

City of Auburndale Commission Minutes June 17, 2024

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held June 17, 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 Jimmy Petterec, First Missionary 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 June 3, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that the City reached out to the First United Methodist Church, who graciously are opening their lawn to the public for the July 4th celebrations – as a result of limited public viewing space of the fireworks over Lake Ariana. We are appreciative of the First United Methodist Church, and we will make the public aware of this opportunity.

Police Chief Terry Storie presented Detective David Perrington (five years) and Corporal Richard Maurer (five years) with their longevity plaques for years of service.

City Manager Tillman recognized Child Librarian Rhonda Hayes (10 years) and Permit Technician Krystal Burney (20 years) for their years of service.

Mayor Taylor Bogert said that represents 40 years of service to the City. We are incredibly proud of our employees. She expressed her gratitude.

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

Tina Murray, 519 Pine Street, said that she has asked on more than one occasion to have the illegal irrigation removed that Nicholas Cole installed on the public access road behind 519 and 521 Pine Street, which Code Enforcement confirmed was owned by the City. Water is coming into her yard from the public access road, therefore both the City and the Auburndale Bridge are responsible for the problems in her yard. Mr. Cole is also storing his overflow of palm trees on the same easement. Public Works Director John Dickson came out and confirmed he would take care of it on June 7th. She did not hear from him when he said he would get back to her, so she sent him an email, with no response. She did not hear from him until after she sent Assistant City Attorney Seth Claytor an email this past Friday, and he replied after that email. It has been flooding and saturating her yard, as well as the neighbor's yard at 521 Pine Street three times a day, causing damage to their property. This is not the only problem that irrigation is causing. She has been having water pressure problems in her house, and between Nicholas out there tinkering with it, moving it, changing things, causing gushing water to come from the pipes. Each time he changes things, he makes it worse. Between him messing with that and installing four or five other unpermitted wells at 517 Pine Street and his other properties including the public right-of-way, she lost water pressure in her house. Maybe we start with removing the irrigation system from the public access road to see if that helps bring back her water pressure. The irrigation system was tunneled under the access road and that is against zoning and code ordinances, and she believes it is also illegal to tunnel anything under a road, whether it be the bridge property or the City property. It is against code. If it is the Auburndale Bridge, they need to be code violated and regardless of whose property it is on, it needs to be removed and her water pressure restored. It seems the City is continuing to allow Nick Cole to have free rein on Pine Street, and now he is taking over the access road behind her property and extending his war zone that he has created on Pine Street. She apologized to Mr. Dickson. She knows she spoke with staff this afternoon, so hopefully the irrigation system will be taken care of.

James Hardy, 110 Bennett Street, said that on the end of Dairy Road, before it reaches the track – there is a lot of traffic backed up first thing in the morning on Lake Alfred Road, from that stoplight at least a quarter of a mile back because the people on north Dairy do not stop coming in at Five Points. You have Stadium Road and Lake Alfred Road. The traffic backs up way back. He proposes to put a stop sign on Dairy Road before the tracks. When you come across the tracks, they split – so they can go east towards Lake Alfred, or go straight. It is causing a lot of confusion. Also on Bennett Street, there is a lot of tractor trailer traffic that is not supposed to be there. He lives there, and it is every day.

City Manager Tillman introduced Mr. Hardy to Police Chief Terry Storie and Public Works Director John Dickson to assist with his concerns.

Mayor Taylor Bogert presented a Proclamation recognizing Juneteenth Day. City Attorney Frederick J. Murphy Jr. read the proclamation.

Audrey Glover thanked the City and the Mayor for the proclamation. She announced a candlelight celebration on June 19th at 7:00 p.m. in Downtown City Park.

City Manager Tillman announced a Juneteenth event being held by the Auburndale Bridgers Community Reunion on June 22nd at 10 a.m. at the Community Center.

1. ORDINANCE #1775 ANNEXING PROPERTY INTO CITY LIMITS – HICKORY ROAD

City Manager Tillman said on October 17, 2022, the City Commission approved the purchase of 73.7-acres of vacant property on Hickory Road for the construction of a new effluent spray field. The property is located north of Hickory Road, east of the Tenoroc Management Area and west of the Polk Parkway. The property is adjacent to City limits to the east. The annexation does not create an enclave.

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 July 1, 2024. Staff recommends approval of Ordinance #1775 annexing the Hickory Road Sprayfield property into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1775 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: Hickory Road and Polk County Parkway)**, by title only.

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

Motion by Commissioner Helms, seconded by Commissioner Sterling, to approve Ordinance #1775 annexing the Hickory Road Sprayfield property into the City limits, as read on first reading by title only. Upon vote, all ayes.

2. ORDINANCE #1776 ANNEXING PROPERTY INTO CITY LIMITS – NORTH AUBURNDALE PARK

City Manager Tillman said on April 3, 2023, the City Commission approved the purchase of 26.49-acres of vacant property adjacent to Lake Mattie for the construction of a future North Auburndale Park. The property is located north of Lake Mattie Road, east of County Road 559, and west of Adams Barn Road. The property is adjacent to City limits to the west. The annexation does not create an enclave.

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 July 1, 2024. Staff recommends approval of Ordinance #1776 annexing the North Auburndale Park properties into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1776 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: Lake Mattie Road and CR 559)**, by title only.

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

Motion by Commissioner Sterling, seconded by Commissioner Helms, to approve Ordinance #1776 annexing the North Auburndale Park properties into the City limits, as read on first reading by title only. Upon vote, all ayes.

3. ORDINANCE #1777 ANNEXING PROPERTY INTO CITY LIMITS – LAKE MATTIE

City Manager Tillman introduced Ordinance No. 1777. He said the proposed annexation is of Lake Mattie. The Florida Department of Environmental Protection (DEP) has no objections to the annexation of the State of Florida Sovereign Lands (lake bottom). Lake Mattie is located east of County Road 559 and north of Lake Mattie Road. The property is contiguous to City limits to the south and west. The annexation does not create an enclave.

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 July 1, 2024. Staff recommends approval of Ordinance #1777 annexing Lake Mattie into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1777 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: Lake Mattie Road and CR 559)**, by title only.

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

Motion by Commissioner Cam, seconded by Commissioner Helms, to approve Ordinance #1777 annexing Lake Mattie into the City limits, as read on first reading by title only. Upon vote, all ayes.

4. APPOINT VOTING DELEGATE FOR AUGUST 15-17, 2024 FLORIDA LEAGUE OF CITIES CONFERENCE – HOLLYWOOD, FLORIDA

City Manager Tillman said the Florida League of Cities Annual Conference will be held August 15-17, 2024, at the Diplomat Beach Resort in Hollywood, Florida. The Florida League of Cities By-Laws require that each Member City select one of their elected officials to cast their votes at the annual business session. Mayor Dorothea Taylor Bogert has agreed to serve if this is the pleasure of the City Commission.

Staff recommends approving a Voting Delegate to the August Florida League of Cities Conference.

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

Motion by Commissioner Cowie, seconded by Commissioner Sterling, to approve Mayor Taylor Bogert as the City's Voting Delegate to the August Florida League of Cities Conference. Upon vote, all ayes.

5. PRESENTATION OF EXPENDITURES FOR FISCAL YEAR 2025 & FISCAL YEAR 2026 ANNUAL BUDGETS

City Manager Tillman said as part of the Budget preparation cycle, the City Commission gave tentative approval to the proposed Payroll Section on May 6, 2024 and the Capital Outlay Section on June 3, 2024. Minor changes have been made in the Payroll Section (new hires, position changes, etc.) and no additional projects or improvements have been made to the Capital Outlay Section. Both, Payroll and Capital Outlay have now been inserted into the proposed Expenditures Budget along with "Departmental Operating Expenses" and "Non-Departmental Expenses".

City Manager Tillman explained the differences between "Departmental Operating Expenses" and "Non-Departmental Expenses".

He presented the proposed Departmental Operating Expenses for the Mayor and Commission, Office of the City Manager, Legal Department, Information Technology, Finance, Library Division, Fire Department, Community Development Department, Police Department, Public Works Administration, Sanitation Division, Building Maintenance, Street Division, Fleet Maintenance, Parks and Recreation Department, Parks and Cemetery Division, Civic Center, Senior Center, Tennis Pro Shop, Lake Ariana Park, Auburndale Softball Complex, Women's Club Building, Baynard House, Lake Myrtle Sports Complex, Depot Building, Community Gym, Public Utilities Administration, Utilities Distribution, Utility Billing, Water Treatment Plants, Allred Wastewater Treatment Plant, Regional Wastewater Treatment Plant, and Administration and General.

He presented proposed Non-Departmental Expenses for Non-Department Insurance, Non-Department Pension, Non-Department All Other, Non-Department Personnel Improvement, Non-Department City Contribution, Community Development Block Grant Projects, Special Projects, Reserves, Debt Service, Impact Fees, Connection Fees, Utilities Debt Service, and Utility Reserves.

City Manager Tillman said presentation of the proposed Revenue Section is scheduled for July 15, 2024. Delivery of the proposed two-year budget to the City Commission is scheduled for August 5, 2024. 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. Staff recommends tentative approval of the Expenditures Section of the proposed Fiscal Year 2025 and Fiscal Year 2026 Budgets.

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

Motion by Commissioner Cam, seconded by Commissioner Helms, to tentatively approve the Expenditures Section of the proposed Fiscal Year 2025 and Fiscal Year 2026 Budgets.

Commissioner Cowie said he would like to abstain from voting due to a conflict of interest with the Chamber of Commerce. His wife is employed there.

City Manager Tillman said this was something Commissioner Cowie brought to staff's attention. We want to ensure transparency. Staff recommends having two votes – one without the Chamber of Commerce line item, and a second specifically for that line item so that Commissioner Cowie may abstain.

City Attorney Murphy advised as to procedure.

Commissioner Cam withdrew his motion.

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Motion by Commissioner Cam, seconded by Commissioner Helms, to tentatively approve the Expenditures Section of the proposed Fiscal Year 2025 and Fiscal Year 2026 Budgets except for the Chamber of Commerce line item.

Upon vote, all ayes.

Motion by Commissioner Cam, seconded by Commissioner Helms, to tentatively approve line item *001-6084-579-8100 Chamber of Commerce* of the Expenditures Section of the proposed Fiscal Year 2025 and Fiscal Year 2026 Budgets.

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

Mayor Taylor Bogert expressed gratitude to Finance Director Christopher Reeder and other departmental directors for their work.

The Meeting was adjourned at 8:00:34 p.m.

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



Brandon Henry, City Clerk