

REGULAR MEETING MINUTES

CITY COMMISSION

June 14, 2001

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Jack Quesinberry at 6:30 p.m. at Tanner Hall with the Invocation being given by Commissioner Graham. The Pledge of Allegiance was postponed until 7:00 p.m. in observance of Flag Day with the rest of the nation.

PRESENT: Mayor Jack Quesinberry, Commissioners, John Harriman, Theo Graham, Mildred Dixon; City Manager Hollis Holden, City Attorney Dykes Everett, City Clerk Kathy Montoya, Utilities Director Charlie Tinch, Planning Director Mark Cechman, Finance Director Mike Bollhoefer, Public Works Director Marshall Robertson, Deputy Police Chief Jon Johnson, Recreation Director Larry Caskey, Human Resource Director Victoria Ward, Fire Chief Randy Dollar and Trailer City Manager Hughlan Martin

ABSENT: Commissioner John Rees

APPROVAL OF MINUTES:

1. Regular Meeting Minutes of May 24, 2001

Motion by Commissioner Graham to approve the Regular Meeting minutes of May 24, 2001 as submitted. Seconded by Commissioner Harriman and **carried 4-0**.

PRESENTATION

1. Presentation to Winter Garden's first Paramedic Fireman William Rosenfeld

Mayor Quesinberry congratulated and presented Paramedic Fireman William Rosenfeld with a Paramedic patch he earned after a very intensive 16 month training period. City Manager Holden stated that Mr. Rosenfeld is the first Paramedic in Winter Garden's process to become certified as Advanced Life Support capable.

PUBLIC HEARING

1. Public hearing for a special permit to have more than two domestic animals at 200 W. Story Road

Mayor Quesinberry opened the public hearing. Hearing no comments, the public hearing was closed. The applicant, Elaine Story, was not present. City Manger Holden stated that the property owner has indicated that he is in the process of evicting Ms. Story however, he has no proof to verify this statement. This case has been to the Code Enforcement Board and fines are accruing for the violation. Staff recommends denial. **Motion by Commissioner Harriman to deny the**

request for a special permit to have more than two domestic animals at 200 W. Story Road. Seconded by Commissioner Graham and carried 4-0.

REGULAR BUSINESS:

1. **Adopt Resolution 01-04 establishing a Citizen's Redistricting Advisory Committee**

City Attorney Everett recommended that the Resolution be adopted when all the Committee member names have been submitted. Commissioner Graham stated that because of the residency requirement, he only has one name at this time. He will submit the second name by the next meeting. Commissioner Rees was absent and has not submitted his names. It was the consensus of the City Commission to vote on the names nominated and postpone adopting the Resolution until the next meeting. The following nominations were made.

Mayor Quesinberry

Derek Blakeslee, Chair Kay Cappleman Richard Mask

230 N. Highland Avenue 519 N. Woodland Street 199 E. Crest Avenue

Winter Garden, FL 34787 Winter Garden, FL 34787 Winter Garden, FL 34787

Commissioner Graham District 2

Blair Johnson

249 Harbor Drive

Winter Garden, FL 34787

Commissioner Dixon District 3

Elzie Kay Felton Angelia Taylor Dean

532 Garden Heights Drive 907 Woodson Hammock Circle

Winter Garden, FL 34787 Winter Garden, FL 34787

Commissioner Harriman District 4

Daisy Myers Ruth Rowley

701 Brent Cross Road 690 Queensbury Loop

Winter Garden, FL 34787 Winter Garden, FL 34787

Motion made by Commissioner Harriman to accept the Redistricting Committee nominations, the appointment of the Chairperson and to postpone the adoption of Resolution 01-04 until all the nominations have been made. Seconded by Commissioner Graham and carried 4-0.

