



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

May 23, 2019

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 Bennett – District 1 Bob Buchanan – District 2 Colin Sharman – District 4

Absent: Commissioner Mark A. Maciel – District 3

Also Present: City Manager Mike Bollhoefer, City Attorney A. Kurt Ardaman, City Clerk Angee Grimmage, Community Development Director Stephen Pash, City Engineer Jim Monahan, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Information Technology Director Chad Morrill, and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve regular meeting minutes of May 9, 2019 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.

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

A. **Ordinance 19-23:** AN ORDINANCE OF THE CITY COMMISSION AMENDING CHAPTER 90 OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES TO PROVIDE FOR COORDINATION WITH THE FLORIDA BUILDING CODE (FBC) REGARDING PERMITTING, CONSTRUCTION AND STANDARDS RELATING TO FLOODS; PROVIDING FOR INTENT AND APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-23 by title only. City Engineer Monahan stated that Ordinance 19-23 is a proposed to Chapter 90 regarding floods in order to provide coordination with the Florida Building Code (FBC). He noted that this is related to permitting, construction and standards pertaining to floods. Mr. Monahan informed that the City as being a part of the National Flood Insurance Program in order to comply with their requirements need to amend this ordinance. He noted that this ordinance protects the structures within the City. It also provides better definition of the different structures as well as gives a clear and concise requirement for removal of structures. Staff recommends approval.

Commissioner Sharman inquired as to whether the State is requiring this due to recent hurricanes. Mr. Monahan responded that this is a requirement of Federal Emergency Management Agency (FEMA).

Mayor Rees opened the public hearing.

James L. Hall, 375 Grove Court, Winter Garden, Florida noted that in review of this item he searched for a map for the layout of the floodplain identification in the City. City Manager Bollhoefer responded that he does not believe that it changes the map but addresses how the City will address those areas within the map. Mr. Monahan instructed Mr. Hall on how to navigate the FEMA Firm map in order to do an area search.

Mayor Rees closed the public hearing.

Motion by Commissioner Buchanan to approve Ordinance 19-23 with the second reading and public hearing June 13, 2019. Seconded by Commissioner Sharman and carried unanimously 4-0.

- B. **Ordinance 19-24:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2018-2019 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 19-24 by title and the following excerpt from Section 1, appropriated as follows:

REVENUES	
Local Option Gas Tax Fund	\$ 50,000
Transportation Impact Fee-General Fund	58,927
Utility Operating Fund	1,716,613
Utilities Renewal & Replacement	1,650,000
Stormwater Fund	348,713
Solid Waste Fund	<u>645,050</u>
	\$4,469,303

City Attorney Ardaman stated that the expenditures are itemized exactly as the revenues.

Finance Director Zielonka stated that this ordinance amends the current year budget to account for changes that have occurred since the budget originally passed. She noted that Exhibit 1 lists those changes.

City Manager Bollhoefer noted that he would identify some of the items in the proposed budget ordinance. Some of those items identified and discussed were a grant for the Heritage Foundation, \$38,000 traffic light and its preliminary analysis and adjustments to the traffic light. Also addressed were improvements to big projects, drinking water lines, and repairs for solid waste trucks and funds for new ones. Additional discussion included police personnel costs, School Resource Officers (SRO) and vests for police dogs. Also notable were discussions on grants for the fire department and fire personnel, parks and recreation personnel, and the budget general fund reserve rate at 30 percent which is always the City's target.

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

Motion by Commissioner Sharman to approve Ordinance 19-24 with the second reading and public hearing June 13, 2019. Seconded by Commissioner Bennett and carried unanimously 4-0.

3. SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCE

- A. **Ordinance 19-22:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA VACATING A PORTION OF THE PLAT DEDICATED DRAINAGE AND UTILITY EASEMENTS OVER LOTS 11 AND 12, WINTER GARDEN COMMERCE CENTER PHASE 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 72, PAGE 133 OF THE PUBLIC RECORDS OF ORANGE COUNTY (LOCATED AT 710 AND 720 GARDEN COMMERCE PARKWAY, WINTER GARDEN, FLORIDA) OWNED BY MM & M PM, LLC AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE AND RECORDING (*Maddox Electric*)

City Attorney Ardaman read Ordinance 19-22 by title only. Community Development Director Pash stated that this is a request to vacate the five-foot drainage and utilities easement that runs down the side yard between lots 11 and 12 of the Winter Garden Commerce Center. The applicant is requesting this vacation in order to build a single building which will straddle both lots as noted on the following two items on the agenda. Staff recommends approval of Ordinance 19-22.

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

Motion by Commissioner Buchanan to adopt Ordinance 19-22. Seconded by Commissioner Bennett and carried unanimously 4-0.

4. REGULAR BUSINESS

- A. **Recommendation to approve SITE PLAN for 710 and 720 Garden Commerce Parkway (Maddox Electric), subject to conditions**

Community Development Director Pash stated that this is the site plan review for 710 and 720 Garden Commerce Parkway. The owners request approval to build a 25,863 square foot office and warehouse building along with site plan improvements. He noted that the plans have been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval, subject to conditions of the DRC Report.

Motion by Commissioner Sharman to approve site plan for 710 and 720 Garden Commerce Parkway (Maddox Electric), subject to conditions. Seconded by Commissioner Buchanan and carried unanimously 4-0.

B. Recommendation to approve Binding Lot Agreement for 710 and 720 Garden Commerce Parkway (Maddox Electric)

Community Development Director Pash stated that this is the binding lot agreement to combine the two lots so that the applicant can build the building on the combined lot.

Motion by Commissioner Bennett to approve binding lot agreement for 710 and 720 Garden Commerce Parkway (Maddox Electric). Seconded by Commissioner Sharman and carried unanimously 4-0.

C. BOARD APPOINTMENTS: Planning and Zoning Board

Mayor Rees noted that this appoint should be from District 3 or District 4 and it was affirmed by City Manager Bollhoefer.

Motion by Commissioner Sharman to appoint Steve Ambielli to the Planning and Zoning Board. Seconded by Commissioner Buchanan and carried unanimously 4-0.

D. BOARD APPOINTMENTS: Election Canvassing Board – 4 Members

City Clerk Grimmage noted that these are appointments required by the City Charter as mentioned at the April meeting. She noted that there were exactly four applications for the four positions and she had personally spoken to some of them. She informed that two applicants were to be appointed as regular members and two as alternate members. Staff recommends approval of all four appointments.

Motion by Commissioner Buchanan to appoint Chiquita P. Camacho (*Regular Member*), Daniel Welsh (*Regular Member*), Linette Coleman (*First Alternate*), and Stefan Dennis (*Second Alternate*) to the Election Canvassing Board. Seconded by Commissioner Sharman and carried unanimously 4-0.

5. **MATTERS FROM PUBLIC**

Charlie Mae Wilder, 813 E. Bay Street, Winter Garden, Florida stated that they were in attendance to represent the Winter Garden Community Garden and to thank the City and staff for their extra attention they had given to the cleanup of the garden.

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

7. **MATTERS FROM CITY MANAGER**

City Manager Bollhoefer reminded everyone of the Memorial Day celebration on Monday from 8:30 to 9:30 a.m. at Veteran Memorial Park.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman thanked City staff for the changes that had been made at the traffic light as previously discussed.

