

REGULAR MEETING MINUTES

CITY COMMISSION

March 13, 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, Theo Graham, John Rees, and Mildred Dixon (arrival 6:35 p.m.); City Manager Hollis Holden, City Attorney Dykes Everett, Deputy City Clerk Nancy Williams, Assistant to the City Manager Marshall Robertson, Utilities Director Charlie Tinch, Human Resources Director Victoria Ward, Recreation Director Larry Caskey, Public Works Director Bob Smith, Fire Chief John Williamson, Assistant Fire Chief Tom Berrios, and Police Chief Jimmie Yawn

1. **APPROVAL OF MINUTES:**

- A. Regular Meeting Minutes of February 27, 2002. **Motion by Commissioner Rees to approve the minutes as submitted. Seconded by Commissioner Harriman and carried 4-0.**

- B. Canvassing Board Meeting Minutes of March 2, 2003. **Motion by Commissioner Harriman to approve the minutes as submitted. Seconded by Commissioner Graham and carried 4-0.**

2. **PRESENTATION:**

Fire Chief Williamson introduced new engineer selectees Bill Rosenfeld and David Doyno and presented them with new badges. Congratulations were expressed to the candidates on their promotion.

3. **REGULAR BUSINESS:**

- A. **Resolution 03-04: Certifying the general election results of March 11, 2003**

Deputy City Clerk Williams read Resolution 03-04 by title only. There were no questions or discussion. **Motion by Commissioner Graham to approve Resolution 03-04. Seconded by Commissioner Dixon and carried 5-0.**

B. Oaths of Office

Deputy City Clerk Williams administered the oaths of office for Commissioners Dixon, Graham and Harriman.

C. Request for donation by the Winter Garden Elks Lodge #2165

No representative from the Elks Lodge was present to make the request.

D. Recommendation for the City to purchase properties located at 160 and 252 W. Plant Street

City Manager Holden stated that the property at 160 W. Plant Street is the former Winter Garden Theatre, and 252 W. Plant Street is the vacant lot across the street from City Hall. The contracts have been prepared and are assignable to the City. Commissioner Graham asked if the theatre would be used for movies. Ward Britt, 1219 Kelso Boulevard, Windermere, appeared before the Commission representing the Winter Garden Heritage Foundation, and stated the theatre will be used for both movies and live stage productions. Commissioner Rees asked how much property behind the buildings was included in the purchase. Assistant to the City Manager Robertson stated that 10 feet beyond the fence is included. **Motion by Commissioner Harriman to approve the purchase of the properties at 160 and 252 W. Plant Street. Seconded by Commissioner Dixon.** Commissioner Graham asked where the money for the purchase is to come from. City Manager Holden stated that the money will come from the General Fund. **Motion carried 5-0.**

Mayor Quesinberry dispensed with the City Commission Agenda and convened as the Community Redevelopment Agency (CRA).

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

Members Absent: Teresa Jacobs

4. Recommendation to authorize Change Order #3 to the Plant Street Streetscape Project in the amount of \$74,818.38

Assistant to the City Manager Robertson stated that the correct amount of the change order is \$73,984.38 and represents the final change order for Phase 1. Commissioner Rees asked about Item 3.15, \$55,444.09 for variance of contract estimated quantities versus actual measured final quantities. Mr. Robertson explained the figure represents the retainage plus the difference between the estimated and final measurements for piping, etc. Mr. Cappleman asked about Item 3.11 for modification to the electric service panel. Mr. Robertson stated the increase in Christmas lighting required the modification. **Motion by Agency Member Larry Cappleman to authorize Change Order #3 for the amount of \$73,984.38. Seconded by Agency Member Harriman and carried 6-0.**

Mayor Quesinberry adjourned the CRA meeting and reconvened the City Commission meeting.

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

6. **MATTERS FROM CITY ATTORNEY**

- A. City Attorney Everett stated that he and City Manager Holden will meet on Friday, March 14 with representatives of Time Warner Cable regarding their compliance with their Franchise Agreement.
- B. With regard to the ordinance change dealing with non-conforming properties, the members of the Development Review Committee completed a productive workshop and the issue will be brought before the Commission in the near future. City Manager Holden added that the issue will be presented in two sections and will be on the Commission agenda within 30 days.

7. **MATTERS FROM CITY MANAGER**

- A. City Staff's recommendation for a four to five percent increase in occupational license fees will come before the Commission in the near future.
- Mr. Holden thanked Utilities Director Tinch and members of his staff for their outstanding efforts during recent reconstruction events and noted they would be publicly recognized at a future meeting.
- Dillard Street will be closed at 6:00 a.m. Saturday, March 15, for school construction purposes.
- The boat ramp has been cleaned again.
- Suggested that short-sleeved shirts be worn starting at the next meeting.

- City Staff is working with KOA Campground on their violation of the City ordinance regarding park model RVs. While the owners bought the property in good faith and have been very cooperative, police and fire personnel need to know what structures are in place, and state requirements for tie-downs must be met. The owners have presented an excellent solution which will include a request for authorization to park a specific number of models.

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

Commissioner Dixon:

“Unity Day” will be held Saturday, March 15 from 10:00 a.m. to 4:00 p.m. in Klondike Park. Food and music will be provided and all are invited. Commissioner Dixon wanted it written into the official record that she has no involvement in the City’s negotiations with Ardis Woodard for 214 Center Street. City Manager Holden added that approval of the purchase will not be recommended because of the price offered and the proposal for the use of the property will require special exceptions. Commissioner Dixon also stated that an apprenticeship program will be brought to Maxey Center to help retrain about 65 young people for reentry into the workforce.

Commissioner Graham:

Suggests using Dr. Carter’s name at the next opportunity to dedicate a park or other City facility. Received a letter from the Department of Environmental Protection regarding the Lake Apopka Rule. City Manager Holden added that there are significantly higher restrictions on Lake Apopka than on Lake Butler. Commissioner Graham advised Commissioner Dixon that her request for a salary increase would have to be made in the form of a motion at this meeting or another meeting within six months in order for the raise to be effective in 2005. **Motion by Commissioner Dixon for Commissioners’ salary to be increased from \$300 to \$500 per month and the Mayor’s salary to be increased to \$800 per month. Motion died for a lack of second.** City Manager Holden said he will provide a survey of what officials are paid in other cities.

The meeting was adjourned at 7:35 p.m.