



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

April 12, 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 Bob Buchanan, Kent Makin and Robert Olszewski

Absent: Commissioner 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, and Orlando Sentinel Reporter Stephen Hudak

1. **APPROVAL OF MINUTES**

Motion by Commissioner Makin to approve the regular meeting minutes of March 22, 2012, as submitted. Seconded by Commissioner Buchanan and carried unanimously 4-0.

2. **PRESENTATIONS**

A. Appreciation plaques were presented to prior District 3 City Commissioner, Harold L. Boulter, by the City Commission and Sherrie Jackson with the Maxey Center.

B. **Garden Theatre Update**

Becky Stafford gave a PowerPoint presentation on the past accomplishments of the theater and events for the upcoming year. Mayor Rees stated his appreciation for all that Ms. Stafford does and encouraged everyone to attend the theater events.

C. **America in Bloom and Green Up Initiative**

Mary Zahl shared that the City Manager approached her about helping to coordinate a new program called America in Bloom (AIB) that is a national beautification program that helps to improve the esthetics of Winter Garden and invited Darand Williams to come forward to explain how Winter Garden was asked to participate.

Mr. Williams explained how America in Bloom came to him from a family friend and he asked the City Manager to speak with the Chairman Katy Warner. This is a national awards program that cities compete in and are judged by a panel of two to three qualified judges.

A committee has been formed and has met once to discuss participating in the upcoming national awards program. The City would register and be in a population category to compete with other cities in the same category. She explained that AIB looks at basically six different categories that include overall impression, floral display, landscaped areas, tree canopy, heritage preservation, and environmental efforts. The committee came up with certain focus areas that include enhancements to the community garden and evening out the tree canopy. The first focus could be on North Lakeview to the lake by making trees available to residents with their permission to plant trees and provide them with a watering bag to get them established. The third focus is the entrance corridors that include Dillard Street, Main Street, Park Avenue, East Plant Street, and West Plant Street.

The committee will be looking for corporate sponsorship and grants. A YouTube video will be developed before the judge's visit in June. To get this going the committee would like to receive some seed money.

Mayor Rees asked if anyone has worked up an estimate on the number of trees and a shade structure for the community garden. City Manager Bollhoefer shared that possibly 70 or 80 12-foot planted oak trees would run \$200.00 each with irrigation bags being provided and asked for \$10,000.00. Long term would be across the city with the use of volunteers and grants. This program is an investment in the future at which time Winter Garden when we will see the results when we have a mature tree canopy. Mayor Rees stated he favors enhancing our corridors.

Motion by Commissioner Buchanan to provide the America in Bloom Committee with the initial \$10,000.00 as requested.

Commissioner Olszewski stated that he wants other areas in the City to be able to participate and he supports the program. Mr. Bollhoefer responded the plan is to be city-wide and they will be applying for a \$750,000.00 Community Development Grant as part of a much larger project.

Motion was seconded by Commissioner Olszewski and carried unanimously 4-0.

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

- A. **Ordinance 12-15:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 4.93 ± ACRES LOCATED AT 13045 REAVES ROAD ON THE EAST SIDE OF REAVES ROAD, SOUTH OF ROPER ROAD AND NORTH OF STONEYBROOK WEST PARKWAY 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 12-15 by title only. Community Development Director Williams stated that this is the first annexation along Reaves Road and several

others in this enclave are talking with the City with hopes of coming into the City's jurisdiction. The property owners, the Hodgkins', have had their construction and dock building business in the City of Winter Garden for a number of years. Staff recommends the support of the annexation and will be offering recommendations on the land use for the five acre tract.

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

Motion by Commissioner Buchanan to approve Ordinance 12-15 with the second reading and public hearing being scheduled for May 10, 2012. Seconded by Commissioner Makin and carried unanimously 4-0.

- B. **Ordinance 12-16:** 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 4.93 ± ACRES OF LAND LOCATED AT 13045 REAVES ROAD ON THE EAST SIDE OF REAVES ROAD, SOUTH OF ROPER ROAD AND NORTH OF STONEYBROOK WEST PARKWAY FROM ORANGE COUNTY RURAL 1-10 TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-16 by title only. Community Development Director Williams stated the City has received comments on both the annexation and the joint planning area agreement with Orange County and these comments were submitted for the record.

