



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

April 23, 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 Grimmage, Assistant City Manager of Administrative Services Frank Gilbert, Assistant City Manager of Public Services Jon Williams, Community Development Director Stephen Pash, 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 9, 2020 as submitted. Seconded by Commissioner Maciel and carried unanimously 5-0.

2. **REGULAR BUSINESS**

A. **RESOLUTION 20-01**: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, (THE "CITY") PERMITTING PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF WINTER GARDEN; APPROVING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT AND THE FLORIDA PACE FUNDING AGENCY AND THE GREEN CORRIDOR PACE DISTRICT; UTILIZING VOLUNTARY NON-AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS ONLY ON COMMERCIAL PROPERTIES; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE SAID AGREEMENTS; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER'S ERRORS, LIMITATION OF CITY LIABILITY, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE

City Attorney Ardaman read Resolution 20-01 by title only. City Manager Bollhoefer stated that this program provides for the borrowing of funds to increase energy efficiency. He informed that this request is for providing the program to commercial properties and described repayment through a special assessment on the property and some of the energy efficient items included.

Mayor Rees inquired as to whether this is only for buildings, noting prior discussions on recharge stations. City Manager Bollhoefer noted that he believes it is just for buildings, but staff would look into the matter; noting an extensive amount of paperwork involved in this type of funding and that it may explain why it is generally used for larger projects.

Motion by Commissioner Buchanan to approve Resolution 20-01. Seconded by Commissioner Sharman and carried unanimously 5-0.

- B. Recommendation to approve distribution of \$11,083 awarded Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation funds to purchase entry tools for use by Police Department SWAT team, with public comment

Police Chief Graham stated that this is a 2019 grant for local solicitation of the Edward Byrne Memorial. He noted that the Police Department requests utilizing the funds in an amount of \$11,083 to purchase entry tools used by the Police SWAT team. He also noted that this request requires allowing the public to comment.

Commissioner Maciel inquired as to whether this grant is one the City applied for last year and received. Police Chief Graham responded with an explanation of the Federal funding backlog and slow disbursement of the funds; noting that this is a matter of catch up. Commissioner Maciel inquired as to whether this was the total amount. Police Chief Graham responded that it is this amount with a reduction of three percent (3%) for required crime reporting, making the actual amount received \$10,751.

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 Maciel to approve distribution of \$11,083 awarded Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation funds to purchase entry tools for use by Police Department SWAT team. Seconded by Commissioner Bennett and carried unanimously 5-0.

- C. Recommendation to approve Binding Lot Agreement for 945, 951, and 933 Carter Road (Palm Coast Enterprise)

City Manager Bollhoefer stated Palm Coast Enterprise would like to expand their business. He displayed a map, described the location, and displayed a concept drawing of the proposed building; noting that it is almost identical to the existing building. The proposed use of the building is for collision work on high-end cars and is to be built adjacent to the existing building. Discussion ensued regarding names displayed on the buildings.

Motion by Commissioner Bennett to approve the Binding Lot Agreement for 945, 951, and 933 Carter Road (Palm Coast Enterprise). Seconded by Commissioner Buchanan and carried unanimously 5-0.

D. Selection of Mayor Pro-Tem

Mayor Rees opened the discussion for nominations. Commissioner Maciel nominated Commissioner Buchanan, who expressed honor in accepting.

Motion by Commissioner Maciel to appoint Commissioner Buchanan as Mayor Pro-Tem. Seconded by Commissioner Bennett and carried unanimously 5-0.

Mayor Rees commented that Commissioner Buchanan had done a good job in the past as Mayor Pro-Tem and expressed his appreciation.

3. **MATTERS FROM PUBLIC**

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.

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

5. **MATTERS FROM CITY MANAGER**

A. Recommendation to approve Right-of-Way Maintenance Agreement for 707 West Plant Street (Garden West)

City Manager Bollhoefer described the project location, addressed maintenance requirements of the right-of-way and items within the community; noting this agreement as standard with most subdivisions. Commissioner Buchanan asked if everything had been addressed with Duke Energy. Mr. Bollhoefer indicated he was not aware if the right-of-way inside the subdivision had been addressed with Duke Energy, but said it would be a requirement in order to get the Certificate of Occupancy (COs).

Motion by Commissioner Buchanan to approve the Right-of-Way Maintenance Agreement for 707 West Plant Street (Garden West). Seconded by Commissioner Maciel and carried unanimously 5-0.

JAG Grant

City Manager Bollhoefer inquired of Police Chief Graham about the JAG Grant process. He asked if an amount is provided, then items found that qualify. Police Chief Graham responded that the information provided to our agency is of the exact amount it would receive. He explained that there are two types of grants, local solicitation and Countywide, which they split among agencies. City Manager Bollhoefer thanked Police Chief Graham and noted that he just sought clarification on the grant and its process.

Coronavirus Update

City Manager Bollhoefer noted that there have been no changes since the last Coronavirus update, but anticipates that the Governor will take some action next week.

Commissioner Sharman inquired as to the County's authority in this mandate. City Manager Bollhoefer responded that the County could change how they process certain items and possibly their procedures, but the Governor's Executive Order becomes the law of the State. City Attorney Ardaman confirmed that the Governor orders are the controlling orders.

6. MATTERS FROM MAYOR AND COMMISSIONERS

Commissioner Buchanan thanked all people doing essential work throughout the City on the front lines. He recognized that they put their lives at risk and hope they all have protective items needed to stay safe.

Commissioner Buchanan inquired about the status of the parks, such as Tucker Ranch, whether they closed. City Manager Bollhoefer responded that the parks have not been closed and explained that the City does not have the capability of sanitizing those areas. There was discussion on some playground areas safeguarded with caution tape and some individuals chased away, but the City does not have any real way of enforcement. Mr. Bollhoefer noting that one of the Governor's orders provides for people being outside and exercising.

Commissioner Maciel thanked City Manager Bollhoefer; noting that he is not sure if everyone was aware of the food distributions in East Winter Garden. He expressed that this is an amazing thing that the City is doing and wanted his appreciation shared with staff. He noted the City is doing something it is not equipped to do, as we do not have social services. He noted getting great feedback from the neighborhood. City Manager Bollhoefer shared how staff from different departments took part in the effort, as well as volunteers from a local church. He shared that the reception from the community has been very good.

Commissioner Sharman echoed earlier comments, thanking City staff as well as Winter Garden citizens working in the grocery stores and those on the front lines. He empathized with those who are struggling financially during these tough times.

Mayor Rees also echoed empathy for those who are struggling and encouraged support of local restaurants and businesses when possible.

The meeting adjourned at 6:53 p.m.

ATTEST:

APPROVED:

/S/

City Clerk Angee Grimage, CMC

/S/

Mayor John Rees