



# CITY OF WINTER GARDEN

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## CITY COMMISSION REGULAR MEETING MINUTES

October 13, 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, Kent Makin, and Colin Sharman

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

### 1. **APPROVAL OF MINUTES**

**Motion by Commissioner Buchanan to approve budget hearings and regular meeting minutes of September 21, 2011. Seconded by Commissioner Boulter and carried unanimously 5-0.**

### 2. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 11-27:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 209+/- ACRES LOCATED ON THE WEST SIDE OF AVALON ROAD AND SOUTH OF THE FLORIDA TURNPIKE INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-27 by title only. Community Development Director Williams stated that this ordinance is related to the Tucker Ranch project which the City purchased and is currently preparing plans to develop a park complex on the property. The property is currently in unincorporated Orange County and this item is for annexation into the City's jurisdiction. The Planning and Zoning Board and staff recommend approval.

**Motion by Commissioner Buchanan to approve Ordinance 11-27 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- B. **Ordinance 11-28:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 7.88± ACRES LOCATED ON THE EAST SIDE OF 9<sup>th</sup> STREET, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-28 by title only. Community Development Director Williams stated this and the next two readings involve the same general properties in this area. The first ordinance is to annex the hatched area, as indicated in the staff report, which is the Budget Auto Parts property, a salvage yard and recycling facility off of Ninth Street into the corporate limits of the City. He displayed a map showing two small white areas that are currently in the County which are being purchased from relatives of the applicant and will be brought back to the City Commission for consideration of being annexed into the City. This is a rather large piece of property and is probably one of the most efficient, well run, and clean salvage yards in the County, if not in the state. It has a great reputation for its environmental sensitivity. The Planning and Zoning Board and staff, recommend approval of annexing this property into the City.

Commissioner Buchanan asked if there has been any discussion on Beulah Road continuing through this property.

Mr. Williams replied yes, there has been discussion and the property owner is willing to work with the City on several road proposals that would impact the property. There will not be any negotiations until the property has been annexed into the City. In addition, because of the use, the owner has agreed to live with the City requirement that wherever this property is visible from public right-of-ways, it will be screened with a masonry wall.

**Motion by Commissioner Makin to approve Ordinance 11-28 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- C. **Ordinance 11-29:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 7.88± ACRES OF LAND LOCATED ON THE EAST SIDE OF 9<sup>th</sup> STREET, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE

COUNTY LOW-MEDIUM DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-29 by title only. Community Development Director Williams stated that this is the same property that was discussed under the previous item. The County's land use designation is low-medium density residential, which really does not reflect the current industrial use of the property. This property is surrounded by the City and a special activity center that is designated multi-office industrial. Staff recommends this same designation as the future land use category. The Planning and Zoning Board and staff recommend approval for City multi-office/industrial as part of the existing (industrial) activity center.

**Motion by Commissioner Boulter to approve Ordinance 11-29 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- D. **Ordinance 11-30:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 7.88± ACRES OF LAND LOCATED ON THE EAST SIDE OF 9<sup>th</sup> STREET, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY LOW-MEDIUM DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-30 by title only. Community Development Director Williams stated this is still the same property as discussed under the last two items. The County designation is for multi-family residential R-2 zoning. The use that is on the property is a City I-2 zoning. There is an I-2 zoning within the (industrial) activity center. The Planning and Zoning Board and staff recommend approval of I-2 as the initial zoning for the property that has been annexed.

Commissioner Buchanan stated that he was curious to know if there has been a special exception for all these years. Mr. Williams responded that he believes it was grandfathered in before the County established their zoning for it and it did not have to go through the special exception process.

**Motion by Commissioner Boulter to approve Ordinance 11-30 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Makin and carried unanimously 5-0.**

- E. **Ordinance 11-31:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 13.39± ACRES OF REAL PROPERTY

GENERALLY LOCATED EAST OF 9<sup>th</sup> STREET, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM CITY I-1 LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT AND CITY C-2 ARTERIAL COMMERCIAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-31 by title only. Community Development Director Williams stated the other properties that this business controls are already within the City's jurisdiction. They would like to change the zoning on these properties to make them consistent with the rest of the properties so that the site can be used. Staff had some concerns about changing this much property to industrial, but with the commitment by the owners to work with the City on the roads and to provide a buffer wall wherever the property is visible from public right-of-ways, staff thought these items would provide good protection. The property would be under one unified zoning that would allow the City to help control future development of vacant properties. The Planning and Zoning Board and staff recommend approval of I-2 zoning for this portion.

