



# CITY OF WINTER GARDEN

## CITY COMMISSION REGULAR MEETING MINUTES

October 24, 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, I T Director Chad Morrill, Police Chief Stephen Graham, Facilities and Fleet Division Manager Mike Caines

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

**Motion by Commissioner Maciel to approve regular meeting minutes of October 10, 2019 as submitted. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

### 2. **PRESENTATIONS**

A. **Oath of Office** and introduction of new Firefighters Timothy Hoffman and Robert Rakestraw was administered by Fire Chief McGrew.

B. **Proclamation 19-14:** Proclaiming November 2, 2019 through November 9, 2019 as Week of the Family was read and presented by Mayor Rees and the City Commissioners. The proclamation was accepted by Victoria Laney, who thanked the City and shared information on upcoming related events.

### 3. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 19-56:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, SUBMITTING TO THE ELECTORS OF WINTER GARDEN PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF WINTER GARDEN; PROVIDING BALLOT TITLES, SUMMARIES AND TEXT FOR THE PROPOSED AMENDMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR APPROVED AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE

City Attorney Ardaman Read Ordinance 19-56 by title only. City Clerk Grimmage stated that at the last meeting the Charter Review Committee (CRC) presented its final results in an effort to provide amendment questions for inclusion on the upcoming 2020

General Election Ballot. This ordinance provides for those questions and staff recommends approval of Ordinance 19-56.

Mayor Rees acknowledged the CRC Chairperson Derek Blakeslee, who was in attendance. Mayor Rees suggested that amendment question number one (1) not be included, but approves the other nine. There was discussion that this amendment addresses the sale of alcoholic beverages. Mayor Rees stated that he knows why it was included, but feels it should be left off at this time. CRC Chairperson Blakeslee was acknowledged to give an explanation as to why the CRC felt it should be addressed.

CRC Chairperson Blakeslee explained that they felt, as the CRC, it was their charge to either change items that needed changing or clean up and remove items that did not need to be there. He noted that because the referendum process is also in the charter, there would be no need to have a specific item, such as this, which is automatically subject to referendum.

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

**Motion by Commissioner Bennett to approve Ordinance 19-56 with amendment numbers two through ten (*removing amendment one*), with the second reading and public hearing on November 14, 2019. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

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

- A. **Ordinance 19-53:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.28 ± ACRES LOCATED AT LAKEVIEW ROAD, WEST OF LAKEVIEW ROAD, SOUTH OF TILDENVIEW ROAD, AND NORTH OF WEST PLANT STREET 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 19-54:** 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 0.28 ± ACRES LOCATED AT LAKEVIEW ROAD, WEST OF LAKEVIEW ROAD, SOUTH OF TILDENVIEW ROAD, AND NORTH OF WEST PLANT STREET FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- C. **Ordinance 19-55:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.28 ± ACRES LOCATED AT LAKEVIEW ROAD, WEST OF LAKEVIEW ROAD, SOUTH OF TILDENVIEW ROAD, AND NORTH OF WEST PLANT STREET

FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY R-1 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 19-53, 19-54 and 19-55 by title only. Community Development Director Pash stated that this is a voluntary annexation and described the property's location. He stated that the owners are requesting a future land use designation of low density residential and R-1 zoning; these are consistent with the surrounding area. Staff recommends approval of Ordinances 19-53, 19-54 and 19-55.

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

**Motion by Commissioner Maciel to adopt Ordinances 19-53, 19-54 and 19-55. Seconded by Commissioner Bennett and carried unanimously 5-0.**

5. **REGULAR BUSINESS**

- A. Recommendation to approve first amendment and addendum for the extension of Services Agreement with Redzone Robotics, Inc., for Phase 2 of the Wastewater Collection System Assessment

Assistant City Manager of Public Services Williams stated that this is a request to extend an existing services agreement with Redzone Robotics to perform Phase 2 of the Wastewater Collection Systems Assessment. He noted that the services on page two are identical to page one and described the services to be provided. Staff recommends approval of the first amendment and the addendum for the extension of services agreement with Redzone Robotics, Inc., for Phase 2 of the Wastewater Collection System Assessment in the amount of \$50,000.

**Motion by Commissioner Buchanan to approve first amendment and addendum for the extension of services agreement with Redzone Robotics, Inc., for Phase 2 of the Wastewater Collection System Assessment. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- B. Recommendation to approve purchase of a 1632 Sq. Ft. modular building for Fire Station 23 Crew Quarters including installation, from Creative Modular Buildings Inc. for a total amount of \$158,574.90, which includes a 10% contingency

Facilities and Fleet Division Manager Caines stated that this request is for approving the purchase of a 1632 Sq. Ft. modular building for Fire Station 23 Crew Quarters. He noted that the purchase will replace a 17-year-old trailer which is in need of substantial repairs and is no longer meets current standards. He noted that staff evaluated the two proposals and recommends the proposal from Creative Modular Buildings Inc. The purchase is a piggyback of a Brevard County Contract. The cost of the building is \$144,159.00 plus a 10% contingency, for a total amount of \$158,574.90. Mr. Caines

informed that this is an unexpected issue and the item is an unbudgeted request. However, he noted that funding is available due to a recent savings on the purchase of another budgeted item. He addressed other options such as repairs to the existing building. He shared that there was additional space added to the new structure for future consideration of a rescue unit at this location; space for housing would be available. There was discussion on the location of this building. Also discussed was that the removal of the other building being included, set up of the new building, and nine weeks for production.

**Motion by Commissioner Sharman to approve purchase of a 1632 Sq. Ft. modular building for Fire Station 23 Crew Quarters, including installation, from Creative Modular Buildings Inc. for a total amount of \$158,574.90, which includes a 10% contingency. Seconded by Commissioner Bennett and carried unanimously 5-0.**

- C. Recommendation to approve purchasing one new Front Load Garbage Truck from Capital Truck Inc. utilizing the City of Tallahassee Contract for a total purchase price of \$267,773.81

Facilities and Fleet Division Manager Caines noted that this is a request to approve purchasing one new Front Load Garbage Truck from Capital Truck Inc. utilizing a piggyback of the City of Tallahassee Contract. He described the truck and noted that this purchase was anticipated and included in the current budget.

Mayor Rees asked if this was a commercial truck and a replacement of one truck. Mr. Caines explained that most are a replacement and the other would be kept as a spare; but inevitably a route is added; however, one truck has gone out of service this year.

**Motion by Commissioner Sharman to approve purchasing one new Front Load Garbage Truck from Capital Truck Inc. utilizing the City of Tallahassee Contract for a total purchase price of \$267,773.81. Seconded by Commissioner Maciel and carried unanimously 5-0.**

- D. Recommendation to approve purchasing two new Rear Load Garbage Trucks from Container Systems & Equipment Company Inc., utilizing the Florida Sheriff's Association & Florida Association of Counties Contract for a total purchase price of \$525,878.00

Facilities and Fleet Division Manager Caines stated that this request is to approve purchasing two new Rear Load Garbage Trucks from Container Systems & Equipment Company Inc., utilizing a piggyback of the Florida Sheriff's Association & Florida Association of Counties Contract for a purchase of two trucks. He noted that these trucks are used primarily for recycle, but are multipurpose. He noted that the purchase is \$262,939 each for a total purchase price of \$525,878.

Mayor Rees inquired if the trucks replace those requiring a worker pick up the recyclable bin above their head. Mr. Caines informed that these trucks do not. He

explained that the reason these trucks are continued in use for recycle is that in using an automated truck, boxes and items like that require the driver to get out and it is not easy to get box-type recycle into the truck. He indicated that this type of truck is preferred because of the items needed for pickup; however, he noted that these trucks do have tipper units on the back which allows for assistance in dumping items at the back of the truck.

**Motion by Commissioner Sharman to approve purchasing two new Rear Load Garbage Trucks from Container Systems & Equipment Company Inc., utilizing the Florida Sheriff's Association & Florida Association of Counties Contract for a total purchase price of \$525,878.00. Seconded by Commissioner Maciel and carried unanimously 5-0.**

- E. Recommendation to approve purchasing one new Automated Side Load Garbage Truck from Nextran Truck Sales, utilizing the Florida Sheriff's Association & Florida Association of Counties Contract for a total purchase price of \$285,464.60

Facilities and Fleet Division Manager Caines stated that this is a request to approve purchasing one new Automated Side Load Garbage Truck from Nextran Truck Sales, utilizing a piggyback of the Florida Sheriff's Association & Florida Association of Counties Contract for a total purchase price of \$285,464.60. He noted that all of these were anticipated purchases. Mayor Rees inquired as to whether this would be an addition; Mr. Caines confirmed that it would be an addition. He noted that the old ones are kept and used until no longer useable.

**Motion by Commissioner Sharman to approve purchasing one new Automated Side Load Garbage Truck from Nextran Truck Sales, utilizing the Florida Sheriff's Association & Florida Association of Counties Contract for a total purchase price of \$285,464.60. Seconded by Commissioner Maciel and carried unanimously 5-0.**

- F. Recommendation to approve SITE PLAN for 14811 West Colonial Drive (Royal Sky Plaza), subject to conditions

Community Development Director Pash stated that this site plan is for property located at 14811 West Colonial Drive. He noted that the applicant is proposing to develop the property with five buildings which total approximately 21,000 square feet of medical and professional offices. He also described some of the other improvements. He noted that the site plan has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions.

**Motion by Commissioner Buchanan to approve the site plan for 14811 West Colonial Drive (Royal Sky Plaza), subject to conditions. Seconded by Commissioner Sharman and carried unanimously 5-0.**

G. Recommendation to approve SITE PLAN for 252 & 270 West Plant Street (The Exchange), subject to conditions

Community Development Director Pash stated that this site plan is for properties located at 252 and 270 West Plant Street. The applicant is proposing to build a three-story, approximately 45,000 square foot building, with commercial space on the first floor and office spaces on the second and third floor. He noted that the plans have been reviewed and approved by the Development Review Committee (DRC). Staff recommends approval, subject to conditions.

City Manager Bollhoefer noted that the City would be working with the builder on this for the timing and the location of the construction fence. He noted that there will be sufficient space between that and the splash pad so that there is no interference with the operation. He addressed the challenge of building these types of building in a downtown area.

There was discussion on the demolition work and the timeframe of the project.

**Motion by Commissioner Buchanan to approve the site plan for The Exchange is located at 252 & 270 West Plant Street, subject to conditions. Seconded by Commissioner Sharman and carried unanimously 5-0.**

H. Recommendation to approve FINAL PLAT for 15200 East Oakland Avenue (Oakland Hills)

Community Development Director Pash noted that this is the final plat for the Oakland Hills Subdivision. The owners are requesting to subdivide a nine-acre property into 17 single family lots. He described some of the layout of the plat. He noted that the plat is consistent with the Planned Unit Development (PUD) ordinance and staff recommends approval.

Mayor Rees inquired as the average size of the lots. Mr. Pash responded that they are over one-half acre. There was discussion on the prices and the development.

**Motion by Commissioner Buchanan to approve the Final Plat for 15200 East Oakland Avenue (Oakland Hills). Seconded by Commissioner Sharman and carried unanimously 5-0.**

I. Recommendation to approve SPECIAL EVENT – The Gift of Swimming – 12th Annual 5K Run for the Gift on November 9, 2019 - 5:00 a.m. to 10:00 a.m.

Community Development Director Pash stated that this is a special event request to hold the 12<sup>th</sup> Annual Gift for Swimming 5K run. He noted that the request is to hold the event on November 9, 2019 from 5:00 a.m. to 10:00 a.m. He noted the race route which would be on City as well as County roads and described some of the activities. He noted that these activities would be the same as years past and will be coordinated with the Police Department for any assistance needed. Staff recommends approval.

