



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

February 10, 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, and Colin Sharman

Absent: Commissioner H. Gerald Jowers

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, Assistant City Clerk Angee Grimmage, Planning Consultant Ed Williams, Public Services Director Don Cochran, Community Development Director Tim Wilson, Finance Director Robin Hayes, Fire Chief John Williamson, Police Chief George Brennan, Information Technology Director Bob Reilly, Building Official Skip Lukert, Recreation Director Jay Conn, Human Resources Director Frank Gilbert, Economic Development Director Tanja Gerhartz, and West Orange Times Reporter Michael Laval

1. **APPROVAL OF MINUTES**

Motion by Commissioner Boulter to approve the regular meeting minutes of January 27, 2011 as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0.

2. **REGULAR BUSINESS** – There were no items.

3. **MATTERS FROM CITIZENS**

Charlie Mae Wilder, 284 11th Street, Winter Garden, Florida, thanked the City Commission and the City Manager for the Community Garden and offered some of its produce.

4. **MATTERS FROM CITY ATTORNEY** – There were no items.

5. **MATTERS FROM CITY MANAGER**

A. **Annual road paving projects list**

City Manager Bollhoefer stated that he distributed the annual road projects list and highlighted that the first page includes the recommendations made by the Public Services Department on the roads they would like to see paved this year. The list is based on the prioritized need and the roads that received the most complaints. Also included was a listing of all the paving projects. He invited the City Commissioners to come to him with any roads they feel should be included on the list. He would also provide any information they needed on the estimated cost for these projects.

Mayor Rees asked if the Boyd Street intersection was being skipped.

Public Services Director Cochran responded that this intersection was resurfaced at the same time the City repaired the water main and it is still in good condition. The City will mill it right at the seam and carry it on to Division Street.

Mr. Bollhoefer stated that staff will bring this item back at the next meeting to give the City Commission time to review it and ask questions.

Commissioner Boulter stated that at one time he mentioned the need to take a look at 10th Street because it is cracking and he thinks there was a sinkhole a couple of years ago. It has gotten back to that state again and he is afraid someone could drive on it and get into trouble. Mr. Bollhoefer stated staff will take a look at it. He asked that from Klondike to Bay Street also be looked at.

B. Presentation on downtown bicycle parking

City Manager Bollhoefer gave a PowerPoint presentation on downtown bicycle parking (*see attached Exhibit A*). He stated that a couple of the City's merchants came to the Mayor and staff with a request for bicycle parking in the downtown area. He stated that on Friday evenings and on Saturday, the south side of the road there are so many bikes that it is difficult to walk. The bicyclists bring a lot of business to the downtown area. He spoke of finding a way to use the islands to increase bicycle parking and the different types of racks. The islands could create a total of approximately 76 bicycle parking spots. His rough estimate is \$30,000, which is approximately \$10,000 per island. If the City Commission thinks this is a good idea, he asked that this matter go to the Community Redevelopment Advisory Board to recommend paying half the cost and the remaining amount from the general fund. He feels it is important for the downtown area.

Motion by Commissioner Buchanan to approve moving forward on reviewing all options for increasing bicycle parking in the downtown area. Seconded by Commissioner Boulter and carried unanimously 4-0.

C. Potential grant for railroad tracks

City Manager Bollhoefer gave a PowerPoint presentation on a railroad project (*see attached Exhibit B*). Mr. Bollhoefer stated that several communities throughout Central Florida have been working together to improve the rail tracks. There is an opportunity for State funding in the form of a grant to pay for improving these rails. The improvements would consist of changing the main rail to a welded-style rail, which would accommodate faster moving freight and possibly a commuter rail. The total cost of this project is \$18.4 million. The Florida Department of Transportation (FDOT) has funding for up to 75 percent of the cost and then the railroad would pay 12.5 percent, and the remaining 12.5 percent would be paid by the local communities. He listed several communities that have already signed on and those that are addressing it in the near future.

There was discussion on splitting the cost between cities. Mr. Bollhoefer shared how the calculation of the costs came to be. He noted that Winter Garden had the smallest track

mileage, making our cost the lowest at \$16,000 that was initially okay. Subsequently, this made everyone upset because Winter Garden's cost was so low, they have raised our share to \$66,000. He went back and expressed he was unhappy, so at the last meeting it was at \$33,000 for our share.

Commissioner Sharman read the map and asked if there is a connection down to the CSX lines that are planned to become light rail.

Mr. Bollhoefer replied yes, this would actually tie into the commuter rail project. He stated that at this point, they are not asking for any city to commit to any dollar amount.

Mr. Bollhoefer stated that what the railroad and some of the other governments are asking for is that the City commit. He read an excerpt from one of the PowerPoint slides "*The City of Winter Garden agrees to pay its equitable share based on the cost of the construction and the corresponding FDOT and Florida Central Railroad funding.*" The amount would be determined later.

There is not a commitment being made based on any amount. What will be brought back to the City Commission at a later date would be an agreement between the railroad and the City with the amounts being negotiated and determined later. Mr. Bollhoefer explained that the reason this is difficult is because the fair share straight cost that the City would pay just for its allocation of 1.7 miles. However, there are those that may argue that the City does get a benefit from the rest of the line. This is what will be negotiated later. At the last meeting the amount everyone tended to agree upon was each paying \$33,000, which is a good price for getting this done. Planning Consultant Williams added that this is over a two year period.

City Attorney Ardaman asked if language could be added, without compromising the City's position, to include "*to be ultimately determined by the City and the others.*"

Mr. Bollhoefer replied that we could but it is not necessary because this is not an agreement or an offer at this time. It would only be a commitment to say that the City will pay its fair share. What comes back to this commission will be an agreement needed to move forward, which can then have the language added "*The City Commission will state that to be decided on based on an agreement between the City, Orange County and the railroad.*"

Motion by Commissioner Buchanan to approve drafting a letter of intent to participate in the Florida Central Railroad Track Upgrade Project by stating the City of Winter Garden agrees to pay its equitable share based on the cost of the construction and the corresponding FDOT and Florida Central Railroad funding, but not yet making a commitment to any dollar amounts. Seconded by Commissioner Sharman.

Commissioner Sharman stated that he had this conversation with the City Manager about a year ago and feels that this is a great opportunity to upgrade our rail system, and get other available money.

Mr. Bollhoefer also noted that staff will also come back later because they are asking the City to join in with the alternative transportation study to see what it will take to get us included in the long-term commuter rail for Winter Garden, Ocoee, and also link to Lake County.

Mayor Rees called the vote on the motion. **Motion carried unanimously 4-0.**

City Manager Bollhoefer clarified that the negotiated final agreement would be brought back to the City Commission and would need to be in place by March.

Art in Public Places

Community Relations Manager Andrea Vaughn announced that the next Art in Public Places exhibit will be going up tomorrow afternoon with the reception being held next Friday, February 1, 2011 from 6:00 p.m. to 7:30 p.m. in the lobby at City Hall. This is a special exhibit to both the City of Winter Garden and Creadle School of Art. The exhibit can be viewed until the end of May.

6. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Buchanan thanked the City staff involved in the street project near his home.

Commissioner Boulter announced that in observance of February being designated as Black History month, the Eastside Community Development Corporation is hosting a Black History program on February 25, 2011. He also announced that on February 26, 2011 there will be a Mildred Dixon Heritage Day. This is the 2nd annual event honoring the life and memory of former Commissioner Mildred Dixon, the first female and African-American to serve on the City Commission in Winter Garden. He invited everyone to come and participate.

The meeting adjourned at 7:00 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC