



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

May 26, 2011

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Pro Tem Boulter 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 Pro Tem Harold L. Boulter, Commissioners Bob Buchanan, and Kent Makin

Absent: Mayor John Rees and Commissioner 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, Finance Director Robin Hayes, Information Technology Director Bob Reilly, Community Development Director Tim Wilson, Building Official Skip Lukert, Human Resources Director Frank Gilbert, Fire Chief John Williamson, Police Chief George Brennan, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, and West Orange Times Reporter Michael Laval

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve the regular meeting minutes of May 12, 2011 as submitted. Seconded by Commissioner Makin and carried unanimously 3-0.

2. **OATHS OF OFFICE AND INTRODUCTION OF NEW POLICE OFFICERS**

Police Chief Brennan introduced and gave the oath of office to Jonathan Burgos, Holly Chavannes, Stephanie De La Tejera, and Christian Orlando.

3. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCE**

A. **Ordinance 11-11:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING CHAPTER 118 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN CONCERNING THE LOCATION OF PAWN SHOPS, FIREARM SALES, FIREARM ASSEMBLY AND MANUFACTURING, AND GUN RANGES; AMENDING ARTICLE I, SECTION 118-1 DEFINITIONS; AMENDING ARTICLE IV, DIVISION 8, SECTION 118-535 PROHIBITED USES AND STRUCTURES FOR C-1 ZONING DISTRICT; AMENDING ARTICLE IV, DIVISION 9, SECTIONS 118-579 AND 118-580 SPECIAL EXCEPTIONS AND PROHIBITED USES AND STRUCTURES FOR C-2 ZONING DISTRICT; AMENDING ARTICLE IV, DIVISION 11, SECTION 118-680 PROHIBITED USES AND STRUCTURES FOR C-4 ZONING DISTRICT; AMENDING ARTICLE IV, DIVISION 12, SECTIONS 118-727 AND 118-729 PERMITTED USES AND SPECIAL EXCEPTION USES FOR I-1 ZONING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL IN EVENT OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Manager Bollhoefer advised that this ordinance has been withdrawn from the agenda.

City Attorney Ardaman stated that the proposed ordinance has been modified and will be discussed later in this meeting.

4. **REGULAR BUSINESS**

A. **Recommendation to authorize the City Manager to notify the U.S. Department of Housing and Urban Development and Orange County of the City's intent to opt out of the Community Development Block Grant Urban County Program**

City Manager Bollhoefer stated that our City has been partnering with Orange County for several years on the Community Development Block Grant. Early on in this arrangement the City was successful in being awarded these grants. Over the past three years the City has not had any success whatsoever and it seems the process has become politicized. He feels that by allowing the City to withdraw and independently apply for these grants, the City will have much better chance in obtaining the funds from the federal government. He noted that this issue has been reviewed by a consultant and staff.

Motion by Commissioner Buchanan to approve authorizing the City Manager to notify the U.S. Department of Housing and Urban Development and Orange County of the City's intent to opt out of the Community Development Block Grant Urban County Program. Seconded by Commissioner Makin and carried unanimously 3-0.

5. **MATTERS FROM CITIZENS**

Jerry Carris, 347 Bayside Avenue, Winter Garden, Florida, stated that Commissioner Sharman has allowed him to plant in his Community Garden plot and presented photos of the progress for the Commissioner's scrapbook. He thanked the City Commission for their support of the Community Garden.

Mayor Pro Tem Boulter encouraged everyone to see the garden and commented how other cities are trying to copy our garden and our advice.

Theo Graham, 213 West Tilden Street, Winter Garden, Florida, invited everyone to the Memorial Day service at 8:30 a.m. at Veterans Park and thanked the City for their help in this effort.

Johnny Couch, 515 North Boyd Street, Winter Garden, Florida, stated that he wished to address the issue of the stop sign at the corner of Division Street and Main Street. He noted that people think it is a four-way stop and there have been fender bender accidents. He asked if the City could monitor the intersection. City Manager Bollhoefer responded that he would have staff take a look.

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

7. **MATTERS FROM CITY MANAGER**

A. **Discussion on pawn shop zoning**

City Manager Bollhoefer stated that after the last meeting City staff reviewed the proposed ordinance and noted that there are some existing state laws. The city attorney has drafted a new ordinance, which he distributed to the City Commission for review. Mr. Bollhoefer asked the Commissioners to bring any questions they may have to staff prior the next meeting. The reason he is proposing an ordinance is because City's code does not currently address pawn shops.

B. **Discussion on leasing sidewalk space to restaurants on Plant Street in the historic area**

Mr. Bollhoefer advised that this item was being **postponed** until the next Commission meeting because more work needs to be done on it.

• **Staff Appreciation**

City Manager Bollhoefer described several recent downtown events in a short period of time and how the entire downtown area was completely cleared by Monday morning and commended those staff responsible for a job well done.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Buchanan thanked staff for their efforts in the Relay for Life event and commended Andrea Vaughn for her hard work in making this event a success.

Mayor Pro Tem Boulter thanked the City Commission for the opportunity to serve as the Mayor Pro Tem and also commended staff for their hard work and efforts in supporting the City's events.

The meeting adjourned at 6:55 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC