

TOWN OF WINDERMERE

Town Council Meeting Minutes

December 8, 2015

CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Jim O'Brien, Molly Rose, Bob McKinley, Richard Gonzalez and John Armstrong. Town Attorney Tom Wilkes, Town Manager Robert Smith, Chief Dave Ogden, and Town Clerk Dorothy Burkhalter were also present.

Mayor Bruhn called the Council meeting to order at 6:00 pm and determined that a quorum was present.

1. OPEN FORUM/PUBLIC COMMENT:

There were no public speakers.

2. SPECIAL PRESENTATION/PROCLAMATION/AWARDS:

a. David Grimm Retirement

In to the absence of Mr. Grimm, Manager Smith stated Mr. Grimm will be recognized at a later date.

Due to technical difficulties with the power point, item 3(a) was heard prior to the pavement management plan presentation.

3. TIMED ITEMS AND PUBLIC HEARINGS:

a. Resolution 2015-11 Non Ad Valorem Assessments for Sunset Bay

Mayor Bruhn closed the Council meeting at 6:03 pm and opened the Public Hearing regarding proposed Resolution 2015-11. He then read Resolution 2015-11 for the record. Mayor Bruhn opened the floor to the public. There being no public comments, Mayor Bruhn closed the Public Hearing at 6:03pm and reconvened the Council meeting. Member Rose made a motion to approve Resolution 2015-11 as presented. Member McKinley seconded the motion. Roll call vote was as follows: O'Brien – yes, Rose – yes, McKinley – yes, Gonzalez – yes and Armstrong – yes. Motion carried 5-0.

2. SPECIAL PRESENTATION/PROCLAMATION/AWARDS:

b. Pavement Management Plan

Mayor Bruhn introduced Mr. Jamshid Armaghani. Mr. Armaghani, representative from Quality Engineering Solutions presented the Pavement Management Plan for the Town. He gave a power point presentation of the pavement management plan. Mr. Armaghani commented on areas of concerns, solutions, and financial impacts/budgeting. Discussion followed regarding areas of concern, Capital Improvement Project projections, and funding. Manager Smith stated that CIP projects would be 1) Park Avenue and Waxberry Court, 2) Sunset Bay/Down Point Lane, 3) portions of 2nd Avenue 4) The Willows and 5) Windermere Reserve. Discussion followed regarding funding, Commissioner Scott Boyd and the Windsong project. Member Rose questioned the life span of the roads. Mr. Armaghani stated approximately 20 years. Discussion was made regarding life span of roads, curbing, tracking of projects, and software. Member Gonzalez stated he would like a Civil Engineer hired part time or full time by the Town. Member Rose questioned if the curbing of Main Street project could be moved forward due to the edges giving way. Mr. Armaghani commented that areas of high concern can be moved forward. Mayor Bruhn thanked Mr. Armaghani for the presentation and information.

3. TIMED ITEMS AND PUBLIC HEARINGS:

a. Resolution 2015-11 Non Ad Valorem Assessments for Sunset Bay

This item was previously discussed.

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b. Z14-02: Rosser Reserve Final Plat Approval

- i. Rosser Reserve Staff Report
- ii. Final Plat
- iii. Final Development Plan
- iv. Improvement Agreement
- v. Recorded Developer's Agreement
- vi. HOA Documents – information only

Mayor Bruhn explained that a public hearing is needed for items 3(b) and (c). He then closed the Council meeting at 6:49pm and opened the Public Hearing. Mr. Doug Kelly, representative from GAI, introduced himself. He then gave an overview of the Rosser Reserve project that has led to the final plat approval and right of way agreement. Mr. Kelly then commented on the Improvement Agreement. He stated for the record that the roads will be privately owned and maintained, the applicant will construct a left turn lane into the community heading east on 6th Avenue as well as a right hand deceleration lane heading west on 6th Avenue. Mr. Kelly commented that if additional right of way is needed, the applicant will apply to the Council. He then stated that there will be central water and sewer. Mr. Kelly explained that one third of the School Concurrency fees have been paid to OCPS. He stated that the west side access has remained. Mr. Kelly commented that the subdivision sign will be permitted at a later date. He then explained that the right of way use agreement is needed prior to construction plan approval. Mr. Kelly further explained that the applicant has paid \$20,000.00 of the \$40,000.00 to the Town for development impacts. He commented that the remaining \$20,000.00 will be paid to the Town at the first building permit. Mr. Kelly stated that the \$20,000.00 for town signage will be payable at the first permit as well. He explained that the approval of the development plan will be subject to the developer providing insurance that all required improvements including, but not limited to, stormwater, streets, landscaping, privacy screen wall around the development, as well as water and sewer lines shall be constructed as approved in the development plans. He then commented on the landscape coverage that will be planted around the lift station. Mayor Bruhn opened the floor to the Town Council. Member Armstrong questioned the debris pile that is currently on the site. Mr. Green stated that the debris will be hauled off, and that there will not be any burning on site. Member Rose made a motion to approve the Final Plat, Final Development Plan, Improvement Agreement, Recorded Developer's Agreement, and the HOA Documents (which was for information only). Member O'Brien seconded the motion. Roll call vote was as follows: Armstrong – yes, Gonzalez – yes, McKinley – yes, Rose – yes, and O'Brien – yes. Motion carried 5-0. Mayor Bruhn opened the floor to the public for comments. There being none, he closed the Public Hearing at 7:01pm. Mayor Bruhn reconvened the Town Council meeting. He then stated that the motion would stand but would like to call the vote again. Voting was as follows: Armstrong – yes, Gonzalez – yes, McKinley – yes, Rose – yes, and O'Brien – yes. Motion carried 5-0.

c. Z15-021: Rosser Reserve ROWA

Mayor Bruhn closed the Town Council meeting at 7:02pm and opened the Public Hearing regarding Z15-021, Rosser Reserve Right of Way Agreement. Mr. Brad Cornelius introduced himself. He stated he was available to answer any questions the Town Council should have. Mayor Bruhn opened the floor to the public. There being no public speakers, Mayor Bruhn closed the Public Hearing at 7:03pm and reconvened the Town Council meeting. Member Gonzalez made a motion to approve the Right of Way Agreement as presented. Member O'Brien seconded the motion. Roll call vote was as follows: O'Brien – yes, Rose – yes, McKinley – yes, Gonzalez – yes, and Armstrong – yes. Motion carried 5-0.

4. CONSENT AGENDA:

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a. Z16-002: 1012 Main Street Variance – **this item was withdrawn.**

5. **OLD BUSINESS:** NONE

6. **NEW BUSINESS:**

a. **MINUTES: Town Council Meeting Minutes**

- i. **Town Council Regular Meeting Minutes – November 10, 2015**
- ii. **Town Council Workshop Meeting Minutes – November 16, 2015**

Member Rose made a motion to approve the minutes as presented. Member O'Brien seconded the motion. Member McKinley questioned if his previous concern regarding "sings" and "signs" had been addressed. Clerk Burkhalter stated yes. Roll call vote was as follows: Armstrong – yes, Gonzalez – yes, McKinley – yes, Rose – yes, and O'Brien – yes. Motion carried 5-0.

b. **ORDINANCE FIRST READING ONLY: NONE**

c. **RESOLUTION FOR APPROVAL: NONE**

d. **APPOINTMENTS: COMMITTEES AND BOARDS: NONE**

e. **CONTRACT AND AGREEMENTS:**

i. **Interlocal Agreement for Police Dispatching Services between City of Winter Garden, Town of Windermere and City of Ocoee**

Mayor Bruhn introduced this item. Chief Ogden stated he would answer any questions. Member Armstrong questioned if the City of Ocoee and the City of Winter Garden were in agreement with this change. Chief Ogden explained that the final approval is from the Town of Windermere, the others have already approved the agreement. He then stated that it is a good move and will be a smooth transition when it's done. Some discussion followed. Member McKinley made a motion to approve the Inter-Local Agreement as presented. Member Armstrong seconded the motion. Roll call vote was as follows: O'Brien – yes, Rose- yes, McKinley – yes, Gonzalez – yes, and Armstrong – yes. Motion carried 5-0.

