

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 22, 2016

CALL TO ORDER:

Present were Mayor Gary Bruhn, Council Members Molly Rose, Bob McKinley, Allen Pichon and John Armstrong. Town Attorney Heather Ramos, Town Manager Robert Smith, Deputy Chief Heather Ramos, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present. Council Member O'Brien arrived at 6:09pm.

The Pledge of Allegiance was recited.

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. **Town Appreciation to Amanda Click for 13 Years of Service.**

Mayor Bruhn explained that after 13 years of service, Amanda Click is leaving the Town of Windermere. He commented on her dedication to the Town and presented her with a plaque. Mrs. Click thanked the Town for allowing her to not only work, but to be able to grow as well.

3. TIMED ITEMS AND PUBLIC HEARINGS:

i. ORDINANCE 2016-06 Charter Financing Question

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO THE TOWN CHARTER; APPROVING TWO OPTIONAL AMENDMENTS TO SECTION 49 OF THE CURRENT TOWN CHARTER PERTAINING TO TOWN BORROWING; PROVIDING FINDINGS OF THE TOWN COUNCIL; CALLING A REFERENDUM ON THE TWO OPTIONAL AMENDMENTS; PROVIDING FOR FILING AND PUBLICATION OF THE AMENDMENT ADOPTED (IF EITHER); PROVIDING AUTHORITY FOR THE ORDINANCE AND FOR EFFECTIVE DATES.

Mayor Bruhn closed the Council meeting at 6:06pm and opened a Public Hearing. He then read the title of the proposed Ordinance 2016-06 for the record. There being no public comments, Mayor Bruhn closed the Public Hearing at 6:07pm and reconvened the Council meeting. Mayor Bruhn commented that an informational packet needed to be drafted so information is readily available for the public. Manager Smith stated that he is working on flyers. After some discussion was made, Member Rose made a motion to approve Ordinance 2016-06. Member McKinley seconded the motion. Roll call vote was as follows: Armstrong – yes, Pichon – yes, McKinley – yes, Rose – yes, and O'Brien – yes. Motion carried 5-0.

ii. ORDINANCE 2016 -07 Temporary moratorium concerning medical cannabis activities

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; ESTABLISHING A TEMPORARY MORATORIUM PROHIBITING MEDICAL CANNABIS ACTIVITIES DURING THE MORATORIUM PERIOD; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Mayor Bruhn closed the Council meeting at 6:10pm and opened a Public Hearing. He then read the title of the proposed Ordinance 2016-07 for the record. There being no public comments, Mayor Bruhn closed the Public Hearing at 6:10pm and reconvened the Council meeting. Member Rose commented that this needed to be discussed. She stated that 71% of the voters spoke in favor of Medical Marijuana. Member Rose commented that all cities within Orange County are not passing this type of Ordinance. She then stated that the Town has a wine shop and should remain open minded. Member Rose then commented that recreational use is also in the near future. Discussion followed. Member

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McKinley made a motion to approve Ordinance 2016-07. Member Pichon seconded the motion. Roll call vote was as follows: Armstrong – yes, Pichon – yes, McKinley – yes, Rose – no, and O’Brien – yes. Motion carried 4-1.

iii. **ORDINANCE NO. 2016-08 Garbage cans and trash containers**

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING SECTION 28-3 OF THE TOWN OF WINDERMERE’S CODE OF ORDINANCES TO ADD REMOVAL AND LOCATION REQUIREMENTS FOR GARBAGE CANS AND TRASH CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Mayor Bruhn closed the Council meeting at 6:18pm and opened a Public Hearing. He then read the title of the proposed Ordinance 2016-06 for the record. There being no public comments, Mayor Bruhn closed the Public Hearing at 6:19pm and reconvened the Council meeting. Member Rose made a motion to approve Ordinance 2016-08. Member Pichon seconded the motion. Roll call vote was as follows: O’Brien – yes, Rose – yes, McKinley – yes, Pichon – yes, and Armstrong – yes. Motion carried 5-0.

4. **CONSENT AGENDA: NONE**

5. **OLD BUSINESS: NONE**

6. **NEW BUSINESS:**

a. **Minutes:**

- i. **Town Council Special Meeting Minutes October 10, 2016**
- ii. **Town Council Regular Meeting Minutes October 25, 2016**
- iii. **Town Council Special Meeting Minutes November 1, 2016**

Member Pichon made a motion to approve the minutes as presented. Member O’Brien seconded the motion. Roll call vote was as follows: O’Brien – yes, Rose – yes, McKinley – yes, Pichon – yes, and Armstrong – yes. Motion carried 5-0. Member Rose questioned if Public Works Director Scott Brown had contacted DOT? Public Works Director Brown stated that he has contacted DOT and they are refusing to claim the area. Discussion was made regarding adding signage, reflectors and any types of notification of the curve.

b. **RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING:**

- i. **Resolution 2016-12 Amending the 2015/2016 Budget General Fund**

Mayor Bruhn introduced Resolution 2016-12. Member Pichon made a motion to approve Resolution 2016-12 as presented. Member McKinley seconded the motion. Roll call vote was as follows: Armstrong – yes, Pichon – yes, McKinley – yes, Rose – yes, and O’Brien – yes. Motion carried 5-0.

b. **APPOINTMENTS: COMMITTEES AND BOARDS:**

c. **CONTRACT AND AGREEMENTS:**

e. **FINANCIAL: NONE**

7. **MAYOR & COUNCIL LIAISON REPORTS**

a. **COUNCIL MEMBER JOHN ARMSTRONG**– Mr. Armstrong reported that the DBC did not meet. He then stated that the Historical Preservation Board elected a new Chairperson, Joan Foglia.

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b. **COUNCIL MEMBER ALLEN PICHON** – Mr. Pichon reported that the Tree Board met. He stated that they will have a tree mitigation proposal in January. Mr. Pichon thanked Manager Smith for working with the Tree Board. He then stated that two landscape proposals have been received, meetings and walk throughs will be scheduled.

c. **COUNCIL MEMBER ROBERT MCKINLEY** – Mr. McKinley reported that the next Elder luncheon will be December 6th. He then commented on the Halloween Fest success. Mr. McKinley thanked public works for their assistance that day. He then stated that movie night is scheduled for December 10th.

d. **COUNCIL MEMBER MOLLY ROSE** – Ms. Rose reported that the DRB had met and reviewed a variance request.

e. **COUNCIL MEMBER JIM O'BRIEN** – Mr. O'Brien reported that the Wine and Dine is coming up. He then questioned where the Art Affair applications could be located. Discussion followed regarding the applications on the website. Discussion was made regarding not receiving deliveries due to the dirt roads.

f. **MAYOR GARY BRUHN** – Mayor Bruhn reported on Florida League of Cities Public Records, Short term rentals, food truck and movie night, Election day, and Veterans Day event. Mayor Bruhn then commented on changing Pocket Park to a Veterans Park. Member McKinley stated that the Parks and Recreation Committee will discuss the item. Member O'Brien stated that the area needed to be considered should the downtown area get developed. Mayor Bruhn continued reporting on Walk of Windermere, SAC meeting, newly elected School Board member swearing in, Teach In at Gotha Middle School, Light Up Windermere, e-mails regarding Windermere Country Club, Windermere High School, Gift Certificate detail, Town of Windermere "Your Project" signs, 2025 Time Capsule, labeling of trees, donated wreath from United Medical and electronic voting.

8. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Mr. Smith reported on the Projects meeting, 6th Avenue Stakeholders meeting, 1887 School House, Food Truck event, Thanked First Baptist Church for the snow event, Rotary speaker, WPD Foundation, COPS Paver Dedication, upcoming annual Softball tournament and Family Fun Day, Rail Road Right of Way meetings, and vacation December 1 through December 9th. Member Rose questioned if Code Enforcement is working on the Chase Road signage. Manager Smith stated he will check with Code Enforcement. Member Rose then commented on a road issue at 10th Avenue and Main Street. Manager Smith stated Public Works would look at it and determine the need.

b. **TOWN ATTORNEY HEATHER RAMOS** – No report.

c. **CHIEF DAVE OGDEN** – Chief Ogden reported on 2017 Ford Calendars, Photo Shoot, WPD Secret Santa – donations and ideas, 2017 goals and objectives, Training days, December 21st, Details, Accidents, Forest Street speed device, and removal of back roads "no through traffic" signage, and Ordinance change.

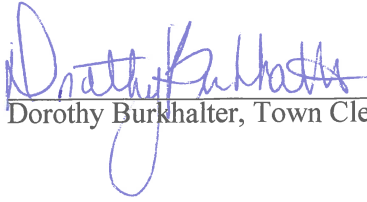
d. **PUBLIC WORKS DIRECTOR SCOTT BROWN** – Mr. Brown stated that he appreciates the "Kudo's" for his department, Duke Energy and LED Lighting, and the RFP for park upgrades.

Mayor Bruhn commented that in speaking with the teachers from Windermere Elementary, it was requested to plant a tree for the 10th annual Walk to Windermere. Mayor Bruhn commented that Arbor Day is coming up and the tree could be planted then. Member Armstrong requested that the Council have yearly photos.

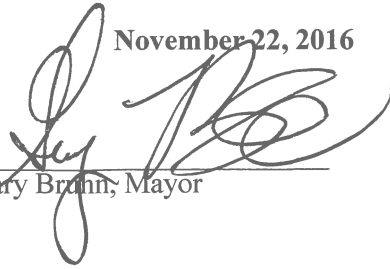
Mayor Bruhn adjourned the meeting at 7:14pm.

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Dorothy Burkhalter, Town Clerk

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Gary Brann, Mayor