



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

February 23, 2012

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, Kent Makin, and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Public Services Director Don Cochran, Community Development Director Ed Williams, Human Resources Director Frank Gilbert, Police Chief George Brennan, Fire Chief John Williamson, Building Official Skip Lukert, Information Technology Director Bob Reilly, Economic Development Director Tanja Gerhartz, Recreation Director Jay Conn and West Orange Times Reporter Michael Laval

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve the regular meeting minutes of February 9, 2012, with the correction submitted by the City Clerk. Seconded by Commissioner Makin and carried unanimously 5-0.

2. **PRESENTATIONS**

Mayor Rees read Proclamation 11-03, and with City Commissioners presented the proclamation to Police Sergeant James Carter honoring him on his retirement after 22 years of service.

Mayor Rees read Proclamation 11-04 and with City Commissioners presented the proclamation to Police Communications Supervisor Lana Dees honoring her on her retirement after 30 years of service.

3. **FIRST READING OF PROPOSED ORDINANCES**

A. **Ordinance 12-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING ORDINANCE 11-26, THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET TO CARRY FORWARD PRIOR YEAR APPROPRIATIONS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-09 by title and the following excerpt from Section 1:

REVENUES

General Fund	\$ -
Downtown Parking District Fund	-
Community Redevelopment Agency Fund	30,000
Local Option Gas Tax Fund	800,719
General Impact Fee Fund	292,339
Transportation Impact Fee-South of Turnpike Fund	791,637
CR 545 Special Benefit Impact Fee Fund	-
Transportation Impact Fee Fund	4,731,964
Utilities Operating Fund	1,164,856
Utilities Impact Fee Fund	4,987,453
Utilities Renewal & Replacement	2,421,189
Stormwater Fund	178,509
Solid Waste Fund	-
Trailer City Fund	<u>2,179</u>
	\$15,400,845

Mr. Ardaman also noted that the expenses mirror the revenue amounts as itemized.

City Manager Bollhoefer noted that these funds are for projects that were not completed last year; they are still in process or getting ready to begin. There are no additions to these amounts and they are simply carry-overs.

Motion by Commissioner Buchanan to approve Ordinance 12-09 with the second reading and public hearing being scheduled for March 8, 2012. Seconded by Commissioner Boulter and carried unanimously 5-0.

- B. **Ordinance 12-14:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2011-2012 BUDGET; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 12-14 by title and the following excerpt from Section 1:

REVENUES

General Fund	\$267,320
Downtown Parking District Fund	(70,000)
Local Option Gas Tax Fund	-
General Impact Fee Fund	(40,849)
Transportation Impact Fee-South of Turnpike Fund	39,746

Transportation Impact Fee-CR545	
Special Benefit Area Fund	(735,446)
Transportation Impact Fee-General Fund	311,089
Utility Operating Fund	902,995
Utility Impact Fee Fund	126,964
Utility Renewal and Replacement Fund	140,000
Stormwater Fund	27,775
Solid Waste Fund	(2,922)
Trailer City Fund	<u>1,000</u>
	\$967,672

Mr. Ardaman noted that the expenditures are identically itemized to those of revenues with the same itemized amounts.

City Manager Bollhoefer stated that a revised copy was distributed due to some late revisions. He noted that adjustments have been made to increase some of the amounts in the revenue and some expense items were eliminated.

Commissioner Sharman noted that some of the revenues were down from what had been projected and asked if staff has plans to submit a third revenue revision.

City Manager Bollhoefer replied no; some of those items have been adjusted on his revised distribution. He explained that when the estimates were done, some of the revenues do not come in evenly over the 12 months. There tends to be larger amounts closer to the end of the fiscal year.

Commissioner Sharman asked if the City would recapture some of these revenues towards the end of the year and show them on the next adjustment. City Manager Bollhoefer replied yes, those adjustments have been included in this revision.

