



CITY OF WINTER GARDEN

OFFICE OF THE CITY CLERK

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WINTER GARDEN, FL 34787
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CITY COMMISSION REGULAR MEETING MINUTES

September 27, 2007

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, 29 W. Garden Avenue, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

Present: Mayor Jack Quesinberry, Commissioners Harold L. Boulter, Bob Buchanan, H. Gerald Jowers, and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, Assistant City Manager Marshall Robertson, City Clerk Kathy Golden, Finance Director Brian Strobeck, Human Resources Director Frank Gilbert, Building Official Willie Herbert, Police Chief George Brennan, Fire Chief John Williamson, Information Technology Director Bob Reilly, Recreation Director Jay Conn, Planning Director Ed Williams, Assistant City Engineer Mike Kelley, Assistant to the City Manager for Public Works Don Cochran, and West Orange Times reporter Michael Laval

1. **SECOND READING AND PUBLIC HEARING TO ADOPT THE PROPOSED MILLAGE RATE AND BUDGETS FOR FISCAL YEAR 2007-2008**

- A. **Ordinance 07-44:** AN ORDINANCE LEVYING TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2007 AND ENDING ON SEPTEMBER 30, 2008

City Attorney Ardaman read Ordinance 07-44 by title and the following excerpt from Section 1: The City Commission of the City of Winter Garden hereby adopts, establishes, and levies a millage rate for ad valorem taxation of real and tangible personal property within the City of Winter Garden for the fiscal year beginning October 1, 2007 and ending on September 30, 2008, at the millage rate of 3.4296 mills (\$3.4296 for every \$1,000 of assessed valuation) upon the assessed valuation of property within the corporate limits of the City of the Winter Garden, Florida. This millage rate is less than the roll back rate of 3.7688 mills by 9.00 percent.

Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Jowers to adopt Ordinance 07-44. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

B. Ordinance 07-45: AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2007 AND ENDING ON SEPTEMBER 30, 2008

City Attorney Ardaman read Ordinance 07-45 by title and the following excerpt from Ordinance 07-45: Whereas, it is anticipated that there will be available for use and disbursement from the general funds of said City, revenue in the following amounts:

Collection of Ad Valorem	\$ 8,303,452
Revenue other than Ad Valorem	<u>19,034,907</u>
TOTAL REVENUES	\$27,338,359

Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Boulter to adopt Ordinance 07-45. Seconded by Commissioner Sharman and carried unanimously 5-0.**

C. Ordinance 07-46: AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2007 AND ENDING ON SEPTEMBER 30, 2008

City Attorney Ardaman read Ordinance 07-46 by title and the following excerpt from Ordinance 07-46: Whereas, it is anticipated that there will be available for use and disbursement from the CRA funds of said City, revenue in the following amounts:

Collection of Ad Valorem	\$350,498
Revenue other than Ad Valorem	<u>509,420</u>
TOTAL REVENUES	\$859,918

Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Buchanan to adopt Ordinance 07-46. Seconded by Commissioner Jowers and carried unanimously 5-0.**

D. Ordinance 07-47: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN AUTHORIZING THE APPROPRIATIONS OF CITY FUNDS FOR FISCAL YEAR 2007-2008 IN ACCORDANCE WITH ARTICLE 3 SECTION 30.5 OF THE CITY CHARTER OF THE CITY OF WINTER GARDEN, FLORIDA AND FLORIDA STATUTE 166.241 FOR THE PURPOSE OF FULFILLING THE FINANCIAL OBLIGATIONS OF THE CITY

City Attorney Ardaman read Ordinance 07-47 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Sharman to adopt Ordinance 07-47. Seconded by Commissioner Jowers and carried unanimously 5-0.**

REGULAR CITY COMMISSION MEETING AGENDA

2. APPROVAL OF MINUTES

Motion by Commissioner Sharman to approve the regular meeting minutes of September 13, 2007 as submitted. Seconded by Commissioner Boulter and carried unanimously 5-0.

3. **PRESENTATION**

Introduction of the City's newest State Certified Paramedics

Fire Chief Williamson announced that the City of Winter Garden's Fire Department has several new paramedics. He pointed out some of the certification requirements that take two years to obtain and introduced the recipients as follows: Lieutenant Bill Rosenfeld, Engineer Nick Palmer, Firefighter Gerard Draughon, Firefighter Brandon Sabat, Firefighter Frederick Davis, Engineer Shawn Kelly, and Engineer Sean Riser. He also mentioned that Lieutenant Chris Baker obtained his certification a year ago. Chief Williamson and Mayor Quesinberry presented the paramedics with their new name badges with the paramedic emblem.

4. **FIRST READING OF PROPOSED ORDINANCE**

A. **Ordinance 07-54:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 54, PENSIONS AND RETIREMENT, ARTICLE III, PENSION PLAN FOR FIREFIGHTERS AND POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN; AMENDING SECTION 54-191, BENEFIT AMOUNTS AND ELIGIBILITY; (A) NORMAL RETIREMENT DATE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE

Human Resources Director Gilbert explained that this ordinance changes the retirement eligibility for police and firefighters to 25 years of service regardless of their age. Mayor Quesinberry asked about the actuarial impact statement. Mr. Gilbert stated that the impact statement is being forward to the attorneys for their review after which the second reading date can be established.

Motion by Commissioner Jowers to approve Ordinance 07-54 with the second reading and public hearing date being advertised after the actuarial impact statement is received and reviewed by legal counsel. Seconded by Commissioner Boulter and carried unanimously 5-0.

5. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. ***Ordinance 07-42:** AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WINTER GARDEN'S COMPREHENSIVE PLAN BY CHANGING THE DESIGNATION FROM CITY LOW DENSITY RESIDENTIAL TO COMMERCIAL FOR PROPERTY GENERALLY DESCRIBED AS 0.67 ACRES OF LAND LOCATED AT 227 NORTH DILLARD STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 07-42 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinance 07-42 with the second reading and public hearing being scheduled for October 25, 2007. Seconded by Commissioner Sharman and carried unanimously 5-0.

**Note the City Commission corrected the address later in this meeting to 1 and 27 North Dillard Street as reflected in the staff report.*

- B. ***Ordinance 07-43:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.67 ACRES OF CERTAIN REAL PROPERTY LOCATED AT 227 NORTH DILLARD STREET AND MORE SPECIFICALLY DESCRIBED HEREIN FROM CITY R-2 TO CITY C-1; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- City Attorney Ardaman read Ordinance 07-43 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing.
- Motion by Commissioner Boulter to approve Ordinance 07-43 with the second reading and public hearing being scheduled for October 25, 2007. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**Note the City Commission corrected the address later during this meeting to 1 and 27 North Dillard Street as reflected in the staff report.*

6. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 07-28:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 38 ACRES OF LAND LOCATED SOUTH OF AVALON ROAD AND NORTH OF DAVENPORT ROAD, AND MORE SPECIFICALLY DESCRIBED HEREIN 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 (Cantero)
- City Attorney Ardaman read Ordinance 07-28 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing.

City Planner Williams stated that there are a series of four annexations before the Commission tonight. They were submitted with Comprehensive Plan Amendments (CPA) and staff anticipates coming back with the CPA in the near future for the second reading. The Department of Community Affairs (DCA) has a dispute with the City of Winter Garden over the Wekiva requirements, which is slowing down the CPA for these properties. The City has spoken with the property owners and feel it is appropriate to bring the properties into the City without the Comprehensive Plan changes at this time so services can be provided to these properties over the next year while the dispute with the DCA is being resolved.

Motion by Commissioner Jowers to adopt Ordinance 07-28. Seconded by Commissioner Sharman.

Commissioner Buchanan asked if these properties will be covered by Orange County and the City of Winter Garden will be providing the services. Mr. Williams stated that they will still have Orange County's zoning and Comprehensive Plan designation but it will be City property. If any development were on the property, police or fire protection would be a City service in the interim. He stated that staff felt it was

important to get them on the tax rolls this year so that there is not a lag period after the DCA issue is resolved. **Motion carried unanimously 5-0.**

- B. **Ordinance 07-30:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 40 ACRES OF LAND LOCATED SOUTH OF LAKE AVALON AND NORTH OF AVALON ROAD, AND MORE SPECIFICALLY DESCRIBED HEREIN 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 (Assaf)

