

City of Auburndale Commission Minutes May 6, 2024

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held May 6, 2024, 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, Alex Cam, Jordan Helms, and Bill Sterling. Also, present were: City Manager Jeffrey Tillman, City Attorney Frederick J. Murphy Jr., 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 Jerry Smith, Berea Baptist Church, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Cam, to approve Minutes of the City Commission Meeting of April 15, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that the City received a \$2,000 donation from the Pickleball Gang of Auburndale. They have requested that a third of the donation go to the Fire Department for their youth fire prevention program, a third to the Police Department's K-9 unit, and a third to the Parks and Recreation Department's youth sports development programs. He thanked them for their donation.

City Manager Tillman announced the promotion of Deputy Public Utilities Director Brad Thomas to Public Utilities Director. He recognized former Public Utilities Director John Dickson for his service. He is transitioning into the Public Works and Special Projects Director role, and will still be overseeing the large capital projects.

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

James Quinn, 605 Pintail Circle, passed out a pamphlet to the Commission (attached). He said he has a statement he will read from, as he is not a professional public speaker but a printer. He has been a resident of Auburndale since 1993. He owns Custom Trade Printing at 119 Main Street and the building at 123 Main Street. He has been running a successful printing business there since 1997. He is here tonight to ask for the Commission's help in an ongoing situation. He was here 10 months ago asking for help, and the Commission at that time helped. There is a situation at Pine Street that many on the Commission are aware of. He said if anyone does not know, he recommends they drive down Pine Street. His son has been there for over 20 years. His son has been run out of his house and living in his car. Mr. Quinn said they have made many complaints over the last ten months, as have other residents. Mr. Quinn said the Police Department would have you believe that they are the only complainants (himself and his son's mother) – they are not. In the police records, there are many other complainants. People have withdrawn complaints due to retaliation and harassment by one particular resident who has taken over Pine Street. Mr. Quinn said his son has been there for over 20 years. The person that has taken over the street, Mr. Cole, had his house built by Mr. Quinn and Mr. Quinn's ex-wife. Mr. Cole was a close personal friend of theirs. Mr. Cole has continued to grow his business into residential lots, expanding to five or six lots, two of these being commercial and the others falling into RS-3. Mr. Quinn outlined the RS-3 zoning. He feels like the zoning does not match the usage. He said we need the Commission's help. There are no parking signs that are getting ripped down, there is no enforcement by the Auburndale Police Department. Mr. Quinn said we had a meeting with the police on Friday night – Mr. Cole was emptying his green swimming pool into his son's property, we made a call for service and the Police Department came out and treated us rudely. He said they told us they were not enforcing anything. They were not here to make any decisions. He said he asked them about the registered and unregistered vehicles going down both sides of Pine Street with no parking signs. They said they will not enforce any violations on Pine Street. Mr. Quinn said he had that conversation recorded, he told them he was recording. They flat out will not enforce anything on Pine Street. He has a lot more, but he only has three minutes so he will have to follow-up at another time. He thanked the Commission for listening. He hopes they can get some help, they desperately need help. There is no reason for his son to be homeless on a property that he has owned and paid a mortgage on for twenty years. There is another woman here from Pine

Street who called for service last night and was told police could not help her. Mr. Quinn said we are not the only complainants, we are happy she came forward - the others are afraid.

Brenda Dukes, 518 Pine Street, said Mr. Quinn pretty much summarized everything. Her mother is sitting with her. She has been there for over 20 years. Our neighbor across the street is named Dee Cole, he has a lawn care and landscaping business – and has no consideration for the other neighbors that live around him. He has parked his vehicles which makes it difficult to drive down the road. His equipment is very noisy. He has an annoying bell sound that goes on and off all day, and sometimes at night. He took out a section of her fence. He runs a sprinkler on and off all day, that soaks the fence which will rot it in time. One fence section is separating, and the boards are beginning to split. The sprinkler hits her daughter’s car. He puts up lights that shine in her bedroom window that are bright and go on and off all night.

Tina Murray, 519 Pine Street, said on Thursday – there was a commercial dump truck that delivered a load of dirt to 516 Pine Street, which is zoned for RS-3. The pamphlet passed out by James Quinn has pictures of the dump truck dumping its load – it is done on a weekly basis. Those lots are zoned for minor and incidental sales. If the property owner is getting deliveries every week with dump trucks, that is more than minor or incidental sales. She said she thinks the property owner needs to be stopped. She noticed on Thursday that water was getting on the woman’s car who lives at 518 Pine Street. The City granted those permits. The City needs to do something to help that woman, because Nicholas Cole is damaging her property. It is not that woman’s responsibility to take him to court. The City should be doing something. Please help us on Pine Street.

Jim Thompson, 134 McNichols Avenue, said he wanted to thank the Commission for coming out for the Flight to Honor. We are going on Flight to Honor next year. It brought tears to his eyes to see the Commission come out to see that. There are just a few people left from the Korean War, most of us are from Afghanistan or Vietnam. But to see the Commission and everybody come out brought him to tears. There was a guy there that had his motorcycle and was from the Korean War. He thanked the Commission.

Kathy Andrews, 134 McNichols Avenue, said it was so sweet. One of the people from Lakeland Linder International Airport that maintains a Boeing airplane trainer – they had that out on full display. It is what they use to train pilots. It is just so cool and exciting. People from all walks of life were there, such as scouts and different city commissions. It was quite nice. She had fun. She is also collecting money for breast cancer.

Mayor Taylor Bogert presented a Proclamation recognizing Peace Officers’ Memorial Day and National Police Week. City Attorney Frederick J. Murphy Jr. read the proclamation.

Police Chief Terry Storie expressed his gratitude for the proclamation.

Mayor Taylor Bogert presented a Proclamation recognizing Building Safety Month. City Attorney Frederick J. Murphy Jr. read the proclamation.

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

1. PUBLIC HEARING – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – CENTRAL FLORIDA INNOVATION DISTRICT

Community Development Director Julie Womble said on September 17, 2019, the City of Auburndale, the City of Lakeland, and the Polk County Board of County Commissioners entered into a Memorandum of Understanding (MOU) to create a cohesive vision among the three agencies to work together to support an Innovation District.

The Memorandum of Understanding established a common vision for the District, provides communication requirements between the entities, and coordinates supportive services. However, at the time text was not included in the City’s Land Development Regulations and did not provide for the location and development

guidelines for the Central Florida Innovation District. In December 2023, the City Commission gave staff direction for establishing the Land Development Regulations for the Innovation District.

The proposed Ordinance establishes a boundary map, guidelines, and regulations within the City of Auburndale's Land Development Regulations.

Community Development Director Womble presented a map of the proposal. She presented a slide describing the relationship with the City's Comprehensive Plan. The purpose of the Innovation District is having a common mission, which includes but is not limited to:

- Shared ideas and vision for the District
- Mutual economic benefits for the City of Auburndale, City of Lakeland, and Polk County
- Provide communication and collaboration between the City of Auburndale, City of Lakeland, and Polk County
- Coordinated support of services for the District

It is also to create a planned and balanced "District" focusing on innovation. The intent of these standards provides collaborative development that gives space for targeted industries in the District, such as:

- Research and Development
- Health Technology
- Information Sciences and Engineering
- Advanced Manufacturing
- Mobility and Innovation

These standards apply in the underlying zoning district standards (Chapter 5 and 6 of the Land Development Regulations). However, property anywhere within the District boundary area, and within the utility boundary service area of the City of Auburndale, is encouraged to develop in accordance with the planning principles contained within this Article through annexation, the establishment of zoning and/or rezoning. The remainder of this Article assumes that the property owner/developer has chosen, or is otherwise required, to develop consistent with the Central Florida Innovation District established and outlined within this Article and within the utility boundary service area of the City of Auburndale. All development within the Central Florida Innovation District shall also meet requirements outlined in Chapter 15, Special Overlay District, Article 3.

Commencing on the date of the adoption of the Central Florida Innovation District, these provisions shall apply to development of all land whether publicly or privately held. No development shall be undertaken without prior authorization in accordance with standards and or guidelines applicable to the Central Florida Innovation District. Any building, structure, or parking area that lawfully exists at the time the Central Florida Innovation District is passed, which would not otherwise be permitted under the Central Florida Innovation District, may be continued in the same manner as it existed before the effective date of the Central Florida Innovation District. Any future considerations, additions, reconstruction, or renovation shall be subject to the requirements of standards and guidelines for the Central Florida Innovation District.

