



CITY OF WINTER GARDEN

CITY COMMISSION BUDGET WORKSHOP AND COMMUNITY REDEVELOPMENT AGENCY REGULAR MEETING MINUTES

August 28, 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, Economic Development Director Tanja Gerhartz, and West Orange Times Reporter Peter M. Gordon

1. **WORKSHOP ON PROPOSED BUDGET FOR FISCAL YEAR 2014/2015**

Finance Director Zielonka presented a PowerPoint presentation titled "2015 Budget Introduction" which highlights the proposed budget for fiscal year 2014-2015 (*see attached Exhibit A*).

Ms. Zielonka highlighted information on ad valorem revenues by stating that it is projected that the revenues will be increased by ten percent.

Areas highlighted in the presentation were ad valorem revenues, one-half cent sales tax revenue sharing, fund balance, FTE's per one thousand residents, general fund tax revenues, intergovernmental revenues, operating expenses by function, capital expenses by function, general fund operating expenses, general fund capital items, and future capital items.

City Manager Bollhoefer gave part of the PowerPoint presentation and brought the City Commission up-to-date on some items happening in Winter Garden such as the development of Tucker Ranch, and East Winter Garden whereby some buildings are going through the process necessary in order to be demolished.

Mayor Rees asked if there was anything scheduled to go back on the lots after they are demolished. City Manager Bollhoefer responded no, the plan is to just remove the homes. Commissioner Olszewski asked if the City or others owns the land and if there is a lien placed on the property for tearing it down. City Manager Bollhoefer responded that the property owner will remain owning the land and the City will place a lien on the land for the cost of the demolition. This is how the City will recoup its costs in this effort.

City Manager Bollhoefer shared that staff has recently met with Habitat for Humanity, who is working with St. Luke's, on the possibility of several projects in East Winter Garden. Mr. Bollhoefer mentioned that the Community Development Block Grants are going forward and staff expects those houses to be under construction in October.

Commissioner Olszewski requested a status update on the lift station on Ninth Street and its anticipated completion date. Mr. Bollhoefer deferred to the Assistant City Manager of Public Services Cochran who stated that this is in process and is expected to be completed sometime within the next couple of months.

Finance Director Zielonka also noted that the budget shows an increase of six percent for the City's cost for health insurance. She also noted that the City is extending its wellness program for the employees and possibly their spouses. There was discussion on the increase in health insurance.

Additional PowerPoint topics and discussion included challenges, the cemetery and creating perpetual care, local option gas tax projects, general impact fee projects, enterprise funds, utility revenues and expenses, stormwater expenses, solid waste expenses, and Trailer City expenses.

Mayor Rees commended the City on the employees per thousand residents noting that six years ago we were at 10.2 and now at 7.7. He noted that when you look at the revenues going up it confirms that we have a bigger City; our employees work hard and they do a great job. City Manager Bollhoefer stated that there is a three percent increase included in this budget for all employees. The last item was a listing of fund balance projections.

The budget workshop concluded at 6:48 p.m. and the regular meeting was immediately opened.

2. **APPROVAL OF MINUTES**

Motion by Commissioner Olszewski to approve regular meeting minutes of August 14, 2014, as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

3. **PRESENTATION**

A. Mayor Rees read and presented **Proclamation 14-08** declaring the week of September 7th, 2014 as "Diaper Need Awareness Week" to Eryn Vargo.

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

A. **Ordinance 14-27**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 03-51 ESTABLISHING PCD ZONING FOR APPROXIMATELY 14.14 ACRES OF LAND (WEST ORANGE BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 71, PAGE 87) GENERALLY LOCATED SOUTH OF THE TURNPIKE AND EAST OF C.R. 535

TO ALLOW FOR ADDITIONAL PERMITTED AND SPECIAL EXCEPTION USES FOR AN APPROXIMATELY 2.55 +/- ACRE LOT WITH ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBER 26-22-27-9147-00-020 OWNED BY WEST ORANGE OUTPARCEL, LLC; PROVIDING FOR AMENDMENTS, NON-SEVERABILITY AND AN EFFECTIVE DATE (*West Orange Business Center*)

City Attorney Ardaman read Ordinance 14-27 by title only. Community Development Director Williams stated that this item is being continued until September 11, 2014, due to the fact the developer's agreement was not signed in time for this item to be presented tonight.

Motion by Commissioner Buchanan to postpone Ordinance 14-27 until September 11, 2014 at 6:30 p.m. Seconded by Commissioner Makin and carried unanimously 5-0.

- B. **Ordinance 14-31**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 10.475 +/- ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF SUNRIDGE BOULEVARD, NORTH OF BLACK LAKE, EAST OF AVALON ROAD, AND WEST OF SIPLIN ROAD FROM CITY NZ NO ZONING DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 14-31 by title only. Community Development Director Williams stated that this property is proposing to be developed as one home site as an estate. Staff and the Planning and Zoning Board have reviewed this and recommend approval subject to conditions.

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

Motion by Commissioner Olszewski to adopt Ordinance 14-31. Seconded by Commissioner Sharman and carried unanimously 5-0.

5. **REGULAR BUSINESS**

- A. **Recommendation to approve the Site Plan for Plant Street Market located at 426 W. Plant Street, subject to conditions**

Community Development Director Williams stated that staff has reviewed the site plan and is recommending approval subject to conditions.

Motion by Commissioner Makin to approve the site plan for Plant Street Market located at 426 W. Plant Street, subject to conditions (see attached Exhibit B). Seconded by Commissioner Buchanan and carried unanimously 5-0.

B. Recommendation to approve entering into a SunRidge Boulevard Fair Share Agreement with Tilden Groves Holding Corporation

Community Development Director Williams stated this is related to the rezoning that was done earlier in the meeting for estate home site. He noted that every property owner that is accessing this road and the utilities system is entering this agreement to pay their fair share of the costs of those infrastructure improvements. Staff recommends approval of the agreement.

Commissioner Olszewski asked how the City would collect the fair share amounts on this agreement. Mr. Williams answered that when the road project is complete a letter is sent to each of the applicants and they will be given 30 days to pay their fair share of the agreed costs and they pay it. Commissioner Olszewski stated that he is asking, for the record, if this is a tax on these residents. Mr. Williams responded no; it is a proportionate fair share for the impacts they create on those systems.

Motion by Commissioner Buchanan to approve entering into a SunRidge Boulevard Fair Share Agreement with Tilden Groves Holding Corporation. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. Recommendation to approve entering into a Mitigation Agreement with Orange County School Board and Sift Oaks Investment, LLC for Canopy Oaks Subdivision

Community Development Director Williams stated that item is a recommendation to approve entering into a mitigation agreement with Orange County School Board and Sift Oaks Investments, LLC for the Canopy Oaks Subdivision on Roper Road. Staff has reviewed this agreement, which is a standard agreement with Orange County School Board. It provides for their fair share of the impacts. He noted that the high school is over capacity and no resolution to that issue. He also shared that this has taken some time and staff has reviewed this item and recommends approval of the agreement.

Motion by Commissioner Olszewski to approve entering into a Mitigation Agreement with Orange County School Board and Sift Oaks Investment, LLC for Canopy Oaks Subdivision. Seconded by Commissioner Sharman and carried unanimously 5-0.

D. Recommendation to approve the Site Plan for the Shoppes at Lake Butler, subject to conditions

Community Development Director Williams stated that this site plan has been reviewed by the Development Review Committee and they recommend approval subject to conditions. He noted that the applicant was in attendance for questions.

Motion by Commissioner Sharman to approve the site plan for the Shoppes at Lake Butler, subject to conditions (see attached Exhibit C). Seconded by Commissioner Makin and carried unanimously 5-0.

E. **Recommendation to approve bids and award contract for Phase II of the Southwest Reuse Expansion Project to TB Landmark for a total bid not to exceed \$1,944,650.00, which includes a 15 percent contingency**

Assistant City Manager of Public Services Cochran stated that staff is here to ask for approval of the bids and award the contract for the Southwest Reuse Expansion Project Phase II to TB Landmark company. He noted that Phase II is also known as the reuse distribution retrofit of the transmission veins in the Stoneybrook development. He noted that the plans are to do the neighborhoods in Lakehurst, Pebble Ridge, and Fox Hunt.

Mr. Cochran stated that the engineers estimate was a total of \$2 million. TB Landmark's bid was \$1,691,000.00. Staff is also requesting a 15 percent contingency which brings the total project amount to \$1,944,650.00.

Mr. Cochran noted that the City was eligible for a 40 percent grant from St. Johns Water Management District. Unfortunately, they put a cap on the 40 percent grant and the City will receive only \$479,900.00 for this project.

Motion by Commissioner Buchanan to approve bids and award contract for Phase II of the Southwest Reuse Expansion Project to TB Landmark for a total bid not to exceed \$1,944,650.00, which includes a 15 percent contingency. Seconded by Commissioner Sharman and carried unanimously 5-0.

Dispensed as the City Commission and convened as the Community Redevelopment Agency (CRA) at 7:03 p.m.

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

F. **Recommendation to approve \$6 million of CRA funds to construct a 3-story 4-level parking garage on the site of the existing parking lot south of Tremaine Street and to hire Walker Parking Consultants to prepare and distribute the design/build package**

CRA Member Cappleman stated that the CRA heard the recommendation of the Community Redevelopment Agency Advisory Board (CRAAB) at the last meeting and he will place a motion on the table for discussion.

Motion by CRA Member Cappleman to approve \$6 million of CRA funds to the City of Winter Garden to construct a 3-floor 4-level parking garage located on the site of the existing parking lot between [South] Boyd Street and [South] Lakeview Avenue, south of Tremaine Street. Seconded by CRA Member Buchanan.

City Manager Bollhoefer noted that staff has met with GAI Consultants, which is a engineering and planning firm who has a tax credits program. Staff feels confident in working with them for a fee of \$2,500.00 to administer the application for tax credits,

which will pay for 20 percent of any garage the City will build. He noted that if the City proceeds with the parking garage project, other future projects could also be reviewed as a bundle to receive a larger tax credit.

Chairman Rees noted that he has spent some time with the City Manager and reviewed the materials and noted there are two different distinct studies. The utilization study, which in his opinion, clearly demonstrates there is not much need for parking downtown. There is the shared parking study, which clearly shows there is a need for parking downtown. He noted that both studies have their strong values, weaknesses, and both have some estimates; he questioned which study should be believed. He expressed that he personally believes there is a need for parking downtown but disagrees on the number of spaces needed; both currently and in the next few years. He prefers another location for several reasons and shared that the current location already has had funds spent to make it attractive and it is great for parking. He shared his thoughts on other possible options for parking, including parking options on the north side. He believes that providing parking on both sides of downtown would benefit all our downtown merchants. He understands that people feel that everyone is already used to the current parking location, but with good signage and direction of traffic, people would get use to both. Chairman Rees addressed the issues of traffic control and getting the cars in and out on the service roads. There is not much argument there, but he thinks that splitting the parking out into two locations better serves our community.

Commissioner Olszewski addressed the issue of possibly building the garage on the north side, as mentioned by the Mayor, and questioned what conditions are associated with this option.

City Manager Bollhoefer replied that the City does not own the property and would have to negotiate the purchase or take it by eminent domain. The other issue would be the unknowns as related to environmental issues. He noted that staff is fairly confident the south parking lot would be clean because it went through the Dunn Oil process several years ago with the City.

CRA Member Cappleman stated that the CRAAB has spent a number of years evaluating this project as well as others. He noted that they too have looked at the various parameters mentioned. At one time the north side was the preferred location by the board members. They have listened to staff and came back with the recommendation to build on the south side believing that the traffic impact on the local neighborhoods would be less on the south side than on the north. He noted that this is assuming that Tilden will become the most convenient east/west arterial road to get to and from that parking garage if an event downtown is blocking Plant Street. He stated that he wanted to assure the CRA that the advisory board has spent a lot of time wrestling this issue and did consider the elements that CRA Chairman Rees has mentioned. He noted that the CRAAB concluded, by unanimous vote, the recommendation he has presented tonight.

CRA Chairman Rees thanked CRA Member Cappleman and the CRAAB for all the work they do.

CRA Member Makin noted that when this process was started there were three locations selected and then it was down to two. He shared that he reviewed the traffic and the impact on the residents on both the north and south sides. In his opinion, when there is an event on Plant Street and everything is blocked, a parking garage placed on the north side would cause undue burden on the roads and its residents; it would create more of a problem. Once he looked at the south side, in the same scenario, he found that it would be a lot easier to disburse to the main roads. He stated that even with road improvements to the north side, such as widening the roads, etc. traffic would have to come out, go to the north, go east and west, and go back to the south instead of just coming out and disbursing to the south; he thinks this would create a problem.

CRA Member Makin noted that on the environmental aspect, this could be addressed during the acquisition of the property as a contingency for buying the property. He expressed that he does not want to burden the City for the future impact or future growth for the downtown. He wants to make sure that the right decision is made on what is best for the growth of our downtown, for possible new development, for possible new business, for possible new employment, and the sustainability of the residents. He noted that there are a lot of factors in making this decision.

Commissioner Buchanan stated that when the City started out with this issue he wanted the south side. He was later convinced, by the City Manager, that the north side would be better. Then consultants were hired to advise us on what they thought would be the best place and best condition. Then our own staff got involved, also the CRA, and the downtown merchants got involved and all the recommendations came down to the south side. He can't understand why any other place than the south side would be the best location.

Commissioner Sharman stated that one thing that weighed in his mind is when we have our Fourth of July celebration, because once you get past Plant Street, you can then flow out of the event if you park anywhere close to the lake. That is why the north side does not sit well with him in his mind as a good location.

Commissioner Olszewski expressed that every time they meet as the CRA he wants to be sure that everything possible is being done that can help the East Winter Garden community from future CRA funds. He asked the City Manager Bollhoefer what is included in the design/build package from Walker Parking consultants and what does it entail. **Mr. Bollhoefer** explained that the City Commission selected this group previously to put together a package that will include all the details and specifications and give a brief description. He explained the design/build process and how the selection committee would go through and make the selection that will be presented to the City Commission as their recommendation for approval.

Timothy Maddalena, 168 S. Lakeview Avenue, Winter Garden, Florida, addressed the issue that this parking garage will be the south side's largest building which he believes is not in keeping with our small town feel. He noted that two members of the CRA own five buildings bordering the north side of the parking lot, which he believes constitutes a conflict of interest. Mr. Maddalena spoke of information included in a utilization sheet as part of the October 2013 minutes regarding the Tremaine Street lot and using 13 percent of capacity on the average day. He stated that it did not make sense to him to need more when you cannot fill the ones you have. Mr. Maddalena spoke of other businesses and their parking spaces in the downtown area. He addressed how existing businesses will survive during the construction period.

John Kirby, 322 W. Tilden Street, Winter Garden, Florida, who is also a member of the CRAAB, stated he was not present when the vote was taken but he would have voted for the garage on the south side for a number of reasons. As a resident of W. Tilden Street, to try to push traffic to the north side would prove difficult for him because of the school traffic. He disclosed that he is an owner of 252 W. Plant Street in front of the Farmer's Market and has a vested interest in the parking garage. He noted that there is no doubt that it will help their property and a majority of the City. He shared that he thinks the garage is so important for the City. He spoke to the need for the garage, the trouble with the north location and costs involved with widening roads, fixing intersections, and dealing with traffic. He agrees that it needs to be on the south side.

Theo Graham, 213 W. Tilden Street, Winter Garden, Florida, stated that he had asked if CRA funds could be used on building the parking garage and found that they can. He spoke of issues with acquiring property elsewhere and felt that building on the north side was better because the City already owns some property from the telephone company and it would remove some blight. He noted that in the future either side will require the widening of roads. He also noted that you cannot control the direction of people exiting the downtown. He noted that if you ever want to see the blight, just drive down Center Street. He suggested installing sidewalks with the CRA funds to keep our youth safe.

Nick Farrell, 219 S. Lakeview Avenue, Winter Garden, Florida, noted that he sent the City Commission an email and had a few questions. He noted that his largest concern is traffic. The study regarding traffic devices showed that there are a lot of things that can be done regarding traffic but he questions if those improvements have been budgeted into this parking garage project or is that a different project altogether. He also asked the timetable and can the two be linked. **City Manager Bollhoefer** responded yes, it is staff's recommendation to take a look at those improvements and do them at the same time. He shared some of the traffic control ideas currently being reviewed and other ideas to discourage through traffic on some of the streets. He described barricades during events as means of controlling traffic. He spoke of bundling those packages in order to get tax credits to pay for 20 percent as a way of leveraging the City's money. Mr. Bollhoefer also noted that in Mr. Farrell's email he asked about lighting and advised that

it would be dark skies lighting so that it will be the least amount of lighting legally allowed in the garage. It would also have the noise minimized as best as possible.

Mr. Farrell stated the flipside of this argument is that it is tough to argue for a parking garage that will remain empty a lot of the time with the traffic argument. If it is not going to be used a lot of time there will not be a lot of traffic. He spoke of the parking garage as an empty structure and voiced that he preferred a multiuse structure with usage during the day and night. He stated that he questions whether a parking garage is the highest and best use of that land.

Commissioner Makin stated that when this issue first came up his goal was to look at a more multiuse rather than a parking garage. Once the various codes were reviewed as to what was allowed, it sent the price through the roof.

City Manager Bollhoefer stated that staff talked with urban experts and to other cities to see what they were doing. You get more life with programmed events than with store fronts. He noted that the parking garage actually fronts to Main Street. He shared that it would be an opportunity to expand the farmer's market and events could be scheduled on the weekend.

CRA Chairman Rees called for the vote. **Motion carried 5-1; CRA Chairman Rees opposed.**

The Community Redevelopment Agency adjourned and reconvened as the City Commission at 7:45 p.m.

6. **MATTERS FROM PUBLIC** - There were no items.
7. **MATTERS FROM CITY ATTORNEY** – There were no items.
8. **MATTERS FROM CITY MANAGER** – There were no items.
9. **MATTERS FROM MAYOR AND COMMISSIONERS**
Commissioner Buchanan commended Mayor Rees on his decision of sticking to his principles.

The meeting adjourned at 7:46 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

____/S/_____
City Clerk Kathy Golden, CMC