



CITY OF WINTER GARDEN

CITY COMMISSION BUDGET WORKSHOP AND REGULAR MEETING MINUTES

August 25, 2016

A **BUDGET WORKSHOP** and **REGULAR MEETING** of the Winter Garden City Commission were 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 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, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Information Technology Director Chad Morrill, Planning Consultant Ed Williams and Police Chief George Brennan

1. **WORKSHOP ON PROPOSED BUDGET FOR FISCAL YEAR 2016/2017**

Finance Director Zielonka gave the attached PowerPoint presentation (**Exhibit “A”**) of the highlights of the proposed budget.

Mayor Rees sought confirmation under the topic of wayfinding signage under Capital expenditures for Economic Development would include signage for the City limits. City Manager Bollhoefer responded yes.

Mayor Rees asked about adding a fence around the existing cemetery (mausoleum). City Manager Bollhoefer replied that he would have staff get an estimate and add it to the budget for the new columbarium.

City Manager Bollhoefer elaborated on the Dillard Street improvements project and stated that the final project would be coming back to the City Commission for approval. Finance Director Zielonka noted that this is just a placeholder for the funds in the budget. Mr. Bollhoefer noted that the project does not include the burying power lines which would cost an additional \$2 to \$3 million. Commissioner Buchanan suggested the possibility of grants.

City Manager Bollhoefer noted that the Fire Stations under Future Capital will need to be designed and built sooner rather than later on Marsh Road.

City Manager Bollhoefer shared that on the Trailer City Expenses the residents were surveyed to see if they were willing to have their rents increased in order to pay for these capital improvements (office renovations, laundry/washroom renovations and upgrade city

owned lots) and almost 90 percent were in support. There would be a rent increases of \$6 the first year, \$7 the second year, and \$7 the third year for a total increase of \$20 that would pay for all the capital improvements. This plan is contingent upon their board meeting and holding a formal vote.

Commissioner Makin addressed a previous issue with the water towers. There was discussion on other possibilities for this issue. It was noted that the funds for the water tower projects were still in the budget.

2. **APPROVAL OF MINUTES**

Motion by Commissioner Olszewski to approve the regular meeting minutes of August 11, 2016 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

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

- A. **Ordinance 16-47:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.15 ± ACRES LOCATED AT 310 EAST STORY ROAD ON THE SOUTH SIDE OF EAST STORY ROAD, EAST OF SUMMER STREET AND WEST OF 9th 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
- B. **Ordinance 16-48:** 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 APPROXIMATELY 0.15 ± ACRES LOCATED AT 310 EAST STORY ROAD ON THE SOUTH SIDE OF EAST STORY ROAD, EAST OF SUMMER STREET AND WEST OF 9th STREET FROM ORANGE COUNTY LOW MEDIUM DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- C. **Ordinance 16-49:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.15 ± ACRES LOCATED AT 310 EAST STORY ROAD ON THE SOUTH SIDE OF EAST STORY ROAD, EAST OF SUMMER STREET AND WEST OF 9th 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 16-47, 16-48, and 16-49 by title only. Community Development Director Pash stated that this a voluntary annexation for a property located 310 East Story Road. He noted that this is the second reading and the owner has approached the City asking for low density residential land use and R-2

zoning. He noted that this is consistent with the surrounding area and staff recommends approval.

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

Motion by Commissioner Olszewski to adopt Ordinances 16-47, 16-48, and 16-49. Seconded by Commissioner Makin and carried unanimously 5-0.

- D. **Ordinance 16-50:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.7 ± ACRES LOCATED AT 917 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE 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
- E. **Ordinance 16-51:** 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 1.7 ± ACRES LOCATED AT 917 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY MULTI OFFICE INDUSTRIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- F. **Ordinance 16-52:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 1.7 ± ACRES LOCATED AT 917 CARTER ROAD ON THE EAST SIDE OF CARTER ROAD, SOUTH OF EAST STORY ROAD AND NORTH OF WEST COLONIAL DRIVE FROM ORANGE COUNTY A-1 RURAL DISTRICT TO CITY I-2 GENERAL INDUSTRIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 16-50, 16-51, and 16-52 by title only. Community Development Director Pash stated that this is a voluntary annexation. As requested by the City Commission at the last meeting, notices were mailed and there has been no response. He noted that the request is for a land use designation of multi-office industrial and I-2 zoning. It is consistent with the surrounding area and staff recommends approval of Ordinances 16-50, 16-51, and 16-52.

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

Motion by Commissioner Olszewski to adopt Ordinances 16-50, 16-51, and 16-52. Seconded by Commissioner Sharman and carried unanimously 5-0.