The Central Florida Innovation District standards apply to the following:

- All new construction of buildings or structures
- All exterior building improvements requiring a building permit
- All new or reconstructed parking areas

The proposed Ordinance establishes design standards for:

- Docks: opposite side of residential areas, buffers, vegetation screening

- Internal truck courts
- Building size with a maximum of 200,000 square feet
- Building depth of 200 feet
- Truck routing plan to help mitigate traffic
- Buffers, landscaping and wall standards
- Manufacturing enclosed internally
- Road frontage requirements

It does not permit warehouses, logistics and/or distribution as the primary use, after the adoption date of this Article, within the Central Innovation District boundaries located within the City limits of Auburndale. The Joint Planning Agreement would apply for architecture/color standards. Signage would be consistent with Florida Polytechnic University and SunTrax.

Prohibited uses include:

- Cross docks
- Docks located in the front of the building
- Buildings over 200,000 square feet
- Outdoor storage
- No activity shall be conducted that produces noise, odors, dust, fumes, fire hazard, or other nuisance beyond the property lines
- Medium and Heavy Manufacturing

Gateways to the Innovation District are also identified:

- Braddock Road and Berkley Road
- Pace Road and Berkley Road
- Polk Parkway and Pace Road
- Polk Parkway and Braddock Road

The Planning Commission recommended approval of the proposed Land Development Regulations text amendment (3-1, 03/05/2024). Staff recommends approval of proposed Ordinance #1770 amending Land Development Regulations text – Central Florida Innovation District.

City Manager Tillman said the proposed Ordinance was prepared by the Community Development Director and reviewed by the City Manager's Office and the City Attorney. The proposed Ordinance is being presented on first reading and will be presented for second and final reading on May 20, 2024. Staff recommends 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.

2. ORDINANCE #1770 AMENDING LAND DEVELOPMENT REGULATIONS TEXT – CENTRAL FLORIDA INNOVATION DISTRICT

City Manager Tillman introduced Ordinance No. 1770.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1770 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 15 SPECIAL OVERLAY DISTRICTS; ESTABLISHING ARTICLE 5 REGARDING THE CENTRAL FLORIDA INNOVATION DISTRICT AND DETAILING**

DEVELOPMENT GUIDELINES AND STANDARDS FOR THE CENTRAL FLORIDA INNOVATION DISTRICT; AND PROVIDING AN EFFECTIVE DATE, by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1770 amending Land Development Regulations text – Central Florida Innovation District, as read on first reading by title only.

Mayor Taylor Bogert said proposed Section 15.606 1.b. has an “and/or” provision. It gives latitude, but with the “or” provision, applicants will opt for vegetation. That would not work. She cited an example.

City Manager Tillman said that is something he can work with Community Development Director Womble between first and second reading.

Upon vote, all ayes.

3. ORDINANCE #1771 – ANNEXING PROPERTY INTO CITY LIMITS – DOVE’S VIEW SUBDIVISION

City Manager Tillman said the City received a voluntary annexation petition on November 15, 2005 from Jando Inc. of 384 Winter Ridge Boulevard, Winter Haven, Florida, to annex +/-28.85 acres of vacant property into the City limits. At the time the petition was received, the property was not contiguous to city limits and the City could not take action on the signed voluntary annexation petition.

The property has since been developed as a single-family subdivision in unincorporated Polk County known as the Dove’s View Subdivision. The subdivision consists of 60 single-family lots located off CR-559 and Sutton Road. The property became contiguous and adjacent to City limits as a result of annexing the Lanier properties to the east in May 2022. The annexation does not create an enclave. The proposed annexation is as a result of the City being contiguous and able to provide services to the Subdivision. City Staff met with the Dove’s View Subdivision Homeowners Association on February 29, 2024, to discuss the process of annexation.

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. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 20, 2024. Staff recommends approval of Ordinance #1771 annexing the Dove’s View Subdivision into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1771 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: Hwy. 559 and Sutton Road.),** by title only.

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

Motion by Commissioner Cam, seconded by Commissioner Sterling, to approve Ordinance #1771 annexing the Dove’s View Subdivision into the City limits, as read on first reading by title only.

Commissioner Cowie asked if there was literature provided to residents who did not attend the meeting that explains what will change with the annexation.

