



CITY OF WINTER GARDEN

CITY COMMISSION & COMMUNITY REDEVELOPMENT AGENCY REGULAR MEETING MINUTES

January 10, 2013

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, Robert Olszewski and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant City Manager–Administrative Services Frank Gilbert, Assistant City Manager -Public Services Don Cochran, Community Development Director Ed Williams, Finance Director Laura Zielonka, Fire Chief John Williamson, Police Chief George Brennan, Economic Development Director Tanja Gerhartz, Parks and Recreation Director Jay Conn, Network Specialist George Strobel, Building Official Skip Lukert, and West Orange Times Reporter Kelsey Tressler

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of December 19, 2012 as submitted. Seconded by Commissioner Sharman and carried 5-0.

2. **PRESENTATIONS**

A. **Lake Apopka improvements by Dennis Renfro, Florida Fish and Wildlife Conservation Commission**

Mr. Dennis Renfro of the Florida Fish and Wildlife Conservation Commission stated that he is the project and resource manager for the Harris Chain of Lakes. He gave some background information and highlighted programs that will draw the sport fishing community to the local area.

Commissioner Buchanan inquired when the programs would start. Mr. Renfro replied that the volunteer portion will start in approximately two to three weeks. He spoke of the locations for some of the fish attracters. He stated that they would begin with placement close to the Winter Garden ramp due to it having the best access. Other parts of the programs will go out on contract and have 90 days for completion.

Commissioner Buchanan asked if the dredging would be a nuisance to these programs. Mr. Renfro responded no, the dredging would come first.

B. Lake Apopka dredging by Commissioner Makin

Commissioner Makin noted he was postponing this item due to an upcoming joint meeting on January 30, 2013 from 9:00 a.m. to 11:00 a.m. at Tanner Hall. He stated that in attendance would be the Florida Fish and Wildlife Conservation Commission (FWC), the Florida Department of Environmental Protection Agency (DEP), University of Florida, and St. Johns Water Management District. He noted that all of these different agencies are working together to be sure that everyone is aware of what everyone else is doing.

C. International City/County Management Association awards for Voice of the People for Transformation and Excellence

City Manager Bollhoefer stated that a few years ago a performance measurement and strategic management plan began within the City. As part of the process the data is submitted to the ICMA and every two years a bi-annual survey is submitted to the citizens. He noted that the City has won service awards, based on this information, in Code Enforcement, Police, Parks and Recreation. Also, the City of Winter Garden was rated as one of the top three communities in the entire United States of America.

Mayor Rees, City Commission and the City Manager recognized staff and a group photo was taken with the award for their contribution in making these awards possible.

D. Winter Garden in Bloom – Mary Zahl (*This item was postponed.*)

3. FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES

A. Ordinance 13-01: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 6 ± ACRES LOCATED AT 12900 ROPER ROAD ON THE SOUTH SIDE OF ROPER ROAD, EAST OF DANIELS ROAD AND WEST OF BEULAH ROAD 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

B. Ordinance 13-02: 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 6 ± ACRES LOCATED AT 12900 ROPER ROAD ON THE SOUTH SIDE OF ROPER ROAD, EAST OF DANIELS ROAD AND WEST OF BEULAH ROAD FROM ORANGE COUNTY RURAL AGRICULTURAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. Ordinance 13-03: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 6 ± ACRES LOCATED AT 12900 ROPER ROAD ON THE SOUTH SIDE OF ROPER ROAD, EAST OF DANIELS

ROAD AND WEST OF BEULAH ROAD FROM ORANGE COUNTY A-1
CITRUS/AGRICULTURAL DISTRICT TO CITY R-1B RESIDENTIAL DISTRICT;
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 13-01, 13-02, and 13-03 by title only. Community Development Director Williams stated that this parcel is a voluntary annexation. The applicant is trying to put three parcels together and would be proposing a residential development in the future. Staff and the Planning and Zoning Board recommend approval.

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

Motion by Commissioner Olszewski to approve Ordinances 13-01, 13-02, and 13-03 with the second reading and public hearing being scheduled for January 24, 2013 *(Please note that later in this meeting the public hearing date was changed to February 14, 2013 because the January 24, 2013 meeting was cancelled.)* **Seconded by Commissioner Makin and carried unanimously 5-0.**

- D. **Ordinance 13-05:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 35.176 ± ACRES LOCATED AT 14288, 14350, AND 14362 SIPLIN ROAD AT THE SOUTHWEST CORNER OF SIPLIN ROAD AND SUNRIDGE BOULEVARD 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 13-05 by title only. Community Development Director Williams stated that this is a voluntary annexation. He noted that now that the middle school and elementary school have opened, the City is getting a lot of interest in the surrounding properties. This property will be back for approval as a residential property after the annexation is complete. Both the Planning and Zoning Board and staff recommend approval.

