



CITY OF WINTER GARDEN

City Commission REGULAR MEETING MINUTES

August 11, 2022

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 3 - Mark A. Maciel
Commissioner District 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney A. Kurt Ardaman
City Clerk Angee Grimmage

1. **APPROVAL OF MINUTES**

Motion by Commissioner Mueller to approve regular meeting minutes of July 28, 2022 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.

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

A. **Ordinance 22-19:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA; AMENDING CHAPTER 118, CITY OF WINTER GARDEN CODE OF ORDINANCES TO ADD A NEW ARTICLE XV ENTITLED "DOWNTOWN RESIDENTIAL OVERLAY DISTRICT"; PLACING SIZE RESTRICTIONS ON RESIDENTIAL BUILDINGS WITHIN THE DOWNTOWN RESIDENTIAL DISTRICT OVERLAY DISTRICT INCLUDING LOT COVERAGE AND FLOOR AREA RATIO LIMITATIONS; PROVIDING FOR SPECIAL EXCEPTIONS; PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY, CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Rees noted postponement of Ordinance 22-19 to a date uncertain.

Commissioner Sharman arrived at this point during the meeting.

3. **REGULAR BUSINESS**

A. **Resolution 22-10:** A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, ADOPTING AND APPROVING A REVISED RATE SCHEDULE FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE SERVICES; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 22-10 by title only. City Manager Jon C. Williams stated that solid waste rates were identified at the budget hearings of last year as an item that would need an evaluation. He noted that Finance Director Laura Zielonka evaluated these services and staff prepared a PowerPoint presentation of the findings.

Mr. Williams noted that a recommendation for an increase in the solid waste rates would follow the presentation.

Mr. Williams presented the PowerPoint presentation, which was a solid waste financial forecast covering items such as the Enterprise Fund, Solid Waste Fund, City solid waste existing conditions, comparison of solid waste operating revenues and expenditures, existing solid waste rates, and projected revenues and expenditures. He noted that the proposed increase would be 15.7 percent, which is approximately \$3.00 per month rate charge to the residents.

Mr. Williams further explained the solid waste financial forecast, which was proposed for continuing to meet the solid waste operating requirements and support current services staff. He spoke of proposed solid waste rates and compared the City of Winter Garden to other municipalities stating that the only other municipality offering this service in-house was the City of Apopka. He noted that the other municipalities are outsourcing these services and experiencing service interruptions. He expressed that the value of the City of Winter Garden providing its own service is evident and are by far the best.

Mr. Williams noted that should this recommended rate structure be approved, the City would begin to see additions to the City's net cash reserves and satisfaction of the City's capital means. Staff recommends approval of Resolution 22-10, adjusting the solid waste residential and commercial rates effective October 1, including the option for an annual adjustment during the budget process.

Commissioner Mueller thanked staff for the thoroughness of an excellent report. He spoke of rates, the occasional need for rate increases, the City's lowest millage rate, and the second to none solid waste service the City offers. He addressed cost increases incurred by the City for recycling, strongly encouraged recycling and stressed that it should be responsible recycling.

Commissioner Maciel inquired if the City would ever curtail the services. City Manager Williams responded that the City of Winter Garden has not reached that point, but also acknowledged that this is not the best time for a rate adjustment. He noted that the City's service is superior and reflects in the way that the community looks and would not want to propose a reduction in this service to the residents. Discussion ensued, noting a past review of this issue, past savings not as significant as first thought and reduction in services a consideration only if the citizens so desire.

Mayor Rees noted that this was not listed as a public hearing, but opened for any public comment.

Ray Poster, 1962 Pantheon Drive, Winter Garden, Florida a resident of Alexander Ridge, inquired about the recycling program, its process and also mentioned the recent PureCycle recycling issue. City Manager Williams explained some of the recycling process and there was discussion on PureCycle being a totally separate issue and a private company.

Mayor Rees after hearing and seeing no other requests for comment, closed the public hearing.

Motion by Commissioner Mueller to approve Resolution 22-10. Seconded by Commissioner Maciel and carried unanimously 5-0.

B. Recommendation to approve purchase of a new dispatch and records management system from 365 Labs in the amount of \$197,008.40

Police Chief Stephen Graham stated that the agency seeks to replace older software for dispatch and records management, noting that the current system frequently malfunctions and the company's customer service is not responsive. He noted that the City has been with this company for over 15 years and they have not kept up with the times. He noted that the City of Winter Garden dispatches for three other cities, who are equally frustrated. He cited some of the challenges such as an inability to complete certain reporting through the current computer system, as well as the current company's complete staff turnover who is unresponsive.

Police Chief Graham stated that they have found a company they like, noting this as an effort shared with other cities, who must all purchase the software on their own. He indicated that the items contained in the agenda packet refer to the costs only for the City of Winter Garden. The staff is requesting authorization to purchase the new dispatch and records management system from 365 Labs, which is a sole source acquisition, in the amount of \$197,008.40. He explained that this is contingent upon Florida Department of Law Enforcement (FDLE) approval. He indicated that this is a new company coming to Florida and the City would be the beta project as to why the reduced amount for the City.

There was discussion on system compatibility with other systems, system integration factors, servicing issues after the sale, annual licensing agreement and items included in the cost and no anticipated hesitation for the FDLE approval.

Motion by Commissioner Maciel to approve purchase of a new dispatch and records management system from 365 Labs in the amount of \$197,008.40. Seconded by Commissioner Sharman and carried unanimously 5-0.

- C. Recommendation to approve SPECIAL EVENT – Annual Oktoberfest by the Crooked Can Brewery (Plant Street Market) - October 14, 15 and 16, 2022 – with street closure and subject to conditions

Community Development Director Stephen Pash stated that this is the special event application for Crooked Can to hold their annual Oktoberfest on October 14, 15, and 16, 2022. He described the event times, related activities and road closure. He stated that staff recommends changing the start time on Sunday, October 16, 2022 from 11:00 a.m. to 12:00 p.m. and noted that this event is consistent with past events. Staff recommends approval.

Motion by Commissioner Bennett to approve SPECIAL EVENT for Annual Oktoberfest by the Crooked Can Brewery (Plant Street Market) on October 14, 15 and 16, 2022 with street closure and subject to conditions. Seconded by Commissioner Maciel and carried unanimously 5-0.

- D. Recommendation to approve SPECIAL EVENT – Health & Harvest Festival on Saturday, November 12, 2022

Community Development Director Stephen Pash stated that this special event is for Healthy West Orange and the City of Winter Garden to hold their annual Health and Harvest Festival. He noted that this event is proposed for November 12, 2022 from 8:00 a.m. to 1:00 p.m. and operates as an extension of the Farmer’s Market with road closure. Staff recommends approval.

Motion by Commissioner Bennett to approve SPECIAL EVENT for the Health & Harvest Festival on Saturday, November 12, 2022. Seconded by Commissioner Maciel and carried unanimously 5-0.

- E. BOARD APPOINTMENT: Planning and Zoning Board

Community Development Director Stephen Pash noted errors on the agenda cover page for this item. He explained the composition of the board and stated that there is one member needed to fill an unexpired seat, noting that this appointment should be from District 1 or District 2.

Commissioner Bennett recommended James Dunn and noted his past experience and service to the Orange County Planning and Zoning. Commissioner Maciel noted serving with “Jimmy” on the Planning and Zoning Board for about five years, with Commissioner Sharman noting that he lived in District 4 at that time.

Motion by Commissioner Bennett to appoint James “Jimmy” Dunn to the Planning and Zoning Board. Seconded by Commissioner Sharman and carried unanimously 5-0.

4. MATTERS FROM PUBLIC

Phil Baker, 125 W. Smith Street, Winter Garden, Florida addressed a request for sidewalks on Smith Street as noted at the last City Commission. He gave a brief history of Smith Street, spoke of signage, pedestrian traffic, vehicle traffic, pedestrian safety, truck bypass route, speeding and related dangers. He addressed sidewalk placement alternatives and pleaded for addressing the issue of sidewalks on Smith Street.

Pat Angry, 897 Klondike Street, Winter Garden, Florida inquired of zoning areas on Center Street as residential or commercial. City Manager Jon C. Williams noted that staff would meet with her on this issue after the meeting.

Ms. Angry addressed signage and parking issues on the corner of Center Street and 11th Street, noting she feels it should be checked and equally enforced.

5. MATTERS FROM CITY ATTORNEY

Orange County Rent Stabilization Ordinance

City Attorney Ardaman noted the recent adoption of a rent stabilization ordinance by Orange County. He stated that on behalf of Winter Garden, a request was made that Orange County include language allowing the municipalities to opt out of this provision. He noted that should the voters approve this ordinance in November, he informed that the City of Winter Garden would then have that opportunity to opt out.

PureCycle

City Attorney Ardaman informed of continued communications with PureCycle as negotiations and private discussion move forward with Orange County staff. He noted that City staff has been receiving communication from PureCycle in relation to their needs for water and wastewater. He noted that there is a meeting required by Florida State Statute as part of the dispute resolution process on August 23, 2022. He informed that this is not a City Commission and Orange County Board of County Commissioners meeting, but one with key staff. He noted that the City Commission would be informed as thing progress.

6. MATTERS FROM CITY MANAGER – There were no items.

7. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Bennett spoke of traffic issues backing up at Townhomes of Winter Garden as there is only one way of access due to drainage issues and requested staff review to assist in alleviating the problem. City Manager Williams affirmed this would be reviewed.

Commissioner Bennett voiced appreciation for home rule with respect to communications with the County.