City Attorney Ardaman read Ordinance 07-30 by title only. City Planner Williams stated that staff and the Planning and Zoning Board recommend approval. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Sharman to adopt Ordinance 07-30. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- C. **Ordinance 07-32:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 63 ACRES OF LAND LOCATED SOUTH OF JOHN'S LAKE AND NORTH OF MARSH ROAD, AND MORE SPECIFICALLY DESCRIBED HEREIN 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 (Cra-Mar)

City Attorney Ardaman read Ordinance 07-32 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Jowers to adopt Ordinance 07-32. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- D. **Ordinance 07-34:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 596 ACRES OF LAND LOCATED NORTH OF LAKE AVALON, EAST OF THE LAKE COUNTY BOUNDARY, AND SOUTH OF JOHN'S LAKE, AND MORE SPECIFICALLY DESCRIBED HEREIN 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 (McKinnon)

City Attorney Ardaman read Ordinance 07-34 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Boulter to adopt Ordinance 07-34. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- E. **Ordinance 07-41:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 16.389 ACRES OF CERTAIN REAL

PROPERTY GENERALLY LOCATED AT 15275 WEST COLONIAL DRIVE, FROM CITY C-2 AND TO CITY PCD; PROVIDING FOR CERTAIN PCD REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 07-41 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, he closed the public hearing. **Motion by Commissioner Buchanan to adopt Ordinance 07-41. Seconded by Commissioner Jowers.**

Commissioner Sharman asked if the City is doing a Comprehensive Plan Amendment on this property. City Planner Williams stated that this piece of property is a commercial piece on the north side of State Road 50 that is adjacent and west of the post office. It had commercial zoning and a commercial land use designation that was approved for a mini warehouse. Realizing that the City of Winter Garden does not desire warehousing type uses or car businesses anymore, the owner decided to pursue a planned development and has come up with a very attractive project that mixes some retail and office use on the property this will allow him to retain the trees on the site. This is a huge improvement from what it was previously approved for, but the owner does have to go through the zoning hearing. The rezoning is consistent with the Comprehensive Plan designation.

Motion carried unanimously 5-0.

7. **REGULAR BUSINESS**

A. **Recommendation to approve execution of a construction contract in the amount of \$928,000 to Wharton-Smith, Inc. with a 5 percent contingency for the construction of improvements to Zanders Park and a restroom facility at Walker Field**

Commissioner Buchanan asked if there was a timeframe for starting and completing the projects. Assistant City Manager Robertson stated that he did not know the projected dates, but explained that as soon as the contract is approved the City will give them a notice to proceed, have the pre-construction conference, and start as soon as possible. He stated that the City has been trying to get this built for 3 ½ years. City Manager Bollhoefer stated that it is his understanding that they are trying to get this started in November and it is probably a nine month project. **Motion by Commissioner Bouler to approve the execution of a construction contract in the amount of \$928,000 to Wharton-Smith, Inc. and a 5% contingency for the construction of improvements to Zanders Park and a restroom facility at Walker Field. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

B. **Recommendation to approve Interlocal Agreement for Fire Dispatch Services between Orange County, Florida and the City of Winter Garden**

Fire Chief Williamson stated that this is a continuation of a five year agreement the City of Winter Garden already has with Orange County. This year it is a one year agreement and staff does recommend approval. **Motion by Commissioner Buchanan to approve the one year Interlocal Agreement for Fire Dispatch Services with**

Orange County, Florida. Seconded by Commissioner Jowers and carried unanimously 5-0.

Mayor Quesinberry asked Fire Chief Williamson to tell the City Commission about the simulation trailer. Fire Chief Williamson stated that they took delivery of the Fire Safety House on Tuesday. There is still some work that has to be done to it to make it ready for Winter Garden, but it has been a great partnership with several sources of the funding and announced that an opening ceremony will be held on November 10th at the Dillard Street Elementary School.

Mayor Quesinberry explained the purpose of the house trailer is to simulate a home that is on fire to allow children to learn on how to react in different emergency situations.

