

City of Auburndale Commission Minutes July 1, 2024

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held July 1, 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, Assistant City Attorney Drew Crawford, 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 Pastor Conner "CJ" Hill, First United Methodist Church, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve Minutes of the City Commission Meeting of June 17, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman welcomed and thanked Police Lieutenant John Cruz, who is attending tonight in place of Police Chief Terry Storie. City Manager Tillman wished everybody a happy Independence Day.

Assistant City Attorney Drew Crawford wished everybody a happy Independence Day.

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

Dennis Young, 254 Lake Tennessee Drive, said he will try to keep his comments within his three minutes – but hopes the Commission will indulge him if he exceeds his time, as this issue is of great importance to the citizens of Auburndale. Mr. Young passed out a handout to the Commission (attached). It is the current situation he is facing with Lake Juliana Estates concerning their five-acre retention pond that is located adjacent to his property. It is currently overgrown and becoming a home to rodents. Mr. Young said he has been trying to work with their management company and homeowners' association. The Board of Directors for Lake Juliana Estates consists of five individuals – two residents of the subdivision while the other three members are representatives of Adams Homes, and do not live in the area. The president of the association is a division general manager of Adams Homes. Mr. Young said he and three other homeowners have been mowing and maintaining this retention pond since Toll Brothers developed Lake Juliana Estates, as Toll Brothers was not maintaining it and neither is Adams Homes. He has enlisted the help of Auburndale Code Enforcement and certain City officials to help rectify the situation. Code of Ordinances Section 18-69 "Duty of the Property Owners" is very explicit. They are supposed to maintain that area for debris and overgrown lots as described. He presented an aerial photograph of the subject site. He outlined Code of Ordinances Section 18-70 (c) and (e). He guarantees if you have property where the grass is 12 inches high or higher, you will have rodents. He outlined an email exchange with a company he has contracted with regarding squirrels on his property. They took care of the situation, but now there is heavy activity. He outlined the code enforcement process.

City Manager Tillman said staff has been working with Mr. Young. We have a day scheduled to get it mowed. In talking with Adams Homes that they will try to get it on a regular mowing schedule when they mow other common areas, and continue to work with Mr. Young to get this issue resolved.

Mr. Young thanked Code Enforcement staff Regina Beach and Sergio Romero, and Assistant City Manager Amy Palmer.

Mayor Taylor Bogert thanked Mr. Young.

Mayor Taylor Bogert presented a Proclamation recognizing Parks and Recreation Month. Assistant City Attorney Drew Crawford read the proclamation.

Parks and Recreation Director Cody McGhee presented upcoming events being hosted by Parks and Recreation.

Mayor Taylor Bogert thanked the First United Methodist Church for opening their lawn for July 4th. The local Junior Reserve Officers Training Corp will help with parking.

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. The proposed Ordinance was approved on first reading June 17, 2024, and is being considered for second and final reading. Staff recommends approval of Ordinance #1775 annexing the Hickory Road Sprayfield property into the City limits.

Assistant City Attorney Drew Crawford 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 second and final 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. The proposed Ordinance was approved on first reading June 17, 2024, and is being considered for second and final reading. Staff recommends approval of Ordinance #1776 annexing the North Auburndale Park properties into the City limits.

Assistant City Attorney Drew Crawford 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 second and final reading by title only. Upon vote, all ayes.

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

City Manager Tillman 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. The proposed Ordinance was approved on first reading June 17, 2024, and is being considered for second and final reading. Staff recommends approval of Ordinance #1777 annexing Lake Mattie into the City limits.

Assistant City Attorney Drew Crawford 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 second and final reading by title only. Upon vote, all ayes.

4. ORDINANCE #1778 – ANNEXING PROPERTY INTO CITY LIMITS – ENCLAVE AT LAKE MYRTLE SUBDIVISION

City Manager Tillman said the City received a voluntary annexation petition on December 21, 2020 from Sheila Gail Thornton and Shelly Light of 2057 Berkley Road to annex +/- 32.90 acres of vacant property into the City limits. The City did not take action on the signed voluntary annexation petition when it was received and allowed the Subdivision to develop under Polk County's jurisdiction.

The property has since been developed as a single-family subdivision in unincorporated Polk County known as the Enclave at Lake Myrtle Subdivision. The subdivision consists of 161 single-family residential lots located off Berkley Road. The annexation does not create an enclave. The proposed annexation is as a result of the City being able to provide services to the Subdivision. City Staff met with the Enclave at Lake Myrtle Homeowners' Association and residents on May 15, 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 July 15, 2024. Staff recommends approval of Ordinance #1778 annexing the Enclave at Lake Myrtle Subdivision into the City limits.