Mr. Bollhoefer noted that one of the key items that have been added is an increase to the amount for the downtown area speakers. The speakers will be installed in a manner which disguises them and gave the Commission a location map. He stated that he would bring one of the speakers in for the City Commissioners to see.

Mayor Rees asked when this project would be completed. Mr. Bollhoefer replied that the goal is to have this project completed by the end of March, but it may stretch over into April. The goal is to have a uniform sound system throughout the downtown area.

Mr. Bollhoefer also highlighted items such as the wellness program and the shades for the splash fountain.

Motion by Commissioner Sharman to approve Ordinance 12-14 with the second reading and public hearing being scheduled for March 8, 2012. Seconded by Commissioner Buchanan and carried unanimously 5-0.

4. **REGULAR BUSINESS**

A. **Recommendation to approve accommodating the “Run in the Garden” 5k on Saturday, April 28, 2012**

Recreation Director Conn stated that Jerry Pegram, owner of the Tri and Run business downtown, has approached the City with a request to have another 5K race through the downtown. In the past, staff has not asked the City Commission for permission but this run will require the closure of Plant Street for short time. He noted that Mr. Pegram has already received approval from the downtown merchants association. Mr. Conn noted that this event has brought in upwards of 500 to 600 runners and benefits the Farmers Market to have this kind of activity in the downtown area. Staff recommends approval.

Motion by Commissioner Buchanan to approve the Tri and Run event in the downtown area. Seconded by Commissioner Sharman and carried unanimously 5-0.

B. **Recommendation to approve request by Pain Care First to relocate their clinic from 1201 Winter Garden Vineland Road Suite 4B to 13650 West Colonial Drive Suite 100**

Community Development Director Williams stated that this is a request to relocate an existing pain management clinic, Pain Care First, from their current clinic location at 1201 Winter Garden Vineland Road Suite 4B to 13650 West Colonial Drive Suite 100. Mr. Williams stated that the City’s ordinance requires that the applicant submit a great deal of information; which they have. Staff has reviewed this information and is happy to report that they are operating consistently with codes and regulations and are not one of the problem pain management clinics the ordinance seeks to regulate. Staff recommends approval.

Motion by Commissioner Boulder to approve request by Pain Care First to relocate their clinic from 1201 Winter Garden Vineland Road Suite 4B to 13650 West Colonial Drive Suite 100. Seconded by Commissioner Makin and carried unanimously 5-0.

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

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

7. **MATTERS FROM CITY MANAGER**

A. **State of the City – General Fund**

City Manager Bollhoefer gave a PowerPoint presentation on the State of the City titled “From Worst to First” and shared a historical timeline of events and projects that have changed the City of Winter Garden. He noted the vision for Winter Garden’s future and described some upcoming projects.

B. **Discussion on design of shade covering for splash fountain**

City Manager Bollhoefer stated that this item is being postponed until the first meeting in March.

• **Sale of City-Owned Mobile Home**

City Manager Bollhoefer stated that a City owned trailer in Trailer City (7 Azalea Drive) that was sold by agreement which stipulates if the purchaser leaves, they have to return it back to the City, which they have. He noted that staff thinks the trailer is worth \$5,000.00 and would like to put it back on the market for sale, if the City Commission approves.

Motion by Commissioner Buchanan to approve selling the mobile home as recommended by staff. Seconded by Commissioner Boulder and carried unanimously 5-0.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Makin shared that he has spoken to a vendor who had never heard of the City of Winter Garden but was so impressed with the downtown activity that he vowed not to miss another Saturday event. Commissioner Makin encouraged staff to keep up the good work.

Commissioner Buchanan stated that he spoke to a Sheriff that used to enjoy Mount Dora's activities, but has been bringing his wife to the City of Winter Garden every weekend and shared that he wishes he had moved here instead.

The meeting adjourned at 7:29 p.m.

APPROVED:

_____/S/_____
Mayor John Rees

ATTEST:

_____/S/_____
City Clerk Kathy Golden, CMC