

REGULAR MEETING OF THE CITY COMMISSION
May 9, 2011

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was provided by Pastor Eric Doran, Kress Memorial Seventh Day Adventist, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Commissioner Steven Leary
Commissioner Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
City Attorney Larry Brown
City Clerk Cynthia Bonham
Deputy City Clerk Michelle Bernstein

Approval of the agenda

Mayor Bradley requested that item 11.a. be tabled to a meeting in June when the conditional use process has been completed. **Motion made by Mayor Bradley to approve the agenda with this change; seconded by Commissioner Leary and approved by acclamation of the City Commission.**

Mayor's Report

a. Employee of the Quarter Peter Moore

Mayor Bradley recognized Assistant CRA Manager Peter Moore as the Employee of the First Quarter in 2011.

b. Proclamation-Winter Park High School International Baccalaureate Day

Mayor Bradley proclaimed May 21, 2011 as International Baccalaureate Program Day and noted that they will be celebrating their 25th anniversary.

c. Proclamation – Building Safety Month

Mayor Bradley proclaimed May 2011 as Building Safety Month in the City. He gave special recognition to Building Director George Wiggins and the entire team in the Building and Code Enforcement Department for the work they perform.

d. Report of the Florida League of Mayors conference

Mayor Bradley mentioned that he had the opportunity to participate in the Florida League of Mayors conference where they spoke about a program that is being sponsored by the Collins Institute to have a statewide dialogue on what Florida will become over the next 30-50 years. He noted that he will provide the website information to the City Manager so that he can distribute it to the Commission.

e. 2011 Board Appointments

Mayor Bradley thanked all the citizens who applied for boards and commented that there will still be some openings. He stated per the Charter he will appoint the members and the remainder of the Commission can ratify or deny his appointments. He stated the gray boxes on the spreadsheet provided are an indication that those positions are still open.

The following appointments were made:

Board of Adjustment:

John Simpson (2011-2014)
Lucy Morse (Re-appointment 2011-2014)

Motion made by Mayor Bradley that the Board of Adjustment appointments are accepted as presented; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Commissioner Cooper asked if they should hold their recommendations until afterwards. She addressed two BOA members that have served (Bruce Becker and Ann Higby) before and asked the Mayor to consider them for appointment. Mayor Bradley said he would be happy to consider any names for the open positions not being made today and that Commission members can inform him of those names at the end of today's appointments.

Code Enforcement:

Carl Sanford (alternate promoted to regular member 2011-2014)
Frederick Jones (2011-2014)
Brian Kracht (Alternate, 2011-2013)

Motion made by Mayor Bradley that the Code Enforcement appointments are accepted as presented; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Community Redevelopment Advisory Board:

Paul Saint-Pier (alternate promoted to regular member 2011-2014)
Alan Thompson (alternate)

Motion made by Mayor Bradley that the Community Redevelopment Advisory Board appointments are accepted as presented; seconded by Commissioner Leary. Commissioner Cooper asked to vote on those two separately. Mayor Bradley stated they will be voted on as a whole. The motion carried with a 4-1 vote with Commissioner Cooper voting no.

Construction Board of Adjustment

Mayor Bradley stated those appointments will be made at the next meeting.

Economic Development Advisory Board

Owen Beitsch
John Gill

Motion made by Mayor Bradley that the Economic Development Advisory Board appointments are accepted as presented; seconded by Commissioner Sprinkel. Commissioner Cooper asked to discuss Mr. Beitsch as she believed it may put him in a difficult situation relative to conflict of interest and wanted to make sure members can full participate on this board. Mayor Bradley stated he believed his service to the City is concluded. Commissioner Cooper stated he is a good asset for the City and we use him often. Mayor Bradley stated that staff had no concerns with this. **The motion carried with a 4-1 vote with Commissioner Cooper voting no.**

Environmental Review Board

Stephen Pategas (reappointment)

Motion made by Mayor Bradley that Environmental Review Board appointment is accepted as presented; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Ethics Board

Julie Zimmerman (reappointment 2011-2014)

Kit Pepper (alternate promoted to regular member)

Michael English (alternate 2011-2013)

Motion made by Mayor Bradley that the Ethics Board appointments are accepted as presented; seconded by Commissioner Leary. Commissioner Cooper asked about the application for Ms. Pepper and stated she is delighted to appoint her if she is interested. Mayor Bradley explained that the alternates are not required to submit applications only to move up from alternate to regular member; they are required to submit an application only if they are being reappointed. Commissioner Cooper asked that someone make sure she wants to serve. **The motion carried with a 4-1 vote with Commissioner Cooper voting no.**

Keep Winter Park Beautiful Board

John Rife III

Lucy Roberts

Kimberly Roberts

Robert (Tom) Shutts (after discussion, was not appointed this time)

Commissioner Cooper addressed Mr. Shutts not applying for KWPB. Mayor Bradley stated that he sent a second application and the first application had that. He stated if she believes he should remove his name, he can do so. She asked that this be checked. Mayor Bradley stated he will hold his application. **Motion made by Mayor Bradley that the Keep Winter Park Beautiful appointments are accepted as presented (without Mr. Shutts); seconded by Commissioner Leary and motion carried unanimously with a 5-0 vote.**

