



CITY COMMISSION MEETING HAINES CITY, FLORIDA

MINUTES

September 21, 2023, 7:00 p.m.

City Hall Commission Chambers

620 E. Main Street, Haines City, FL 33844

Phone: 863-421-9921 Web: hainescity.com

Present:

Mayor Roy Tyler

Vice Mayor Omar Arroyo

Commissioner Anne Huffman

Commissioner Morris West

Commissioner Vernel Smith

1. CALL TO ORDER

The Mayor called the City Commission Meeting to order at 7:00 on September 21, 2023, in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

2. INVOCATION

Pastor provided the invocation.

3. PLEDGE OF ALLEGIANCE

The Mayor led the pledge of allegiance.

4. FINAL BUDGET HEARING

4.a Ordinance No. 23-2057 Second Public Hearing – Fiscal Year 2023-2024 Proposed Millage Rate Adoption

Finance Director Omar DeJesus presented the final budget.

There were no comments from the dais.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Ordinance.

Commissioner Huffman introduced the Ordinance.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Anne Huffman

Seconded by Morris West

Staff recommends adoption on first reading of this ordinance adopting the millage rate to provide sufficient funds for projected expenditures of the 2023-2024 Fiscal Year Budget of the City of Haines City.

Carried

4.b Ordinance No. 23-2058 Second Public Hearing for Adopting the Budget for Fiscal Year 2023-2024

Mayor Tyler opened up the public hearing .There were no comments from the dais.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Ordinance.

Commissioner West introduced the Ordinance.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Morris West

Seconded by Omar Arroyo

Staff recommends adoption of the Fiscal Year 2023-2024 budget of the City of Haines City, Florida.

Carried

5. PRESENTATIONS AND PROCLAMATIONS

5.a IT Professional Month

City Clerk Lauther read the proclamation into the record.

Vice-Mayor Arroyo presented the proclamation to Finance Director Brian Ross and his staff members

5.b Hispanic Heritage Month

City Clerk Lauther read the proclamation into the record.

Mayor Tyler presented the proclamation to the following Haines City businesses and organizations:

Kids Academy Learning Center

Don Criollo Restaurant

Platinum Barber Lounge

El Azucarero Restaurant

Panaderia La-Fe

La Fiesta Mexicana restaurant

6. CONSENT AGENDA

Moved by Omar Arroyo

Seconded by Anne Huffman

Approve consent as a whole.

Carried

6.a City Attorney Invoice for the Billing Period Ending August 31, 2023

Approve payment to the City Attorney for legal services and disbursements for the billing period ending August 31, 2023 in the amount of \$20,135.90.

6.b CEMETERY DEEDS

6.c Minutes to be Accepted

7. OLD BUSINESS

7.a Ordinance No. 23-2054 – White Clay Phases 1 & 2 RPUD Zoning Amendment – Second Reading

Development Services Director Richard Greenwood presented this item

There were no comments from the dais.

Mayor Tyler opened the public hearing.

Sharon Garrett off of Carl Boozer road asked to see a map related to the Ordinance.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Ordinance.

Commissioner/Vice-Mayor Arroyo introduced the Ordinance.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Morris West

Seconded by Omar Arroyo

Adopt Ordinance No. 23-2054, on Second Reading for the White Clay subdivision, Phases 1 and 2 with the following conditions:

1.No parking shall be permitted on roadways and shall be stated in the Homeowners' Association documents and any other association documents of the development.

2.Street trees shall not be removed and shall be stated in the Homeowners' Association documents and any other association documents of the development.

3.Traffic Study must be approved by the City's traffic consultant prior to the Preliminary Plat approval.

4.22-foot internal roads built to City standards, with 24-foot roads built to City standards for White Clay Pit Road, Hughes Road and Kokomo Road. The Powerline Road extension will also be built to City standards.

5.This project will abut or be adjacent to 80 acres that were purchased by the City of Haines City for the construction of a wastewater treatment plant, RIBS fields, and other industrial uses. The Developer shall disclose this information in the Sales Contract for potential property owners and shall be in "red", **bold** print.

6.No single-family residential building plans shall be issued until such time that Lift Station #22 and the additional force main has been constructed and in operation.

7.If the developer fails to commence construction within two (2) years of the effective date of the adoption of the RPUD zoning, this shall be ground for the City to initiate rezoning of the subject property. In such event, the Planning Commission may recommend to the City Commission that (i) the subject property be returned to its previous zoning classification, (ii) that the RPUD be modified, or (iii) that the RPUD be retained in its current form.

