



TOWN COMMISSION MEETING MINUTES

January 10, 2023 at 6:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER by Mayor Pennant at 6:30pm

PLEDGE OF ALLEGIANCE led by Mayor Pennant

INVOCATION led by Mayor Pennant

RECOGNITION OF SERGEANT AT ARMS, Sergeant Anderson

ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS were given by Mayor Pennant

ROLL CALL by Town Clerk, Jenn Garcia

PRESENT

Steve Glenn

Bert Goddard

Willie Quarles

Mary Richardson

Sam Pennant

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

Gloria Washington, 911 Edmunds Avenue, Dundee expressed frustrations with a code violation regarding cars being parked in her yard.

Somwar Pooran, 1441 Bluff Loop, Dundee, P & Z carport issue- 08/19/2021 meeting.

Annette Wilson, 408 Dr. MLK Street, Dundee, traffic concerns on MLK Street have become worse. She would like an update on the speed humps on the road.

Town Manager Davis responded that Tucker Paving is actively working on this project, and we expect final costs soon.

Javier Daminich, 110 Magnolia Street, Dundee. He also owns a home at 606 Magnolia Avenue in Dundee. He is concerned that there is noise from the bar that is concerning, a recent shooting, as well as the dangerous driving.

Town Manager Davis requested that Mr. Daminich contact her at Town Hall to work on a solution to the issue.

Seeing no further public come forward, Mayor Pennant closed the floor.

APPROVAL OF CONSENT AGENDA FOR JANUARY 10, 2023

A. MINUTES

1. Planning & Zoning Board September 15, 2022 Meeting Minutes

2. Purchasing Review Committee January 6, 2023 Meeting Minutes

MOTION TO APPROVE the consent agenda for the meeting of January 10, 2023, motion made by Goddard, Seconded by Glenn. Passed Unanimously.

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

APPROVAL OF AGENDA FOR JANUARY 10, 2023

Town Manager Davis reported the following changes to the agenda:

- Item 01, Ordinance 23-01 was updated.
- Item03, Resolution 22-52 was updated.

MOTION TO APPROVE the regular meeting agenda with changes for the meeting of January 10, 2023, motion made by Richardson, Seconded by Goddard. Passed Unanimously.

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

NEW BUSINESS

1. ORDINANCE 23-01, 2022 ANNUAL UPDATE TO THE COMPREHENSIVE PLAN'S CAPITAL IMPROVEMENT ELEMENT (CIE)

Town Attorney John Murphy read the legal title of Ordinance 23-01.

ORDINANCE NO. 23-01

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE 2030 COMPREHENSIVE PLAN OF THE TOWN OF DUNDEE, FLORIDA, SAID

AMENDMENT BEING KNOWN AS "AMENDMENT 23-01CIE"; SPECIFICALLY AMENDING THE ADOPTED CAPITAL IMPROVEMENTS ELEMENT AND UPDATING THE 5-YEAR CAPITAL IMPROVEMENTS PLAN; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; MAKING FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Lorraine Peterson gave the analysis.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO APPROVE** the changes of the proposed amendments to the Capital Improvements and to be transmitted to the Florida Department of Economic Opportunity for review, motion made by Quarles, Seconded by Richardson.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

2. RESOLUTION 22-41, PUBLIC HEARING, AMENDED ADOPTION OF FINAL MILLAGE RATE FOR FY 2022 – 2023

Town Attorney John Murphy read the legal title of Resolution 22-41.

RESOLUTION NO. 22-41

A RESOLUTION OF THE TOWN OF DUNDEE, POLK COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE TOWN OF DUNDEE, POLK COUNTY, FLORIDA, FOR FISCAL YEAR 2022 – 2023; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Davis gave the analysis.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO APPROVE** the amended Resolution 22-41, adopting the final millage rate for FY 2022 – 2023, motion made by Goddard, Seconded by Glenn.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

3. RESOLUTION 22-53, SPECIAL EXCEPTION, XTREME CAR CENTER, INC

Town Attorney John Murphy read the legal title of Resolution 22-53.

