

DUNDEE TOWN COMMISSION

LOCATION: DUNDEE TOWN HALL
202 MAIN STREET, DUNDEE, FLORIDA



TOWN COMMISSION MINUTES REPORT FOR AUGUST 23, 2022

CALL TO ORDER: Mayor Pennant called the meeting to order at 6:32 PM.

PLEDGE OF ALLEGIANCE Mayor Pennant

INVOCATION: Commissioner Goddard

RECOGNITION OF SERGEANT AT ARMS: Sergeant Anderson

PUBLIC SPEAKING INSTRUCTIONS: Mayor Pennant

ROLL CALL: Jenn Garcia

Town Commissioners Present:

Commissioner Goddard

Commissioner Richardson

Vice Mayor Quarles

Mayor Pennant

Commissioner Glenn joined the meeting at 6:49pm.

Town Commissioners Absent:

NONE

Town Staff Members Present:

Tandra Davis, Town Manager

Seth Claytor, Assistant Town Attorney

Jenn Garcia, Town Clerk

John Vice, Public Works Director

Eneida Padilla Nieves, Interim Finance Director

Trevor Douthat, Utilities Supervisor

Lorraine Peterson, Town Planner

DELEGATION QUESTIONS & COMMENTS FROM THE FLOOR

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

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

ITEM 01: APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR AUGUST 23, 2022

Minutes for approval:

- Town Commission 06/28/2022 Meeting Minutes
- Town Commission Budget Workshop 06/28/2022 Minutes

MOTION TO APPROVE the consent agenda for the meeting of August 23, 2022, made by Commissioner Goddard. Seconded by Vice Mayor Richardson. Passed Unanimously.

AYES: Goddard, Quarles, Richardson, Pennant

NAYES: None

APPROVAL OF AGENDA FOR AUGUST 23, 2022

Mayor Pennant asked Town Manager Davis if there were any additions or changes to the regular meeting agenda.

Town Manager Davis reported the following changes:

- ITEM 02, Ordinance 22-26 was Updated
- ITEM 03, Ordinance 22-27 was Updated
- ITEM 05, Conditions were added, and Resolution 22-29 was updated.
- ITEM 06, Resolution 22-30 was updated
- ITEM 07, Resolution 22-31 was updated
- ITEM 10, FLC University Certificate Program had an additional discussion item added
- ITEM 11, Utility Truck Repair was added

MOTION TO APPROVE the regular meeting agenda with changes for the meeting of August 23, 2022, made by Commissioner Goddard. Seconded by Vice Mayor Richardson. Passed Unanimously.

AYES: Goddard, Quarles, Richardson, Pennant

NAYES: None

Town Manager Davis introduced the new Town Planner, Lorraine Peterson to the Commission.

Lorraine Peterson, Town Planner, greeted the Commission.

ITEM 02: ORDINANCE 22-26, PUBLIC HEARING, WOODLAND RANCH ESTATES CDD ESTABLISHED

Assistant Attorney Claytor read the legal title of Ordinance 22-26 and gave the analysis.

ORDINANCE NO. 22-26

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA ESTABLISHING THE WOODLAND RANCH ESTATES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF THE SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

Roy Van Wyck, KE Law Group, the Petitioner representative addressed the Commission explaining that the petitioner did publish a notice of the public hearing as required which the affidavit was included in the agenda packet and requested to be included into the public record, included in the agenda packet was also pre-filed written expert testimony on the establishment of the district and is requested to be included into the public record. Mr. Van Wyck requested approval of the Commission.

Assistant Attorney Claytor stated that the petitioner did publish their notice as required pursuant to Chapter 190 however, the Town's Chapter 166 notice will be run for September 13, 2022. Attorney Claytor and Attorney Van Wyck discussed the notice(s) and agreed to request a continuance until September 13, 2022; and therefore, it is the staff recommendation that this item be continued to September 13, 2022.

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

MOTION TO CONTINUE the vote for Ordinance 22-26 until September 13th, 2022, made by Commissioner Goddard. Seconded by Commissioner Quarles. Passed Unanimously.

AYES: Goddard, Quarles, Richardson, Pennant

NAYES: None

ITEM 03: ORDINANCE 22-27, PUBLIC HEARING, WEIBERG ROAD CDD ESTABLISHED

Assistant Attorney Claytor read the legal title of Ordinance 22-27.

ORDINANCE NO. 22-27

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA ESTABLISHING THE WEIBERG ROAD COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

Roy Van Wyck, KE Law Group, the Petitioner representative addressed the Commission explaining that the petitioner did publish a notice of the public hearing as required which the affidavit was included in the agenda packet and requested to be included into the public record, included in the agenda packet was also pre-filed written expert testimony on the establishment of the district and is requested to be included into the public record. Mr. Van Wyck requested approval of the Commission.

Assistant Attorney Claytor stated that the petitioner did publish their notice as required pursuant to Chapter 190 however, the Town's Chapter 166 notice will be run for September 13, 2022. Attorney Claytor and Attorney Van Wyck discussed the notice(s) and agreed to request a continuance until September 13, 2022; and therefore, it is the staff recommendation that this item be continued to September 13, 2022.

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

Commissioner Glenn joined the meeting at 6:49.

MOTION TO CONTINUE the vote for Ordinance 22-27 until September 13th, 2022 made by Commissioner Goddard. Second by Commissioner Quarles. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

**ITEM 04: RESOLUTION 22-28, LANDINGS AT LAKE TRASK PHASE II
SUBDIVISION PARKS & RECREATION REQUEST**

Assistant Attorney Claytor read the legal title of Resolution 22-28.

RESOLUTION NO. 22-28

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE REQUEST BY ABSOLUTE ENGINEERING, INC FOR THE PARKS AND RECREATION REQUEST RELATED TO THE PROPOSED SUBDIVISION KNOWN AS LANDINGS AT LAKE TRASK PHASE II ON APPROXIMATELY 49.94 ACRES OF LAND, LOCATED NORTH OF WEIBERG ROAD AND WEST OF ALFORD ROAD, FURTHER DESCRIBED AS POLK COUNTY PROPERTY APPRAISER PARCEL IDENTIFICATION NUMBERS 272822-000000-014020, 272822-000000-012040, 282822-000000-014010, AND 272822-000000-012030; AND PROVIDING FOR AN EFFECTIVE DATE.

Marisa Barmby of Central Florida Regional Planning Council 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 Resolution 22-28 approving the request for parks and recreation for the proposed Landings at Lake Trask Phase II Subdivision made by Commissioner Quarles. Second by Commissioner Goddard. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

ITEM 05: RESOLUTION 22-29, BELLA VISTA CERTIFIED SUBDIVISION PLAN

Assistant Attorney Claytor read the legal title of Resolution 22-29.

RESOLUTION NO. 22-29

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) FOR THE BELLA VISTA SUBDIVISION WITH CERTAIN CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.

Marisa Barmby with Central Florida Regional Planning Council 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 Resolution 22-29 approving the Certified Subdivision Plan for the Bella Vista Subdivision and approving construction prior to platting made by Commissioner Glenn. Second by Commissioner Quarles. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

ITEM 06: RESOLUTION 22-30, WEIBERG WEST CERTIFIED SUBDIVISION PLAN

Assistant Attorney Claytor read the legal title of Resolution 22-30.

RESOLUTION NO. 22-30

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) FOR THE WEIBERG WEST SUBDIVISION WITH CERTAIN CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.

Marisa Barmby with Central Florida Regional Planning Council gave the analysis.

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

Rennie Heath, Cassidy Group, 346 East Central Avenue, Winter Haven, greeted the Commission and requested clarification of the six-month extension as related to the preliminary subdivision plat.

Assistant Attorney Claytor explained that the CSP approval would be extended if the circumstances necessitating the extension were outside of the developer's control. For example, in the event the Town does not have available capacity for the development, the CSP would not expire if the developer/development is unable to receive final plat approval.

Marisa Barmby suggested that a meeting be scheduled with Mr. Heath and the necessary Town Staff and/or consultants to discuss the details behind the Town's process regarding the six-month extension as related to the preliminary subdivision plat.

MOTION TO APPROVE Resolution 22-30 approving the Certified Subdivision Plan for the Weiberg West Subdivision and approving construction prior to platting made by Commissioner Quarles. Second by Commissioner Glenn. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

ITEM 07: RESOLUTION 22-31, LANDINGS AT LAKE TRASK PHASE I CERTIFIED SUBDIVISION PLAN

Assistant Attorney Seth Claytor read the legal title of Resolution 22-31.

RESOLUTION NO. 22-31

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) FOR THE LANDINGS AT LAKE TRASK PHASE I SUBDIVISION WITH CERTAIN CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.

Marisa Barmby with Central Florida Regional Planning Council gave the analysis.

Assistant Attorney Claytor requested that the record reflect that the same concessions that were presented and discussed for Resolution 22-30 would apply to Resolution 22-31.

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

MOTION TO APPROVE Resolution 22-31 approving the Certified Subdivision Plan for the Landings at Lake Trask Phase I Subdivision and approving construction prior to plat made by Commissioner Glenn. Second by Vice Mayor Richardson. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

ITEM 08: DISCUSSION & ACTION, INTERLOCAL AGREEMENT FOR THE INTERCONNECTION OF POTABLE WATER WITH THE CITY OF WINTER HAVEN

Town Manager Davis gave the analysis.

Assistant Attorney Claytor stated that this agreement will terminate by operation of law upon the Polk Regional Water Cooperative activation.

Tracy Mercer, Interim Utilities Director, explained that we are looking for transitional wells that will support our permit and that the water through the PRWC will not be available for at least five years. This agreement with Winter Haven is a limited temporary solution.

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

MOTION TO APPROVE the Interlocal Agreement for the Interconnection of Potable Water with the City of Winter Haven made by Commissioner Goddard. Second by Commissioner Quarles. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant
NAYES: None

ITEM 09: DISCUSSION & ACTION, RAYL ENGINEERING & SURVEYING, LLC AGREEMENTS

Town Manager Davis gave the analysis on the two agreements with Rayl Engineering and Surveying, LLC.

- A. Camp Endeavor Boulevard/Race Road Extension, pre-design surveying services: \$16,000. These services would be paid for out of road impact fees.
- B. Highland Avenue Splash Park, pre-design surveying services, \$8,300. These services would be paid for out of park impact fees.

Alan Rayl, Rayl Engineering and Surveying, 810 East Main Street, Bartow, explained that the two projects listed are in need of surveying services to ensure the projects are approached correctly.

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

MOTION TO APPROVE the Rayl Engineering Letter Agreement Task Order RES 22-139 and Task Order RES 22-105 pursuant to the continuing contract with Rayl Engineering for professional services made by Commissioner Glenn. Second by Goddard. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant
NAYES: None

ITEM 10: DISCUSSION, FLORIDA LEAGUE OF CITIES UNIVERSITY CERTIFICATE PROGRAM FOR ELECTED MUNICIPAL OFFICIALS

Town Manager Davis gave the analysis.

Ms. Davis stated the classes are very beneficial to the Commission members. Classes are available with virtual and in-person options and many that are in-person are held in cities in close proximity to the Town so there will be no overnight expense which lessens the financial impact to the Town.

Ms. Davis announced that Vice Mayor Richardson was appointed to the Florida League of Cities Administrative Committee which has monthly meetings from 10am – 2pm in Kissimmee beginning September 2022. Vice Mayor Richardson was also appointed to the Florida Black Caucus Elected Official Educational Committee.

Town Manager Davis requested that the Commission keep her aware of all boards and committees that they are a part of.

The Town Commission discussed the in-person and online class options that are offered for the certification program.

ITEM 11: DISCUSSION & ACTION, UTILITY TRUCK #115 REPAIR

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 repairs of truck number #115 by Jarett Ford not to exceed \$12,523 made by Commissioner Quarles. Second by Commissioner Goddard. Passed Unanimously.

AYES: Glenn, Goddard, Quarles, Richardson, Pennant

NAYES: None

REPORTS FROM OFFICERS

- **POLK COUNTY SHERIFFS OFFICE**

- Deputy Lawes no longer with the Town of Dundee, his replacement began last week. Reminded the residents to lock their vehicles. Anderson will be out for surgery for a few weeks.

- **FIRE DEPARTMENT**

- In the last two weeks, there has been 1 fire, 21 rescues, and 1 hazard, 1 false alarm, 6 good intent, and 1 service call.
- Commissioner Glenn and Mayor Pennant appreciated the numbers from the Town Manager but would like someone representing the fire department present when possible.
- Mayor Pennant and Commissioner Glenn suggested that the Town Manager take applications for the new full-time fire chief position and that it should not automatically given to the current fire chief.

Town Manager Davis reminded that it was previously determined that the current fire chief would be moving from part-time to full-time. She stated that she would meet with legal counsel to investigate the charter and the personnel handbook in determining the best way to move forward.

- **TOWN ATTORNEY**

- Meeting is scheduled with the church regarding the Winn Dixie turn in.

- **TOWN MANAGER**

- Town's new planner, Lorraine Peterson, has started. She has a bachelor's degree in Geography and a master's in urban planning. She is originally from Texas and has previously worked for the Polk BOCC.
- August 25th the Polk Health Plan Mobile bus will be on-site at Town Hall.
- August 30th One Blood will be at Town Hall for blood donations.
- Town offices and library will be closed on September 5th for Labor Day.
- September 6th is the Ridge League Dinner in Auburndale, please RSVP with the Town manager by Friday.
- Thanked Rooted Outreach and Freedom Ministries for the pop-up no cost cleaning distribution to the residents yesterday.
- Recycling is improving.
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- **COMMISSIONERS**

- **Commissioner Goddard**

- Thanked all in attendance and Town Staff
- Represented the Commission at the Church on The Hill back to school prayer meeting.
- Happy Birthday to Assistant Attorney Claytor.

- **Commissioner Glenn**

- Thanked all in attendance and Town Staff.
- Inquired of the beacon light crossing.
Town Manager reported that the beacon light crossing is working.
- Inquired of the auto repair code issues.
Town Manager Davis reported that the business was being conducted without a business license. The owners did not get the license within the given time frame which resulted in the water being shut off and the building chained off to prevent people from going into the building.
- Thanked Town Staff for their work at the Town while the Town Manager and Commission were at the League of Cities Conference.
- Thanked the Town for allowing him to attend the conference.
- He will be attending the League Dinner.

- **Commissioner Quarles**

- Thanked all in attendance and Town Staff.

- **Vice Mayor Richardson**

- Thanked all in attendance.
- Appreciates the Public Works team for installing the school bus stop benches.
Town Manager Davis responded that she will send a date of the scheduled install.

- **MAYOR**

- Thanked all in attendance and Town Staff for keeping things going during the conference.
- Requested update on the school traffic on 8th Street from Sgt. Anderson.
Sgt. Anderson said they are still investigating options to improve the traffic, but stated options are limited.

ADJOURNMENT

Meeting adjourned at 8:21pm.

Respectfully Submitted,


Jenn Garcia, Town Clerk

APPROVAL DATE: _____

AYES: _____ **NAYS:** _____