



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

March 22, 2012

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 (*outgoing*), Robert Olszewski (*incoming*), 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, Human Resources Director Frank Gilbert, Police Chief George Brennan, Fire Chief John Williamson, Building Official Skip Lukert, Information Technology Director Bob Reilly, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn, City Engineer Art Miller, West Orange Times Reporter Michael Laval, and Orlando Sentinel Reporter Stephen Hudak

1. **APPROVAL OF MINUTES**

Motion by Commissioner Makin to approve the regular meeting minutes of March 8, 2012, as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

2. **GENERAL ELECTION RESULTS**

A. **Resolution 12-05:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MARCH 13, 2012 FOR COMMISSIONER DISTRICTS 2, 3, AND 4, AND AUTHORIZING ISSUANCE OF CERTIFICATES

City Attorney Ardaman read Resolution 12-05 by title only. City Clerk Golden read the following election results for the general election held on March 13, 2012:

District 2

Bob Buchanan received 268 votes
Theo Graham received 155 votes

District 3

Harold L. Boulter received 140 votes
Robert "Bobby" Olszewski received 414 votes
Edward Lee Scott received 38 votes

District 4

Colin Sharman received 235 votes
Rosemarie Solomon received 65 votes

Motion by Commissioner Boulter to approve Resolution 12-05. Seconded by Commissioner Buchanan and carried unanimously 5-0.

At this point in the meeting Mayor Rees acknowledged departing Commissioner Boulter to address the City Commission and citizens.

Commissioner Boulter thanked everyone for their assistance and spoke of serving as a Commissioner in the City of his father and grandfather. He commended the City on its work ethic and individually thanked the Mayor, Commissioners, City Manager, City Attorney, and City Clerk for their assistance.

3. OATH OF OFFICE

A. City Clerk Golden administered the oaths of office to City Commissioners Bob Buchanan District 2, Robert Olszewski District 3 and Colin Sharman District 4, as duly elected on March 13, 2012.

4. PRESENTATIONS

A. **Proclamation 12-04:** Mayor Rees proclaimed April as Sexual Assault Awareness Month and presented the proclamation to Gina Costas, Executive Director of the Victim Service Center.

B. **Proclamation 12-05:** Mayor Rees proclaimed April 2nd as World Autism Awareness Day and April as Autism Awareness Month and presented the proclamation to Henry Wright.

5. REGULAR BUSINESS

A. **Resolution 12-06:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, APPOINTING A MAYOR PRO-TEM (*This item was postponed.*)

B. **Resolution 12-07:** A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION REQUIRING THE CITY OF WINTER GARDEN TO MAINTAIN THE PAVEMENT TREATMENT OF (4) ADDITIONAL INTERSECTIONS IN PERPETUITY, AS STATED IN THE ORIGINAL LOCALLY FUNDED AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 12-07 by title only. Public Services Director Cochran stated that during the State Road 50 widening project the original plan was to only have Daniels Road and Dillard Street crosswalks enhanced with stamped asphalt. Staff decided that it would be to the City's advantage to add crosswalk enhancements to other intersections. He noted that this resolution requires that the City be responsible for the ongoing maintenance of the enhanced crosswalks along State Road 50 at South Park Avenue, Winter Garden Vineland Road, Ninth Street and Beulah Road. Staff recommends approval of the resolution.

Mayor Rees asked about the estimated cost over a five year period. Mr. Cochran replied that it would probably be very little in the first five years. The total approximate cost of the enhancements was \$200,000. He noted that unless there was an accident that required maintenance to the road, there is very little that would have to be done to it until it requires repainting. City Manager Bollhoefer asked about the timeframe needed to redo the crosswalks. Mr. Cochran replied that the re-stamping of the crosswalks will not be necessary but due to usage they will need to be repainted.

Commissioner Makin noted that should there be any damage to the road the stamping could be redone in small sections. Mr. Cochran agreed.

Motion by Commissioner Sharman to approve Resolution 12-07. Seconded by Commissioner Buchanan and carried unanimously 5-0.

C. **Recommendation to approve Site Plan for 881 9th Street, with conditions recommended by the Development Review Committee dated March 14, 2012 (Budget Auto Parts of Orlando)**

Community Development Director Williams stated that this is the site plan for Budget Auto Parts at 881 Ninth Street, for 10.97 acres. Last year they annexed their entire property into the City and this is their first proposal to develop a section under the City's jurisdiction. The site plan is to include an expansion area for their car storage. Anything visible from Ninth Street will have a masonry block wall with a stucco finish. Mr. Williams noted there will be additional requests in the future for this property. Staff has reviewed this request for compliance with the code and recommends approval subject to the conditions noted in the staff report.

Commissioner Olszewski asked if the surrounding businesses are in agreement with what has been proposed. Mr. Williams replied yes; during the annexation, the comprehensive plan hearing and zoning hearings, there was no opposition. He noted that there were a few calls when there was dirt brought in before approvals. There will be landscaping and screening along other parts of the property. City Manager Bollhoefer confirmed that staff conducted community meetings with the surrounding neighborhoods.

Motion by Commissioner Sharman to approve the Site Plan submitted for 881 9th Street, with conditions as recommended by the Development Review Committee dated March 14, 2012 (see attached Exhibit A). Seconded by Commissioner Buchanan and carried unanimously 5-0.

D. **Recommendation to approve a developers agreement for 720 Roper Road for the project known as Serenades by Sonata**

Community Development Director Williams stated that this is the Serenades by Sonata project that has been seen over the last six months. This developer's agreement memorializes several of the conditions that are on the property. Mr. Williams explained

that it is a two phase project that ensures that the second phase will have cross access easements and utilities from the first phase. The existing access will be on Roper Road to the south. However, if Roper Road is realigned to the north then they would tie into that portion and provide some of the right-of-way. He noted that some of the conditions deal with drainage issues, design standards, signage, and transportation impact fees. Staff recommends approval.

Motion by Commissioner Sharman to approve the developer's agreement submitted for 720 Roper Road for the project known as Serenades by Sonata. Seconded by Commissioner Buchanan and carried unanimously 5-0.

6. **MATTERS FROM CITIZENS** – There were no items.
7. **MATTERS FROM CITY ATTORNEY** – There were no items.
8. **MATTERS FROM CITY MANAGER**

A. **Discussion on realignment options for Roper Road**

City Manager Bollhoefer stated that when traveling down Daniels Road you see that Roper Road is not aligned. Staff is looking at the vacant land just north of the property the City Commission just approved the Sonata agreement. Mr. Bollhoefer cited three options on how to deal with Roper Road and asked that option C be disregarded because it is not feasible due to the need to purchase property from two different property owners, maneuvering through wetlands, and it is not a good alignment.

The two viable options for realigning Roper Road include building the road straight through from Roper Road across Daniels and go straight through to the Winter Garden Vineland Road. This would be the best option if cost were not an issue. The City would end up spending anywhere from \$1.5 million to \$2 million, which does not include street lights. Staff does not think this expense is necessary. The other option is whenever the developer builds on that piece of property (Bradford) the City could have them line their entrance into their subdivision at a location that would line it up with Roper Road. This would allow the City to warrant putting in a traffic light at this location, and solves the City's greater problem of safety for students to travel.

Mayor Rees asked how many accidents have occurred at this location. City Manager Bollhoefer replied that there have been a total of six in the last two years that have not been serious.

Commissioner Buchanan asked if this means doing away with the existing Roper Road to the south. Mr. Bollhoefer stated yes. If you are doing the realigning it would be dead ended at a certain point. He noted that the residents of Grove Park would like to see, if the City does away with that road, a green space, a park, or trees.

Mayor Rees asked when the Roper property would be developed. Mr. Bollhoefer replied that he believes it will be developed this year.

Commissioner Sharman stated that he doesn't see the benefit of a straight through road to CR 535 but he does see the benefit of a traffic light.

In conclusion, Mr. Bollhoefer noted that perhaps within the next two weeks the developer would like to know which direction the City Commission would like go.

Mr. Bollhoefer shared that there have been some recent complaints from those living along Daniels Road and they have requested additional police officer patrols. Commissioner Sharman noted that the residents have requested specific times, which will be given to the Police Chief.

- **Update on Intersection Improvement at Windermere and Roberson Road**

City Manager Bollhoefer stated that some of the community members surrounding the area would like to see some additional improvements made. Last year the City Commission budgeted funds to help pay for the costs. Since then, the County decided to do the intersection and they did not need the City's funds. Therefore, the City has \$80,000 available. There will be community meetings and the City has informed the County that we have \$80,000. He noted that the County's plan did not include north and south extra lanes because of the cost. He noted that the north and south lanes have just as much traffic as the east and west. Staff may be coming to the City Commission at a later date with a proposal for the City of Winter Garden to participate in helping the County improve that intersection. Mr. Bollhoefer also noted that the County is considering a roundabout on this road and he wanted to make the City Commission aware that community meetings will begin shortly to discuss the issue.

Commissioner Olszewski asked if the City of Winter Garden could dictate how our money is spent or would this have to be in concert with Orange County. Most of the citizens that have some concerns are not happy with the County's proposed plans at this time and would like to see it amended but the budget is already in place.