Carried

2.No parking shall be permitted on roadways and shall be stated in the Homeowners' Association documents and any other association documents of the development.

3. Street trees shall not be removed and shall be stated in the Homeowners' Association documents and any other association documents of the development.

4. Traffic Study must be approved by the City's traffic consultant prior to the Preliminary Plat.

5. 22-foot internal roads built to City standards, with 24-foot roads built to City standards for White Clay Pit Road, Hughes Road and Kokomo Road. The Powerline Road extension will also be built to City standards.

6. This project will abut or be adjacent to 80 acres that were purchased by the City of Haines City for the construction of a wastewater treatment plant, RIBS fields, and other industrial uses. The Developer shall disclose this information in the Sales Contract for potential property owners and shall be in "red", **bold** print.

7. No single-family residential building plans shall be issued until such time that Lift Station #22 and the additional force main has been constructed and in operation.

8. If the developer fails to commence construction within two (2) years of the effective date of the adoption of the RPUD zoning, this shall be ground for the City to initiate rezoning of the subject property. In such event, the Planning Commission may recommend to the City Commission that (i) the subject property be returned to its previous zoning classification, (ii) that the RPUD be modified, or (iii) that the RPUD be retained in its current form.

7.b Ordinance No. 23-2055 - New Day Mercies Bible Institute Small Scale Land Use Map Amendment – Second Reading

Development Services Director Richard Greenwood presented this item

There were no comments from the dais.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Ordinance.

Commissioner Smith introduced the Ordinance.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Vernel Smith

Seconded by Anne Huffman

Adopt Ordinance No. 23-2055 for New Day Mercies Bible Institute Small Scale Land Use Amendment on Second Reading.

Carried

- 7.c Ordinance No. 23-2056 - New Day Mercies Bible Institute Zoning Map Amendment – Second Reading

Development Services Director Richard Greenwood presented this item. There were no changes.

There were no comments from the dais.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Ordinance.

Commissioner West introduced the Ordinance.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Morris West

Seconded by Vernel Smith

Carried

Adopt Ordinance No. 23-2056 for the New Day Mercies Bible Institute Zoning Amendment

8. NEW BUSINESS

- 8.a Resolution No. 23-1761 – Notice to Vacate Right-of-Way – Liberty Trace

Development Services Director Richard Greenwood presented this item

This right-of-way has provided access to properties abutting the southern boundary of the Liberty Trace project as well as to the east. The existing right-of-way is not a straight alignment and as such, it creates an issue with the proposed lot layout for the Liberty Trace project.

The legal description for the right-of-way that the developer is seeking to be vacated is as follows:

SEE ATTACHED SURVEY AND LEGAL DESCRIPTION

TO RESOLUTION NO. 23-1761

Further, with the vacating of this right-of-way, a 15-foot easement will be established in its place by a Final Plat for ingress and egress to adjoining properties.

At the September 7, 2023 City Commission meeting, the City Commission approved Resolution No. 23-1756 which provided for a Notice of Intent to Vacate the Right-of-Way.

There were no comments from the dais.

Mayor Tyler opened the public hearing.

There were no members of the public that came forward to speak to the Mayor and City Commission.

Mayor Tyler closed the public hearing and asked for an introduction of the Resolution.

Commissioner Smith introduced the Resolution.

City Attorney Reilly read the title of the Ordinance into record.

Moved by Omar Arroyo

Seconded by Vernel Smith

Adopt Resolution No. 23-1761, providing for the vacation of an existing right-of-way, situated at the southern boundary of the Liberty Trace project and located south of Hinson Avenue and east of the proposed Joel Massey Road extension.

Carried

8.b Agreement with SEMCO Construction, Inc. for the Construction of a Soccer Complex.

Parks and Recreation Director Terrell Griffin presented this item.

The City of Haines City owns 6.99 acres located at the corner of N. 24th Street and Johnson Avenue. The site was initially designated for softball fields and proposals were solicited through the city's RFP process. After proposals were received, all exceeded \$4 million, which surpassed the budgeted funds for the project. The Commission gave a consensus to forgo the softball fields concept and to move forward with a soccer complex design.

The project includes a full-size soccer field (225 x 365), parking (81 total spaces), a restroom facility and all site furnishings such as benches, bleachers, fencing and trash receptacles.

The price includes all necessary components to construct the soccer complex including sitework, concrete, mechanical, electrical and up to \$100,000 in contingency funds. The contingency funds will only be utilized in the event that unforeseen change orders arise.

Commissioner Huffman inquired as to whether this soccer field was to be part of another project. Commissioner Huffman had concern that the previous project that was presented to the Commission was not forgotten. Director Griffin stated that this project is a single full sized soccer field, and the other budgeted project is still being worked on by Pennoni Engineering. Commissioner Huffman inquired as to whether food trucks would be able to participate in future events. Commissioner Huffman and Commissioner West wanted to make sure that safety measures will be implemented.

Mayor Tyler opened the public hearing. Sharon Garrett off of Carl Boozer Road is happy that this soccer complex is being done.

Moved by Omar Arroyo

Seconded by Morris West

Staff recommends the approval of the request to enter into an agreement with SEMCO Construction, Inc. for the construction of the Soccer Complex for the guaranteed maximum price in the amount of \$2,253,511.88.

Carried

8.c City Commission Meeting Schedule Change and DC Fast Fly-IN

Vice-Mayor Arroyo stated that he wants to attend the DC Fast Fly-In and will pay for his air fare and hotel arrangements. He is asking that the City only pay for his registration.

Commissioner West and Commissioner Smith also will attend the DC Fast Fly-In.

Commissioner West made a motion to move the October 5 meeting to October 4, due to scheduling conflicts, seconded by Commissioner Smith. All voted yes.

8.d Vehicle Surplus

Commissioner Huffman made

Moved by Anne Huffman

Seconded by Morris West

Staff is requesting the City Commission authorize the City Manager or his designee to surplus, market, auction, or dispose of twenty-nine (29) City vehicles from Public Infrastructure Department/Solid Waste, Utility Maintenance, and Wastewater Divisions, Haines City Police Department, Haines City Fire Department, Parks and Recreation, and City Planner that have reached the maximum years of life and mileage expectancy and are no longer necessary for the daily operations of the City.

Carried

9. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA (3 MINUTES)

Dr. Kenneth James- 1315 10th St. NE Winter Haven. Dr. James owns two lots in the city. The vacant lots have been parking trailers for their landscape business on the lots. Dr. James is seeking approval to continue parking there. Two violations have been assessed on the property - one was regarding garbage which has been cleared up. The second violation was in regard to an extension that had expired. Mayor Tyler stated that they will have to see if some adjustments can be made. Mayor Tyler will speak with the Code Enforcement Manager and get some remediation efforts in place.

Commissioner West this has come up before and does not feel it is fair to cite the individuals if they are waiting for the landfill to open the next morning. Discussion took

place. Commissioner Huffman advised that the family should get any decisions made by the Commission by vote or consensus in writing.

Mayor Tyler advised City Manager Elensky to check in to the code enforcement violations in place. Vice-Mayor Arroyo stated that the problem of trailers is all over the City.

Sharon Garrett- off of Carl Boozer Road- Ms. Garrett thanked the police dept for getting safety lines painted. Ms. Garrett has concerns of the speeding.

10. CITY MANAGER'S REPORT

City Manager Elensky announced the Commissioner West is the new President of the Florida Ridge League of Cities. Commissioner West also was awarded the Nettie Draughon award for his work in public service. Commissioner Huffman stated she called Commissioner West and sent her congratulations to Commissioner West. Commissioner Huffman inquired about signage that can be placed at locations that are in violation. Attorney Reilly stated he would check in to what can be done to identify properties that are being fined. Commissioner Huffman stated that on 13th Street and Avenue K that a house has been sitting there for at least two (2) years and it is an eye sore in the community.

11. CITY CLERK'S REPORT

No report.

12. CITY ATTORNEY'S REPORT

No report.

13. COMMISSION COMMENTS

Commissioner West thanked everyone for their congratulations. The award is for the City and the representation that he has been allowed to do over the years.

Commissioner Huffman congratulated Commissioner West.

Mayor Tyler congratulated Commissioner West

Commissioner Smith acknowledged Commissioner Wests achievements.

Vice-Mayor Arroyo offered congratulations and special thanks for representing the City. Vice-Mayor Arroyo would like to see if a small festival can be done to honor Hispanic Heritage month in the future.

Mayor Tyler is asking the Commission to place the 1/2 cent tax increase on the ballot and let the voter decide. Mayor Tyler stated that every City has a vote and the decision should be up to the taxpayers. Commissioner Huffman asked if the City has control over the verbiage of how this will be placed on the ballot.

A consensus of the Commission to have attorney Reilly speak with the County attorney regarding verbiage.

14. ADJOURNMENT

Without any further business the meeting was adjourned at 8:25 PM

H.L. Roy Tyler, Mayor

Sharon Lauther, MMC, City Clerk