



# CITY OF WINTER GARDEN

---

## City Commission REGULAR MEETING MINUTES

October 28, 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 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, Economic Development Director Tanja Gerhartz, City Engineer Jim Monahan, Finance Director Laura Zielonka, Fire Chief Jose P. Gainza, Jr., Human Resources Director Cheryl Jones, Information Technology Director Chad Morrill, and Police Chief Stephen Graham

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

**Motion by Commissioner Mueller to approve regular meeting minutes of October 14, 2021 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.**

### 2. **PRESENTATION**

- A. **Proclamation 21-12:** Proclaiming **Week of the Family** as November 6 – 13, 2021 was read and presented by Mayor Rees and the City Commission. The proclamation was accepted by Victoria Laney who shared information about some of the related events and activities.
- B. **Proclamation 21-13:** Proclaiming **Railway Society's 51st Anniversary** was read and presented by Mayor Rees and City Commission. The proclamation was accepted by Mike Forrester who expressed appreciation for the City embracing the Museum, spoke positively about being located in the downtown area, announced being a part of the Heritage Festival on November 6, 2021 and thanked the City for its support.
  - **Proclamation 21-14:** Proclaiming **First Responders Day** was read and presented by Mayor Rees and the City Commission to the Fire Fighters and Police Officers of the City of Winter Garden. Police Chief Graham thanked the City on behalf of the City of Winter Garden Police and Fire Departments.
- C. FCCMA District III Director Al Butler presented an award to the City of Winter Garden from ICMA for the **60th Anniversary of adopting City Manager form of government**. He gave history of the City of Winter Garden adopting the City Manager form of government and spoke of research in this effort, items in the legislature and hiring of a City Manager. He noted that ICMA thanks the City of Winter Garden for its 60 years of

using professional management in governing this City. He also thanked the City personally as a City resident.

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

- A. **Ordinance 21-39:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 34, EMERGENCY SERVICES, TO ADD ARTICLE III, EMERGENCY MEDICAL RESPONSE; NAMING THE FIRE DEPARTMENT AS THE PRIMARY AND SOLE PROVIDER OF EMERGENCY MEDICAL RESPONSE AND GROUND TRANSPORT AND STANDBY SERVICES; AUTHORIZING THE CITY COMMISSION TO ADOPT BY RESOLUTION FEES FOR EMERGENCY MEDICAL RESPONSE, STANDBY, AND GROUND TRANSPORT SERVICES; PROVIDING FOR CODIFICATION, CONFLICTS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 21-39 by title only. Fire Chief Gainza stated that this is an exciting time for the City of Winter Garden Fire and Rescue Department. He noted that the new management team is in place, they are working hard and he looks forward to introducing the new team in the future. He explained that an independent study was done in the past that showed the Fire Department could and should be doing the Emergency Medical Service (EMS) transport. He noted that there were a few things that they needed first to prepare and he assured, with confidence, that they are ready. Staff recommends approval of Ordinance 21-39, authorizing and naming the Winter Garden Fire Rescue Department as the primary and sole provider of emergency medical response, ground transport and standby services for the City of Winter Garden.

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

**Motion by Commissioner Mueller to approve Ordinance 21-39 with the second reading and public hearing on November 11, 2021. Seconded by Commissioner Sharman and carried unanimously 5-0.**

4. **SECOND 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 Ardaman read Ordinance 21-27 by title only. Community Development Director Pash stated that this Ordinance is a request to rezone the noted addresses from R-2 to Planned Unit Development (PUD). He noted that this new development consists of 26 new single family homes, 14 new townhomes in three separate buildings and he named some of the additional site improvements. The Ordinance has various design criteria, which create a neighborhood that is much more desirable than what would be allowed under simple R-2 zoning. Staff recommends approval of Ordinance 21-27.

Commissioner Bennett noted that as in last discussions, what is currently permitted is more dense than what is being proposed. Mr. Pash affirmed, noting that it could have been duplexes and pointed out that they are not at maximum density.

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

**Motion by Commissioner Bennett to ADOPT Ordinance 21-27. Seconded by Commissioner Maciel and carried unanimously 5-0.**

- 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 Ardaman read Ordinance 21-33 by title only. Community Development Director Pash stated that this Ordinance creates a limit on the amount of time tarps could be used as a temporary roof covering. He noted that this allows for six month with the ability to request an additional six months through a letter to the Building Official with explanation as to any issues or challenges. Staff recommends approval.

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

**Motion by Commissioner Mueller to ADOPT Ordinance 21-33. Seconded by Commissioner Maciel 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 Ardaman 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. He noted that it allows pools to count as 100 percent pervious. Staff recommends approval of Ordinance 21-35.

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

**Motion by Commissioner Mueller to ADOPT Ordinance 21-35 Seconded by Commissioner Bennett 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 Ardaman read Ordinance 21-36 by title only. Community Development Director Pash stated that a revised ordinance had been distributed addressing the cleanup issues relating to fonts as brought to staff's attention. He noted that this ordinance amends Chapter 66 of the City Code related to Business Tax Receipts, incorporating statutory requirements and adding mobile food dispensing vehicles. Staff recommends approval of Ordinance 21-36.

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

**Motion by Commissioner Mueller to ADOPT Ordinance 21-36. Seconded by Commissioner Sharman 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 Ardaman read Ordinance 21-37 by title only. Community Development Director Pash stated that a revised Ordinance had been distributed. He noted that this

ordinance amends Chapter 22, making City regulations for mobile food dispensing vehicles consistent with Florida Statutes, Section 509.102. He also noted that the revised ordinance adds language into Section 22-28(d)(i) allowing mobile food vendors, such as hot dog carts and those converted trailer cooking facilities. This would be allowed at events that are approved by staff, as well as other items that are in City approved events. He noted that this would also allow approvals under Home Owner Associations (HOA), holiday and organizational events. He explained that Section 22-28(j)(2)(i) already allows for mobile food dispensing vehicles at City-sponsored events. Additionally noted was that this clarifies Section 74-38, which makes mobile food dispensing vehicles prohibited to operate within the City's right-of-way. He noted that with those amendments, staff recommends approval of Ordinance 21-37.

City Manager Bollhoefer shared history related to opposition of this by some local businesses and restaurants, who pay taxes, wages, mortgage or rent. They voiced an unfairness in these vehicles, which pay none of these. He spoke of some of these vehicles at food events for HOAs, at the little league and he noted some that were approved in the past. He talked about some of the challenges that are still present with this issue, but noted how this allows a happy medium and is required because of the State changing its statutes.

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

**Motion by Commissioner Bennett to ADOPT Ordinance 21-37. Seconded by Commissioner Maciel 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 Ardaman read Ordinance 21-38 by title only. Community Development Director Pash stated that this Ordinance amends Chapter 118-727 and 118-772, allowing mobile food dispensing vehicles as defined by Section 509.102 of Florida Statutes. He noted that this allows for these vehicles in I-1 and I-2 zoning districts; allowing the City to control where they park and how they operate. Staff recommends approval of Ordinance 21-38.

Commissioner Maciel sought confirmation that this would not interfere with a catering business or catering trucks. Mr. Pash responded that catering trucks would be allowed anywhere, they would park, offload their items and proceed to park elsewhere.

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

**Motion by Commissioner Maciel to ADOPT Ordinance 21-38. Seconded by Commissioner Sharman and carried unanimously 5-0.**

5. **REGULAR BUSINESS**

- A. **Resolution 21-11:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR UP TO A \$1,120,000.00 LOAN UNDER THE STATE REVOLVING FUND LOAN PROGRAM TO FUND THE CITY'S CREST AVENUE WWTF CAPACITY EXPANSION AND PROCESS OPTIMIZATION PROJECT AND THE COST OF DEBT ISSUANCE AND IF SUCH LOAN APPLICATION IS APPROVED, AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT, NOTE AND RELATED CLOSING DOCUMENTS; SUCH LOAN WOULD PLEDGE WATER AND SEWER SYSTEM REVENUES AND SHALL NOT PLEDGE AD VALOREM TAXES OR BE A GENERAL OBLIGATION DEBT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Resolution 21-11 by title only. City Engineer Monahan stated that the City recently submitted a request to the Florida Department of Environmental Protection (FDEP) for inclusion in receiving a planning and design loan for the Crest Avenue WWTF Capacity Expansion and Process Optimization Project. FDEP provided notification to the City that this project has been placed on their priority list and is eligible to receive a planning loan in the amount of \$1,120,000.

He noted that Resolution 21-11 allows for the City Manager to apply for the loan, execute the loan agreement if approved and pledges water and sewer system revenues for repayment of the loan. Repayment of the loan will begin nine months after the design is complete and the interest rate on the loan is based on weekly average yield of the bond buyer index as well as the 2020 census data, which has been trending below 1%. Staff recommends approval of Resolution 21-11, which authorizes the City Manager to apply, execute if approved, and pledge water and sewer system revenues for the State Revolving Fund Loan for the Design of the Crest Avenue WWTF Capacity Expansion and Process Optimization Project in the amount of \$1,120,000.

Mayor Rees inquired as to the total cost of the project. Mr. Monahan noted that it is still unknown, but guesses that it would be within \$25-30 million. Mayor Rees noted uncertainty as to the meaning of the 15 percent, as noted in the agenda packet. City Manager Bollhoefer noted that this would be information obtained from the Financial

Consultant and brought back to the next meeting. Mayor Rees commented on the estimates used as being conservative.

**Motion by Commissioner Mueller to approve Resolution 21-11. Seconded by Commissioner Bennett and carried unanimously 5-0.**

- B. **Resolution 21-12:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN TO ACTIVELY SUPPORT THE OBJECTIVES OF THE STAKEHOLDER TASK FORCE AND ACTIVELY PARTICIPATE TO PRESERVE AND RESTORE THE ORIGINAL CANOPIED AND RURAL CHARACTER OF THE WEST ORANGE TRAIL

City Attorney Ardaman read Resolution 21-12 by title only. City Manager Bollhoefer named organizations that staff has been working with to protect the West Orange Trail. He noted the initial intent was to protect and maintain the character of the Trail and described some of the efforts to keep it more of a rural character and blend it in well.

Mayor Rees and City Manager Bollhoefer recognized Joe Dunn, who spoke on behalf of the West Orange Chambers of Commerce, Friends of Lake Apopka, Orange County Parks and Recreation noting their gratitude for the City of Winter Garden's commitment to the West Orange Trail.

**Motion by Commissioner Mueller to approve Resolution 21-12. Seconded by Commissioner Bennett and carried unanimously 5-0.**

- C. **Recommendation to approve reimbursement of annual street lighting expenses for 2018, 2019 and 2020 in the amount of \$46,161.59**

City Engineer Monahan stated that the Property Manager for the Grovehurst, Fox Crest and Fullers Landing Subdivisions recently contacted the City to request reimbursement for annual street lighting expense for 2018, 2019 and 2020. Staff learned that the annual request was overlooked as a result of staff changes with the Property Management Company and HOA Board Members. Going forward, Public Services will send out reminder letters to all subdivisions that are eligible, in an effort to prevent this from occurring again. Staff recommends approval of reimbursements of annual street lighting expenses for 2018, 2019 and 2020 in the amount of \$46,161.59.

**Motion by Commissioner Bennett to approve reimbursement of annual street lighting expenses for 2018, 2019 & 2020 in the amount of \$46,161.59. Seconded by Commissioner Maciel and carried unanimously 5-0.**

- D. **Recommendation to approve purchase of a used 2016 Freightliner Rescue Truck from Waldorf Volunteer Fire Department**

Fleet and Facilities Division Manager Caines stated that staff requests approval to purchase a used 2016 Freightliner Rescue Ambulance from Waldorf Volunteer Fire

Department. He noted that a new rescue truck was budgeted for last year, due to repair issues, it would not be available until April of 2022. He stated that there would be 18 months before receiving the current truck that is being ordered. Staff proposes purchasing this 2016 unit, which can be immediately placed in service until the other vehicles are available. At that point, this one could be rotated in as a spare unit.

There was discussion on supply chain issues and how it is impacting everything.

City Manager Bollhoefer gave some history on the expertise of Fleet and Facilities Division Manager Mike Caines, noting that he used to be a volunteer Fire Chief, had a company that worked on fire engines, he was a fire engine salesman and is very knowledgeable about fire apparatus. Mr. Bollhoefer shared that Mr. Caines personally flew to Virginia to test drive this unit.

**Motion by Commissioner Mueller to approve purchase of a used 2016 Freightliner Rescue Truck from Waldorf Volunteer Fire Department in the amount of \$55,000. Seconded by Commissioner Sharman and carried unanimously 5-0.**

There was discussion on the number of fire vehicles the City would have after the purchases, the City's future needs, and the age of the units currently used as reserve vehicles. It was also noted that the \$55,000 would cover all expenses.

- E. Recommendation to approve purchase of Front End Loader from Dobbs Equipment LLC utilizing a piggyback contract of the Florida Sheriff's Association and Florida Association of Counties Contract, in the amount of \$129,000

Fleet and Facilities Division Manager Caines stated that this request is to approve the purchase of new John Deere 524L Front End Loader from Dobbs Equipment LLC. This would be used by various Public Services departments and will utilize a piggyback contract of the Florida Sheriff's Association and Florida Association of Counties Contract. He noted that this was an anticipated purchase that is in the current budget. The total is in the amount of \$129,000.

**Motion by Commissioner Mueller to approve purchase of Front End Loader from Dobbs Equipment LLC utilizing a piggyback contract of the Florida Sheriff's Association and Florida Association of Counties Contract, in the amount of \$129,000. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- F. Recommendation to approve purchase of a new Caterpillar Excavator from Ring Power Caterpillar, utilizing a piggyback contract of the Florida Sheriff's Association and Florida Association of Counties Contract

Fleet and Facilities Division Manager Caines stated that this is a request to approve purchasing a new Caterpillar Excavator from Ring Power Caterpillar to be used by various Public Services departments. It will utilize a piggyback contract of the Florida



Sheriff's Association and Florida Association of Counties Contract for a total amount of \$138,837. This was an anticipated purchase included in the current budget.

**Motion by Commissioner Mueller to approve purchase of a new Caterpillar Excavator from Ring Power Caterpillar, utilizing a piggyback contract of the Florida Sheriff's Association and Florida Association of Counties Contract in the amount of \$138,837. Seconded by Commissioner Sharman and carried unanimously 5-0.**

G. Recommendation to approve agreement of Acquisition of Right-Of-Way for Dillard Street from 50 at Dillard LLC

Community Development Director Pash stated that is an agreement to purchase 3,862 square feet from 50 at Dillard, LLC for the Dillard Street improvements. He noted its location is near the intersection where the Wawa business is located. He indicated that it would provide enough right-of-way to improve the turn lanes onto State Road 50 when the project is completed. Staff recommends approval for the purchase in the amount of \$60,000 and authorize the City manager to execute the contracts.

There was discussion on when the project would start and it was noted that the target is February or March.

**Motion by Commissioner Maciel to approve agreement of Acquisition of Right-Of-Way for Dillard Street from 50 at Dillard LLC in the amount of \$60,000. Seconded by Commissioner Bennett and carried unanimously 5-0.**

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

Community Development Director Pash stated that postponement is requested to November 11, 2021 at 6:30 p.m.

**Motion by Commissioner Sharman to POSTPONE site plan for 14525 West Colonial Drive (Riegl HQ Helipad), subject to conditions until November 11, 2021 at 6:30 p.m. Seconded by Commissioner Bennett and carried unanimously 5-0.**

I. BOARD APPOINTMENTS: Code Enforcement Board (Addressed below with Item 4.J)

J. BOARD APPOINTMENTS: Planning and Zoning Board

Community Development Director Pash noted that staff is working on items related to the board appointments and request postponement to November 11, 2021 at 6:30 p.m.

**Motion by Commissioner Sharman to POSTPONE appointments for the Code Enforcement Board and Planning and Zoning Board until November 11, 2021 at 6:30 p.m. Seconded by Commissioner Mueller and carried unanimously 5-0.**

Mayor Rees requested that the list be provided to show the members names and the districts they represent. Mr. Pash noted that this would be provided.

K. Recommendation to approve Winter Garden Art Association Rental and Operating Agreement

Economic Development Director Gerhartz stated that the Winter Garden Art Association will be celebrating their 9<sup>th</sup> year next year. She noted that she has worked with this organization for almost nine years and expressed that it has been amazing what they have been able to accomplish during this time. She spoke of their programs, recognized Mary Keating as the founding President of the Winter Garden Art Association, and noted the different things they have brought to the City of Winter Garden community. Ms. Gerhartz noted that for the City Commission consideration is a rental and operating agreement for 10 year lease with two five-year renewals. She explained the agreement and likened it to the same as the agreement with the Garden Theatre, noting that the City would maintain the building, the property and the utilities. Then the City produces performance measures that they would be required to meet. She named some of the requirements as maintaining operation as the Winter Garden Art Association, maintain a non-profit status, provide programs and various classes throughout the year and she named additional requirements they would need to maintain. She addressed some of the grounds for lease termination. Staff recommends approval and request authorization to have the City Manager execute the agreement.

City Manager Bollhoefer commended Mary Keating and Elizabeth McKinney for their work with the organization, calling them the Dynamic Duo. Mayor Rees recognized Ms. Keating, who was in attendance and she thanked the City for their support.

**Motion by Commissioner Bennett to approve Winter Garden Art Association Rental and Operating Agreement. Seconded by Commissioner Mueller and carried unanimously 5-0.**

6. **MATTERS FROM PUBLIC**

Former Commissioner Bob Buchanan, noted that he wanted the opportunity to thank City Manager Bollhoefer for everything he has done for the City before he left. He spoke of Mr. Bollhoefer and his humility, his work, albeit sometimes with difficult people, and the result being greater outcomes. He wished him well in his next endeavor.

Mr. Buchanan commended City Clerk Grimmage for her efforts as City Clerk, noted that the City has excellent staff, and again thanked City Manager Bollhoefer for everything.

7. **MATTERS FROM CITY ATTORNEY**

Interim City Manager

City Attorney Ardaman stated that the agreement for Interim City Manager Jon Williams was available under his report, it had been crafted by Attorney Dan Langley and is

consistent with the contract for Mr. Bollhoefer and has been reviewed and agreed upon by Jon Williams and is for a term of six months.

Commissioner Sharman inquired of Mr. Bollhoefer, as outgoing City Manager, his thoughts on the provisions in the contract. Mr. Bollhoefer stated he reviewed it and it is a very standard contract, and especially for an Interim City Manager, it is very fair.

**Motion by Commissioner Sharman to approve Interim City Manager contract for Jon Williams. Seconded by Commissioner Bennett and Commissioner Maciel consecutively and carried unanimously 5-0.**

## 8. MATTERS FROM CITY MANAGER

- City Manager Bollhoefer said thank you to Former Commissioner Bob Buchanan and noted that there is nothing that staff can do if they do not have the commitment and vision of the City Commission. City Attorney Ardaman spoke in agreement and also thanked everyone.

### A. Recommendation to cancel regular City Commission meetings for November 25, 2021 and December 23, 2021

City Manager Bollhoefer stated that this request is to cancel the regular City Commission meetings for November 25, 2021 and December 23, 2021; noting that these are traditionally cancelled due to the Thanksgiving and Christmas Holidays.

**Motion by Commissioner Mueller to approve cancelling the regular City Commission meetings November 25, 2021 and December 23, 2021. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- FDOT Interchange

City Manager Bollhoefer spoke of the Florida Department of Transportation's (FDOT) recent intent to build an interchange near Avalon Road. He spoke of a community meeting held as a result of these plans. He spoke of strategies to gather the community in an outcry of opposition against this interchange were enlisted. This resulted in the FDOT yielding to the community outcry and they gave credit to the community coming together in opposition as the reason for the elimination of the project. Mr. Bollhoefer thanked FDOT for listening and pulling the project. He expressed that this was a blessing for Tucker Ranch, the neighborhood of Tildenville and the surrounding community.

City Attorney Ardaman noted that the FDOT wanted to be sure it was noted that it is not often that they do this. They wanted to make it crystal clear that this is an example of when they do listen and it is because of what the City and its residents did. He expressed how unusual this was for FDOT and noted that City Manager Bollhoefer and the residents are to be commended.

- Tucker Ranch  
City Manager Bollhoefer noted how the FDOT change of mind is good for Former Commissioner Bob Buchanan, who worked diligently in getting the Tucker Ranch project underway. He spoke of the ups and downs of the Tucker Ranch project, but noted construction would start next year and expressed how it would be a great asset to Winter Garden.
- Basketball Uniforms  
City Manager Bollhoefer spoke of Wendell Coates and his efforts to organize a past City-partnered event in East Winter Garden. He spoke of outreach to the younger community and Mr. Coates plans to organize an East Winter Garden basketball team. He noted that there is an effort to raise funds for their basketball uniforms, and that the City desires to work with Mr. Coates to assist by matching \$3,000 in the event that Mr. Coates can raise the other \$3,000. He expressed that this goes a long way for goodwill and also aids in bridging the gap with the younger community. Staff recommends approval.

**Motion by Commissioner Maciel to approve a City match donation of \$3,000 to assist with basketball uniforms. Seconded by Commissioner Mueller and carried unanimously 5-0.**

9. **MATTERS FROM MAYOR AND COMMISSIONERS**

**Commissioner Maciel** thanked City Manager Bollhoefer for his assistance in the basketball uniform donation. He wanted to let staff and the City Commission know that he asked City Manager Bollhoefer about Mr. Coates' efforts with the basketball team and there was no hesitation. He expressed his appreciation to City Manager Bollhoefer and to the City Commission for their willingness to support East Winter Garden when asked.

**Commissioner Sharman** mentioned having a donation for Ms. Charlie Mae Wilder for the Winter Garden Community Garden.

**Mayor Rees** thanked staff for their efforts in the Halloween décor and festivities, commenting about the downtown and the families enjoying it.

The meeting adjourned at 7:34 p.m.

ATTEST:

APPROVED:

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

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