ii. **Fourth Amendment Software and Service Agreement: CTS America**

Mayor Bruhn introduced this item. Member Rose made a motion to approve the agreement. Member O'Brien seconded the motion. Roll call vote was as follows: Armstrong – yes, Gonzalez –yes, McKinley – yes, Rose – yes and O'Brien – yes. Motion carried 5-0.

f. **FINANCIAL: NONE**

i. **Emergency Stormwater Repair Authorization: 11900 Lake Butler Blvd \$15,500.00**

Mayor Bruhn introduced this item. He then explained the need for the emergency repair. Member Rose made a motion to approve the emergency repair expense. Member McKinley seconded the motion. Member Gonzalez questioned the size of the pipe. Mike Galura explained that the concrete pipe had separated causing discharge into the lake. Member Armstrong questioned if the problem was created by heavy construction in the area. Some discussion followed. Roll call vote was as follows: O'Brien – yes, Rose- yes, McKinley – yes, Gonzalez – yes, and Armstrong – yes. Motion carried 5-0.

g. **GENERAL ITEMS FOR DISCUSSION: NONE**

7. **MAYOR & COUNCIL LIAISON REPORTS**

a. **MAYOR GARY BRUHN** – Mayor Bruhn reported on the Legislative Conference, Light Up Windermere, Elders Luncheon, and the upcoming meeting with the Orlando Sentinel Editorial Board.

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b. **COUNCIL MEMBER JOHN ARMSTRONG** – Mr. Armstrong reported on the past DBC meeting, food truck night, upcoming Art Festival, Beer Fest, and the 1887 School House dedication.

c. **COUNCIL MEMBER RICHARD GONZALEZ** – No report.

d. **COUNCIL MEMBER ROBERT MCKINLEY** – Mr. McKinley reported on the Elder's Luncheon, upcoming Elder Luncheon February 2nd, and Christmas Movie Night Under The Stars, and the best dressed holiday house selection. Member Armstrong stated that there will be an ugly sweater contest as well.

e. **COUNCIL MEMBER MOLLY ROSE** – No report.

f. **COUNCIL MEMBER JIM O'BRIEN** – No report.

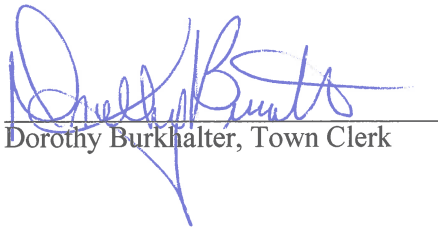
8. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Mr. Smith reported that the DBC Beer Fest profited approximately ten thousand dollars. He then stated that half will be going to the Windermere Police Department Foundation, thanked volunteers, March 6th is the next Robert German Memorial Softball Tournament, upcoming holiday events, annexation meetings with the City of Ocoee, public meetings regarding the facilities, the Gazette, and RFQ's for roadways. Member Rose questioned if facility photos and information could be placed in the Gazette. Mr. Smith commented that an individual mailing regarding the facilities will be sent to all residents.

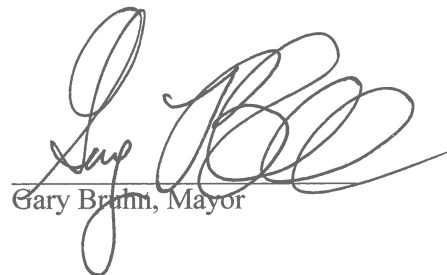
b. **TOWN ATTORNEY TOM WILKES** – Mr. Wilkes reported that the Judge has denied the Mill's case. He then stated that it could still be appealed. He will keep everyone informed.

c. **POLICE CHIEF OGDEN** – Chief Ogden reported that there is a posting for a Reserve Officer, the end of the year report, attended the First Responders Holiday at the Governor's Mansion, toy collection for One Heart for Women and Children, Florida Police Chiefs' Committee meetings, and the Roper YMCA.

Mayor Bruhn adjourned the meeting at 8:21pm.



Dorothy Burkhalter, Town Clerk



Gary Bruhn, Mayor