

TOWN OF WINDERMERE

Town Council Meeting Minutes

July 14, 2009

A. CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Burns Hovey, Norma Sutton, Richard Irwin, Molly Rose and Cecil Robinson. Manager Cecilia Bernier, Clerk Dorothy Burkhalter, Assistant to the Town Manager Amy Wallenhurst, Attorney Tom Wilkes, Public Works Director Craig McNeal and Police Chief Dan Saylor were also present.

Mayor Bruhn called the meeting to order at 7:00 p.m. and noted that a quorum was present.

B. OPEN FORUM FOR RESIDENTS:

Mary Hayes of 7 1st Court, stated that the latest issue of the Mere News has been the best issue that has been sent out. She then gave a report regarding the tennis program. Mrs. Hayes thanked the Town Council for their support of the program.

Manager Bernier introduced Mike Koller, a 7th grade teacher at Gotha Middle School, who is taking part in the pilot program with the Florida League of Cities. She explained that the pilot program was designed to bring Civics classes back to 7th grade. Mr. Koller stated he appreciated that the opportunity.

C. MINUTES APPROVAL:

Member Sutton made a motion to approve the June 9, 2009, Town Council meeting minutes as presented. Member Robinson seconded the motion. Roll call vote was as follows: Rose - yes, Irwin - yes, Sutton - yes, Hovey - yes, and Robinson - yes. Motion carried 5-0.

D. CONSENT AGENDA:

Member Hovey questioned if the bid policy applied to the items. Manager Bernier explained Geo Technical has been the company handling all the testing for the project. She stated that the company was involved in the original bidding process. Attorney Wilkes stated that it could be handled as a change order to the original contract. Member Irwin made a motion to approve the consent agenda as presented. Member Rose seconded the motion, Roll call vote was as follows: Robinson - yes, Hovey - yes, Sutton - yes, Irwin - yes, and Rose - yes. Motion carried 5-0.

E. PROCLAMATION:

Mayor Bruhn read the Windermere Police Appreciation Month proclamation for the record. He then proclaimed the month of July 2009 as Windermere Police Appreciation Month.

F. RESOLUTION:

Mayor Bruhn read Resolution 2009-04 for the record. Member Rose made a motion to approve Resolution 2009-04. Member Sutton seconded the motion. Roll call vote was as Robinson - yes, Hovey - yes, Sutton - yes, Irwin - yes, and Rose - yes. Motion carried 5-0.

G. FIRST READING: NONE

H. SECOND READING/ADOPTION/PUBLIC HEARING: NONE

I. PRESENTATIONS/AWARDS: NONE

OLD BUSINESS:

1. Park Avenue and Maguire Road Roundabout Lighting - Mr. Tom Kelley

Mayor Bruhn updated everyone on the past discussion regarding 2 or 4 lights at the roundabout. Mr. Kelley stated that the cobra light needed to be reviewed. Member Irwin stated his concern with OARS children and residents crossing the roundabout in the winter months when it gets darker earlier. Discussion followed regarding removal of the cobra light, installation of 2 or 4 decorative lights, and running a chase for the lights for future use. Member Sutton stated that she thought there had been a previous study of the lighting and the roundabout and feels that the lighting needed to be consistent throughout the Town. Member Irwin agreed. Member Sutton made a motion to install 4 lights at the roundabout and then review the cobra light for possible removal. Member Irwin seconded the motion. Member Rose questioned if 2 lights could be installed with the electrical wires put in place for the other two in case they are needed. Mr. Kelley stated that it could be done. After no further discussion, roll call vote was as follows: Rose - no, Irwin - yes, Sutton - yes, Hovey - no, and Robinson - no. Motion failed 3-2. Member Rose stated that the four chases could be run and the lighting could be determined after the project is completed. Member Irwin stated that the lights are needed and that consistency needed to be considered. He stated that safety is also an issue. Mr. Kelley recommended that at least 2 lights needed to be installed. Chief Saylor stated that due to the severity of the traffic pattern change, he would suggest placing all four lights and if it is determined to be too bright, then some of the lighting could be removed. Member Robinson stated he would like to change his vote. Attorney Wilkes explained that with the discussion that has taken place, someone who voted in the majority could move to reconsider the vote. Member Robinson made a motion to reconsider the vote. Member Sutton seconded the motion. Roll call vote was as follows: Robinson - yes, Hovey - yes, Sutton - yes, Irwin - yes, and Rose - yes. Motion carried 5-0. Member Irwin made a motion to approve the installation of four lights and in six month after the installation, review the lighting and remove two if needed. Motion died for lack of a second. Member Hovey stated that once the lights are installed the town pays for them if they are in or not. Member Sutton restated her original motion as to install 4 lights at the roundabout and then review the cobra light for possible removal. Member Irwin seconded the motion. Roll call vote was as follows: Robinson - yes, Hovey - no, Sutton - yes, Irwin - yes, and Rose - no. Motion carried 3-2.

2. STAG Update - Mr. John Fitzgibbon

Mr. Fitzgibbon gave a update on the 8th and Forest Street, and Johnson Park projects. He stated that the 8th and Forest Street project has been completed. Mr. Fitzgibbon stated that the entire project took 59 days through completion. He then stated that the Johnson Park project began in May and is 65% complete. Mr. Fitzgibbon stated that a Federal Audit was conducted a week ago and the Town passed with flying colors. Member Hovey questioned the pallet of grass at 7th Avenue. Mr. Fitzgibbon stated that the sod has been credited back to the Town and Mr. Foote (resident) has purchased the sod. Member Hovey questioned if a turbidity screen had been installed at Lake Bessie. Mr. Fitzgibbon stated that three mechanisms have been put in place for control. He explained that rough grading of the pond, adding perimeter slit fencing around the entire area, and a turbidity barrier in the low area, have all been installed for the run-off. Some discussion followed. No action was taken.

3. STOP Signs - Member Cecil Robinson

Member Robinson explained that he has physically inspected the areas for the proposed stop signs as discussed. He then stated that he agrees with placing a three way stop at Butler Street and

1st Avenue. Chief Saylor stated he agreed with Member Robinson. Some discussion followed. Member Sutton stated she did not agree with the stop signs. Member Robinson made a motion to install the three way stop on Butler Street and 1st Avenue. Member Hovey seconded the motion. Mayor Bruhn stated that he received a call from a resident in the area that does not like stop signs. Member Sutton agreed. Discussion followed. Member Hovey called for the vote. Roll call vote was as follows: Robinson - yes, Hovey - yes, Sutton - no, Irwin - no, and Rose - yes. Motion carried 3-2.

Mayor Bruhn commented on the practice of removing stop signs once they have been put in place.

NEW BUSINESS:

NONE

COUNCIL LIAISON REPORTS:

Member Cecil Robinson: Mr. Robinson reported that the Long Range Planning Committee did not meet.

Member Burns Hovey: Mr. Hovey reported that the Tree Board had met and discussed fund raising. He then stated that resident Dan Higgins also was present at that meeting and may be coming before the Town Council regarding the tree removal issue.

Member Norma Sutton: Mrs. Sutton stated that the Downtown Business Committee has met and submitted their budget requests for functions. She stated that they are slated to do the Dinner on Main, Fall Festival and Sparkle on Main events. Mrs. Sutton then reported on the Orange County Community Action Board. She stated that the Board will receive approximately 1 million dollars that they will need to spend. Some discussion followed. Mrs. Sutton then stated that the Rotary is discussing the possibility of holding a Jazz series event as co-hosts with the Town.

Member Richard Irwin: Mr. Irwin stated that he has been absent from the Parks and Recreation Committee meetings due to being out of town. He then commented on the tennis program and Central Park.

Member Molly Rose: Mrs. Rose stated that she has been meeting with staff preparing the budget. She then stated that the Development Review Board has been reviewing the sign ordinance.

Mayor Gary Bruhn: Mayor Bruhn thanked the staff for putting together a good budget presentation. He then reported that he attended the Metro Plan meeting. Mayor Bruhn stated that took part in a show for Channel 13 regarding economics. He then stated that he attended Habitat for Humanity, the Orange County School Board Foundation dinner and the Lawson Lamar Ethics training. Mayor Bruhn then thanked everyone that had volunteered and worked the pancake breakfast. He then stated that the Orange County Council of Mayors had met as well. Mayor Bruhn explained that an Eagle Scout had approached him with an idea for his Eagle Scout project. He stated that the project would be a form of art with a piece of steel from the World Trade Center. Mayor Bruhn stated that Pocket Park, on 5th Avenue, would be a good location. Mr. Hovey questioned if an area in front of Town Hall could be used. Mayor Bruhn stated that discussion is needed for the project. He then stated that he has been asked, and has accepted, a request to serve on Congressman Grayson's Economic Recovery Advisory Board.

STAFF REPORTS:

Town Manager Cecilia Bernier: Mrs. Bernier updated everyone on the EPA Audit for the STAG grant. She stated that audits will be required for each grant. Mrs. Bernier stated that the replacement equipment from the lightning strike has been ordered. She then reported on the flooding issues on Bayshore Drive. Mayor Bruhn questioned the demolition of the house that burned on 6th Avenue and Magnolia Street. Mrs. Bernier stated that she has been in contact with the owners and is awaiting an update from them. Some discussion followed.

Town Attorney Tom Wilkes: Mr. Wilkes commented on the growth management bill that had been recently passed. Some discussion followed.

Assistant to the Town Manager Amy Wallenhurst: No report.

Police Chief Dan Saylor: No report.

Public Works Director Craig McNeal: No report.

General Discussion:

Member Sutton stated she attended the International Rotary Club Convention in Birmingham England. She explained that while she was there, she visited Windermere England. Member Sutton then commented on her trip.

Mayor Bruhn adjourned the meeting at 8:30 p.m.

Dorothy Burkhalter, Town Clerk

Gary Bruhn, Mayor