**Motion by Commissioner Buchanan to approve Ordinance 11-31 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Makin and carried unanimously 5-0.**

- F. **Ordinance 11-32:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 54, PENSIONS AND RETIREMENT, ARTICLE III, PENSION PLAN FOR FIREFIGHTERS AND POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN; AMENDING SECTION 54-190, CONTRIBUTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-32 by title only. City Manager Bollhoefer stated that in the City's past two budget years has included increasing the contribution made by employees into the pension plan. This also included requiring the members of the pension plan vote on this increase, which was accomplished with nearly a unanimous vote. This ordinance enables the employees to start contributing 3 1/2 percent as opposed to the 1 1/2 percent that they now contribute.

**Motion by Commissioner Boulter to approve Ordinance 11-32 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- G. **Ordinance 11-33:** AN ORDINANCE OF THE CITY OF WINTER GARDEN AMENDING AND RESTATING CHAPTER 54, PENSIONS AND RETIREMENT, ARTICLE II, PENSION PLAN FOR GENERAL EMPLOYEES, SECTIONS 54-26 THROUGH 54-185, INCLUSIVE, OF THE CODE OF ORDINANCES OF THE CITY

OF WINTER GARDEN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-33 by title only. City Manager Bollhoefer stated this ordinance changes the zero pension contribution by general employees to 2 1/2 percent. This ordinance also incorporates some of the actuarial changes that the pension board approved that actually reduces the cost of the City's pension by almost 50 percent. Also included are changes that catch us up with some of the state laws.

Mayor Rees asked if the rate of return going forward is figured at 7 percent. Mr. Bollhoefer responded that he believes it is 7.5 percent.

**Motion by Commissioner Buchanan to approve Ordinance 11-33 with the second reading and public hearing being scheduled for October 27, 2011. Seconded by Commissioner Boulter and carried unanimously 5-0.**

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

A. **Ordinance 11-21:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING SECTIONS 38-28, 38-59, 38-60, 38-61, AND 38-93 IN ARTICLE II OF CHAPTER 38, SECTION 62-62 IN ARTICLE III OF CHAPTER 62; CREATING SECTION 62-167 THROUGH 62-174 IN ARTICLE VI OF CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN DEFINING AND REGULATING LOT CLEANING AND RIGHT-OF-WAY MAINTENANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONTROL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 11-21 by title only. Community Development Director Williams stated that these proposed changes are to clarify the responsibility for maintaining, cleaning and/or mowing the area between the sidewalk and the roadway on local streets and some collector roads. Staff recommends approval.

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

**Motion by Commissioner Buchanan to adopt Ordinance 11-21. Seconded by Commissioner Makin and carried unanimously 5-0.**

4. **REGULAR BUSINESS**

A. **Recommendation to approve entering into a Highway Landscape Construction and Maintenance Memorandum of Agreement with the Florida Department of Transportation for City of Winter Garden medians on State Road 50 (postponed from September 21, 2011)**

Public Services Director Cochran stated that this item is being brought back from the last meeting with the exhibits attached this time. This agreement is between the Florida Department of Transportation (FDOT) and the City of Winter Garden to install and maintain the landscape in the medians on State Road 50 from State Road 429 to Avalon Road. The latest landscape architect's estimate for this installation of the landscaping would be \$750,000. Staff recommends approval of this agreement.

Mayor Rees confirmed that this is the same landscaping that the City Commission originally reviewed. Mr. Cochran replied yes.

Commissioner Buchanan confirmed that this is the landscaping and the installation. Mr. Cochran replied yes, but does not include the right-of-way.

City Manager Bollhoefer clarified that it is the City's intention to use the same company to landscape and maintain it for the first year. He wants to make sure that it is the same company is doing both because if there is any issue, one person blames the other person. Therefore, if we have the same company doing both it is not an issue.

Commissioner Boulder stated that he has several residents asking when this project will be completed.

Mr. Cochran replied that the last he heard about Prince's schedule is that they still have at least a month-and-a-half before they are completely finished and out of the City's way. His guess on the landscaping is at least six months or less.

**Motion by Commissioner Buchanan to approve entering into a Highway Landscape Construction and Maintenance Memorandum of Agreement with the Florida Department of Transportation for City of Winter Garden medians on State Road 50. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- B. **Resolution 11-12:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, OPPOSING ANY HYDRILLA MANAGEMENT THAT DOES NOT FOCUS ON TOTAL ERADICATION OF HYDRILLA IN LAKE APOPKA

City Attorney Ardaman read Resolution 11-12 by title only (*attached per Section 2*). City Manager Bollhoefer stated that this resolution has been submitted at the request of Jim Thomas with the Friends of Lake Apopka (FOLA). It is FOLA's belief that hydrilla in Lake Apopka should be eradicated because it could spread and consume the lake.

**Motion by Commissioner Sharman to approve Resolution 11-12. Seconded by Commissioner Makin and carried unanimously 5-0.**

*Chairman Rees dispensed as the City Commission and convened as the Community Redevelopment Agency at 6:55 p.m.*

**Members Present:** Chairman John Rees, Members Harold L. Boulter, Bob Buchanan, Kent Makin, and Colin Sharman

**Members Absent:** Larry Cappleman

C. **Recommendation to award and authorize the City Manager to execute the agreement for a Facade Matching Grant to Belinda Wilson for Ms. Bee's Popcorn and Candy Shoppe located at 2 E. Plant Street owned by Martha Rangel in the amount of \$6,000**

Economic Development Director Gerhartz stated before the City Commission is a facade matching grant application for final approval. The application has been reviewed by City staff and the CRA Advisory Board. She noted that the Architectural Review and Historic Preservation Board (ARHPB) will review this application next week. The property is located at 2 E. Plant Street and owned by Martha Rangel. The applicant is Ms. Bee's Popcorn and Candy Shoppe, which will be a new downtown business owned by Belinda Wilson. The CRA Advisory Board recommends approval of a matching grant of up to \$6,000.00 for building improvements that include a new window on south Main Street, painting the building a historic color, refurbishing the tile on the store front, and replacing the existing awnings on the building and adding a new awning on the new window that will be installed. The CRA Advisory Board approved the matching grant with conditions. Conditions include a window on South Main Street that should have the same elevation as the existing windows on Plant Street. The awning should be reconfigured so that it matches the existing awnings on Plant Street. The third condition is that the application be approved by the ARHPB, which will meet next week.

Ms. Gerhartz stated that since the CRA Advisory Board met on Tuesday, she has been working with the property owner and the tenant to see if they could meet the conditions of approval set by the CRA Advisory Board. Due to the budget constraints of the owner and tenant, she does not believe that it is possible at this time. Ms. Gerhartz stated that all parties have reached a compromise. They have agreed that the new window that will be installed on south Main Street at the same height as those on Plant Street. The awning will be replaced with a new black awning and the awning covering over the new window will replicate the same design as the awnings on Plant Street. Ms. Gerhartz displayed a photo of the proposed improvements after they are done. She noted that action is needed to approve and authorize the City Manager to enter into an agreement that allows the City to reimburse the owner up to \$6,000.00 with the conditions that the window constructed on South Main Street shall be the same height as the existing windows on Plant Street and the same aluminum trim will be replicated and approval given by the ARHPB.

Commissioner Makin stated that he will be abstaining from this vote due to his financial interest in the property as the contractor doing the improvements.

**Motion by Member Buchanan to award up to \$6,000.00 and authorize the City Manager to execute the agreement for a Facade Matching Grant to Martha Rangel**

**and Belinda Wilson for Ms. Bee's Popcorn and Candy Shoppe located at 2 E. Plant Street with the conditions recommended by the CRA Advisory Board. Seconded by Member Boulter and carried 4-0-1; Member Makin abstained.**

*Chairman Rees Adjourned as the Community Redevelopment Agency and reconvene as the City Commission at 7:01 p.m.*

5. **MATTERS FROM CITIZENS**

Theo Graham, 213 W. Tilden Street, Winter Garden, Florida, asked if there was a way to water the State Road 50 landscaping as previously mentioned in the meeting.

City Manager Bollhoefer replied yes, there is irrigation.

Mr. Graham thanked the City Commission for approving the resolution for the Friends of Lake Apopka for which he has been a member since its inception. He shared that he has seen a lot of improvement during this time.

Mr. Graham also requested the City's help in opposing any development of a disposal plant in Lake County near Lake Apopka as well as opposing a possible airport landing strip that will be angled toward the lake.

Charlie Mae Wilder, 284 11th Street, Winter Garden, Florida, stated that they will be having their fifth annual appreciation for Veterans and Families of Veterans. She asked for the City's continued support by again purchasing an advertisement. She noted that last year the City purchased the inside front cover for \$100.00.

**Motion by Commissioner Sharman to approve purchasing the inside front cover for the fifth annual appreciation for Veterans and Families of Veterans. Seconded by Commissioner Boulter and carried unanimously 5-0.**

6. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman requested that the City Commission vote on whether to accept or reject a proposal for settlement submitted by DeWitt Excavating, Inc. v. City of Winter Garden in Case No. 2011-CA-007041. He stated that his recommendation is to reject the offer.

**Motion by Commissioner Boulter to reject a settlement offer from DeWitt Excavating, Inc. in Case No. 2011-CA-007041. Seconded by Commissioner Makin and carried unanimously 5-0.**

7. **MATTERS FROM CITY MANAGER**

A. **Cancellation of City Commission regular meetings of November 24 and December 22, 2011 for the holidays**

City Manager Bollhoefer stated that generally each year the City Commission cancels the second meeting in November because it falls on Thanksgiving Day. Sometimes the City

Commission also cancels the second meeting in December depending on how close it falls to Christmas. This year the meeting would be Thursday, December 22, 2011 with Christmas falling on Sunday. He asked the City Commission for a decision on whether they would like to cancel these two meetings this year.

It was noted that should the second meeting in December be needed for any reason, the City Commission could vote to conduct the meeting.

**Motion by Commissioner Buchanan to approve canceling the regular City Commission meetings of November 24 and December 22, 2011 for the holidays. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- **Waive Fees for Tildenville Missionary Baptist Church**

City Manager Bollhoefer stated that a representative from Tildenville Baptist Church is present to request that the City donate the use of Tanner Hall on Friday, December 23, 2011. Mr. Bollhoefer recognized the church representative to address the City Commission.

Mr. Obough Bostwick stated that various leaders from the community have recently formed the United Circle Foundation and they want to recognize some the leaders within our community the 23<sup>rd</sup> of December at Tanner Hall. Also, they want to help some of the people within the community that may need during the holidays. He asked the City Commission to support their efforts and waive the fees for using Tanner Hall. This will be their first annual Christmas banquet and they hope to have one each year. He explained that they would like to help the seniors and include an education component that they will use to start working with some of our youth.

Commissioner Boulter stated that he prays for a community that becomes self sufficient and he is behind them 100 percent in whatever they chose to do.

**Motion by Commissioner Boulter to waive the fees for using Tanner Hall for Tildenville Baptist Church's United Circle Foundation on December 23, 2011. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- **Steak on the Lake**

City Manager Bollhoefer announced the City Commission has four seats available for the Steak on the Lake Boys and Girls Club charity event this Friday at 6:30 p.m.

- **Relay for Life**

Community Relations Manager Vaughn presented Andy Bruns with a certificate of appreciation for his participation on behalf of a cancer survivor unable to walk their laps.

**B. Discussion on combining the 2012 General Election for Districts 2, 3, and 4 with the Presidential Preference Primary on January 31, 2012**

City Manager Bollhoefer stated that the Republican Party Presidential Preference Primary (PPP) election date has been moved to January 31, 2012. The City's election is scheduled for March 13, 2012. So far the cities of Eatonville, Apopka, and Orlando have not changed their dates to match the January date whereas the other cities in Orange County have done so. Mr. Bollhoefer asked City Clerk Golden if a decision would be needed tonight to change our election date to coincide with the Presidential Preference Primary in January.

**Ms. Golden** replied yes, an ordinance would need to be brought forward for consideration and even to get it through in time, it would require a special meeting on November 3<sup>rd</sup> for adoption. The qualifying period would need to end no later than November 22<sup>nd</sup> in order to make the joint ballot. If the City Commission is in favor of having the joint election, it is a three part process; adopting an ordinance changing the election date and qualifying period, entering into an agreement with the County so that they may canvass the results of the election on the City's behalf, and holding a special meeting.

**Mayor Rees** asked what the difference would be if we had a standalone election versus a joint election with the County. **Ms. Golden** replied that if the City held a standalone election for all three seats, the cost would be anywhere from \$12,000 to \$15,000. **Mr. Bollhoefer** added that this would be a standalone run in unison with the City of Apopka. **Ms. Golden** stated there would be a minor share of cost with Apopka. **Commissioner Boulter** asked how much of a minor share cost. **Ms. Golden** responded that we would share the cost for backup poll workers, poll worker training, and early voting as hosted by the County.

**Commissioner Buchanan** asked when registering to run would be open because the entire campaign to solicit funds would be between Thanksgiving and Christmas to get everything done by January 31<sup>st</sup>. **Ms. Golden** shared that combining with the PPP actually does give candidates a little more time than it would from January to a March election.

**Commissioner Sharman** asked when qualifying would close. **Ms. Golden** replied that she recommends having the qualifying from noon November 8 until noon November 15. You can go as late as November 22, but that is the drop dead date for getting us on the same ballot. **Mr. Bollhoefer** added that this date was given by the Orange County Supervisor of Elections.

**Commissioner Boulter** stated that his problem with piggybacking the PPP is that this is a one party primary. A one party primary would disenfranchise those that are not of that particular party. They (residents) are counting on the City having its election in March. There are three seats that are up for re-election and he would hate to scramble that in with all of what is going on with this PPP election coming up. He thinks that the City has too much to lose if we do that. He thinks every voter deserves a clear head, not worrying about Christmas, Thanksgiving, and the primary that is coming up. He stated that he

does not think \$12,000 is much money to put into an election that would continue the positive aspects that this City has projected across this County and State. We have come a long way and we need to continue on the path of cohesiveness.

**Mayor Rees** noted that he is still frustrated from when the elections were moved from November. Secondly, he does not like that the County or either party moves the election around and expects the City to follow suit. He also addressed the issue of having an election within five or six weeks of each other and what the turnout would be. He noted that if he spent the money, he would rather spend it on the citizens than on an election. He would like to think that the people of our City recognize that the City Commissioners serve on a nonpartisan basis. We are not republicans, not democrats, not tea party, and not independents. We are here independently to represent our City. He would really like to think that the citizens of our town understood and appreciate that.

**Commissioner Boulter** stated that he researched the issue and found that the reason the election was moved from November was because the Mayors got together and decided to move it due to all of the hoopla going on during the Federal elections. They wanted people to concentrate more on what was happening in their individual cities. He feels that there is a lot of politicking going on and noted that he would like the City of Winter Garden to take a step back and not buy into that.

**Commissioner Makin** stated that he has also done some research on this issue and looking over the past years, this City Commission has voted to combine with the Presidential Primary election. He stated that he is looking at it from the standpoint of saving the taxpayers some money whenever we can. He would be in favor of moving the election based upon saving the City some money.

**Commissioner Boulter** stated that if he thought this City was fiscally irresponsible he would agree with Commissioner Makin. He feels that the City staff has done a good job in handling the purse strings. He reiterated that it is more than just finances but what is best for this City.

**Commissioner Buchanan** stated that the citizens elected us to do our jobs for three years and moving the election does not give them their full three years.

**Commissioner Sharman** stated that if he looked at it as a political consultant to different candidates, there would be a strategy if he were doing this. It is very true that if it were a dual primary, you would have over all turn out. Being a single primary, independent voters are not going to show up either. He stated that if the City holds it on its own it is fairer for everyone.

**Motion by Commissioner Buchanan to keep the 2012 General Election for Districts 2, 3, and 4 in March 2012 as currently scheduled. Seconded by Commissioner Boulter and carried 3-2; Mayor Rees and Commissioner Makin opposed.**

- **Run-off Election in 2012**

City Clerk Golden stated that the run-off election is currently scheduled for five weeks after the general election. This makes it the second Tuesday in April. The City of Apopka's run-off election is currently set for the first Tuesday in April. She asked if it would be the City Commission's desire to have a joint run-off election with Apopka, if it is necessary.

**Motion by Commissioner Buchanan to conduct any needed run-off election the first Tuesday in April jointly with the City of Apopka if they have one. Seconded by Commissioner Sharman and carried unanimously 5-0.**

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Sharman** thanked the City Manager for finishing the turn lane underneath State Road 429.

City Manager Bollhoefer noted that staff has been working with the County on the timing of the lights which falls under the County's jurisdiction. He noted that he believes that they are working on making those corrections.

**Commissioner Boulter** stated that he is happy that Plant Street is almost completed and it is looking pretty good. He noted that the signals on East Crown Point and Plant Street and the signals on West Crown Point and Plant Street are in and he is looking forward to the light signal on Ninth Street and Plant Street.

**Commissioner Buchanan** noted that it was a washout for the MusicFest but he thought they did a really great job all things considered.

**Commissioner Makin** stated that he spent most of Saturday at MusicFest and it looked to have been a pretty good event.

Commissioner Makin stated that this morning was the best morning ever because the traffic flowed so well at East Crown Point Road.

The meeting adjourned at 7:35 p.m.

APPROVED:

\_\_\_\_\_/S/\_\_\_\_\_  
Mayor John Rees

ATTEST:

\_\_\_\_\_/S/\_\_\_\_\_  
City Clerk Kathy Golden, CMC