



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

October 8, 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 - Administrative Services Frank Gilbert, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Police Chief George Brennan, and Community Development Manager Stephen Pash

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve budget hearings and regular meeting minutes of September 24, 2015 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

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

A. **Ordinance 15-61:** 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 NORTH WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD 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 15-62:** 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 NORTH WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 15-63:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.23 ± ACRES LOCATED AT NORTH

WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD 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 15-61, 15-62, and 15-63 by title only. Community Development Manager Pash stated that this is a voluntary annexation requested by the owners in order to receive City services. Staff has reviewed this item and recommends approval of all three ordinances.

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

Motion by Commissioner Makin to adopt Ordinance 15-61, 15-62, and 15-63. Seconded by Commissioner Buchanan and carried unanimously 5-0.

3. **REGULAR BUSINESS**

A. **Recommendation to approve Developer's Agreement for 420 Roper Road (Sonata West Orange Campus)**

Community Development Manager Pash stated that this developer's agreement outlines the access easements, utility requirements, and their fair share of costs for the traffic light installed at Roper Road and Daniels Road, as well as traffic impact fees. It has been reviewed by staff and the City Attorney; approval is recommended.

Mayor Rees sought clarification regarding the difference between the traffic study the City would have been done versus the alternate traffic study the City accepted. Mr. Pash responded that a review was done against other municipalities, Orlando and Winter Springs, and the proposed impact fees being used are greater than both of theirs.

Motion by Commissioner Olszewski to approve the Developer's Agreement for 420 Roper Road (Sonata West Orange Campus) as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.

B. **Recommendation to approve Binding Lot Agreement for 420 Roper Road (Sonata West Orange Campus)**

Community Development Manager Pash stated that this agreement takes two adjacent neighboring lots and combines them with another lot owned by the Sonata project in order to develop the assisted living facility. Staff recommends approval.

Motion by Commissioner Buchanan to approve the binding lot agreement for 420 Roper Road as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. **Recommendation to approve granting a drainage easement and temporary construction easement on City parcel 34-22-27-0000-00-042 to Mattamy Orlando, LLC (807 Avalon Road) for the purpose of obtaining a water district permit as part of building a new residential neighborhood**

Community Development Manager Pash stated that this is a drainage easement over an existing pond constructed by the City when the SunRidge Boulevard extension was done. Mattamy Homes is requesting the easement so that they can build Oxford Chase; an approved PUD previously known as the Sessions project. This easement is required by the St. Johns River Water Management District (SJRWMD). It is a temporary easement that when the plat is recorded, it reverts back to them (Mattamy Orlando, LLC) for them to maintain and will give the City the easement for storm drainage purposes. Staff recommends approval of this item.

Motion by Commissioner Sharman to approve granting a drainage easement and temporary construction easement on City parcel 34-22-27-0000-00-042 to Mattamy Orlando, LLC (807 Avalon Road) for the purpose of obtaining a water district permit as part of building a new residential neighborhood. Seconded by Commissioner Makin and carried unanimously 5-0.

D. **Recommendation to approve awarding four CDBG Housing Rehabilitation contracts (\$182,129) and one Replacement contract (\$100,210.78) to qualified low bidder Construction 360 contingent upon receiving Site Specific Release from the Department of Economic Opportunity**

Economic Development Director Gerhartz introduced the City's Housing Consultant, David Fox, to present this item.

Mr. Fox of Fred Fox Enterprises described the bids received on five homes under the Community Development Block Grant (CDBG) Housing Grant.

Mr. Fox noted that the low bidder for Mattie Wilson's home at 1015 Lincoln Terrace was Construction 360 as a replacement home at a cost of \$100,210.78 and gave a cost breakout. He noted that this amounts exceeds the \$75,000 limit set in the housing assistance plan (HAP) and advised that this should be noted in the motion for approval.

Mr. Fox noted that the low bidder on the four rehabs (*646 Bethune Avenue, 1100 E. Bay Street, 1040 Mildred Dixon Way, and 1046 Mildred Dixon Way*) was Construction 360. Mr. Fox recommended awarding the bids to Construction 360 on all five projects. They will be individual contracts.

Mayor Rees asked why no bids were received on the Boyd Street and Seminole Street addresses. Mr. Fox explained that both of those homes contain lead, which has to be addressed. He described the required testing and noted that the three homes should be ready for bids on October 20th.

Commissioner Sharman inquired about the rehabilitation and how in-depth it will be. Mr. Fox explained that all code violations have to be addressed, Section 8 Housing Standards, and other safety issues.

Motion by Commissioner Olszewski to approve awarding four CDBG housing rehabilitation contracts (\$182,129) and one replacement contract for \$100,210.78 that exceeds the \$75,000 limit, to qualified low bidder Construction 360 contingent upon receiving Site Specific Release from the Department of Economic Opportunity. Seconded by Commissioner Sharman and carried unanimously 5-0.

E. **Appointment to the Planning and Zoning Board to fill seat vacated by Eric Weiss (District 2); term expires October 30, 2017**

Commissioner Buchanan recommended appointing Christopher Lee to the Planning and Zoning Board and noted that Mr. Lee is a business owner as well as a resident for about 14 years.

Motion by Commissioner Buchanan to appoint Christopher Lee to the Planning and Zoning Board to fill seat vacated by Eric Weiss (District 2); term expires in October 2017. Seconded by Commissioner Sharman and carried unanimously 5-0.

4. **MATTERS FROM PUBLIC**

Charlie Mae Wilder, 813 E. Bay Street, Winter Garden, Florida, requested support from the City Commission for their 9th Annual Veterans and Family of Veterans' appreciation event. She requested a donation of \$200, as has been done in the past, which includes an advertisement inside the front cover of the program.

Motion by Commissioner Olszewski to approve donating \$200 to purchase the advertisement for the annual Veterans and Family of Veterans' Appreciation Event. Seconded by Commissioner Sharman and carried unanimously 5-0.

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

6. **MATTERS FROM CITY MANAGER**

A. **Special Events Presentation**

City Manager Bollhoefer distributed guidelines currently used by staff for special events. He noted that more information would be brought back to the next meeting regarding more standards and rules the City would like to put in place for all future events. There was discussion on the quality, variety of vendors, and their placement during events.

• **Security Bars on Commercial Building Windows**

City Manager Bollhoefer asked the City Commission for direction on the subject of bars on windows and noted that he previously distributed example ordinances for review by the City Commission. If there were no objections by the City Commission, he will move forward on this item with the City Attorney to bring back to the City Commission.

- **Master Plan for State Road 429**

City Manager Bollhoefer stated that the master plan for State Road 429 was recently presented and asked if the City Commission had any questions or comments, to please bring them to him so that they could sit down and discuss them.

- **Car Show Update**

City Manager Bollhoefer stated that he has been working on this item and has met with someone who has taken the lead on this event. He found that 50 percent of the merchants like the idea of the Car Show and 50 percent found that it had a negative impact on their businesses. Mr. Bollhoefer stated that staff is working on some compromises going forward to alleviate some of the concerns of the 50 percent who do not want it. He has found that all of the merchants would like to have some type of event every third Saturday. For instance, there is the possibility of a golf cart drive-in movie night as well as a variety of events to benefit both residents and visitors.

- **Dillard Street Improvement Meeting**

Mr. Bollhoefer shared that the meeting Tuesday night with the consultant and business owners went well and they seem excited. The experts will be back Monday night, November 16th, 2015 at 6 or 6:30 p.m. to give a PowerPoint presentation on everything to date. The consultants have been very good about addressing everyone's concerns.

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman noted that while he was away on vacation he received a Google alert concerning our City Manager on the news addressing officers in our schools. He shared that he is looking forward to the MusicFest. He asked about the schedule for the start of the parking garage construction. City Manager Bollhoefer responded that the construction would start in April after the Bloom 'N Grow event.

Commissioner Olszewski voiced his excitement about the upcoming MusicFest and thanked the Mayor and City Commissioners for the additional \$200,000 towards the round-about project on Windermere and Roberson Road. He requested an update and City Manager Bollhoefer shared that there is hope it will be designed this year and constructed next summer.

City Manager Bollhoefer also shared that the traffic light at Avalon Road and Tilden Road would soon be activated.

Commissioner Buchanan shared that he is looking forward to MusicFest this weekend and as a Rotarian he would be helping with setting it up.

Commissioner Makin expressed that he also echoes the comments of everyone and looks forward to MusicFest this weekend.

Mayor Rees stated that he hopes to see everyone at the MusicFest.

The meeting adjourned at 7:02 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC