



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

April 22, 2010

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. The invocation and Pledge of Allegiance were given.

Present: Mayor John Rees, Commissioners Harold L. Boulter (*arrived at 6:31 p.m.*), Bob Buchanan, H. Gerald Jowers and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Community Development Director Tim Wilson, Public Services Director Don Cochran, Police Chief George Brennan, Building Official Skip Lukert, Finance Director Robin Hayes, Fire Chief John Williamson, Director of Information Technology Bob Reilly, Recreation Supervisor II Mary Mazza, Human Resources Director Frank Gilbert, and West Orange Times Reporter Michael Laval

1. **APPROVAL OF MINUTES**

Motion by Commissioner Jowers to approve the regular meeting minutes of April 8, 2010 as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0. (Commissioner Boulter arrived.)

2. **PRESENTATION**

A. **Comprehensive Annual Financial Report by Sines, Blakeslee, and Madyda**

Finance Director Hayes stated that the Comprehensive Annual Financial Report has been provided as prepared by Sines, Blakeslee, and Madyda. She noted that the auditor, Curt Binney, was present to answer any questions. The Mayor and Commissioners indicated they would review the report.

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

A. **Ordinance 10-21:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING CHAPTER 78, ARTICLE II, WATER AND SANITARY SEWER SYSTEMS OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES BY REPEALING SECTIONS 78-50 THROUGH 78-60 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES AND CREATING NEW SECTIONS 78-50 THROUGH 78-63 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; REPEALING SECTION 78-243, RECLAIMED WATER RATES AND CHARGES OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES AND CREATING NEW SECTION 78-243 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; AMENDING CHAPTER 78, UTILITIES OF THE WINTER GARDEN CODE OF ORDINANCES BY CHANGING REFERENCES OF UTILITIES DEPARTMENT TO PUBLIC SERVICES DEPARTMENT; MODIFYING WATER AND WASTEWATER IMPACT FEE AMOUNTS AND ASSESSMENT METHOD TO

A METER BASED IMPACT FEE; PROVIDING FOR WATER AND WASTEWATER IMPACT FEE COLLECTION, ADMINISTRATION, AND DISPOSITION; MODIFYING AND PROVIDING FOR WATER, IRRIGATION AND WASTEWATER CONNECTION FEES; MODIFYING AND PROVIDING FOR SECURITY DEPOSITS, INITIATION OF SERVICE CHARGE, AND MISCELLANEOUS CHARGES AND FEES; MODIFYING AND PROVIDING FOR WATER, IRRIGATION AND WASTEWATER USEAGE RATES, ADMINISTRATION AND COLLECTION; MODIFYING AND PROVIDING FOR FIRE PROTECTION CONNECTION AND SERVICE CHARGES; MODIFYING AND PROVIDING FOR RECLAIMED WATER CONNECTION CHARGES AND USEAGE RATES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 10-21 by title only. City Manager Bollhoefer stated that the City Commission has been asking him for additional information and he recommended postponing this item until the next meeting.

Motion by Commissioner Boulter to postpone Ordinance 10-21 until the next scheduled meeting on May 13, 2010 at 6:30 p.m. Seconded by Commissioner Jowers and carried unanimously 5-0.

- B. **Ordinance 10-22:** AN ORDINANCE PURSUANT TO SECTION 125.01(1)(Q), FLORIDA STATUTES, CONSENTING TO THE ORANGE COUNTY LAKE ROBERTS MUNICIPAL SERVICE BENEFIT UNIT AND THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN BENEFITTED PROPERTIES LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF WINTER GARDEN, FLORIDA IN ORDER TO PAY A PORTION OF THE COSTS OF LAKE MAINTENANCE AND CLEANING; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 10-22 by title only. Public Services Director Cochran recommended postponing this item until the next City Commission meeting of May 13, 2010 due to a glitch in advertising this item.

Motion by Commissioner Sharman to postpone Ordinance 10-22 until May 13, 2010 at 6:30 p.m. Seconded by Commissioner Jowers and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. **Recommendation for establishing temporary electronic message board standards within gated residential subdivisions**

Community Development Director Wilson stated that staff is requesting that the City Commission review and consider this request because staff could not administratively approve the request.

Stoneybrook West wants to replace their changeable copy board with an electronic message center sign. In August, staff came to the City Commission for reviewing sign code changes, which is still in process. This request would be considered in the proposed

changes but since they have not yet been finalized, they could not be approved under the existing code. These types of signs are restricted to commercial business areas of the City, but staff believes that since it is in a gated community and would not be visible from the public right-of-way, it would be appropriate for approval by the City Commission. Mr. Wilson recognized Stoneybrook West's representative, Gary Miller, who was present to address any questions. Mr. Wilson noted that the material was provided in their agenda packages.

There was discussion on the sign being located inside the Stoneybrook community and not visible from Stoneybrook Parkway. Mr. Wilson explained that the sign would be located inside behind the guard gate and embedded in a stone structure, which will not be visible from the public right-of-way.

Motion by Commissioner Sharman to approve the proposed electronic message board in the Stoneybrook West Community as requested. Seconded by Commissioner Jowers and carried unanimously 5-0.

5. **MATTERS FROM CITIZENS**

Andy Bruns, 6 Laurel Drive in Trailer City, Winter Garden, Florida, thanked staff and the merchants for all their efforts with the Winter Garden Car Show and gave an update. He noted that the last event had 127 registered participants, of which 101 were from out of town, with 172 cars on display. He expressed that there have been only compliments made by the participants about the event.

Theo Graham, 213 West Tilden Street, Winter Garden, Florida, thanked staff for their restorative efforts in painting the Veterans Memorial Park. He announced that Captain Michael Waldrop will be this year's speaker for the Memorial Day event.

Mr. Graham asked if the impact fees on water and wastewater will be decreased. Mr. Bollhoefer answered yes, that is included in the ordinance.

6. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman stated that the County is moving forward with the CR 535 road project that involves a number of parcels that the City has conveyed to Orange County. A number of those parcels are in and around Braddock Park right along the roadway to allow the CR 535 pavement to be widened. It also involves an easement the City has granted to Orange County for stormwater, which is a joint use pond that will be used by the park and the roadway. In order to pursue and obtain grant funding for portions of Braddock Park, the City was required to enter into an agreement that limits the use of those properties to recreational use. The City has received a document from the State giving consent and approval to release these properties from the recreational use limitation. Mr. Ardaman stated that he wanted to make the City Commission aware that the City Manager will be executing the agreement with the State, if there are no objections. *No objections by the City Commission were noted.*

7. **MATTERS FROM CITY MANAGER**

City Manager Bollhoefer stated that regarding the City Attorney's last item, the City will do anything and everything it can to make sure the County has no reason not to build this road (CR 535). He is making sure it happens in November.

Street Paving Projects

City Manager Bollhoefer distributed a priority list of street paving projects and stated that additional details would be given at the next meeting. He asked the City Commission to look the list over and let him know if any projects are missing.

Daniels Road Reclaimed Water Tank

Mr. Bollhoefer stated that the City has just completed installing the reclaimed water tank on Daniels Road and our Public Services Director has suggested putting the City's logo on the tank facing the Florida Turnpike. He noted that City residents would not be able to see it driving down Daniels Road because landscaping will be covering it. By including the logo on the tank, it would let everyone traveling on the Turnpike know this is the City of Winter Garden. He stated that it will cost approximately \$4,800.00 to accomplish this and asked the City Commission for approval to move forward.

It was the **consensus** of the City Commission to approve putting the City logo as displayed by the City Manager, on the new reclaimed water tank off of Daniels Road facing the Florida Turnpike.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman gave a legislative update on the Red Light Camera bill and stated that the City of Winter Garden did well to wait on this item because all of the cities that implemented the cameras prior to the bill will not be grandfathered in. This bill looks like it will be passed in some form and as such our City did well by waiting.

City Manager Bollhoefer thanked all the staff for their efforts in the Bloom N' Grow event in which there were at least 25,000 to 30,000 people in attendance. He noted that each year this event only gets better and better.

Mayor Rees agreed that Bloom N' Grow event was great and expressed his appreciation for everyone's hard work.

Mayor Rees announced that the Relay for Life event will begin at 6:00 p.m. Friday of next week at Whispering Oak Elementary School, which is across from Stoneybrook West and invited everyone that can to attend.

The meeting adjourned at 6:54 p.m.

APPROVED:

____/S/_____
Mayor John Rees

ATTEST:

____/S/_____
City Clerk Kathy Golden, CMC