

Parks & Recreation Advisory Board



February 26, 2014 at 12:00 pm

WP Community Center • Cedar Room
721 W. New England Ave • Winter Park, Florida

1 Consent Agenda

- a. **Approval of Minutes – January 22, 2014 Meeting**

2 Action Items

- b. **Vision Statement**
- c. **Rules and Standards for Rate Adjustments**
- d. **Proposed Soliciting Ordinance for Farmers Market**

3 New Business

4 Staff Report

- e. **Board Appointments and Evaluations**

5 adjourn

Next Meeting – March 26, 2014 @5:00 p.m., Winter Park Community Center

appeals & assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105).

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."

**PARKS AND RECREATION
ADVISORY BOARD WORK SESSION
January 22, 2014**

The meeting was called to order by Chairman Blair Culpepper at 5:00 p.m. at the Winter Park Community Center in conference room C.

Advisory Board Members present:

Chairman Blair Culpepper
Vice Chairman Woody Woodall
Michael Palumbo
Julio d' Arcos
Fred Jones
Joel Roberts

Staff present:

Director John Holland
Assistant Director Brenda Moody
Assistant Director Ronald Moore
Lieutenant Randy Durkee – WPPD
Recording Secretary Nancy McLean

Advisory Board Members absent:

Janet Atkins
Marni Spence

Staff Members absent:

Assistant Director Chuck Trice

Guests:

Mayor Kenneth Bradley, City Manager Randy Knight, Director Planning & Community Development Dori Stone, Life Scout Troop 62 John Michael Thomas, Eagle Scout Advisor Ron Frechette, Brian Wettstein, Linda Chappell, 794 Comstock Avenue, Sandy Womble 940 Old England Avenue, and Friends of Fleet Peoples Park Carla Lubet

Consent Agenda:

a) Approval of Minutes – October 22, 2013 meeting

Motion made by Julio d'Arcos to approve consent agenda item 'a'; seconded by Woody Woodall. The motion carried unanimously with a 6-0 vote. Janet Atkins and Marni Spence were absent.

Presentation & Discussion:

b) Discussion for the opportunity for minor league baseball in Winter Park

At the January 13, 2014 City Commission meeting, the City Manager requested a 45 day evaluation period to consider the opportunities of pursuing a minor league baseball team and the construction of a stadium within the City. The City Manager's request included: "...exploring various options of building a baseball stadium along with Rollins that would facilitate bringing minor league baseball to the community. For the last few months the focus has been on the Harper Shepherd Field site (current Rollins baseball stadium) and Rollins was leading the effort. Recently, the Rollins executive board voted to discontinue being the lead on this effort. They have said that if a stadium is built they would be interested in being a tenant.

The cost of a stadium construction is in the \$15 to \$22 million range. Land acquisition cost, if any, would be in addition that that cost.

Staff is currently studying four possible sites; Martin Luther King, Jr. Park; Ravaudage; the UP Development/Votech area; and the former tree farm. At the end of the 45 day period staff would bring a report back to the Commission as to whether or not continuing the process makes sense for the community.”

Mayor Bradley and Dori Stone also discussed the options of having minor league baseball in Winter Park. The board members asked questions, gave their input and voiced their concerns regarding the issue.

Action Items:

c) Pulsifer Park – Eagle Scout Service Project

Life Scout John Michael Thomas requested permission to do an Eagle Scout Service Project at Pulsifer Park to honor his friend Elizabeth Buckley who passed in 2012. He explained that he wanted to place a peacock sculpture that is either made of bronze or stone, similar to the symbol of Winter Park and the inscription would state that it was inspired by Elizabeth. He added the benefits of the service project, potential landscape improvements and areas to be explored in terms of fundraising for the sculpture, approval from residents adjacent to the park and permit requirements from the City.

Motion made by Woody Woodall to approve the Eagle Scout Service Project; seconded by Michael Palumbo. The motion carried unanimously with a 6-0 vote. Janet Atkins and Marni Spence were absent.

d) 11th annual Doggie Art Festival – Central Park

Brian Wettstein expressed that the Sebastian Haul Fund (and The Doggie Door - host and event producer) would like to request the use of North central Park for the 11th Annual Doggie Art Festival on Sunday April 13, 2014. This event will host pet-related artists, vendors and non - profits in support of the Sebastian Haul Fund (SHF), the SHF helped more than 330 greyhounds reach their new families in 2013 through event such as this.

Motion made by Julio d’Arcos to approve 11th annual Doggie Art Festival; seconded by Fred Jones. The motion carried unanimously with a 6-0 vote. Janet Atkins and Marni Spence were absent.

e) Consideration of Property located at 300 Pennsylvania Avenue

Dori Stone explained that CRA staff has received multiple requests to consider development options which include the purchase of the city-owned property located at 300 N. Pennsylvania Avenue. Based on the diversity of the requests, staff believed that the most equitable way to evaluate the request is through the solicitation of offers through a Notice of Disposal or NOD process.

The property located at 300 N. Pennsylvania was purchased by the City in 1994 and is indicated in the 1994 original CRA Plan as a business/commercial area. The Future Land Use is Commercial and the zoning on the property is C-3 and PL. The land is currently vacant. The office use proposed is compatible with the intent of the CRA Plan to expand the commercial development along Pennsylvania. The property is approximately .45 acre in size.

Linda Chappell, 794 Comstock Avenue, asked that the property be considered as a pocket park instead of selling it for commercial purposes.

Sandy Womble, 940 Old England Ave, believed that the surrounding neighborhoods should be notified and suggested starting a community garden and perhaps partnering with Rollins.

Fred Jones voiced concerns about not having community input before the property is sold and wanted more information on the matter. Woody Woodall opposed the property being sold.

Motion made by Julio d'Arcos to approve the notice of intent to dispose of the property; seconded by Michael Palumbo. The motion carried with a 4-2 vote. Fred Jones and Woody Woodall voted no. Janet Atkins and Marni Spence were absent.

f) City Monument – Donation Policy

Mr. Holland explained that the purpose of this policy is to establish guidelines, standards, and procedures for the installation and care of donated park improvements, either as a result of a cash or physical property donation and it is applicable to all City-owned Parks and Recreation land and facilities.

Motion made by Fred Jones to approve the Monument policy; seconded by Michael Palumbo. The motion carried unanimously with a 6-0 vote. Janet Atkins and Marni Spence were absent.

New Business Parks and Recreation Advisory Board Members:

No new business

New Business Citizens:

No new business

g) Discussion of Small Dog Off Leash Area – Friends of Fleet Peoples Park

Carla Lubet Friends of Fleet Peoples Park (FFPP) stated that a number of park goers have requested a small dog off leash area and she added that the FFPP can raise the necessary funds to buy the fencing. Mr. Culpepper stated that this would be considered on the next agenda.

Old Business:

No old business

Staff Report:

1. Mr. Holland stated that the Civic Center renovations will be complete this week.
2. Mr. Holland explained that “Winter in the Park” skate ice rink had record attendance and was very successful this year.
3. Mr. Holland stated that on the February 10th, City Commission agenda there will be a City Ordinance establishing a Market Business Purpose Area at the Farmers Market and providing for a designated open public forum area within the Market.
4. Mr. Holland requested approval to ask the City Commission for designation of \$100,000 funding to start the construction of the Unity Circle Plaza.

Motion made by Michael Palumbo to request the funding for the Unity Circle Plaza; seconded by Julio d’Arcos. The motion carried unanimously with a 6-0 vote. Janet Atkins and Marni Spence were absent.

Next Meeting – February 26, 2014 @ 5:00 p.m., Parks & Recreation, Community Center conference room.

The meeting adjourned at 6:21 p.m.

Nancy McLean
Recording Secretary

City of Winter Park Mission Statement

“We aspire to continue to be the best place to live, work and play in Central Florida by preserving a superior quality of life for today’s residents and for future generations”.



City of Winter Park

Rules and Standards for Rate Adjustments

Approved by City Commission January 26, 2009

Reviewed by City Commission amendments approved on November 12, 2012

The Parks and Recreation Department is responsible for the collection of established and approved fees for City of Winter Park owned parks or facilities with the following exceptions:

RATE ADJUSTMENT CATEGORIES:

1. City Annual Events

Following are specific events which are accommodated with no associated Parks and Recreation facility or park rental fees: (This category established by City Commission.)

Winter Park High School	ROTC Banquet – Civic Center
	Homecoming ROAR and Parade – Central Park
	Picnic in the Park – Central Park
Winter Park Sports Hall of Fame	Sports Hall of Fame – Community Center
Welborne Avenue Day Nursery	Graduation Ceremony – Civic Center
Bridge Builders	Monthly Meetings – Community Center
AKA Sorority	Monthly Meetings – Community Center
	Ivey Academy Meetings – Community Center
Hannibal Square Community Land Trust	Monthly Meetings – Community Center
Morse Foundation	Annual Tiffany Window Display – Central Park
Heritage Festival – CRA	Annual Festival – Community Center, Shady Park
Winter Park Historical Society	Annual Peacock Ball
Hoop School	Christmas Camp – Community Center
Winter Park Chamber of Commerce	Tree Lighting – Central Park
	OAR Breakfast- Civic Center
	Legislative Breakfast – Civic Center
	Leadership Graduation – Civic Center
	Youth Leadership Meetings – Civic Center/Farmer's Market
	Mayor/City Commission Luncheon
	Orange County Commission Luncheon – Civic Center
	Autumn Art Festival – Central Park
Sidewalk Art Festival	Art Festival – Park Rental Central Park
	Monthly Meetings –Lake Island

2. Community Based Organization Status

Groups may apply for designation in this category on an annual basis. Following are the criteria for application:

- Groups must be 501(c)(3)
- Objective of the organization must be to provide community services to the citizens of Winter Park.
- All meetings, socials, rentals, and events must be free and open to the public.
- Facility fees will not be waived for events, programs, or activities where admission is charged.
- Only the first hour is waived with the second hour and so on discounted.
 - Discount is determined by size of event and venue.
- Designated meeting spaces will be available on weekdays only.
- The status expires 12 months from date of approval by the City and must be renewed thereafter if applicant wishes to re-apply for reduced or waived fees.

ORDINANCE NO.: _____

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING THE FARMERS' MARKET AS A LIMITED OPEN PUBLIC FORUM; IMPOSING CONTENT AND VIEWPOINT NEUTRAL REGULATIONS IN THE FARMERS' MARKET AREA DESIGNED TO PROMOTE THE PUPOSE OF THE FORUM AS A FARMERS' MARKET AND TO PROHIBIT ACTIVITY INCONSISTENT WITH THE LIMITED PURPOSE OF THE FORUM; PROVIDING FOR CODIFICATION, SEVERABILITY, ENFORCEMENT, REPEAL OF PRIOR INCONSISTENT PROVISIONS AND AN EFFECTIVE DATE.

Legislative Findings and Recitals

WHEREAS, the City Commission of the City of Winter Park finds that the Farmers' Market established and promoted by the City of Winter Park is an important activity and amenity of the City; and

WHEREAS, the City Commission of the City of Winter Park finds that the Farmers' Market is not a traditional or completely open public forum for purposes of the exercise of First Amendment rights, but is instead a public forum limited to the purpose of conducting a retail market in which vendors approved by the City Manager or his designee are allowed to offer approved goods and services for sale to the public, all pursuant to policies and rules adopted by the City from time to time; and

WHEREAS, the City Commission of the City of Winter Park finds that an increasing number of persons are utilizing the forum for purposes other than retail commerce in approved goods and services, and that these activities have interfered with the forum's limited purpose; and

WHEREAS, the City Commission of the City of Winter Park finds that it is in the public interest to impose reasonable regulations that are content and viewpoint neutral designed to enhance and promote the purpose of the forum; and

WHEREAS, the purpose of the forum is to offer a quality venue for retail sales, consistent with the ambience and quality intended by the City and its vendors and patrons in the Market; and

WHEREAS, words with double underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW THEREFORE, be it ordained by the City Commission of the City of Winter Park as follows:

Section 1. Recitals Adopted. The above recitals and legislative findings are incorporated into this Ordinance and are fully made a part hereof.

Section 2. Amendment of Chapter 66, Article III, Park and Recreational Facility Rules.
Chapter 66 of the Municipal Code of Ordinances is amended by adding a new section 66-53, as follows:

Section 66-53. Farmers' Market. The City of Winter Park sponsors, promotes and conducts a Farmers' Market on a scheduled basis. This is a limited purpose forum in a specified area of the City designed for retail commerce in accordance with policies and procedures established from time to time by the City Manager or his designee, the Director of Parks and Recreation. The City Commission also has the authority to impose regulations governing the Market, and does hereby impose the following requirements, and the Farmers' Market shall be conducted in accordance with the following provisions:

- (a) Area For The Activity And Limited Public Forum. The Farmers' Market shall be conducted in an area described as follows: The northern boundary shall be from the northern curb of New England Avenue, starting from the east curb of New York Avenue and running easterly along the northern curb of New England Avenue to the railroad track right-of-way. The eastern boundary shall start at the intersection of the east curb of New York Avenue and the northern curb of New England Avenue, and running in a southerly direction along the east curb of New York Avenue, including all public right-of-way and sidewalks to the east thereof down to the railroad track right-of-way. The eastern and southerly borders of the area shall be the west side of the railroad right-of-way, running south from New England Avenue to the point at which the railroad right-of-way crosses New York Avenue. The area is shown in further detail in that drawing attached as Exhibit "A". This area is referred to as the Farmers' Market during such times that the use is business retail activity pursuant to the schedule for operation of the Market. A map showing the Market area is attached to this Section and incorporated as Exhibit "A". The Farmers' Market is not a traditional open public forum and is instead a limited purpose public forum designed and intended for use as a market for retail sale of approved goods and services, (hereinafter referred to as the "Market's Business Purpose"). The array and mix of goods and services which may be offered, and the vendors who may offer such goods and services, shall be selected by the City Manager or through his designee, the Director of Parks and Recreation, pursuant to procedures and policies that may be adopted from time to time. The governing objectives are to offer an excellent mix and array of local

produce, local foodstuffs, creative arts and crafts, and other unique and desirable goods and services which are appropriate, and to operate the Market consistent with the level of quality and ambience which the Farmers' Market in the City of Winter Park is intended to achieve.

(b) Schedule. The area designated as the Farmers' Market shall be utilized for the Market's Business Purpose on such days and times as the City Manager shall designate from time to time pursuant to a published schedule, which schedule is subject to review and revision from time to time by the City Manager or the City Commission. During the times when the Farmers' Market is scheduled to be open, the rights-of-way, sidewalks and all other public areas within the defined area of the Market shall be a limited public forum intended only for the Market's Business Purpose.

(c) Limited Exceptions. The following are exceptions to the general rule that the Market's Business Purpose is the exclusive use of the forum.

(1) Political Activity. A candidate for elective office or a person engaged in issue advocacy may engage the public in conversation promoting the campaign or issue with willing listeners in the forum. The person shall immediately cease and desist from the communication if the recipient of the communication indicates disinterest or an unwillingness to engage. If a person is willing to accept such, the person promoting the political campaign or issue may pass out a business card or other printed material. In no event may any of this activity be allowed to interfere with or impede the Market's Business Purpose, nor may any person, while taking advantage of this exception, violate any other law, or ordinance of the City of Winter Park.

(2) Charities. The City may provide a designated area, possibly to include one or more tables within the area for use by qualified charitable organizations ("qualified charity") for the purposes of promoting and soliciting on behalf of the charity, subject to the following requirements and procedures:

(A) The charity must be a 501(c)(3) organization.

(B) A qualified charity must be headquartered in the City of Winter Park or must have a substantial and bona fide nexus with the City of Winter Park whereby a significant portion of its effort is devoted to promoting social, cultural, historical, economic development, welfare, health and/or safety activities, programs or benefits to or on behalf of the citizens of Winter Park.

(C) The City Manager or designee shall establish a rotation basis, as needed, so that access among the qualified charities is distributed on a fair and equitable basis.

(D) This area is not a free speech zone and should not be considered an area dedicated to free or unrestricted communication and speech. In fact, this area is dedicated strictly for the use of qualified charities, as defined

(E) A qualified charity may distribute its literature using one or more tables that may be provided by the City or which the organization may itself set up, within the area.

(d) Registration and Signature Drives. The solicitation of signatures on any type of registration, petition or other document is prohibited in the Farmers' Market. This is a content neutral prohibition against all of such activity and is designed to promote the efficient and orderly ambulation of patrons throughout the Farmers' Market to promote the "Market's Business Purpose". Notwithstanding this restriction, the City Manager may make a specific area available within which one or more groups may remain, and from within the designated area, and without going out of that area, solicit signatures on petitions, registrations or other documents. If such an area is set up, the activity must otherwise be in compliance with all applicable laws and ordinances, and may not interfere with or impede the Market's Business Purpose.

Section 3. Enforcement. A violation of this section shall be punishable as allowed by Chapter 162, Florida Statutes, and Section 1-7 of the Municipal Code. Upon a third violation following two warnings, the violation shall be treated as punishable as a second degree

misdemeanor subjecting the person to arrest and a term of imprisonment not to exceed sixty (60) days consistent with the provisions in Chapter 162, Florida Statutes.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Codification. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Winter Park, as section 66-53, and sections 66-54 through 66-60 of the City's Code shall remain as reserved.

Section 6. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 7. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

Adopted at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida on the ____ day of _____, 2013.

MAYOR KENNETH W. BRADLEY

ATTEST:

CYNTHIA BONHAM, CITY CLERK