



# CITY OF WINTER GARDEN

## CITY COMMISSION REGULAR MEETING AND COMMUNITY REDEVELOPMENT AGENCY MINUTES

April 27, 2017

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 Pro-Tem Bob Buchanan, Commissioners Lisa Bennett, Mark A. Maciel, and Colin Sharman

**Absent:** Mayor John Rees

**Also Present:** City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Kathy Golden, Community Development Director Steve Pash, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Deputy Police Chief Stephen Graham, Deputy Fire Chief Jose Gainza Jr, Information Technology Director Chad Morrill and Police Chief George Brennan

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

**Motion by Commissioner Maciel to approve the regular meeting minutes of April 13, 2017 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.**

### 2. **FIRST READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 17-03:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 16-41, THE CITY OF WINTER GARDEN FISCAL YEAR 2016-2017 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 17-03 by title and an excerpt from Section 1 that the sum of \$22,794,004 to be appropriated as follows:

<b>REVENUES</b>	
General Fund	\$ 2,021,686
Community Redevelopment Agency Fund	91,457
Local Option Gas Tax Fund	1,624,643
General Fund Police Impact Fee Fund	12,453
Transportation Impact Fee Fund	2,107,184
Utilities Operating Fund	7,960,629
Utilities Impact Fee Fund	2,631,893
Utilities Renewal & Replacement	5,622,721
Stormwater Fund	519,550
Solid Waste Fund	201,788
	<u>201,788</u>
	\$22,794,004

City Attorney Ardaman stated that the expenditures were identical to the revenues.

Finance Director Zielonka stated that this ordinance amends the current year's budget to carry forward prior year appropriations. This ensures adequate funding to complete projects.

Mayor Pro-Tem Buchanan opened the public hearing; hearing and seeing none, he closed the public hearing.

**Motion by Commissioner Sharman to approve Ordinance 17-03 with the second reading and public hearing being scheduled for May 11, 2017. Seconded by Commissioner Bennett and carried unanimously 4-0.**

- B. **Ordinance 17-14**: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING A PORTION OF THE PLAT DEDICATED DRAINAGE AND UTILITY EASEMENTS OVER LOTS 1, 2, 3, 4, AND 5 OF WINTER GARDEN COMMERCE CENTER PHASE I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 72, PAGES 133 AND 134 OF THE PUBLIC RECORDS OF ORANGE COUNTY (LOCATED AT 621, 661, 671, 681, AND 691 GARDEN COMMERCE PARKWAY, WINTER GARDEN, FLORIDA) OWNED BY TSM INDUSTRIAL PARK, LLC AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING

City Attorney Ardaman read Ordinance 17-14 by title only. Community Development Director Pash described the location of the property and stated that the applicant is requesting the drainage and utility easements be vacated on the edges of those lots. The City has letters from all of the utility companies and there is nothing located in the easements. He shared that they are currently working on a development that includes four buildings of about 150,000 square feet of office and industrial that is being reviewed by the Development Review Committee. Staff recommends approval of Ordinance 17-14.

Commissioner Sharman asked how far the applicant plans to build into that current easement. Mr. Pash responded that those easements are in between all of the property lines, so they want to vacate all of them. They will cover the vacated easements with parking and buildings by doing a binding lot agreement.

Mayor Pro-Tem Buchanan opened the public hearing; hearing and seeing none, he closed the public hearing.

**Motion by Commissioner Maciel to approve Ordinance 17-14 with the second reading and public hearing being scheduled for May 11, 2017. Seconded by Commissioner Bennett and carried unanimously 4-0.**

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

- A. **Ordinance 17-07:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 16-58 ESTABLISHING THE PUD ZONING ON CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.15 ± ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF WEST PLANT STREET AND SOUTH PARK AVENUE (AS KNOWN AS THE PARK & PLANT PUD), TO REZONE AN ADDITIONAL 0.36 ± ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST SMITH STREET, EAST OF SOUTH PARK AVENUE, AND WEST OF SOUTH CENTRAL AVENUE, AT 277 WEST SMITH STREET, FROM R-NC (RESIDENTIAL-NEIGHBORHOOD COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT), ADDING THIS ADDITIONAL 0.36 ACRES OF LAND TO THE PARK & PLANT PUD AND AMENDING CERTAIN DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 17-07 by title only. Community Development Director Pash stated that this property was rezoned to PUD in October of 2016 to develop 24 townhomes. The owners purchased an additional 0.36 acres which they want to add. This adds an additional 8 townhomes for a total of 32. They will follow the same design standards which are the architectural standards approved by the Architectural Historic Preservation Board and the City Commission. He shared that it meets the density of the downtown developments and staff recommends approval of Ordinance 17-07.

Mayor Pro-Tem Buchanan opened the public hearing; hearing and seeing none, he closed the public hearing.

**Motion by Commissioner Bennett to adopt Ordinance 17-07. Seconded by Commissioner Sharman and carried unanimously 4-0.**

4. **REGULAR BUSINESS**

*Dispensed as the City Commission and convened as the Community Redevelopment Agency (CRA) at 6:40 p.m.*

**Members Present:** Acting Chairman Bob Buchanan, Members Lisa Bennett, Mark Maciel, Colin Sharman, and CRA Advisory Board Chairman Larry Cappleman

**Members Absent:** Chairman John Rees

- A. **Recommendation by the Community Redevelopment Agency Advisory Board (CRAAB) to approve Façade Matching Grant up to \$10,000 for 49 S. Main Street and authorize the City Manager to execute the agreement. Applicant: Philanthropy of Central Florida, Building Owner: Winter Garden Feed Store**

Economic Development Director Gerhartz stated that this item is a façade matching grant application presented for approval for 49 S. Main Street which was previously the Winter Garden Feed Store. The new concept going into this location is called Philanthropy, a

women's retail store with a philanthropic side to it. The CRAAB recommends approval of the façade matching grant not to exceed \$10,000. The grant will be used to pay for a new retail friendly store front, new awnings, and to re-paint the building. She stated that the action needed tonight is to give authorization to the City Manager to execute the agreement and allow the City to reimburse the tenant. Ms. Gerhartz noted that the tenants were in attendance and hope to open soon.

Member Buchanan acknowledged that the work done in that area so far looks really nice.

**Motion by Member Cappleman to approve the Façade Matching Grant up to \$10,000 for 49 S. Main Street and authorize the City Manager to execute the agreement. Seconded by Member Sharman and carried unanimously 5-0.**

**B. Recommendation by the Community Redevelopment Agency Advisory Board to approve Master Planning Services in East Winter Garden by Dover, Kohl & Partners for \$35,250**

Member Cappleman stated that the CRAAB met with Dover, Kohl & Partners regarding a survey that the City requested. The board was presented a proposal for East Winter Garden and he acknowledged Economic Development Director Gerhartz to give a presentation.

Ms. Gerhartz shared that the presentation was made to the CRAAB on April 11th in which an overview of the process and strategy for doing the work was given. They are really calling it an East Winter Garden Neighborhood Master Plan. She stated that City staff believes a good foundation is needed for East Winter Garden. She expressed that it was a really great presentation by a really great firm. She noted that information on the firm had been provided and the CRAAB made a recommendation that the CRA and the City, through the general fund, split the cost of the master planning fee.

City Manager Bollhoefer shared that Dover, Kohl & Partners are probably the best planning firm in the entire State of Florida and one of the best firms in the entire country. He shared that they have done similar projects like this all over the country and have been successful because they share their master planning with the community.

Commissioner Maciel shared that their method is successful because they have several meetings in the community and engage all the different organizations such as non-profits, churches, community members and community leaders.

Member Cappleman noted similarities in this plan as to the one in 1992 which was created for the downtown renovation. He foresees this as being a guidebook on building the same kind of renovation process but focusing on East Winter Garden. He noted that December 31, 2017 is the timeline for the plans to be completed. City Manager Bollhoefer shared that this company does not just finish the plan, but also helps with the execution.

**Motion by Member Cappleman to approve Master Planning Services in East Winter Garden by Dover, Kohl & Partners for \$35,250 with the City Commission matching the funds to fulfill the entire contract. Seconded by Member Maciel.**

City Attorney Ardaman advised the CRA of a correction to be made to the agreement; change Georgia to Florida.

**Motion carried unanimously with the correction as stated 5-0.**

*Adjourned as the Community Redevelopment Agency and reconvened as the City Commission at 6:47 p.m.*

**C. Recommendation to approve utilizing \$35,250 of general funds for the Master Planning work in East Winter Garden**

Economic Development Director Gerhartz stated that this item that would match the CRA's fund expenditure for the master planning project approved in the previous item.

**Motion by Commissioner Maciel to approve utilizing \$35,250 of general funds for the Master Planning work in East Winter Garden. Seconded by Commissioner Sharman and carried unanimously 4-0.**

**D. Appointments to the Planning and Zoning Board of a seat for either District 2 or 4**

Community Development Director Pash stated that there is one vacancy remaining on the Planning and Zoning Board. He shared that the code allows one member from each district with no more than two members from one district. There are currently two members from Districts 1 and 3. He noted that there is only one member for Districts 2 and 4 and suggested that the nomination be from either District 2 or 4.

**Motion by Mayor Pro-Tem Buchanan to postpone appointment to the Planning and Zoning Board until the next meeting. Seconded by Commissioner Sharman and carried unanimously 4-0.**

**5. MATTERS FROM PUBLIC**

Joseph Richardson, 220 N. Highland Avenue, Winter Garden, Florida, voiced his concerns regarding invocations and the need for diversity.

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

**7. MATTERS FROM CITY MANAGER**

**A. West Orange Health District Agreement**

*(Note: Agreement was not provided with the agenda packet or at the meeting.)*

City Manager Bollhoefer gave a PowerPoint presentation regarding Tucker Ranch development and activities that will be made available to the public. He noted that the City has formed a partnership with several groups in an effort to make West Orange a healthier area. He addressed this as a way to approach healthcare and spoke of locally

grown food. The groups working together to achieve this are the West Orange Healthcare District, University of Central Florida, and the City of Winter Garden. He described classes that will be made available and listed some of the potential components of the farm. He shared that the large initiative is to make West Orange County the healthiest community in the County. Mr. Bollhoefer stated that staff recommends that the City of Winter Garden sign the grant for \$1.7 million to further develop the park.

There was discussion on the history of the location and past grants received for this project.

**Motion by Commissioner Sharman to approve signing the agreement, as recommended by the City Manager, for a \$1.7 million grant to development Tucker Ranch Farm. Seconded by Commissioner Bennett and carried unanimously 4-0.**

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Bennett noted that the [downtown] Car Show was great.

The meeting adjourned at 7:07 p.m.

APPROVED:

\_\_\_\_\_/S/\_\_\_\_\_  
Mayor John Rees

ATTEST:

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