



## **TOWN COMMISSION SPECIAL MEETING MINUTES**

**August 29, 2024 at 5:30 PM**

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

**Phone: 863-438-8330 | [www.TownofDundee.com](http://www.TownofDundee.com)**

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**CALL TO ORDER** at 5:34 p.m.

**PLEDGE OF ALLEGIANCE** led by Mayor Pennant

**INVOCATION** led by Commissioner Richardson

**RECOGNITION OF SERGEANT AT ARMS** - Sgt. Anderson

**ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS** presented by Mayor Pennant

**ROLL CALL** taken by Town Clerk O'Neill

### **DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR**

*(Each speaker shall be limited to three (3) minutes)*

Mayor Pennant opened the floor for public comment; being none, the floor was closed.

### **APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR AUGUST 29, 2024**

Motion to approve the minutes on the consent agenda for August 29, 2024 Town Commission Special Meeting made by Glenn, seconded by Goddard. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

The Mayor opened the floor for public comment regarding the agreements; being none, the floor was closed.

Motion to approve the agreements on the consent agenda for August 29, 2024 Town Commission Special Meeting made by Commissioner Quarles, seconded by Commissioner Goddard. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

The Mayor opened the floor for public comment regarding two board appointments on the consent agenda; being none, the floor was closed. Commissioner Glenn asked if either applicant was in attendance at the meeting. Town Manager Davis stated no.

Motion to approve the board appointments on the consent agenda for August 29, 2024 Town Commission Special Meeting made by Commissioner Goddard, seconded by Commissioner Glenn. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

## **APPROVAL OF AGENDA**

The Mayor asked the Town Manager if there were any changes to the agenda. Town Manager Davis stated that a correction to the dates listed in Item 3 was made. The Mayor opened the floor for public comment; being none, the floor was closed.

Motion to approve the agenda for August 29, 2024 Town Commission Special Meeting made by Commissioner Glenn, seconded by Commissioner Richardson. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

## **NEW BUSINESS**

### **1. DISCUSSION & ACTION, DUNDEE LAKES POTABLE WATER ERC RENEWAL AGREEMENT**

Town Manager provided the analysis.

The Mayor opened the floor for public comment; being none, the floor was closed.

Motion was made to approve the Dundee Lakes Potable Water ERC Renewal Agreement by Commissioner Goddard, seconded by Commissioner Glenn. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

### **2. DISCUSSION & ACTION, DRAFT ORDINANCE 24-09, MORATORIUM**

The Mayor asked Attorney John Murphy to provide the analysis on this item. Attorney Murphy reminded those in attendance that this portion of the meeting is the public hearing required to meet statutory requirements for the ordinance. The Attorney read Ordinance 24-09 by title into the record:

**“AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA,  
ENACTING THE PENDING ORDINANCE DOCTRINE AND ESTABLISHING A**

**MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ANNEXATIONS, REZONINGS, BUILDING PERMITS, PLANNED DEVELOPMENTS, MASTER PLANNED COMMUNITIES, DEVELOPMENT ORDER(S), AND DEVELOPMENT PERMIT(S); PROVIDING EXEMPTIONS; PROVIDING FOR VESTED RIGHTS AND PROCEDURES; PROVIDING FOR THE INCORPORATION OF FACTUAL RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; PROVIDING BUSINESS IMPACT ESTIMATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Staff Development Director, Lorraine Peterson, presented a PowerPoint that reviewed water sources for future development and explained the purpose of the temporary moratorium. The presentation provided background on the Town's water use permit (WUP) and explained how the draft ordinance would affect future development in Dundee. Ms. Peterson noted that the Planning and Zoning Board had recommended approval of Ordinance 24-09 unanimously after a public hearing held at the Planning and Zoning Board's meeting on August 26, 2024.

Town Manager Davis asked Ms. Tracy Mercer, Utilities Director, to address agricultural wells in the Town limits. Ms. Mercer explained that the Southwest Florida Water Management District (SWFWMD), the Central Florida Water Initiative, and the Florida Department of Environmental Protection/Polk County Health Department all govern how the Town of Dundee manages its water resources. Ms. Mercer further explained the process for transferring permitted water from agricultural wells within the Dundee water service area to the Town. The Town Manager clarified information about percentages of permitted water, which may be based on age and location of wells.

Attorney Murphy commented that SWFWMD ultimately regulates how much available water from the agricultural wells would be permitted to be added to the public drinking water supply. The Attorney stated that Town staff has been working in conjunction with the SWFWMD staff, to seek a transfer of permitted capacity of existing agricultural wells to the Town's permitted public water supply.

Mr. Glenn Lawhorn, 11000 Jim Edwards Road, Haines City, stated that he learned that the age of the well determines the percentage of permitted water. Mr. Lawhorn also made comments about the high cost of water projected in the future. He supports the moratorium 100%.

Mr. Ryan Renardo, R-Squared Engineering, has been working on the Caldwell Ridge Subdivision since 2022. Mr. Renardo asked that his project would continue moving forward and noted that this project has been through one round of review. Town Manager Davis asked Ms. Peterson about the status of the Caldwell Ridge Subdivision.

Commissioner Quarles asked about when this ordinance would go into effect and how an extension would occur. Ms. Peterson responded that upon second reading on September 10, 2024, the ordinance would be in effect if the Town Commission approves its passage. She further noted that only one 12-month extension would currently take effect if passed, as well as noting that the full 12 months may not be required. Only one additional 12-month

extension could be considered as specified in Ordinance 24-09. Staff will monitor and evaluate the need for a moratorium on an ongoing basis and report back to the Town Commission.

Motion was made to approve Ordinance 24-09 by Commissioner Quarles, seconded by Commissioner Richardson. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

### 3. DISCUSSION & ACTION, SCHEDULE SPECIAL PUBLIC WORKSHOP DATES TO DISCUSS TRANSPORTATION IMPACT FEES

The Town Manager provided the analysis. The dates for public workshops have been scheduled for Tuesday, September 10, 2024, at 5:30 p.m. and Tuesday, September 24, 2024, at 6:00 p.m.

Attorney Murphy commented for the record that these workshops are statutorily required per Section 163.31801 of the Florida Statutes if the Town Commission wanted to increase the Town's Transportation Impact Fee in the amount recommended by the Town's Transportation Consultant in the Study prepared by the Town's Transportation Consultant.

The Mayor opened the floor for public comment. Town Manager Davis shared comments that resident, Mr. Frank Miller, requested to put on the record. The resident is asking the Commission to employ traffic calming devices as needed. The Town Manager noted that she invited Mr. Miller to participate in the visioning process.

Motion was made to approve the special public workshop dates to discuss transportation impact fees made by Commissioner Goddard, seconded by Commissioner Richardson. Passed unanimously.

Voting in favor: Quarles, Richardson, Glenn, Goddard, Pennant

### 4. DISCUSSION ONLY, BOARD MEMBERSHIPS & GOVERNMENT-IN-THE-SUNSHINE

Attorney Murphy reviewed the Government-in-the-Sunshine Laws as it pertains to the Town's Boards, including the Visioning Board. The Attorney reviewed the three legal requirements for Government-in-the-Sunshine: 1) notice the meeting, 2) ensure the meeting is open to the public, 3) take and publish minutes of the meeting.

Attorney Murphy stated that members of the Visioning Board should not be members of the Planning and Zoning Board. He added that Planning and Zoning Board should not participate in the Visioning Board by attending meetings.

Discussion ensued about the different ways that the visioning process may occur.

The Mayor opened the floor for discussion; Michelle Thomas, 406 4<sup>th</sup> Street South, Dundee, appreciated the advice given by Attorney Murphy. Ms. Thomas stated that clear boundaries are important for board memberships, which are appointed by the Town Commission.

Alethea Pugh, 1367 Swan Lake Circle, Dundee, requests to officially withdraw her application from the Planning and Zoning Board so she may stay on the Visioning Board.

The Mayor invited other comments from the public.

Bob Kampsen, 402 North 8th Street, Dundee, discussed an issue with school traffic. Mr. Kampsen would like to get traffic slowed down. He requested a 4-way stop at Frederick and 4th Avenue.

Discussion ensued about speeding and traffic issues. Town Manager Davis stated she will look at the completed traffic study regarding speed humps on 8th Street. Attorney Murphy noted that appropriate processes must be followed to insulate the Town from having liability in the context of implementing four-way stops.

Michelle Thompson, 406 4th Street South, Dundee, stated a 4-way stop was placed at 4th & Allen Ave. years ago.

Mr. Carl Dicks, 710 East Frederick Avenue, Dundee, has been a resident for almost 65 years. Mr. Dicks stated he is concerned about school traffic on 8th Street and Frederick Avenue and stated speed control devices are needed.

Lisa Necci, 312 3<sup>rd</sup> Street North, Dundee, has a problem with school bus drop off and pickup. Ms. Necci has pictures of the traffic congestion that blocks her driveway. Sgt. Anderson noted that parents are trying to avoid the long carline. Ms. Necci further commented that roads do not have good drainage, notably Polk Avenue and 3<sup>rd</sup> Street. She stated that a neighbor at 310 3<sup>rd</sup> Street North is also experiencing flooding issues after a rain.

## **REPORTS FROM OFFICERS**

### **Polk County Sheriff's Office**

Sgt. Anderson stated he has not spoken to school staff about any traffic calming. Sgt. Anderson noted that this issue is a school board issue, and he would be able to contact the school if needed.

### **Dundee Fire Department**

Chief Carbone gave updates on service calls. He also noted that the new fire truck was purchased. The Mayor noted that it has been 32 years since a new fire truck was purchased.

### **Town Attorney**

Attorney Murphy had nothing to report but wished everyone a happy Labor Day.

### **Department Updates None**

## **Town Manager**

Town Manager Davis noted that the Ridge League of Cities is sponsoring a Fall Harvest dinner in Zolfo Springs. The FLC President will be the keynote speaker. The Town Manager invited everyone to spread the word about the Visioning Board and effort.

## **Commissioners**

- Commissioner Glenn welcomed the new Town Clerk and thanked Attorney Murphy for bringing his knowledge. He also thanked staff for all they do, in particular Ms. Mercer and Ms. Peterson.
- Commissioner Quarles – He thanked everyone for coming out to the meeting tonight.
- Commissioner Richardson thanked those in attendance. She is happy to be serving as the liaison to the Visioning Board, as she hopes to bring a better quality of life for Dundee residents. Commissioner Richardson thanked Attorney Murphy for his wise counsel, and she also invited the Commissioners (by themselves individually) to take a tour of the parks. She wished everyone a happy Labor Day.
- Vice-Mayor Goddard thanked Attorney Murphy, staff, and residents.

## **Mayor**

Mayor Pennant made comments about the fact that the moratorium will not affect current residents. The Mayor assured residents that the work being done with the moratorium is to ensure the Town is able to maintain service to existing residents.

**ADJOURNMENT** at 7:26 p.m.

Respectfully submitted,

**Lita O'Neill**

Lita O'Neill, Town Clerk

**APPROVAL DATE: 09/10/2024**

***PUBLIC NOTICE:** Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's office at 202 East Main St., Dundee, Florida 33838 or phone (863) 438-8330 within 2 working days of your receipt of this meeting notification. If you are hearing or voice impaired, call 1-800-955-8771.*