



## TOWN COMMISSION MEETING MINUTES

September 24, 2024 at 6:30 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 6:30 p.m.

**PLEDGE OF ALLEGIANCE** led by Mayor Pennant

**INVOCATION** led by Alethea Pugh

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

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

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

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

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

**PRESENT**

Commissioner Glenn

Commissioner Quarles

Commissioner Richardson

Vice-Mayor Goddard

Mayor Pennant

**APPROVAL OF AGENDA**

*Mayor Pennant asked Town Manager Davis to note any changes to the agenda. Town Manager Davis stated that item numbers were removed from the proclamations and recognitions, the FY 2024-2025 Budget Section was added, the final draft of the Town of Dundee Transportation Impact Fee Study and Fee Schedule Update Technical Report was added, the discussion and action item regarding a piggyback contract for chlorine was removed, and a discussion and action item regarding the Federal Lead and Copper Rule was added.*

*A motion to approve the agenda with changes was made by Commissioner Richardson, seconded by Vice-Mayor Goddard.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

## **PROCLAMATIONS, RECOGNITIONS AND DESIGNATIONS**

### *PROCLAMATION, HISPANIC HERITAGE MONTH*

### *PROCLAMATION, SUICIDE PREVENTION AWARENESS MONTH*

*A motion to approve both proclamations on the agenda was made by Commissioner Richardson, seconded by Commissioner Glenn.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

*Mayor Pennant read the Hispanic Heritage Month Proclamation for the record and presented the proclamation to Marisol Ortega. Ms. Ortega thanked the Town Commission.*

### *RECOGNITION, RESIDENTIAL BEAUTIFICATION AWARD*

*Mayor Pennant asked members of the Tree Board to come forward to present the award. Sheila Aguilar, Michelle Smith, and others came forward to present the award to Amy Pasta. Ms. Pasta received a Home Depot gift card, a framed certificate, and a yard sign.*

## **FY2024-2025 FINAL MILLAGE AND BUDGET**

### **1. MAYOR'S STATEMENT**

The Mayor read the Mayor's Statement into the record:

*State Law requires the first substantive issue to be discussed at this hearing is the percentage increase in the millage over the rolled back rate and the reasons ad valorem taxes are being increased. The Town of Dundee's proposed operating millage is 7.9000 mills which is 6.21% more than the rolled back rate of 7.4381 mills. The ad valorem proceeds resulting from the difference between the proposed rate and the rolled back rate will be used to offset increased operating expenses of the Town.*

### **2. RESOLUTION 24-23, ADOPTION OF FINAL MILLAGE RATE FOR FY 2024 - 2025**

*Attorney Claytor read Resolution No. 24-23 in its entirety into the record.*

*Town Manager Davis provided the analysis.*

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

*A motion to approve Resolution No. 24-23 adopting the final millage rate for Fiscal Year 2024-2025 was made by Commissioner Quarles, seconded by Commissioner Glenn.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

### **3. RESOLUTION 24-24, ADOPTION OF FINAL BUDGET, FY 2024 –2025**

*Attorney Claytor read Resolution No. 24-23 in its entirety into the record.*

*Town Manager Davis provided the analysis.*

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

*TC Regular Meeting, September 24, 2024 at 6:30 p.m.*

Commissioner Richardson asked questions about the budget process and the auditing timeline. Town Manager Davis provided responses. Attorney Claytor noted that there was a scrivener's error in Resolution 24-24, paragraph 1 should read "final budget" and not "tentative budget."

A motion to approve Resolution No. 24-24 adopting the final budget for Fiscal Year 2024-2025 was made by Commissioner Quarles, seconded by Vice-Mayor Goddard.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant

Opposed: None

The motion passed unanimously.

## **APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR SEPTEMBER 24, 2024**

### **A. MINUTES**

1. August 29, 2024 Town Commission Public Workshop AMENDED
2. August 29, 2024 Town Commission Special Meeting AMENDED
3. September 10, 2024 TC Public Workshop to Discuss Transportation Impact Fees
4. September 10, 2024 TC Public Workshop to Discuss Moratorium
5. September 10, 2024 Town Commission Meeting

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

A motion to approve the minutes on the consent agenda was made by Commissioner Glenn, seconded by Vice-Mayor Goddard.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant

Opposed: None

The motion passed unanimously.

### **B. AGREEMENTS**

1. Applied Aquatic Renewal Agreement
2. Water Supply Allocation Agreement – KB Home Orlando, LLC (Landings at Lake Mabel Loop)

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

Commissioner Quarles asked how often Applied Aquatic treats the lakes. Town Manager Davis responded.

A motion to approve the agreements on the consent agenda was made by Commissioner Richardson, seconded by Commissioner Glenn.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant

Opposed: None

The motion passed unanimously.

## **NEW BUSINESS**

### **4. DISCUSSION & ACTION, ORDINANCE 24-10, TRANSPORTATION IMPACT FEES**

Attorney Claytor read Ordinance 24-10 by title into the record.

Town Manager Davis asked Mr. Alex Anaya, ESRP Corporation, to present information about the 2024 Transportation Impact Fee Update. Mr. Anaya stated for the record that he is a Florida registered Professional Engineer (PE) and a Professional Traffic Operations Engineer (PTOE). Attorney Claytor asked Mr. Anaya to provide his credentials, and Mr. Anaya stated that he is a civil engineer with a Master's degree in Construction Project Management and a Master's degree in Transportation Engineering. Mr. Anaya stated he is a Professional Engineer in Florida and in Kentucky and has worked in Transportation Engineering for 20 years.

The primary goal of the 2024 technical report was to identify anticipated costs for transportation so the Town can plan for the future. The Comprehensive Plan states that adopted levels of service should be maintained. As new development is added, it is necessary to determine future demand on the roads. Mr. Anaya presented population and traffic data from the technical report. He noted the unprecedented, forecasted growth. The Town-wide study identified a travel demand model in the network of roads within the Town's limits.

Mr. Anaya's presentation then addressed transportation impact fees. Based on the proposed transportation impact fee schedule update included in the report, the estimated cost that transportation impact fees would provide equals \$104,000,000, which is about 74% of the estimated improvement needs. Mr. Anaya stated that the Town would need to look for additional funding to meet the estimated total of \$141,000,000.

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

Attorney Claytor asked Mr. Anaya whether the population growth estimated and set forth in the 2024 technical report represents an extraordinary circumstance necessitating the need for an increase to the transportation impact fees in excess of the phase-in limitations set forth in Florida Statutes. Mr. Anaya replied yes.

Annette Wilson, 408 Dr. Martin Luther King Street, asked what the Town of Dundee needs to do as a Town to ensure the transportation impact fees are going to help the Town to improve infrastructure. Mr. Anaya stated that the first thing to do would be to adopt the Ordinance to dedicate the funding specifically for transportation needs.

Town Manager Davis noted that staff will continue to revisit these transportation impact fees every 1-2 years to ensure they are meeting the needs of the Town.

A motion was made to approve Ordinance 24-10 made by Commissioner Quarles, seconded by Commissioner Richardson.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant

Opposed: None

The motion passed unanimously.

## **5. DISCUSSION & ACTION, EVALUATION & APPRAISAL REPORT (EAR) OF THE TOWN'S COMPREHENSIVE PLAN**

Mayor Pennant asked Ms. Lorraine Peterson, Development Director, to explain the Evaluation & Appraisal Report (EAR) process. Ms. Peterson presented slides to the Commission and explained that Chapter 163.3191 of the Florida Statutes requires that local municipal governments evaluate the Comprehensive Plan every seven years. Ms. Peterson noted that a notification affidavit once signed by the Mayor, will be sent to the state by October 1, 2024.

Commissioner Richardson asked whether a public workshop takes place during the EAR process. Ms. Peterson stated that there is not a public workshop that needs to take place during the EAR process, but when the Comprehensive Plan is evaluated and updated, the Commission and the public will have a chance to provide input.

Ms. Peterson explained the key difference between the Comprehensive Plan and the Land Development Code. The Land Development Code addresses more immediate concerns and issues, such as code enforcement.

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

*A motion was made to move forward with the Evaluation and Appraisal Report process was made by Vice-Mayor Goddard, seconded by Commissioner Glenn.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

## **6. DISCUSSION & ACTION, PURCHASE OF 2024 F-150 BUILDING INSPECTOR TRUCK**

*Town Manager Davis provided the analysis, noting this cost was included in the FY 2023-2024 budget.*

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

*A motion was made to approve the purchase of a 2024 F-150 for the Building Department was made by Commissioner Quarles, seconded by Commissioner Glenn.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

## **7. DISCUSSION & ACTION, LEAD AND COPPER RULE REVISIONS (LCRR) STARTING OCTOBER 16, 2024, EPA AND FDEP WILL IMPLEMENT NEW PUBLIC NOTIFICATIONS FOR SUPPLIERS OF PUBLIC DRINKING WATER**

*Town Manager Davis asked the Utilities Director, Ms. Tracy Mercer, to provide the analysis. Ms. Mercer explained the newly revised Lead and Copper Rule and what the Town of Dundee needs to do in order to be in compliance with the federal requirement.*

*Ms. Mercer presented the timeline and noted that the current phase is outreach and inventory of 770 more meters. Further, Ms. Mercer noted that by October 17, 2024 the DEP and the EPA needs to be notified of the inventory. Prior to the inventory, postcards need to be sent to residents in homes that were constructed prior to 1987. Mayor Pennant asked for clarification, and Ms. Mercer explained that for homes built before 1987, an inventory or line inspection needs to be completed.*

