



# CITY OF WINTER GARDEN

## City Commission REGULAR MEETING MINUTES

October 13, 2022

**REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Pro Tem Sharman at 6:32 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

**Present:**

Mayor Pro Tem - Colin Sharman  
Commissioner District 1 - Lisa L. Bennett  
Commissioner District 2 - Ron Mueller  
Commissioner District 3 - Mark A. Maciel

**Also Present:**

Assistant City Manager Frank Gilbert  
City Attorney A. Kurt Ardaman  
City Clerk Angee Grimmage

**Absent:** Mayor John Rees

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

**Motion by Commissioner Mueller to approve regular meeting minutes of October 5, 2022 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.**

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

- A. **Ordinance 22-40:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 30.24 ± ACRES LOCATED ON TILDEN ROAD; SOUTH OF TILDEN ROAD, WEST OF WEST ORANGE COUNTRY CLUB DRIVE, AND EAST OF TINY ROAD 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
- B. **Ordinance 22-41:** 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 APPROXIMATELY 30.24 ± ACRES LOCATED ON TILDEN ROAD; SOUTH OF TILDEN ROAD, WEST OF WEST ORANGE COUNTRY CLUB DRIVE, AND EAST OF TINY ROAD; FROM ORANGE COUNTY VILLAGE TO CITY SUBURBAN RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- C. **Ordinance 22-42:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 30.24 ± ACRES LOCATED ON TILDEN ROAD; SOUTH OF TILDEN ROAD, WEST OF WEST ORANGE COUNTRY CLUB DRIVE, AND EAST OF TINY ROAD; FROM ORANGE COUNTY A-1 (CITRUS RURAL DISTRICT) TO CITY PUD (PLANNED UNIT DEVELOPMENT) AS SET FORTH IN THIS ORDINANCE; PROVIDING FOR CERTAIN PUD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE TILDEN CLUB PUD; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

City Attorney Dan Langley informed of a request for continuance of these three ordinances to a date uncertain. Assistant City Manager Gilbert asked for delay of these items expressing the need for more time to research and review.

**Motion by Commissioner Mueller to POSTPONE Ordinances 22-40, 22-41 and 22-42 to a date uncertain. Seconded by Commissioner Maciel and carried unanimously 4-0.**

- D. **Ordinance 22-43:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA; AMENDING PORTIONS OF ARTICLE II AND ARTICLE IV OF CHAPTER 78, THE WINTER GARDEN CODE OF ORDINANCES CONCERNING UTILITIES AND THE CITY'S WATER AND WASTEWATER SYSTEMS; CREATING PROVISIONS CONCERNING WATER AND SANITARY SEWER SYSTEMS, INDUSTRIAL WASTE, AND CONNECTIONS AND SERVICES TO INDUSTRIAL USES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

City Attorney Dan Langley read Ordinance 22-43 by title only. Community Development Director Stephen Pash stated that this ordinance amends Article II and IV of Chapter 78. He noted that it clarifies requirements for annexation into the City for sewer and water connections as well as industrial and wastewater requirements. Staff recommends approval of Ordinances 22-43.

Commissioner Maciel requested City Attorney Langley highlight the purpose of the ordinance and its benefits to the City. Mr. Langley replied by noting that an Environmental Attorney had been engaged to inform the City on how to deal with microplastics, their effects on the water systems, and whether processing these items would cause damage to the wastewater systems. He noted that language was crafted to address these issues and highlighted items such as industrial waste permits, industrial zone use, and timing for when permits are required for industrial users to connect to the City's wastewater systems. He noted that some items had already been in practice, but were now being placed in the code for online access. He also addressed annexation requirements to receive certain services. He noted that the main purpose is to implement a new regulation system to protect our citizens and wastewater treatment plant from microplastics in our system.

Mayor Pro Tem Sharman opened the public hearing; hearing and seeing none, he closed the public hearing.

**Motion by Commissioner Maciel to approve Ordinance 22-43 with a second reading and public hearing October 27, 2022. Seconded by Commissioner Bennett and carried unanimously 4-0.**

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

- A. **Ordinance 22-23:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 3.04 ± ACRES LOCATED AT 14990 WEST COLONIAL DRIVE GENERALLY LOCATED SOUTH OF W. COLONIAL DRIVE, WEST OF ORANGE WEST BOULEVARD, AND NORTH OF ROLLING ROCK WAY FROM C-2 (ARTERIAL COMMERCIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

It was noted that this item would be postponed to a date uncertain. Assistant City Manager Gilbert requested delay for more time to research and review.

**Motion by Commissioner Mueller to POSTPONE Ordinance 22-23 to a date uncertain. Seconded by Commissioner Bennett and carried unanimously 4-0.**

4. **REGULAR BUSINESS**

- A. **Recommendation to approve SITE PLAN for 78 3<sup>rd</sup> Street, 11 2<sup>nd</sup> Street and 230 E. Bay Street (Florida Paint Warehouse Expansion), subject to conditions**  
Community Development Director Pash stated that this is a site plan review for 78 3<sup>rd</sup> Street, 11 2<sup>nd</sup> Street and 230 E. Bay Street. He noted that the applicant proposes building onto an existing building and install landscaping and walkways. He informed that a community meeting was held where one neighbor voiced questions, which were addressed. The plans have been reviewed and approved by the Development Review Committee. Staff recommends approval, subject to conditions.

**Motion by Commissioner Maciel to approve SITE PLAN for 78 3<sup>rd</sup> Street, 11 2<sup>nd</sup> Street and 230 E. Bay Street (Florida Paint Warehouse Expansion), subject to conditions. Seconded by Commissioner Bennett and carried unanimously 4-0.**

5. **MATTERS FROM PUBLIC**

Charlie Mae Wilder, 813 East Bay Street, Winter Garden, Florida, noted that this is the 16<sup>th</sup> Annual Veterans and Families of Veterans appreciation event. She voiced appreciation for City Commission support in the past and requested continued support for this year.

There was discussion of appreciation for Ms. Wilder, the events she has held, and their contribution to East Winter Garden. Commissioner Maciel noted speaking to staff in an effort to increase this year's contribution to \$750.

**Motion by Commissioner Maciel to approve donation of \$750 to support the Annual Veterans and Family of Veteran's Appreciation event for 2022. Seconded by Commissioner Mueller and carried unanimously 4-0.**

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

