman confirmed this.

Mayor Taylor Bogert said it was a typo in the agenda item packet.

Upon vote, all ayes.

16. APPROVAL OF PROPERTY PURCHASE – SCHULZ PROPERTY – LAKE MATTIE ROAD

City Manager Tillman said he is really excited about this project. It is in our Capital Improvement Plan to consider.

Assistant City Manager Palmer said due to residential growth in the North Auburndale area, the City identified the need to purchase additional property for park improvements to serve the additional residents to the City. Property acquisition for park improvements is listed in the Five-Year Capital Improvement Plan in Fiscal Year 2024/2025 at \$2,000,000.

The proposed site for purchase is a former orange grove owned by Schulz Lake Mattie, LLC. The 26.59-acre site is currently vacant and located on Lake Mattie Road, with frontage on Lake Mattie. As reflected in the Purchase and Sale Agreement, the intention for purchasing the site is to create passive recreational park space for the residents of the City.

The contract price of the Purchase and Sale Agreement is \$1,500,000.00 to acquire the property. The expense of the purchase is being offset utilizing previously collected Recreation Impact Fees. The Agreement for Sale and Purchase of Real Property was prepared by the City Attorney and reviewed by the City Manager's Office.

She said the Commission was copied to the appraisal, completed last July. The appraisal came in lower than the purchase price, at \$1,015,000. We did analysis and talked to the property owner. The property owner indicated she received an offer in 2018 for \$1,300,000. On page 46 of the appraisal, a nearby property sold for \$54,000 per acre in June 2021. The purchase price agreed upon for this property is \$56,000 per acre. The intention for the property is in the Purchase and Sale Agreement, which was important to the property owner to remain in a more natural state and as a recreational site. Staff recommends approval of the Agreement for Sale and Purchase of Real Property from Schulz Lake Mattie, LLC in the amount of \$1,500,000.00 and authorize the City Manager to execute all closing documents.

City Manager Tillman thanked Assistant City Manager Palmer. The area around this is planned to be future residential in the Lakes District. Looking to locate a decent sized park in the middle of the Lakes District is complementary to the planning of Auburndale. In talking to the property owner, they were sold on the vision of putting a park on this property. They have talked to many developers over the years, but they like the idea of preserving the lakefront along Lake Mattie for future residents of Auburndale to enjoy in a passive manner. We have a lot of active recreation with Lake Myrtle and the like. The intent for this property is to be a passive park, and the property owner was in favor of that – and is one of the reasons she agreed to sell the property to the City. Staff recommends approval of the Agreement for Sale and Purchase of Real Property from Schulz Lake Mattie, LLC in the amount of \$1,500,000.00 and authorize the City Manager to execute all closing documents.

City Attorney Murphy said staff presented all the facts, he has drafted the contract, and has communicated with the attorney for the seller. It is in proper form.

Ian Jackson, 903 Hillgrove Lane, said he would like to applaud the City for finally getting around to buying a piece of property like this. He is not sure what a passive park is. Congratulations, keep it up.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, for approval of the Agreement for Sale and Purchase of Real Property from Schulz Lake Mattie, LLC in the amount of \$1,500,000.00 and authorize the City Manager to execute all closing documents.

City Attorney Murphy said he noticed blanks in the form of the agreement, on pages 6 and 7. He will work with the City Manager's Office to correct those.

Mayor Taylor Bogert asked if it is a change to the letters?

City Manager Tillman said we will clear that up. If there is anything with the property owner, we will clean that up. As long as we have the Commission's approval to move forward once we clean that up, it should suffice.

City Attorney Murphy said it may have been a formatting issue with converting the document from Microsoft Word to Adobe PDF, or vice versa.

Commissioner Myers asked if we have done any studies on the property?

City Manager Tillman said we would probably do a Phase I environmental study. It was a former orange grove property, so we would want to do an environmental study. The contract for purchase and sale would allow us to start this process before we close, to do due diligence.

Commissioner Myers said he wants to make sure with an old orange grove like this, that there are no gopher tortoises that need to be removed. They are \$6,000 to \$7,000 a piece to remove. And if there are too many of them, they will not let you remove them.

Mayor Taylor Bogert asked if that is part of due diligence?

Commissioner Myers said to make sure that is a part of due diligence.

City Manager Tillman said there is no money for construction at this time, this is just planning to secure the property before it gets developed. In future funding years and budgets, we will look to do construction on the property. But we can identify beforehand a general idea of the gopher tortoise count.

Commissioner Myers said he does not know if there are any. But it is better safe than sorry.

Commissioner Hamann asked if we can define what a passive park is for the public.

City of Auburndale Commission Minutes April 3, 2023

City Manager Tillman said a passive park is a park with walking trails, trees, and space to do a variety of activities. It is not a formalized baseball or soccer field, but you may be able to do both with a group of kids. Like throwing a football or frisbee around. It is low intensity and unorganized recreation. It would allow enjoyment of Lake Mattie and the North Auburndale area, and preserve that view of Lake Mattie. It is a natural concept type park. He said Bonnet Springs Park in Lakeland is the best example he can point to.

Upon vote, all ayes.

The Meeting was adjourned at 7:58:56 p.m.

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

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

Brandon Henry, City Clerk