



CITY OF WINTER GARDEN

City Commission REGULAR MEETING MINUTES

August 10, 2023

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
Commissioner District 1 - Lisa L. Bennett
Commissioner District 2 - Ron Mueller
Commissioner District 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney A. Kurt Ardaman
Asst. City Clerk Ronisha Martin

Absent: Commissioner District 3 - Mark A. Maciel

1. **APPROVAL OF MINUTES**

Motion by Commissioner Sharman to approve regular meeting minutes of July 27, 2023. Seconded by Commissioner Bennett and carried unanimously 4-0.

2. **REGULAR BUSINESS**

A. Recommendation to approve purchase order to Cathcart Construction for ADA improvements and concrete repairs at Little League, Senior and Walker Fields in the amount of \$66,321

City Manager Jon C. Williams stated that this project consists of installing Americans with Disabilities Act (ADA) improvements. He noted improvements for the parking area, access improvements to sidewalks, and repairs at various spots within the Little League and Walker Fields. Staff recommends awarding the purchase order to Cathcart Construction Company, which he noted is one of the City's continuing services.

Motion by Commissioner Sharman to approve purchase order to Cathcart Construction for ADA improvements and concrete repairs at Little League, Senior and Walker Fields in the amount of \$66,321. Seconded by Commissioner Bennett and carried unanimously 4-0.

B. Recommendation to approve Purchase Order to Pegasus Engineering to produce design plans for intersection of Story and Carter Road in the amount of \$149,841.50

City Engineer Jim Monahan stated that the intersection of Story and Carter Road requires safety improvements. He informed that the project design and improvements would be the addition of a westbound left turn deceleration lane and northbound right turn lane. He described the components of the design and stated that staff recommends approval.

There was discussion on the cost being solely for the design, underground utility work is not included, and also noted was the increasing cost of everything.

Motion by Commissioner Sharman to approve purchase order to Pegasus Engineering to produce design plans for intersection of Story and Carter Road in the amount of \$149,841.50. Seconded by Commissioner Mueller and carried unanimously 4-0.

C. Recommendation to approve one-year extension of service contract to Control Specialists beginning October 1, 2023

City Engineer Jim Monahan stated that the existing service contract has an initial period of three years, with two one-year extensions available preceding the initial period. He stated that this request pertains to the first extension year of the service contract. He addressed the fee schedule, a five percent increase from the third year's cost in the original agreement, and additional expenses for materials since contract inception. Staff recommends approval.

Motion by Commissioner Sharman to approve one-year extension of service contract to Control Specialists beginning October 1, 2023. Seconded by Commissioner Bennett and carried unanimously 4-0.

3. **MATTERS FROM PUBLIC**

Gretchen Tope, 512 N. Lakeview Avenue, Winter Garden, Florida, commended the City on approving efforts for improvements to the Little League fields, noting that it has been a long time coming.

Sarah Wolfe, 221 N. Boyd Street, Winter Garden, Florida, addressed Resolution 23-02 and expressed that she feels preventing journalists from asking questions during the open session of the commission meetings is wrong and requested that the resolution be reconsidered and rescinded.

City Attorney Kurt Ardaman reminded the City Commission that the City is currently in discussions with the First Amendment Foundation, considering changes, and awaiting their input.

Norine Dworkin, VoxPopuli Winter Garden, spoke of her role as the media to hold government agencies accountable. She mentioned being under Police investigations, requested the repeal of Resolution 23-02, and listed organizations that feel the resolution is unconstitutional.

Bob Buchanan, 148 Roper Drive, Winter Garden, Florida, asked that the City Commission not repeal Resolution 23-02. He spoke of the City being established for

over 100 years and never needed anything like this. He encouraged the City Commission to stand strong against the “wokeness” being forced on other places and now being brought to Winter Garden.

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

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

6. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman thanked staff for efforts in opening the intersection at Hartwood Marsh Road at Stoneybrook / Avalon Road and mentioned the first day of school. He again thanked staff.

Commissioner Mueller thanked staff for efforts at the school crossing on Bay Street near Stanton Estates also noting the first day of school. He thanked them for putting kids first.

Commissioner Bennett informed of receiving an email from a resident who is against having golf carts come to the Tuscany subdivision because of the busy road in front of it. She noted that this resident mentioned being upset that another City Commissioner came and took a meeting in her neighborhood and felt it was inappropriate. Commissioner Bennett expressed that she has spoken to Commissioner Ron Mueller on multiple occasions about matters in her district being referred to her so that she can effectively do her job. She noted receiving an email from Commissioner Mueller after he took a meeting, stating that he did not realize it was in her district; she expressed that it was on the opposite edge of her district and clearly not his. Furthermore, she noted receiving phone calls about social media posts, car show, fountains in the downtown, promises that were being made and merchant complaints. Commissioner Bennett spoke of City Commissioners being elected for their district and asked if there was something addressing this issue in the City Charter. She expressed knowing it is common courtesy, but feels a workshop is necessary, as things like this need to be addressed under the Sunshine law.

City Attorney Ardaman affirmed that this could be done and noted that a workshop had been scheduled but did not occur. He noted topics like Sunshine Law, Public Records and the City Charter as the purview.

Commissioner Bennett addressed Commissioner Mueller and stated that he has always been kind, especially in public, but his actions do not match his words. She noted that this has happened with staff, and they are hesitant to say anything when he threatens to fire them. She pleaded for a workshop.

Commissioner Sharman apologized to Commissioner Bennett for sending her the extra phone calls he receives from her district, noting that some of them were even his friends; Commissioner Bennett expressed her appreciation.

Mayor Rees asked that City Manager Jon C. Williams coordinate workshop dates and send it out to the City Commission. There was discussion on the convenience of a workshop being held before a City Commission meeting and each City Commissioner providing any additional topics to the City Manager in advance.

Mayor Rees thanked staff for the roads and sidewalks being ready, and noted that school has started, and he thinks it went very well. He again thanked staff.

The meeting adjourned at 6:47 p.m.

APPROVED:

 /S/
Mayor John Rees

ATTEST:

 /S/
City Clerk Angee Grimmage, CMC