



# CITY OF WINTER GARDEN

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## CITY COMMISSION REGULAR MEETING MINUTES May 14, 2015

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. An Opening 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, Community Development Director Ed Williams, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Police Chief George Brennan, and Recreation Director Jay Conn

### 1. **APPROVAL OF MINUTES**

**Motion by Commissioner Olszewski to approve the Executive Session and Regular Meeting minutes of April 23, 2015. Seconded by Commissioner Sharman and carried 5-0.**

### 2. **PRESENTATIONS**

- At this time Mayor Rees invited Sharon Lambert to come forward to make a presentation. Sharon Lambert, 749 Stevelynn Circle, Winter Garden, Florida, addressed an issue she refers to as “property spam” which is the littering with handbills. Ms. Lambert spoke of these items as an invitation to criminal activity, creating a hazard, a nuisance, and being unsightly. She read an excerpt from the City’s Code addressing the unlawful activity of distributing such handbills. She stated that she is addressing the distribution of such items on private property and spoke of the City of Altamonte Springs and its code regarding this issue. She encouraged the City Commission to speak with them on the subject.

City Attorney Ardaman shared that the City of Altamonte Springs’ framework was used in the crafting a draft ordinance. He noted that you cannot make exceptions between different types of speech. With the inability to carve out any particular content based prohibition, he spoke with the City Manager and it does not appear to be a significant problem for the City. He stated that they have a draft of an ordinance to address this issue. Mayor Rees requested that this information be submitted to the City Commission for review.

A. **Mr. Jay Barfield requested to use one of the boat basins at Newton Park to test a system to clean Lake Apopka [Allied Group USA, Inc.]**

City Manager Bollhoefer noted that Mr. Barfield was not present to make the presentation but stated that he was very familiar with this subject and would make the presentation on Mr. Barfield's behalf.

Mr. Bollhoefer shared that Mr. Barfield has received a State grant contract to test some equipment he uses; a methodology that could possibly be used long term to clean up Lake Apopka. A site has been chosen here in Winter Garden; the boat basin closest to Trailer City. He would run a line with an underwater sump pump about 20 to 50 yards off shore. The water would be pumped, filtered, run through a compressor system to add oxygen, into the boat basin. The theory is that by cleaning the water it will allow the natural good bacteria in the water to eat the muck.

Commissioner Makin stated that he met with Mr. Barfield down at Lake Apopka. Commissioner Makin spoke of past agencies that wasted a lot of money on theories and shared that the cleanup of Lake Apopka has been his passion. Mr. Barfield has already been awarded the contract from Florida Wildlife Commission (FWC) and the St. Johns Water Management District. Mr. Barfield is a local person who has been cleaning water all over the world for many years. Mr. Barfield has been involved with the St. Johns Water Management District over the last five years. He was given two test sites to clean and proved it could be done successfully. Commissioner Makin shared some information on the process and stated that the great thing is that it is no cost to the City; Mr. Barfield only needs permission to use the basin. The second part of this is that the basin is in very bad shape and Mr. Barfield is also a licensed contractor, and will repair the wall of the basin in order to use the site to test his theory. Commissioner Makin shared information about another test site and expressed that this is all done free of any chemicals. Commissioner Makin spoke of very positive meetings with Mr. Barfield, the City Manager, and the residents of Trailer City.

City Manager Bollhoefer stated that he has distributed a copy of the agreement. One thing that is not stated in the agreement is that this project may take from three to eight months. Mr. Bollhoefer requested that some language be added to address that there will be no substantial noise, smells, or mess. Mayor Rees also addressed including the ability to correct any issues.

**Motion by Commissioner Buchanan authorizing the City Manager to execute an agreement, with the requested additional language, that grants permission [to Allied Group USA, Inc.] to use the City's boat basin closest to Trailer City as a testing site to clean Lake Apopka. Seconded by Commissioner Makin and carried unanimously 5-0.**

B. **Discussion regarding providing ambulance service in the City**

City Manager Bollhoefer stated that he has distributed a packet of information which, instead of trying to discuss it tonight, he would like to give the City Commission time to

review. He gave a brief overview of events since the last presentation of this item. There was discussion on the timeframe for a decision and it was expressed that it would be better to make the right decision than to rush.

Mayor Rees suggested that each Commissioner read through the material, make a list of questions that will be distributed and discussed with the City Manager.

3. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 15-41**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING ARTICLE VI, DIVISION 8 OF CHAPTER 118 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN CONCERNING ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-41 by title only. Community Development Director Williams stated that Matthew's Hope is requesting to construct an accessory structure which was not covered by the City's ordinances. They wish to construct a glass building to grow plants. Amendments to the ordinances have been prepared should the City Commission wish to allow this type of structure in residential areas throughout the City. He noted that the City has tried to put some reasonable restrictions on the size and locations. They will have to meet the building code requirements.

Mayor Rees asked if the Planning and Zoning Board passed this by a unanimous vote. Mr. Williams responded yes. There was discussion that each greenhouse structure would have to go before the Planning and Zoning Board for review and approval.

**Motion by Commissioner Olszewski to approve Ordinance 15-41 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Sharman.**

Mayor Rees asked if anyone would like to speak to this item. There were no comments.

**Motion carried unanimously 5-0.**

B. **Ordinance 15-49**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING SECTION 102-1 OF CHAPTER 102 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN TO CLARIFY CERTAIN DEFINITIONS AND TO ADD A DEFINITION FOR DIGITAL BILLBOARD AND DIGITAL BILLBOARD SIGNS; AMENDING SECTION 102-92 OF CHAPTER 102 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN TO PROHIBIT DIGITAL BILLBOARD SIGNS EXCEPT UNDER LIMITED CONDITIONS AS A SPECIAL EXCEPTION AND PURSUANT TO A RELOCATION AND RECONSTRUCTION PLAN AND AGREEMENT; CREATING SECTION 102-94 OF CHAPTER 102 OF THE CODE OF ORDINANCES OF THE

CITY OF WINTER GARDEN PROVIDING FOR RELOCATION AND RECONSTRUCTION AGREEMENTS FOR BILLBOARDS AND DIGITAL BILLBOARDS; PROVIDING FOR CRITERIA AND REGULATIONS GOVERNING DIGITAL BILLBOARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-49 by title only. Community Development Director Williams referred the City Commission to Page 7, Item Number 6, and addressed a change he would like to make to the language “maximum size of the copy area including cabinet and trim”. He would like to it to state “excluding cabinet and trim”.

Mr. Williams stated that billboards are not permitted in the City’s current sign code. He explained that staff would like to have billboards go away. With the advent of digital billboards, we now have the opportunity to make it happen. Digital billboards allow for a trade out of multiple billboards for one digital billboard; this is being done around Central Florida. This ordinance has been submitted for consideration and allows for the review of the billboards on a case-by-case basis as they are requested. He expressed that it is unusual to have an ordinance with this much flexibility but this is the only effective way to lower the number of billboards in the community.

Mayor Rees addressed the County enclaves on State Road 50 and a one thousand foot rule. Mr. Williams stated that control is tightening up with the County that includes negotiating with them to not approve the billboards in the enclaves. He mentioned some of the past conflicts with the County but stated that through the Joint Planning Area Agreement, the City can get a firm written document coordinating with the County that each entity will not issue billboards in violation of the others rules. City Attorney Ardaman explained how the ordinance would work.

Commissioner Makin addressed the impact of this ordinance on existing billboards on State Road 50 they want to rehab. Mr. Williams responded that every component of the reconstruction and relocation for the billboard would be negotiated.

Commissioner Buchanan addressed the issue of the brightness of digital billboards. Mr. Williams described some of the requirements are that there will be no flashing signs; they will fade in and fade out. The City would also have an opportunity to use these boards for public service announcements.

City Manager Bollhoefer stated that two billboard companies were in attendance, and one of them is not happy with the 1,000 foot separation distance provision in the ordinance as they have a billboard that is within 600 feet. He noted that technically, by the hard rules, they could not do this, however, it could be negotiated.

**Motion by Commissioner Olszewski to approve Ordinance 15-49 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- C. **Ordinance 15-51**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING DIVISION 2, ARTICLE II, CHAPTER 42 OF THE WINTER GARDEN CITY CODE; PROVIDING FOR THE WAIVER OF ROAD IMPACT FEES IN THE HISTORIC DOWNTOWN DISTRICT AREA UNDER CERTAIN CIRCUMSTANCES; PROVIDING CRITERIA FOR SUCH WAIVERS; PROVIDING FOR AUTOMATIC REPEAL OF WAIVER PROVISION AFTER A SET PERIOD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-51 by title only. City Manager Bollhoefer stated that several people have approached the City wishing to build in the downtown historic area. Staff would like to use this as a mechanism to influence and encourage some of the better quality buildings. If a developer demonstrates that they are putting more money into a building to make the building fit in with the downtown, the City would give them relief in the impact fees for roads.

Commissioner Olszewski confirmed that this ordinance is giving the City the power to choose to reduce impact fees only. Mr. Bollhoefer responded yes, on a case by case basis. There was confirmation that each case would have to come before the City Commission to be sure that a reduction is justified.

**Motion by Commissioner Buchanan to approve Ordinance 15-51 with the second reading and public hearing being scheduled for June 11, 2015. Seconded by Commissioner Makin and carried unanimously 5-0.**

City Manager Bollhoefer indicated it is possible a quorum may not be present at the June 11, 2015 meeting.

**Motion by Commissioner Buchanan to AMEND his prior motion approving Ordinance 15-51 with the second reading and public hearing being scheduled for June 25, 2015. Seconded by Commissioner Makin and carried unanimously 5-0.**

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

- A. **Ordinance 15-28**: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.93 +/- ACRES OF LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF DANIELS ROAD AND ROPER ROAD, FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-28 by title only. Community Development Director Williams stated that this property is located at the northeast corner of Daniels Road and Roper Road. It is a 2 acre parcel surrounded by the residential development. He noted that this afternoon they were installing the poles for the signal at this intersection. This property has been considered over the years for a lot of different projects. The plan before the City Commission tonight is a planned commercial development that is 17,250 square feet of office space. The developer has met with the surrounding property owners and has worked through staff on the conditions of the property and the restrictions. There will be restrictions so that primarily medical uses are anticipated to occur here. The neighbors did not want MRI type facilities here or facilities that would generate a large amount of traffic. It has been reviewed by staff and the Planning and Zoning Board and both recommend approval subject to conditions in the report.

Mayor Rees confirmed the surrounding residents are alright with the lighting and noise. Commissioner Sharman asked if the neighbors were happy with the restraints placed on the property. Mr. Williams responded yes and described one issue that the developers are working on and that is the pond. There was discussion on the need for a joint use maintenance agreement. Commissioner Olszewski asked that Commissioner's be noticed of community meetings within their district.

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

**Motion by Commissioner Sharman to approve Ordinance 15-28 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Makin and carried unanimously 5-0.**

- B. **Ordinance 15-34:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.24 ± ACRES LOCATED AT 1050 VINELAND ROAD ON THE WEST SIDE OF VINELAND ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF WEST MORGAN STREET 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
- C. **Ordinance 15-35:** 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 0.24 ± ACRES LOCATED AT 1050 VINELAND ROAD ON THE WEST SIDE OF VINELAND ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF WEST MORGAN STREET FROM ORANGE COUNTY LOW MEDIUM DENSITY

RESIDENTIAL TO CITY RESIDENTIAL NEIGHBORHOOD COMMERCIAL;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- D. **Ordinance 15-36:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.24 ± ACRES LOCATED AT 1050 VINELAND ROAD ON THE WEST SIDE OF VINELAND ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF WEST MORGAN STREET FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-NC RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-34, 15-35, and 15-36 by title only. Community Development Director Williams stated that this is a voluntary request for annexation, future land use designation, and rezoning. There have been a number of similar requests in this area. Staff and the Planning and Zoning Board have reviewed it and recommend approval of R-NC zoning, which is primarily for office use.

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

**Motion by Commissioner Olszewski to approve Ordinances 15-34, 15-35, and 15-36 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- E. **Ordinance 15-37:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.23 ± ACRES LOCATED AT 50 EAST PALMETTO STREET, ON THE SOUTH SIDE OF EAST PALMETTO STREET EAST OF SOUTH MAIN STREET AND WEST OF SOUTH WOODLAND STREET 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
- F. **Ordinance 15-38:** 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 0.23 ± ACRES LOCATED AT 50 EAST PALMETTO STREET, ON THE SOUTH SIDE OF EAST PALMETTO STREET EAST OF SOUTH MAIN STREET AND WEST OF SOUTH WOODLAND STREET FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- G. **Ordinance 15-39:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.23 ± ACRES LOCATED AT 50 EAST PALMETTO STREET, ON THE SOUTH SIDE OF EAST PALMETTO STREET EAST OF SOUTH MAIN STREET AND WEST OF SOUTH WOODLAND STREET FROM

ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-37, 15-38, and 15-39 by title only. Community Development Director Williams stated that this is also a voluntary request for annexation, future land use designation, and rezoning. He referred to the last page of the report and noted that there is a small house on the lot and they are trying to sell. They expect to redevelop whenever the property is sold and would like to avail themselves to City services at that time. He noted that this is making an existing enclave smaller. It 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 Buchanan to approve Ordinances 15-37, 15-38, and 15-39 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Makin and carried unanimously 5-0.**

