



CITY OF WINTER GARDEN

CITY COMMISSION BUDGET HEARINGS and REGULAR MEETING MINUTES September 26, 2013

The **BUDGET HEARINGS** and **REGULAR MEETING** of the Winter Garden City Commission were 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 to City Manager – Administrative Services Frank Gilbert, Assistant to 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, and West Orange Times Reporter Peter M. Gordon

BUDGET HEARINGS

1. **SECOND READING AND PUBLIC HEARING TO ADOPT THE PROPOSED MILLAGE RATE AND BUDGETS FOR FISCAL YEAR 2013/2014**

- A. **Ordinance 13-61:** AN ORDINANCE LEVYING TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014

City Attorney Ardaman read Ordinance 13-61 by title and stated that this ordinance establishes and levies a millage rate of 4.2500 mills (\$4.25 for every \$1,000 of assessed valuation). This millage rate is greater than the rolled back rate of 4.1188 mills by 3.19 percent.

At this time, City Manager Bollhoefer explained the \$.087 stormwater fee charge shown separately on utility bills. The three components of the charge include; a base fee paid by everyone, a contribution charge that is what the resident pays for actual water which comes off their property, and an administrative charge. Mr. Bollhoefer noted that all three components are required to go into the same stormwater revenue account and can be spent on whatever is needed for stormwater.

Mayor Rees opened the public hearing.

Theo Graham, 213 Tilden Avenue, Winter Garden, Florida, thanked City staff and Commissioner Makin for providing him with the stormwater fee information.

Mayor Rees closed the public hearing.

Motion by Commissioner Olszewski to adopt Ordinance 13-61. Seconded by Commissioner Sharman and carried unanimously 5-0.

- B. **Ordinance 13-62**: AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014

City Attorney Ardaman read Ordinance 13-62 by title and read the following excerpt from Ordinance 13-62:

Collection of Ad Valorem	\$ 8,164,647
Revenue other than Ad Valorem	<u>17,460,984</u>
TOTAL REVENUES	\$25,625,631
Appropriations from Fund Balance	10,379
Interfund Transfers	<u>75,000</u>
TOTAL AVAILABLE FOR EXPENDITURES	\$25,711,010

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

Motion by Commissioner Sharman to adopt Ordinance 13-62. Seconded by Commissioner Makin and carried unanimously 5-0.

- C. **Ordinance 13-63**: AN ORDINANCE APPROPRIATING AND ALLOCATING ALL REVENUE AND FUNDS OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF WINTER GARDEN, FLORIDA, FOR THE TAX YEAR BEGINNING ON OCTOBER 1, 2013 AND ENDING ON SEPTEMBER 30, 2014

City Attorney Ardaman read Ordinance 13-63 by title with the following excerpt from Ordinance 13-63:

Collection of Ad Valorem	\$ 328,111
Revenue other than Ad Valorem	<u>342,375</u>
TOTAL REVENUES	\$ 670,486
TOTAL AVAILABLE FOR EXPENDITURES	\$ 670,486

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

Motion by Commissioner Buchanan to adopt Ordinance 13-63. Seconded by Commissioner Olszewski and carried unanimously 5-0.

- D. **Ordinance 13-64:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, AUTHORIZING THE APPROPRIATIONS OF CITY FUNDS FOR FISCAL YEAR 2013-2014 IN ACCORDANCE WITH ARTICLE 3 SECTION 30 (5) OF THE CITY CHARTER OF THE CITY OF WINTER GARDEN, FLORIDA AND FLORIDA STATUTE 166.241 FOR THE PURPOSE OF FULFILLING THE FINANCIAL OBLIGATIONS OF THE CITY

City Attorney Ardaman read Ordinance 13-64 by title only.

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

Motion by Commissioner Makin to adopt Ordinance 13-64. Seconded by Commissioner Buchanan and carried unanimously 5-0.

REGULAR CITY COMMISSION MEETING

2. APPROVAL OF MINUTES

Motion by Commissioner Sharman to approve the budget hearings and regular meeting minutes of September 12, 2013. Seconded by Commissioner Makin and carried unanimously 5-0.

- At this time, City Manager Item 9.A. was discussed
City Manager Bollhoefer stated that the regular meeting scheduled for October 10, 2013 is in conflict with a scheduled homecoming parade and recommended the City Commission change their meeting date from October 10, 2013 to Wednesday, October 9, 2013 at 6:30 p.m.

Motion by Mayor Rees to approve changing the scheduled regular meeting date from October 10, 2013 to Wednesday, October 9, 2013 at 6:30 p.m. Seconded by Commissioner Olszewski and carried unanimously 5-0.

3. PUBLIC HEARING MATTER

- A. Appeal by the School Board of Orange County, Florida of the August 5, 2013 conditional approval of a preliminary plat for the proposed 140 single-family lot Crooked Lake Preserve Subdivision by the City of Winter Garden Planning and Zoning Board

City Manager Bollhoefer noted that staff has been working on this item and feel they are close to having a resolution and asked to continue this matter until October 9, 2013 at 6:30 p.m.

Motion by Commissioner Sharman to postpone hearing the appeal by the School Board of Orange County, Florida, until October 9, 2013 at 6:30 p.m. Seconded by Commissioner Olszewski and carried unanimously 5-0.

4. **PRESENTATION**

A. **Presentation on Health by Design, Inc. by Dorothy Richards, MA, RD**

Dorothy Richards of Health by Design, Inc. gave a presentation to the City Commission addressing a new program which focusses on healthy weight. She noted that this is a non-profit organization formed by professionals in the community. This program addresses issues of obesity. She spoke of the mission and vision of the program, event planning, and fundraisers. She requested that the City Commission consider supporting this community effort by placing supportive funding in the budget in form of a grant.

5. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 13-56:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.74 ± ACRES LOCATED AT 14890 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF AVALON ROAD AND WEST OF WEST POINTE VILLAS 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

B. **Ordinance 13-57:** 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 0.74 ± ACRES LOCATED AT 14890 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF AVALON ROAD AND WEST OF WEST POINTE VILLAS BOULEVARD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 13-58:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.74 ± ACRES LOCATED AT 14890 WEST COLONIAL DRIVE ON THE SOUTH SIDE OF WEST COLONIAL DRIVE, EAST OF AVALON ROAD AND WEST OF WEST POINTE VILLAS BOULEVARD FROM ORANGE COUNTY A-1 CITRUS RURAL DISTRICT TO CITY C-2

**ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE**

City Attorney Ardaman read Ordinances 13-56, 13-57, and 13-58 by title only. Community Development Director Williams stated that this is a voluntary annexation that has been requested by the property owner. The applicant is requesting a comprehensive plan designation of commercial and rezoning as indicated. This has been reviewed by staff and the Planning and Zoning Board, and both recommend approval.

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

Motion by Commissioner Sharman to adopt Ordinances 13-56, 13-57, and 13-58. Seconded by Commissioner Olszewski and carried unanimously 5-0.

- D. **Ordinance 13-60:** 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 54-186, DEFINITIONS; AMENDING SECTION 54-200, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 13-60 by title only. City Manager Bollhoefer stated that this ordinance is required by the Internal Revenue Service (IRS) in order to keep the City's plan in compliance. This is tax free for employees. Also included in the agenda packet is a letter from the Pension Board Attorney and approval is recommended.

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

Motion by Commissioner Buchanan to adopt Ordinance 13-60. Seconded by Commissioner Olszewski and carried unanimously 5-0.

- E. **Ordinance 13-65:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 54, PENSIONS AND RETIREMENT, ARTICLE II, PENSION PLAN FOR GENERAL EMPLOYEES, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN; AMENDING SECTION 54-26, DEFINITIONS; AMENDING SECTION 54-29, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 54-39, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 13-65 by title only. City Manager Bollhoefer stated this ordinance is for the same reasons as previously stated in the last item; it is for compliance with IRS regulations.

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

Motion by Commissioner Sharman to adopt Ordinance 13-65. Seconded by Commissioner Makin and carried unanimously 5-0.

6. **REGULAR BUSINESS**

A. **Recommendation to approve final plat for Covington Chase Phase 2A**

Community Development Director Williams stated that this plat has been reviewed by staff and does conform to all the conditions and restrictions placed on it. It is a portion of the overall project. Staff recommends approval and requests the Mayor be authorized to sign the plat.

Motion by Commissioner Makin to approve the final plat for Covington Chase Phase 2A. Seconded by Commissioner Buchanan and carried unanimously 5-0.

7. **MATTERS FROM CITIZENS**

David Kassander, 15155 Ovation Drive, Winter Garden, Florida, stated that he recently saw a report on television that the Winter Garden Police Department has joined forces with several other communities as part of a SWAT operation. He complimented the City Commission for its vision in allowing this and commended the Police Chief and his staff for engaging themselves in such a dangerous and difficult role. He expressed that by accepting such a greater responsibility for the greater Orlando area is outstanding.

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

9. **MATTERS FROM CITY MANAGER**

A. **Discussion on changing the October 10, 2013 meeting date**

This item was covered earlier in the meeting.

10. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman thanked the City Manager and all the City Commissioners for coming out to the Florida Hospital groundbreaking ceremony.

Commissioner Olszewski thanked staff for their hard work.

Mayor Rees thanked the City Manager Bollhoefer and staff for the budget and their assistance with answering questions. He stated that staff has done a great job with the budget for the City.

The meeting adjourned at 7:00 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
Assistant City Clerk Angela Grimmage, CMC