



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

January 27, 2011

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, Bob Buchanan, H. Gerald Jowers, and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Planning Consultant Ed Williams, Public Services Director Don Cochran, Community Development Director Tim Wilson, Finance Director Robin Hayes, Fire Chief John Williamson, Information Technology Director Bob Reilly, Building Official Skip Lukert, Recreation Director Jay Conn, Human Resources Director Frank Gilbert, and Economic Development Director Tanja Gerhartz

1. **APPROVAL OF MINUTES**

Motion by Commissioner Boulter to approve the regular meeting minutes of January 13, 2011 as submitted. Seconded by Commissioner Buchanan and carried unanimously 5-0.

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

A. **Ordinance 11-06:** AN ORDINANCE OF THE CITY OF WINTER GARDEN AMENDING CHAPTER 54, PENSIONS AND RETIREMENT, ARTICLE II, PENSION PLAN FOR GENERAL EMPLOYEES, OF THE 1988 CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN IN EFFECT ON MARCH 1, 1989; AMENDING SECTION 54-31, LEAVES OF ABSENCE AND MILITARY SERVICE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-06 by title only. City Manager Bollhoefer stated that this item was discussed at the last City Commission meeting and it was asked if any other employees would be affected by this ordinance. He distributed an impact statement and expressed that no other employee would be affected by this ordinance. The only cost to the pension plan would be Mr. Rice's pension.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Jowers to adopt Ordinance 11-06. Seconded by Commissioner Boulter and carried unanimously 5-0.

3. **REGULAR BUSINESS**

A. **Recommendation to approve a site plan for 670 Garden Commerce Parkway (Lot 15) located east of 9th Street, south of E. Story Road, and west of Carter Road with conditions**

Community Development Director Wilson stated the site plan for this property is at the Winter Garden Commerce Center Lot 15, which is 11,375 square foot office/warehouse building. It has been reviewed by staff and the Development Review Committee (DRC) and they are recommending approval. A staff report, with recommended conditions of approval, was provided for their consideration. Representatives for the project and City staff were available for any questions.

There was discussion on any possible water issues this project may bring. Mr. Bollhoefer stated there has been a thorough job done on this one and prior issues where with older projects.

Motion by Commissioner Boulter to approve a site plan for 670 Garden Commerce Parkway (Lot 15) located east of 9th Street, south of E. Story Road, and west of Carter Road with conditions. Seconded by Commissioner Jowers.

Commissioner Buchanan disclosed that the developer of the property is a good friend of his and that he has other business ties with them but nothing as it relates to this project.

Motion carried unanimously 5-0.

B. **Resolution 11-02: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, APPROVING THE ANNUAL EXTENSION OF THE THREE YEAR AGREEMENT WITH QUALITY VAULTS INC., PROVIDING FOR CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE**

Public Services Director Cochran stated that this resolution is related to extending the existing agreement with Quality Vaults, Inc. for opening and closing services for funerals at the Winter Garden Cemetery. Quality Vaults has agreed to continue their same rates as they have for the previous year. Staff recommends extending this agreement for one more year.

Commissioner Jowers asked if this was the last year of this agreement.

Mr. Cochran stated that this is correct that this is the last year of that three-year agreement. Next year we will be going out for bid again before the agreement would be brought back to the City Commission.

Motion by Commissioner Jowers to adopt Resolution 11-02. Seconded by Commissioner Sharman and carried unanimously 5-0.

4. **MATTERS FROM CITIZENS**

Pat Primrose, 117 Steinbeck Street, Winter Garden, Florida, thanked the City for bringing the Distinguished Young Women of Florida to the City of Winter Garden. She shared that there were a lot very positive comments from visitors.

Mayor Rees thanked her and City staff for their hard work in putting on a very nice event.

Commissioner Bouler stated that he did get a chance to meet with contestants and commented on how nice and talented they were.

5. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman announced the City did close on the 208+ acres of the Trust for Public Lands at the Tucker Ranch property. Ms. Tucker still has occupancy of the property for another several weeks, but the City has the right to go on the property with given notice.

6. **MATTERS FROM CITY MANAGER**

A. **Request by the Rotary to waive the rental fees for Tanner Hall, use of grill, and consumption of beer/wine at the annual Evening at the Pops event**

City Manager Bollhoefer stated that the Rotary is asking the City to waive the rental fees for Tanner Hall for the Evening at the Pops event. He recognized Larry Cappleman to formally make the request to the City Commission.

Mr. Cappleman, representative of the Winter Garden Rotary Club, stated that they are again sponsoring the philharmonic concert on the lake at Tanner Hall. They are requesting the waiver of the rental fees for Tanner Hall and Newton Park as well as usage of the gas grill for that evening. He also asked permission to sell and consume beer/wine for that evening only.

Motion by Commissioner Bouler to approve waiving the rental fees for Tanner Hall, use of grill, and consumption of beer/wine at the annual Evening at the Pops event. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. **Update on projects**

CR 535 Road Widening

City Manager Bollhoefer stated that the CR 535 Road Widening is scheduled to start in March of 2011 and to be completed in August of 2012.

State Road 429 and Stoneybrook Parkway Off Ramp

Mr. Bollhoefer stated that the City is also looking to add some additional work to fix some of the issues with the off ramp on State Road 429 and Stoneybrook Parkway as it is a pretty bad intersection.

Commissioner Sharman asked how long before the City gets the study back. Mr. Bollhoefer replied that it would be 30 days.

State Road 50

Mr. Bollhoefer stated that DeWitt Excavating, who is the City's contractor, will have substantial completion on March 7th with final completion of utility work on April 7th.

The final completion for Prince is estimated to be September 26, 2011. The landscaped medians have yet to be determined.

Sessions Schools

Mr. Bollhoefer stated that Orange County Public Schools (OCPS) will be building an elementary school and middle school off of CR 545. The City will be building a road out there and installing utilities. This work will be bid out in March 2011. Construction for the road will be May of 2011, with substantial completion in September of 2011 and final completion for all the utility work and the road by August 2012.

Plant Street - Segment 3

Mr. Bollhoefer stated that Plant Street – Segment 3 from West Crown Point to State Road 429. The notice to proceed will be issued on February 21st with substantial completion on August 10, 2011, and final completion on September 18, 2011. Once this is complete the City expects to begin the section that goes from West Crown Point Road all the way down to Ninth Street.

Fountain and Pavilion

Mr. Bollhoefer stated that the fountain and pavilion are both on schedule and on budget. The fountain is scheduled to open in April 2011 with the target being to have it open for Bloom 'N Grow. The pavilion is scheduled to open in May 2011.

Paving Projects Update

Mr. Bollhoefer stated that at the next Commission meeting he will bring a list of the proposed paving projects for this year. Staff will provide its recommended list and also a full list of all the roads and their ratings so that the City Commission can look at it before making a final recommendation.

Tucker Ranch

Mr. Bollhoefer stated that staff is not sure when the park will be developed completely but in the interim the City may want to use part of the ranch as a campground by the Indian guides. He mentioned that the front of the property is ideal for little league to use as a practice field although he would not be putting any major expenses except mowing.

Chili Cook-Off Update

Andrea Vaughn, Community Relations Manager, reminded the City Commission that the Chili Cook-off is this Saturday to benefit the American Cancer Society. She invited the

City Commissioners to be a part of the decorations committee. She stated that the City has already raised \$2,000 of \$7,500 goal.

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman congratulated Mayor Rees on being unopposed and winning re-election as Mayor.

Commissioner Boulter thanked everyone for their attending the Martin Luther King Day celebration.

Commissioner Buchanan stated that he was on State Road 50 and noticed that the area in front of Larry Grimes' property is a lot lower than the road itself and there doesn't appear to be any drainage. There are already some washed out areas.

Mr. Bollhoefer replied that he will have it checked out and get information back to him.

Mayor Rees thanked the City Commission, the department heads, and staff for the great job that they have done in the last few years. He thinks that our citizens are very appreciative and he thanked everyone.

The meeting adjourned at 6:50 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC