



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING & COMMUNITY REDEVELOPMENT AGENCY MEETING MINUTES

January 10, 2008

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Quesinberry at 6:30 p.m. at City Hall, 251 West Plant Street, 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, City Clerk Kathy Golden, Assistant City Manager Marshall Robertson, City Planner Ed Williams, Public Services Director Don Cochran, Police Chief George Brennan, Finance Director Brian Strobeck, Fire Chief John Williamson, Information Technology Director Bob Reilly, Human Resources Director Frank Gilbert, Recreation Director Jay Conn, Economic Development Director Dolores Key, Assistant City Engineer Mike Kelley, Executive Assistant to the City Manager Andrea Vaughn, and West Orange Times reporter Michael Laval.

1. **APPROVAL OF MINUTES**

Motion by Commissioner Jowers to approve the regular meeting minutes of December 13, 2007 as submitted. Seconded by Commissioner Buchanan and carried unanimously 5-0.

2. **PRESENTATION AND AWARDS**

Introduction of the new West Orange High School Principal James Larsen

Mr. Larsen came forward and shared some of his thoughts on West Orange High School, the community, recent rezoning, and the FCAT test. He stressed embracing the West Orange High School as a family.

Shelly Luke gave a brief description of their band program and asked for community support. She announced some of the upcoming fundraising events that will benefit the West Orange High School band program.

Recognition awards presented to the City of Winter Garden

Mayor Quesinberry displayed an award received from the International Economic Development Council for "Excellence in Economic Development Promotional Award" for the 2007 Winter Garden Showcase. Those who worked on the project included Shelly Weidenhamer (previous Economic Development Director for the City), Joe Alarie owner of Alarie Design, Nancy Williams (previous administrative assistant to the City Manager), and several local developers and realtors.

Mayor Quesinberry displayed an award received from the Florida Section American Water Works Association that states the City of Winter Garden has been recognized by for their

outstanding efforts with our Water Conservation Program. He thanked the citizens who practiced good conservation and City staff who have made it possible.

Mayor Quesinberry stated that the City of Winter Garden has also been recognized by the National League of Cities for ten years of membership and dedicated service in shaping and advocating National Municipal Policy and in helping to strengthen and promote communities of all sizes.

3. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 08-08:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 07-45, THE CITY OF WINTER GARDEN FISCAL YEAR 2007-2008 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-08 by title and details for revenue and expenses totaling \$19,325,199. **Motion by Commissioner Jowers to approve Ordinance 08-08 with the second reading and public hearing being scheduled for January 24, 2008. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

B. **Ordinance 08-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA; VACATING APPROXIMATELY 0.07 ACRES OF RIGHT-OF WAY AT THE NORTHWEST CORNER OF LOT 9, PAVEX PARK, PARCEL ID 25-22-27-6743-00-081, WINTER GARDEN, FLORIDA; PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-09 by title only. Planning Director Williams stated that this was a small remnant of Beulah Road when it was realigned and this is a clean up matter for which staff recommends approval. **Motion by Commissioner Boulter to approve Ordinance 08-09 with the second reading and public hearing to be February 14, 2008. Seconded by Commissioner Sharman and carried unanimously 5-0.**

C. **Ordinance 08-10:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING APPENDIX A OF THE WINTER GARDEN CODE OF ORDINANCES RELATING TO ROAD AND DRAINAGE CONSTRUCTION BY AMENDING ARTICLE III, SECTIONS 3.01, 3.02, AND 3.03 OF THE WINTER GARDEN CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-10 by title only. Public Services Director Cochran stated that staff has been working on this for several months and recommends that the City Commission adopt the standard specification of construction materials, construction methods, and inspection for roadway and drainage. **Motion by Commissioner Buchanan to approve Ordinance 08-10 with the second reading and public hearing being scheduled for January 24, 2008. Seconded by Commissioner Jowers.**

Commissioner Sharman asked for clarification on the reason for the ordinance. Public Services Director Cochran stated that in the past cities adopted the Orange County specifications, this ordinance would be the City's own developed specifications. Commissioner Sharman asked if he thought this would resolve any problems the City has had in the past with specifications that were not as detailed. Mr. Cochran stated that adopting our own specifications resolve any questions contractors or developers may have about what is acceptable in the City and what the City allows. City Manager Bollhoefer stated that one issue the City has faced is that oftentimes people will ask for the documentation showing the requirements for the City of Winter Garden. These requirements could now be a document distributed to contractors and developers. **Motion carried unanimously 5-0.**