RESOLUTION NO. 22-53

A RESOLUTION APPROVING THE REQUEST OF XTREME CAR CENTER, INC., TO OBTAIN A SPECIAL EXCEPTION WITH CONDITIONS FOR AUTOMOBILE SALES AND MINOR AUTOMOTIVE REPAIR ON APPROXIMATELY 1.24 ACRES ZONED GENERAL RETAIL COMMERCIAL (CC) LOCATED AT 217 DUNDEE ROAD, FURTHER DESCRIBED AS PARCEL IDENTIFICATION NUMBER 272828-844000-005020; PROVIDING FOR TIMING; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) WITH REGARD TO THE CONDITIONS OF APPROVAL INCLUDING, BUT NOT LIMITED TO, NEGOTIATING AND ENTERING INTO A DEVELOPER'S AGREEMENT ON BEHALF OF THE TOWN OF DUNDEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Lorraine Peterson gave the analysis.

Town Manager Davis requested that Ms. Peterson condition the area to align with the downtown vision plan requirements considering the businesses locations. Specifically, regarding the detailing of vehicles on that property.

Jason Prieto, representing the applicant, addressed concerns about car detailing/washing on the site. He clarified that car detailing/washing was not a service for sale. Car detailing/washing will only be a part of the selling of vehicles.

Ms. Peterson stated that she will include a condition in the special exception that detailing of cars to be done on only cars being sold as part of the business.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO APPROVE** Resolution 22-53 for the Special Exception request by Wilbert Munoz to obtain a special exception with stated conditions for a minor automotive repair shop and automotive sales on approximately 1.24 +/- acres zoned General Retail Commercial (CH) located at 217 Dundee Road, motion made by Glenn, Seconded by Richardson.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

4. RESOLUTION 22-54, RIGHT-OF-WAY VACATION, PORTION OF HELICOPTER ROAD

Town Attorney John Murphy read the legal title of Resolution 22-54.

RESOLUTION 22-54

A RESOLUTION VACATING AND ABANDONING SPECIFIC OPENED, UNPAVED, AND UNIMPROVED RIGHTS-OF-WAY INCLUDING A PORTION OF UNIMPROVED HELICOPTER ROAD, PER THE PLAT OF DUNDEE, AS RECORDED IN PLAT BOOK 6, PAGES 187 THROUGH 189, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS THAT PORTION OF SAID HELICOPTER ROAD FROM DEKLE ROAD NORTH TO TINDEL CAMP ROAD, INCLUDING BUT NOT LIMITED TO THOSE PARTS OF THE RIGHTS-OF-WAYS FOR HELICOPTER ROAD THAT LIE WITHIN THE ABOVE DESCRIBED CORRIDOR. ALL LYING AND BEING IN SECTION 11, TOWNSHIP 29 SOUTH, RANGE 27 EAST, POLK COUNTY FLORIDA. BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED ON EXHIBITS A AND B ATTACHED TO THIS RESOLUTION AND INCORPORATED INTO THIS RESOLUTION, PURSUANT TO SECTION 177.101, FLORIDA STATUTES, AND SECTION 7.01.13 OF THE TOWN OF DUNDEE, FLORIDA, UNIFIED LAND DEVELOPMENT CODE AND/OR CODE OF ORDINANCES; PROVIDING FOR A COPY TO BE FURNISHED TO POLK COUNTY; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING RESOLUTIONS, THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planning Director, Lorraine Peterson, gave the analysis.

Shelton Rice, applicant legal representative from Peterson and Meyers, 225 East Lemon Street, Lakeland, applicant representative gave a presentation requesting a favorable vote of TECO's request of the ROW vacation of a portion of Helicopter Road.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO APPROVE** Resolution 22-54 to have the Town of Dundee vacate and abandon specific opened, unpaved, and unimproved rights-of-way of a portion of Helicopter Road as described, motion made by Quarles, Seconded by Goddard.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

5. DISCUSSION, WETLAND TRANSITIONAL ZONE

Town Planer, Lorraine Peterson, gave the analysis.

