

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

August 11, 2009

#### A. CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Burns Hovey, 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. Council Member Norma Sutton was absent.

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

#### B. OPEN FORUM FOR RESIDENTS:

Mike Swatkowski of 202 E 2<sup>nd</sup> Ave commented on a crime issue that took place on July 21<sup>st</sup>. He then thanked the Police Department for their valued assistance. Don Neill of 525 Oakdale Street questioned the clean-up of foreclosed property. He named two properties in particular - 535 Oakdale and 536 Magnolia. Manager Bernier advised Mr. Neil of the process that needed to be taken prior to the property being mowed. She then stated that the Magnolia property has been mowed. Discussion followed.

#### C. MINUTES APPROVAL:

Member Irwin made a motion to approve the June 9, 2009, Town Council meeting minutes as presented. Member Rose seconded the motion. Roll call vote was as follows: Robinson - yes, Hovey - yes, Irwin - yes, and Rose - yes. Motion carried 4-0.

#### D. CONSENT AGENDA:

Member Hovey removed item c and Member Rose questioned the history of item a. Mayor Bruhn explained past discussion regarding item a for Member Rose. Member Robinson made a motion to approve consent agenda items a, b, & d as presented. Member Rose seconded the motion, Roll call vote was as follows: Rose - yes, Irwin - yes, Hovey - yes and Robinson - yes. Motion carried 4-0. Member Hovey questioned the hardship for item c. Mr. Doty, Designer for Mr. and Mrs. Nero, explained the proposed project. Member Rose, Liaison for DRB, reviewed discussion that was made at their meeting. After some discussion, Mr. Doty stated that the property slopes towards the lake. Member Hovey stated his concern with not providing a hardship for the request. Member Irwin made a motion to approve the recommendation of the DRB to approve the variance request as submitted. Member Robinson seconded the motion. Roll call vote was as follows: Robinson - yes, Hovey - no, Irwin - yes, and Rose - yes. Motion carried 3-1.

#### E. PROCLAMATION:

Mayor Bruhn read the proclamation for the record. He then proclaimed August as Staff Appreciation month.

#### F. RESOLUTION: NONE

#### G. FIRST READING: NONE

#### H. SECOND READING/ADOPTION/PUBLIC HEARING: NONE

#### I. PRESENTATIONS/AWARDS: NONE

**J. OLD BUSINESS:**

**1. STAG Update - Mr. John Fitzgibbon**

Mr. Fitzgibbon reported that the work on 6<sup>th</sup> Avenue and Johnson Park has been completed. He stated that a Certificate of Final Completion should be issued by August 31<sup>st</sup>. Mr. Fitzgibbon then reported on the HMPG projects, 1<sup>st</sup> Avenue & Oakdale Street and 12<sup>th</sup> Avenue & Oakdale Street. He stated that the shop drawings have been received. Mr. Fitzgibbon then reviewed the proposed projects. This was an information item only.

**K. NEW BUSINESS:**

**1. Orlando Pug Rescue and Adoption Organization – Ms. Retha Puvogel**

Ms. Puvogel, President of the Orlando Pug Rescue and Adoption, Inc., is requesting approval to serve alcohol outside (sidewalk area) of Tim's Wine market for a fundraising event. She explained the event is scheduled for October 24<sup>th</sup> from 7:00pm – 9:00 pm. Chief Saylor stated that a permit from Alcohol, Tobacco, and Firearms is needed. He also stated that the hiring of one off duty Officer for the event would be sufficient. Member Hovey made a motion to approve the request providing ATF permit is obtained and an off duty Officer is hired. Member Rose seconded the motion. Roll call vote was as follows: Rose – yes, Irwin – yes, Hovey – yes, and Robinson – yes. Motion carried 4-0.

**2. Parks & Recreation Committee – Member Mary Hayes**

**a. Tennis**

Mrs. Hayes reported that information regarding the Tennis programs has been e-mailed to 30 of the 37 current tennis pass holders. She then reported on the Quick Start tennis program. Mrs. Hayes stated that with input from residents, other activities can be scheduled from time to time but she did not want to come before the Council every month for approval. She explained that no funding would be needed for the activities. Member Irwin made a motion to approve the tennis programs with no funding and thank Mrs. Hayes for her hard work and dedication. Member Hovey seconded the motion. Roll call vote was as follows: Robinson – yes, Hovey – yes, Irwin – yes, and Rose – yes. Motion carried 4-0.

**b. Boat Safety Class**

Mrs. Hayes requested approval to host a boat safety class on March 13, 2010. She stated that each participant will become certified if they pass the test. Mrs. Hayes explained that the class will be taught by the Coast Guard. Member Irwin made a motion to approve the boat safety class as requested. Member Rose seconded the motion. Roll call vote was as follows: Robinson – yes, Hovey – yes, Irwin – yes, and Rose – yes. Motion carried 4-0.

**3. Employee Health Insurance – Town Manager Cecilia Bernier**

Manager Bernier stated that as discussed in the budget workshop, she has researched the employee health benefit. She then informed the Town Council of the alternative plan. Manager Bernier stated that further research and review is needed and she will keep the Council informed. Member Irwin made a motion to accept the plan and implement the new policy effective September 1, 2009. Motion died for lack of a second.

**4. Kubota Mower – Dir. Of Public Works Craig McNeal**

Public Works Director McNeal stated he is requesting approval to purchase a Kubota

Mower for \$9,000.00. He stated that a budget of \$8,000.00 has been approved for a new mower but this mower is bigger - 72" cut, operates on diesel, and normally can be purchased for \$15,000.00. Public Works Director McNeal explained the difference between gas and diesel – diesel being better for the use. He then stated that \$8,000.00 has already been approved for the '09/10 budget year and he would spend an additional \$1,000.00 from this year's budget. Member Irwin made a motion to approve the request to purchase the Kubota mower for \$9,000.00. Member Robinson seconded the motion. Roll call vote was as follows: Rose – yes, Irwin – yes, Hovey - yes, and Robinson – yes. Motion carried 4-0.

## **5. Stormwater/Rainfall – Town Manager Cecilia Bernier**

Manager Bernier stated that due to the current rainy conditions and stormwater issues, she would like to request a workshop between the Town Council and staff. She stated that the work is costly and there are equipment costs that need to be discussed as well. After some discussion, a tentative workshop has been scheduled for the fourth Tuesday of September – September 22<sup>nd</sup> at 7:00pm in the Town Hall.

### **COUNCIL LIAISON REPORTS:**

**Member Cecil Robinson:** Mr. Robinson reported that the Long Range Planning Committee did not meet. He then stated that he appreciates the Town Manager and how she is committed to the Town. Mr. Robinson stated that he has seen Manager Bernier out and about before, during, and after the recent storms.

**Member Burns Hovey:** No report.

**Member Norma Sutton:** Absent – no report.

**Member Richard Irwin:** Mr. Irwin reported that the Parks and Recreation Committee had met. He then stated that the Eagle Scout project at Palmer Park has been completed. Mr. Irwin commended Tom Potthast, Jr., for a fine job on the project.

**Member Molly Rose:** Mrs. Rose stated that the Development Review Board continues to review the sign ordinance. She stated that it will take a considerable amount of time to review.

**Mayor Gary Bruhn:** Mayor Bruhn reported that he attended the Metro Plan meeting. He then stated that he met with Commissioner Scott Boyd, attended an Eagle Scout Program - Council of Honor. Mayor Bruhn stated that he visited the Children's Summer Art Camp put on by the Parks & recreation Committee. He stated that the finished projects were great. Mayor Bruhn reported that he has had conversation with Chief Saylor regarding the newly installed STOP signs. He then reminded everyone of the Florida League of Cities Conference that is scheduled for Wednesday, Thursday and Friday of next week in Orlando.

### **STAFF REPORTS:**

**Town Manager Cecilia Bernier:** Mrs. Bernier stated that she also visited the Parks & Recreation Committee Summer Craft Camp. She stated that it was a huge success. Mrs. Bernier stated that she was asked if there could be a camp around Christmas holidays as well.

**Town Attorney Tom Wilkes:** No report. Mayor Bruhn questioned the homes that are in perpetual construction Ordinance. He stated that the news media had been questioning it. Mr. Wilkes stated he had not been contacted by anyone regarding it. He then stated he would move forward if the Council wishes him to. Mr. Wilkes stated that he hoped for a first reading in September.

**Assistant to the Town Manager Amy Wallenhurst:** No report.

**Police Chief Dan Saylor:** Chief Saylor stated that on Monday August 17<sup>th</sup>, Law Enforcement is hosting a blood drive called "Battle of the Badges". He invited everyone to participate.

**Public Works Director Craig McNeal:** Mr. McNeal reported that he attended the Florida Stormwater Management Seminar. He stated that he found it very informative and would be attending more when he could.

Mayor Bruhn adjourned the meeting at 8:38 p.m.

Dorothy Burkhalter, Town Clerk

Gary Bruhn, Mayor