



CITY OF WINTER GARDEN

City Commission and Community Redevelopment Agency REGULAR MEETING MINUTES

July 28, 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 4 - Colin Sharman

Also Present:

City Manager Jon C. Williams
City Attorney Andrew W. Mai
City Clerk Angee Grimmage

Absent:

Commissioner District 3 - Mark A. Maciel

1. **APPROVAL OF MINUTES**

Motion by Commissioner Mueller to approve regular meeting minutes of July 14, 2022 as submitted. Seconded by Commissioner Bennett and carried unanimously 4-0.

2. **FIRST READING OF PROPOSED ORDINANCE**

A. **Ordinance 22-25:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PERTAINING TO THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY; AMENDING SECTION 98-121 GOVERNING THE BOARD OF COMMISSIONERS OF THE COMMUNITY REDEVELOPMENT AGENCY WITH RESPECT TO APPOINTMENT, REMOVAL, AND TERMS OF MEMBERS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

Mayor Rees noted postponement of Ordinance 22-25.

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

A. **Ordinance 22-18:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE CITY OF WINTER GARDEN FISCAL YEAR 2021-2022 BUDGET; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE

City Attorney Andrew W. Mai read Ordinance 22-18 by title only. Finance Director Laura Zielonka stated that this is the second hearing and there were no changes made since the last meeting. Staff recommends approval.

Commissioner Mueller complimented City staff on an excellent job in keeping the City on budget.

Commissioner Sharman seconded Commissioner Mueller's comments, stating that these are tough times in trying to keep the budget with costs rising. He is glad that our City is in a position to do so.

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

Motion by Commissioner Mueller to adopt Ordinance 22-18. Seconded by Commissioner Sharman and carried unanimously 4-0.

- B. **Ordinance 22-20:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 1.11 ± ACRES LOCATED AT 12950 WEST COLONIAL DRIVE, 648 MAGNOLIA STREET, AND A PORTION OF THE MAGNOLIA STREET RIGHT OF WAY; SOUTH OF WEST COLONIAL DRIVE, WEST OF BEULAH ROAD, NORTH OF PALM AVENUE, AND EAST OF 9TH STREET 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
- C. **Ordinance 22-21:** 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 1.11 ± ACRES LOCATED AT 12950 WEST COLONIAL DRIVE, 648 MAGNOLIA STREET, AND A PORTION OF THE MAGNOLIA STREET RIGHT OF WAY; SOUTH OF WEST COLONIAL DRIVE, WEST OF BEULAH ROAD, NORTH OF PALM AVENUE, AND EAST OF 9TH STREET FROM ORANGE COUNTY COMMERCIAL AND ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Andrew W. Mai read Ordinances 22-20 and 22-21 by title only. Community Development Director Stephen Pash stated that these ordinances are a request to annex property located at 12950 West Colonial Drive, 648 Magnolia Street and a portion of the right-of-way as well as assignment of a commercial future land use. He noted that this is consistent with the surrounding area and staff recommends approval.

Mayor Rees inquired about demolition of the existing buildings. Mr. Pash replied noting discussions with the owner and their goal to have their site plan and the demolition work all done at the same time.

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

Motion by Commissioner Mueller to adopt Ordinances 22-20 and 22-21. Seconded by Commissioner Bennett and carried unanimously 4-0.

- D. **Ordinance 22-22:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS APPROXIMATELY 1.88 +/- ACRES OF LAND GENERALLY LOCATED AT 12950 & 12962 WEST COLONIAL DRIVE, 648 MAGNOLIA STREET, AND A PORTION OF THE MAGNOLIA STREET RIGHT OF WAY; ON THE SOUTHEAST CORNER OF WEST COLONIAL DRIVE AND 9TH STREET; FROM CITY C-2 (ARTERIAL COMMERCIAL DISTRICT), ORANGE COUNTY C-3 (WHOLESALE COMMERCIAL DISTRICT), AND ORANGE COUNTY R-1 (SINGLE-FAMILY DWELLING DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT) AS SET FORTH IN THIS ORDINANCE; PROVIDING FOR CERTAIN PCD REQUIREMENTS AND DESCRIBING THE DEVELOPMENT AS THE MAINSTREET PCD; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

City Attorney Andrew W. Mai read Ordinance 22-22 by title only. Community Development Director Stephen Pash stated that this application requests the rezone of properties located at 12950 and 12962 West Colonial Drive, 648 Magnolia Street, and a portion of the Magnolia Street right-of-way to Planned Commercial Development (PCD). This PCD proposes demolition of all existing buildings in effort to develop the site with a bank, office buildings, landscaping, a pond and other site improvements. He noted the owner intends to have their site plan reviewed, the demolition of existing buildings, and all site work done in a six-month period. Staff recommends approval of Ordinance 22-22. Mr. Pash noted that these conditions could also be added as a requirement since this is a specialty zone. Discussion ensued regarding the demolition, staging, and immobilization costs. Mayor Rees inquired and there was discussion on an inability to connect to an existing retention pond.

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

Commissioner Mueller requested that the possibility of not having to dig another retention pond be reviewed before the site plan approval. Mr. Pash noted that the applicant's engineer reached out to the Florida Department of Transportation (FDOT) regarding the possibility. Mayor Rees stated possible, but not probable.

Motion by Commissioner Bennett to adopt Ordinance 22-22. Seconded by Commissioner Sharman and carried unanimously 4-0.

4. **REGULAR BUSINESS**

- A. **Recommendation to approve SITE PLAN for 72 N. Woodland Street, 81 & 91 N. Main Street (First Baptist Church Daycare Building), subject to conditions**
Community Development Director Pash stated that this is the site plan application for properties located at 72 N. Woodland Street, 81 & 91 N. Main Street. He noted that the plan includes a daycare building and associated site improvements. The proposed

development is consistent with the previously approved PCD Ordinance. The plans have been reviewed and approved by the Development Review Committee (DRC). Staff recommends approval, subject to the DRC conditions.

Motion by Commissioner Bennett to approve SITE PLAN for 72 N. Woodland Street, 81 & 91 N. Main Street (First Baptist Church Daycare Building), subject to conditions. Seconded by Commissioner Sharman and carried unanimously 4-0.

B. Recommendation to approve SITE PLAN for 741 Garden Commerce Parkway (Ascend Wireless Networks), subject to conditions

Community Development Director Pash stated that this is the site plan for 741 Garden Commerce Parkway. The applicant is proposing site development with an office/warehouse, lab building and associated site improvements. The proposed use and architecture are consistent with the approved Planned Industrial Development (PID) zoning district in this area. The plans have been reviewed and approved by the Development Review Committee (DRC). Staff recommends approval, subject to the DRC conditions.

Commissioner Mueller inquired of potential Hi-Tech jobs in this area. Mr. Pash informed of the owners current employees, the building of their own facility, and the potential increase of employees to 45-60 at full build out.

Motion by Commissioner Mueller to approve SITE PLAN for 741 Garden Commerce Parkway (Ascend Wireless Networks), subject to conditions. Seconded by Commissioner Bennett and carried unanimously 4-0.

C. BOARD APPOINTMENT: Architectural Review and Historic Preservation Board

Community Development Director Pash stated that there is currently one vacancy on the Architectural Review and Historic Preservation Board. He noted that the code requires that this position be a member of the Winter Garden Heritage Foundation Board, appointed and recommended by that board. He informed that they have appointed Iliana Ramos Jones and staff recommends approval of their recommendation.

Motion by Commissioner Bennett to appoint Iliana Ramos Jones to the Architectural Review and Historic Preservation Board. Seconded by Commissioner Mueller and carried unanimously 4-0.

Dispensed as the City Commission and convened as the Community Redevelopment Agency at 6:44 p.m.

Members Present: CRA Chairman John Rees and CRA Members Lisa Bennett, Ron Mueller, Colin Sharman and CRA Advisory Board Member Larry Cappleman

Members Absent: CRA Member Mark A. Maciel and Orange County Appointee Charlie Mae Wilder

D. Recommendation to approve \$40,000 grant with West Orange Habitat for Humanity neighborhood revitalization program within the East Winter Garden Community

Economic Development Director Tanja Gerhartz stated that the Community Redevelopment Agency Advisory Board is recommending that the City enter into a grant with the West Orange Habitat for Humanity for the neighborhood revitalization program. Ms. Gerhartz described program provisions for home beautification, and sweat equity required by the homeowner for the homes exterior and yard improvement. She informed that the funding provides for a minimum of 16 homes and the grant is to be completed between 12 – 18 months. Included for each home is the funding, materials and labor. Staff recommends approval of the grant and requests that staff be directed to prepare the grant agreement and authorize the City Manager execute the contract, so work can begin in this revitalization effort.

CRA Member Cappleman noted that the CRA Advisory Board reviewed the request as presented by staff. He noted that there are several other elements, which would be considered later, but noted that this portion was an urgent need. He expressed that it is well fitted for the redevelopment effort and was voted favorably by the CRA Advisory Board.

Motion by CRA Member Cappleman to approve \$40,000 grant with West Orange Habitat for Humanity neighborhood revitalization program within the East Winter Garden Community. Seconded by CRA Member Sharman.

CRA Member Rees inquired of a mid-max for the homes. CRA Member Cappleman explained that the CRA is granting funding to West Orange Habitat for Humanity for their disbursement and Ms. Gerhartz noted that they have criteria, which is already being used in the area, and she described some of the requirements.

Motion carried unanimously 5-0.

E. BOARD APPOINTMENT: Community Redevelopment Advisory Board

CRA Chairman Rees noted that this board appointment would be postponed.

Adjourned as the Community Redevelopment Agency and reconvened as the City Commission at 6:47 p.m.

5. **MATTERS FROM PUBLIC**

Joseph Richardson, 220 N. Highland Avenue, Winter Garden, Florida shared a past incident, spoke of discrimination in Winter Garden and addressed a past public comment regarding a request that he conform, which he feels is un-American.

Patricia Angry, 897 Klondike Street, Winter Garden, Florida shared that she is a life-long resident of Winter Garden and avid community activist, who is often approached regarding issues in East Winter Garden. She addressed the no parking signs that have been placed on Center Street. She indicated that Habitat for Humanity has placed signs on property that does not belong to them and suggested they reassess this issue, noting 66 Center Street as one of the addresses.

Barbara Boudokhane, a resident of Park Avenue Villas, addressed the need for sidewalks on Smith Street. She also noted mentioning a Human Relations Diversity Board to City staff in the past and at the time was told it was not needed. She shared a relative's past experience, suggested the City form a Human Relations Diversity Board and noted her willingness to volunteer.

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

7. **MATTERS FROM CITY MANAGER** – Jon C. Williams

Community Resource Center Completion

City Manager Williams announced the completion of the Community Resource Center and plans for a Fall dedication ceremony. He shared that small events are planned in the interim as a soft opening until the dedication.

Back to School Bash

City Manager Williams announced the Back to School Bash on August 6, 2022 at Zander's Park and Pool from 11:00 a.m. to 4:00 p.m.

Construction on Marsh Road

City Manager Williams announced that construction on Marsh Road would begin on August 15, 2022 and there would be message boards to alert motorists. There was discussion that this would not overlap the school reopening.

8. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman spoke of being asked why he does not consider running for higher office and expressed that higher office is divisive politics. He loves the nonpartisanship of Winter Garden and explain that there is no worry of social issues. He expressed that we are here for our citizens, not for our own identity, but as citizens where everyone is equal.

Commissioner Mueller thanked the City Manager and City Attorney for their continued work on the PureCycle issue and their efforts to protect the City.

Commissioner Bennett spoke of receiving calls regarding people running through downtown stop signs and not paying attention to them. She also thanked staff for covering