Lakes and Waterways Board

Jesse Graham

Nora Miller

James Barnes

Motion made by Mayor Bradley that the Lakes and Waterways Board appointments are accepted as presented; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Parks and Recreation Board

Woody Woodall
Marni Spence
Janet Atkins

Motion made by Mayor Bradley that the Parks and Recreation Board appointments are accepted as presented; seconded by Commissioner Leary. Commissioner Cooper requested that they vote separately for these individuals. Mayor Bradley denied the request and stated they will be voted on all at once. **The motion carried with a 3-2 vote with Commissioners Cooper and McMacken voting no. Mayor Bradley and Commissioners Leary and Sprinkel voted yes.**

Pedestrian and Bicycle Safety Board

Whit Blanton (reappointed)
Gordon Blich (reappointed)

Motion made by Mayor Bradley that the Pedestrian and Bicycle Safety Board appointments are accepted as presented; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Planning and Zoning Board

George Livingston (alternate promoted to regular member)
James Johnston
Peter Gottfried
Randall Slocum

Motion made by Mayor Bradley that the Planning and Zoning Board appointments are accepted as presented. Commissioner Cooper requested that they vote for these individuals separately. Mayor Bradley denied the request. **Seconded by Commissioner Leary. The motion carried with a 3-2 vote with Commissioners Cooper and McMacken voting no.**

Commissioner Cooper expressed that she is uncomfortable that the Mayor is not allowing the opportunity for discussion on the individual members. She stated she hates to have to vote against an entire slate of people because of one appointment that she would like to reconsider. She asked that the Chair reconsider that ruling. Mayor Bradley stated they initially asked that these be appointed by board so that is what they are doing. He stated if they have specific names they want to bring up, they can discuss it and either vote yes or no.

Tree Preservation Board

Anthony Gray

Motion made by Mayor Bradley that the Tree Preservation Board appointment is accepted as presented and that the other appointments come according to service from the other boards (P&Z, P&R and BOA).

Commissioner Cooper explained that Phil Eschbach was advised that he was not coming up for reappointment which is why he did not reapply and that he sent in his application today. She stated he filled the partial term of someone else which caused the confusion and that Mr. Eschbach is currently on the board and would like to continue on the board. Mayor Bradley stated he is not appointing Mr. Gray to Mr. Eschbach's position so this can be dealt with. **Seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

Utilities Advisory Board

Mike (Macauley) Whiting, Jr.

Motion made by Mayor Bradley that the Utilities Advisory Board appointment is accepted as presented; seconded by Commissioner Cooper. Commissioner Cooper recommended that the current Chair Greg Seidel be reappointed to that second slot. Mayor Bradley stated that there are three great candidates that could fill that position and depending on what happens with the other boards may determine that. **The motion carried unanimously with a 5-0 vote.**

Police Pension Board

Robert Harvie (reappointed)

Motion made by Mayor Bradley that the Police Pension Board appointment is accepted as presented; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Other individuals removed from boards:

Mayor Bradley stated there are three individuals that for various reasons have come to his attention (attendance, no longer residing in the City and for other circumstances) that he is going to remove from the boards.

Please note that this portion of the motion was revised per the minutes of June 13. Motion made by Mayor Bradley to remove Herb Weiss from the Parks and Recreation Board, Wendell Hays (moved from the City) and Yovannie Storms (meeting attendance) from the Environmental Review Board; seconded by Commissioner Leary. The motion carried with a 3-1 vote with Commissioner McMacken voting no (there was no clear vote by Commissioner Cooper heard). Commissioner Cooper stated that she voted 'no' on both the May 23 and the June 13 meetings. See the minutes of the June 13 meeting.

Upon completion of the appointments, Commissioner Cooper made her recommendations as follows:

CRA Advisory Board – Scott Callahan. Mayor Bradley stated he received his application after his list was sent out and will consider Mr. Callahan.

Historic Preservation – Margie Bridges. She stated Ms. Bridges has been involved in historic preservation for a long time and asked that she be given consideration to serve on this board. Mayor Bradley stated he has considered this and will not be reappointing her.

Parks and Recreation Board – Frank Baker. She stated that he wants to be reconsidered.

Planning and Zoning Board – Michael Dick. She stated he has served that board well and asked that he be reconsidered.

Commissioner Leary suggested the consideration of: Community Redevelopment Advisory Board – Daniel Buck

City Manager's Report

City Manager Knight provided a summary of the Legislative Session that just ended and mentioned that the pension bill did not go as far as they had requested especially in regards to being able to negotiate changes and not have it impact the 175/185 money. There is more tax reform that will be on the ballot to determine whether or not the Save Our Homes type of exemption will now extend to non-homesteaded properties which would be a 5% annual cap versus a 3%; and the red light camera repeal did not pass the Senate. He also mentioned that this week Bill Peebles will be meeting individually with those Commissioners who were available to provide a more specific update.

Commissioner Cooper asked Mr. Knight if he could provide her with the specific numbers on the pension bill; he acknowledged. Commissioner McMacken asked if they will be receiving an update on the 90 day plan. There was consensus to bring this forward as an Action Item for the next meeting.

City Attorney's Report

Attorney Brown reminded the Commission that there is an Executive Session scheduled for the end of today's meeting.

Attorney Brown advised that just before the start of this meeting he received a summary of the Growth Management Bill (HB 2707) and provided a copy. He believes this information was prepared by one of the interested groups that were promoting it.

Mayor Bradley advised that the Commission will be going to Washington D.C. on May 24 and 25, 2011 to continue their efforts and to show representation and support on many budget initiatives.

Non-Action Items

No items to report.

Consent Agenda

- a. Approve the minutes of 4/25/11. – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- b. Approve award of IFB-15-2011, Purchase of Clay Street Brick Pavers to Brick America.
- c. Approve the following purchases and contracts:
 1. PR 146628 to Hufcor Florida Group for the owner direct purchase of smoke and fire curtain for the Community Center; \$56,515.20 Deduct Change Order COR-011 to Community Center contract (RFQ-17-2009) with Turner Construction Company and

- authorize the Mayor to execute the change order document; deduct \$735,625.91 against the contract price
2. Products and services agreement with CenturyLink Sales Solutions, Inc. to replace an existing telecommunications circuit and authorize the Mayor to execute the agreement; decrease monthly circuit invoice by \$1,731
 3. Task Order 2010-01 Amendment 1, Fairbanks Corridor Wastewater Collection & Transmission System Re-Design
- d. Approve the conceptual plans of the Mead Garden upper terrace patio development and recommend proceeding with the construction and development of the approved terrace area with \$35,000 of grant funding as presented and approved by the City Commission during the April 11, 2011 Commission meeting. – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- e. Approve the Memorandum of Understanding with the City of Orlando Fire Department for the purpose of developing a special operations response and training system. – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**

Motion made by Commissioner Cooper to approve Consent Agenda Items ‘b’ and c-‘1-4’; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item ‘a’ – Approve the minutes of 4/25/11:

Commissioner Cooper referenced page 3, second paragraph which reads “Commissioner Cooper recalled they should bring in the best development minds in the community to help them figure out how we could build City Hall and the library at no cost to the citizens. She indicated that these discussions are acceptable; however, she wanted to ensure that they are very public and to allow citizens the opportunity to participate and understand what they are considering.” Commissioner Cooper indicated that she clearly said that she opposed that initiative and that she was in the minority. She said she would like the minutes to either say that she was opposed and remove “the discussions are acceptable” or have a verbatim on that paragraph. Mayor Bradley agreed that the Clerk should review the audio and provide a verbatim to be made part of the minutes.

Motion made by Commissioner Cooper to approve Consent Agenda Item ‘a’ with the adjustment that this be accepted with a verbatim translation of that particular paragraph; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item ‘d’ - Approve the conceptual plans of the Mead Garden upper terrace patio development and recommend proceeding with the construction and development of the approved terrace area with \$35,000 of grant funding as presented and approved by the City Commission during the April 11, 2011 Commission meeting.

Commissioner McMacken asked if they are following the normal process and putting together a set of construction documents for review and approval by the City. Parks and Recreation Director John Holland explained that there is oversight by the City and a significant amount of the project is being handled by field engineering.

Mead Gardens Representative Jeffrey Blydenburgh explained that work is being done through Winter Park Construction as the Construction Manager and as drawings are being developed

they will come through the City for permitting. He also advised that they will have the necessary insurance in place.

Commissioner Cooper said she wants to make sure that any drawings for any construction on this land go through the proper process in the City. Mr. Blydenburgh acknowledged. She said now that they are spending the money she would like to see a rough budget for the \$150,000 and how they intend to allocate each part of it. Mr. Blydenburgh acknowledged her request and explained that \$35,000 is going to the upper terrace area and \$115,000 is going towards a combination of work on the existing amphi-theatre and the entry way. He said what they are asking for now is the ability for the \$35,000 to be spent.

Motion made by Commissioner McMacken to approve Consent Agenda Item 'd' with the amendment that they will provide a rough order of magnitude budget for the remaining monies that were allocated out of the \$150,000; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Consent Agenda Item 'e' - Approve the Memorandum of Understanding with the City of Orlando Fire Department for the purpose of developing a special operations response and training system.

Mayor Bradley indicated that the City Attorney approval box was not checked on the title sheet for this item and asked if the City Attorney has reviewed this contract before it came to them for approval. Attorney Brown said yes.

Motion made by Mayor Bradley to approve Consent Agenda Item 'e'; seconded by Commissioner Leary and carried unanimously with a 5-0 vote.

Action Items Requiring Discussion:

a. Banner Policy Changes

CRA Director Dori DeBord explained that this item came up in conversation with the Parks and Recreation Department. She noted that the banner policy has traditionally been under the purview of the Parks and Recreation Department as it related primarily to banner treatments next to Central Park. With banners now able to be hung on Orange, New England, Pennsylvania, Park, and all of Morse Blvd, the Parks Board voted to turn over the Banner Policy and implementation to the Economic Development Department. She said they took it to the Economic Development Advisory Board and they asked them to craft a policy and voted to approve that policy and bring it forward to the Commission.