City Manager Tillman said we would have to put something together. We could put together an information packet of the changes. We would be glad to put some information together. We did publicly notice all 60 residents.

Commissioner Cowie said while we may think it is great to join the City, there might be others that do not. He thinks it would be great to show what the advantages and changes are. It will probably head off a lot of questions later.

Upon vote, all ayes.

4. SERVICE AREA INTERLOCAL AGREEMENT WITH LAKE ALFRED

City Manager Tillman said on June 7, 2004, the City of Auburndale approved an Interlocal Agreement with Lake Alfred that addressed the utility service areas and annexation boundaries between the cities. The Interlocal Agreement recognized each City's utility service area, addressed areas where service is unavailable, and stated that each City will not annex in the other City's service area. The Interlocal Agreement also provided for connecting the Lake Alfred and Auburndale water systems to provide redundancy in case of an emergency. The water interconnect with Lake Alfred has been completed on Adams Barn Road and will be able to assist the cities in moving toward Polk Regional Water Cooperative alternative water supplies. The Service Area Interlocal Agreement had an initial term of twenty (20) years.

The proposed First Amendment to the Service Area Interlocal Agreement restates and extends the Agreement with the City of Lake Alfred for an additional twenty (20) years beginning June 7, 2024 and provides for two (2) ten (10) year extension options. The proposed Amendment also updates the boundary map to include the entirety of Lake Mattie in the City of Auburndale Utility Service Area, which will allow for future annexation.

The proposed First Amendment to Interlocal Agreement was prepared by John Murphy of Boswell & Dunlap, with review by Albert C. Galloway, Jr., PA on behalf of the City of Auburndale and the City Manager. The City of Lake Alfred is considering the proposed First Amendment to Interlocal Agreement at their regular meeting scheduled on May 6, 2024. Staff recommends approval of the First Amendment to the Service Area Interlocal Agreement with Lake Alfred.

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

Motion by Commissioner Helms, seconded by Commissioner Cowie, to approve the First Amendment to the Service Area Interlocal Agreement with Lake Alfred. Upon vote, all ayes.

5. CONSIDER PURCHASE OF 409 & 411 CLEVELAND STREET – COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Assistant City Manager Amy Palmer said the City Commission on April 3, 2023 gave approval to spend Community Development Block Grant (CDBG) funds to provide additional parking adjacent to the Auburndale Community Center utilizing roll-over funds from previous Community Development Block Grant funding cycles (Fiscal Year 2020 through Fiscal Year 2022). The project included the acquisition, demolition, and construction of a new parking lot.

The proposed site for purchase is located at 409 and 411 Cleveland Street. The .4343-acre property has two vacant apartment buildings on the site. The City intends to demolish the structures and construct a parking lot to complement the Auburndale Community Center for events and the adjacent Mt. Zion Missionary Baptist Church. City Staff has negotiated the acquisition of 409 & 411 Cleveland Street with Mr. Fritz Trust and Mr. Fritz, LLC through a settlement agreement as a result of code enforcement violations in a pending code enforcement foreclosure action. The purchase amount of \$188,000.00 is the appraised value of the property. An Agreement for Sale and Purchase of Real Property was prepared by the City Attorney and executed by the Seller. Title insurance, boundary survey, and an environmental survey of the properties have also been ordered.

Staff recommends approving the Agreement for Sale and Purchase of Real Property and any related settlement matters and authorize and allow the City Manager to execute and deliver all closing documents, settlement agreements, and recordable release of all code enforcement liens associated with the properties and to take all other necessary actions associated with this matter.

City Manager Tillman said he appreciates City staff's work on this. Staff recommends approval.

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

Commissioner Sterling said it is nice that this project is finally getting so close. He thanked the City Attorney for getting us to this point. If you look at those pictures in the appraiser's report, the property is not in good shape anyway. It will be a nice improvement for the church and the area there. If we have a special event at the Community Center on a Sunday, it might be proactive to talk with the church to inform them. He thanked City staff.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve the Agreement for Sale and Purchase of Real Property and any related settlement matters and authorize and allow the City Manager to execute and deliver all closing documents, settlement agreements, and recordable release of all code enforcement liens associated with the properties and to take all other necessary actions associated with this matter.

Mayor Taylor Bogert thanked City staff.

Upon vote, all ayes.

6. PRESENTATION OF PAYROLL – FISCAL YEAR 2025 AND FISCAL YEAR 2026 ANNUAL BUDGETS

City Manager Tillman said City staff has started the process of preparing the Fiscal Year 2025 and Fiscal Year 2026 Biennial Budgets. Each month leading up to and in advance of this year's Proposed Budget Presentation on August 5, 2024, the Commission and Staff will publicly address various sections of the Budget as follows:

- Payroll – May 6, 2024
- Capital Outlay – June 3, 2024
- Expenditures – June 17, 2024
- Revenue – July 15, 2024
- Budget Presentation – August 5, 2024
- Commission Day Activities – August 12, 2024
- Budget Public Hearings – September 5 & 17, 2024

The Payroll Section of the Budget provides the necessary funding for the staffing levels to adequately deliver an accepted level of service to our citizens. In addition to salaries, the Payroll Section provides incentive funding for certifications and education, longevity pay, and automatic step adjustments. The proposed budgets provide a 4% cost of living adjustment (COLA) for all City employees in Fiscal Year 2025 and no cost of living adjustment in Fiscal Year 2026.

City Manager Tillman presented a slide outlining statistics regarding payroll incentives.

The proposed Fiscal Year 2025 Payroll Budget operates with a staffing level of 218 full and part-time employees, an increase of nine (9) full-time employees. The proposed positions include:

- 2 – Fire Department: Firefighters
- 1 – Police Department: Corporal (Proactive Policing)
- 2 – Police Department: Police Officers (Proactive Policing)

- 1 – Police Department: Community Liaison
- 1 – Police Department: Training Coordinator
- 2 – Public Utilities: Service Worker II (Water Distribution & Lift Stations)

He presented a slide depicting the current and proposed Police Department organizational chart.

The proposed Fiscal Year 2025 Payroll Budget reflects reclassifying a Police Sergeant to a Police Lieutenant, a Police Corporal to a Police Sergeant, and assigning a Permit Tech in Community Development Plans Examiner responsibilities.

The 2024 Salary Study prepared by Creative Insights of Lutz and University of South Florida Professor John Daly identified several issues important to staying competitive with the local job market particular to certain positions within the City. Based on the Salary Study with staff review, the proposed Fiscal Year 2025 Payroll Budget also reflects a pay adjustment for three (3) employees including the Assistant City Manager, Finance Director, and City Clerk as well as grade adjustments to the Recreation Supervisor at the Community Center and the Finance Clerk positions. The Salary Study also suggests an additional Step Pay Plan adjustment in the City's pay structure. The Fiscal Year 2025 & Fiscal Year 2026 Payroll Budgets implement a 2% Step Pay Plan increase for employees with 10-years of service to the City of Auburndale. The conceptual Fiscal Year 2026 Payroll Budget proposes an increase of ten (10) full-time employees. The proposed positions include:

- 2 – Fire Department: Firefighters
- 4 – Police Department: Police Officers (2 Patrol, 1 Detective, 1 Proactive)
- 1 – Information Technology Department: Systems Analyst
- 1 – Parks & Recreation: Parks & Facilities Superintendent
- 1 – Parks & Recreation: Service Worker III
- 1 – Public Utilities: Regional Wastewater Treatment Plant Operator

The Fiscal Year 2026 Payroll Budget reflects the reclassifying of a Service Worker II position in Utility Billing to a Service Worker III position.

City Manager Tillman presented a slide depicting the number of employees by year since Fiscal Year 2015. He presented a slide depicting the number of employees per department for Fiscal Year 2024-2025. Staff recommends tentatively approving the proposed Payroll, as presented by City staff. Formal adoption of the Fiscal Year 2025 Budget and conceptual approval of the Fiscal Year 2026 Budget will come after the scheduled Public Hearings in September. He thanked City directors for their input.

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

Motion by Commissioner Cowie, seconded by Commissioner Cam, to tentatively approve the proposed Payroll, as presented by City staff.

Mayor Taylor Bogert acknowledged the City directors for their work. She believes the City of Auburndale has the best employees in the country.

City Manager Tillman thanked the City Commission.

Upon vote, all ayes.

The Meeting was adjourned at 8:10:08 p.m.

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



Brandon Henry, City Clerk