



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

June 23, 2016

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, and Colin Sharman

Absent: Commissioner Robert Olszewski

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Kathy Golden, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Don Cochran, Community Development Director Steve Pash, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Information Technology Director Chad Morrill, and Police Chief George Brennan

1. **APPROVAL OF MINUTES**

Motion by Commissioner Sharman to approve the regular meeting minutes of June 9, 2016 as submitted. Seconded by Commissioner Makin and carried unanimously 4-0.

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

A. **Ordinance 16-35:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2015-2016 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 16-35 by title and the following excerpt from Section 1 as follows:

REVENUES

General Fund	\$325,000
Law Enforcement Trust Fund	29,325
Law Enforcement Grants Fund	10,000
Local Option Gas Tax Fund	5,000
Police Impact Fee-General Fund	31,635
Utility Operating Fund	2,277,702
Utility Impact Fee Fund	2,049,943
Utility Renewal and Replacement Fund	3,075,000
Stormwater Fund	162,229
Solid Waste Fund	32,000
	<u>32,000</u>
	\$7,997,834

Mr. Ardaman stated that the expenditures are itemized identically to the revenues.

Finance Director Zielonka stated that this is the second reading and one change has been made since the first reading. The addition of \$250,000 to bury the power lines at Plant Street and Park Avenue.

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

Motion by Commissioner Sharman to adopt Ordinance 16-35. Seconded by Commissioner Makin and carried unanimously 4-0.

3. **FIRST AND FINAL READING WITH A PUBLIC HEARING OF PROPOSED RESOLUTION**

- A. **Resolution 16-05**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA NOTICING ITS INTENT TO USE THE UNIFORM METHOD FOR COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT FOR THE INITIAL REPAIR AND RESTORATION OF THE STORMWATER AND DRAINAGE MANAGEMENT INFRASTRUCTURE AND SYSTEMS AND DRIVE AREAS LOCATED ON, ABOUT, OR WITHIN THE BRANDY CREEK SUBDIVISION, LOTS 1 THROUGH 63, INCLUSIVE, AS RECORDED IN PLAT BOOK 38, PAGE 82 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THE LOT OWNERS' APPROVAL AND REQUEST FOR THE INITIAL REPAIR AND RESTORATION; STATING THE NEED FOR THE LEVY OF SUCH NON-AD VALOREM ASSESSMENT; PROVIDING A DESCRIPTION OF THE IMPROVEMENTS AND COSTS THEREOF; PROVIDING A DESCRIPTION OF THE REAL PROPERTY SUBJECT TO THE LEVY, NOTICE TO THE STATE AND COUNTY AS REQUIRED BY LAW; AND AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 16-05 by title only.

City Manager Bollhoefer stated that this is the first resolution to establish the special assessment for the Brandy Lake (Creek) community. The work has started this week to redo their stormwater system. He shared that the City Commission has to go through a series of resolutions and ordinances to establish a means of reimbursing the City for the funds used to fix their stormwater system. He believes that to fix that entire stormwater system is about a 30 day process and another two weeks to redo the road.

Mayor Rees confirmed the total (estimated) cost is \$539,000 with the City paying two-thirds and the HOA will by one-third of \$180,000. He calculated there are 63 lots paying over a twenty-year period will be about \$142 a year per homeowner. There was discussion on the special assessment being less because the pipe estimate came in less. It was noted that it was pretty much unanimously supported by the community.

City Attorney Ardaman stated that the agreement has been approved and signed by the Homeowner's Association (HOA) with respect to reimbursement. He noted that they have also outlined what the City is paying and what the HOA is paying.

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

Motion by Commissioner Buchanan to approve Resolution 16-05. Seconded by Commissioner Sharman and carried unanimously 4-0.

4. **REGULAR BUSINESS**

A. **Recommendation to approve a special event at Plant Street Market Crooked Can Brewery located at 426 West Plant Street on Thursday, July 21, 2016 from 7:00 p.m. to 11:00 p.m. with conditions**

Community Development Director Pash stated that this special event application is for an event at the Plant Street Market Crooked Can Brewery on July 21, 2016 from 7:00 p.m. to 11:00 p.m. They have been contracted by the Microsoft Corporation, who is in town for another event, to have a private event with up to 500 people attending. They are requesting to close South Central Avenue from Smith Street to Plant Street. There will be live entertainment with service of beer and wine in that area. Staff has reviewed the application and recommends approval subject to the conditions provided.

Mayor Rees stated that the application notes the music will be from 7:00 p.m. to 11:00 p.m. but in the application they are asking the road be closed from 12:00 p.m. to 12:00 a.m. He inquired about what transpires during the other hours. Mr. Pash stated that staff will not deliver barricades until 4:30 p.m. and they have agreed to those terms. Mr. Pash noted that the additional hour is for clean-up.

There was discussion on a previous event held at this location and some minor issues that was dealt with by staff.

Motion by Commissioner Makin to approve a special event request at Plant Street Market Crooked Can Brewery located at 426 West Plant Street on Thursday, July 21, 2016 from 7:00 p.m. to 11:00 p.m. with conditions. Seconded by Commissioner Sharman and carried unanimously 4-0.

Dispensed as the City Commission and convened as the Community Redevelopment Agency at 6:42 p.m.