- H. **Ordinance 15-42:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 44.83 +/- ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MARSH ROAD, EAST OF HARBOR SAIL WAY AND WEST OF AVALON ROAD FROM CITY PUD PLANNED UNIT DEVELOPMENT DISTRICT TO CITY C-2 ARTERIAL COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-42 by title only. Community Development Director Williams stated that the City is the applicant on this property. He noted that it is primarily about 99 percent wetlands; however, there are about 2 acres of uplands in the northwest corner of the property where staff anticipates building a Fire Station and the cell tower recently brought to the City Commission. He noted that originally the property was thought to be used for retention purposes but staff has found another site for this purpose and think that this site is appropriate for a Fire Station. He noted that it needs to be taken out of the Planned Development Zoning District and given a C-2 zoning designation.

There was discussion on the land, its value, and its being the perfect location for the fire station.

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

**Motion by Commissioner Makin to approve Ordinance 15-42 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- I. **Ordinance 15-43:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.87 ± ACRES LOCATED AT 844 EAST CROWN POINT ROAD ON THE WEST SIDE OF EAST CROWN POINT ROAD NORTH OF CROWN POINT CROSS ROAD AND SOUTH OF MISTFLOWER LANE 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
- J. **Ordinance 15-44:** 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 0.87 ± ACRES LOCATED AT 844 EAST CROWN POINT ROAD ON THE WEST SIDE OF EAST CROWN POINT ROAD NORTH OF CROWN POINT CROSS ROAD AND SOUTH OF MISTFLOWER LANE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- K. **Ordinance 15-45:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.87 ± ACRES LOCATED AT 844 EAST CROWN POINT ROAD ON THE WEST SIDE OF EAST CROWN POINT ROAD NORTH OF CROWN POINT CROSS ROAD AND SOUTH OF MISTFLOWER LANE FROM ORANGE COUNTY A-1 AGRICULTURAL DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-43, 15-44, and 15-45 by title only. Community Development Director Williams stated that this property has been purchased by West Orlando Baptist Church at Winter Garden. At the last meeting, the City Commission approved a major expansion to the north of their property. They were not able to acquire this particular piece of property in time for that meeting but have since acquired it and want to include it with the rest of the property. At such time as it develops in the future they will be required to give up their access drive on the road and have all internal access. It has been reviewed by both Planning and Zoning Board and staff and both recommend approval.

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

**Motion by Commissioner Makin to approve Ordinances 15-43, 15-44, and 15-45 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- L. **Ordinance 15-46:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.98 ± ACRES LOCATED AT 698 TILDENVILLE SCHOOL ROAD ON THE WEST SIDE OF TILDENVILLE SCHOOL ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF EAST OAKLAND AVENUE 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
- M. **Ordinance 15-47:** 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 0.98 ± ACRES LOCATED AT 698 TILDENVILLE SCHOOL ROAD ON THE WEST SIDE OF TILDENVILLE SCHOOL ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF EAST OAKLAND AVENUE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- N. **Ordinance 15-48:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.98 ± ACRES LOCATED AT 698 TILDENVILLE SCHOOL ROAD ON THE WEST SIDE OF TILDENVILLE SCHOOL ROAD NORTH OF WEST COLONIAL DRIVE AND SOUTH OF EAST OAKLAND AVENUE FROM ORANGE COUNTY A-1 AGRICULTURAL DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-46, 15-47, and 15-48 by title only. Community Development Director Williams stated that this is also a voluntary request for annexation, future land use designation, and rezoning. When the property develops, they would like services from the City. It has been reviewed by Planning and Zoning and staff and both recommend approval.

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

**Motion by Commissioner Buchanan to approve Ordinance 15-46, 15-47, and 15-48 with the second reading and public hearing being scheduled for May 28, 2015. Seconded by Commissioner Sharman and carried unanimously 5-0.**

O. **Ordinance 15-50:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2014-2015 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 15-50 by title and the following excerpt from Section 1 as follows:

<b>REVENUES</b>	
General Fund	\$1,873,433
Law Enforcement Trust Fund	21,353
Local Option Gas Tax Fund	55,906
Transportation Impact Fee-General Fund	1,955,548
Utility Operating Fund	1,170,553
Utility Impact Fee Fund	33,089
Utility Renewal and Replacement Fund	438,386
Stormwater Fund	550,658
Solid Waste Fund	<u>101,250</u>
	\$6,200,176

Mr. Ardaman also noted that the expenditures itemize identically to those of the revenues with the same total expenditure.

City Manager Bollhoefer stated that he would like to postpone this item until the May 28, 2015 meeting.

**Motion by Commissioner Sharman to POSTPONE Ordinance 15-50 until the May 28, 2015, meeting at 6:30 p.m. Seconded by Commissioner Makin and carried unanimously 5-0.**

5. **REGULAR BUSINESS**

A. **Recommendation to approve awarding two Community Development Block Grant (CDBG) Housing Rehabilitation contracts to the qualified low bidder Pat Lynch Construction contingent upon receiving Site Specific Release from the Department of Economic Opportunity**

Economic Development Director Gerhartz stated that the City was awarded a CDBG grant in the amount of \$750,000 to repair or replace a minimum of 12 low to moderate income homes. The City is ready to begin the awarding of contracts to rehabilitate homes. She noted that what the City Commission has before them is the first bid package for two of the homes. The recommended action for the City Commission is to approve awarding contracts to the lowest bidder for 662 Bethune Avenue in the bid amount of \$41,226 and for the home located at 1009 Mildred Dixon Way a bid amount of \$44,122. She noted that both are to the same contractor Pat Lynch Construction.

**Motion by Commissioner Olszewski to approve awarding two CDBG Housing Rehabilitation contracts to the qualified low bidder Pat Lynch Construction contingent upon receiving site specific release from the Department of Economic**

**Opportunity in the bid amounts listed. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**B. Recommendation to approve Site Plan for Windward Cay Phase 3 Office Park located at 13838 Tilden Road, subject to conditions**

Community Development Director Williams stated that this is the site plan for the last remaining piece within this project. He noted that it is right behind the CVS and the pad is already there, and most of the improvements have been installed except for some of the landscaping and sidewalk, which would be associated with this one-story building.

Mr. Williams shared that with the Hospital there is a lot of demand for medical facilities. The owner of this property has submitted this site plan to help meet that need. It has been reviewed by staff and approval is recommended, subject to the conditions.

Commissioner Sharman asked if in the review by Planning and Zoning Board was there a unanimous vote. Mr. Williams responded yes.

**Motion by Commissioner Olszewski to approve site plan for Windward Cay Phase 3 office park located at 13838 Tilden Road, subject to conditions. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**6. MATTERS FROM PUBLIC**

Theo Graham, thanked staff for their efforts in the coordination of the Memorial Day Event scheduled for May 25, 2015, and he invited everyone to attend the event that starts at 8:30 a.m.

**7. MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman stated that he has submitted to the City Commission an Informed Consent relating to a property in Osceola County for Standard Pacific if the City Commission sees fit to approve the informed consent.

**Motion by Commissioner Buchanan to approve authorizing the Mayor to execute the Informed Consent as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**8. MATTERS FROM CITY MANAGER**

**A. Discussion on draft ordinance amending landscaping vegetation requirements as requested by the St. Johns River Water Management District**

City Manager Bollhoefer requested that the City Commission review this ordinance which is required for the City's Consumptive Use Permit, which requires the City use Florida friendly landscape. This ordinance will be brought back for a first reading at the next meeting.

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Sharman** stated that the Community Garden has requested a contribution from him and he asked the City Commission to match his contribution of \$500.

**Motion by Commissioner Sharman to approve a \$500 contribution to the Winter Garden Community Garden. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

**Commissioner Buchanan** shared that there was a crowd at this weekend's event and made getting around on his golf cart a bit difficult, but it was exciting to see what's going on.

There was discussion about the crowd and how many folks with the Orlando Sentinel were here.

**Mayor Rees** commented that an article he read referred to the City as becoming a drinking and eating town, but he wanted everyone to remember that we are a family friendly town first. He noted that the City is at a crossroad where it needs to continue to strive in that direction.

Mayor Rees mentioned that the Police Officers have taken a lot of grief all across the country and he wanted to be sure to tell our Police Chief and Assistant Police Chief thank you for all that you and your officers do for our town, and that we have a Police force of which to be very proud.

The meeting adjourned at 7:50 p.m.

APPROVED:

\_\_\_\_\_/S/\_\_\_\_\_  
Mayor Pro-Tem Bob Buchanan

ATTEST:

\_\_\_\_\_/S/\_\_\_\_\_  
City Clerk Kathy Golden, CMC