2. **Awarding a "push-button" contract for continuing utility construction services for the Downtown Plant Street Redevelopment Project**

Public Works Director Robertson stated that the proposed contract is for continuing underground utility construction for the downtown Plant Street Redevelopment Project. The proposed contract is modeled after neighboring cities and counties who utilize this type of contract to reduce the time and cost required for individual contracts throughout the year. City Attorney Everett stated that this request is to award the prime contract to the low bidder JCB Construction Inc. and award a secondary contract to T. D. Thomson, who has agreed to perform the work at the same unit prices as JCB Construction. **Motion by Commissioner Graham to award the "push-button" contract to JCB Construction Inc. and the secondary contract to T. D. Thomson. Seconded by Commissioner Dixon and carried 4-0.**

3. **Approval of Resolution 01-05 for a Interim Service License Agreement with Strategic Technologies, Inc. (STI) for Cable Television Services**

City Attorney Everett read Resolution 01-05 by title only and stated this item was advertised as a public hearing. Mayor Quesinberry opened the public hearing. Hearing no comments, the public hearing was closed. Commissioner Graham noted an error on page 4 Section 6.(a)(ii)(A) 11th line with "Grantee shall reimburse the Grantee" that should state "Grantee shall reimburse the City". Commissioner Graham asked about Section 6.(a)(ii)(B), the third to last line that states "shall bear interest at the legal rate, as defined by state law," whether the interest rate would change or not? City Attorney Everett stated that the rate could change anywhere from 18-24%. Commissioner Graham also asked why page 5 Section 6.(a)(ii)(D) allows for the Grantee finding errors but makes no reference to the City finding errors? City Attorney Everett stated that if the City discovers an error, STI defaults, which is intended to put the burden onto STI and not the City. **Motion by Commissioner Harriman to approve the Interim Service License Agreement with STI with a correction to page 4 Section 6.(a)(ii)(A) 11th line from "Grantee shall reimburse the Grantee" to "Grantee shall reimburse the City" and adopt Resolution 01-05. Seconded by Commissioner Graham and carried 4-0.**

At this time Mayor Quesinberry lead in the Pledge of Allegiance and noted that this is the 224th anniversary of our nation's flag.

4. **Request by the Town of Oakland to provide sewer service to their Charter school**

City Manager Holden stated that this item is on the agenda at the request of the Town of Oakland. This request is only for the proposed Charter School. The decision that needs to be made is whether or not the City wants to commit X amount of gallon sewer capacity to Oakland. Winter Garden will not be paying anything for providing the service. Mr. Holden stated that no terms have been discussed regarding future capacities. Commissioner Graham stated that Winter Garden had just enlarged the sewer plant and the use continues to grow. Mr. Holden stated that Winter Garden would be at 6 million gallons per day at build-out. Commissioner Dixon stated that she understands that the treatment plant would have to be expanded whenever it gets to 80% capacity and that the school would pay for what it uses, so why not let them. Mayor Quesinberry asked if the Charter School is definitely going in? Mr. Jay Evans, Town Manager of Oakland stated they are 85% sure it will go. Commissioner Graham asked what the average per day capacity is now? Utility Director Tinch stated it is approximately 1.3 million gallons per day. **Motion by Commissioner Harriman to approve the concept of providing sewer capacity to the Town of Oakland Charter School, if it is built. Seconded by Commissioner Dixon.** Holden stated that he has been having discussions about additional support for school expansion, that would come back to the City Commission sometime in the future. Mayor Quesinberry stated the motion is for sewer services only to support the Charter School. **Motion carried 4-0.**

5. **Approval of a Stormwater Management Cost-Sharing Grant Agreement with the St. Johns River Water Management District for Lulu Creek Phase III**

Public Works Director Robertson stated that the City just received this grant award notice, which is a 50/50 grant for the design of erosion control for Lulu Creek from Division Street south to Plant Street. City Manager Holden stated that the juice plant is no longer discharging treatment water into Lulu Creek. **Motion by Commissioner Graham to approve the Stormwater Management Cost-Sharing Grant Agreement with St. Johns River Water Management District for Lulu Creek Phase III. Seconded by Commissioner Harriman and carried 4-0.**

Dispense as the City Commission and convene as the Community Redevelopment Agency (CRA). The CRA was called to order at 7:35 p.m.

MEMBERS PRESENT: Jack Quesinberry, Theo Graham, Mildred Dixon and John Harriman

MEMBERS ABSENT: Larry Cappleman, John Rees and Teresa Jacobs

6. **Approval of Resolution 01-06 for reimbursement of costs relating to the acquisition and construction of capital improvements within the Community Redevelopment Area for the downtown renovation project**

City Attorney Everett read **Resolution 01-06** by title only. Finance Director Bollhoefer stated that the proposed Resolution would allow for reimbursement to the general fund before financing is complete on the Downtown Renovation project. He will also be submitting additional Resolutions

and Ordinances to complete the financing plan. **Motion by Agency Member Harriman to adopt Resolution 01-06. Seconded by Agency Member Graham and carried 4-0.**

Adjourn as the Community Redevelopment Agency and reconvene as the City Commission at 7:38 p.m.

7. MATTERS OF CONCERN FROM CITIZENS - None

8. MATTERS FROM CITY ATTORNEY – None

9. MATTERS FROM CITY MANAGER

A. General Employees Pension Board vacancy of the Commission appointed position

As indicated in the back-up material, the Commission appointed member, Mr. Jim O'Neil, has vacated his seat because of his absences. The Pension Board is requesting that the City Commission make a replacement appointment. It was the consensus of the City Commission to bring back a nomination within the next two months.

- B. Announced that there were 120 applicants for the Public Works Director position, which was narrowed down to 8 and then to 3. The 3 candidates have been interviewed and the final verifications are being done. He anticipates making a candidate recommendation at the next meeting. There are also 3 candidates for Assistant Fire Chief.
- C. He has met with Ms. Fields concerning the new library and it looks like they have \$1.5 million, but the building is projected to cost \$2.2, which leaves them short by \$700,000. They may be requesting the City's assistance in funding the new library because they don't have the capability of borrowing. They are also projecting that it would open in 2003 and are anticipating the need for another regional library in 5 to 7 years in South Winter Garden area. Mayor Quesinberry stated that the City originally purchased the library building and gave it to the County. He would like to see the City get the building back and use for a senior center. Mr. Holden stated that could be an option as well as other uses.
- D. Announced that he will be attending a Charter School meeting in Orlando tomorrow.
- E. Reminded the City Commission that they will need to consider designating a voting delegate for the League of Cities Conference in Lake Buena Vista, August 23-25, 2001.
- F. Asked if the City Commission would be interested in placing an ad in Ocoee's Founder's Day brochure. **Motion by Commissioner Harriman to place a full-page ad in Ocoee's Founder's Day brochure. Seconded by Commissioner Dixon and carried 4-0.**

10. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Harriman:

- Stated that the County Library is a real asset to the City of Winter Garden.
- Stated he attended a meeting at the West Orange Chamber that is conducting a fundraiser to refurbish the building by selling "chairs" that they will put a plaque on for a \$200 donation. **Motion by Commissioner Harriman to donate \$200 to buy a Chamber chair. Seconded by Commissioner Dixon and carried 4-0.**

Commissioner Dixon:

- Announced a Faith Based meeting on Saturday in Winter Garden.
- Stated she is glad to hear about the progress made with the School Board and expressed the need for the City to work with School Board Member Ardaman. The School Board will need to find funding for protecting the children walking to school across busy highways.
- Thanked the City for all the help to the community and thanked Commissioner Harriman for his support to Maxey School.

Mayor Quesinberry:

- Stated he will be on vacation and will not be attending the next meeting.

Commissioner Graham:

- Stated there was material in the Commissioner's mailboxes regarding the Lake County vote on the quarter basin plan and asked everyone to read the material. He would like to see the City have the same thing.
- Asked that the dirt at the end of the boat ramp be removed while the lake's water level is down.

11. **ADJOURNMENT:** The meeting was adjourned at 8:02 p.m.