Auto Zone has intention to bring a business into a certain area of Dundee. They have requested from Town Commission permission to reduce the wetland transitional zone from 200' to 30' as permitted in Section 5.03.03(B) of the Dundee Land Development Code in the area they would like to build.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

There was a consensus of the Town Commission as being favorable towards the request.

6. DISCUSSION AND ACTION, RFP 23-01, FIRE DEPARTMENT RENOVATIONS

Town Manager Davis gave the analysis.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO AUTHORIZE** the Town Manager to release RFP 23-01 for the renovations of the Dundee Fire Department building, motion made by Quarles, Seconded by Richardson.
Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant*

7. DISCUSSION & ACTION, RFP 22-06, MOBILE EVENT STAGE AWARD

Town Manager Davis gave the analysis. The Town received one bid from Central Industries quoted at \$115,308. The bid amount exceeds the 2022 – 2023 budgeted amount by \$45,000. Considering the 14-month delivery timeline, we will roll this budgeted amount into the 2023 – 2024 FY budget and increase it by \$45,000. If approved, this option will enable the Town to lock in the current price by paying the required 15% deposit.

Mayor Pennant opened the floor for comments from the public; .

Jill Kitto, 150 Kitto Lane, Dundee, clarified that the Town will use this stage up to 5 times a year. She stated that this stage may be an extreme expense for the Town right now and may need to be delayed.

Commissioner Glenn stated that we may need to wait on this purchase and continue to look for a used stage.

John Vice will inquire from Central Industries if the bid can be held for 90 days while staff does more investigating.

It was requested to table this item for 90 days to investigate used stages and other options.

Seeing no further public come forth the floor was closed.

MOTION TO TABLE the award of RFP 23-06 until the January 24th meeting, motion made by Glenn, Seconded by Goddard.

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

8. DISUSSION AND ACTION, GARBAGE CART PURCHASE

Town Manager Davis gave the analysis.

Cascade Cart Solutions is the vendor that staff is recommending at \$10,915.36 for 72 garbage cans and 72 recycle cans. The shipping charges were the significant difference in pricing.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

MOTION TO APPROVE the purchase of sanitation cans from Cascade Solution at the quoted amount of \$10,915.36, motion made by Quarles, seconded by Richardson.

Voting Yea: Glenn, Goddard, Quarles, Pennant (Commissioner Richardson left the room prior to the vote.)

9. DISCUSSION & ACTION, FEMA FUNDING AGREEMENT

Town Manager Davis gave the analysis.

Town of Dundee suffered damages to our Police Substation, Fire Department, Development Services Building, Community Center, Lake Menzie Park Shelter and two fenced lift stations. The insurance company has provided a payment for the said damages due to the storm with deductions. FEMA will assist with these damages as well as required labor costs that kept the Town operational during the storm- to include debris removal and equipment services.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO APPROVE** the FEMA Funding Agreement, motion made by Goddard, Seconded by Quarles.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

10. DISCUSSION AND ACTION, EMERGENCY FACILITY REPAIRS FROM HURRICANE IAN DAMAGES

Town Manager Davis gave the analysis.

Town of Dundee suffered damages to our Police Substation, Fire Department, and Community Center pertaining to contracting repairs. Approval of the projects will come back before the Commission for approval.

Mayor Pennant opened the floor for comments from the public; seeing no public come forth, the floor was closed.

***MOTION TO AUTHORIZE** the Town Manager to take all necessary action relating to the repair of the Town facilities that were damaged during Hurricane Ian, motion made by Richardson, Seconded by Quarles.*

Voting Yea: Glenn, Goddard, Quarles, Richardson, Pennant

11. DISCUSSION & ACTION, 2023 FBC-LEO ANNUAL CONFERENCE

Town Manager Davis gave the analysis.

Vice Mayor Richardson requested approval of the Commission to represent the Town at the 2023 FBC LEO Conference. Considering the Town did pay the application fee for the membership, the conference should be covered.