Assistant City Attorney Drew Crawford read Ordinance No. 1778 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: Berkley Road.),** by title only.

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

Motion by Commissioner Cowie, seconded by Commissioner Sterling, to approve Ordinance #1778 annexing the Enclave at Lake Myrtle Subdivision into the City limits, as read on first reading by title only.

Commissioner Cowie asked about a mailer for those who did not attend the initial meeting with the Homeowners' Association.

City Manager Tillman answered that Community Development Director Julie Womble coordinated with Assistant City Manager Amy Palmer regarding this. It is something Assistant City Manager Palmer had recalled for previous annexations.

Community Development Director Womble said we mailed welcome letters to the Dove's View subdivision, which was the last subdivision that was annexed. In that was a letter about when services would start, and other information specific to the neighborhood. The second page included contact information for City services. We have already received several calls from this. We will do the same for any other subdivision.

Commissioner Cowie said he appreciates that. He knows City staff is doing their best to get the message out. He knows it is easier said than done. He wants to ensure we address questions.

Upon vote, all ayes.

5. ORDINANCE #1779 – ANNEXING PROPERTY INTO CITY LIMITS – HILLS OF ARIETTA SUBDIVISION

City Manager Tillman said the City received a voluntary annexation petition on May 19, 2005 from V. Frederick Strawbridge of 5120 South Lakeland Drive, Suite 2, Lakeland, Florida, to annex +/-37.55 acres of 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 Hills of Arietta Subdivision. The subdivision consists of 85 single-family residential lots located off Gapway Road. The property became contiguous and adjacent to City limits as a result of annexing the Lanier properties to the north 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 Hills of Lake Arietta Subdivision Homeowners Association and residents on June 6, 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 July 15, 2024. Staff recommends approval of Ordinance #1779 annexing the Hills of Arietta Subdivision into the City limits.

Assistant City Attorney Drew Crawford read Ordinance No. 1779 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 Gapway Road.),** by title only.

Mayor Taylor Bogert asked for public comment.

Jerry Bond, 239 Viola Drive, said this is the first time he is hearing about this. He got a message from Polk County. He never heard of any meetings or letters that he knows of.

City Manager Tillman said we did reach out to the Homeowners' Association, and held a meeting with them. Working with Community Development, we sent out letters. The letters were mailed to the mailing address on file with the Property Appraiser.

Mr. Bond said people were asking him if there were letters sent out to anybody – there were none that he knew of.

City Manager Tillman said we tried to coordinate with the Homeowners' Association to get the word out. In advance of this, we made a good effort to reach out to everybody. We still have a second reading of this ordinance, so if you have any questions – we would be glad to sit down with you to discuss the process of annexation.

Mr. Bond said the main thing is everybody wants to know the difference between tax and utility rates. There are a lot of questions that need to be asked.

City Manager Tillman said that was part of our presentation with the Homeowners' Association and residents. We would be glad to sit down with you to have that conversation.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1779 annexing the Hills of Arietta Subdivision into the City limits, as read on first reading by title only. Upon vote, all ayes.

6. AGREEMENT WITH LAKELAND AREA MASS TRANSIT FOR BUS SERVICE

City Manager Tillman said the Lakeland Area Mass Transit District is the legal entity responsible for the operation and management of the public transportation system within Polk County. For several years, the City of Auburndale has agreed to participate in funding a portion of the fixed route services currently being operated through the city boundaries. This includes those services provided by the Purple Line, formerly Route 12, and Route 50 that run through and stop within the city limits.

The proposed Service Agreement is for two (2) years, through September 30, 2026, and keeps the allocation of \$81,529.51 in Fiscal Year 2025 and Fiscal Year 2026. Funding for the bus service is included in the tentative Fiscal Year 2025 and planned Fiscal Year 2026 Budgets.

The proposed Service Agreement was prepared by the Lakeland Area Mass Transit District and reviewed by the City Manager and City Attorney. Staff recommends approval of the Service Agreement.

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

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve the Service Agreement. Upon vote, all ayes.

7. PRESENTATION OF BIDS – SAND & REFINISH COMMUNITY CENTER GYM WOOD FLOORING

City of Auburndale Commission Minutes July 1, 2024

Motion by Commissioner Helms, seconded by Commissioner Cowie, to award the bid to Forever Lawn Central Florida of Clermont in the amount of \$68,497.50 to replace the artificial turf in ten (10) bullpens at the Lake Myrtle Sports Complex. Upon vote, all ayes.

Mayor Taylor Bogert wished everybody a happy July 4th.

The Meeting was adjourned at 7:31:51 p.m.

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



Brandon Henry, City Clerk