



CITY OF WINTER GARDEN

City Commission REGULAR MEETING MINUTES

March 10, 2022

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. An Opening Invocation and Pledge of Allegiance were given.

Present:

Mayor John Rees
Commissioner District 1 – Lisa L. Bennett
Commissioner District 2 - Ron Mueller
Commissioner District 3 - Mark A. Maciel
Commissioner District 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney Kurt Ardaman
City Clerk Angee Grimmage

1. **APPROVAL OF MINUTES**

Motion by Commissioner Maciel to approve regular meeting minutes of February 24, 2022 as submitted. Seconded by Commissioner Bennett and carried unanimously 5-0.

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

A. **Ordinance 22-01:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, ESTABLISHING VOTING DISTRICT BOUNDARIES; ADOPTING THE REPORT OF THE DISTRICTING COMMISSION, INCLUDING THE MAP AND DESCRIPTION OF PROPOSED ELECTION DISTRICTS FILED WITH THE CITY BY THE DISTRICTING COMMISSION ESTABLISHED PURSUANT TO SECTION 25 OF THE CITY CHARTER; ENACTING THE DISTRICT BOUNDARIES PROPOSED BY SUCH REPORT; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

City Attorney Ardaman read Ordinance 22-01 by title only. Mayor Rees noted that this item was extensively discussed at the last meeting and opened for continued discussion.

Commissioner Mueller thanked the board and City staff for the opportunity to review this item over the last week. He noted that a Beta map was also presented, but first wanted to express that the Districting Commission did an excellent job with the proposed map. However, he indicated that the secondary map has significant advantages. He identified those advantages as increased minority numbers in Districts 1 and 4, but especially in District 3 and spoke of wanting to ensure that minorities have a strong voice in voting and electing in their district. He noted that the Beta map also addresses an issue where a major Homeowner's Association (HOA) in District 4, was split amongst two districts. He noted District 1 extending south and stated this as being consistent with the other districts whose boundaries were pushed southward. He noted the Beta map's creation of an island between Districts 1 and 2 as opposed to a cut out on the Proposed Map. He feels that it maintains equal balance of five percent or less,

preserves all Census boundaries and maintains all HOAs into respective districts. He stated that he is also submitting the Beta Map for the City Commission's consideration.

Mayor Rees noted differences between the two maps, there was discussion on negligible disparities in the numbers and increased numbers in the minority district.

Commissioner Maciel noted his heightened attention when discussing increasing the minorities population in District 3, but feels one percent is negligible. He reminded that minorities were on the Districting Commission, pointed out that there would be problems in future expansion towards Marsh Road and expressed needing to see more if going against the recommendations of the Districting Commission.

Commissioner Sharman noted that he reviewed this issue, created his own map and found it to be not feasible. He indicated having conversation with the City Manager, felt it was not his place to push an agenda that was not his own and reminded that there were representatives on the Districting Commission. He indicated that he would stay with whatever Commission Maciel decides.

Commissioner Bennett noted systems are in place underneath the City Charter and that there is a way the City governs themselves. She noted that people come together that have no agenda, no political interest in the outcome, who keep it fair and balanced. She noted that otherwise it would tend to amount to gerrymandering. She feels that we should go with the recommendation of the people we appointed, who voted unanimously and follow the system that we have in place.

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

Commissioner Mueller offered his gratitude and appreciation for everyone listening.

Motion by Commissioner Bennett to ADOPT Ordinance 22-01. Seconded by Commissioner Maciel and carried unanimously 5-0.

Mayor Rees thanked everyone and voiced appreciation to the Districting Commission.

3. **REGULAR BUSINESS**

A. Recommendation to approve Traffic Enforcement Agreement for Waterside on John's Lake Phase 1 HOA

Police Chief Steve Graham stated that this item is a Traffic Enforcement Agreement with Waterside on John's Lake Phase 1 HOA. He noted that they want the Police Department to conduct traffic enforcement within their gated community. He noted that this agreement is similar to other agreements throughout the City. Staff recommends approval.

Motion by Commissioner Sharman to approve Traffic Enforcement Agreement for Waterside on John's Lake Phase 1 HOA. Seconded by Commissioner Maciel and carried unanimously 5-0.

B. Recommendation to approve site plan for 14150 W. Colonial Drive (Crunch Fitness), subject to conditions

Community Development Director Stephen Pash stated that this is the site plan review for property located at 14150 West Colonial Drive. He noted that this is the last large tract, which is in the rear of the West Market Planned Commercial Development (PCD) development. He stated that the applicant is proposing to develop an approximately 30,000 square foot fitness center and noted other improvements. The plans are consistent with the PCD ordinance, it has been reviewed and approved by the Development Review Committee (DRC) and staff recommends approval.

Commissioner Mueller voiced concerns of traffic impact near that intersection. Mr. Pash noted that the PCD approved this development and mentioned that it had been once approved for a grocery store at this location.

Mayor Rees inquired of the gym's hours and Mr. Pash recognized the applicant to address the question.

Brad Karns, PV-CR West Market, LLC, Owner and Developer for this project, stated that he believes the hours to be 5:00 a.m. or 6:00 a.m. to 11:00 p.m. He also noted a restriction in the PCD that does not allow for 24-hour operations. Mr. Pash noted that the restrictions also require that all activities be on the inside of the facility.

Commissioner Maciel disclosed that he would recuse himself from voting on this item due to a conflict of interest.

Motion by Commissioner Bennett to approve SITE PLAN for 14150 W. Colonial Drive (Crunch Fitness), subject to conditions. Seconded by Commissioner Sharman and carried 4-0-1; Commissioner Maciel abstained.

C. Recommendation to approve site plan for 1200 Daniels Road and 1211 Winter Garden Vineland Road (Daniels Road Business Park), subject to conditions

Community Development Director Stephen Pash informed that the applicant requests postponement until the next meeting of April 14, 2022. There was no action taken.

D. Recommendation to approve special events - Arts in April – The City of Winter Garden and Winter Garden Art Association

Community Development Director Stephen Pash stated that this is a special request for multiple City events in April. He noted that all events are free, with the exception of the

Art Night VIP fundraiser. He named some of the events, activities and dates. Staff recommends approval. Discussions on road closure noted being only for Spring Fever, April 2 and 3.

Motion by Commissioner Mueller to approve SPECIAL EVENTS for Arts in April by The City of Winter Garden and Winter Garden Art Association. Seconded by Commissioner Bennett and carried unanimously 5-0.

- E. Recommendation to approve community event – Global Not Local Basketball Tournament - Zanders Park, Saturday, March 19, 2022 – 11:00 a.m. to 6:00 p.m.
Community Development Director Stephen Pash stated that this is a special event request for Global Not Local. They would like to hold a community Basketball Tournament at Zanders Park on Saturday, March 19, 2022 from 11:00 a.m. to 6:00 p.m. He noted some event activities, that the tournament is for 5th through 11th graders, and the event is coordinated with the City's Parks Department. Staff recommends approval.

Commissioner Maciel noted that this event is with Wendell Coates, Jr. who has been recently partnering with the City and expressed that he has been doing good work.

Motion by Commissioner Maciel to approve COMMUNITY EVENT – Global Not Local Basketball Tournament at Zanders Park, Saturday, March 19, 2022 from 11:00 a.m. to 6:00 p.m. Seconded by Commissioner Sharman and carried unanimously 5-0.

- F. Recommendation to approve special event – Broadway and Beyond – by The Rotary Club of Winter Garden, Saturday, March 26, 2022 – 5:00 p.m. to 8:00 p.m.
Community Development Director Stephen Pash stated that this is a request of the Winter Garden Rotary to hold their annual event, previously called Evening at the Pops. He noted the event name as Broadway and Beyond, described event activities, noted waiver of fees, and informed of support staff and equipment to be supplied by the City. He referred to a newly distributed site map identifying the VIP location where alcohol consumption would be allowed. He informed of the applicant working closely with the Parks Department as well as the Police Department. He described that parking would be at Bradford Park and use of the shuttle bus. Staff recommends approval, subject to conditions and noted inclusion of an additional caveat that no outside alcohol is allowed to be brought in.

Mayor Rees inquired as to everything being family-oriented. Mr. Pash responded that staff has worked very closely with the applicant and assured that everything is being submitted to staff for approval.

Commissioner Bennett expressed that it is nice to see all of the arts coming back.

Motion by Commissioner Bennett to approve SPECIAL EVENT for Broadway and Beyond by The Rotary Club of Winter Garden on Saturday, March 26, 2022 from 5:00 p.m. to 8:00 p.m. Seconded by Commissioner Mueller and carried unanimously 5-0.

4. MATTERS FROM PUBLIC

Joseph Richardson, 220 N. Highland Avenue, Winter Garden, Florida, addressed a recent legislative “Don’t Say Gay” bill, noting that whether one is for or against this bill, he hopes that the leaders of the City share an acceptance of the LGBT citizens. He suggested creation of a statement or resolution affirming this City’s recognition of the LGBT population as full citizens and its commitment to their participation in all aspects of City life.

5. MATTERS FROM CITY ATTORNEY – There were no items.

6. MATTERS FROM CITY MANAGER

Decline Acceptance of RTP Grant

City Manager Jon C. Williams informed that the City would officially decline acceptance of the RTP Grant for the downtown trail enhancement project. Principal reasons noted as COVID-19 delay of the project, and issues with initiating the project concurrent with other projects, events and activities in the downtown as too disruptive. This was discussed with the Florida Department of Environment Protection (FDEP), who advised this as the best approach for the City and would not hurt or impact the City’s future opportunities for grants. He stated that if this were acceptable to the City Commission, he would draft and send a letter. There were no noted objections.

Resurfacing Project Completion

City Manager Jon C. Williams noted that Spring Break is beginning and Middlesex Corporation would be brought back in to complete resurfacing of two primary areas on West Bay Street in front of the elementary school and the middle school on Tildenville Road. He noted that this was pushed back to ensure this would not impact the school traffic.

Community Redevelopment Agency (CRA) Extension

City Manager Jon C. Williams noted that the City gave a presentation to the Orange County Board of County Commissioners on Tuesday for the 10-year CRA extension and it was unanimously approved. He recognized the CRA Advisory Board members Larry Cappleman, Don Wingate, Chloe Johnson, Sharee Hodge, Jamie Holley and Economic Development Director Tanja Gerhartz as attendees. He also recognized the herculean efforts of former City Manager Michael Bollhoefer, which he stated got the City to this point.

7. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Bennett praised the Solid Waste Department for their professionalism and their above and beyond efforts in assisting at her residence. She expressed that others have said this of them, but expressed her own appreciation in personally experiencing it herself.

Commissioner Mueller voiced appreciation to Assistant City Manager Frank Gilbert for stepping in to assist the City Commission while City Manager Williams was away.

Commissioner Maciel thanked City staff for the hours that went into efforts for the Community Redevelopment Agency (CRA) and all the other things they do for East Winter Garden.

Commissioner Maciel recognized the citizens in the chambers who were in attendance and participating in their City government. He wished more people would come and expressed his appreciation for them being here.

Commissioner Sharman thanked staff in regards to last night's meeting related to Marsh Road. He specifically recognized Information Technology Director Chad Morrill and Police Chief Steve Graham. He also requested that Police Chief Steve Graham thank his officers for him for their efforts on Marsh Road. He expressed that City Manager Jon C. Williams did an excellent job at the Marsh Road meeting.

Mayor Rees noted previously receiving an email regarding assistance given by the City recycling staff to an elderly lady. He requested that the email be retrieved so that those staff members could also be recognized for their efforts.

The meeting adjourned at 6:56 p.m.

APPROVED:

/s/

Mayor John Rees

ATTEST:

/s/

City Clerk Angee Grimmage, CMC