



**CITY COMMISSION MEETING HAINES CITY, FLORIDA**

**MINUTES**

**January 16, 2024, 7:00 p.m.**

**City Hall Commission Chambers**

**620 E. Main Street, Haines City, FL 33844**

**Phone: 863-421-9921 Web: [hainescity.com](http://hainescity.com)**

Absent:

Mayor Roy Tyler

Vice Mayor Omar Arroyo

Commissioner Morris West

Commissioner Anne Huffman

Commissioner Vernel Smith

**1. CALL TO ORDER**

The Mayor called the City Commission Meeting to order at 7:00 PM on January 16, 2024 in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

**2. INVOCATION**

Pastor Joseph Burgos from Iglesia Luz y Verdad led the invocation

**3. PLEDGE OF ALLEGIANCE**

The Mayor led the pledge of allegiance.

**4. CONSENT AGENDA**

There were no questions or comments from the dais.

**Moved by** Morris West

**Seconded by** Anne Huffman

Approve consent as a whole.

**Carried Unanimously**

4.a Parks and Recreation Board Application

4.b Approval of Minutes

4.c Cemetery Deeds

4.d Amendment Number 4 to Consent Order 18-1082

Staff recommends approval of Amendment No. 4 to Consent Order 18-1082.

4.e City Attorney Invoice for the Billing Period Ending December 31, 2023

Approve payment to the City Attorney for legal services and disbursements for the billing period ending December 31, 2023 in the amount of \$15,895.30.

4.f Pirtle Construction Company Contract for Emergency Operations Center (EOC)

Staff recommends approval of the contract with James B Pirtle Construction Company Inc dba Pirtle Construction Company for RFQ 23-06 Emergency Operations Center CMAR.

4.g Request for Qualifications (RFQ) 23-07 GIS Administration

The ERC recommends the City Commission award RFQ 23-07 GIS Administration to Geographic Technologies Group and begin contract negotiations.

- 4.h Upper Floridian Aquifer (UFA) Wells Phase 1 Engineering Services Agreement with CHA Consulting

Staff recommends approval of the CHA Consulting agreement for engineering services related to the UFA wells Phase 1.

**5. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA**

**6. OLD BUSINESS**

- 6.a Ordinance No. 24-2065 – White Clay CDD Establishment – Second Reading

Attorney Fred Reilly stated there were a request for a continuance of the ordinance due to an amendment needed. This will be tabled until the February 1, 2024 Commission meeting.

**Moved by** Morris West

**Seconded by** Vernel Smith

Staff recommends the adoption, on second reading, of establishing the White Clay Community Development District.

**Carried Unanimously**

**7. NEW BUSINESS**

- 7.a Ordinance No. 24-2066 – Amend Chapter 15 of the Code of Ordinances – Section 15-62, Section 15-63(8) and adding Section 15-66 – Mobile Food Vendors

Attorney Reilly went over the items being amended. Discussion took place. Commissioner Huffman inquired about the distance of a mobile food vendor from a restaurant. Based on complaints from businesses the distance should be changed from 150 ft to 500 ft. Vice-Mayor Arroyo also stated that the distance should also be increased. Commissioner West states that 150 ft needs to be extended as well.

Commissioner Smith stated that he has a conflict and will be abstaining from voting. A conflict of interest form will be filed with the Clerk's office. Attorney Reilly stated that businesses that exist today and are in compliance have until the sunset of October 1, 2024. Attorney Reilly states that there is verbiage within

the ordinance so that a food truck cannot pop up at a new location. At this time, Mayor Tyler opened up the public hearing.

\*\* Commissioner West left the meeting at 8:45 PM (had to attend another meeting)

\*\* Commissioner Smith left the meeting at 8: 53 PM (had to attend another meeting)

**Jonathan Rodriguez**- 950 Lily Avenue- stated that he worked with Jane Water-Murphy and received approval to operate this food truck since 2019. Vice-Mayor Arroyo stated that if they are in compliance they should not have any issues. Mr. Rodriguez had concerns with parking and being able to continue operating and bring in new food trucks if they choose to replace a food truck. (break in audio due to battery change).

**Kym Crawford**- (listen audio for address) - The Crawford family states that they obtained a county license. Ms. Crawford spoke with staff in permitting after receiving an application to apply for the BTR. She is now being put on hold now. Their food truck is located behind the Dollar Tree in the Winn Dixie area. Vice-Mayor Arroyo and Commissioner Huffman stated that their business is too close to existing businesses. DCM Stewart stated that the area that their food truck is located is not in compliance with the Ordinance. Discussion took place.

**Moses Hernandez**- 504 Hwy 92 (across from Zoccolo's) . Mr. Hernandez is requesting to be grandfathered in. Their business is on the corner of Johnson and US 17. Commissioner Huffman states it is time for Haines City to move forward. Vice-Mayor gave clarification of the BTR and how they are issued by the City.

Mayor Tyler closed the public hearing. Commissioner Huffman introduced Ordinance No. 24-2066 with the changes amending the distance from 150 ft to 500 ft. in Section 15-63 subsection 8

Attorney Reilly read the ordinance in to the record.

**Moved by** Anne Huffman

**Seconded by** Omar Arroyo

Staff recommends the City Commission approve Ordinance No. 24-2066, to amend Chapter 15 of the Code of Ordinances, Section 15-62, Section 15-63(8), and add Section 15-66, on first reading.

**Carried**

- 7.b Resolution No. 24-1776 – Amending Resolution No. 23-1717 by Amending the Magnolia Village Final Plat

At this time Mayor Tyler opened up the public hearing. No one came forward and the public hearing was closed. Commissioner Huffman introduced Resolution 24-1776 amending Resolution 23-1717 . Attorney Reilly read Resolution No. 24-1776 in the record.

Mayor Tyler opened the public record

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of Resolution No. 24-1776, amending Resolution No. 23-1717 regarding the Magnolia Village Final Plat, to include a Duke Energy easement, with the following conditions being met prior to the recording of the final plat or issuing of Certificate of Occupancies:

1. Approval of the cost estimate of the bond for the uninstalled improvements.
2. Receipt of Surety securing uninstalled improvements that meets all the requirements.
3. Polk County off-site improvements approved by County Engineer prior to issuing Certificate of Occupancy.

**Carried**

- 7.c Ordinance No. 24-2063 Code of Ordinance Section 2-7 Travel and Per Diem Policy Update – First Reading

Finance Director Omar DeJesus explained the changes made to the Travel and Per Diem Policy. Discussion took place. Mayor Tyler opened the public hearing. No one came forward and the public hearing was closed. At this time, Vice-Mayor/Commissioner Arroyo introduced Ordinance No. 24-2063 for first reading. Attorney Reilly read the ordinance in to the record.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of the proposed updates to the Travel and Per Diem policy under City Code of Ordinance Section 2-7 for Elected Officials and Employees.

**Carried**

7.d Ordinance No. 24-2064 – Purchasing Policy Update – First Reading

Finance Director Omar DeJesus explained the changes made to the Purchasing Policy. The last update was made in 2015. Purchasing threshold being changed. Discussion took place. Mayor Tyler opened the public hearing.

Sharon Garrett does not agree with some of the changes made to the Purchasing policy and caps should be in place. Vice-Mayor Arroyo stated that a cap should be in place and the 10% could be a very big item. Limits should be put in place. City Manager Elensky agreed and stated that the Commission should be notified if the 10% reaches a \$75,000 cap. At this time, Commissioner Arroyo introduced Ordinance No. 24-2064 for first reading. Attorney Reilly read the ordinance in to the record.

**Moved by** Anne Huffman

**Seconded by** Omar Arroyo

Staff recommends City Commission approval to update the City's Purchasing Policy to create efficiencies while still being fiscally responsible.

**Carried**

7.e Purchase Annual Server Replacements

Brian Ross, Technology Management Director gave an overview on the computer servers needed to replace outdated servers. Commissioner Huffman inquired if this amount was already approved in the budget. Mayor Tyler opened to the public for discussion. No one came forward and the public hearing was closed.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of the purchase of computer servers from vTechio off state contract to replace outdated servers.

**Carried**

7.f Purchase of Five (5) Vehicles for Parks & Recreation

Terrell Griffin, Director of Parks and Recreation presented this item. Total amount is \$108,793 for Facilities Maintenance and \$154,023 is for Parks and Recreation. Mayor Tyler opened the public hearing. No one came forward and the public hearing was closed.

**Moved by** Anne Huffman

**Seconded by** Omar Arroyo

Staff recommends approval to purchase five (5) trucks to replace aging, outdated vehicles in the Parks and Recreation Department.

**Carried**

7.g First Amendment to Employment Agreement – James Elensky

Discussion took place regarding the City Manager's salary. Human Resources Director Chandra Hall presented the salary that was submitted individually by the Commissioners. Commissioner Huffman read the salary suggestions. Commissioner Huffman makes the recommendation of \$210,000.00 Vice-Mayor Arroyo was in agreement with the \$210,000.00 suggestion.

Sharon Garrett off of Carl Boozer Road- Ms. Garrett feels that the salary offer is high.

Mayor Tyler advised that the City Manager does not take the health insurance benefits from the City.

**Moved by** Anne Huffman

**Seconded by** Omar Arroyo

Staff recommends City Commission approve the First Amendment to Employment Agreement for James Elensky.

**Carried**

**8. CITY MANAGER'S REPORT**

City Manager Elensky thanked the Commission for their trust that is placed in him and the team. City Manager Elensky will continue to move the City forward.

**9. CITY CLERK'S REPORT**

None.

**10. CITY ATTORNEY'S REPORT**

None.

**11. COMMISSION COMMENTS**

Commissioner Huffman had no report

Vice-Mayor/Commissioner Arroyo voiced concerns for some of the employees that do not make as much as others on staff. City Manager Elensky is working with Finance Director DeJesus on bringing up the salaries for the employees.

Mayor Tyler stated that he has also discussed with the City Manager that the employees salaries should be reviewed.

At this time, Sharon Garrett off of Carl Boozer road gave her opinion on the food truck item discussed earlier on the agenda.

**12. ADJOURNMENT**

Without any further business the meeting was adjourned at 9:56 PM.

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Roy Tyler, Mayor

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Sharon Lauther, MMC, City Clerk