
Minutes of the Regular Meeting of the City Commission of the City of Auburndale held October 7, 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 Deputy Police Chief Carin Ketcham.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Pastor Gene Bassham, New Hope Fellowship Church, and a salute to the flag.

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

Public Works Director John Dickson presented Assistant Public Works Director Caleb Gabany with his longevity plaque for 25 years of service.

City Manager Jeffrey Tillman announced preparations for incoming Hurricane Milton, including activity and event cancellations.

Mayor Taylor Bogert expressed gratitude to staff regarding storm preparations.

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

Mayor Taylor Bogert presented a Proclamation recognizing National Breast Cancer Awareness Month. City Attorney Frederick J. Murphy Jr. read the proclamation.

A representative of the Breast Cancer Foundation of Central Florida expressed gratitude and her experience with breast cancer.

Mayor Taylor Bogert presented a Proclamation recognizing Fire Prevention Week. City Attorney Frederick J. Murphy Jr. read the proclamation.

Fire Chief Brian Bradway expressed his gratitude for both proclamations. He recognized Shift Commander Michael McCard and Senior Firefighter Scott Farris for achieving their Urban Search and Rescue certifications.

Mayor Taylor Bogert expressed her gratitude.

1. TRANSMITTAL PUBLIC HEARING – COMPREHENSIVE PLAN TEXT AMENDMENT – EVALUATION AND APPRAISAL REPORT UPDATE

City Manager Tillman read the public notice.

Community Development Director Julie Womble said the City's Comprehensive Plan provides a framework for managing the growth and development of the City. At least once every seven years, each local government must complete an Evaluation and Appraisal Report (EAR) of its Comprehensive Plan to determine if plan amendments are necessary to reflect changes in State Statutes, and then notify the Department of Commerce of its evaluation and determination. All local Florida governments are governed by the review process for Comprehensive Plans found in Section 163.3191 Florida Statutes.

A letter was sent to the Department of Commerce on September 30, 2024, showing that Auburndale's Comprehensive Plan needed updating to reflect changes in State Statutes since the last Evaluation and Appraisal Report update in 2017. The City has one-year from the letter to submit Comprehensive Plan text amendments showing the Department of Commerce it meets all legislative changes.

The proposed Ordinance amends the Comprehensive Plan based on a review by Inspire Placemaking, LLC. and City staff of changes to Florida Statutes since the Comprehensive Plan's last audit in 2017. Items to be amended or stricken from the Comprehensive Plan have been attached for your review. They include:

- Updating the Plan's horizon year from 2030 to 2045
- Updated population projections
- Updated maps
- Updating Level of Service (LOS) standards for transportation and utilities
- State Agency's name changes
- Removing outdated references no longer required by the State
- Amended definitions
- Including floating solar and solar facilities in permitted uses in Agriculture Future Land Use per Section 163.32051 Florida Statutes

The proposed Ordinance is consistent with the changes made by the legislature to Florida Statutes.

David Henning, Inspire Placemaking, LLC., presented a summary of the Evaluation and Appraisal Report process.

Community Development Director Womble expressed her appreciation to Mr. Henning.

She said the Planning Commission recommended approval of the proposed Comprehensive Plan Text Amendments (6-0, 10/01/2024).

City Manager Tillman said the proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved by the City Commission, the amendments will be transmitted to the State Land Planning Agency to undergo a review. Following a review by the State, the proposed Ordinance will be presented to the City Commission for second and final reading. Staff recommends approval of proposed Ordinance #1798 amending the Comprehensive Plan Text based on the Evaluation and Appraisal Report.

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 #1798 AMENDING THE COMPREHENSIVE PLAN TEXT – EVALUATION AND APPRAISAL REPORT UPDATE

City Manager Tillman introduced the ordinance.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1798 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE COMPREHENSIVE PLAN TO ADDRESS CHANGES TO STATE STATUTES, EXTENDING THE HORIZON TO 2045, AND UPDATING THE HORIZON OF THE FUTURE LAND USE MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**, by title only.

City Attorney Murphy noted that this Ordinance is required by statute/state law and therefore would fall within the exemption regarding business impact statements. Thus, no business impact statement would be required. This was confirmed by the Florida Department of Commerce.

Motion by Commissioner Cam, seconded by Commissioner Helms, to approve and transmit Ordinance #1798 amending the Comprehensive Plan Text based on the Evaluation and Appraisal Report to the Florida Department of Commerce for review, as read on first reading by title only. Upon vote, all ayes.

City Attorney Murphy clarified that this was a motion to approve and transmit Ordinance No. 1798 to the Florida Department of Commerce for review.

3. ORDINANCE #1799 ANNEXING PROPERTY INTO CITY LIMITS – ROAN PROPERTIES

City Manager Tillman said the City received a petition from Justin Roan, 3630 Old Berkley Rd Auburndale, FL, to annex +/-1.89 acres of property into the City limits. The two lots contain single-residences and are located on Old Berkley Road, north of Gapway Road. The property is adjacent to City limits to the east, west 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 city services.

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 October 21, 2024. He presented a graphic depicting the proposal.

Staff recommends approval of Ordinance #1799 annexing the Roan Properties into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1799 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: Old Berkley Road and Gapway Road)**, 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 #1799 annexing the Roan Properties into the City limits, as read on first reading by title only. Upon vote, all ayes.

