



# CITY OF WINTER GARDEN

## CITY COMMISSION REGULAR MEETING MINUTES

July 25, 2019

**REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

**Present:** Mayor John Rees and Commissioners  
Lisa Bennett – District 1 Bob Buchanan – District 2 Colin Sharman – District 4

**Absent:** Commissioner Mark A. Maciel – District 3

**Also Present:** City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager for Administration Frank Gilbert, Assistant City Manager for Public Services Jon Williams, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Information Technology Director Chad Morrill, Police Chief Stephen Graham, and Urban Designer Kelly Carson

### 1. **APPROVAL OF MINUTES**

**Motion by Commissioner Buchanan to approve regular meeting minutes of July 11, 2019 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.**

### 2. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 19-39:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 118-1653, ARTICLE XIV OF CHAPTER 118 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES TO CLARIFY THE PLANT STREET STREETSCAPING REQUIREMENTS; PROVIDING FOR CODIFICATION, CONFLICTS, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-39 by title only. Urban Designer Kelly Carson stated that this is the second reading of the ordinance pertaining to streetscaping requirements for properties that fall within the Plant Street character area overlay. The ordinance clarifies that on-street parking treatment exhibited in this section of code is optional. Waivers may be granted to deviate from the dimensional requirements shown to account for any existing site specific limitations. Staff recommends approval and adoption of Ordinance 19-39.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

**Motion by Commissioner Buchanan to adopt Ordinance 19-39. Seconded by Commissioner Sharman and carried unanimously 4-0.**

3. **REGULAR BUSINESS**

- A. Recommendation to approve Purchase Order to TD Thomson Construction Inc. for Downtown Brick Street Rehabilitation and Curb Replacement in the amount of \$150,474.48

Assistant City Manager of Public Services Williams stated that this is a request to approve a purchase order in the amount of \$150,474.48 for brick street rehabilitation and curb replacement in various locations in the downtown area. He noted that a map of those locations was included in the agenda packet and informed that if work is approved, it will begin on Monday, July 29, 2019 along North Woodland Street. He noted some individuals that staff met with ensured that there would be no construction conflicts with Sunday services, open house, or school operations. Staff recommends approval.

Mayor Rees questioned if the intent was to be finished before school begins. Mr. Williams noted that if there appears to be any potential delay the work would then be shifted to Saturdays to avoid any conflicts.

Commissioner Sharman inquired of the proposed work on some of the intersections and addressed the salvaging of the bricks. Mr. Williams affirmed and explained the process. Mayor Rees inquired about some brick being loss. Mr. Williams explained that some bricks would be loss due to cracking and explained that there are some that are stockpiled for this effort.

**Motion by Commissioner Sharman to approve a Purchase Order for Downtown Brick Street Rehabilitation and Curb Replacement to TD Thomson in the amount of \$150,474.48. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

- B. Recommendation to approve and award a contract for In-line Inspection and Rehabilitation Services to American In-Line Inspection Services, Inc., through a piggy-back contract with the City of Eustis, Florida in the amount of \$100,000

Assistant City Manager of Public Services Williams stated that this is a request to award a contract to American In-line Inspections Services, Inc. He noted that it is a piggyback with the City of Eustis contract for inspection and rehabilitation for approximately 1600 feet of sanitary sewer pipe on an annual basis. He explained that services consist of using cured-in-place epoxy lamination system or liner, chemical grouting and removal of root intrusion for those areas of the city having clay sewer pipe. Staff recommends approval.

Mayor Rees confirmed that this would be 1600 feet for approximately \$100,000 or about \$62.50 per foot; Mr. Williams affirmed.

**Motion by Commissioner Bennett to approve a contract for In-line Inspection and Rehabilitation Services to American In-line Inspection Services, Inc., through a piggy-back contract with the City of Eustis, Florida in the amount of \$100,000. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

C. Recommendation to approve Interlocal Agreements for Police Dispatching Services with the City of Ocoee and Town of Windermere

Police Chief Graham stated that this item is for the communications contracts that the City currently has with the Town of Windermere and the City of Ocoee. He noted that the City currently dispatches for them and this is a renewal of those agreements for five years. Staff recommends approval.

Commissioner Bennett inquired as to whether the City still dispatches for the Town of Oakland. Police Chief Graham affirmed and noted that the contract was renewed last year, but the City is trying to get the renewals synchronized; having them all up for renewal in 2024.

Mayor Rees inquired as to whether there had been any issues with providing this service to the Town of Windermere or the City of Ocoee in the past; wondering if everything had run smoothly. Police Chief Graham responded that it has been working very smoothly.

**Motion by Commissioner Sharman to approve the Interlocal Agreement for Police Dispatching Services for the City of Ocoee and the Town of Windermere. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

D. Recommendation to approve FINAL PLAT of two commercial lots of the Alexander Ridge Commercial Center located at 2001 Avalon Road

Urban Designer Kelly Carson stated that this is a request to approve the Alexander Ridge Commercial Center final plat. She noted that the property is approximately four acres in size and is zoned as planned commercial development. The plat includes two commercial lots, one of which is currently under development with a new daycare facility and no development had been proposed for the other lot at this time. Staff recommends approval of the Alexander Ridge final plat.

Mayor Rees inquired as to whether the daycare center had been limited to 200 children. Discussion ensued noting that this was approximately 200. Commissioner Sharman stated that there were community meetings and staff was able to address some of those items. He affirmed that the implementation of the daycare and noted that the other lot is unknown at this time.

**Motion by Commissioner Sharman to approve the Final Plat of two commercial lots of the Alexander Ridge Commercial Center located at 2001 Avalon Road. Seconded by Commissioner Bennett and carried unanimously 4-0.**

- E. Recommendation to approve Purchase and Sale Agreement, Impact Fee Deferral and Forgiveness Agreement and Underground Drainage Easement for 270 W. Plant Street  
City Manager Bollhoefer provided a brief PowerPoint presentation for this item, noting that he was providing a brief history of the lot as some of the commissioners may not have been privy to its original intent. He shared some of the initial plans for the area addressing topics such as density, 3-story buildings, architectural elements, long term viability, and the need for more retail and office. He also spoke of pedestrian friendly areas, parking needs, and additions of greenspace. He indicated that there would be no negative impact on the Farmer's Market and that it would actually be improved. He further described some of the conceptual elements of the proposed building for the location and spoke of how it would be the right size for the downtown. He feels that this building falls in line with the other projects, makes the downtown better, and maintains the City's character and charm. He informed that this building was unanimously approved by the Architectural Review and Historic Preservation Board.

Mr. Bollhoefer described the similarity of this transaction to the sale of the land for the property of the hotel; noting that the contract was modelled off of the same contract.

Commissioner Bennett inquired if the proposed greenspace was City owned. Mr. Bollhoefer affirmed that it is all City owned and also addressed was the purchase price, the farmers market, and spaces near the building.

Mayor Rees opened this item for public comment.

Phil Baker, 125 W. Plant Street, Winter Garden, Florida stated that we should be very proud of Winter Garden for winning the 2018 Great Places in Florida award. He then read some excerpts from the City's website. Mr. Baker voiced his concerns about the trees in the historic district being a community asset. He feels developers are being allowed to remove old trees at an alarming trend for the maximization of their project's footprint. He spoke specifically to the removal of a 77-year-old oak located at the site of the proposed project. He mentioned the moving and transplanting of trees on Disney property that was done in an effort to preserve their trees. There was discussion on the cost to move a tree, the failure rate in keeping them alive, and the planting of new trees in new development which actually increases the amount of tree coverage.

**Motion by Commissioner Buchanan to approve Purchase and Sale Agreement, Impact Fee Deferral and Forgiveness Agreement, and Underground Drainage Easement for 270 West Plant Street. Seconded by Commissioner Sharman and carried unanimously 4-0.**

4. **MATTERS FROM PUBLIC** – this was addressed later in the meeting with no noted items.
5. **MATTERS FROM CITY ATTORNEY** – There were no items.
6. **MATTERS FROM CITY MANAGER**

Swales and Flooding

City Manager Bollhoefer gave a PowerPoint presentation regarding swale inspections in landscaping and spoke of an attempt to determine who is responsible for flooding problems due to improper maintenance of swales. He disclosed that the cost of \$48,000 would be required to correct some of these issues. He spoke of the effects of even one house interrupting the stormwater system and the problems it would cause for other homes. He stated that the \$48,000 would be used to correct the swales as a means of correcting the flooding issues.

There was discussion on drone surveillance and the law restrictions for use.

**Motion by Commissioner Bennett to approve the amount of \$48,000 for swale and stormwater inspections and corrections to reduce flooding. Seconded by Commissioner Sharman and carried unanimously 4-0.**

*Matters from public was addressed at this point in the meeting – there were no items.*

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Bennett** thanked staff for their efforts in addressing the stormwater issues; noting that there has been some history of flooding and her district has a lot of the older homes.

**Commissioner Buchanan** shared that the Shepherd’s Hope facility has opened in Winter Garden and expressed how it will help families and kids. He is proud that the City of Winter Garden helped make that happen and thanked staff for their efforts in the process.

**Commissioner Sharman** noted that there was a hailstorm in his area and there was some discussion on this topic.

The meeting adjourned at 7:03 p.m.

ATTEST:

APPROVED:

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/S/  
City Clerk Angee Grimmage, CMC

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/S/  
Mayor John Rees