Mayor Pennant responded that he was not sure what benefits the FBC LEO conference will offer the Town of Dundee and this conference is not in this budget. If she would like to go, it will need to come from her.

Mayor Pennant opened the floor for comments from the public.

Jill Kitto, 150 Kitto Lane, Dundee, felt that these types of conferences segregate our community and therefore was not in favor.

Annette Wilson, 408 Dr. MLK Street, Dundee stated that this type of conference is not just for the black community. She further stated that she feels Vice Mayor Richardson should be granted the opportunity to attend this conference and the Town cover the costs for same.

Seeing no further public come forth, the floor was closed.

***MOTION TO APPROVE** funding for Vice Mayor to attend the 2023 FBC LEO Conference, motion made by Mayor Pennant, but died due to lack of a second.*

REPORTS FROM OFFICERS

Dundee Fire Department gave the run totals for the conclusion of 2022. Will be conducting staff training with the Davenport Fire Department. The Department is also partnering with the other departments on the Ridge such as Davenport and Haines City.

Town Attorney John Murphy expressed his gratitude for being at the meeting.

Town Manager Davis reminded the Commission of the following events:

- MLK Trailblazing event Friday, January 13, 2023
- MLK Parade event Sunday, January 15, 2023. Main Street will be closed from 2 PM – 4 PM.
- Dundee offices will be closed Monday, January 16, 2023 in observance of Martin Luther King, Jr. Day.
- The Town Clerk will be out of the office on January 12 – January 17, 2023.
- The Town Manger will be out of the office January 25 – February 13, 2023.
- Public Works Director, John Vice, will be on vacation January 23 – January 31, 2023.

Town Manager Davis gave the following project updates:

- Work at the Historic Depot is complete, the PODS will be dropped off on January 26, 2023 and the movers will begin unpacking the contents on January 31, 2023. A grand reopening is planned for the Depot on March 18th, 2023 from 10am – 12pm.
- The Lincoln Avenue Sidewalk Project Phase 1 began January 3, 2023.
- The Public Works building extension is 60% complete.
- Staff received communication that a WaWa will be coming to Dundee.

Commissioner Goddard Happy New Year, appreciation of staff and the Commissions hard work in 2022. Janaury 21, 2023 Camp Endeavor will be holding a benefit concert.

Commissioner Glenn Happy New Year. Thanked Tracy Mercer for an updated tour and improvements of the water treatment plant. Thanked Attorney Murphy for his attendance. He is excited about the Depot reopening. Requested that Lake Marie receive some extra attention. Was pleased to see an increased presence of the PCSO on the speeding issues the Town is experiencing.

Commissioner Quarles Happy New Year. Thanked Attorney Murphy for his attendance. Requested updates on the Winn Dixie Plaza status, the Highway 27 Trucking code issue, and the overflow of Lake Marie.

Town Manager Davis responded that the Winn Dixie Plaza turn in remains a work in progress and she will be meeting with the planning department with the status on the applications they submitted. The Lake Marie sidewalk is being discussed for options with FEMA as related to Hurricane Ian.

Vice Mayor Richardson Happy New Year. Thanked the Town Staff for all the Christmas events. Thanked Attorney John Murphy and Sargent Anderson for their attendance. Commended herself for how she conducted the discussion and action item on the agenda. Requested staff to investigate if "Children at Play" signs be placed along with the speed bumps on MLK. She expressed concern with the fire trucks needing to get their trucks out because of the dead-end roads around MLK and would like Town Staff to investigate options related to this. Would like to have a tour of the water treatment plant with Tracy and a training with Lorraine on planning.

Mayor Pennant Wished a Happy New Year and thanked all in attendance. Thanked Tracy Mercer for her efforts in the award of the grant of infrastructure in Dundee.

ADJOURNMENT at 8:43 P.M.

Respectfully Submitted,


Jenn Garcia, Town Clerk

APPROVAL DATE: 02/14/2022

AYES: 5 **NAYS:** 0