Ms. DeBord addressed the policy being very similar to what the Parks Department had with several exceptions: 1) they recognize the banners for current events that are not sponsored by the City such as the Cornell Museum; 2) the banners are not paying for the upkeep, removal and replacement so the fees have been modified; 3) that this would be a one-stop shopping opportunity and rather than take it to an advisory board, the Economic Development Director would have the ability to approve the banners given the guidelines and time periods that are outlined. She advised that the only exception to the banner policy that they would like to make is to allow the Morse Museum to keep their 6 banner poles up year round so they can change

those poles based on the exhibits. They would still come in for approval of the banners but they would not fall under the 30 day requirement of taking down the banners and re-putting them up.

Motion made by Commissioner McMacken to approve the Banner Policy changes; seconded by Commissioner Leary.

Commissioner McMacken asked if the 45 day application process is enough time for someone to submit their application, obtain approval and manufacture a banner and install it. He also wanted to know how many events are grandfathered into this. Ms. DeBord said 'yes' 45 days is enough time and there are 10 events.

Commissioner Cooper asked if they talked with the Morse Museum. Ms. DeBord said 'yes' they notified the proper individuals and spoke with them and they understand the logic of this. Commissioner Cooper then requested that the City Attorney look at the policy because she wants to make certain that they are not putting anything in place that will set up an entitlement to display something that they may or may not want displayed. Attorney Brown acknowledged.

Commissioner Sprinkel said she had a hard time with this item until she spoke with Ms. DeBord who fully explained the cost associated with the banners and the safeguards that are built into this policy. She advised that she is now much more comfortable with this item but wants to make sure they do not have too many banners and that they have uniformity.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. Nuclear Electric Insurance Limited (NEIL) refunds

Electric Utility Director Jerry Warren provided background. Prior to January 1, 2011, the City purchased its wholesale power through an "all-requirements" contract with Progress Energy Florida (PEF). Through that contract, PEF provided the City's power supply from all of its generating assets including PEF's Crystal River 3 Nuclear Plant (CR-3). Near the end of September 2009, PEF took CR-3 out of service to replace the plant's 30+ year old steam generators. Since the steam generators are located inside the plant's concrete containment dome, a large opening had to be cut through the dome to allow removal of the old steam generators and installation of the new steam generators.

During the process of cutting through the containment dome, delaminations in the concrete were discovered. As a result, CR-3 was out of service for the last three months of 2009 and all 12 months of 2010. As of this date CR-3 remains out of service. PEF has a replacement power insurance policy through Nuclear Electric Insurance Limited that helps to cover the increased cost of PEF's replacement power resulting from a CR-3 extended outage. Increases in PEF's cost of power resulted in the City of Winter Park and its electric customers paying more for its wholesale power over the 15 month period October 2009-December 31, 2010. Increases are passed through to Winter Park through the fuel adjustment mechanism.

Beginning January 1, 2011, the City's new contracts with Seminole Electric Cooperative and PEF replaced the PEF all-requirements contract that expired December 31, 2010. Under the new contract PEF provides 40 MW of natural gas-fired combined cycle capacity and no longer

provides power to the City from CR-3. If PEF receives future NEIL refunds for the period beyond January 1, 2011, the City will not receive a pro rata share of those refunds.

To date, the City has received \$1,183,763 of NEIL refunds. This amount covers the period through October 2010. The City expects to receive another \$300,000 - \$400,000 as its share of the November and December 2010 refunds. This will bring the City's total share of the NEIL refunds to approximately \$1.5 million.

Mr. Warren advised that the Utilities Advisory Board (UAB) is recommending the return of the balance of the NEIL refunds, approximately \$1 million over the summer fuel adjustment period July – September will reduce customers' bills by approximately \$8 per 1,000 kWh. For a 1,000 kWh residential customer this will amount to approximately a 7% reduction. For commercial customers it will result in a 7-9% reduction depending on rate classification and usage characteristics. The UAB also recommended retaining \$500,000 of the refunds to establish a fuel adjustment stabilization fund.

Motion made by Commissioner Leary to approve the recommendation of the Utilities Advisory Board for the Nuclear Electric Insurance Limited refunds; seconded by Commissioner Sprinkel.

Mayor Bradley said he supports this but reminded everyone that they still owe the City approximately \$2.5 million and that maybe with some of the other savings they received from this contract, they consider paying this off sooner.

Pete Weldon, 700 Via Lombardy, indicated that this is a great idea and cheered them on.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

c. Task Force regarding the construction of a new City Hall and Library

City Manager Knight explained that during the recent strategic planning sessions the City Commission discussed establishing a public venues task force to explore a long-term solution for City Hall and the library without increasing the tax burden. It was suggested that at least one member should be an economist.

