



CITY OF WINTER GARDEN

City Commission REGULAR MEETING MINUTES

October 14, 2021

REGULAR MEETING of the Winter Garden City Commission was called to order by Mayor Rees at 6:31 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 Dan Langley, 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, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Deputy Fire Shawn Kelly, Information Technology Director Chad Morrill, and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Mueller to approve regular meeting minutes of September 29, 2021 as submitted. Seconded by Commissioner Maciel and carried unanimously 5-0.

2. **PRESENTATION**

A. **Proclamation 21-09:** Proclaiming National Sudden Cardiac Arrest Awareness Month was read by Mayor Rees.

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

A. **Ordinance 21-27:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 7.25 +/- ACRES OF LAND GENERALLY LOCATED AT 616, 620, 628, & 634 SOUTH LAKEVIEW AVE; W STORY RD; 215 W CYPRESS STREET; 224 W LAFAYETTE ST; 615 S CENTRAL AVE; AND SOUTH CENTRAL AVE; SOUTH OF W STORY ROAD, WEST OF SOUTH LAKEVIEW AVENUE, AND EAST OF SOUTH CENTRAL AVENUE, FROM R-2 (RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE LAKEVIEW VILLAGE ESTATES PUD; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-27 by title only. Community Development Director Pash stated that this application requests rezoning from R-2 to Planned Unit Development (PUD) and he named the property addresses. The proposed development consists of 26 new single family homes and 14 new townhomes in three separate buildings. He noted some of the proposed site development improvements. He gave history of the property, noting the application original date of 2018 under a previous owner and re-

purchase in 2020 by another developer who is continuing with the same process. He noted that the existing future land use designation allows a maximum of six dwelling units per acre. He expressed that the proposed development is 5.5 per acre, which means it meets the requirement. This density is consistent and lower than some of the neighboring properties, some of which he named. He noted that staff spent three years working diligently on this project, changing elevations and addressing architecture quality. He spoke of the uniqueness of the development and creation of a much more desirable neighborhood than what R-2 zoning would allow. Staff recommends approval.

Commissioner Mueller noted that he absolutely loves some aspects of this, noting the home portion, green space and work of the elevation as phenomenal. However, he is not in favor of the 14 townhomes, noting efforts to move away from the higher densities and it is not something he could support.

City Manager Bollhoefer noted that the current zoning is allowable for duplexes, which would be of greater density than this proposal. He explained reasons that the City has worked with the developer, noting duplexes, not being desirable for this project and explaining the goal of the developer needing enough density to be profitable and have a nice looking community. This would bring up the quality of the neighborhood. He indicated that there was a community meeting related to this project with only one person in opposition. The other neighbors feel this would have a significant positive impact on that community.

Commissioner Mueller countered by addressing the issue of duplexes, stating that there was no note of duplexes in the materials, restated his love of the project, except for the inclusion of the townhomes.

Mayor Rees noted his preference for low density as well, but noted that the issue is that years ago these areas were rezoned; now the focus would be on the review of the project. He inquired about areas in the location and there was discussion on some of the properties being in Unincorporated Orange County.

Commissioner Sharman sought clarification that this property is zoned R-2 already and means that the City could not deny a duplex project. City Manager Bollhoefer responded yes, the property owner already has vested rights for six units per acre based on the R-2 zoning and he described the vested rights in the area.

Commissioner Maciel inquired if the owner wanted they could come in with a site plan. Mr. Pash responded yes, they could come in with a plat or re-plat and as long as they meet Code they could do it. Commissioner Sharman noted that it is not an option that the City could deny the duplexes and stated that this is the better option.

Commissioner Bennett noted similarities to the Brandy Creek development and voiced agreement with trying to limit density, but indicated that this looks like a very nice development.

Commissioner Sharman suggested a possible looking at the City's zoning plan for the long term.

Commissioner Bennett noted that the neighbors, except for the one, were not against the project and, for her, that weighs heavily.

City Manager Bollhoefer noted the careful attention to decision that the City makes and how it could affect the future building.

Mayor Rees opened the public hearing.