Mr. Bollhoefer replied that the City would have leverage by saying we will contribute if the County does certain things. If the County does something else, then the City will not contribute. He believes the County will be fairly cooperative. This matter will be brought back to the City Commission.

Commissioner Olszewski noted that he just wanted to be sure that staff was listening to the citizens because the concerns expressed by them were almost in unison in the community meetings.

- **Community Development Block Grant**

Mr. Bollhoefer stated that staff has met with a group that specializes in Community Development Block Grants (CDBG). This group met with staff and shared that there are

some fantastic opportunities for obtaining federal funds for some projects. Particularly there is significant funding for certain types of economic development. For many years the City has been trying to do work on housing in East Winter Garden. The group has stated that the City can secure funding to move forward with this project up to \$750,000 and even to fund some of the housing south of Plant Street. He noted that there was even separate funding available for doing infrastructure. Staff will meet with this group and bring back resolutions to the City Commission to apply for three different types of grants. Mr. Bollhoefer noted that staff feels that we will be much more successful since it is not working with the County.

Commissioner Makin asked if the weatherization was for home repairs in areas that need it. Mr. Bollhoefer responded yes but this is not a weatherization program because of the ability to go in and refurbish an entire house or even tear it down and build a new one. There is a lot of leeway when it comes to CDBG housing work.

Commissioner Makin asked if there is education required for the persons getting the work done. Mr. Bollhoefer noted that there may be a little, most of that is guided by HUD but the City could always add in what it would like to do as part of that partnership.

Commissioner Buchanan asked if the City has to match the grants. Mr. Bollhoefer replied that in some the City will have to match and some we won't; staff will bring back the details.

- **Beautification of Dillard Street**

Mr. Bollhoefer stated that staff has some conceptual drawings of Dillard Street that will be given to the City Commission and business owners so that staff can get input at community meetings. The goal is to get started on the beautification of Dillard Street next year. There are a lot of opportunities to improve the road.

- **America in Bloom**

City Manager Bollhoefer stated that staff met with the volunteer group America in Bloom to see if they could work on some projects in the City. There were three specific projects that they wanted to address; a tree scape down Lakeview by adding some oak trees, more landscaping at gateways into Winter Garden at East Plant Street and West Plant Street, and also enhancements to the Community Garden and dedicate it to Jerry Carris who was very passionate about the garden.

- **Ninth Street Lift Station**

Mr. Bollhoefer stated that another engineering group has been brought in and staff thinks it has narrowed it down to what the problem really is and it can be resolved.

- **City Sign Code**

Mr. Bollhoefer noted that staff is working on redrafting the City's sign code and the downtown sign code. He noted that the City Commission may be asked in the future to budget some funds to bring in a professional firm to assist in this effort. Mr. Bollhoefer

noted that he received a letter regarding the entrance way signs on Plant Street, State Road 50, and CR 535 that will be brought back to the City Commission.

- **State Road 50 Landscape**

Commissioner Buchanan asked about the landscape on State Road 50. Mr. Bollhoefer replied that the landscape started last week. He apologized for the delay of the project. Public Services Director Cochran stated that the irrigation and shrubbery install will begin next month. Mayor Rees asked where the installation would start. City Engineer Miller stated that the irrigation has to go in first and they will start by SunTrust Bank and Fairwinds Credit Union, to put in the main controller. The first item seen will be the palms all at once probably around the middle of April and then the rest will go in.

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Buchanan thanked all of the citizens that went out and voted and especially those that went out and voted for him.

Commissioner Olszewski stated that it is an honor to be here and he thanked his fiancée Allison West, Commissioner Harold Boulter, City staff, and the City Manager for the easy transition. He offered his assistance to any and all of City citizens.

City Manager Bollhoefer stated that as part of the upcoming autism awareness he received a request for the City Commission to donate \$500 to purchase I-Pads for Dillard Elementary School. In the past the City Commission has supported programs that benefit our residents and our schools and staff recommends making the requested donation. **Motion by Commissioner Olszewski to approve donating \$500 to Dillard Street Elementary school for purchasing I-pads. Seconded by Commissioner Makin and carried unanimously 5-0.**

Commissioner Sharman stated that now that Mr. Jerry Carris is no longer with us, he is committed to keeping up his garden plot in the community garden and shared that Mr. Carris will be missed.

Commissioner Sharman thanked the voters for coming out to vote. He noted that he spent the least in his campaign this election and intends to be just as frugal with City business as well.

Mayor Rees acknowledged and welcomed a Boy Scout attending this meeting for his project.

The meeting adjourned at 7:27 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC