



# CITY OF WINTER GARDEN

## CITY COMMISSION REGULAR MEETING MINUTES

June 10, 2021

**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 and Commissioners

Lisa L. Bennett – District 1

Mark A. Maciel – District 3

Ron Mueller – District 2

Colin Sharman – District 4

**Also Present:** City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, Finance Director Laura Zielonka, Information Technology Director Chad Morrill and Police Chief Stephen Graham

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

**Motion by Commissioner Mueller to approve regular meeting minutes of May 27, 2021 as submitted. Seconded by Commissioner Maciel and carried unanimously 5-0.**

### 2. **PRESENTATION**

A. A **golf carts presentation** was given by City Manager Bollhoefer who described the issues with golf carts and limitations per State statute. He explained that a decision to determine the roads are safe for golf carts must first be made before actually allowing the use of golf carts on the streets. He indicated that State law has not followed what has taken place in communities when it comes to golf carts, however, State legislation may eventually change. He described certain City streets for golf cart route inclusion, spoke of reviewing the routes success, and then proceeding with review of other areas. He described efforts that would link communities, presented alternatives of light vehicles for those communities not currently included and noted some of the State law requirements.

Commissioner Mueller thanked City Manager Bollhoefer, especially for Brandy Oaks, noting the difficulty in reviewing that area; he expressed that residents are really going to appreciate it. Mr. Bollhoefer responded that he had spoken with some of those residents.

*(Agenda Item 4.A. was heard at this point in the meeting.)*

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

- A. **Ordinance 21-15:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PERTAINING TO CERTAIN CITY BOARDS; AMENDING SECTION 2-61 GOVERNING THE CODE ENFORCEMENT BOARD WITH RESPECT TO ITS CREATION, COMPOSITION, TERMS, REMOVAL, AND ORGANIZATION; SECTIONS 98-26 AND 98-29 OF THE CITY CODE OF ORDINANCES GOVERNING PLANNING AND ZONING BOARD CREATION, COMPOSITION, APPOINTMENT, TERMS, REMOVAL, COMPENSATION OF MEMBERS, FILLING OF VACANCIES, QUORUM; AMENDING SECTION 98-189 OF THE CITY CODE OF ORDINANCES GOVERNING THE ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION BOARD WITH RESPECT TO APPOINTMENT, REMOVAL, AND TERMS OF MEMBERS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 21-15 by title only. City Manager Bollhoefer noted that staff has been doing a lot of work on this item and wish to do more research. He requested postponement for two additional weeks, mentioning that due to advertisement requirements, there would be no issues with moving forward at the later date.

**Motion by Commissioner Mueller to POSTPONE Ordinance 21-15 until June 24, 2021 at 6:30 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- B. **Ordinance 21-16:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING AND SUPPLEMENTING ORDINANCE NO. 06-27, WHICH ORDINANCE NO. 06-27 AUTHORIZES THE ISSUANCE OF SALES TAX REVENUE BONDS FROM TIME TO TIME; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$16,250,000 AGGREGATE PRINCIPAL AMOUNT OF A CITY OF WINTER GARDEN, FLORIDA SALES TAX REVENUE BOND, SERIES 2021 IN ORDER TO FINANCE COSTS OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS IN THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH SERIES 2021 BOND AND DETERMINING CERTAIN TERMS THEREOF; AUTHORIZING A NEGOTIATED SALE OF SAID SERIES 2021 BOND AND THE AWARD THEREOF PURSUANT TO THE PROPOSAL OF TD BANK, N.A.; DELEGATING CERTAIN AUTHORITY TO THE MAYOR/COMMISSIONER AND CITY MANAGER FOR THE APPROVAL OF THE TERMS AND DETAILS OF SAID SERIES 2021 BOND; DESIGNATING THE CITY AS THE PAYING AGENT AND REGISTRAR FOR SAID SERIES 2021 BOND; AND PROVIDING AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 21-16 by title only. Finance Director Zielonka stated that this Ordinance authorizes the issuance of a sales tax revenue bond for series 2021. She noted that the City issued a Request for Proposal (RFP) and received eight responses. She informed that T.D. Bank, N.A. returned the most beneficial response, with an offer of a 15-year loan, fixed rate of 1.69%, and the ability to prepay without

penalty. Ms. Zielonka stated that the City's financial advisors and bond counsel reviewed this item and recommend approval. Staff also recommends approval.

City Manager Bollhoefer shared a point made by Mayor Rees on how there is leeway in the way that funds are spent. He noted that all ways of spending these funds would be brought back to the City Commission for approval, but the primary purpose is to review our parks and Dillard Street.

There was discussion on this being a loan with an interest rate lower than the City's earnings rate and would cost the City nothing in interest by this approach. These funds would be used in conjunction with general funds for upcoming projects. Mayor Rees noted the currently low City debt, the City's ability for capital projects to move forward and paying the debt off at a much lower interest rate.

**Motion by Commissioner Mueller to approve Ordinance 21-16 with a second reading and public hearing June 24, 2021 at 6:30 p.m. Seconded by Commissioner Maciel and carried unanimously 5-0.**

#### 4. **REGULAR BUSINESS**

- A. **Resolution 21-05:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, ADOPTING A DOWNTOWN GOLF CART DISTRICT PURSUANT TO § 74-4 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES; IDENTIFYING STREETS UPON WHICH GOLF CARTS MAY BE OPERATED; PROVIDING FOR SIGNAGE; AND PROVIDING FOR AN EFFECTIVE DATE

*(This item was addressed under Item 2.A. earlier in the meeting.)*

City Attorney Ardaman read Resolution 21-05 by title only. City Manager Bollhoefer displayed an accompanying map and described some of the different locations to be included for the golf carts to use. He spoke of areas where the speed limit would be lowered, those eligible communities that never requested inclusion, and how these changes would allow accessibility for many more communities. He addressed signage, stamped concrete markings in approaching golf cart zones, and efforts to make the areas safe for golf carts. He estimates costs up to \$30,000, noting that the actual cost is not currently known. Staff recommends approval.

**Motion by Commissioner Bennett to approve Resolution 21-05. Seconded by Commissioner Sharman and carried unanimously 5-0.**

B. Recommendation to approve RFQ rankings and Continuing Contracts For Professional Services with HDLA, Foster Conant and Associates, Inc., Madrid Engineering Group, Inc. and Murray Design Group for Landscape Architectural and Design Services

Assistant City Manager of Public Services Williams stated that staff completed the request-for-qualifications process for continuing services contracts for landscape architectural and design services. He noted that out of nine proposals that were received and evaluated, the following four firms were selected for the City Commission's consideration: HDLA, Foster Conant and Associates, Inc., Madrid Engineering Group, Inc., and Murray Design Group. These services are related to landscape architectural and design services for improvements to existing parks, facilities, and new projects. The work would be performed on an as-needed basis. Compensation is based on an hourly fee and approved reimbursable items. Staff recommends approval.

**Motion by Commissioner Bennett to approve RFQ rankings and Continuing Contracts For Professional Services with HDLA, Foster Conant and Associates, Inc., Madrid Engineering Group, Inc. and Murray Design Group for Landscape Architectural and Design Services. Seconded by Commissioner Sharman and carried unanimously 5-0.**

C. BOARD APPOINTMENTS: Election Canvassing Board – (2) Regular Members and (2) Alternate Members

City Clerk Grimmage stated that this item is for annual board appointments to the Election Canvassing Board. The City Charter requires that the City Commission fill the four expiring seats by July 1st. Although there is no scheduled election for the upcoming year of 2022, an Election Canvassing Board would still be required for that just-in-case-scenario of a special election. She noted that these appointments are for two regular members and two alternate members. Staff recommends approval of appointing four members to the Election Canvassing Board.

Commissioner Sharman inquired of City Clerk Grimmage if an appointment could be made for someone not included in the applications. Ms. Grimmage affirmed.

There was discussion on the applicants, board seat expiration on June 30, 2021, and the currently seated board members who showed interest in continuing on this board. It was noted that they showed interests in other boards as well.

Commissioner Sharman noting that his opponent in the last election would like to serve the City on a positive board, nominated Dawn Antonis.

**Motion by Commissioner Sharman to appoint Dawn Antonis as a (*Regular member*) of the Election Canvassing Board. Seconded by Commissioner Mueller and carried unanimously 5-0.**

**Motion by Commissioner Mueller to appoint Preet Patel as a (*Regular member*) of the Election Canvassing Board. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**Motion by Commissioner Bennett to appoint James “Jim” Weisbecker as (*First Alternate*), and Mary Rebekah Fritz as (*Second Alternate*) to the Election Canvassing Board. Seconded by Commissioner Sharman and carried unanimously 5-0.**

5. **MATTERS FROM PUBLIC** - There were no items.
6. **MATTERS FROM CITY ATTORNEY** – There were no items.
7. **MATTERS FROM CITY MANAGER**

A. Wayfinding

City Manager Bollhoefer addressed the issue of wayfinding signs and the mindset to have them fit 1920s and 1930s architecture. He noted work with one design company that did not produce what the City wanted and subsequently designs were done internally by working alongside the Alarie Design Company. He indicated that sample signs were tested and described the signs as interchangeable, versatile, and readable. Mr. Bollhoefer noted that there would be a placement plan and total cost for all signs; although thought to be a significant cost, the signs would be durable. He displayed sign concept drawings, described their sizes, uses, traditional look and fit for the area. Staff recommends approval of the wayfinding designs. Mr. Bollhoefer noted that staff would come back with the cost, design and timeframe. There were several commendations noted on the great job for this item.

**Motion by Commissioner Mueller to approve wayfinding signs. Seconded by Commissioner Bennett and carried unanimously 5-0.**

- McMansion Ordinance

City Manager Bollhoefer noted the distribution of a draft ordinance, which he states is nicknamed and commonly referred to throughout the country as a “McMansion” ordinance. He described traditional and historical communities faced with the current building of very large houses that oftentimes are not fitting for its location. The City currently has no prevention in these matters as per the City code. He explained that this ordinance was being crafted by the attorneys in order to legally limit the size of these homes by assessing square footage based on the size of the lots. He requested that the City Commission review this ordinance and provide feedback.

Mr. Bollhoefer described legislative limitations for non-PUD zoning and informed that the City is limited in imposing regulation on property owners with vested rights in their property.

The City Commissioners were encouraged to review the ordinance and meet with the City Manager to discuss this issue.

**8. MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Sharman** noted that he would perform his first duty as Mayor Pro Tem in attending the Juneteenth event. He also noted that he would soon provide the requested biography to the City Manager.

**Commissioner Maciel** reminded everyone that the City would assist with the Juneteenth celebration to be held at the Mildred Dixon Center. There was discussion on City assistance, contact information, and work with Ms. Wilder in this effort.

**Commissioner Bennett** noted that her district has been greatly impacted by the McMansion issue and she appreciates the time and effort spent in addressing the matter. She shared some issues the neighbors face and noted being glad the City cares enough to look into it, also in doing what we can to preserve the City's character.

The meeting adjourned at 7:01 p.m.

APPROVED:

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/S/  
Mayor John Rees

ATTEST:

\_\_\_\_\_  
/S/  
City Clerk Angee Grimmage, CMC