



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

May 14, 2020

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 via Remote Electronic Attendance as per State of Florida, Office of the Governor (Executive Order Number 20-69). An Opening Invocation and Pledge of Allegiance given.

Present: Mayor John Rees and Commissioners

Lisa L. Bennett – District 1

Bob Buchanan – District 2

Mark A. Maciel – District 3

Colin Sharman – District 4

Also Present: City Manager Mike Bollhoefer, City Attorney A. 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, Finance Director Laura Zielonka, Information Technology Director Chad Morrill, Fire Chief Matt McGrew and Police Chief Stephen Graham

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve Regular meeting minutes of April 23, 2020 and Special Meeting Minutes of May 4, 2020 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

2. **PRESENTATION**

A. **Proclamation 20-01** proclaiming Apraxia Awareness Day was presented by Mayor Rees and the City Commission. I.T. Director Morrill noted that Ashley Maslanka emailed an expression of gratitude and thanks; knowing what this means to her and many other parents. She thanked everyone involved in making this proclamation happen.

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

A. **Ordinance 20-16:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE

B. **Ordinance 20-17:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.82 ± ACRES OF LAND LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET FROM ORANGE COUNTY LOW-MEDIUM

DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- C. **Ordinance 20-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.82 ± ACRES LOCATED AT 356 E. LAFAYETTE STREET AND 497 W J PETERS LANE; NORTH OF E. CYPRESS STREET, WEST OF 9TH STREET, EAST OF SUMMER STREET, AND SOUTH OF E. LAFAYETTE STREET; FROM ORANGE COUNTY R-2 RESIDENTIAL DISTRICT TO CITY R-2 RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 20-16, 20-17 and 20-18 by title only. City Manager Bollhoefer described the location of the properties and noted that the applicant wants to annex these properties in order to extend their pond. He noted that this would be R-2 zoning; matching the predominant zoning of the existing neighborhood. Staff recommends approval.

Mayor Rees clarified the location of the properties. He also commented on demolition of the old Winter Garden Elementary School; noting that afterwards, redevelopment in that area with an R-2 zoning yielded many duplexes. He cautioned that this should be a consideration when allowing future R-2 zoning.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting.

Steven Thorpe, representative from Orange County Public Schools (the applicant), stated that staff recommendations were taken into consideration and he voiced appreciation to staff for assisting them through the process.

After waiting several minutes and receiving no additional public calls or comments, Mayor Rees closed the public hearing.

Motion by Commissioner Sharman to adopt Ordinances 20-16, 20-17 and 20-18. Seconded by Commissioner Maciel and carried unanimously 5-0.

4. **REGULAR BUSINESS**

- A. Recommendation to approve Police Department purchase of gym and exercise equipment utilizing \$10,932 from Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation, with public comment

Police Chief Graham stated that the Federal budget year for Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation has allocated \$320,718 for Orange County. He noted that earmarked was \$10,932 of those funds for the City of Winter Garden and currently requested for the purchase of additional gym and exercise equipment. He indicated that this

equipment would be available for use by all City employees. He also informed that this item requires the allowing for public comment.

Commissioner Buchanan inquired if this was where the old youth center was located. City Manager Bollhoefer responded yes.

Commissioner Maciel inquired as to what \$10,000 could purchase. Police Chief Graham responded that there would have to be a delay until the prices come down; noting that since all the gyms are closed, personal home gym equipment is at a premium.

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting. After waiting several minutes and receiving no public calls or comments, he closed the public hearing.

Motion by Commissioner Bennett to approve Police Department purchase of gym and exercise equipment utilizing \$10,932 from Fiscal Year 2019-2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – JAG Countywide – State Solicitation. Seconded by Commissioner Buchanan and carried unanimously 5-0.

5. **MATTERS FROM PUBLIC**

Mayor Rees opened the public hearing; reading a dedicated phone number and instructions for the public's participation in this meeting.

Ron Mueller, 709 Lake Cove Pointe Circle, Winter Garden, Florida noted having earlier sent an email to Mayor Rees. Mayor Rees responded that he would review it and call him the next day. Mr. Mueller then thanked various City staff and the City Commission for their efforts during this time.

After waiting several minutes and receiving no additional public calls or comments, Mayor Rees closed the public hearing.

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

7. **MATTERS FROM CITY MANAGER**

COVID-19 – Downtown Businesses Update

City Manager Bollhoefer gave a status of the efforts related to the downtown businesses regarding tables and seating adjustments. He also noted requirements for masks worn by restaurant employees did not match that of the State. Staff recommends removing the rule and allowing restaurants to decide for themselves, as there had been some objections.

Mayor Rees clarified that the removal of the requirement to wear masks would be mirroring State law, the City recommends it, but it is not required. City Manager Bollhoefer responded, correct.

Commissioner Maciel inquired about the ability to enforce that law. Mr. Bollhoefer replied that it could be enforced, but very difficult when not a requirement for others in the State. Commissioner Maciel inquired of the objections received. Mr. Bollhoefer replied that there are various reasons such as some do not like masks, difficulty in finding them, some find it offensive to their liberty and do not think it is the government's job to tell someone how to be safe. Mayor Rees noted some work in the kitchen and there is difficulty breathing with the heat. Commissioner Buchanan also noted that some have a phobia. City Manager Bollhoefer agreed that claustrophobic people do not like them.

Motion by Commissioner Bennett to follow State law regarding the wearing of masks. Seconded by Commissioner Buchanan and carried unanimously 5-0.

Change Curfew

City Manager Bollhoefer noted that the City implemented a 10:30 p.m. curfew based on Orange County's curfew of 11:00 p.m. He noted that Orange County lifted its curfew. Staff requests that during the interim, the City change its curfew from 10:30 p.m. to 11:00 p.m. for the next two weeks. Afterwards there would be a review of this issue and then possible following of State law. Mr. Bollhoefer explained the reasoning behind this decision, noting the current prohibition to bars being open and restaurant patrons usually done eating by 11:00 p.m. He noted keeping the City Commission informed of any changes or adjustments and their opportunity to discuss those decisions at City Commission meetings.

Motion by Commissioner Buchanan to approve an 11:00 p.m. curfew for the next two weeks. Seconded by Commissioner Maciel and carried unanimously 5-0.

Lakeside Church

City Manager Bollhoefer thanked Lakeside Church for their contribution in putting together 250 bags of food and supplies for East Winter Garden.

Mr. Bollhoefer also thanked the churches in East Winter Garden that joined in and created a group of volunteers to distribute hot meals to those that are immobile and the elderly who cannot prepare their own food.

8. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Sharman inquired of sales tax revenues and when the City would see a shortfall; he wondered if it would be months from now. City Manager Bollhoefer responded that he believes it would start sooner. He has heard of a potential reduction with a maximum of 20 percent; although in the long term, he does not think it will be 20 percent. He indicated that department heads are reviewing their operational budgets and finding ways to reduce the budgets by ten percent. He thinks long term would be a ten percent adjustment and adjustments made as we get more information. He stated that we really do not know yet.

