



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

May 22, 2014

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 - Public Services Don Cochran, Assistant City Manager - Administrative Services Frank Gilbert, Community Development Director Ed Williams, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Police Chief George Brennan, Recreation Director Jay Conn, and West Orange Times Reporter Peter M. Gordon

1. **APPROVAL OF MINUTES**

Motion by Commissioner Olszewski to approve regular meeting minutes of May 8, 2014, as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.

2. **REGULAR BUSINESS**

A. **Recommendation to approve bids and award contract for Crest Avenue Wastewater Treatment Plant Screening and Odor Control Improvements project to Brandes Design-Build, Inc. in the amount of \$921,745.00, which includes a ten percent contingency**

Assistant City Manager – Public Services Cochran stated that this item is for the head works, odor control, and improvements at the wastewater treatment plant. Three bids were received on May 1, 2014 and Brandes Design Build, Inc. was the lowest bidder at \$837,950.00. According to the engineer of record, Tetra Tech Engineering, the contractor's references were reported to be all positive. Staff recommends awarding the bid to Brandes Design Build, Inc. at \$837,950.00 with a ten percent contingency for a total of \$921,745.00.

Mayor Rees asked if there would be anything else besides the odor control. Mr. Cochran answered that it will make the head works larger. The design of 12 years ago had channels at the head work that were too small. There will be a new bar screen, which catches the debris as it comes through the plant, new deeper channels will be built that will handle more flow, especially in wet weather. The entire facility will be enclosed and air tight. This means there will be no odors released from this area of the plant.

Commissioner Makin asked if the bar screen would still have to be manually cleaned. Mr. Cochran responded, no sir, they are automatically cleaned and he explained the process.

Motion by Commissioner Makin to approve bids and award contract for Crest Avenue Wastewater Treatment Plant Screening and Odor Control Improvements project to Brandes Design-Build, Inc. in the amount of \$921,745.00, which includes a ten percent contingency. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. Request approval to utilize Edward Byrne Memorial Justice Assistance Grant (JAG) program funds to purchase additional data storage equipment for \$13,514.00, with public comment

Police Chief Brennan stated that the 2014 Edward Byrne Memorial Justice Assistance Grant Program has earmarked \$13,514.00 for the Winter Garden Police Department. Chief Brennan stated that he is requesting that these funds be used to purchase additional data storage to allow expansion of the in-car video systems.

Mayor Rees opened the matter for public comment. There were no public comments.

Motion by Commissioner Buchanan to approve utilizing the Edward Byrne Memorial Justice Assistance Grant (JAG) program funds to purchase additional data storage equipment for \$13,514.00. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. Recommendation to approve annual MusicFest October 10 to 12, 2014, waiving special event fee, blocking Plant Street from Woodland Street to Highland Avenue, allowing beer and wine to be sold, and provide city staff at no charge to accommodate the festival needs

Parks and Recreation Director Conn stated that the Winter Garden Heritage Foundation is requesting permission to hold the 2014 MusicFest October 10th, 11th, and 12th. He noted that on Friday, October 10th the hours would be 6:00 p.m. until 11:00 p.m., Saturday, October 11th, Noon to 11:00 p.m., and Sunday, October 12th, Noon to 6:00 p.m. This event will be similar to prior events with three performance stages, kid's zone, educational station, and food and retail vendors. The Heritage Foundation has requested alcohol sales on all three days. He shared that as long as the downtown establishments have proper state licensure for the sale of alcohol, the patrons are allowed to exit their buildings. With this noted, staff is fine with the request as stated in the agenda packet. He acknowledged that Lori Gibson with the Winter Garden Heritage Foundation was available for questions.

City Manager Bollhoefer stated that another caveat in regard to allowing merchants to serve alcohol outside their restaurants is that special cups would be required to be used, which are the same type of cups the Heritage Foundation will be using. This is so it can be policed so no other outside sources can bring in bottles and cans.

Commissioner Olszewski asked for clarification on the license for the restaurants and the patrons being confined to their space. Mr. Conn replied, correct, they can apply with the State to get an extension.