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

Motion by Commissioner Buchanan to approve Ordinance 13-05 with the second reading and public hearing being scheduled for January 24, 2013. *(Please note that later in this meeting the public hearing date was changed to February 14, 2013 because the January 24, 2013 meeting was cancelled.)* **Seconded by Commissioner Sharman and carried unanimously 5-0.**

4. **REGULAR BUSINESS**

Dispensed as the City Commission and convene as the Community Redevelopment agency at 6: 58 p.m.

Members Present: Chairman John Rees, Members Robert Olszewski, Bob Buchanan, Kent Makin, and Colin Sharman

Members Absent: CRAAB Chairman Larry Cappleman

A. **Recommendation to approve, with conditions, an application for a facade matching grant not to exceed \$10,000 for Winter Garden Urban Flats located at 132 W. Plant Street**

Economic Development Director Gerhartz stated that final approval is being sought for a façade matching grant for 132 W. Plant Street. She explained that the owner of the Winter Garden Urban Flats is David Downs who has signed a lease to build out the bottom floor. Staff has worked with Mr. Downs to build a wall to have Tremaine Street look like a street instead of an alley. This wall, which is at the back of the building, will have a faux door, awnings and lighting to give it a business look. The subject improvements have been reviewed by City staff, Architectural Review and Historic Preservation Board, and the CRA Advisory Board. Last month, the CRA Advisory Board decided to recommended approval of this application.

City Manager Bollhoefer noted that the City would like to work with all of the businesses in that area so that when you see the rear of the buildings, they will actually look like the fronts of buildings making them pedestrian friendly. He noted that this is important for the long term success of the downtown area.

Commissioner Makin inquired on the purpose of the addition on the south side of the building. Ms. Gerhartz noted that the owner David Downs was in the audience. She then responded by stating that the back of a restaurant can sometimes be an unpleasant site and the idea is to create an area that shields that unsightliness from view.

Motion by CRA Member Makin to approve, with conditions, the application for a façade matching grant by Winter Garden Urban Flats located at 132 W. Plant Street not to exceed \$10,000. Seconded by CRA Member Buchanan and carried unanimously 5-0.

Adjourned as the Community Redevelopment Agency and reconvene as the City Commission at 7:04 p.m.

B. **Recommendation to approve Covington Chase Subdivision Phase 2B Final Plat**

Community Development Director Williams stated that this is the plat for Phase 2B of Covington Chase Subdivision. Staff and the Planning and Zoning Board recommend approval. He noted that the project is getting a lot of interest from home buyers and this

allows this phase of the lots. Staff anticipates that they will be back with a plat for the next phase very soon because of the great demand that they are experiencing.

Motion by Commissioner Makin to approve Covington Chase Subdivision Phase 2B Final Plat. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. **Recommendation to authorize the Mayor to execute an agreement for dispatching services for the Town of Oakland**

Police Chief Brennan stated that the Town of Oakland has requested that the City of Winter Garden provide them with dispatching services. Chief Brennan stated that additional information was provided regarding the 911 surcharge funds that had originally been going to the Orange County Sheriff's office will now come to the City of Winter Garden. This is a benefit to the Town of Oakland as well as the City of Winter Garden.

Mayor Rees asked if the quarterly base of \$9,000 paid to the City of Winter Garden will cover the City's expenses for this service. Chief Brennan responded that this is with current personnel so this is more or less revenue that the City of Winter Garden will be gaining.

Commissioner Olszewski inquired if the additional call volume from Oakland and no increase to Winter Garden staff would compromise service to the citizens of the City of Winter Garden or Oakland residents. Chief Brennan replied that currently if the Town of Oakland needed back-up services, the City of Winter Garden would still respond but with a delay in the call going to their Orange County Sheriff dispatcher who would then have to call the City of Winter Garden to respond because we are not on the same radio frequency.

Commissioner Makin asked if there are any other cities that have this kind of agreement. Chief Brennan replied yes; there are mutual aid agreements and Oakland has assisted us on occasion.

Commissioner Buchanan inquired as to the total number of officers the City of Winter Garden has. Chief Brennan responded that there are 71 budgeted officers.

Motion by Commissioner Sharman to approve authorizing the Mayor to execute the agreement as submitted for dispatching services for the Town of Oakland. Seconded by Commissioner Makin and carried unanimously 5-0.

D. **Authorization to use confiscation funds to start police canine services**

Police Chief Brennan stated that this request is to use confiscated funds, which are funds that drug money has come in and can only be used for law enforcement purposes. He noted that the funds would be used to start up canine (K-9) services. The costs associated with it are for obtaining the dogs, car equipment, handling equipment, training, and vet

services. He is looking to utilize up to \$35,000 to fund the start-up costs to get the City through the 2013 fiscal year.

Chief Brennan noted that a dog valued at \$9,000 was donated to the City in December 2012, but he feels that a second dog is needed to cover the City's needs.

Mayor Rees asked if the existing officers would be the K-9 handlers. Chief Brennan responded that they will be assigned to night time duties and staffing levels would stay the same. There would be no loss of any services but we will gain capability. He noted that the City has been relying on the Orange County Sheriff's office, City of Apopka, and the City of Ocoee to send in their dogs when we need them and there is a response delay in waiting for them to get here.

There was discussion on the breeds used for K-9 units with the German Shepard being most used due to their temperament and obedience. Commissioner Olszewski inquired if all dogs have to come from a certified vendor. Chief Brennan responded yes.

Motion by Commissioner Olszewski to approve the use of confiscated funds to start police canine services. Seconded by Commissioner Sharman and carried unanimously 5-0.

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

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

7. **MATTERS FROM CITY MANAGER**

• **Update on Police Officers in Elementary Schools**

City Manager Bollhoefer stated that staff has been having on going meetings with the different agencies. At this time, the municipalities will not be putting police officers full-time in any of the schools. The school system has decided that they do not believe it is necessary for the schools. He noted that the officers will show their presence such as preparing reports or by parking empty cars in the school parking lots. He noted that everyone seems to be addressing this issue in the short term, not the long term.

Commissioner Sharman noted that no one can predict when something random like this will happen. [*Referring to a recent mass shooting in Sandy Hook Elementary School in Newtown, Connecticut.*]

• **Employee Health Insurance Increase**

City Manager Bollhoefer noted in the last City Commission meeting the health insurance increase of 12.5 percent with half being passed on to the employees and the other half passed on to the City. He noted that one of the issues going forward in government is the cost in employee benefits and this is why staff recommended the City split that cost 50/50. Staff will be working on a long-term plan for the costs. He explained that this is

coming at the same time as the 2 percent increase to their Social Security deduction. He noted that for some employees this could be very significant to their paycheck.

Mr. Bollhoefer requested that the City Commission approve of the City picking up the increases for the remaining nine months of this fiscal year, thereby giving the employees the extra time to adjust their budgets.

Motion by Commissioner Sharman to approve of the City paying the employee health insurance premium increase as recommended by the City Manager. Seconded by Commissioner Buchanan and carried unanimously 5-0.

A. **Discussion on application process for historic downtown events**

City Manager Bollhoefer stated that the details on the process are still being worked out but there are a couple of events that need to be discussed tonight because if they are allowed to go forward with the alcohol sales, they would need enough time to get the license. The two events include the Blues and BBQ Festival and the Uncle Don's Chili Cook Off. He noted that last year was the first time for the Blues and BBQ event and was possibly one of the most successful events the City has ever had. He added that this event was not advertised and only expected about 500 people and about 4,000 attended. He stated that we ran out of food and beer, but raised \$10,000 for the American Cancer Society. He also noted that the Uncle Don's Chili Cook Off has been successful raising money for the Relay for Life. He asked for permission from the City Commission to allow them to serve beer at these events.

There was discussion on upgrades to the outlets and sound system.

Mr. Bollhoefer announced that the Blues and BBQ event is on March 9th and the Uncle Don's Chili Cook Off is on February 9th.

Motion by Commissioner Sharman to approve allowing the Blues and BBQ Festival on March 9th and the Uncle Don's Chili Cook Off on February 9th to serve beer and wine only in their designated barricaded area. Seconded by Commission Makin and carried unanimously 5-0.

• **Cancellation of regular meeting on January 24, 2013**

City Manager Bollhoefer stated that two Commission members will be absent for the January 24, 2013 meeting and recommended cancelling the meeting. City Clerk Golden mentioned that earlier the public hearings for the ordinances were scheduled for the January 24, 2013 meeting. City Attorney Ardaman indicated that the change will have to be re-advertised. Mr. Bollhoefer advised it is entirely up to the City Commission whether or not to have a meeting with the Mayor and Mayor Pro Tem being absent.

Motion by Commissioner Makin to cancel the regularly scheduled City Commission meeting of January 24, 2013. Seconded by Commissioner Buchanan and carried unanimously 5-0.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman and **Mayor Rees** acknowledged two boy scouts in the audience earning their merit badge for attending the City Commission meeting.

Commissioner Olszewski thanked City staff on their work at recent events and stated that they are doing a great job.

Commissioner Olszewski announced a community meeting at City Hall Chambers at 6:30 on Wednesday, January 16, 2013, regarding the proposed 7-11 at Windermere and Roberson Road.

Commissioner Buchanan thanked the City staff for a great holiday season.

Commissioner Makin thanked the City staff for all that they do. He reminded everyone of the January 30th meeting at Tanner Hall previously mentioned in the meeting.

The meeting adjourned at 7:29 p.m.

APPROVED:

____/S/_____
Mayor John Rees

ATTEST:

____/S/_____
City Clerk Kathy Golden, CMC