C. Recommendation to approve negotiation of an incentive package of up to \$30,000 of impact fee reductions, drainage and parking fee reductions to support an emerging target industry for its attraction of related business and employment to the City of Winter Garden

City Planner Williams stated that the direction given to staff by the City Commission has been that as the City grows the economic development vision is to not just grow but to include jobs so people can live and work in this community and not have to travel to other areas. He stated that the City has worked with the Orange County Economic Development Commission and there are certain targeted industries that have certain benefits to the City of Winter Garden. They are environmentally clean, high paying, and have the ability to spur other growth and development related uses that has a multiplier effect way beyond their initial impact on the community. He explained that we currently have one of those types of businesses trying to locate in the downtown Winter Garden area. Nth Degree Design is a company that does design graphics, animation, and special effects for movies, television, and various types of industries. He stated that in other areas of the country this type of business, when they have located into a community, has spurred tremendous amounts of development and other high paying jobs that the City is looking to encourage. The City has the opportunity in this proposed incentive package to partner with them to encourage this industry. Staff is asking for direction from the City Commission to authorize the City Manager to negotiate an incentive package in the form of reduction of certain fees or assisting with onsite drainage up to \$30,000 to encourage this business that can potentially bring many more high paying jobs to this community.

City Manager Bollhoefer clarified that it is actually two digital businesses, Nth Degree and Purple Cow Productions, to occupy 9,000 square feet with a 4,000 square foot footprint. He explained that there are certain businesses that do not require incentives to come to a City, but these high-tech digital type companies are so sought after that a lot of people want them to come to their City. He explained that our previous Economic Development Director was working on a plan for targeting emerging industries and the new Economic Development Director will be getting the plan in place so we can look for these target industries. The primary issue for Winter Garden is not just bringing these businesses into Winter Garden, but bringing them in right next to

the downtown area. He stated that with the mall being further south, everything needs to be done to bring success to the downtown area.

Mayor Quesinberry stated that the subject property is close to residential with a large home currently on the property and asked if the building will look like a home and not just a building. Mr. Williams responded yes it will and the City Manager has directed the Planning staff to relook at all of Main Street. Many offices are getting mixed in with residential. A small area study will be done of Main Street so we can incorporate office and residential without having any conflicts.

Mayor Quesinberry recognized those companies involved to come forward and introduce themselves.

Jason Myers, representative of Nth Degree and Purple Cow Productions, Amber Larkin with Nth Degree, and Joe and Ann Marrota with Purple Cow Productions.

Commissioner Buchanan asked what made them want to relocate to Winter Garden because he has heard they are currently located in Celebration, Florida. Mr. Myers confirmed they are located in Celebration. They live in Ocoee and Winter Garden and they want to follow the same vision that the City has, which is to work, live, and play in Winter Garden. They want the City Commission to know that they want to give back to the community as they do now by allowing and encouraging the kids in school to come and visit their industry and facility. This is crucial for them as well as the Art Council and to develop something like that for Winter Garden.

Commissioner Sharman asked how many of their employees live in the Winter Garden area. Mr. Myers replied they now have two.

Motion by Commissioner Jowers to approve the City Manager's negotiation of an incentive package of up to \$30,000 of impact fee reductions, drainage, and parking fee reductions to support an emerging target industry for its attraction of related business and employment to the City of Winter Garden. Seconded by Commissioner Buchanan and carried unanimously 5-0.

*City Attorney Ardaman advised the City Commission that someone in the audience has brought to City Clerk Golden's attention that the addresses appearing in the titles of Ordinances 07-42 and 07-43 is 227 N. Dillard. However, the staff report identifies the property as located on the northeast corner of East Plant Street and North Dillard Street with physical addresses of 1 and 27 Dillard Street. Regardless of what the street address is in the ordinance, the advertisements and postings have reflected the actual location of the property. He stated that to the extent that the City Clerk can determine, 227 N. Dillard Street needs to be modified to 1 and 27 N. Dillard Street and recommended the City Commission authorize the City Clerk to make the change as necessary. **Motion by Commissioner Buchanan to approve modifying the street address in Ordinances 07-42 and 07-43 to 1 and 27 North Dillard Street as necessary. Seconded by Commissioner Boulter and carried unanimously 5-0.**

D. Request utilization of \$4,000.00 from the Federal Law Enforcement Trust Fund to purchase the Xtra Duty software from Jivasoft Corporation

Police Chief Brennan stated that he is requesting to use \$4,000 from the City's Law Enforcement Trust Fund, which is money from confiscations and is not tax payer dollars. This will buy a software program that will allow the automation of off duty employment of the officers. It will allow scheduling and officers can sign up online, automatically produce the invoices, and speed up the whole process. He stated that this is needed with the impending opening of the mall, which will add a lot of off duty work to our agency so the old manual system is not working anymore. **Motion by Commissioner Sharman to approved utilizing \$4,000.00 from the Federal Law Enforcement Trust Fund to purchase the Xtra Duty software from Jivasoft Corporation. Seconded by Commissioner Jowers and carried unanimously 5-0.**

E. Resolution 07-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING THE RESULTS OF THE SPECIAL MAIL BALLOT CHARTER ELECTION HELD SEPTEMBER 25, 2007

City Clerk Golden stated that it is her pleasure to present to the City Commission a resolution confirming the results of the special charter election and she read the Resolution 07-07 by title only and stated that all items passed. Mayor Quesinberry noted that voters approved increasing terms of office to three years. City Clerk noted there was also a significant approval to review the Charter every eight years. **Motion by Commissioner Sharman to adopt Resolution 07-07. Seconded by Commissioner Boulter and carried unanimously 5-0.**

Mayor Quesinberry thanked the Charter Review Committee for their work and the residents who participated in this election.

F. Resolution 07-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, IN SUPPORT OF THE DEVELOPMENT OF AN ECOLOGICALLY, ECONOMICALLY, AND SOCIALLY HEALTHY COMMUNITY

City Attorney Ardaman read Resolution 07-08 by title only. City Manager Bollhoefer stated that at the last meeting staff was directed to draft a resolution demonstrating the City's resolve in becoming a "Green" community. He thinks this is a good start in moving forward in that direction. As part of drafting a Green Community Plan many more items will be brought to the City Commission at a later date. **Motion by Commissioner Jowers to adopt Resolution 07-08. Seconded by Commissioner Sharman.**

Mr. Bollhoefer stated that the City has already started the process of going "Green" and stated that our Building Maintenance Supervisor James Dillon is in the process of being lead certified. He stated that Commissioner Sharman has a copy of a book that Mr. Dillon has drafted for the maintenance of our buildings in a "Green" fashion.

Motion carried unanimously 5-0.

8. **MATTERS FROM CITIZENS**

Richard Napotnik, 1633 Fullers Cross Road Winter Garden, Florida, commended Commissioner Sharman on his going "Green" presentation at last meeting and shared with the City Commission ways in which he personally converted his light bulbs years ago.

He told City Manager Bollhoefer about the flooded driveway of Sandy Rice on Thursday, September 20th, when a heavy rain came through. Ms. Rice told him it took about two hours to recess and asked whom Ms. Rice should call after normal hours. Mr. Bollhoefer provided a contact number.

9. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman stated that the Florida Supreme Court case he mentioned at the last meeting that put into question all bonds, certificates of participation throughout the State of Florida which caused the bond market to put a watch on all Florida Bonds, has been granted a re-hearing. Hopefully this will put all cities, counties, and school boards that have concerns to rest.

10. **MATTERS FROM CITY MANAGER**

A. Distributed the Financial Statement for August 2007 and advised that he or the Finance Director can answer any questions.

11. **MATTERS FROM MAYOR AND COMMISSIONERS**

Mayor Quesinberry

Mayor Quesinberry asked for clarification regarding the City Manager's pay rate because it was below almost any City Manager in the area. After surveying the salaries a substantial increase in pay was granted. He stated that he thought that when the City Commission gave the City Manager the increase at the time of his evaluation, there was to be an additional 3% to put his pay in the middle of those compared. There was discussion that the minutes reflect the issue. Commissioner Jowers stated that he thought the pay adjustment was done at the time of the evaluation. City Attorney Ardaman stated that the City Commission could clarify the pay increase tonight. Mayor Quesinberry stated that the 3% should go into effect at the time of the last evaluation. **Motion by Commissioner Buchanan to approve a 3% salary increase to the City Manager's pay effective at the time of his last evaluation. Seconded by Commissioner Boulter and carried unanimously 5-0.**

There was discussion on the State of Florida Ethics Summit held this week in Orlando, Florida, and how informative it is.

The meeting adjourned at 7:27 p.m.

APPROVED:

/S/
MAYOR JACK QUESINBERRY

ATTEST:

/S/ _____
City Clerk Kathy Golden, CMC