4. ORDINANCE #1800 ANNEXING PROPERTY INTO CITY LIMITS – FOER PROPERTY

City Manager Tillman said the City received a petition from Barry Foer 625 W. Bridgers Ave., Auburndale, FL to annex +/-1.04 acres of property into the City limits. The lot is currently vacant and located on Tschetter Drive, south of US Hwy 92. He presented a graphic depicting the proposal. The property is adjacent to City limits to the east, 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 city services.

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 October 21, 2024. Staff recommends approval of Ordinance #1800 annexing the Foer Property into the City limits.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1800 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: 0 Tschetter Dr. and US Hwy 92.),** by title only.

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

Motion by Commissioner Sterling, seconded by Commissioner Cam, to approve Ordinance #1800 annexing the Foer Property into the City limits, as read on first reading by title only. Upon vote, all ayes.

5. CONSIDER DEVELOPER’S AGREEMENT – ADM FLORIDA PROPERTIES, LLC

Community Development Director Womble said in 2022, the City initiated a comprehensive city-wide review of its existing sanitary sewer system with Chastain-Skillman, which identified certain improvements required to serve future development. Improvements were identified by the Regional Wastewater Treatment Facility Service Area Study as necessary to allow development on the subject site. The study showed that development and construction could not discharge into the City’s wastewater system until the Pace Road Utility Improvements, Gapway Force Main Extension, and the Southern Force Main Re-route Projects were completed, permitted, and operational along with the planning and design phase of the Regional Wastewater Treatment Plant expansion, as identified in the Study.

The proposed Developer’s Agreement is between ADM Florida Properties, LLC, and the City of Auburndale. The Agreement acknowledges that the City makes no representation or warranty as to when it will commence or complete the Utility Improvements. The proposed agreement allows the City to complete the review of all development plans and construction plan documents. ADM Florida Properties, LLC intends to develop a car wash at 1020 Hwy. 92 W. at the intersection of Howard Road. The subject site currently has a Future Land Use of Commercial Corridor with Zoning classifications of Commercial Highway (CH) and would allow for the development of a carwash.

The City and ADM Florida Properties, LLC desire to enter into the Agreement to establish the respective rights and obligations between ADM Florida Properties, LLC and the City, in accordance with the terms and conditions of the proposed Developer’s Agreement.

In January 1996, a utility easement was given to the City at 1020 Hwy 92 W for proposed development at the time. Utilities were never constructed in the easement and ADM Florida Properties, LLC. is now requesting the City terminate the easement as there is no longer a public need for the easement.

The proposed Developer’s Agreement and Resolution #2024-07 Terminating Utility Easement were prepared by ADM Florida Properties, LLC. and reviewed by the Community Development Director, City Manager’s Office, City Public Works Director and the City Attorney. Staff recommends approval of the proposed Developer’s Agreement with ADM Florida Properties, LLC. and proposed Resolution #2024-07 terminating a previous utility easement.

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

Motion by Commissioner Cowie, seconded by Commissioner Cam, to approve the proposed Developer’s Agreement with ADM Florida Properties, LLC. Upon vote, all ayes.

6. RESOLUTION #2024-07 TERMINATION OF EASEMENT – ADM FLORIDA PROPERTIES, LLC

City Manager Tillman introduced Resolution #2024-07.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2024-07 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA, VACATING, ABANDONING, DISCONTINUING, AND TERMINATING THAT UTILITY EASEMENT DATED JANUARY 30, 1996, CONVEYED TO THE CITY OF AUBURNDALE, FLORIDA, AND AS RECORDED IN OFFICIAL RECORDS BOOK 3637, PAGE 1722; OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE.**, by title only.

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

Motion by Commissioner Helms, seconded by Commissioner Cowie, to approve Resolution #2024-07 terminating a previous utility easement. Upon vote, all ayes.

7. APPROVE 2025 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE

City Manager Tillman said City Staff is presenting the City Commission Meeting and City Holiday Schedule for 2025.

The City Commission will need to adjust a meeting in January due to a National Holiday, and September due to proposed budget public hearing dates. Staff recommends approval of the 2025 City Commission Meeting and Holiday Schedule.

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

Motion by Commissioner Sterling, seconded by Commissioner Helms, to approve the 2025 City Commission Meeting and Holiday Schedule. Upon vote, all ayes.

8. STREET CLOSURE REQUEST – AUBURNDALE CHAMBER'S FALL-O-WEEN FESTIVAL

City Manager Tillman explained that due to the hurricane, this item has been modified to incorporate the now-postponed Bloodhound Bash. Therefore, the City has received a request to temporarily close streets in the downtown area to accommodate the Chamber of Commerce Fall-O-Ween Festival and Auburndale High School Bloodhound Bash on Thursday, October 24, 2024. Staff recommends approval.

Executive Director Sandra Hall, Greater Auburndale Chamber of Commerce – 2701 Lake Myrtle Park Road, introduced the event. She expressed gratitude to the City Commission.

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

Motion by Commissioner Cowie, seconded by Commissioner Cam, to approve the street closure request.

Amended motion by Commissioner Cowie, seconded by Commissioner Cam, to approve the street closure request with the City Manager's additions to time and roads. Upon vote, all ayes.

Mayor Taylor Bogert wished everybody a safe week, and thanked staff.

The Meeting was adjourned at 7:49:45 p.m.

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



Brandon Henry, City Clerk