There was discussion that all cups would be the same as those used by the Heritage Foundation. Commissioner Olszewski sought confirmation from the City Attorney that the City has the right to request the merchants use the same cups. Mr. Ardaman replied, as long as they have the approval for alcohol beverage sales, the City has the right to regulate time, place, and manner.

City Manager Bollhoefer noted that the City does not have rights when it comes to the State; the State license for this must be between the State and each merchant and organization throughout the City.

Motion by Commissioner Olszewski to approve annual MusicFest October 10 to 12, 2014, waiving special event fee, blocking Plant Street from Woodland Street to Highland Avenue, allowing beer and wine to be sold, and providing City staff at no charge to accommodate the festival needs. Seconded by Commissioner Makin and carried unanimously 5-0.

D. Recommendation to approve Winter Garden Culture Fest November 1 and 2, 2014, waiving special event fee, blocking various streets, allowing beer and wine to be sold, and provide city staff at no charge to accommodate the festival

Parks and Recreation Director Conn stated that this request is coming from the Florida Film Academy. He noted that this event replaces the Art Festival that took place with the merchant's association. They are still having an art element to their event. The request is for November 1st and 2nd, 2014. Hours on Saturday are from 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 4:00 p.m.

Mr. Conn recognized Ms. Kay Hill to expound on the event. City Manager Bollhoefer noted that this is still an art show, but they are broadening their idea of what art is as there are many facets.

Kay Hill, 270 West Plant Street, Winter Garden, Florida, stated that they would be bringing together global culture in an art format; a fusion of live performances, music, food, film, and fine art. The layout is changing to incorporate more than just Plant Street.

Mayor Rees inquired about the event time scheduling for Sunday. Ms. Kay Hill stated that this issue has been discussed and has been changed to be from noon until 5:00 p.m.

Motion by Commissioner Sharman to approve Winter Garden Culture Fest November 1 and 2, 2014, waiving special event fee, blocking various streets, allowing beer and wine to be sold, and providing city staff at no charge to accommodate the festival. Seconded by Commissioner Buchanan and carried unanimously 5-0.

E. **Recommendation to approve annual 5k run by Tri & Run of West Orange on November 8, 2014, waiving special event fee, blocking portions of Plant Street and Lakeview Avenue**

Parks and Recreation Director Conn stated that this is for a 5k race, as requested by Mr. Jerry Pegram of Tri & Run of Winter Garden. Mr. Conn noted that Mr. Pegram traditionally does a fall and spring 5k race. This is for the fall race on November 8th. The event takes place at 7:30 a.m. and the merchants have voiced that this time is not a problem because that early in the morning, the streets are closed until roughly 8:30 or 9:00 a.m. The increased traffic has been a benefit to the Farmers Market. Staff recommends approval as it does have a minimal impact on City services and is reimbursed for the use of Police officers.

Mayor Rees asked if the routes were being alternated as more and more of these races are done so as not to go in front of the same houses every time. Mr. Conn noted that staff is going to start discussion with Mr. Pegram on this very issue. Mr. Pegram chose this route because it would have minimal impact and the intersections needing to be covered, have the least traffic. He reiterated that staff will, however, start those discussions.

City Manager Bollhoefer noted that staff has decided that we cannot have a 5k every weekend and will have to limit the number as there are far too many events.

Motion by Commissioner Sharman to approve annual 5k run by Tri & Run of West Orange on November 8, 2014, waiving special event fee, blocking portions of Plant Street and Lakeview Avenue. Seconded by Commissioner Makin and carried unanimously 5-0.

F. **Appointment to the General Employees Pension Board to fill seat vacated by Marguerite Kennington, scheduled to expire September 30, 2015**

Mayor Rees asked that this item be postponed until the next meeting to allow additional applicants to turn in their interest forms; no objections were noted.

3. **MATTERS FROM PUBLIC**

Theo Graham, 213 W. Tilden Street, Winter Garden, Florida, stated that Monday is Memorial Day and invited everyone to attend the event at Veterans Park. He thanked staff for their efforts on this event.

Ervin Sharpless, 336 Sunset Oaks Rd, Winter Garden, Florida, shared that he had difficulty find a parking space for tonight's meeting.

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

5. **MATTERS FROM CITY MANAGER** - There were no items.