*Commissioner Glenn asked Ms. Mercer whether residents will be made to comply with replacing pipes to their homes. Ms. Mercer responded that they must be informed, but it will be up to the homeowner to replace their own lines.*

*Tracy Mercer noted the timeline for the Lead and Copper rule. Vice-Mayor Goddard asked if an extension was possible, and Ms. Mercer stated that no extensions will be provided for the first two steps.*

*Jackie Nichols, 308 Lewis Court, asked about clarification about federal requirements. Ms. Mercer explained there will be educational flyers sent to homeowners to explain more about the federal Lead and Copper Rule.*

*Rhonda Sara, 125 Crestview Lane, asked whether this would affect the ability to sell your home. Mayor Pennant commented that during a sale of property, the inspector's report would show whether galvanized pipes or copper pipes are present.*

*The Mayor asked if there were any additional questions from the public; being none, the floor was closed.*

*A motion to authorize the town manager to negotiate and enter into a task order with Robert A. Stevens and Associates, Inc. under continuing contract through RFQ 24-01 for professional services, in an amount not to exceed \$17,875 for services including locating and identifying 770 water meters by the October deadline, was made by Commissioner Quarles, seconded by Commissioner Richardson.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Glenn, Vice Mayor Goddard, Mayor Pennant*

*Opposed: None*

*The motion passed unanimously.*

## **REPORTS FROM OFFICERS**

### **PCSO Report**

*None*

### **Fire Department Report**

*Fire Chief Carbone presented the run updates.*

*Year-to-Date total = 837; 365-day total = 1,093; 7-day total = 45 (includes 34 medicals, 8 public assists, 3 false alarms)*

### **Town Attorney**

*None*

### **Town Manager**

*The ribbon-cutting for the Veterans BBQ has been postponed until October 5<sup>th</sup> due to the storm. The Mayor's Roundtable has been postponed until October 31<sup>st</sup>. The sale of the bricks for the Veterans Memorial fundraiser will end on October 9<sup>th</sup> so the bricks can be ordered and installed in time for the Veterans Day holiday.*

### **Comments from Commissioners**

*Commissioner Richardson asked about drainage on Dr. Martin Luther King Street. John Vice, Public Works Director, responded that staff is working with an engineering firm to address the issue. Commissioner Richardson asked how this got into this shape. Mr. Vice stated that the Town has a storm water team that is looking for a long-term fix. Mayor Pennant stated that this area has historically had problems with drainage. Town Manager Davis commented that this is an expensive project that will need to go out to bid. Mr. Vice further commented that there are several areas in Town that have drainage issues and agrees these must be addressed.*

*Mayor Pennant noted the successful Lake Marie drainage project.*

*Town Manager Davis noted that the storm water team has grown from 0.5 staff to 3.5 staff since she has taken over as the Town Manager. Ms. Davis commented that the storm water audit was quite successful due to the efforts of John Vice and his team. She also noted that the Town may need to increase the stormwater fees to meet the many needs within the Town. Ms. Davis noted that over the past two years, more equipment has been acquired to try to do this work in-house.*

*Mr. Vice stated that he and Ms. Tracy Mercer have spoken about doing a stormwater master plan.*

*Commissioner Richardson asked Commissioner Glenn whether he is still living in Dundee, and he responded yes.*

*Commissioner Glenn thanked Town staff for meeting with him today. Commissioner Glenn stated that he has been serving on the Town Commission for just under 10 years, but the travel he is doing for his job has caused him to decide to step down from his Commission seat. Commissioner Glenn further stated that he would like to see more diversity that represents Dundee. He thanked staff and residents.*

*The Mayor noted that Vice-Mayor Goddard had to leave the meeting.*

*A motion to accept Commissioner Glenn's resignation was made by Commissioner Richardson, seconded by Mayor Pennant.*

*Voting in favor: Commissioner Quarles, Commissioner Richardson, Mayor Pennant*

*Opposed: None*

*Mayor Pennant made comments. He expressed his appreciation to Mr. Glenn for his efforts over the years. The Mayor spoke to the delegation and stated that he appreciated their participation in the process.*

*Town Manager Davis asked whether the Town should seek counsel from the legal team. Attorney Claytor stated that the Town Code makes provisions to fill a vacated Commission seat; however, he recommends reaching out to the Polk County Supervisor of Elections. The legal staff will provide an update at the October 8, 2024 meeting.*

**ADJOURNMENT** at 8:24 p.m.

Respectfully submitted,

**Lita O'Neill**

Lita O'Neill, Town Clerk

**APPROVAL DATE:** \_\_\_\_\_

**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 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 street, 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.*