Mr. Williams stated that in establishing the single family low density residential designation, the Orange County staff was concerned with the surrounding area being agricultural. The County was not aware of residential development which the City brought to their attention and the County said please disregard their concerns on the designation. The County realized that it is an enclave surrounded by urban levels of development.

Mr. Williams stated that staff and the Planning and Zoning Board would recommend approval of the low density residential designation.

Mayor Rees opened the public hearing.

Darand Williams, 12960 Reaves Road, Winter Garden, Florida, asked about the density of the residential lot size. Mr. Williams responded that it would allow four units to the acre; however, they have no intention of developing the property. They are keeping the County agricultural zoning to keep their single family house and the barn that they built on the property.

Mayor Rees closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinance 12-16 with the second reading and public hearing being scheduled for May 10, 2012. Seconded by Commissioner Olszewski and carried unanimously 4-0.

- C. **Ordinance 12-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.14 ± ACRES LOCATED AT 176 WATER STREET; ON THE SOUTH SIDE OF WATER STREET EAST OF WALKER STREET 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 12-17 by title only. Community Development Director Williams stated that there are two parcels being proposed for annexation, future land use designation and zoning. He noted that the next six hearings will involve these two properties located north of State Road 50 on Walker and Water Street.

Mr. Williams stated that the first property directly on Water Street is a residential piece that is being proposed for commercial. He noted that after the annexation, staff will be asking that the City Commission give it a commercial designation and require conditions on the zoning that be aggregated with the frontage property owned by the same person. In addition, that a restriction be imposed that there be no access to Walker Street or Water Street and that all access be off of State Road 50. Mr. Williams stated that the applicant is not supportive of that particular condition. This topic was discussed with the Planning and Zoning Board and they supported the restriction.

Mr. Williams noted that the comments received from Orange County state that they strongly recommend a condition that does not allow access anywhere other than State Road 50. They are concerned about the residential area, which is a County enclave to the rear of the property. Staff recommends that the City Commission support the condition that there will be no access except from State Road 50.

Mayor Rees opened the public hearing.

Victor Chapman, Esq., 18 Wall Street, Orlando, Florida, stated that he was present on behalf of George and Maria Bori and three elderly owners; Mrs. Fleming, Mrs. Fowler, and Mr. Stevens.

Mr. Chapman displayed the original letter from the City asking the property owners to annex into the City. This has been a three year process and the Bori and the Fleming property owners took the City up on this offer and submitted a package proposal to

develop this property into an Auto Zone. The plan then was to have access to the corner property of SR 50 and Walker from State Road 50 as well as a side entrance from Walker Street; never on Water Street. Mr. Chapman also displayed an aerial view of the subject property. Their proposal was rejected by City staff, which started his involvement in this issue. The only opposition on this project was from one resident on Water Street (as displayed) that they did not want an entrance. He noted that development would only occur with access from Walker Street as well as State Road 50.

Mr. Chapman stated that the engineer, Justin Polk, has designed an option that minimizes the impact by making it a left turn only going out and right only turn only going in and displayed a rendering of the proposal (**Exhibit A**). There is a concern about the loss of access causing inverse condemnation and Mr. Chapman read and displayed a quote from a 1989 Florida Supreme Court case involving Mildred Tessler. He noted that restricting ingress/egress to just Highway 50 could result in a form of taking; which they don't want. The concern about traffic heading north from here has no empirical evidence and is speculation. He would like the City Commission to consider their proposal for limited access.

Justin Polk, CPH Engineers, 500 Fulton Street, Sanford, Florida, gave a chronological recap of events and meetings with City staff. He noted that AutoZone has stepped away until the issue with the lot is resolved. The Florida Department of Transportation (FDOT) has a right to re-access whenever there is a change in square footage. They are only asking for access via Walker Street and State Road 50. He noted that the improvements made to State Road 50 include a directional cut to Walker Street knowing there was a commercial property on the corner. He stated the request is to only allow access on Walker between the property and State Road 50. Mr. Polk read the intent and purposes of the State Road 50 corridor overlay and his reasons why the denial of access does not meet the purposes stated. He added that they will comply with the ordinance regarding delivery trucks.

Commissioner Makin indicated he likes the new Walker Street proposal better than the last one presented last year. He asked about any entrance or exit on Water Street.

Mr. Polk responded none; there will be a wall along that street. He does not want customers accessing Water Street but he does want them to access State Road 50 from both directions. This proposed plan allows just that.

Mr. Williams noted that Mr. Polk did not address the Comprehensive Plan policies for protection of residential areas from commercial traffic. Also, there is the long standing policy of the City Commission to support residential areas and protect them. Secondly, Mr. Polk has stated that FDOT will not approve a widening of the access but his proposal shows a widening of the access. Third, there has been the threat of a Tessler lawsuit. The simple solution is to not annex the properties. It does not apply to our actions. If this would expose us to a lawsuit, he would advise the City Commission to not approve the annexation.

Mr. Polk stated that they have shown access to State Road 50 because staff had asked them to show it. He may not even be able to get a driveway from FDOT. He will ask for access from east bound State Road 50 for the left in and hopes to get it.

Commissioner Olszewski stated that if the annexation was granted would the action expose the City to a potential lawsuit.

City Attorney Ardaman indicated that staff's recommendation is to only allow access on State Road 50 upon redevelopment of the property. As the property exists today and if the annexation occurred without being redeveloped, Fleming's property access out to Water Street and Bori's would access out to Water Street and State Road 50. At the point the property was redeveloped, the City would be in the position to restrict the access. Annexation does not create much liability for the City. He does not see much liability because there is currently access to all the properties. There is some risk but it is not great by annexing the property.

Commissioner Olszewski asked Mr. Williams why the diagram with the right in and left out would not suffice.

Mr. Williams stated that drivers will still make the right hand turn. It is the easy way to get out to go east through the neighborhood.

Mr. Polk agreed for the City Commission's consideration to leave in no access to Water Street, remove no access to Walker Street and add a directional left out.

Commissioner Buchanan asked if the surrounding neighbors have been asked their opinion on the proposed change. Mr. Polk noted only the neighbor directly behind them that fronts Water Street. Commissioner Buchanan asked that before this comes to the final reading what about getting the neighborhood involved and find out their thoughts. Mr. Williams stated that the notices that were mailed out addressed the annexation, comprehensive plan, and zoning; they do not go into details about access. Notices could be sent out between now and the next meeting if the Commission wishes.

Commissioner Buchanan stated that he can see moving forward with this item with a condition that between the first and second reading there were public meetings with the residents. Commissioner Olszewski agreed and asked if there would be enough time.

Motion by Commissioner Buchanan to approve Ordinance 12-17 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

- D. **Ordinance 12-18:** 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 0.14 ± ACRES OF LAND LOCATED AT 176 WATER STREET; ON THE SOUTH SIDE OF WATER STREET EAST OF WALKER STREET FROM ORANGE COUNTY LOW MEDIUM DENSITY RESIDENTIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-18 by title only. Community Development Director Williams stated that staff recommendations approval subject to conditions provided in the staff report.

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

Justin Polk, CPH Engineers, 500 Fulton Street, Sanford, Florida, indicated that his comments are the same for items D through H that he made for item C.

Motion by Commissioner Buchanan to approve Ordinance 12-18 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

- E. **Ordinance 12-19:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.14 ± ACRES OF REAL PROPERTY GENERALLY LOCATED AT 176 WATER STREET; ON THE SOUTH SIDE OF WATER STREET EAST OF WALKER STREET FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-19 by title only. Community Development Director Williams stated staff recommends approval of commercial zoning subject to conditions provided in the staff report.

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

Motion by Commissioner Buchanan to approve Ordinance 12-19 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

- F. **Ordinance 12-20:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.23 ± ACRES LOCATED AT THE SOUTHEAST CORNER OF WALKER STREET AND WATER STREET 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 12-20 by title only. Community Development Director Williams stated staff recommends approval of the annexation subject to conditions.

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

Motion by Commissioner Buchanan to approve Ordinance 12-20 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

- G. **Ordinance 12-21:** 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 0.23 ± ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF WALKER STREET AND WATER STREET FROM ORANGE COUNTY LOW MEDIUM DENSITY RESIDENTIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-21 by title only. Community Development Director Williams stated staff recommends approval of future land use for commercial.

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

Motion by Commissioner Buchanan to approve Ordinance 12-21 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

- H. **Ordinance 12-22:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.23 ± ACRES OF REAL PROPERTY

GENERALLY LOCATED AT THE SOUTHEAST CORNER OF WALKER STREET AND WATER STREET FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-22 by title only. Community Development Director Williams stated staff recommends approval of commercial zoning subject to conditions.

