



# CITY OF WINTER GARDEN

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## CITY COMMISSION BUDGET HEARINGS AND REGULAR MEETING MINUTES

September 26, 2019

**BUDGET HEARINGS** and **REGULAR MEETING** of the City of Winter Garden City Commission were called to order by Mayor Rees at 5:30 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 A. Kurt Ardaman, City Clerk Angee Grimage, 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, Information Technology Director Chad Morrill and Police Chief Stephen Graham

### **BUDGET HEARINGS**

#### 1. **SECOND READING AND PUBLIC HEARINGS TO ADOPT PROPOSED BUDGETS AND MILLAGE RATE FOR FISCAL YEAR 2019/2020**

- A. **Ordinance 19-49:** AN ORDINANCE LEVYING TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2019, AND ENDING ON SEPTEMBER 30, 2020

City Attorney Ardaman read Ordinance 19-49 by title and stated that the City Commission of the City of Winter Garden hereby adopts, establishes and levies a millage rate for ad valorem taxation of real and tangible personal property within the City of Winter Garden for the Fiscal Year beginning October 1, 2019, and ending on September 30, 2020, at the rate of 4.5000 mills (\$4.5000 for every \$1,000 of assessed valuation) upon the assessed valuation of property within the corporate limits of the City of Winter Garden, Florida. This millage rate is greater than the rolled back rate of 4.2580 mills by 5.68 percent.

City Manager Bollhoefer noted that after the discussions at the last meeting regarding millage, he thought it would best to provide a brief PowerPoint Presentation providing justification for keeping the requested millage at 4.5000.

Mr. Bollhoefer shared history of the millage change from 4.2500 to 4.5000 noting that it was in anticipation of a change in state law that would have produced a loss. He noted that after the presentation he would address a needs and wants analysis that may be needed for possible inclusion as a referendum for the March 2020 Election ballot. This would permit residents to address a potential millage increase in order to fund their desired projects.

City Manager Bollhoefer began his presentation by highlighting what he noted as basic items in the budget. He addressed matters such as the Full Time Employees (FTE) per one thousand citizens which he states is the measure of efficiency of a community. He displayed a comparison indicating that in relation to most other cities in the area the City of Winter Garden is historically on the lower end of rates. Also mentioned that the City's goal is to always maintain a fund balance of thirty percent in case of emergencies. Additionally, he informed of a resident survey indicating other matters thought to need attention. These items included transportation, parks and recreation, and parking. Mr. Bollhoefer went on to covered some proposed capital projects such as Dillard Street improvement, intersections, West Orange Trail realignment, and Tildenville School Road Trail realignment. He also informed of streets resurfacing projects and indicated that road improvements and maintaining the infrastructure are the most significant items to pay attention to as not to result in quality loss. He addressed parking plans, median improvements, and detailed some of the parks improvements. He spoke of carryforward capital for East Winter Garden for its redevelopment and revitalization.

Mr. Bollhoefer also highlighted new costs which included items such as Fire and Police Union contracts, as well as an additional adjustment made for the general employees. He also spoke of an unfunded mandated requirement for School Resource officers in all schools due to changes in state law. He indicated that revenue generated by the additional 0.25 mil was still exceeded by the new costs he had highlighted.

Mr. Bollhoefer then referred back to his earlier topic of a needs analysis survey to allow citizens to tell the City what they want and believe they need. The results would be brought back to the City Commission and then possibly placed on a ballot for the citizens to decide what they want and are willing to pay for in the long term.

Mr. Bollhoefer also addressed areas with traffic concerns and requests for traffic lights. He expressed that citizens also approach the City with a vast variety of parks and recreation requests. He suggested that a parks and recreation committee be formed as a part of this referendum determination effort.

Mayor Rees opened the public hearing.

Joseph Richardson, 220 North Highland Avenue, Winter Garden, Florida inquired of the two percent noted for general employees. City Manager Bollhoefer explained that the two percent was on top of the originally proposed three percent, making it a total of five percent; which Mr. Richardson noted he was in favor of.

Mr. Richardson inquired as to the Dillard Street project, its funding, and whether the City of Winter Garden is footing all of the costs. Mr. Bollhoefer responded that this is the total cost and it also includes the variant of most of the power lines. The City is looking to find more funding if possible. Although funding assistance is being sought, the City budgeted the full amount as if it were to pay it in case other funding was not found.

Ron Mueller, 709 Lake Cove Pointe Circle, Winter Garden, Florida, spoke in favor of keeping the millage at the 4.5000 with the City continuing its level of improvement.

Mayor Rees closed the public hearing.

**Motion by Commissioner Buchanan to adopt Ordinance 19-49. Seconded by Commissioner Bennett and carried unanimously 4-0.**

- B. **Ordinance 19-50:** AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2019, AND ENDING ON SEPTEMBER 30, 2020

City Attorney Ardaman read Ordinance 19-50 by title and the following excerpt: Whereas it is anticipated that there will be available for use and disbursement from the general funds of said City, revenue in the following amounts:

Collection of Ad Valorem	\$16,172,254
Revenue other than Ad Valorem	<u>43,498,343</u>
TOTAL REVENUES AVAILABLE FOR EXPENDITURES	\$59,670,597

Mayor Rees thanked Finance Director Zielonka for her assistance in answering questions he had concerning the budget.

Mayor Rees addressed the FTEs and the comparison with other cities, who he stated were way above the City of Winter Garden. Secondly, he inquired about the cases that are being closed in the Police Department; noting that the City was above other law enforcement agencies in cases that were completed. He thanked Police Chief Graham. Mayor Rees, then noted that with regards to the millage rate, the City of Winter Garden is one of the lowest in the county. He expressed that City Manager Bollhoefer and staff do an excellent job in managing the funds of this City and expressed his appreciation.

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

**Motion by Commissioner Sharman to approve Ordinance 19-50. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

- C. **Ordinance 19-51**: AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2019, AND ENDING ON SEPTEMBER 30, 2020

City Attorney Ardaman read Ordinance 19-51 by title and an excerpt: Whereas it is anticipated that it will be available for use and disbursement from the CRA funds of the City, revenue in the following amounts:

Collection of Ad Valorem	\$ 610,962
Revenue other than Ad Valorem	<u>617,345</u>
TOTAL REVENUES AVAILABLE FOR EXPENDITURES	\$1,228,307

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

**Motion by Commissioner Bennett to approve Ordinance 19-51. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

- D. **Ordinance 19-52**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, AUTHORIZING THE APPROPRIATIONS OF CITY FUNDS FOR FISCAL YEAR 2019-2020 IN ACCORDANCE WITH ARTICLE 3 SECTION 30 (5) OF THE CITY CHARTER OF THE CITY OF WINTER GARDEN, FLORIDA, AND FLORIDA STATUTE 166.241 FOR THE PURPOSE OF FULFILLING THE FINANCIAL OBLIGATIONS OF THE CITY

City Attorney Ardaman read Ordinance 19-52 by title only.

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

**Motion by Commissioner Buchanan to approve Ordinance 19-52. Seconded by Commissioner Bennett and carried unanimously 4-0.**

## **REGULAR MEETING**

### **2. APPROVAL OF MINUTES**

**Motion by Commissioner Buchanan to approve regular meeting minutes of September 12, 2019 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.**

### **3. PRESENTATION**

A. **Proclamation 19-13**: Proclaiming the Winter Garden Heritage Foundation's 25<sup>th</sup> Anniversary was presented by Mayor Rees and the City Commission.

### **4. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 19-36**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 28.32 ± ACRES LOCATED AT 14908 AND 14950 TILDEN ROAD, EAST OF STATE ROAD 429, WEST OF WINTER GARDEN VINELAND ROAD, AND SOUTH OF TILDEN ROAD INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

B. **Ordinance 19-37**: 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 28.32 ± ACRES LOCATED AT 14908 AND 14950 TILDEN ROAD, EAST OF STATE ROAD 429, WEST OF WINTER GARDEN VINELAND ROAD, AND SOUTH OF TILDEN ROAD FROM ORANGE COUNTY VILLAGE TO CITY SUBURBAN RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 19-38**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 28.32 ± ACRES LOCATED AT 14908 AND 14950 TILDEN ROAD, EAST OF STATE ROAD 429, WEST OF WINTER GARDEN VINELAND ROAD, AND SOUTH OF TILDEN ROAD, FROM ORANGE COUNTY CITRUS RURAL DISTRICT (A-1) TO CITY PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE TILDEN ROAD PUD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-36, 19-37 and 19-38 by title only. Community Development Director Pash stated that the applicant is still waiting for a letter from the Orange County Public Schools. Staff requests postponement of this item until the meeting of October 10, 2019.

**Motion by Commissioner Sharman to POSTPONE Ordinance 19-36, 19-37 and 19-38 to October 10, 2019 at 6:30 p.m. Seconded by Commission Buchanan.** Mayor Rees inquired as to whether this was 56 single family homes and not the 64 as listed on one of the pages. Mr. Pash confirmed that it was 56.

**Motion to POSTPONE carried unanimously 4-0.**

- D. **Ordinance 19-44**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.21 ± ACRES LOCATED AT 945 & 951 CARTER ROAD, EAST OF CARTER ROAD, WEST OF STATE ROAD 429, NORTH OF STATE ROAD 50, AND SOUTH OF EAST STORY ROAD INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- E. **Ordinance 19-45**: 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 1.21 ± ACRES LOCATED AT 945 & 951 CARTER ROAD, EAST OF CARTER ROAD, WEST OF STATE ROAD 429, NORTH OF STATE ROAD 50, AND SOUTH OF EAST STORY ROAD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- F. **Ordinance 19-46**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.21 ± ACRES LOCATED AT 945 & 951 CARTER ROAD, EAST OF CARTER ROAD, WEST OF STATE ROAD 429, NORTH OF STATE ROAD 50, AND SOUTH OF EAST STORY ROAD FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-44, 19-45 and 19-46 by title only. Community Development Director Pash stated that this is a voluntary annexation of two properties and described the location. The application is requesting future land use designation of multi-office industrial and I-2 zoning; both are consistent with the surrounding area. Staff recommends approval of Ordinance 19-44, 19-45, and 19-46 with the condition that access to the property would always be allowed; they cannot land lock the access.

There was discussion on the location and the zoning of agriculture in most of these type land listings.

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

**Motion by Commissioner Buchanan to adopt Ordinance 19-44, 19-45 and 19-46 with conditions as recommended by staff. Seconded by Commission Bennett and carried unanimously 4-0.**

## 5. REGULAR BUSINESS

- A. **Resolution 19-05:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, ADOPTING A DOWNTOWN GOLF CART DISTRICT PURSUANT TO § 74-4 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; IDENTIFYING STREETS UPON WHICH GOLF CARTS MAY BE OPERATED; PROVIDING FOR SIGNAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ardaman read Resolution 19-05 by title only. Community Development Director Pash stated that the Fullers Landing neighborhood has approached the City; inquiring as to the allowing of golf carts within the neighborhood. He noted that it was reviewed by staff. He stated that the speed limits in the surrounding area does not allow them certain access, so this can only be allowed within their neighborhood. This has been explained to the community, who is in favor of it. Staff recommends approval of Resolution 19-05. Discussion ensued on ideas for possible access to other areas.

**Motion by Commissioner Buchanan to approve Resolution 19-05. Seconded by Commissioner Sharman and carried unanimously 4-0.**

- B. Recommendation to approve SITE PLAN for 310 East Crown Point Road (Dackor Corporate Headquarters), subject to conditions

Community Development Director Pash stated that this is a site plan approval request for 310 East Crown Point Road. The applicant is proposing to build an approximately 36,000 square foot building of office and warehouse for the Dackor corporate office. He explained that they make lament material and also noted some of the proposed improvements. The site plan has been reviewed by the Development Review Committee (DRC) and staff recommends approval, subject to the DRC Report. Mr. Pash addressed Mayor Rees' questions regarding the elevation; noting that it was a side view which did not display everything.

Commissioner Sharman inquired of estimates on the number of jobs this business would generate. Mr. Pash noted that there are approximately 15 jobs right now, with the potential of more once the business is established and growing.

**Motion by Commissioner Sharman to approve the site plan for Dackor Corporate Headquarters located at 310 East Crown Point Road, subject to conditions. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

- C. Recommendation to approve RFQ rankings and award the Design Criteria Professional Services to Bentley Architects + Engineers, Inc. for new fire station

Finance Director Zielonka stated that the City recently sought a Request for Qualifications (RFQ) for design criteria professional services to oversee the new design build project for the fire station. She noted that two responses were received and the selection committee chose Bentley Architects + Engineers, Inc. She indicated that some

of the company's earlier projects had been attached to the agenda for reference. She noted that they fell within the scope of what the City is looking for. Staff recommends approval of the RFQ rankings and recommend awarding the Design Criteria Professional Services to Bentley Architects + Engineers, Inc.

**Motion by Commissioner Sharman to approve RFQ rankings and award the Design Criteria Professional Services to Bentley Architects + Engineers, Inc. for the new fire station. Seconded by Commissioner Bennett and carried unanimously 4-0.**

D. Recommendation to approve Interlocal Agreement for Police Dispatching Services for City of Ocoee

Police Chief Graham stated that this item was previously approved; however, the City of Ocoee made changes to the agreement. He referred to page nine (9) regarding the hold harmless agreement; effect the date of term. He indicated that it has been reviewed through the legal department of Ocoee as well as the City of Winter Garden. Staff recommends approval for another five years. Commissioner Sharman inquired as to whether this mutually exclusively holds each other harmless. City Attorney Ardaman responded that, in essence, this makes it mutually exclusive for each entity.

Commissioner Buchanan inquired as to the fielding of calls coming in from Ocoee. Police Chief Graham affirmed and added that it is for Ocoee, Windermere, and Oakland.

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

E. Recommendation to approve SPECIAL EVENT – Winter Garden Heritage Foundation Fundraiser - Heritage Ball – November 8, 2019 - 6:00 p.m. to 10:00 p.m. subject to conditions

Community Development Director Pash stated that this is a special event request for the Heritage Foundation Ball. They are requesting to use the Pavilion for a fundraising ball on Friday, November 8, 2019 from 2:00 to 10:00 p.m. The request is to serve beer and wine, offer dinner, and have an auction and provide live entertainment. He disclosed that a revised conditions of approval were submitted requiring employment of an off-duty Police Officer as event monitor, signage stating alcohol cannot leave a certain area and limit of 250 participants as stated on the application. Staff recommends approval of the event.

Mayor Rees confirmed that this is the same type of event held by the Art Association.

**Motion by Commissioner Bennett to approve SPECIAL EVENT for the Winter Garden Heritage Foundation Fundraiser Heritage Ball – November 8, 2019 - 6:00 p.m. to 10:00**



**p.m. subject to conditions. Seconded by Commissioner Sharman and carried unanimously 4-0.**

F. Recommendation to approve SPECIAL EVENT – Annual Garden Choir Wine Walk November 7, 2019 - 6:00 p.m. to 9:00 p.m. subject to conditions

Community Development Director Pash stated that the Garden Choir is requesting approval to hold their annual wine walk downtown on November 7, 2019. He described some aspects of the event and referred to a distributed updated list of merchants. Staff recommends approval with conditions that no wine can be consumed outside of any merchants, with two off-duty officers hired to monitor the event and limit of 400 participants.

Commissioner Buchanan inquired as to how the number of attendees is known; Mr. Pash responded that it is by the number of glasses distributed at sign-up.

**Motion by Commissioner Sharman to approve SPECIAL EVENT for the Annual Garden Choir Wine Walk for November 7, 2019 - 6:00 p.m. to 9:00 p.m., subject to conditions. Seconded by Commissioner Bennett and carried unanimously 4-0.**

G. Recommendation to approve SPECIAL EVENT – Think Pink Breast Cancer Awareness (Winter Garden Wheel Works) October 12, 2019 - 6:00 a.m. to 2:00 p.m. with street closure and subject to conditions

Community Development Director Pash stated that the Winter Garden Wheel Works requests a special event for Saturday, October 12, 2019 from 6:00 a.m. to 2:00 p.m. This is the Think Pink Breast Cancer Awareness ride which starts and finishes at Wheel Works. He described the route for the ride, street closures, and named some event activities. He indicated that it has been held in the past without incident. Staff recommends approval.

**Motion by Commissioner Sharman to approve SPECIAL EVENT for the Think Pink Breast Cancer Awareness (Winter Garden Wheel Works) on October 12, 2019 at 6:00 a.m. to 2:00 p.m., with street closure and subject to conditions. Seconded by Commissioner Bennett and carried unanimously 4-0.**

H. Recommendation to approve SPECIAL EVENT – Winter Garden Heritage Foundation Wine Walk – October 10, 2019 - 6:00 p.m. to 10:00 p.m. subject to conditions

Community Development Director Pash stated that the Winter Garden Heritage Foundation requests approval for a special event to have a wine walk on Thursday, October 10, 2019. They plan to start the event at the Heritage Foundation at 21 E. Plant Street. He described some of the event activities and explained that the conditions are the same as the previous approval. Staff recommends approval with the conditions that no wine can be consumed outside of any merchants, two off-duty officers employed to monitor the event, and a limit of 400 participants.

**Motion by Commissioner Sharman to approve SPECIAL EVENT for the Winter Garden Heritage Foundation Wine Walk for October 10, 2019 at 6:00 p.m. to 10:00 p.m., subject to conditions. Seconded by Commissioner Buchanan and carried unanimously 4-0.**

- 6. **MATTERS FROM PUBLIC** – There were no items.
- 7. **MATTERS FROM CITY ATTORNEY** – There were no items.
- 8. **MATTERS FROM CITY MANAGER** – There were no items.

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Buchanan addressed the upward progress of the City of Winter Garden. He described watching management and staff put together a budget that puts Winter Garden even more on the map. He indicated that there is a magazine which ranks Winter Garden in the top ten cities in the entire United States. He shared that hears about the friendly employees, their prompt cleanup after events, and news relating to the Fire and Police departments. He believes that we are one of the best cities in the entire nation and it is fun to be a part of Winter Garden.

Mayor Rees thanked City Manager Bollhoefer for his budget presentation.

Mayor Rees also spoke of the West Orange High School Homecoming event before the meeting and how it was another example of staff's presence. He expressed that they were there and smiling; he expressed that it is appreciated and it makes it a nice place to live.

The meeting adjourned at 7:29 p.m.

APPROVED:

/s/

\_\_\_\_\_  
Mayor John Rees

ATTEST:

/s/

\_\_\_\_\_  
City Clerk Angee Grimmagine, CMC