- G. **Ordinance 16-53:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA SUPPLEMENTING ORDINANCE NO. 06-27, WHICH ORDINANCE NO. 06-27 AUTHORIZED THE ISSUANCE OF SALES TAX REVENUE BONDS FROM TIME TO TIME; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$10,200,000 AGGREGATE PRINCIPAL AMOUNT OF A CITY OF WINTER GARDEN, FLORIDA SALES TAX REVENUE BOND, SERIES 2016A AND NOT EXCEEDING \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF A CITY OF WINTER GARDEN, FLORIDA SALES TAX REFUNDING REVENUE BOND, SERIES 2016B, IN ORDER TO, RESPECTIVELY, FINANCE A PORTION OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING THE NEW DOWNTOWN PARKING GARAGE AND REFUND ALL OF THE CITY'S OUTSTANDING SALES TAX REVENUE BONDS, SERIES 2006, IN ORDER TO ACHIEVE DEBT SERVICE SAVINGS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH SERIES 2016 BONDS AND DETERMINING CERTAIN TERMS THEREOF; AUTHORIZING A NEGOTIATED SALE OF SAID SERIES 2016 BONDS AND THE AWARD THEREOF PURSUANT TO THE PROPOSAL OF PINNACLE PUBLIC FINANCE, INC.; DELEGATING CERTAIN AUTHORITY TO THE MAYOR/COMMISSIONER AND CITY MANAGER FOR THE APPROVAL OF THE TERMS AND DETAILS OF SAID SERIES 2016 BONDS; DESIGNATING THE CITY AS THE PAYING AGENT AND REGISTRAR FOR SAID SERIES 2016 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT AND APPOINTING THE ESCROW AGENT THERETO; AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 16-53 by title only. Finance Director Zielonka stated that staff is proposing that the City Commission issue two sales tax bonds. The first is for new capital projects and the second for refinancing the 2006 sales bonds. Ms. Zielonka stated that the City has received an offer through the RFP process from Pinnacle Finance at a 2.48 percent fixed interest rate for 20 years. This has been reviewed by the City's bond counsel, financial advisors, and City Attorney; staff recommends approval.

Commissioner Buchanan asked if this is with no penalty of early payoff. Ms. Zielonka stated that there are certain payoff methods for 2016A. After 2023 there is no penalty, but before that she thinks there is a 1.05 percent penalty. It was noted that this is a great rate.

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

Motion by Commissioner Makin to adopt Ordinance 16-53. Seconded by Commissioner Buchanan and carried unanimously 5-0.

- H. **Ordinance 16-54**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 98-189 OF CHAPTER 98 OF THE CITY CODE TO AMEND THE TERMS OF CERTAIN ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD MEMBERS, PROVIDING FOR CODIFICATION, APPLICABILITY, CONTROL, SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 16-54 by title only. Community Development Director Pash stated that this is the second reading of this ordinance to change the code requirements for the Architectural Review and Historic Preservation Board. This ordinance will help stagger the terms. It specifies a three-year term for the Architect, General Contractor, as well as the Winter Garden Heritage Foundation Board Member, with all other members serving a two-year term. It also allows for a maximum of two consecutive terms. Staff recommends approval of Ordinance 16-54.

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

Motion by Commissioner Sharman to adopt Ordinance 16-54. Seconded by Commissioner Makin and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. **Resolution 16-07**: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, EXTENDING BY 180 DAYS (UNTIL FEBRUARY 27, 2017) THE TEMPORARY MORATORIUM ESTABLISHED IN ORDINANCE 16-21 ON THE ACCEPTANCE PROCESSING AND CONSIDERATION OF APPLICATIONS FOR DEVELOPMENT ORDERS AND BUILDING PERMITS FOR PROPERTIES ADJACENT TO EAST PLANT STREET BETWEEN DILLARD STREET AND STATE ROAD 429 (WESTERN BELTWAY); PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 16-07 by title only. Community Development Director Pash stated that this resolution is a temporary extension of the moratorium on West Plant Street which was established under Ordinance 16-21. Staff is requesting an additional 180 days which is until February 27, 2017. Staff is continuing to work with the consultant and do not expect that it will take the full 180 days, but wanted to buffer the time ensuring they would not need to come back to the City Commission again. Staff recommends approval of Resolution 16-07.

Commissioner Sharman asked if this will come back to the City Commission for cancellation if it is finished earlier. Mr. Pash responded yes.

Commissioner Makin confirmed that this Resolution also applies to City owned property.

Motion by Commissioner Makin to approve Resolution 16-07. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. Recommendation to approve use of the downtown Pavilion, waiver of special event and rental fees, and beer wine consumption within a confined area during a specified time for the Winter Garden Health and Harvest Festival with multiple sponsors on October 29, 2016

Community Development Director Pash stated that this is a special community event proposed for October 29, 2016 at 9:00 a.m. to 2:00 p.m. as an extension of the Farmer's Market. He described some of the events and activities noting an additional event in the evening which will run from 6:00 p.m. to 10:00 p.m. He informed of the request to use the Pavilion where a formal table dinner would be served. Beer and wine would also be served. He shared that this event is championed by the West Orange Healthcare District, Orlando Health Central and the West Orange Observer. Staff recommends approval.

Motion by Commissioner Sharman to approve the request to use the downtown Pavilion, waiver of special event and rental fees, and consumption of beer and wine within a confined area for the Winter Garden Health and Harvest Festival on October 29, 2016. Seconded by Commissioner Olszewski and carried unanimously 5-0.

C. Recommendation to approve OktoberFest special event October 14, 15, and 16, 2016 at the Plant Street Market and vacant lot to the east with conditions

Community Development Director Pash stated that this is the second Oktoberfest request by the Crooked Can Brewery to be held on October 14, 15, and 16, 2016. He shared that the proposed times for the event are Friday 4:00 p.m. to 11:00 p.m., Saturday 11:00 a.m. to 11:00 p.m., and Sunday 11:00 a.m. - 6:00 p.m. He also noted that the request is to close down South Central Avenue to hold this event on the applicant's property as well as the adjacent vacant property. This will include the consumption of alcohol on the additional property as well. There will also be several vendors with food and a stage for live music.

Mayor Rees questioned the start time for most Sunday events; he thinks it is noon. Mr. Bollhoefer noted that the MusicFest starts at noon. Commissioner Makin shared he is in agreement to allow them to start setting up at 11:00 a.m. but there should be no music until 12:01 p.m. out of respect for the community and local nearby churches.

Motion by Commissioner Sharman to approve OktoberFest special event October 14, 15, and 16, 2016 at the Plant Street Market and vacant lot to the east with conditions and Sunday time change to begin music at 12:01 p.m. noon. Seconded by Commissioner Makin and carried unanimously 5-0.

D. Appointment to the Architectural Review and Historic Preservation Board of Philip Baker's two-year seat

Community Development Director Pash stated that after reviewing all amendments to the code and getting the board appointments and reappointments done, he missed that Mr. Baker's term had expired. He recommended that Mr. Baker be reappointed for an additional two years.

Motion by Commissioner Makin to approve a 2-year reappointment of Philip Baker to the Architectural Review and Historic Preservation Board. Seconded by Commissioner Olszewski and carried unanimously 5-0.

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

6. **MATTERS FROM CITY ATTORNEY**

City Attorney Ardaman asked the City Commission if they prefer, prior to the regular meetings of October 13th and 27th at 5:30 p.m., for the Ethics, Sunshine Law and Public Records training. *No objections were noted.*

7. **MATTERS FROM CITY MANAGER**

A. **Golf cart presentation**

City Manager Bollhoefer stated that he has presented the City Commission with a notebook to review for the next meeting. He described that it contains two maps; one shows the existing golf cart paths and one shows all the roads in Winter Garden and their speed limits. He noted additional important items which he has included for their review. He suggested a workshop be held prior to the next meeting to cover some of the information. There was discussion on the City's liability in the decisions made in allowing golf carts on City streets.

Commissioner Olszewski asked what the outcome is expected from the next meeting. Mr. Bollhoefer shared that the outcome of the meeting should be to determine whether or not they want to add more streets to the golf cart paths or take away from currently existing path streets. He informed the Commissioner that everywhere the golf carts are allowed, State law requires signage everywhere golf carts can enter or leave the street.

Mr. Bollhoefer informed the City Commission about low speed vehicles being those golf carts that can go between 20 to 25 mph are no longer considered a golf cart but a low speed vehicle that requires a tag and safety equipment.

Also discussed was the effect of this issue on every district, golf carts are not allowed on sidewalks except under certain conditions, and law enforcement on modified carts driving over the speed limits on streets.

City Manager Bollhoefer suggested that the City Commission review this material for any questions at the next meeting.

B. Bradford Park boat dock presentation

City Manager Bollhoefer stated that the Bradford Park pier has been discussed for quite some time and introduced a new variable which is the cleanup of Lake Apopka. He noted that the actual cleanup of Lake Apopka could be hindered by us working on this pier. He requested about 30 days to see if there are any options for cleaning up before moving forward on the pier. *No objections were noted.*

• **West Orange Homecoming Parade**

City Manager Bollhoefer announced that the West Orange High School Homecoming Parade would be held on October 6, 2016 at 6:00 p.m. and need approval to close Plant Street.

Motion by Commissioner Makin to approve closing Plant Street for the West Orange Homecoming Parade on October 6, 2016 at 6:00 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

8. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Olszewski thanked City staff, the Police and Fire Departments for their efforts in the Unity in the Community event held last weekend. He announced that Patricia Angry who is one of the Community Service award winners was in attendance and thanked her for all she does for Winter Garden.

The meeting adjourned at 7:21 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC