



# CITY OF WINTER GARDEN

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## CITY COMMISSION REGULAR MEETING MINUTES

June 11, 2009

A **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. The invocation and Pledge of Allegiance were given.

**Present:** Mayor John Rees, Commissioners Harold L. Boulter, Bob Buchanan, H. Gerald Jowers and Colin Sharman (*arrived at 6:31 p.m.*)

**Also Present:** City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Police Chief George Brennan, Human Resources Director Frank Gilbert, Finance Controller Brian Strobeck, Building Official Skip Lukert, City Planner Ed Williams, Community Development Director Tim Wilson, Recreation Director Jay Conn, Assistant Public Services Director Mike Kelley, Information Technology Director Bob Reilly, and Economic Development Director Dolores Key

1. **APPROVAL OF MINUTES**

**Motion by Commissioner Jowers to approve the regular meeting minutes of May 28, 2009 and special meeting minutes of June 4, 2009 as submitted. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

2. **OATHS OF OFFICE AND INTRODUCTION OF NEW POLICE OFFICERS**

Police Chief Brennan introduced and administered the oath of office to Police Officers James Avila, Nathan Cameron, Jorge Coello, and Ricardo Sorrell.

3. **PRESENTATIONS**

A. **Presentation by the East Winter Garden Economic Development Corporation regarding grant opportunities for their organization**

Michelle McCormick gave a PowerPoint presentation (*see attached Exhibit A*) on the grant opportunities for their organization.

City Manager Bollhoefer stated that the East Winter Garden Economic Development Corporation (EWGEDC) plans are to provide services to other non-profit organizations to help them out. The grant is for matching their expenditures, not in dollars but an in-kind services match. The City is already contributing \$200,000 to the affordable housing project and the EWGEDC can count those funds towards their match. Mr. Bollhoefer stated that a summary of this program will be provided to the City Commission at their next meeting.

Commissioner Buchanan asked how this information would be distributed to those who would not otherwise have this information. Ms. McCormick explained how this would be made known to the various non-profits and possible links to the non-profits.

Mayor Rees asked if they have had any discussions with any of the other non-profits in our area. Ms. McCormick replied that they have not at this point. Commissioner Boulter stated that he is a member of the East Winter Garden Community Development and explained some of the history of their organization. The organization has recently brought Mr. Howard Walker on board and he has been very instrumental in revamping the entire organization to allow them to become more focused on the job at hand to improve the quality of life in their respective area.

Commissioner Sharman addressed the issue of available stimulus money and how this is the only non-profit organization to come forward thus far, ready to write their grant. The City needs to get the funds or they will go elsewhere if we don't. Other non-profits will miss the deadline. City Manager Bollhoefer confirmed that other non-profits would miss the deadline, but this does not impede other non-profits from seeking the grants.

**B. Open-Air Vendors and Solicitors**

Community Development Director Wilson gave a PowerPoint presentation (*see attached Exhibit B*) to share information related to open-air vendors and solicitors. He stated he will bring the issue back at the next meeting for additional discussion. Staff is requesting direction from the City Commission to complete an ordinance to bring back for consideration.

There was discussion on the City Commission reviewing the information provided and contacting staff with their thoughts and suggestions.

• **Winter Garden Heritage Foundation Update**

Mayor Rees recognized Mr. Ron Sikes, President of the Winter Garden Heritage Foundation, to update the City Commission on what is going on with the foundation.

Mr. Sikes stated that the Winter Garden Theatre just completed its first full season of plays and shared the statistics on the various uses of the theatre. They lost a \$75,000 grant that was expected from Orange County, but they were still able to balance their budget and end up with a positive cash flow for the year.

Mr. Sikes recognized Alana McMillan, General Manager of the theatre to announce some of the plays slated for performance in the upcoming season.

Mr. Sikes stated that the theatre did a national search for a museum director and have hired Ben Salata. Mr. Salata addressed the City Commission and stated that this is a wonderful City that he has moved to last month. He shared some things that he has noticed in the downtown area such as the amount of foot traffic in the area. He noted that people did not have anything to take home with them and distributed a book titled "Sundays in the South" and subtitled "Touring West Orange County".

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

- A. **Ordinance 09-27:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 6.4 ± ACRES LOCATED AT 12403 WEST COLONIAL DRIVE, AND MORE SPECIFICALLY DESCRIBED HEREIN INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-27 by title only. Community Development Director Wilson stated that the next three hearings are on the same property located at the corner of Carter Road and State Road 50. The Planning and Zoning Board has recommended approval of the annexation, land use designation and rezoning.

Mayor Rees noted that this item is a step in getting rid of the County enclaves within the City. City Manager Bollhoefer pointed out that this business on this property is Peterbilt on State Road 50.

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

**Motion by Commissioner Boulter to approve Ordinance 09-27 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- B. **Ordinance 09-28:** AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WINTER GARDEN'S COMPREHENSIVE PLAN BY CHANGING THE DESIGNATION FROM ORANGE COUNTY COMMERCIAL TO CITY COMMERCIAL FOR PROPERTY GENERALLY DESCRIBED AS 6.4 ± ACRES LOCATED AT 12403 WEST COLONIAL DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-28 by title only.

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

**Motion by Commissioner Buchanan to approve Ordinance 09-28 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- C. **Ordinance 09-29:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 6.4 ± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 12403 WEST COLONIAL DRIVE FROM ORANGE

COUNTY C-3 TO CITY C-2; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-29 by title only.

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

**Motion by Commissioner Jowers to approve Ordinance 09-29 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- D. **Ordinance 09-30:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 0.49 ± ACRES LOCATED AT 700 9<sup>th</sup> STREET, AND MORE SPECIFICALLY DESCRIBED HEREIN INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-30 by title only. Community Development Director Wilson stated that this public hearing is to annex, amend the land use and rezone the property located on Ninth Street, which is the Elks property. The Planning and Zoning Board recommends approval and staff recommends approval.

City Manager Bollhoefer noted that for many years these businesses have refused to annex into the City because of our Sunday alcohol sale laws. When those laws changed, the businesses have decided that they want to be in the City because they prefer City services.

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

**Motion by Commissioner Jowers to approve Ordinance 09-30 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- E. **Ordinance 09-31:** AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WINTER GARDEN'S COMPREHENSIVE PLAN BY CHANGING THE DESIGNATION FROM ORANGE COUNTY COMMERCIAL TO CITY COMMERCIAL FOR PROPERTY GENERALLY DESCRIBED AS 0.49 ± ACRES LOCATED AT 700 9<sup>th</sup> STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE

City Attorney Ardaman read Ordinance 09-31 by title only.

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

**Motion by Commissioner Buchanan to approve Ordinance 09-31 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- F. **Ordinance 09-32:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.49 ± ACRES OF CERTAIN REAL PROPERTY LOCATED AT 700 9<sup>th</sup> STREET FROM ORANGE COUNTY C-2 TO CITY C-2; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-32 by title only.

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

**Motion by Commissioner Jowers to approve Ordinance 09-32 with the second reading and public hearing being scheduled for July 9, 2009. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

5. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

- A. **Ordinance 09-10:** AN ORDINANCE OF THE CITY OF WINTER GARDEN ADOPTING THE EVALUATION AND APPRAISAL REPORT OF THE CITY'S COMPREHENSIVE GROWTH MANAGEMENT PLAN; PROVIDING FOR THE CITY'S INTENT TO AMEND THE COMPREHENSIVE PLAN BASED ON THE RECOMMENDATIONS SET FORTH IN THE REPORT; APPROVING THE TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-10 by title only. Community Development Director Wilson stated that this is the adoption hearing of the Evaluation and Appraisal Report of the Comprehensive Plan. A public hearing was held on March 26, 2009 and those documents were transmitted to the Department of Community Affairs (DCA). The DCA commented on the City's population estimate methodology, the level of service for schools and school capacities that were not properly identified. Staff has since addressed those items and included them in the document. He stated staff now feels it is ready to be transmitted back to the DCA for a final ruling of sufficiency and recommends approval.

Commissioner Sharman asked what the difference is in how the City calculated its population totals versus what the DCA wanted us to do. Mr. Wilson stated that there is a standard within the law and staff has taken a more customized standard for estimating the population based on Certificates of Occupancy and forecasting them rather than using the State's calculation exclusively. Staff feels that it is a more accurate way to calculate and

to justify this methodology to the DCA. He noted that there is a special sign-in sheet available at the entrance for anyone wishing to receive notification of the decision.

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

**Motion by Commissioner Sharman to adopt Ordinance 09-10. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

- B. **Ordinance 09-24:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTIONS 78-55 AND 78-57 OF CHAPTER 78, CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN, REDUCING THE WATER AND SEWER SERVICES READINESS TO SERVE CHARGE FOR METERED ACCOUNTS DURING MONTHS OF ZERO CONSUMPTION; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-24 by title only. Controller Strobeck stated that this ordinance will eliminate the water and sewer base charges for readiness to serve in those months of zero consumption.

Commissioner Jowers clarified that this does not eliminate the readiness to serve charge but reduces it by about 15 percent. City Manager Bollhoefer stated that this charge was originally about \$40. The goal was to cut it in half and this ordinance brings it down to \$24. Although it does not eliminate the charge, it will make it easier on those who are part-time residents and the landlords.

Mayor Rees opened the public hearing.

Theo Graham, 213 W. Tilden Road, Winter Garden, Florida, asked what that means for someone who is away for a month.

City Manager Bollhoefer replied that if someone decides to leave, no matter what the time period is and the account is deactivated, it will go into the readiness to serve mode and the charge will be \$24 a month instead of \$40. Mr. Strobeck added that he believes it can be set up to be done automatically.

Hearing or seeing no other comments, Mayor Rees closed the public hearing.

**Motion by Commissioner Jowers to adopt Ordinance 09-24. Seconded by Commissioner Sharman and carried unanimously 5-0.**

- C. **Ordinance 09-26:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2008-2009 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 09-26 by title and an excerpt from Section 1 that the sum of \$4,545,431 is to be appropriated as follows:

| <b>REVENUES</b>   |              |
|---|--------------|
| General Fund  | \$ 1,860,612 |
| Downtown Parking District Fund                            | (233,500)    |
| Community Redevelopment Agency Fund                       | (20,000)     |
| Law Enforcement Trust Fund                                | 182,715      |
| Local Option Gas Tax Fund                                 | 0            |
| General Impact Fee Fund                                   | (1,697,324)  |
| Transportation Impact Fee-South of Turnpike Fund          | 55,116       |
| Transportation Impact Fee-CR545 Special Benefit Area Fund | (201,160)    |
| Transportation Impact Fee-General Fund                    | 1,412,679    |
| New City Hall Capital Project Fund                        | 0            |
| Utility Operating Fund                                    | 770,793      |
| Utility Impact Fee Fund                                   | 1,625,463    |
| Utility Renewal and Replacement Fund                      | 551,500      |
| Stormwater Fund   | 290,487      |
| Solid Waste Fund  | (51,950)     |
| Trailer City Fund   | 0            |
|   | <hr/>        |
|   | \$4,545,431  |

Expenses are identically itemized to those of revenues with total expenses also equaling \$4,545,431.

Controller Strobeck stated that this is the interim budget that is brought before the City Commission every year to adjust for any changes in estimates or items that were unanticipated in the original budget.

Commissioner Buchanan stated that he has heard that there will be an \$800,000 shortfall next year. City Manager Bollhoefer replied yes, next year staff will be making a presentation but the amount is not known until we see what the shortfalls in sales taxes will be. Going into next year's budget, property evaluations may drop our revenue by approximately \$800,000. Looking at sales tax reductions, it could be anywhere from \$800,000 to \$1.5 million. He stated that usage of the fund balance was primarily for the purchase of the Pounds property. This budget does reflect the elimination of five positions and the addition of one position.

**Motion by Commissioner Buchanan to adopt Ordinance 09-26. Seconded by Commissioner Jowers and carried unanimously 5-0.**

6. **REGULAR BUSINESS**

- A. **Resolution 09-10:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER GARDEN, FLORIDA, SUPPORTING THE REINSTATEMENT OF BUS LINES TWENTY-SEVEN AND FIFTY-THREE, OPPOSING THE INEQUITABLE ALLOCATION OF MASS TRANSIT SERVICES BY THE CENTRAL FLORIDA

REGIONAL TRANSPORTATION SYSTEM, SUPPORTING THE IMPLEMENTATION OF A PICK UP LINE IN WINTER GARDEN, AND SUPPORTING INTERMODAL TRANSPORTATION SYSTEMS IN WINTER GARDEN AND CENTRAL FLORIDA

City Manager Bollhoefer stated that at the last meeting staff was tasked with drafting a resolution to oppose the recent actions by Lynx to reduce routes in the City. Last year Lynx eliminated two bus lines and all that remains is the #442 bus line, which Sembler contributes a \$200,000 per year towards that is only for two years, with only one year remaining. When Lynx eliminated the #27, they stated that they would add a pick-up line to Winter Garden to help compensate for the loss. The pick-up line #611, which was added stays in the City limits of Ocoee and does not come into the City of Winter Garden at all. In effect, the City has lost two lines and did not get a pick up line. The #442 will probably not be paid by Sembler again after the two years is up. He stated the City has done a study that was used in a meeting recently held with Lynx. Lynx has agreed to work with the City in the interim to find some fixes. One of the things that Lynx said is that they would look at providing a pick-up line in Winter Garden. He noted that a pick-up line is a service that someone can call to come to their house and takes you to the bus stop for the main lines. He shared some of the possible fixes discussed with Lynx.

There was discussion on the pick-up line and possibly finding a site in Winter Garden that could be a mini bus depot. City Manager Bollhoefer stated that he would provide the City Commission with route information.

**Motion by Commissioner Jowers to adopt Resolution 09-10 and for the City Manager to transmit a copy of the Resolution to Lynx. Seconded by Commissioner Sharman and carried unanimously 5-0.**

**B. Request to sell special fireworks June 24 to July 4, 2009 (10 days) and tent permit from June 15 to July 7, 2009 (22 days) by First American Fireworks Company to sell State approved sparklers in the K-Mart Shopping Center**

Building Official Lukert stated that this is the company's third year requesting to sell fireworks at this location. They have gone through the approval process with police, fire, and building and zoning departments. Staff recommends approval.

Mayor Rees asked if the City has had any issues with them in the past. Mr. Lukert stated that the City has not had any issues with them for the years they have been here.

**Motion by Commissioner Sharman to approve the sale of special fireworks June 24 to July 4, 2009 (10 days) and tent permit from June 15 to July 7, 2009 (22 days) by First American Fireworks Company to sell State approved sparklers in the K-Mart Shopping Center. Seconded by Commissioner Boulter and carried unanimously 5-0.**

**D. Recommendation to approve bids for Tremaine Street and South Lakeview Avenue Improvements Project and to award the contract to DeWitt Construction in the**

**amount of \$569,713.69, with a 10 percent contingency, for a total project amount of \$626,685.00**

Public Services Director Cochran stated that the scope of work for this project consists of resurfacing the streets with brick, replacement of water and sewer lines, and stormwater drainage improvements. The boundaries on Tremaine Street will be from South Highland Avenue to South Main Street and on South Lakeview Avenue from Tremaine Street to Smith Street. There were 13 contractors bidding this contract. DeWitt Construction was the overall lowest qualified bidder at a bid of \$569,713.69 and staff recommends including a ten percent contingency with an overall price of \$626,685.00.

Mayor Rees asked if the contract is approximately \$100,000 less than the City's original estimate. Mr. Cochran replied that the original estimate and budgeted amount was \$939,802. He noted that other projects put out to bid are at 40 percent less than the engineers estimate versus the bid prices.

Mayor Rees asked if this project will take care of the water accumulation problem in the new parking lot. Mr. Cochran replied yes, it will.

Commissioner Sharman asked if this will be included in this year's budget or next year's budget. City Manager Bollhoefer replied that it is in this year's budget and it is staff's goal to be started within the next 30 days.

Commissioner Sharman noted that the savings to the City this year will actually help the City's budget next year. Mr. Bollhoefer responded absolutely and staff will be coming back with a proposal for improvements to the Farmers Market with several options. If the City Commission elects not to do the improvements, the money goes back into the general fund for other options.

**Motion by Commissioner Buchanan to approve bids for Tremaine Street and South Lakeview Avenue Improvements Project and to award the contract to DeWitt Construction in the amount of \$569,713.69, with a 10 percent contingency, for a total project amount of \$626,685.00. Seconded by Commissioner Jowers and carried unanimously 5-0.**

**E. Recommendation to approve a Design/Build Utility Agreement for State Road 50 from Avalon Road to State Road 429 with the Florida Department of Transportation**

Public Services Director Cochran stated that at the last Commission meeting the City Commission approved an agreement with the Florida Department of Transportation (FDOT) for hardscaping and mast arm lighting on State Road 50. The FDOT requires a separate agreement for the utility portion of this project. In order to perform this work in a timely manner, the FDOT is doing a design/build approach to this project. The timeframe to begin construction is around December and is for a 24-month period. The responsibility of the City is to provide FDOT with a design of the utility relocations and the funding. FDOT will short list a group of contractors and from that short list the City will have an opportunity to review the contractor's proposals. The contractor will be

selected and the City will enter into a separate contract with the contractor for our utility line work. The City will have the right to inspect the work as it is going on. The original estimate for this work was \$7,136,165 and we have a new estimate this week of \$6,406,476. Prices are coming down and the project will be a little less expensive than staff originally thought it would be.

**Motion by Commissioner to approve a Design/Build Utility Agreement for State Road 50 from Avalon Road to State Road 429 with the Florida Department of Transportation. Seconded by Commissioner Jowers and carried unanimously 5-0.**

**F. Recommendation to approve distribution of awarded grant funds to replace ten analog portable radios**

Police Chief Brennan stated that as part of the Federal 2009 Recovery Act, the Edward Byrnes Memorial Justice Assistance Grant has earmarked \$2.4 million to come to Orange County for the various municipalities. Specifically, \$67,000 of that amount has been earmarked for use by the Winter Garden Police Department. A requirement of the grant program, since it all has to go through Orange County, is that Orange County must show that at least 51 percent of the municipalities, representing at least 51% of the population of Orange County, agree with the distribution of the awarded amount. The agenda package includes the proposed projects including his proposal of spending \$66,230 for replacing ten analog portable police radios with digital portable radios. He noted that the analog radios will be obsolete in a couple of years and need to be replaced.

**Motion by Commissioner Sharman to approve distribution of awarded grant funds to replace ten analog portable radios. Seconded by Commissioner Buchanan and carried unanimously 5-0.**

**G. Appointments to the Architectural Review and Historical Preservation Board for expiring terms of Christopher Lee and Kent Makin**

City Clerk Golden stated that Mr. Lee's and Mr. Makin's original appointments to the board are scheduled to expire and they have expressed a desire to continue serving on the board. Also submitted for consideration are the applications on file of those interested in being appointed.

Mayor Rees asked if the current member's attendance has been good. City Manager Bollhoefer stated that Mr. Makin has missed two meetings and Mr. Lee missed one, their absence did not affect having a quorum.

Commissioner Sharman stated that he was contacted by Chuck Simikian regarding serving on this board. He noted that Mr. Simikian lives in Commissioner Jowers' district and asked Commissioner Jowers, who originally appointed Kent Makin, if he would be interested in appointing Chuck Simikian instead. Commissioner Jowers replied that he would not be opposed to appointing Mr. Simikian; he knows Mr. Simikian who is very interested and is extremely qualified.

Commissioner Buchanan stated that he did not oppose Mr. Simikian's appointment. However, Chris Lee was his appointment and he would like for him to stay on the board. He noted that the City has a lot of new citizens and suggested looking at imposing term limits for board members so other people are given the opportunity to serve on boards. He shared that Mr. Thomas Gregory, who ran for the Commission against him, stated he ran because he could not get appointed to a board. Commissioner Buchanan stated that he understands it is pretty hard to get on some of the boards when certain people get on and never get off.

City Manager Bollhoefer stated that he would bring back a matrix of all the board memberships and their terms to the next City Commission meeting.

**Motion by Commissioner Jowers to reappoint Christopher Lee and appoint Chuck Simikian (replacing Kent Makin) to the Architectural Review and Historic Preservation Board (3-year terms commencing July 1, 2009). Seconded by Commissioner Sharman and carried unanimously 5-0.**

7. **MATTERS FROM CITIZENS – There were no items.**

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

9. **MATTERS FROM CITY MANAGER**

A. **Golf cart criteria**

City Manager Bollhoefer stated that staff is still working on this and have been receiving a lot of the information as requested by the City Commission. Most of the accident data has been received but staff is still waiting on some results from other cities. Staff has initially met with two traffic engineers and will be meeting again to work with them on the criteria. The City Attorney is doing some final legal research on a couple of issues. Staff would like to finalize this and include the results in a presentation to City Commission at the next meeting.

B. **Signage workshop dates**

City Manager Bollhoefer stated that staff wants to schedule workshop dates for addressing the City's sign code on a date other than a City Commission meeting. He suggested three dates, all on off meeting Thursdays: July 16<sup>th</sup>, August 6<sup>th</sup>, and August 20<sup>th</sup> at 6:00 or 6:30 p.m. It was the **consensus** of the City Commission to meet August 20, 2009 at 6:00 p.m.

C. **Government finance workshop date**

City Manager Bollhoefer stated that the finance workshop is more of an educational presentation and suggested having it on the same night as a City Commission meeting. It will be an educational meeting with reading material being provided to bring back later if there are any questions.

Mayor Rees suggested having this meeting before a City Commission meeting at approximately 5:30 p.m.

It is the **consensus** of the City Commission to meet before a City Commission meeting at 5:30 p.m. for the presentation. City Manager Bollhoefer stated that he would contact the City Commissioners individually to get a specific date that will work for everyone.

- **Strategic Planning Meeting – July 11, 2009**

City Manager Bollhoefer stated that the July 11, 2009 Strategic Planning meeting is a culmination of what has been done with surveys and focus groups. The idea is to have this meeting run from 8:00 a.m. to possibly 1:00 p.m.

- **Update on deceased Firefighter Omar Martinez**

City Manager Bollhoefer stated that he was asked what the City has done about Firefighter Omar Martinez. The Human Resources Department has provided assistance to the family with filing the life insurance claim, medical claims, presumptive illness and workman's compensation claims on the family's behalf. Staff has disbursed all final wage payments to the Martinez family, which includes his personal, sick, and vacation leave. The City is establishing a Firefighter Martinez Memorial Fund at the Wachovia Bank and will hold a fundraiser at the City's 4<sup>th</sup> of July event. Anyone wanting to donate to the fund should contact Human Resources Director Gilbert.

- **Florida League of Cities**

City Manager Bollhoefer stated that the Florida League of Cities conference is coming up and the registration deadline is July 24, 2009. The conference is being held in Orlando, Florida, August 13 - 15, 2009.

**Motion by Commissioner Sharman for Commissioner Boulter to be the voting delegate with Commissioner Sharman as the alternate. Seconded by Commissioner Jowers and carried unanimously 5-0.**

- **Update on Old Dillard Elementary School dirt pile**

City Manager Bollhoefer reported that plans for moving the construction dirt pile has begun today with 40 trucks clearing the pile in the next few days.

Mayor Rees asked Mr. Bollhoefer if Lester Austin ever got with him about the dirt. Mr. Bollhoefer stated that staff did not get in touch with Mr. Austin, but the contractor found someone who wants the dirt.

- **Alternate road for the Church of Christ property on Daniels Road**

City Manager Bollhoefer stated that the alternate road associated with the Church of Christ agreement is being finalized and it will allow the City to keep that road open for 365 days, with the option of keeping it open longer. The Florida Department of Transportation (FDOT) did not have any objection to keeping it open longer, but wanted to allow the City to have the option of asking them to keep it open after the 365 days. The FDOT wants the street posted with a 25 mph speed limit and if they have issues with speeders, the City would patrol the road. The church is asking that the road be closed at 9:00 p.m. for safety reasons and at that time of the day, there is not a traffic issue.