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

Members Absent: Robert Olszewski

B. **Recommendation by the Community Redevelopment Agency Advisory Board to approve up to \$8,000 Façade Matching Grant for 100 W. Plant Street (Winter Garden Investment LLC) with conditions and authorize the City Manager to execute the agreement**

City Planner Carson stated that this façade grant application has been reviewed and approved by City staff, the Architectural Review and Historic Preservation Board (ARHPB), and the Community Redevelopment Agency (CRA) Advisory Board. This

item is for a property located at 100 West Plant Street that is a two-story commercial building with a number of offices/retail businesses. The CRA Advisory Board recommends approval of a matching grant up to \$8,000.00 for improvements that include removing four existing windows in order to install two distinct storefronts along the South Boyd Street elevation. The storefronts will include new doors, storefront windows, transom windows, kick plates along the bases of the storefront and an awning that spans both. She noted that the CRA Advisory Board recommends approval of the matching grant subject to three conditions: storefront and awning colors need to be reviewed by the City and meet the ARHPB guidelines, the two existing storefronts along the South Boyd Street elevation must be painted a color that compliments these two new storefronts, and the west and south sides of the existing building must also be painted a color that meets ARHPB guidelines.

Mayor Rees sought clarification on the language “is not a contributing structure within the historic district”. Ms. Carson responded that a contributing structure is one that was deemed, during the inventory, to be significant because of architectural style or the age of the building. She stated that this building was too new and/or recently built.

Commissioner Buchanan asked about the kick plates being conducive to the other stores and spoke of the different materials available. Ms. Carson noted that the applicant is still getting pricing on the different materials, but right now he thinking of using wood. There was discussion that the final plans would be reviewed by the City.

Motion by Agency Member Cappleman to approve up to \$8,000 Façade Matching Grant for 100 W. Plant Street (Winter Garden Investment LLC) subject to the conditions recommended and authorize the City Manager to execute the agreement. Seconded by Agency Member Buchanan and carried unanimously 5-0.

Adjourned as the Community Redevelopment Agency and reconvened as the City Commission at 6:46 p.m.

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 stated that he has distributed a cost sheet for repairing the (Lake Apopka City) dock and noted that something will need to be done and asked the City Commission to review the materials so it can be discussed at the next meeting.

Commissioner Makin noted that there may be some changes in that area in the future and he really did not want to put a lot of money into it but just do the necessary repairs for now. Commissioner Sharman asked Commissioner Makin if his request was because of his interest in bigger changes in the future. Commissioner Makin responded yes.

Commissioner Buchanan asked if there were changes that Commissioner Makin was aware of that had not been made known to the City Commission. Commissioner Makin responded that one of his goals is to make some improvements at this location and he knows that Mr. Barfield has got some things going on there as far as clean up. Commissioner Makin shared he is waiting to see Mr. Barfield's reports and where this may take him on doing some more restoration to clean up Lake Apopka. He noted that if this comes into play, this might allow the City to pursue and possibly receive some funding through grants to do more improvements to Newton Park as far as boat ramp, new dock, and/or boat slip and things of that nature. He stated that this is why he does not want to spend a lot of money now, but make it safe and then see how things progress.

There was discussion on making the dock safe and the estimated cost of repairing it right now. Commissioner Makin suggested that if funds were to be spent, look into getting some type of lighting on the dock. Mayor Rees asked that the City Commission to review this issue and get with the City Manager so that a decision can be made at the next meeting because we do not want to leave it too long, particularly during the summer time. City Manager Bollhoefer noted that he would investigate the types of grants available, the timing, and any other possibilities that are out there.

- **Dreyfus Property**

City Manager Bollhoefer stated that Dreyfus is changing their operations and are no longer utilizing a majority of their paved portion. He noted that the City has a great opportunity to partner with Shepard's Hope to put Shepard's Hope offices and a clinic on Ninth Street. Shepard's Hope has been awarded a grant to build an 8,000 to 10,000 square foot facility to serve people below the poverty level needing medical care. He stated that City staff has prepared a conceptual design (*a copy was distributed*) of what we feel would be a great outlay for the community.

Mr. Bollhoefer noted that we could add additional space in front of the community garden where other vegetables can be grown and set up a pavilion or outdoor space where the City can bring in a smaller farmer's market to the community. He spoke of partnering with groups and members within the community to work the farm, which tends to make these types of projects more successful.

Mr. Bollhoefer stated that the City has been working with Shepard's Hope for some time and would like to move forward on this project to bring it back to the City Commission in three weeks whereby we can lease this property to Shepard's Hope for a long-term 20 year lease for a minimal charge of \$20 per year and they would provide this service. He noted that this would provide the citizens of East Winter Garden a great entrepreneurial opportunity. Mr. Bollhoefer gave some historical information about the Shepard's Hope organization.

*There were **no objections** noted about moving forward with this plan and bringing it back to the City Commission.*

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman noted how the City has received attention on how the property values in the Winter Garden zip code have outpaced every other zip codes across the country.

Commissioner Sharman asked for an update on the patrolling of dump trucks has been going. City Manager Bollhoefer noted that the City is beginning to expand its patrol and start writing tickets out at Marsh Road. He noted that all of the dump trucks are speeding excessively. He also noted that the City has full right to possibly implement certain weight limits for trucks in that area.

City Manager Bollhoefer shared that the traffic light at Marsh Road and Avalon Road went on today.

There was discussion and updates on some of the current projects and their timelines.

Commissioner Buchanan thanked the City Manager and City staff for handling issues in the areas of Brandy Creek, the new subdivision on Bay Street, and Valencia Shores.

Commissioner Makin also thanked the City Manager Bollhoefer and staff for handling the same type of issues in his District and voiced his appreciation for staff and all they do.

Mayor Rees reiterated that we do thank the City Staff and City Manager for the handling of these issues.

The meeting adjourned at 6:57 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC