



CITY COMMISSION MEETING HAINES CITY, FLORIDA

MINUTES

November 21, 2024, 7:00 p.m.

City Hall Commission Chambers

620 E. Main Street, Haines City, FL 33844

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

Present: Commissioner, Anne Huffman
Commissioner Morris West
Vice-Mayor, Omar Arroyo
Commissioner, Vernel Smith
Commissioner, Kim Downing

Staff in Attendance: City Manager, James Elensky
City Attorney, Fred Reilly
City Clerk, Sharon Lauther

1. CALL TO ORDER

The Mayor called the City Commission Meeting to order at 7:05 PM on November 21, 2024 in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

2. INVOCATION

Pastor Rafael Castro provided the invocation.

3. PLEDGE OF ALLEGIANCE

The Mayor led the pledge of allegiance.

4. CONSENT AGENDA

Commissioner Downing had a question regarding the reduction of the code enforcement lien- (Item 4a). Discussion took place. Code Enforcement supervisor, Steve Shifley explained the details of why the reduction was requested. Vice-Mayor West inquired if the magistrate administered the recommendation. Motion made by Commissioner Downing to move item 4a to Old Business for further discussion seconded by Commissioner Huffman. All voted yes.

Moved by Morris West

Seconded by Vernel Smith

Approve consent as a whole.

Carried Unanimously

4.a Reduction of Code Enforcement Lien - 492 Tortugas Street

Staff recommends accepting the recommendation of the Special Magistrate to reduce the Code Enforcement lien for the property located at 492 Tortugas Street.

4.b Cemetery Deeds

4.c City Commission Meeting Minutes 11.04.24

4.d Amendment No. 1 to Jones Edmunds' Engineering Services Agreement for Lift Station No. 22 Replacement Project

Staff recommends the City Commission approve Amendment No. 1 to Jones Edmunds' engineering services agreement for the Lift Station No. 22 Replacement project.

4.e Engineering Services Agreement with Wright-Pierce Construction for the US Highway 27 Water Main Looping Project

Staff recommends the City Commission approve the engineering services agreement with Wright-Pierce Construction for the US Highway 27 Water Main Looping project.

4.f Request to Transition Upgrade Firearms for the Police Department

Staff recommends approving the request to purchase upgraded firearms for the Police Department to enhance officer safety, performance, and ensure compliance with modern standards in law enforcement equipment.

5. OLD BUSINESS

5.a Ordinance No. 24-2089 – LDR Text Amendments- Second Reading

Richard Greenwood, Development Services Director stated there were no changes from first reading. There were no questions from the dais. Mayor Arroyo opened the public hearing. No one came forward and the public hearing was closed. Commissioner Smith introduced Ordinance No. 24-2089. Attorney Reilly read the ordinance into the record.

Moved by Vernel Smith

Seconded by Morris West

Request for City Commission to approve Ordinance No. 24-2089, for text amendments to the Land Development

Carried Unanimously

5.b Ordinance No. 24-2090 – Amendments to the City's Code of Ordinances- Second Reading

Richard Greenwood, Development Services Director stated there were no changes from first reading. There were no questions from the dais. Mayor Arroyo opened the public hearing. No one came forward and the public hearing was closed. Vice-Mayor/Commissioner West introduced Ordinance No. 24-2090. Attorney Reilly read the ordinance into the record.

Moved by Morris West

Seconded by Vernel Smith

Request that the City Commission approve Ordinance No. 24-2090, for text amendments to the

Carried Unanimously

- 5.c Ordinance No. 24-2094 – Establishing White Clay Community Development District (CDD) – Second Reading

Fred Reilly, Attorney stated there were no changes from first reading. The jurisdictional lines were amended. There were no questions from the dais. Mayor Arroyo opened the public hearing. Attorney Roy Van White representing the White Clay CDD was available for any question. No one came forward and the public hearing was closed. Commissioner Huffman introduced Ordinance No. 24-2094. Attorney Reilly read the ordinance into the record.

Moved by Anne Huffman

Seconded by Morris West

Staff recommends approval of the Ordinance for the Third Amended Petition to Establish White Clay Community Development District (the “Third Amended Petition”)

Carried Unanimously

- 5.d Ordinance No. 24-2095 Capital Project Fund Budget Carryforward - Second Reading

Finance Director, Omar DeJesus, CPA stated there were no changes to the ordinance from first reading. This ordinance is just to establish for the capital projects that will roll over to more than one fiscal year. This ordinance encompasses the EOC, The City Hall Annex and the 25 Acre Sports complex. Mayor Arroyo opened up the public hearing. Sharon Garrett off of Carl Boozer Road inquired about street lighting. Mayor Arroyo stated she could ask this question during public comments. Commissioner Smith introduced Ordinance No. 24-2095. Attorney Reilly read the ordinance into the record.

******* At this time Item 4a from Consent Agenda was discussed*******

City Manager Elensky stated that as the CM, he has the final authority on fines. The Magistrate reduced the fine by 90%. City employee's costs should not be reduced, and the city is losing money. Steve Shifley, Code Enforcement Supervisor

Steve Shifley stated that an ordinance was in place to allow the Magistrate to reduce the fine. The ordinance that was voted on approximately twelve (12) years ago needs to be reviewed and amended. Commissioner Downing stated that questions are asked regarding items, and her comments should not be construed as undermine anyone. City Attorney Reilly stated the City Commission delegated authority to a Special Magistrate, due process needs to be followed, lastly the Commission has to determine if they accept the recommendation or not. More discussion took place. Mayor Arroyo opened this item up for public comments. No one came forward. Public hearing was closed. Commissioner Downing made the motion to approve the lien reduction, seconded by Vice-Mayor/Commissioner West.

Commissioner Huffman voted Nay

Moved by Vernel Smith

Seconded by Kim Downing

Staff recommends Commission approval to establish an annual budget carryforward for projects budgeted within the Capital Project Fund.

Carried Unanimously

6. NEW BUSINESS

- 6.a Ordinance No. 24-2091 – Large Scale Land Use Amendment for RWS Ranch Property from City Low Density Residential in the North Ridge (LDR-NR) to City Medium Density Residential in the North Ridge (MDR-NR)

Richard Greenwood, Director of Development Services gave an overview of Ordinance No. 24-2091. Discussion took place. Mayor Arroyo opened up the public hearing. Listen to audio- 2725 Sanders Road is not in favor of this change in zoning change. Chris Kay from 157 5th Street, Winter Haven stated this first reading is needed and has to go to the state for approval. Commissioner Huffman asked if the entrance going to be Sanders Road. Traffic is a major concern. No one else came forward and the public hearing was closed. Commissioner Smith introduced Ordinance No. 24-2091. Attorney Reilly read the ordinance into the record.

Commissioner Huffman voted Nay- Ordinance passed on 1st reading 4-1

Moved by Vernel Smith

Seconded by Kim Downing

Staff requests the City Commission authorize Staff to forward this request to the State and approve Ordinance No. 24-2091 for a Large-Scale Land Use Amendment for RWS Ranch Property from City Low Density Residential in the North Ridge (LDR-NR) to City Medium Density Residential (MDR-NR), on first reading.

Carried

6.b Resolution No. 24-1788 – Preliminary Plat - Sunny’s Estates

Richard Greenwood, Director of Development Services gave an overview of Resolution No. 24-1788 Discussion took place Vice-Mayor/Commissioner West regarding the restriction of no parking on the roadway. Commissioner Smith stated there should be something in the resolution to have an allowance of parking. Commissioner Huffman stated that some of these developments should have parks in them. Commissioner Downing stated that if no street parking is part of the association, the developer should create designated area for guest and overflow parking to keep the cars off of the street. Mayor Arroyo feels that parking should be parking on the streets. The association makes the rules within the development. Attorney Reilly stated that currently the text amendment is in compliance. Future changes to the text amendment can be made. City Manager Elensky reiterated the Florida State Statute allows for parking on the road if the driveway is full. Mayor Arroyo opened up the public hearing. Sharon Garrett off of Carl Boozer Road discussed the problems of parking on the road and the issues it causes. Bruce Taylor- 131 E 13th Street, St. Cloud stated that extra recreational area to allow additional parking. Discussion took place. There is a hindrance to emergency vehicles. Vice-Mayor/Commissioner West introduced Resolution No. 24-1788. Attorney Reilly read the ordinance into the record.

The motion is to renew

Moved by Morris West

Seconded by Vernel Smith

Staff recommends approval of Resolution No. 24-1788 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: Any street trees shall not be removed and shall be stated in the Homeowners' Association documents and any other association documents of the development.

Carried Unanimously

- 6.c Renew Appointment of Mrs. Josephine Howard to the Agriculture and Labor Program, Inc. Board

City Clerk Lauther stated it was time for renewal. Commissioner Huffman stated the Mrs. Josephine Howard has been representing the City for many years and does an outstanding job. Vice-Mayor/Commissioner West was in agreement with Commissioner Huffman.

Moved by Anne Huffman

Seconded by Morris West

Carried Unanimously

- 6.d RFQ #24-01 City Contract for Wastewater Treatment Plan Expansion Construction Manager at Risk Preconstruction Phase Services.

James Keene, Public Services Administrator requested approval for the Wastewater Treatment Plan Expansion. Discussion took place. Mayor Arroyo opened up the public hearing. No one came forward and the public hearing was closed.

Moved by Anne Huffman

Seconded by Vernel Smith

Staff recommends the City Commission approve the RFQ #24-01 City Contract for Wastewater Treatment Plan Expansion Construction Manager at Risk Preconstruction Phase Services.

Carried Unanimously

- 6.e The intent of this item is to request approval of ITB #24-11 City Contract for US Highway 27 South Water Main Looping Project with Cacique Utilities

James Keene, Public Services Administrator recommended approval for the ITB #24-11, City Contract for US Highway 27- South Water Main Looping project.

Discussion took place. Vice-Mayor/Commissioner inquired about the impact fees that should be revisited. Raising the rates would not affect the current residents. Mayor Arroyo opened the public hearing. No one came forward and the public hearing was closed.

Moved by Anne Huffman

Seconded by Kim Downing

Staff recommends the City Commission approve the ITB #24-11 City Contract for US Highway 27 Water Main Looping Project with Cacique Utilities.

Carried Unanimously

- 6.f Invitation to Bid (ITB) #24-12 Wastewater Treatment Plant Emergency Engine Generator (CDBG) Agreement with Vogel Bros. Building Company

James Keene, Public Services Administrator recommended approval for the ITB #24-12, Wastewater Treatment Plant Emergency Engine Generator (CDBG) Looping project. Discussion took place. Mayor Arroyo opened the public hearing. Sharon Garrett off of Carl Boozer Road inquired about what kind of fuel is going to be used to run the generator.

Moved by Kim Downing

Seconded by Anne Huffman

Staff recommends the City Commission approve ITB #24-12 City Contract for Wastewater Treatment Plant Emergency Engine Generator (CDBG) with Vogel Bros. Building Company.

Carried Unanimously

- 6.g Land Purchase and Sale Agreement for the Polk Regional Water Cooperative (PRWC) Receiving Facility in Davenport

James Keene, Public Services Administrator explained about the PRWC agreement and the need for the facility in Davenport. Commissioner Huffman inquired as to if Davenport benefits with the sharing of water. Purchasing this land is the ending point for where the water lines or designated for the northern part of the city. Mayor Arroyo opened the public hearing. No one came forward and the public hearing was closed.

Moved by Anne Huffman

Seconded by Kim Downing

Staff recommends the City Commission approve the Purchase and Sale Agreement for Real Property from the City of Davenport for the purchase of land for the PRWC Receiving Facility.

Carried Unanimously

- 6.h Resolution No. 24-1825 Reclassification of Uncollected Accounts Receivable to Bad Debt

Finance Director, Omar DeJesus, stated that after an account is delinquent for a year the balance is then moved to bad debt.

Moved by Kim Downing

Seconded by Anne Huffman

Staff recommends adopting Resolution No. 24-1825 authorizing the reclassification of accounts with uncollected balances which have remained delinquent for more than one (1) year to bad debt. The bad debt designation does not forgive the debt.

Carried Unanimously

- 6.i Purchase Annual Server Replacement

Brian Ross, TMD Director stated that items were placed on the agenda

Moved by Anne Huffman

Seconded by Morris West

Staff recommends approval of the purchase of computer servers from vTECHio off the NASPO contract to replace outdated servers.

Carried Unanimously

- 6.j Replacement of Security Equipment

Security cameras

Moved by Anne Huffman

Seconded by Morris West

Staff recommends approval of the piggy-back off the Sourcewell contract with ACS for replacement of old and failing security equipment.

Carried Unanimously

7. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA

Sharon Garrett- off of Carl Boozer Road has concerns about the roads and it being blocked.

Betty White- 2103 Blossom Court, Haines City, FL - Feels there is a need for more police officers. Would like to see signage that the Black History Museum be placed on the outside. Terrell Griffin, Director of Parks and Recreation stated that in June that signage was to go on the interior of the building. Discussion took place

Lauren Yearry- 67 Pinehurst Drive, Haines City- issues with problems with the Haines City Rattlers and some of the rules broken. Ms. Yearry was speaking on behalf on other parents also signed up to speak. Mayor Arroyo approved for Ms. Yearry to speak longer than the allotted 3 minutes for each individual.

****** Mayor Arroyo and the consensus of the Commission is to leave the sign in sheet to the end of the meeting so that residents will have the opportunity to sign in and speak. ***** City Clerk Lauther will implement this procedure going forward.**

Buster Raggs-2122 Navel Circle, Haines City - states that a lot of accusations that were stated are not true. Mr. Raggs stated that he makes sure that the organization follows all of the rules of the organization.

Attorney Reilly stated that youth football is a contentious issue. Staff will look into all of the allegations and research the issues stated.

8. CITY MANAGER'S REPORT

9. CITY CLERK'S REPORT

City Clerk Lauther gave the names of the top picks from the advisory position for the parks and recreation board. Top board application received were as follows: Bennie Jessie

Clarence Daniels

Alex Abraham

Mitch England

Rashard Webb

The top choice was Bennie Jessie. City Clerk will put these applications with a report on the consent agenda for the next meeting.

10. CITY ATTORNEY'S REPORT

Wished everyone a Happy Thanksgiving.

11. COMMISSION COMMENTS

Commissioner Huffman- Thanks to the City Manager for allowing staff to attend the recent Chat and Chew to answer residents' questions and concerns. Impact fees and business licenses need to be increased. A \$25 late fee that is charged to seniors and those with special needs the day after the bill is due. These fees should have been increased for the 10/01/2024.

Commissioner Smith- Would like an update on the camera system for the police- Chief Goreck advised that other companies are looking at options and the Finance Director

Commissioner Downing- Regarding the soccer field and the approval made for the multipurpose fields. Is there a fee schedule set up for this new facility? Director Griffin stated the vote was made to call the facility to be called the Haines City Soccer Complex. A fee schedule is currently not in place. Currently over 100 people daily is using the field and there is no rush to implement fees at this time. Discussion took place as to what the usage is going to be.

Commissioner Arroyo- Items placed on the consent agenda had a cost threshold that the City Manager can approve. Staff needs to move quicker in getting decisions made to be brought before the Commission. Attorney Reilly stated that the practice has always been that if you are the losing side of the voice the item is not revisited. There are times when a practice is used, and a policy needs to be implemented so that there is clarity. More policies are needed especially since there has been so much growth. An update on the TPO meeting that the mayor recently attended was given.

Commissioner West- gave an update on the PRWC meeting regarding property located on Avenue E and 10th St- There is grant money to purchase this lot and create additional parking for the school, community and after-hours activities.

12. ADJOURNMENT

Without any further business the meeting was adjourned at 10:25 PM.

Omar Arroyo, Mayor

Sharon Lauther, MMC, City Clerk