Sarah Wolfe, 221 N. Boyd Street, Winter Garden, Florida, addressed concerns regarding the costs of these houses and if there would be plans for attainable housing included in the development. City Manager Bollhoefer responded that there is not an affordable housing component in this development. He noted that the fact that there are more units allow for lower pricing. Community Development Director Pash noted that the developer notes that these would be at market pricing. Ms. Wolfe addressed concerns of affordability and pleaded that it be a consideration in these future type of projects.

City Manager Bollhoefer noted that staff has been reviewing this issue and he noted the things that drive pricing up and plans the City has to improve existing homes.

Ms. Wolfe noted pricing of an area vacant lot, costs to build a home on it, and the difference between affordable and attainable housing. She expressed that there must be a way to balance the attainable, affordable housing with a developer. She expressed that she does not see a problem with townhomes, noting beautiful townhomes in the area. She asked that the City consider all of this when reviewing these developments.

Motion by Commissioner Maciel to approve Ordinance 21-27 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Bennett and carried 4-1; Commissioner Mueller opposed.

- B. **Ordinance 21-33:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING CHAPTER 18, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN RELATING TO THE BUILDING CODE TO CREATE REGULATIONS FOR TEMPORARY ROOF COVERINGS FOR ALL BUILDINGS AND STRUCTURES WITHIN THE CITY; PROVIDING FOR A PROCESS FOR GRANTING EXCEPTIONS AND RELIEF FROM THE REQUIREMENTS RELATING TO TEMPORARY ROOF COVERINGS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-33 by title only. Community Development Director Pash stated that this Ordinance creates a limit on the amount of time a

temporary cover can be used on a roof, such as a tarp. The limit is six months, with options for extensions and exceptions for times such as this, where supplies are limited. It was noted that the City would do all it can to work with the residents. Staff recommends approval.

Commissioner Mueller thanked Mr. Pash, noting discussions they have had on the topic. Commissioner Mueller indicated that some homes have had tarps for years, noting that there are some economic issues involved. He commended the City's willingness to work with the residents.

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

Motion by Commissioner Mueller to approve Ordinance 21-33 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Bennett and carried unanimously 5-0.

- C. **Ordinance 21-35:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 106, STORMWATER MANAGEMENT, SECTION 106-2, DEFINITIONS, CITY OF WINTER GARDEN CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-35 by title only. Community Development Director Pash stated that this Ordinance amends the definition of impervious surface in Section 106-2 of the City Code. Currently, the City Code counts 50 percent of the water area of the swimming pool against them. This new definition would consider 100 percent of the pool as pervious; explaining that there is such a gap from the top of the water to the actual deck that it acts as a pond and is unlikely to overflow.

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

Motion by Commissioner Mueller to approve Ordinance 21-35 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Maciel and carried unanimously 5-0.

- D. **Ordinance 21-36:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ARTICLE IV OF CHAPTER 66 OF THE WINTER GARDEN CITY CODE RELATING TO LOCAL BUSINESS TAX RECEIPTS; INCORPORATING STATUTORY EXEMPTIONS AND REQUIREMENTS TO EXHIBIT STATE LICENSING AND REGISTRATION AS A CONDITION OF RECEIVING A LOCAL BUSINESS TAX RECEIPT AND CLARIFYING THE CITY'S ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-36 by title only. Community Development Director Pash stated that this ordinance amends Chapter 66 of the City Code related to Business Tax Receipts to incorporate statutory exemptions and requirements. This also adds mobile food dispensing vehicles under the tax schedule. Staff recommends approval.

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

Motion by Commissioner Mueller to approve Ordinance 21-36 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Maciel and carried unanimously 5-0.

- E. **Ordinance 21-37:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ARTICLE II OF CHAPTER 22 OF THE WINTER GARDEN CITY CODE RELATING TO PEDDLERS, SOLICITORS AND ININERANT VENDORS TO BE CONSISTENT WITH THE RECENTLY ADOPTED STATE PREEMPTION OF LICENSING OF MOBILE FOOD DISPENSING VEHICLES AND TO CHANGE THE REGULATIONS FOR SUCH TYPE OF BUSINESSES; AMENDING SECTION 74-38, CITY CODE TO PROHIBIT MOBILE FOOD DISPENSING VEHICLES FROM CONDUCTING BUSINESS WITHIN PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-37 by title only. Community Development Director Pash stated that this Ordinance amends Chapter 22, making City regulations for mobile food dispensing vehicles consistent with Section 509.102 of the Florida Statutes. It also amends Section 74-38 to prohibit mobile food dispensing vehicles from operating within the City right-of-ways. Staff recommends approval.

Commissioner Mueller noted requests in the past for food trucks and the City not having been opened to this option. He inquired how this Ordinance fits into the scheme. City Manager Bollhoefer responded that this was drafted because the State changed the laws, limiting the governments denials. This creates regulations giving the City regulatory authority. He noted issues with food trucks, with local business and restaurants in opposition; feeling it is unfair because they have employees, taxes, and brick and mortar buildings. This ordinance creates the regulation which allows food trucks, but only in the industrial zonings. City Attorney Langley noted that currently the City requires a permit to operate this type of vehicle, but the State has preempted the City's ability to issue licenses for these vehicles. He noted that instead, the City is saying that the licensing requirement under our existing ordinance does not apply to these type of vehicles. However, they still need to comply with zoning regulations and other items that relate to non-licensing requirements derived from the zoning or from Police requirements; thus creating a different way of dealing with the issue.

Commissioner Bennett sought clarification on their ability to be in the industrial zones, but not on the street. There were comments that it would have to be on private property.

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

Motion by Commissioner Mueller to approve Ordinance 21-37 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Bennett and carried unanimously 5-0.

- F. **Ordinance 21-38:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 118, "ZONING" OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES TO AMEND SECTIONS 118-727 AND 118-772 GOVERNING THE PERMITTED USES WITHIN THE I-1 (LIGHT INDUSTRIAL AND WAREHOUSING) AND I-2 (GENERAL INDUSTRIAL) ZONING DISTRICTS; PROVIDING FOR MOBILE FOOD DISPENSING VEHICLES AS DEFINED BY SECTION 509.102, FLORIDA STATUTES AS A PERMITTED USE IN THE I-1 AND I-2 ZONING DISTRICTS; PROVIDING FOR CODIFICATION, CONFLICTS, AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Langley read Ordinance 21-38 by title only. Community Development Director Pash stated that this Ordinance changes sections of Chapter 118-727 and 118-772, allowing mobile food dispensing vehicles as defined by Section 509.102 of the Florida Statutes. This allows them in I-1 and I-2 zoning districts. Staff recommends approval.

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

Motion by Commissioner Bennett to approve Ordinance 21-38 with the second reading and public hearing on October 28, 2021. Seconded by Commissioner Maciel and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. **Recommendation to approve SITE PLAN for 4016 Winter Garden Vineland Road (Shoppes at Lake Butler), subject to conditions**

Community Development Director Pash stated that this is the site plan review for property located at 4016 Winter Garden Vineland Road. He noted some of the proposed site plan improvements, indicating that all of the rest of the infrastructure was built with a commercial development next to it and around it. It has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to the DRC conditions.

Motion by Commissioner Sharman to approve SITE PLAN for 4016 Winter Garden Vineland Road (Shoppes at Lake Butler), subject to conditions. Seconded by Commissioner Mueller and carried unanimously 5-0.

B. Recommendation to approve SITE PLAN for 14525 West Colonial Drive (Riegl HQ Helipad), subject to conditions

Community Development Director Pash stated that the applicant requests **POSTPONEMENT** to the next meeting on October 28, 2021.

C. Recommendation to approve Emergency Medical Services (EMS) Transport Billing Services Piggyback Agreement (City of Tamarac, FL RFP #16-14R) with Digitech Computer LLC

City Manager Bollhoefer noted that there had been some confusion in the agreement's backup materials and confirmed that the name of the firm is Digitech Computer LLC. He shared information on another firm noted in the documents, which had some issues in the past with a data breach. He assured that this firm, Digitech Computer LLC, has never had a data breach and is used by several companies and government agencies in Florida. He referred to a list, which he had distributed to the City Commission for review.

Commissioner Mueller thanked City Manager Bollhoefer for the research and clarification. Mr. Bollhoefer credited Fire Chief Gainza and Assistant City Manager for Administrative Services Gilbert for the research.

City Manager Bollhoefer noted that it was intended that this service agreement would be brought for consideration with all related documents, especially noting the resolution. However, he noted that in the absence of Fire Chief Gainza, those would be brought back at the next meeting. He cited the reason for bringing this particular item as it is the critical path document needing to be in place or it would slow the process. He noted this as being why they are split into two different meetings.

Mayor Rees sought confirmation that there would be no concerns in handling this service and seeking affirmation that there is sufficient staffing. City Manager Bollhoefer responded that there is no concern at all and expressed that this gives greater confidence as this company is less likely to go out of business.

Motion by Commissioner Mueller to approve Emergency Medical Services (EMS) Transport Billing Services Piggyback Agreement (City of Tamarac, FL RFP #16-14R) with Digitech Computer LLC. Seconded by Commissioner Bennett and carried unanimously 5-0.

D. Recommendation to approve reduction of Code Enforcement Liens for 1081 Mildred Dixon Way - Case No. 05-103 and 15-0068

Community Development Director Pash stated that the owner at 1081 Mildred Dixon Way incurred Code Enforcement liens in 2005 and 2015. He noted that the 2005 case reached daily fines of \$150 per day, but stopped when the property was brought into compliance. He noted that the 2015 case has a lien for \$680.46 for mowing of the property. The owner is requesting a reduction in order to sell the home. Staff recommends the lien reduction in the amount of \$2,500 to recover the City's costs. He noted that the original request was for payment within 30 days, but the owner requests an extension of an additional 45 days, taking the date out until Monday, December 27, 2021. Staff sees no issues with this request and would recommend approval.

Motion by Commissioner Sharman to approve reduction of Code Enforcement Liens for 1081 Mildred Dixon Way - Case No. 05-103 and 15-0068, if paid by December 27, 2021. Seconded by Commissioner Maciel and carried unanimously 5-0.

E. Recommendation to approve reduction of Code Enforcement Liens for Oakland Park Pond - Case No. 18-194, 18-307, 18-308 and 18-309

Community Development Director Pash stated that at the June 4, 2018 Code Enforcement Board meeting, case number 18-194, was found in violation and fined \$250 per day per violation, imposed per parcel. He noted that this case was then split into three separate cases, 18-307, 18-308 and 18-309 and assigned to each parcel. He explained that the developer owned a portion and the Home owner's Association owned a portion. He noted that both have made their repairs, with the developer rebuilding the pond twice. A substantial amount of funds was put into repairing everything. He noted that it works great and has been inspected by the City's Engineering department. The case amounts currently total \$2,661,750 in liens due or \$887,250 per parcel/code case. He expressed that because they have put in all of this effort, making the repairs, and very little staff time has gone into it, a waiver of these fees is recommended.

There was discussion on the length of time for repairs, reasons for the delay, pond location and infrastructure being up to par before a handover to the HOA.

Motion by Commissioner Mueller to approve reduction of Code Enforcement Liens for Oakland Park Pond - Case No. 18-194, 18-307, 18-308 and 18-309. Seconded by Commissioner Sharman and carried unanimously 5-0.

F. Recommendation to approve MOVIE EVENTS - Moonlight Movie Series at the Pavilion – October 23, 2021, November 27, 2021 and January 15, 2022, 4:00 - 10:00 p.m.

Community Development Director Pash stated that the City is partnering with the Florida Film Academy to host the Moonlight movie series on October 23, 2021,

November 27, 2021, and January 15, 2022. All three events are from 4:00 p.m. to 10:00 p.m. and all are free to the public. Staff recommends approval.

Mayor Rees inquired if these movies are those acceptable for children. Mr. Pash answered that they are family-oriented movies.

Motion by Commissioner Maciel to approve MOVIE EVENTS for Moonlight Movie Series at the Pavilion on October 23, 2021, November 27, 2021 and January 15, 2022, 4:00 - 10:00 p.m. Seconded by Commissioner Bennett and carried unanimously 5-0.

- G. Recommendation to approve SPECIAL EVENT - West Orange Junior Service League - Annual Winter Garden Christmas Golf Cart Parade – December 12, 2021, 4:00 - 6:45 p.m. – Downtown

Community Development Director Pash stated that the West Orange Junior Service League requests holding their Annual Winter Garden Christmas Golf Cart Parade on December 12, 2021, 4:00 - 6:45 p.m. This is the same as years past and he described the parade route and activities. He indicated that the City would provide portable restrooms at Bradford Park. Staff recommends approval.

Mayor Rees sought clarification on the parade route plans and related discussion ensued.

Motion by Commissioner Bennett to approve a special event for the West Orange Junior Service League to have their Annual Winter Garden Christmas Golf Cart Parade on December 12, 2021 at 4:00 - 6:45 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

- H. Recommendation to approve Impact Fee Deferral and Forgiveness Agreement for Lech LLC and Joel R. Kagan and Yuka Yoshinaga for property located at 439 & 455 West Plant Street

Community Development Director Pash stated that this an Impact Fee Deferral and Forgiveness Agreement for properties located at 439 & 455 West Plant Street. He noted staff has been working with the property owners in design of a building that meets all of the City's strict guidelines for the downtown. The applicants have received approval from the Architectural Review and Historic Preservation Board and will be working on their site plan to move forward. As a result of funds the applicants put into the elevations, staff recommend waiving the traffic impact fees for a total of \$38,256.

City Manager Bollhoefer noted that the last time the City waived fees, staff erred in not bringing this type request beforehand and wanted to have this considered before the project moves forward. He spoke of the Planned Unit Development (PUD) and described its location, initial review of the project's mass and current work on projects in this area.

He explained reasoning for the waiver, the costs to the builder, and this offer of some assistance.

Commissioner Maciel noted that the idea is that they are not paying impact fees and they can improve the quality of the building. Mr. Pash responded correct, this is just for traffic and they are paying all other fees. City Manager Bollhoefer noted that it helps with those extra costs as the City does drive up the costs significantly in its reduction of their density and very strict architectural standards. He noted that when the developer knows that there would be some form of impact fee forgiveness it drives their likeliness to cooperate with the City.

There was discussion on the calculated costs to be waived and the City receiving it back in taxes.

Motion by Commissioner Sharman to approve Impact Fee Deferral and Forgiveness Agreement for Lech LLC and Joel R. Kagan and Yuka Yoshinaga for property located at 439 & 455 West Plant Street. Seconded by Commissioner Bennett and carried unanimously 5-0.

I. Recommendation to approve Agreement for Acquisition of Right-of way for Dillard Street from Tonk Properties

Planning Consultant Ed Williams noted a typo on the first page, under issue. He clarified that it was stated that the City is acquiring 19,000 square feet, when actually the acquisition is of 1,000 feet out of a 19,000 square feet outparcel in the Bravo Center at the southwest corner of Story Road and Dillard Street. He noted that this property owner owns the main center. He shared that they have agreed to a very reasonable price and he noted some challenges this purchase presents for the owner. He explained how the owner plans to renovate the entire center and he named some of the proposed improvement efforts. Staff recommends approval and authorize the City Manager to execute all necessary documents.

Mayor Rees inquired of the cost. Mr. Williams responded that it is \$55,000 for the 1,000 feet, which includes a land cost plus the damages to the parking and the access.

Commissioner Maciel thanked City Manager Bollhoefer and Planning Consultant Ed Williams, noting that they have been working really hard on this for a long time. He expressed that this will be good for the City and that owner.

Motion by Commissioner Maciel to approve Agreement for Acquisition of Right-of way for Dillard Street from Tonk Properties. Seconded by Commissioner Sharman and carried unanimously 5-0.

Planning Consultant Williams noted that the public may not have understood a comment made earlier about City Attorney Dan Langley being the second best City Attorney. He shared some history in his years of dealings with various attorneys and litigation and noted that in the area of government law and land use litigation, City Attorney Dan Langley is second to none.

- J. **Resolution 21-10:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, WITH RESPECT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION/TURNPIKE AUTHORITY'S ("FDOT/TURNPIKE") PROPOSED INTERCHANGE AT THE INTERSECTION OF THE FLORIDA TURNPIKE AND COUNTY ROAD 545 IN THE CITY OF WINTER GARDEN ("INTERCHANGE"), ALL IN SUPPORT OF THE NO-BUILD OPTION FOR SAID INTERCHANGE; PROVIDING FOR CITY AND COMMUNITY ACTIONS AND EFFORTS IN COORDINATING AND COMMUNICATING WITH FDOT/TURNPIKE TO ACCEPT AND EFFECT A NO-BUILD OF THE INTERCHANGE; PROVIDING FOR FINDINGS, DETERMINATIONS, REQUESTS, AND EFFECTIVE DATE

City Attorney Langley read Resolution 21-10 by title only. City Manager Bollhoefer stated that there was a recent community meeting regarding this item. He described that the Florida Department of Transportation (FDOT)/Turnpike Authority would like to install another interchange on Avalon Road. He spoke of attendees at the community meeting who spoke in opposition. He shared that in response to the opposition, the City staff worked to provide this resolution, however, he noted that the map is not a final and described the intended final results to be included as an attachment.

Commissioner Sharman spoke of hearing from some people regarding this item, noting one is a traffic engineer who converses with him on other issues and he questioned the need for an interchange when there is one so close.

Mayor Rees noted that he has not had anyone contact him who is in favor of this item.

Motion by Commissioner Sharman to approve Resolution 21-10. Seconded by Commissioner Mueller and carried unanimously 5-0.

5. **MATTERS FROM PUBLIC**

Charlie Mae Wilder, 813 East Bay Street, Winter Garden, Florida, noted that this is the 15th Annual Veterans and Families of Veterans appreciation event. She voiced appreciation for City Commission support in the past, noted cancellation last year due to the pandemic, but requested City support this year. The event would be held on November 27, 2021 at 2:00 p.m. at the Bethlehem Missionary Baptist Church and she requested financial as well as moral support. There was discussion on the last donation of \$500.

Motion by Commissioner Maciel to approve donation of \$500 to support the Annual Veterans and Family of Veteran's Appreciation event of November 27, 2021. Seconded by Commissioner Bennett and carried unanimously 5-0.

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

7. **MATTERS FROM CITY MANAGER**

Christmas Parade

City Manager Bollhoefer informed that Ocoee cancelled their Christmas Parade, but that the City of Winter Garden staff would not be making that recommendation and plan to move forward with the event.

City Manager 30-Day Notice of Resignation

City Manager Bollhoefer thanked everyone, the residents, and the staff of Winter Garden. He stated that he has been with the City of Winter Garden for 25 years and tonight he is turning in his 30-Day notice.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Mayor Rees, after some banter towards City Manager Bollhoefer about his resignation decision, addressed uncertainty that could arise when there is not someone to run a business or government. He noted that from his standpoint, this issue should be addressed, right now, and he believes that there should be the promotion of Assistant City Manager of Public Services Jon Williams to position of City Manager for the next six months. Mayor Rees gave history of Mr. Williams past experiences as City Manager for the City of Edgewater, City of Longwood and noted him being an employee with the City of Winter Garden for four years. He noted that what he has heard from City Manager Bollhoefer, from staff, and others have been favorable for Jon Williams. He expressed that anytime you can promote from within it works well with all employees.

Motion by Mayor Rees to appoint Jon Williams as City Manager for six months. Seconded by Commissioner Sharman.

There was discussion on this being a wise decision and suggestions on the future direction.

City Attorney Langley sought clarification and there was discussion on the logistics, clarifying that City Manager Bollhoefer is still active as City Manager until he leaves, an interim contract for Jon Williams would be produced and then brought back for City Commission approval before Mr. Williams officially acts in the capacity of City Manager.

Motion carried unanimously 5-0.