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

Motion by Commissioner Buchanan to approve Ordinance 12-22 with the second reading and public hearing being scheduled for May 10, 2012 to include Walker Street access as represented on the attached Exhibit A and to hold a community meeting to discuss Exhibit A prior to the next public hearing. Seconded by Commissioner Makin and carried unanimously 4-0.

4. **REGULAR BUSINESS**

A. **Recommendation to approve a one year extension of site plan approval for Westside Family Worship Center Church located at 12520 Warrior Road, with Development Review Committee conditions**

Community Development Director Williams stated that the site plan was approved for an 8,000 square foot church, capacity of 200 persons, associated parking and landscaping. This plan was approved in February 2009 and some site work has been done on the property but the actual building construction has not begun. The State legislature has granted two year extensions through their legislative acts for these types of plans. That period is now expiring and the applicant is asking for a yearly extension. Mr. Williams stated that staff and the Planning and Zoning Board have recommended approval subject to conditions. No regulations have changed that would change any of the site plans from its original approval.

Commissioner Olszewski asked if this is going in next to the existing building on Warrior Road. Mr. Williams replied yes, on the vacant site next to the existing church.

Motion by Commissioner Makin to approve a one year extension of site plan approval for Westside Family Worship Center Church located at 12520 Warrior Road. Seconded by Commissioner Olszewski and carried unanimously 4-0.

B. **Recommendation to approve distribution of \$13,439.00 awarded Justice Assistance Grant funds to purchase special response team equipment for the Police Department and any public comment**

Police Chief Brennan stated that the fiscal year 2012 Byrne Memorial Justice Assistance Grant has earmarked \$13,439.00 for use by the City of Winter Garden Police

Department. Chief Brennan stated that the Police Department is requesting to use that money to purchase items needed for three officers to perform special response team functions. He noted that the grant requires approval from the City Commission and be opened for public comments.

Mayor Rees opened the item to public comments; hearing and seeing none, he closed the item for Commission action.

Motion by Commissioner Buchanan to approve distribution of \$13,439.00 awarded Justice Assistance Grant funds to purchase special response team equipment for the Police Department. Seconded by Commissioner Makin and carried unanimously 4-0.

C. **Appointment to Police and Fire Pension Board for seat vacated by Commissioner Olszewski**

Motion by Commissioner Olszewski to appoint Mark Defuso to the Police and Fire Pension Board for the unexpired term of seat he held on this board. Seconded by Commissioner Buchanan and carried unanimously 4-0.

D. **Resolution 12-06:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, APPOINTING A MAYOR PRO-TEM

City Attorney Ardaman read Resolution 12-06 by title only. It was the **consensus** of the City Commission to address this item at the next City Commission meeting when a full Commission would be present.

E. **Resolution 12-08:** A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA RELATING TO THE ACQUISITION BY EMINENT DOMAIN OF FEE TITLE OF PROPERTY DESIGNATED PARCEL 119 AND PARCEL 120; PARCEL 119 BEING GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE PLANT STREET AND HENNIS ROAD INTERSECTION AND PARCEL 120 BEING GENERALLY LOCATED ON THE NORTH SIDE OF PLANT STREET SLIGHTLY EAST OF THE PLANT STREET AND HENNIS ROAD INTERSECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 12-08 by title only. Community Development Director Williams stated that the construction and design plans for this section of Plant Street have been completed. Staff is preparing to go out for bid. The last two parcels have not been acquired so staff is pursuing this resolution to allow the City to proceed with eminent domain. Prior to this meeting, the Cemex Company seems to have come to an agreement, but staff is asking that the City Commission still pass this resolution in such case the final details do not work out.

Mr. Williams shared that the other parcel, which is the convenience store on the corner, has retained counsel who has indicated a willingness to settle this issue without going through the eminent domain process. Mr. Williams stated that because time is of the essence, staff is asking that the City Commission pass the resolution so that staff can go forward with the eminent domain if the negotiations breakdown.

Motion by Commissioner Buchanan to adopt Resolution 12-08 with staff recommendations. Seconded by Commissioner Makin and carried unanimously 4-0.

5. **MATTERS FROM CITIZENS** – There were no items.

6. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman stated that the City still has an outstanding claim from Prince Contracting. In order to deal with this claim, staff needs certain records from Prince Contracting that has been requested on multiple occasions. Prince has failed to provide the records which are viewed as public records because of their work with a governmental agency, the Florida Department of Transportation. Unfortunately, because some of the claims that Prince Contracting has threatened against the City, staff feels that it is appropriate to go forward with a public records lawsuit against Prince Contracting for violating the Public Records Act in order to obtain those records.

Commissioner Buchanan asked if there is a reason why Prince Contracting has not complied with the public records request.

Mr. Ardaman responded that Prince Contracting Inc. is claiming that they are not an agency of the State and not subject to the public records act even though it is clearly a State Road project. Also, there are provisions in the contract that Prince Contracting, Inc. has with the FDOT that make them subject to the Public Records Act.

Motion by Commissioner Buchanan to authorize the City Attorney to file a lawsuit stated against Prince Contracting, Inc. for violation of the Public Records Act. Seconded by Commissioner Olszewski and carried unanimously 4-0.

7. **MATTERS FROM CITY MANAGER**

A. **Discussion on the May 5th Harvest Festival**

City Manager Bollhoefer stated that staff has been working with an organization that puts on events during Farmer's Market where local chefs will come in and do demonstrations, activities related to local food and in the evening they offer a paid dinner. This type of micro-event is one of the things the City of Winter Garden is doing to bring new niches of people into Winter Garden. These people, called foodies, are already in the food industry and they will blog and tell others about the events.

Mr. Bollhoefer asked permission to serve designer beers and wines at this event. This will be held entirely separate from the rest of the community within the pavilion and

parking area in front. He noted that this is a very high class event that is approximately \$75.00 a ticket per person.

Economic Director Gerhartz noted that they will also have beer tasting, beer garden with craft beers in the afternoon that is a ticketed event also at the pavilion. It is a celebration of local food in the farming community. Mr. Bollhoefer shared that the foodies have discovered Winter Garden and staff thinks this will be the next opportunity in marketing to reach out to new customers.

Motion by Commissioner Olszewski to approve the alcohol sales at the May 5th Harvest Festival in the confined space of the Pavilion. Seconded by Commissioner Buchanan and carried unanimously 4-0.

B. **Discussion on draft Ordinance 12-23 creating parks, recreation and community facilities rules and regulations**

Mr. Bollhoefer asked the pleasure of the City Commission about moving forward with this ordinance. It was the **consensus** of the City Commission to bring this ordinance to first reading at the next meeting.

Recreation Director Conn explained just recently an incident occurred at Tanner Hall and is not addressed in this draft ordinance. Mr. Conn asked the City Commission for direction on whether or not the Police should be required to be present at certain rental events at Tanner Hall. He noted that this incident is only the second in his 13 years of being with the City and wanted to bring this up for discussion.

City Manager Bollhoefer noted that in the past, any event that served alcohol was required to have Police in attendance. He noted that the upside is that an officer would be available if you needed one. The downside is that 99 percent of the City's events are not required to have one. Mr. Conn added that those renting have objected to being required to have an officer present.

Mayor Rees noted that with only two incidents out of 13 years he does not think it would be warranted.

• **Naming the road for the new elementary and middle schools**

City Manager Bollhoefer explained that there is a new elementary and middle school and Orange County Public Schools has chosen to name the schools SunRidge Middle and SunRidge Elementary. He stated that the City has been asked to select a name for the road and the general practice has been to name the road after the school. He stated that if there is no objection to the road being named SunRidge Boulevard, he will convey this information to the school board. *No objections were noted.*

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Olszewski thanked all the department heads who met with him for their professionalism and service. He assured our residents especially those in District 3 that we are in good hands.

Commissioner Olszewski stated that he was able to attend the Science and Technology fair at Tildenville Elementary School. He noted that it is an "A" rated school right here in Winter Garden and acknowledged how fortunate we are to have such quality educators.

Commissioner Olszewski announced that on April 22nd the Montessori of Winter Garden Charter School is having their GreenFest from 1:00 p.m. to 5:00 p.m. to celebrate using green products and green lifestyles.

Commissioner Olszewski announced that a health fair will be held in the Orlando Magic Gym on April 21st.

Commissioner Buchanan stated that he is looking forward to the Bloom 'N Grow event coming up this weekend.

The meeting adjourned at 8:27 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC