



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

February 22, 2018

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
Mark A. Maciel – District 3 Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Community Development Director Stephen Pash, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Deputy Fire Chief Jose P. Gainza, Jr., Police Chief George Brennan, and Director of Operations Public Services Richard Fasano

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of February 8, 2018 as submitted. Seconded by Commissioner Maciel and carried unanimously 4-0.

Commissioner Sharman arrived at this point in the meeting at 6:34 p.m.

2. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 18-10:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING A PORTION OF THE PLAT DEDICATED DRAINAGE AND UTILITY EASEMENTS OVER LOTS 219 AND 220 OF OAKLAND PARK UNIT 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 87, PAGES 30 AND 31 OF THE PUBLIC RECORDS OF ORANGE COUNTY (LOCATED AT 950 AND 954 TILDENVILLE SCHOOL ROAD, WINTER GARDEN, FLORIDA) OWNED BY J & J BUILDING, LLC AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING

City Attorney Ardaman read Ordinance 18-10 by title only. Community Development Director Pash stated that the owner of these two lots requests a vacation of the drainage and utility easement. He indicated that one home would be built on the two lots. Staff reviewed this item and recommends approval of Ordinance 18-10.

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

Motion by Commissioner Maciel to approve Ordinance 18-10 with the second reading and public hearing being scheduled for March 8, 2018. Seconded by Commissioner Buchanan and carried unanimously 5-0.

3. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 17-22**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.25 ± ACRES OF PROPERTY LOCATED AT 304, 310, 314 W. BAY STREET, 419, 429, 439, AND 455 W. PLANT STREET ON THE NORTH SIDE OF W. PLANT STREET, WEST OF N. CENTRAL AVENUE AND SOUTH OF W. BAY STREET FROM (R-2) RESIDENTIAL DISTRICT AND (C-1) CENTRAL COMMERCIAL DISTRICT TO (PCD) PLANNED COMMERCIAL DEVELOPMENT; PROVIDING FOR NON-SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 17-22 by title only. Community Development Director Pash stated that this is a request to rezone properties located at 304, 310, 314 W. Bay Street, as well as properties located at 419, 429, 439, and 455 W. Plant Street to PCD. He explained that the PCD ordinance has its own specific design guidelines. This area is within the historic district, requiring review and approval by the Architectural Review and Historic Preservation Board. He shared that the Ordinance also contains language about parking, signage, lighting requirements and buffer yards. Staff recommends approval of Ordinance 17-22

Commissioner Bennett stated that she would abstain from voting due to her company's involvement with managing one of the properties.

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

Motion by Commissioner Sharman to adopt Ordinance 17-22. Seconded by Commissioner Maciel and carried 4-0-1; Commissioner Bennett abstained.

- B. **Ordinance 17-23**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.01 ± ACRES LOCATED AT 304, 310, 314 W. BAY STREET, 439, AND 455 W. PLANT STREET ON THE NORTH SIDE OF W. PLANT STREET, WEST OF N. CENTRAL AVENUE AND SOUTH OF W. BAY STREET FROM LOW DENSITY RESIDENTIAL TO TRADITIONAL DOWNTOWN AND EXPAND THE BOUNDARY OF THE TRADITIONAL DOWNTOWN ACTIVITY CENTER TO INCLUDE SUCH PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 17-23 by title only. Community Development Director Pash stated that this is a request to amend the future land use designation and move the downtown activity center. He noted that staff has reviewed it and recommends approval of Ordinance 17-23.

Commissioner Bennett stated that she would abstain from voting due to her company's involvement in managing one of the properties.

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

Motion by Commissioner Maciel to adopt Ordinance 17-23. Seconded by Commissioner Sharman and carried 4-0-1; Commissioner Bennett abstained.

- C. **Ordinance 18-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 18.25 ± ACRES LOCATED AT 14120 W. COLONIAL DRIVE GENERALLY LOCATED SOUTH OF W. COLONIAL DRIVE, WEST OF S. PARK AVENUE, AND NORTH OF SAND LIME ROAD FROM C-2 (ARTERIAL COMMERCIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 18-09 by title only. Community Development Director Pash stated that the owners of this property are requesting to rezone the property to PCD. This rezone allows construction of approximately 85,000 square feet of commercial space containing office, retail and restaurant uses. He noted that the PCD has architectural guidelines that the building has to meet. Staff recommends approval of Ordinance 18-09.

Commissioner Maciel informed that he would recuse himself from this vote as he is a vested partner.

Mayor Rees confirmed that there were two drive-throughs. Mr. Pash responded yes.

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

Motion by Commissioner Sharman to adopt Ordinance 18-09. Seconded by Commissioner Bennett and carried 4-0-1; Commissioner Maciel abstained.

4. **REGULAR BUSINESS**

- A. **Recommendation to approve a Building Code Administrator Services Agreement with Sunshine Building Code Compliance Inspections (SBCCI)**

Community Development Director Pash stated that the building department has been using a piggy-back agreement for use of a private provider to assist with inspections and plan review. The agreement that was executed by the City Manager has a limit of \$49,999.99. Mr. Pash stated that staff requests the City Commission ratify this agreement to increase the amount and allow the City Manager to sign the new agreement.

Mayor Rees sought clarification on the agreement's approval time and amount. City Manager Bollhoefer explained that it is not a set amount, but a set time period; \$50,000 is an approximation of what it would cost. Mr. Pash explained that it would depend on the number of inspections and the amount of activity at the time; the estimate being about 450 homes each year. Mr. Bollhoefer informed that the funding of this comes from the building

department's permitting fees, so there would be no cost to taxpayers. Mayor Rees expressed that he did not want to rush through and have this be an open-ended agreement which might cause problems later. Mr. Bollhoefer shared that incoming building fees cover and exceeds this agreement; these funds can only be spent on this type of service and cannot be used anywhere else.

Motion by Commissioner Buchanan to approve a Building Code Administrator Services Agreement with Sunshine Building Code Compliance Inspections (SBCCI). Seconded by Commissioner Sharman and carried unanimously 5-0.

B. Recommendation to approve a Site Plan for Kingdom Strollers located at 730 Garden Commerce Parkway, subject to conditions

Community Development Director Pash stated that this is a site plan for property located at 730 Garden Commerce Parkway. They propose developing the site with a 17,000 square foot office warehouse and the associated site improvements. The site plan has been reviewed by the Development Review Committee (DRC) and staff recommends approval, subject to the conditions as stated in the DRC report.

City Manager Bollhoefer inquired as to whether these were baby strollers. Mr. Pash explained that this company owns all the strollers rented at Walt Disney and Universal Studios; they make repairs, assemble and deliver them.

Mayor Rees inquired as to the number of jobs and the economic benefit this will bring to the City of Winter Garden. Mr. Pash responded that he was not aware, but would research this and let the City Commission know at the next meeting.

Motion by Commissioner Sharman to approve a Site Plan for Kingdom Strollers located at 730 Garden Commerce Parkway, subject to conditions. Seconded by Commissioner Maciel and carried unanimously 5-0.

C. Recommendation to approve a request by the Bloom 'N Grow Garden Society for their annual Spring Fever in the Garden event on April 7 and 8, 2018 in Downtown Winter Garden

Community Development Director Pash stated that this is a special event application for the annual Spring Fever in the Garden. The event is proposed for April 7th and 8th and is the same as previous years. Staff recommends approval of this special event.

There was discussion on the timing and submittal of the request.

Motion by Commissioner Sharman to approve a request by the Bloom 'N Grow Garden Society for their annual Spring Fever in the Garden event on April 7 and 8, 2018 in Downtown Winter Garden. Seconded by Commissioner Bennett and carried unanimously 5-0.

D. Recommendation to approve The Rotary Club of Winter Garden to hold their annual Evening at the Pops event at Newton Park on March 24, 2018

Community Development Director Pash stated that this is a special event permit for the annual Evening at the Pops at Newton Park, scheduled for March 24th. He noted that it would be the same as previous years, including beer and wine sales. Staff recommends approval.

Motion by Commissioner Buchanan to approve The Rotary Club of Winter Garden to hold their annual Evening at the Pops event at Newton Park on March 24, 2018. Seconded by Commissioner Sharman and carried unanimously 5-0.

5. **MATTERS FROM PUBLIC**

Joseph Richardson, 220 N. Highland Avenue, Winter Garden, Florida, shared a letter regarding invocations that appeared in a Kansas newspaper. After reading the letter aloud, Mr. Richardson asked that the City Commission give it some consideration.

6. **MATTERS FROM CITY ATTORNEY** – There were no items.

7. **MATTERS FROM CITY MANAGER**

New Assistant City Manager for Public Services

City Manager Bollhoefer introduced the new Assistant City Manager for Public Services Jon Williams. Mayor Rees welcomed Mr. Williams to the City.

Code Complaints

City Manager Bollhoefer noted that the City has been receiving complaints and the ones most visible are landscapers blowing leaves into the storm water system which would in turn pollute the lake. He noted that Code Enforcement will become a little more aggressive and proactive on some of these items. He shared that shifting into this phase will take a while, as the City currently only has two Code Enforcement officers. He informed that the City is looking to hire two more Code Enforcement Officers and that staff would keep the City Commission informed.

Annexations Update

City Manager Bollhoefer indicated the areas in which annexations are being addressed and named Railroad Avenue, Southwest corner of Division Street and Hennis Road, and a large portion in the East Winter Garden area. He noted that staff met with Orange County today in a meeting that went very well. He anticipates that this will move full speed ahead and be successful by the summer.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Bennett thanked staff, the Police, and Fire Department for their efforts at the well-attended Blues ‘N BBQ. **City Manager Bollhoefer** noted that the City was overwhelmed this year. He expressed that there were 6,000 attendees last year and even after making an effort to double the vendors this year, 12,000 people attended and now the City still has to review options. **Commissioner Sharman** suggested adding a cover charge, even if it is donated to a charity.

Commissioner Buchanan commented on what he felt was a great, well run, and well attended Winter Garden Art Association SoBo Gala.

Commissioner Maciel confirmed with City Manager Bollhoefer that March 12, 2018 would be the meeting with Dover Kohl at the Maxey Center.

Commissioner Maciel acknowledged and announced the Birthday and party for Ms. Charlie Mae Wilder who was in the audience.

Commissioner Sharman thanked Police Chief Brennan for the additional Police coverage in an effort to reduce speeding on Daniels Road. He noted that it may have picked up again and may need additional Police presence.

Mayor Rees stated that the City had two big events that were well attended and extremely nice, but expressed that it did put time and stress on the City staff. He shared that he wanted to continually thank them and noted that it is nice to have people in the community that take the time out and put in the effort.

Mayor Rees acknowledged and greeted former Commissioners Jowers and Wilder who were in the audience.

The meeting adjourned at 6:56 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Angee Grimmage, CMC