- D. **Ordinance 08-11**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 78 OF THE WINTER GARDEN CODE OF ORDINANCES RELATING TO UTILITIES BY CREATING THE FOLLOWING SECTION THEREOF: ARTICLE I GENERAL; SECTION 78-1 STANDARDS AND SPECIFICATIONS FOR WATER AND WASTEWATER SYSTEMS, DESIGN, CONSTRUCTION METHODS, MATERIALS AND INSPECTIONS; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-11 by title only. Public Services Director Cochran stated that this is the same type of manual but it is for water and wastewater utilities. **Motion by Commissioner Sharman to approve Ordinance 08-11 with the second reading and public hearing being scheduled for January 24, 2008. Seconded by Commissioner Buchanan.**

Commissioner Boulter read from page 30-5, paragraph 30.6 regarding public nuisance and stated that when the contractors worked on Center Street, he received a lot of complaints about dust. In the future, will this hold the contractor accountable in eliminating this problem? Mr. Cochran stated that if the City becomes aware of the problem the contractor will be put on notice. If they do not remedy the problem, this document gives the City the authorization to stop their work until the problem is remedied. **Motion carried unanimously 5-0.**

- E. **Ordinance 08-12**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 1 OF THE ELECTIONS ARTICLE OF THE CODE OF ORDINANCES PROVIDING FOR THE APPOINTMENT AND TRAINING OF MUNICIPAL ELECTION BOARD PERSONNEL BY THE ORANGE COUNTY SUPERVISOR OF ELECTIONS AND THE CITY CLERK; PROVIDING THAT ELECTION BOARD PERSONNEL TRAINED FOR A GENERAL ELECTION MAY SERVE ON THE ELECTION BOARD FOR RUN OFF ELECTIONS ARISING THEREFROM WITHOUT ADDITIONAL TRAINING; ALLOWING ELECTION BOARD VACANCIES TO BE FILLED BY THE CITY CLERK; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-12 by title only. **Motion by Commissioner Jowers to approve Ordinance 08-12 with the second reading and public hearing being scheduled for February 14, 2008. Seconded by Commissioner Boulter and carried unanimously 5-0.**

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

- A. **Ordinance 07-63:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.25 ± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 311 SOUTH MAIN STREET FROM CITY R-2 TO CITY R-NC; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 07-63 by title only. Mayor Quesinberry opened the public hearing. Planning Director Williams stated that staff has reviewed this item and recommends approval. Mayor Quesinberry closed the public hearing. **Motion by Commissioner Sharman to adopt Ordinance 07-63. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- B. **Ordinance 08-01:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTIONS 1536, 1537 AND 1538, ARTICLE X, CHAPTER 118, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN REQUIRING DARK SKIES LIGHTING BY PRIVATE DEVELOPMENT; REQUIRING ALL DEVELOPMENTS TO PROVIDE STREET LIGHTING ADJACENT TO RIGHTS-OF-WAY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-01 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. **Motion by Commissioner Sharman to adopt Ordinance 08-01. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- C. **Ordinance 08-02:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, REPEALING ARTICLE II OF CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN PEACETIME EMERGENCY PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-02 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. Fire Chief Williamson stated that this item repeals a code section that should have been done in the early 1990's. The City has a comprehensive emergency plan that replaces this item that was enacted in the early 1990's. **Motion by Commissioner Jowers to adopt Ordinance 08-02. Seconded by Commissioner Boulter.**

Commissioner Buchanan asked for a brief overview of the current emergency plan. Chief Williamson stated that staff is in the process of revising the current plan that deals with how the City is going to react to any kind of disaster, natural or man-made. It

addresses how the City will interface with the County and with the State. Commissioner Buchanan asked if staff was revising something that has already been developed or are they developing it themselves. Chief Williamson replied the state has their plan and the County is supposed to mimic the state plan. Cities are not required to have them, but most do, just in case. The City of Winter Garden mimics the Orange County plan with changes to suit the City's needs. **Motion carried unanimously 5-0.**

- D. **Ordinance 08-03:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 9 OF CHAPTER 106 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN REQUIRING THE MAINTENANCE OF PRIVATE STORMWATER MANAGEMENT SYSTEMS AND FACILITIES; PROVIDING FOR ENFORCEMENT OF MAINTENANCE OF PRIVATE STORMWATER MANAGEMENT SYSTEMS AND FACILITIES; PROVIDING FOR OPTIONAL PROCESSES AND MECHANISMS FOR THE CITY OF WINTER GARDEN TO MAINTAIN AND ENFORCE MAINTENANCE OF PRIVATE STORMWATER MANAGEMENT SYSTEMS AND FACILITIES AND CHARGE, LIEN AND ASSESS PROPERTY OWNERS BENEFITED BY OR RELATED TO SUCH MAINTENANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-03 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. **Motion by Commissioner Boulter to adopt Ordinance 08-03. Seconded by Commissioner Buchanan.**

Commissioner Sharman asked if this item will help the City with the Homeowners' Association wastewater issue in District 4. City Manager Bollhoefer replied no, this is only dealing with stormwater systems. **Motion carried unanimously 5-0.**

- E. **Ordinance 08-04:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, ADDING DIVISION 6 IN ARTICLE II OF CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN DEFINING AND REGULATING PORTABLE STORAGE BUILDING OR CONTAINER, REQUIRING PERMIT FOR SAME AND AUTHORIZING THE ISSUANCE OF SUCH PERMITS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-04 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. **Motion by Commissioner Buchanan to adopt Ordinance 08-04. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- F. **Ordinance 08-05:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 26 IN ARTICLE II OF CHAPTER 98 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN PROVIDING REMOVAL OF PLANNING AND ZONING BOARD

MEMBERS DUE TO THREE UNEXCUSED ABSENCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-05 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. **Motion by Commissioner Boulter to adopt Ordinance 08-05. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- G. **Ordinance 08-06:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTIONS 38-56 THROUGH 38-58 AND 38-91 THROUGH 38-103 IN ARTICLE I OF CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN DEFINING AND REGULATING LOT CLEANING; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 08-06 by title only. Mayor Quesinberry opened the public hearing; hearing and seeing none, closed the public hearing. **Motion by Commissioner Sharman to adopt Ordinance 08-06. Seconded by Commissioner Jowers and carried unanimously 5-0.**

5. **REGULAR BUSINESS**

- A. **Resolution 08-01:** A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA; AMENDING SECTION 118-135, REVIEW FEES FOR VARIANCE REQUESTS; PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 08-01 by title only. Planning Director Williams stated that there were two different fees required for the same application and this will not make them consistent. **Motion by Commissioner Sharman to adopt Resolution 08-01. Seconded by Commissioner Boulter and carried unanimously 5-0.**

- B. **Resolution 08-02:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, FINDING THAT THE EXPENDITURE OF MONEY IN OPPOSITION OF THE PROPOSED CONSTITUTIONAL AMENDMENT SERVES A PUBLIC PURPOSE; PROVIDING THAT THE DISSEMINATION OF INFORMATION CONCERNING THE IMPACTS OF THIS AMENDMENT ON THE CITIZENS OF THE COUNTY AND THE CITY IS ESSENTIAL TO THE HEALTH, SAFETY, PROTECTION AND WELFARE OF THE CITY AND ITS CITIZENS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

City Attorney Ardaman read Resolution 08-02 by title only. City Manager Bollhoefer stated that as discussed at the last meeting, the Florida League of Cities has been sending out a strategic plan to everyone on how to address the issue of property taxes. The Governor, special interest groups, and several lobbyist groups have been spending quite a bit of money to support the ballot measure. Cities and Counties throughout the state are going to do what they can to get their opinions out. He thinks it is necessary, otherwise only the Governor and the special interest groups supporting the tax measure will get their point across. This resolution is required if the City is to send out a flyer and take a stand on this issue. By approving this resolution, the City Commission would be taking a

stand to oppose Amendment No. 1 on the ballot on January 29th. **Motion by Commissioner Buchanan to adopt Resolution 08-02. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- C. **Resolution 08-03:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2008 LEGISLATIVE SESSION; PROVIDING FOR DELIVERY TO GOVERNOR CRIST, SENATE PRESIDENT PRUITT, HOUSE SPEAKER RUBIO AND MEMBERS OF THE FLORIDA LEGISLATURE; PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 08-03 by title only. City Manager Bollhoefer stated these items are supported by the Florida League of Cities and they've requested all member cities pass this resolution supporting their position on the issues identified in the resolution. **Motion by Commissioner Boulter to approve Resolution 08-03. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- D. **Recommendation to approve entering into a 24 month Lease Agreement with 1st Source Bank for the lease of a Solid Waste Front Loader Truck**

Public Services Director Cochran stated that staff is recommending a 24 month lease of a solid waste front-end loader truck. The monthly payment will be \$3,733.52 with the contract totaling \$89,604.48. **Motion by Commissioner Jowers to approve entering into a 24 month Lease Agreement with 1st Source Bank for the lease of a Solid Waste Front Loader Truck. Seconded by Commissioner Sharman.**

Commissioner Jowers asked why the City is leasing as opposed to purchasing this vehicle. Mr. Cochran stated that staff always prefers to purchase a vehicle, but did not have adequate funds in the budget to do so. The most economically feasible way to do it would be to have a lease to get the City through the next couple of years until the City could afford to purchase the vehicle. Commissioner Sharman asked if this item is from the Enterprise Funds and the only other alternative for purchasing the vehicle would be to raise the garbage rates. Mr. Cochran responded eventually yes. City Manager Bollhoefer asked if the City Commission would rather purchase the vehicle, which it could with an adjustment to the budget. Mr. Bollhoefer asked if this would be a better financial decision for the City to purchase it as opposed to leasing it. Mr. Cochran stated that there is an advantage in the long haul. Mr. Bollhoefer stated that if the City Commission desires to make a commitment to support a purchase, staff could come back later with the ordinance adjusting the budget. Commissioner Sharman asked the cost of the vehicle. Solid Waste Manager John Love stated the cost is approximately \$210,000. There was discussion on the maintenance fees involved. Commissioner Buchanan stated that this is half of the purchase price in two years and asked what the life expectancy of a new vehicle is. Mr. Love stated five years.

Commissioner Jowers and Commissioner Sharman both withdrew their motion.

Mr. Love explained why the lease was the option being recommended by staff is because we would be going with the old emissions and not the new. Commissioner Jowers asked

the difference in the cost. Mr. Love stated about \$10,000. Commissioner Buchanan stated that this purchase could possibly be made over time as opposed to one lump sum. There was discussion on the options and Mr. Bollhoefer suggested letting staff compile those options and bring them back to the City Commission at the next meeting. **Motion by Commissioner Buchanan for staff to provide the City Commission with options for obtaining a solid waste front loader truck. Seconded by Commissioner Jowers and carried unanimously 5-0.**

E. **Recommendation to authorize entering into an Environmental Contamination Hold Harmless and Indemnity Agreement with Walker's Grove, LLC**

Planning Director Williams stated that this agreement was a requirement of the final plat original approval. They have executed the agreement in a form that is acceptable to the City and staff recommends approval. **Motion by Commissioner Boulter to approve entering into an Environmental Contamination Hold Harmless and Indemnity Agreement with Walker's Grove, LLC. Seconded by Commissioner Sharman and carried unanimously 5-0.**

F. **Appointments to the City Canvassing Board consisting of two (2) citizens and two (2) alternates**

City Clerk Golden requested that the appointment be made designating who the regular and alternate members are. Mayor Quesinberry suggested appointing Districts 1 and 2 as the regular members and Districts 3 and 4 as the first and second alternates. So everyone can serve as a regular, the appointments could be reversed for the next election. **Motion by Commissioner Jowers to approve Districts 1 and 2 as the regular members of the Canvassing Board and Districts 3 and 4 as the first and second alternates. Seconded by Commissioner Sharman and carried unanimously 5-0.**

Nominations to the Election Canvassing Board

Commissioner Jowers	District 1	Andrew Bruns
Commissioner Buchanan	District 2	Jerry Carris
Commissioner Boulter	District 3	<i>Postponed</i>
Commissioner Sharman	District 4	Ed Lynch

Motion by Commissioner Jowers to approve the nominations from Districts 1, 2, and 4 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0. City Clerk Golden stated that the District 3 appointment will be included on the next agenda.

Dispensed as the City Commission and convened as the Community Redevelopment Agency (CRA) at 7:27 p.m.

Members Present: Chairman Jack Quesinberry, H. Gerald Jowers, Bob Buchanan, Harold L. Boulter, Colin Sharman and Larry Cappleman

Member Absent: Dale Crosby

Member Cappleman stated that at the last Community Redevelopment Agency (CRA) meeting the agency accepted two resignations on the CRA Advisory Board and the CRA referred back to the CRA Advisory Board three names for consideration to fill the two vacancies. The CRA Advisory Board discussed how it operates within a defined boundary and the fact taxes are collected within that defined boundary, which encompasses most of east Winter Garden. The property within that area pays the taxes and the CRAB is restricted by Florida law on where the money collected can be spent, which must be within that same defined area. He further explained that the purpose established when the CRA was created was to relieve conditions of slum and blight. The goal is to improve conditions as to allow the property to be returned to the taxing agencies about 30 years later, in a better condition than when it was designated in the CRA. According to City Code Section 98-121, the board shall consist of no less than seven and no more than nine members, of whom a majority shall either, reside, own property, or operate a business located within the area of operation of the CRA. Of the existing remaining advisory board members, six of them comply with the code requirements as stated. The advisory board met on Tuesday of this week and reviewed the three names recommended by the CRA and the advisory board reiterated their previous recommendations. Therefore, he is bringing back from the advisory board the three names for the CRA to select two members to fill the vacancies.

Mr. Cappleman stated that Kelly Randall is recommended due to her experience in dealing with the CRA while she was employed by the City; Alan Haughey because of his experience in contracting; and James Gustino because he resides in District 4 and the CRA Advisory Board's recognition of the fact that there needs to be some unanimity within the City. Agency Chairman Quesinberry asked if the recommendation was in order of preference. Mr. Cappleman replied no.

Agency Member Jowers stated that he does not think the seated City Commission on the CRA wishes to participate in a popularity contest and believes the advisory board should come back with two names for action by the CRA thereby following the normal procedure that has been followed in the past.

Motion by Agency Member Sharman to appoint Jim Gustino. Motion died for the lack of a second.

There was discussion on the CRA boundaries. City Manager Bollhoefer offered that there has been a third resignation received, which does open a third appointment. Mr. Cappleman stated that Advisory Board member Cora Fulmore has submitted that her travel schedule would not allow her to attend enough meetings to comply with the attendance requirements and therefore is resigning.

There was discussion on the number of seats to be filled and the normal procedure for filling them. It was the **consensus** of the CRA to have the CRA Advisory Board review all the applications submitted at their February meeting and provide the CRA with their recommendations to fill the three vacant seats.

Adjourned as the Community Redevelopment Agency and reconvened as the City Commission at 7:43 p.m.

6. **MATTERS FROM CITIZENS** - There were none.

7. **MATTERS FROM CITY ATTORNEY** – There were none.

8. **MATTERS FROM CITY MANAGER**

City Manager Bollhoefer stated that the financial reports have been distributed and advised the City Commission to contact him or Finance Director Strobeck if there are any questions.

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman complimented the Sanitation Department on picking up the waste after New Years. He had received calls from some citizens who were concerned about their items not being picked up at 7:00 p.m. at night and he called the City Manager, who called staff, and found that they were working overtime until everyone's waste was picked up and it was.

Commissioner Boulter stated that he has received some complaints about the street not being cleaned in his area. He was aware of the equipment being down but it has been awhile since the streets were taken care of and asked the City Manager to take a note of this issue in order to resolve it.

Commissioner Boulter stated that this is the second meeting of the New Year and a year of new beginnings and asked that the Commission take note on being a better board this year to get along in this community.

Mayor Quesinberry stated that he had also received a complaint on the street sweepers and realized that with Tenth Street being reworked, it has been dry and dusty and also asked if the street sweepers could be sent to sweep.

Commissioner Buchanan stated that the Chamber of Commerce is having a Business and Breakfast event on January 16, 2008 and asked if the City Commission would like to have a table at this function. Commissioner Sharman asked the cost of a table. City Manager Bollhoefer replied that it is \$15.00 a seat. Commissioner Jowers stated that he thinks it is important that the City have a table at this function. **Motion by Commissioner Jowers to purchase a table at the West Orange Chamber of Commerce Business and Breakfast event on January 16, 2008. Seconded by Commissioner Boulter and carried unanimously 5-0.**

Commissioner Buchanan stated that residents have contacted him about the new Code Enforcement presence and having just passed an ordinance giving them even more power that is very good in one sense; on the other hand, we should not want to start beating up our residents over the small items.

City Manager Bollhoefer stated that this issue has been brought to his attention by another Commissioner and advised the City Commission that the Code Enforcement Department will

be under his authority for the next three months and he will try to impart upon them the philosophy of Code Enforcement in Winter Garden.

Mr. Bollhoefer stated that with reference to the street sweepers there have been a lot of problems. They are old sweepers that have been down quite a bit. Staff will bring back to the City Commission a budget request to purchase a new street sweeper so that we do not keep running into this problem.

The meeting adjourned at 7:50 p.m.

APPROVED:

/S/
MAYOR JACK QUESINBERRY

ATTEST:

/S/
City Clerk Kathy Golden, CMC