



CITY OF WINTER GARDEN

CITY COMMISSION SPECIAL MEETING MINUTES

May 4, 2020

A **SPECIAL MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 2:00 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida via Remote Electronic Attendance as per State of Florida, Office of the Governor (Executive Order Number 20-69). An Opening Invocation and Pledge of Allegiance given.

Present: Mayor John Rees and Commissioners

Lisa L. 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, Finance Director Laura Zielonka, Information Technology Director Chad Morrill, Police Chief Stephen Graham and Parks & Recreation Director Laura Coar

1. SPECIAL MEETING MATTERS

- A. **Ordinance 20-24:** AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, CONFIRMING THE GOVERNOR'S DECLARED STATE OF EMERGENCY; ADOPTING THE GOVERNOR'S PLAN FOR PHASED REOPENING OF THE CITY AS SET FORTH IN EXECUTIVE ORDER NO. 20-112; ESTABLISHING RULES SUPPLEMENTARY TO EXECUTIVE ORDER NO. 20-112; AUTHORIZING THE CITY MANAGER TO ISSUE EMERGENCY ORDERS AND RULES PURSUANT TO §§ 252.38 AND 252.46, FLORIDA STATUTES; AND PROVIDING FOR NON-CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 20-24 by title only. City Manager Bollhoefer stated that the primary purpose of this Ordinance is to reaffirm the Governor's declaration of a state of emergency. He addressed changes to Section 4 (a) that initially stated occupancy included employees of the business, but after review of other emergency orders, discovered it does not. He noted a change to Section 5 authorizing the City Manager, in case there are any changes in between meetings, to implement the change without calling an emergency meeting each time there is a change. He noted that all changes subject to reaffirmation by the City Commission at their next meeting. Mr. Bollhoefer explained the reasons for including the language. He indicated that there is the issue of whether or not the Governor would deem Barber and Beauty Shops as an essential business; at this point, the Governor had not made a decision. In the event the Governor does open these businesses, the City would want to follow suit, especially if other Orange County areas are doing so.

City Manager Bollhoefer noted that the City would also require restaurants close at 10:30 p.m. during the week due to the curfew, noting an opportunity for everyone to

get home in time. He stated that the second reason is people would only eat up to a certain hour. In the spirit of the law, bars were not open with this item, only restaurants. He spoke of discussions with the merchants and the implementation of a 10:00 p.m. last call. Mayor Rees inquired and discussion ensued on employees having enough time to shut down and still get out and get home before curfews.

Mayor Rees addressed Section 4 (b) and social distancing for indoor dining and the restaurants responsibilities for regulating this requirement. Discussion ensued on spacing of tables, the numbers allowed in order to stay within regulation, and regulation differences between indoor and outdoor seating. Mr. Bollhoefer shared a map of areas in the City where angled parking would be set up to increase outdoor space for some of the restaurants. Areas would be fenced, accommodating restaurants offering curbside, takeout, and some outside dining. He noted use of items such as umbrellas for the tables and possible tents for more of an indoor-outdoor experience.

Commissioner Buchanan inquired of the timeframe for the start of stage two. Mr. Bollhoefer replied that the Governor has stated that when measuring these phases, it would be a matter of weeks, not months. He noted that it would depend on the percentages. There was discussion on occupancy and the potential for the numbers to change. Commissioner Buchanan noted that his reason for asking is that before expending funds on tents and other such items, the need for them could change in phase two. There was discussion on unemployment and the percentages of businesses who desire to reopen. Mr. Bollhoefer spoke of the reopening for shopping centers and fair treatment of all businesses wishing to reopen. He disclosed that there had been contact with the mall and they indicated that they were not ready to reopen. Mr. Bollhoefer explained that it is their decision.

City Manager Bollhoefer spoke of remaining cautious, introducing signage for social distancing, carefully easing from phase one and doing things correctly allowing the ability to move on to phase two. There was discussion that politics is playing a big role in the decisions of some other central Florida agencies. Discussed were effects on some Florida beaches reopening and lacking social distancing, which could potentially move all efforts backwards. Mayor Rees noted people are ready to get out and there was discussion on the increasing activity in the downtown. Mr. Bollhoefer reiterated that the City wants to do this carefully and safely; also utilizing ambassadors and staff to be sure we do it correctly as not to lose phase one. He stated that the City's ultimate goal is helping these businesses and keeping people healthy.

Commissioner Maciel inquired about the City's stance on masks. Mr. Bollhoefer noted that masks would be required of all restaurant workers. There was discussion about the restaurants using masks and even some desiring temperature checks of customers before allowing entry. Mr. Bollhoefer noted the efforts of the local business Sysco in

making equipment and supplies available for the restaurants; noting the possible availability of thermal thermometers by the end of the week.

Commissioner Sharman thinks that a spike in cases could be the only thing that would send us back to phase one. Mr. Bollhoefer distinguished the magnitude of the spike as the determining factor as some spike would be expected with people getting back out.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Buchanan to ADOPT Emergency Ordinance 20-24. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. Discussion on Coronavirus (COVID-19) and State of Florida - Office of the Governor DeSantis Executive Order Number 20-112

City Manager Bollhoefer stated that the City would begin to re-open a few of its programs based on the nature of the class and the ability to keep social distance. He noted that classes requiring closer contact would remain closed. He indicated that discussions on the splash pad, swimming pool, and summer camp would take place at the next City Commission regular meeting.

2. **MATTERS FROM PUBLIC**

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

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

4. **MATTERS FROM CITY MANAGER** – There were no items.

5. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Maciel thanked staff and the City Manager for all their efforts, noting that there is no playbook on this matter but it seems well covered.

Commissioner Buchanan noted that he echoes Commissioner Maciel's comments.

Commissioner Sharman shared his review of the State's website, for the entire 34787 zip code, found that there were 58 cases with no deaths. **Mayor Rees** noted the number of cases in Orange County and its population; calculating the percentage as .0009. **Commissioner Buchanan** noted that zip code 34787 reaches all the way to State Road 192.

