

REGULAR MEETING MINUTES

CITY COMMISSION

March 8, 2001

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Jack Quesinberry at 6:30 p.m. and the Invocation and Pledge of Allegiance were given.

PRESENT: Mayor Jack Quesinberry, Commissioners John Rees, Theo Graham, Howard Marbury and John Harriman; City Manager Hollis Holden, City Attorney Dykes Everett, City Clerk Kathy Montoya, Utilities Director Charlie Tinch, Trailer City Manager Hughlan Martin, Planning Director Mark Cechman, Finance Director Mike Bollhoefer, Recreation Director Larry Caskey, Human Resources Officer Victoria Ward, Public Works Director Marshall Robertson, Police Chief Jimmie Yawn and John Maloney of The West Orange Times

APPROVAL OF MINUTES:

1. Regular Meeting Minutes of February 22, 2001

Commissioner Harriman **motioned** to approve the minutes as submitted. Motion was seconded by Commissioner Marbury. **Motion carried 5-0.**

REGULAR BUSINESS:

1. Request for an open air rummage sale by the Boy Scouts on March 17, 2001 from 7 a.m. to 2 p.m. in the parking lot of 624 S. Dillard Street

Ms. Julie Branom, 536 S. Highland Avenue, Winter Garden, Florida was present to answer any questions. **Motion by Commissioner Graham to approve the open air rummage sale request. Seconded by Commissioner Harriman and carried 5-0.**

2. Request to expend \$5,000 from the State Law Enforcement Trust Fund to install a building security system and to expend \$1,590.45 for supplies for the (Gang Resistance Program) G.R.E.A.T. Program at Lakeview Middle School

Police Chief Yawn stated that the City received a grant to install a security system in Police Headquarters and the Communications/Post Office building, but after receiving the bids, the City was \$5,000 short. Therefore, he is requesting the additional \$5,000 from the Law Enforcement Forfeiture Fund which is allowed under the fund guidelines. **Motion by Commissioner Harriman to approve the \$5,000 expenditure requested. Seconded by Commissioner Rees and carried 5-0.**

Police Chief Yawn stated that the State requires that the City expend a percentage of forfeiture money on drug related programs and that expending the \$1,590.45 would meet these requirements. **Motion by Commissioner Graham to approve the expenditure of \$1,590.45 as requested. Seconded by Commissioner Harriman and carried 5-0.**

3. Award bid for water treatment plan improvements

Utilities Director Tinch stated seven bids were received for the Fuller's and Palmetto Water Treatment Plant improvements and staff recommends awarding the bid to Speegle Construction II, Inc., who was the lowest responsible bidder at \$2,102,000. The project includes new ground storage facilities and high service pumps to increase water pressure. The City is currently providing water with elevated water storage tanks and they can only reach out so far. The City's growth has impacted the City's ability to provide adequate water pressure. The proposed ground storage units should meet the City's needs through 2040. **Motion by Commissioner Graham to award bid to Speegle Construction II, Incorporated. Seconded by Commissioner Marbury.** Commissioner Graham asked how high service pumps work. Mr. Tinch stated that they pump off the ground storage tanks at a greater capacity and volume that can be put out by the elevated storage tanks and they will be regulated by pressure and hopefully will operate at 60-65-70 psi. These improvements will increase water pressure system-wide throughout the city. City Manager Holden stated the Boyd Street water tank will be maintained as a historical site. The Boyd Street well will be pumped to Palmetto water plant next year so we will not need to drill another well. **Motion carried 5-0.**

4. Appointment to the Code Enforcement Board to fill seat vacated by Jim O'Neil

Mayor Quesinberry stated that he and the City Manger met with Mr. Skubas who indicated he is interested in getting involved in his community and they recommend his appointment. **Motion by Commissioner Graham to appoint Mr. Skubas to the Code Enforcement Board. Seconded by Commissioner Harriman. Motion carried 5-0.**

5. Discussion and possible approval of a donation policy

City Manager Holden stated the proposed policy was drafted because of the difficulty in determining exactly what information the City Commission wanted to know before making their decision to donate. Staff has not been comfortable in determining who can or can't come before the City Commission to request funds. This policy would establish what the City Commission requires before putting the request on the agenda. Nothing will preclude someone from speaking under concerned citizens. Commissioner Harriman and Commissioner Rees stated they would like the reference to maximum donation per year removed, and was the consensus of the City Commission. Commissioner Rees stated that on bottom of page 1 of the application "how many are Winter Garden residents", could be added to the policy under the minimum criteria for consideration. For example, a donation request could include an office in Winter Garden and no residents or Winter Garden residents with an office elsewhere. City Attorney Everett agreed that Commissioner Rees' suggested change would allow the City to support a school group that is headquartered out of the city, but comprised entirely of city residents. He also suggested adding under minimum criteria item two, "must provide a service or benefit" and to change the last minimum criteria item to "Funds provided by the City are to be used for operating expenses or capital expenditures, not for scholarships, grants or awards to individuals." This would allow the

City to donate to programs such as habitat for humanity. **Motion by Commissioner Harriman to approve the donation policy with the recommended changes. Seconded by Commissioner Rees. Motion carried 5-0.**

6. FIRST READING OR PROPOSED ORDINANCES:

A. Ordinance 01-14: Amending the Solid Waste Ordinance to allow for rate changes by Resolution

City Attorney Everett read Ordinance 01-14 by title only. **Motion by Commissioner Marbury to approve Ordinance 01-14 with the second reading and public hearing being scheduled for March 22, 2001. Seconded by Commissioner Harriman. Motion carried 5-0.**

7. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES:

A. Ordinance 01-12: Rezoning to PUD of M/I Homes property located South of the Turnpike, East of CR535 and South of Daniels Road and preliminary plan approval for Phase I of Stone Crest

City Attorney Everett read Ordinance 01-12 by title only. Mayor Quesinberry opened the public hearing. Hearing no comments, the public hearing was closed. **Motion by Commissioner Harriman to adopt Ordinance 01-12 with staff recommendations, and seconded by Commissioner Marbury.** Planning Director Cechman stated that the proposed PUD is for a mix of residential lot sizes and that the applicant is requesting the approval of Phase I – Stone Creek. Staff recommends approval with two conditions. One is that two more development agreements be entered into between M/I Homes, Orange County and the City for widening Daniels Road. The other is a master utility plan and elementary school. The developer's representative, John Rinehart of Glatting Jackson, stated they agree with staff's recommendations. City Manager Holden stated there has been a long struggle with Daniels Road and the region requires the improvement. The second recommended agreement is the most difficult with regard to a school site. Staff will be meeting with the Orange County School Board on this issue. He has diligently been trying to obtain the figures used in determining the number of classrooms needed for the number of homes. Mr. Holden has been working with the City Attorney to add language to development agreements that will require the building of quality schools to meet the growth needs and that after this meeting, there will be a workshop with a presentation from Charter Schools to address this issue. **Motion carried 5-0. Motion by Commissioner Graham to approve the preliminary plan for Stone Crest Phase I with staff's recommended conditions and pending the execution of two development agreements. Seconded by Commissioner Harriman and carried 5-0.**

8. MATTERS OF CONCERN FROM CITIZENS - None

9. **MATTERS FROM CITY ATTORNEY – None**

10. **MATTERS FROM CITY MANAGER – Hollis Holden**

- Submitted a report with Occupational License classifications issued in 2000, with a recommended increase of 5% in 2001. The Ordinance with the proposed increase will be presented at the March 22, 2001 City Commission meeting.
- Submitted a statistical report from the University of Florida, Bureau of Economic and Business Research, which provided building permit activity for 2000 for single and multi-family units.

Cities in Orange County with the highest total value were ranked:

1. Winter Garden
2. Orlando
3. Apopka
4. Ocoee
5. Winter Park
6. Maitland
7. Edgwood
8. Eatonville
9. Bay Lake
10. Lake Buena Vista

Of the cities reporting statewide, with more than \$90M in residential construction, Winter Garden ranked 14th, with no other cities in Central Florida exceeding Winter Garden.

- Stated that City Hall renovations have begun and that the temporary entrance will be changed to the rear of the building. Starting March 22, 2001, City Commission meetings will be at Tanner Hall for about the next 6-9 months.
- Announced that Marshall Robertson is considering retirement as the Public Works Director and a nation-wide recruitment to fill his position will begin with Mr. Robertson being reassigned until his retirement. With Mr. Robertson's knowledge of roads and utilities, there would not be a better person to oversee the downtown renovation project of 3-4 years. Projects that have kept him from the day-to-day operations of Public Works have included acquisition of the right-of-way parcels for Daniels Road, the transfer of Plant Street from DOT to the City, and working with the consultant on designing the new City Hall. There is no better qualified person to work on these projects than Mr. Robertson.

11. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Rees: None

Commissioner Graham: None

Commissioner Marbury:

Inquired about how the University of Florida cost of housing report that Mr. Holden provided, affects the City's ability to provide affordable housing. City Manager stated that the City is providing low-cost housing in Regal Pointe, in the renovated apartments on Park Avenue and in the HUD funded Village complex.

Commissioner Harriman:

Stated that at the West Orange Chamber of Commerce meeting today, there was discussion on the airport location. For the record, the Chamber only approved the concept of the West Orange Airport, not the location. The Orange County Homeowner's Association came out stating that the location was decided, which was not true. Mayor Vanderley has stated the airport could even end up in Lake County. Mr. Holden also clarified that the City is paying dues to have a seat on the Metro Plan in order to have a voice on the board, which deals with roadway issues etc.

Mayor Quesinberry: None

ADJOURNMENT: The meeting was adjourned at 7:38 p.m.