



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

April 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

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, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of April 11, 2019 as submitted. Seconded by Commissioner Bennett and carried unanimously 5-0.

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

A. **Ordinance 19-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 14.87 +/- ACRES OF LAND GENERALLY LOCATED AT N. WEST CROWN POINT ROAD ON THE NORTHEAST CORNER OF N. WEST CROWN POINT ROAD AND E PLANT STREET, FROM C-2 (ARTERIAL COMMERCIAL DISTRICT) TO CAPUD (CHARACTER AREA PLANNED UNIT DEVELOPMENT); PROVIDING FOR CERTAIN CAPUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE ALTA WINTER GARDEN CAPUD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-17 by title only. **Community Development Director Pash** described the location of the property. He noted that the applicant is requesting to rezone the property from C-2 to Character Area Planned Unit Development (CAPUD) in order to develop 250 apartments. He shared that the ordinance outlines all of the design requirements for the building, landscaping, as well as access. Staff recommends approval of Ordinance 19-17.

Mayor Rees opened the public hearing.

Ron Mueller, 709 Lake Cove Pointe Circle, Winter Garden, Florida expressed his opposition to apartment buildings in general, noting he feels that they do not create the

type of ownership and long term environment sought within our community. He spoke on the issues of apartments versus home ownership.

Mayor Rees closed the public hearing.

Commissioner Sharman noted discussions he had with the City Manager and staff regarding his concerns with keeping this project viable long term. He requested the City Manager provide a brief highlight of those issues. **City Manager Bollhoefer** responded by stating he would first address incorrect assumptions. He expressed that it is a false assumption that home ownership means better maintenance in the long term versus those that choose to rent as an option. He expressed that determining how long something will maintain its value is dependent on the actual value and quality of the original project. He indicated that examples can be found in areas of Winter Garden where the terrible appearance is related to a low quality project; having nothing to do with its maintenance.

Mr. Bollhoefer described issues relating to this specific project; noting factors such as its density, high quality, and gated community. He informed of recent demographics and buying trends, indicating that although it would be thought that millennials would prefer home ownership, it is actually the opposite as they prefer renting. He pointed out that it really was not an option of apartments versus homes, noting that this was property zoned C-2.

Commissioner Maciel inquired about the park, its amenities, and design. **Community Development Director Pash** replied that details are not available at this point as it is only a conceptual plan. The City will work with the developer on how to build it and then it will be dedicated over to the City. There was discussion on this project not having a lot of amenities as it is along the West Orange Trail and will eventually be a City park for the City to maintain. **Mr. Bollhoefer** noted that this will be one of many mini parks throughout the City in an effort to maintain greenspace.

Commissioner Buchanan voiced concerns of getting the children back and forth across the railroad tracks. **City Manager Bollhoefer** noted that this is really not an issue as due to the rarity of trains in that location and a system will also be set up for this issue. Mr. Pash noted the availability of amenities, such as a swimming pool and fitness center within the apartment complex.

Mayor Rees noted his appreciation for all that has been done; but reminded everyone that he is more in favor of low density projects.

Motion by Commissioner Buchanan to adopt Ordinance 19-17. Seconded by Commissioner Bennett and carried 4-1; Mayor Rees opposed.

3. **REGULAR BUSINESS**

- A. Recommendation to approve RFP rankings and award Construction Services Contract for 9th Street Gravity Sewer & Force Main Improvements to Cathcart Construction Company for a total amount of \$4,642,753.50, which includes a 10% contingency

Assistant City Manager of Public Services Williams stated that staff recently completed the proposal process for construction services for the 9th Street gravity sewer and force main improvements. He described some of the components of the project and stated that six submittals had been received. He informed that the proposals were reviewed and evaluated on criteria such as resources, equipment and personnel, past performance and experience of the contractor. Also measured on the ability to meet time schedule requirements, projected workloads of the firm, and costs. Staff recommends approval.

Commissioner Buchanan mentioned burst pipes in Orlando that were installed in 1910 and inquired how much of these may be left in the City of Winter Garden. It was noted that although this amount is not actually known, a lot of it has been replaced. City Manager Bollhoefer noted that there are some areas that will be slowly but surely replaced; noting that the good news is that the majority of Winter Garden is fairly new. He indicated that staff would look into getting this information for the Commissioner.

Motion by Commissioner Buchanan to approve RFP rankings and award Construction Services Contract for 9th Street Gravity Sewer & Force Main Improvements to Cathcart Construction Company for a total amount of \$4,642,753.50, which includes a 10% contingency. Seconded by Commissioner Sharman and carried unanimously 5-0.

4. **MATTERS FROM PUBLIC** - There were no items.
5. **MATTERS FROM CITY ATTORNEY** - There were no items.

6. **MATTERS FROM CITY MANAGER**

- Historical Study Update for National Register

City Manager Bollhoefer shared some history of the Winter Garden Heritage Foundation and its 25th year anniversary and relationship with the City of Winter Garden. He informed about the City's survey of its historical architecture and buildings in Winter Garden. He shared that there were two historical districts created at that time, the Commercial historical district and the residential district. He shared that it was added to the national register in 1996, subsequent to that, the City created an overlay area for the downtown. The study was done in 1994 and he expressed that it is good practice to go back, review and update those studies for the national register. The cost to do a full survey is approximately \$50,000 and he disclosed that there is the availability of grants. He shared that the architectural standards would be reviewed; which Mayor Rees confirmed is also a part of this study. Mayor Rees noted that he thinks this is a good idea.

City Manager Bollhoefer shared that the Winter Garden Heritage Foundation is committed to doing this and he thinks it is good for the City. Mr. Bollhoefer congratulated them on their 25 years.

Commissioner Buchanan inquired as to whether anyone on the board has done this before or would a consultant be used. City Manager Bollhoefer responded that the cost is for hiring a specialized outside firm, as done the last time. The Winter Garden Heritage Foundation and the City would work together with them, but the firm does most of the work.

Commissioner Maciel inquired as to the finished product providing any developer with a clear picture of the required standards, options, and appearance. City Manager Bollhoefer responded that the City has in place the Architectural standards already and this would be to improve and adjust other buildings to whatever the survey may find. He shared what when done right, this not only protects historic buildings, it also gives clear guidance to those looking to do things in the future; it has to do both.

City Manager Bollhoefer noted that this item would have to be brought back to the City Commission for approval.

- Traffic Light out at County Road 535

City Manager Bollhoefer informed that the traffic light is out at the CR 535 and Stoneybrook West. Numerous emails and phone calls have been received regarding the timing of the light. He described that it is thought that somehow the timing has changed; he noted that the City has not purposely changed anything. He shared that this has been addressed with some adjustments made but will continue to be reviewed and see if it can be adjusted to fix this issue. He noted that a specialist on traffic lights may be brought in to do a full traffic light study. He shared that adjusting these lights is not easy and informed that the standard cost for doing this is approximately \$38,000. He requested that the City Commission give permission to move forward on this issue, trying easy fixes first and see if adjustments can be made. He shared that the Central Florida Expressway's long term fix is an off ramp and on ramp west of this intersection, however, that construction would not start until this year's end or beginning of next year. A solution for minimizing current traffic wait time for those residents is still needed.

Motion by Commissioner Sharman to approve the City Manager moving forward with efforts to resolve this issue and hiring a consultant for up to \$38,000, if needed.

There was discussion on the lights, traffic movements, 12 weeks for the study, and difficulties in the process.

Commissioner Maciel inquired as to how this effort works with the State, the County and for all the lights in the City. Mr. Bollhoefer noted that these are all City roads and described the area as being owned by the City; stating that this will be all of ours. There was discussion on other issues that would also effect this resolution.

Motion seconded by Commissioner Maciel and carried unanimously 5-0.

A. Update on Dillard Street

City Manager Bollhoefer noted that the Dillard Street project is still moving forward with the designs. The City was approved for a grant with the Florida Department of Transportation (FDOT), but it is probably likely that this grant will not be used due to its addition of two years to the process, and it drives up the cost significantly in efforts to adhere to their policies, and they can also change their designs and make the road not work as well. He also noted optional funding.

• Invocation (Prayer) Policy Update

City Manager Bollhoefer noted that this item would be postponed until the next meeting.

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Maciel noted that he received a call from Frank of Grow Orlando and Ms. Wilder who expressed their appreciation from the Community Garden and he noted some of the work that was done.

Commissioner Buchanan shared that he heard great comments about the Easter egg Hunt and noted that the City's staff pitched in and did a great job. He also shared that the area was popular for watching the sunset.

Mayor Rees addressed membership for the Charter Review Committee and named his two appointments as Ed McKinney and Phil Cross. **Commissioner Sharman** and **Commissioner Maciel** noted that they are confirming their two member selections and will provide them at a later date. **Commissioner Buchanan** named his two appointments as Larry Cappleman and Christopher Lee. **Commissioner Bennett** named her two appointments as Derek Blakeslee and Andy Davis.

The meeting adjourned at 6:53 p.m.

ATTEST:

APPROVED:

 /S/

City Clerk Angee Grimage, CMC

 /S/

Mayor John Rees