



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

June 26, 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 Robert Olszewski and Colin Sharman

Absent: Commissioners Bob Buchanan and Kent Makin

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, Economic Development Director Tanja Gerhartz, 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 June 12, 2014, as submitted. Seconded by Commissioner Sharman and carried unanimously 3-0.

2. **PRESENTATION**

Proclamation 14-07: Water Safety Awareness Month was read and presented by Mayor Rees.

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

A. **Ordinance 14-20:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 3.412 ± ACRES LOCATED AT 17901 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD AT THE WESTERN BOUNDARY OF ORANGE COUNTY 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 14-21:** 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 3.412± ACRES OF LAND LOCATED AT 17901 MARSH ROAD ON THE NORTH SIDE OF MARSH ROAD AT THE WESTERN BOUNDARY OF ORANGE COUNTY

FROM ORANGE RURAL TO CITY URBAN VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 14-20 and 14-21 by title only. Community Development Director Williams stated that this is voluntary annexation and a future land use map amendment designation. 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 Ordinance 14-20 and 14-21. Seconded by Commissioner Olszewski and carried unanimously 3-0.

- C. **Ordinance 14-28:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING DRAINAGE AND UTILITY EASEMENTS OVER THE SOUTHERN FIVE FEET OF LOT 6 AND THE NORTHERN FIVE FEET OF LOT 7, LESS THE WESTERN TEN FEET AND LESS THE EASTERN FIVE FEET THEREOF, WINTER GARDEN COMMERCE CENTER PHASE I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 72, PAGES 133 AND 134 OF THE PUBLIC RECORDS OF ORANGE COUNTY (LOCATED AT 695 AND 711 GARDEN COMMERCE PARKWAY, WINTER GARDEN, FLORIDA) OWNED BY LOUIS L HUNTLEY ENTERPRISES, INC.; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING (Thermo King)

City Attorney Ardaman read Ordinance 14-28 by title only. Community Development Director Williams stated that this applicant has purchased two lots which have a joint lot line and easements down the middle. He noted that this hearing is to remove that center lot line, combine the two lots into one, and remove the easements. Staff has reviewed this item and recommends approval.

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

Motion by Commissioner Olszewski to adopt Ordinance 14-28. Seconded by Commissioner Sharman and carried unanimously 3-0.

4. **REGULAR BUSINESS**

- A. **Recommendation to approve bids and award contract to DeWitt Excavating, Inc. for Avalon Road and State Road 50 Improvements Project for a total project amount of \$192,271.75, that includes a ten percent contingency**

Assistant City Manager / Public Services Cochran stated that staff requests approval of the bids submitted and award the contract for the Avalon Road and State Road 50 improvements project. He noted that on June 13, 2014, the City received bids for this

project with DeWitt Excavating being the lowest qualified bidder at \$174,792.50. The engineer of record recommends DeWitt Excavating as the low bidder. They have also stated that the company has resources to complete the job satisfactorily. Staff recommends the approval of the bid and the awarding of the contract to DeWitt Excavating, Inc. with a ten percent contingency, bringing the total amount of the project to \$192,271.75.

Commissioner Sharman asked about only receiving two bidders for this contract. Mr. Cochran offered that he is unaware of why only two companies responded and speculated the possibility that because the City's bid manual allowed less than 21 days to place a bid. It may have been missed in the newspaper. City Manager Bollhoefer noted that the City expedited this project because it needed to be completed before school started. Commissioner Sharman noted that he was curious because when the industry picks up and bidders begin answering with a no bid because they are too busy, it means that prices will start to increase.

Motion by Commissioner Olszewski to approve bids and award contract to DeWitt Excavating, Inc. for Avalon Road and State Road 50 Improvements Project for a total project amount of \$192,271.75 that includes a ten percent contingency. Seconded by Commissioner Sharman and carried unanimously 3-0.

5. **MATTERS FROM PUBLIC** - There were no items.

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

7. **MATTERS FROM CITY MANAGER**

City Manager Bollhoefer noted that he had distributed to the City Commission information on repair costs to Zanders Park. He noted that there has been some vandalism at the park and staff would like to repair the items. Heavy duty equipment will be brought in and the cost will be \$6,990.00. He noted that this item will be included in the interim budget but wants approval to start right away.

Motion by Commissioner Olszewski to approve making repairs in Zanders Park for up to \$6,990.00.

Commissioner Sharman asked if a wish list was required. Mr. Bollhoefer replied that he generally has people request everything they want and staff looks at what is absolutely critical. He noted that the other two items will be addressed at regular budget. Commissioner Sharman noted that he is okay with this but wanted to know what a vandal resistant water fountain is. Mr. Bollhoefer noted that there is nothing that is vandal proof, but it is harder to destroy.

Motion was seconded by Commissioner Sharman and carried unanimously 3-0.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman stated that he attended a recent West Orange Chambers function and thanked Commissioner Olszewski for representation for the City of Winter Garden. He also noted that everything has been quiet in District 4.

City Manager Bollhoefer clarified the action taken on the downtown market (*426 W. Plant Street*) item addressed at last Commission meeting. He noted that there was no additional cash grants offered for the building. The Commission agreed to pay items that are for the public good as has been done in other places in the downtown area; for instance, it will be for sidewalks and lights.

Mayor Rees invited everyone to attend the July 4th kid's parade and asked that they come and have fun.

The meeting adjourned at 6:48 p.m.

APPROVED:

/S/ _____
Mayor John Rees

ATTEST:

/S/ _____
City Clerk Kathy Golden, CMC