

REGULAR MEETING MINUTES

CITY COMMISSION

January 23, 2003

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

PRESENT: Mayor Jack Quesinberry, Commissioners John Harriman, Mildred Dixon, Theo Graham and John Rees

Also Present: City Manager Hollis Holden, City Attorney Dykes Everett, City Clerk Kathy Montoya, Assistant to the City Manager Marshall Robertson, Utilities Director Charlie Tinch, Code Enforcement Manager Johnny Clark, Finance Director Mike Bollhoefer, Public Works Director Bob Smith, Recreation Director Larry Caskey, Deputy Police Chief Jon Johnson, City Planner Mark Cechman, and Michael Laval of The West Orange Times

1. **APPROVAL OF MINTUES:**

Motion by Commissioner Rees to approve the minutes of January 9, 2003 as submitted. Seconded by Commissioner Harriman and carried unanimously 5-0.

2. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE:**

A. **Ordinance 03-01: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING A 64-ACRE PARCEL LOCATED SOUTHEAST OF THE PROPOSED WESTERN BELTWAY AND CR535 MORE SPECIFICALLY DESCRIBED HEREIN FROM ORANGE COUNTY A-1 TO CITY PUD; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

City Attorney Everett read Ordinance 03-01 by title only. City Planner Cechman stated that after several meetings between area residents and staff, there remains some unresolved issues between the future development of Bronson Landing and the Wintermere Harbor residents. The applicant has requested a continuance of this public hearing until February 27, 2003 at 6:30 p.m. Mr. John Percy with Glatting Jackson, stated that Mr. Cechman has accurately represented their request. Mr. Cechman stated that in the interim, the applicant intends to meet with the homeowners to find some common ground on the issues. **Motion by Commissioner Rees to grant the continuance of Ordinance 03-01 for the second reading and public hearing on February 27, 2003. Seconded by Commissioner Harriman and carried unanimously 5-0.**

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3. **REGULAR BUSINESS:**

- A. **Resolution 03-02: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, AUTHORIZING ROBERT M. SMITH, PUBLIC WORKS DIRECTOR, AND HIS SUCCESSORS, TO SIGN FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY LIGHTING AND TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENTS**

City Attorney Everett read Resolution 03-02 by title only. **Motion by Commissioner Harriman to approve Resolution 03-02. Seconded by Commissioner Rees and carried unanimously 5-0.**

- B. **Recommendation to approve Final Plat for West Point Commons**

City Planner Cechman stated that the final plat establishes the out-parcels and their accesses in the new Publix Shopping Center on SR50. Both staff and the Planning and Zoning Board are recommending approval. **Motion by Commissioner Rees to approve the Final Plat for West Point Commons. Seconded by Commissioner Dixon and carried 4-1; Commissioner Graham opposed.**

- C. **Recommendation to approve three contracts with Public Resource Management Group (PRMG) to perform a financial analysis on Water and Wastewater rates, impact fees and stormwater systems financial forecast**

Finance Director Bollhoefer stated that the purpose of the analysis will be to determine if the current impact fees and rates are sufficient to maintain the long-term financial stability of the City and to ensure that the City can provide the services that our citizens need. We are in excellent financial condition now and we should do periodic reviews of the rates to ensure that we stay that way. Commissioner Graham addressed the method of invoicing that states, "Monthly; based on actual time; guaranteed maximum price" on all three contracts. City Manager Holden stated that the method refers to a monthly invoice, based on his actual time, but the total price will not exceed the maximum negotiated amount. **Motion by Commissioner Dixon to approve the three staff recommended contracts with Public Resource Management Group. Seconded by Commissioner Harriman and carried 5-0.**

Mayor Quesinberry dispensed with the City Commission agenda and convened as the Community Redevelopment Agency (CRA) at 6:39 p.m.

Members Present: Jack Quesinberry, Chairman; John Rees, Theo Graham, Mildred Dixon, John Harriman, and Larry Cappleman

Members Absent: Teresa Jacobs

4. **Recommendation to approve the Phase III construction plans for Plant Street**

Assistant to the City Manager Robertson stated that plans have been provided and have been reviewed by the CRA Advisory Committee, which is recommending approval. Agency Member Graham asked about getting onto North Central Avenue while driving east, whether it will be blocked at the west end of the circular median on map page P-1. City Manager Holden stated that a driver will not be able to go onto the frontage road off Central. Mr. Robertson stated that if you come up Central and want to go east, you have to go around the oval to the west and go back. **Motion by Agency Member Harriman to approve the Phase III construction plans for Plant Street. Seconded by Agency Member Cappleman and carried 6-0.**

Mayor Quesinberry adjourned the CRA meeting at 6:42 p.m. and reconvened the City Commission meeting.

5. **MATTERS OF CONCERN FROM CITIZENS:** None

6. **MATTERS FROM CITY ATTORNEY DYKES EVERETT:** None

7. **MATTERS FROM CITY MANAGER HOLLIS HOLDEN:**

A. **Financial Statement for December 2002**

Stated that the City's finances are looking very good after the first quarter of the fiscal year.

B. **Discussion on Rehabilitation of the downtown water tower**

Stated that in addition to making improvements to the City's infrastructure, it has been the City's intent to save the downtown Boyd Street water tower for historical purposes. The ground storage tank under this tower will be removed and the well will provide water to Palmetto in about 30 days. Therefore, he has asked the Utility Director to obtain a proposal for renovating the water tower. He has since received a booklet from a firm that

has experience with 4,000 clients and has done the towers for Oakland and Montverde. The company has proposed a one-time charge of \$36,000 for painting the tower supports aluminum and painting the walkway and tank white or off-white; placing the centennial logo on two sides; and he will meet with them on how the name Winter Garden will appear. Staff prefers to have an annual contract for approximately \$12,000 a year for the first three years and goes down to \$9,000, then \$8,000 and so forth, which would be paid from the Utility Fund and may be terminated at any time. The company will inspect the water tower annually and do any necessary touch-ups, etc. He requested permission to finalize an agreement with this firm. **Motion by Commissioner Harriman to proceed with finalizing an agreement for refurbishing and maintaining the downtown Boyd Street water tower. Seconded by Commissioner Dixon.** Commissioner Rees stated that he would also like to staff look at lighting the tower. Mr. Holden stated that staff will address lighting as well. **Motion carried 5-0.**

8. **MATTERS FROM MAYOR AND COMMISSIONERS:**

Commissioner Graham:

- Reported that since the boat ramp has reopened, the weeds that grew during the drought have died under the water and are causing problems for boaters. Could they be removed? City Manager Holden stated that the problem will be reasonably resolved.
- Reported that a cotton tree on North Park Avenue has bloomed and is covering the sidewalk. Assistant to the City Manager Robertson stated that the Public Works Department can trim the tree at the sidewalk edge, closest to the tree, straight up. The property owner will be notified about maintaining the tree to keep it away from the sidewalk.

Commissioner Dixon:

- Thanked the Police Department and the community for the turnout to Al Brooks' funeral and reported that a donation fund was established for Al Brooks and a plaque will be placed at the Maxey Center in his honor.
- Reported that she will be meeting with the City Manager to discuss going to the CRA about the importance of annexing the East Winter Garden area.

Mayor Quesinberry:

Stated that the Centennial Celebration kick-off on January 17, 2003 at Tanner Hall was a great success and thanked those involved in planning the event.

The meeting was adjourned at 7:01 p.m.