The selection process followed for the Charter Review Task Force was addressed and suggested to use the same type of selection process whereby the Mayor and each Commissioner appointed one member and two additional members were selected at large. Mr. Knight advised that there are numerous alternative ways to appoint the members as well as various options for the size of the task force. The City could also utilize an existing board for this process such as the Economic Development Advisory Board or another option would be to keep this an informal task force and staff could take the lead with various individuals in the community that could help with the process.

Discussion ensued as to which advisory board(s) should be used to help with this task, if they include members of the community, the need for staff involvement, advisory board review, what opportunities are available, what the specific needs are, if they look at specific buildings or all

public buildings, the associated costs and how far do they look into the future, i.e., 5 or 10 years.

Commissioner Cooper felt there are some questions that need to be answered by both the citizens and themselves and suggested it be done during the Community Conversations forums. She felt it would be helpful so they can provide the task force with some parameters and clear direction on what they believe is important. Her four questions were: Do our citizens want City Hall to remain in its current location; do our citizens want the library to remain in its current location; is it important to the City and the citizens that City Hall be a standalone facility or can they look at adding a little retail along the Avenue; and are they interested in sharing ownership.

Commissioner Sprinkel said these are great questions but did not agree that they should be asking these questions at the forums; this is a visionary process and if they know the answers and have the results there is no need with having a task force provide a long term outlook for the City. She said instead of coming up with questions and rules she would prefer that they come up with 'out of the box' ideas and suggestions with the help of other individuals and concentrate on the visioning for the future.

Motion made by Commissioner Leary for staff to present a 10 year City facilities needs proposal to the City Commission; seconded by Mayor Bradley.

Commissioner Sprinkel indicated that the current motion does not address what transpired in their Strategic Planning meeting and asked how can they come up with 'out of the box' ideas without having outside individuals help us. Commissioner Leary said we need to start some place and have structure, then invite those people with ideas and go from there. Mayor Bradley agreed that they need to start somewhere and suggested the first step should be a 10-15 year visioning and once that is accomplished they can then have a creative process that involves others to try and implement the vision. Commissioner Cooper indicated that she is very supportive of the idea that Mr. Knight presented but relative to the second part of the idea she prefers the formal task force where each Commissioner appoints someone to that committee.

Motion amended by Commissioner Cooper that they also address the four questions that she broached for their upcoming Community Conversations with our citizens. Commissioner McMacken said his understanding of the Community Conversations is that they are not directing questions to the community but rather listening to the citizens. Commissioner Cooper withdrew her motion until they have more information.

Woody Woodall, 328 N. Park Avenue said he does not like the idea with City Hall having joint ownership or building retail stores because currently there is enough competition in the area.

Joe Terranova, 700 Melrose Avenue, said so many of the questions they have raised have already been looked at. He said years of studies have been conducted in terms of where the City Hall should be located, how big it should be, and whether to have a commercial attachment or not. He suggested that they obtain copies of this information so they can look at all the facts and perhaps bring it up to date. He noted that it is not too early to be considering these items now since it will take a few years for approval and then at least another 10 years to complete.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Public Comments

1. Woody Woodall, 328 N. Park Avenue spoke about the repaving of East Morse Boulevard and encouraged the City to find the money so they can make it a first class project.
2. Eileen Duva, 311 E. Morse Boulevard spoke about the East Morse Boulevard improvements and indicated that the black asphalt and roadwork is a mess. She asked the City to refrain from any work until the budget allows for this project to be first class.

City Manager Knight explained that this project is not in the City's five year capital plan. It is a project that was requested last year by Ms. Duva and the City sent out a survey to the neighbors last year as to whether or not they were willing to be assessed for their share of the project like the City does for other bricking projects that impact residential properties. The survey responses received from the Whispering Waters and Cloister residents were against being assessed for the project. He also noted that some of the streetscapes that have taken place within the CRA have been assessed to the commercial property owners and few were paid by the CRA out of the tax increment money from the CRA.

Mr. Knight noted that they are about a year behind in repaving as they had to put it off due to the current situation and they really do not want to put it off any longer because the road base will erode which will be more costly to repave. He explained that if this is a project that the Commission would like to move forward with then they would need to find the money by either eliminating another project or obtain the funds from some other source. There was consensus to bring this forward as an Action Item for Discussion for the next meeting.

3. Joe Terranova, 700 Melrose Avenue, felt the project should be done and that everyone should be paying their fair share including the residents and the commercial business.
4. Andrew Jordan, 1000 S. Semoran Boulevard, said he is proud to be a City utilities service employee for the past 5 years. He felt they should be given the same rights as police and firefighters who are unionized and the same opportunity to have a seat at the negotiating table.
5. Angus Black, City utilities worker for over 20 years, said they have not received raises in over 3-4 years and longevity bonuses have been eliminated. He said the City has hired a firm to try and keep them from wanting to be unionized and does not agree with this. He said there are a lot of City employees, including himself that want to be part of a union and they should be allowed.
6. Sally Flynn, 1400 Highland Road, spoke about the board appointments and disagreed that certain individuals were not being allowed to serve on a board of their choice.
7. Pat McDonald, 2348 Summerfield Road, suggested that they establish criteria for board appointments, reappointments and for the removal of board members.
8. Lurline Fletcher, 790 Lyman Avenue, spoke about the extension of alcohol sales and asked the Commission to consider the numerous senior citizens and children in this residential area when making their decision. She also requested that the City clean up

the construction debris at the State Office Building property because it makes the Westside look horrible.

A recess was taken from 5:31 p.m. to 5:54 p.m.

d. Advisory Board master ordinance

Motion made by Mayor Bradley to approve the proposed ordinance to go forward to first reading with the change that all boards be at least a minimum of 7 members plus 1 alternate; seconded by Commissioner Leary.

Mayor Bradley said there has been a tremendous amount of work and conversation that has taken place over the years starting back in January 2009 continuing through this year. He said this issue has been vetted through multiple channels and that all of the boards, public and the Commission have had ample opportunities to weigh in on some of the changes in the creation of an omnibus ordinance for advisory boards.

Mayor Bradley indicated that he supports the ordinance but noted that there are some things he does not like such as some of the wording or verbiage but he believes this is a good step going forward. He commended staff and the City Attorney for their hard work and efforts to bring it to this point.

Commissioner Sprinkel agreed that this is a wonderful first step in putting everything in one place and commended everyone for their efforts.

Motion amended by Commissioner Cooper to reject the alternative regarding consolidation of all quasi-judicial decision makings into a single board. Mayor Bradley asked if the proposed ordinance summarizes everything into one quasi-judicial board because this amendment says not to do that. Attorney Brown said no, it does not do that. **Commissioner Cooper withdrew her motion.**

Motion amended by Mayor Bradley that the quasi-judicial functions of the Historical Preservation Board, the Tree Preservation Board and the Lakes Board be consolidated to the Code Enforcement Board; seconded by Commissioner Leary.

Motion amended by Commissioner Cooper that they maintain a residency requirement for all boards (Commissioner Cooper clarified that unless there is a statute that requires otherwise); seconded by Commissioner McMacken.

Motion amended by Commissioner Cooper that all quasi-judicial boards or their associated subsidiary advisory boards be allowed removal for cause as opposed to serving at the will of the Commission. Motion failed for lack of a second.

Motion amended by Commissioner Cooper to appoint alternates to the first position vacated unless the regular board member is reappointed to their seat. Motion failed for lack of a second.

Motion amended by Commissioner Cooper that they limit the maximum number of times a member can participate by phone after which he has counted absent; seconded by

Commissioner McMacken. Mayor Bradley asked what the number should be. Commissioner Cooper said she is leaving that number up to staff.

Motion amended by Commissioner Cooper that they limit the maximum number of times a member can be absent in a 12 month period. She said the way it is now they can be absent 3 times in a row and come back 1 time and do that repeatedly. She also noted that she would leave the specific number up to staff. **Seconded by Commissioner McMacken.**

Motion amended by Commissioner Cooper that they maintain term limits at 2 terms which they currently have for all boards unless there is a statutory reason otherwise. Mayor Bradley ruled that this amendment is out of order since it is stated in the ordinance. **Commissioner Cooper withdrew her motion.**

Motion amended by Commissioner Cooper that Historic Preservation Commission be a standalone quasi-judicial capacity (because that is the reason they were created); seconded by Commissioner McMacken.

Motion amended by Commissioner Cooper to keep the members of Boards as they currently are. Motion failed for lack of a second.

Motion amended by Commissioner McMacken to amend Section 2, Division 2, 'F' 'Vacancies' to add: "and that those nominations be presented to the Commission within 60 days of the vacancy occurring"; seconded by Commissioner Cooper. Mayor Bradley asked what would happen if it was inside of the 60 days because they currently have in the ordinance that it can go to the next meeting. Commissioner McMacken clarified and said it could go to the next meeting if it falls within anything short of that. Mayor Bradley asked if it is 61 days then he would want it to be done with that amendment. Commissioner McMacken said yes.

Motion amended by Commissioner McMacken to amend Section 2, Division 2, 'M' 'Evaluation Process' so that it says: "The evaluation process shall be on the basis of a standard City format to be developed for each board"; seconded by Mayor Bradley.

Motion amended by Commissioner McMacken to amend Section 2, Division 3, 'H' 'Economic Development Advisory Board', #2 Advisory Board and delete the second sentence which reads: "This Advisory Board shall also review proposed comprehensive plan amendments pertaining to economic development, and shall provide direction and advice to the City Commission regarding the same."; seconded by Commissioner Leary.

Commissioner McMacken referenced Section 2, Division 2, 'R' Planning and Zoning (P&Z) Board. He mentioned that they have requirements for the Historic Preservation, the Arts Board and many other boards; however, they do not list any potential requirements for being on the P&Z Board which is one of the more technical boards. He commented that he will present potential requirements for being on the P&Z Board at the next meeting.

Commissioner Cooper spoke about removal for cause and referenced the statement that board members can be removed by the will of the Commission. She explained the code for quasi-judicial boards whereby the Planning and Zoning, Stormwater Board of Appeals, Code Enforcement Board and the Board of Adjustment all had very specific language saying that

those board members could only be removed for cause. She indicated that she does not want our quasi-judicial boards to live under the threat of being removed from their positions just because they apply a code or because they do not approve a development or variance. She said it seems like those are decisions of law and they should not be subject to the will of the Commission.

Commissioner Cooper asked Attorney Brown for clarity regarding Florida Statute 112.501. Attorney Brown clarified that Florida Statute 112.501 says that unless the City Charter provides otherwise this is the procedure for removing a subsidiary board member for cause. It does not say that a City may not have a without cause removal process. He further explained that cities have home rule authority and may take any action for municipal purposes except as expressly prohibited by general law or the constitution and 112.501 does not expressly prohibit a without cause removal process.

Commissioner Sprinkel commented that it would be helpful to everyone to have the same rule or law for all boards. She believed that they should not change it for one board or the other.

Pete Weldon, 700 Via Lombardy, recommended that the Commission take more thought on these issues before finalizing the ordinance. He said the citizens deserve to have clear rules.

Patrick Chapin, 151 W. Lyman, disagreed with the amendment regarding residency requirements especially since there are numerous non-City residents that contribute to this community in a lot of different ways. He feels that it is very important to have representation from those individuals.

Greg Seidel, 1250 Richmond Road, indicated that he is in favor of keeping 9 members on the Utilities Advisory Board.

Joe Terranova, 700 Melrose Avenue, said he is favor of a simple at will ruling regarding the removal for cause.

Pat McDonald, 2348 Summerfield Road, said it is critical that quasi-judicial boards only be removed for cause.

Upon a roll call vote on the amendment (that the quasi judicial functions of the Historical Preservation Board, the Tree Preservation Board and the Lakes Board be consolidated to the Code Enforcement Board); Mayor Bradley and Commissioner Leary voted yes. Commissioners Sprinkel, Cooper and McMacken voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on the amendment (that they maintain a residency requirement for all boards unless there is a statute that requires otherwise); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted no. Commissioner Cooper voted yes. The motion failed with a 4-1 vote.

Upon a roll call vote on the amendment (that they limit the maximum number of times a member can participate by phone after which he has counted absent); Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners McMacken and Cooper voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the amendment (that they limit the maximum number of times a member can be absent in a 12 month period); Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners McMacken and Cooper voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the amendment (that Historic Preservation Commission be a standalone quasi-judicial capacity). It was noted that since the other amendment failed so this item is not necessary. This amendment was ruled mute.

Upon a roll call vote on the amendment (to amend Section 2, Division 2, 'F' 'Vacancies' to add "and that those nominations be presented to the Commission within 60 days of the vacancy occurring");); Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners McMacken and Cooper voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the amendment (to amend Section 2, Division 2, 'M' Evaluation Process so that it says "The evaluation process shall be on the basis of a standard City format to be developed for each board"); Mayor Bradley and Commissioners Sprinkel, Cooper and McMacken voted yes. Commissioner Leary voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the amendment (to amend Section 2, Division 3, 'H' Economic Development Advisory Board, #2 Advisory Board and delete the second sentence which reads "This Advisory Board shall also review proposed comprehensive plan amendments pertaining to economic development, and shall provide direction and advice to the City Commission regarding the same."); Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

Upon a roll call vote on the main motion as amended (to approve the proposed ordinance to go forward to first reading with the change that all boards be at least a minimum of 7 members plus 1 alternate) (to amend Section 2, Division 2, 'M' Evaluation Process so that it says "The evaluation process shall be on the basis of a standard City format to be developed for each board") (to amend Section 2, Division 3, 'H' Economic Development Advisory Board, #2 Advisory Board and delete the second sentence which reads "This Advisory Board shall also review proposed comprehensive plan amendments pertaining to economic development, and shall provide direction and advice to the City Commission regarding the same."); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Public Hearings

- a. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SECTION 58-90 "CONDITIONAL USES", SO AS TO REVISE APPLICATION SUBMITTAL REQUIREMENTS AND APPROVAL PROCEDURES FOR CONDITIONAL USES, REVISE THE STANDARDS FOR DRIVE-IN CONDITIONAL USES, PROVIDING FOR SEVERABILITY, CONFLICTS, PROVIDING AN EFFECTIVE DATE. First Reading

This item was tabled until sometime in June once the Conditional Use process is completed.

- b. ORDINANCE NO. 2841-11: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE REFUNDING OF THE OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2001, OF THE CITY; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM AD VALOREM TAXES OF THE CITY LEVIED WITHOUT LIMITATION AS TO RATE OR AMOUNT ON ALL TAXABLE PROPERTY IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.
Second Reading

Attorney Brown read the ordinance by title. No public comments were made. **Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- c. RESOLUTION NO. 2082-11: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$8,000,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011; TO REFUND ALL OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2001; PROVIDING FOR THE PAYMENT OF SAID BONDS FROM AD VALOREM TAXATION WITHOUT LIMIT ON ALL TAXABLE PROPERTY IN THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING A COMPETITIVE BID AND APPROVING THE FORM OF THE OFFICIAL NOTICES OF SALE AND SUMMARY NOTICE OF SALE PERTAINING TO SUCH BONDS; MAKING CERTAIN PROVISIONS AND DELEGATING CERTAIN RESPONSIBILITIES WITH RESPECT TO THE NOTICE, BIDDING AND SALE OF THE BONDS; APPROVING THE FORM OF THE PRELIMINARY OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE; APPOINTING A PAYING AGENT AND REGISTRAR AND ESCROW AGENT; APPROVING THE FORM OF A PAYING AGENT AND REGISTRAR AGREEMENT AND AN ESCROW DEPOSIT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Attorney Brown read the resolution by title. No public comments were made. **Motion made by Commissioner Leary to adopt the resolution; seconded by Commissioner McMacken.**

Commissioner Cooper asked about the \$10,000,000 cap for bank qualified tax exempt debt that was \$30,000,000 for 2010 and 2011. She stated she does not understand the difference between the facts that this debt will apply to that \$10,000,000 cap but if they want to refinance the \$16.9M Water and Sewer auction rate security bonds that they are paying default rates on that does not apply. Ken Artin, Bryant, Miller and Olive Law Firm serving as bond counsel to the City, explained that the rules of bank qualifications did change when the stimulus package ended the \$30,000,000 allowance which expired on 12/31/2011 of this year so we have a \$10,000,000 limit on the amount of debt that we can designate as bank qualified.

Jay Glover, Public Financial Management, clarified the following: the bank qualification would provide minimal savings on this refunding deal which will be a competitively bid public offering. We do not intend to offer these bonds as bank qualified. This will leave us more flexibility for other financing opportunities that may arise over the course of the year. He also updated the Commission by informing them that there has been an improvement in the market over the past 2 weeks and they are estimating approximately \$650,000 of net present value savings as of today which is about a 25 basis point improvement in market rates.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- d. RESOLUTION NO. 2083-11. A RESOLUTION TO ESTABLISH A "COMPLETE STREETS POLICY" TO INTEGRATE BICYCLING, WALKING, AND PUBLIC TRANSIT WITH THE CITY'S TRANSPORTATION PROGRAMS, PROJECTS, POLICY INITIATIVES, GOALS AND OBJECTIVES; PRESENTING GUIDELINES FOR ROUTINELY INCORPORATING COMPLETE STREETS INTO PRACTICE AND TO REPORT ANNUALLY ON COMPLETE STREETS IMPLEMENTATION.

Attorney Brown read the resolution by title. No public comments were made.

Motion made by Mayor Bradley to adopt the resolution; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper to approve item 1 and 2 but that they do not approve item 3. Commissioner Cooper clarified that she is referencing the three board comments on the title sheet. (1. In the 4th Whereas paragraph specific streetnames were removed.; 2. In the Now, Therefore, Be It Resolved paragraph the words "complete" and "multimodal" were added in the sentence; 3. In the 1st Resolve paragraph the word "shall" replaced the word "should" twice, and the phrase "to the fullest extent possible" was added.) Commissioner Cooper further clarified that she would like to leave the wording as it was before. She said it used to say "should" and they have changed it to read "shall". She said the word shall is very directive in nature. Mayor Bradley asked the specific location in the document that she is speaking about. **Commissioner Cooper referenced Page 3, 4th paragraph and requested to change the two "shall" words to "should" in that paragraph; seconded by Commissioner McMacken.**

Motion amended by Commissioner McMacken referenced Page 3, 4th paragraph, 1st sentence to add the words "collector and arterial" so that the sentence reads "Resolved, that the City of Winter Park affirms that all collector and arterial road projects....."; Commissioner McMacken stated that he is concerned about taking a broad brush to this resolution and he would like to be more specific. Commissioner Cooper asked for more clarity regarding arterial and collector roads and if the changing of "shall" to "should" would address his concerns. Commissioner Leary noted that the word "considered" in the resolution provides for flexibility and feels that wording has more wiggle room. Attorney Brown explained that "should" is more flexible than "shall". **Commissioner McMacken withdrew the amendment.**

Patrick Chapin, 151 W. Lyman said the word "shall" was put in the resolution by the Pedestrian Bicycle Board and that he supports the resolution.

Upon a roll call vote on the amendment, Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

Upon a roll call vote on the main motion as amended; Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- e. RESOLUTION NO. 2084-11. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, RESOLVING THAT IT IS THE POLICY OF THE CITY OF WINTER PARK THAT CITIZEN MEMBERS OF BOARDS AND AUTHORITIES OF THE CITY OF WINTER PARK SHALL NOT HAVE THE RESPONSIBILITY OR AUTHORITY TO UNILATERALLY ENFORCE PERCEIVED MUNICIPAL CODE VIOLATIONS.

Attorney Brown read the resolution by title. No public comments were made.

Motion made by Commissioner Cooper to adopt the resolution; seconded by Commissioner Leary.

Motion amended by Mayor Bradley that a Section 9 be added that reads “Board members unless they are acting with the official authority of their board should not use their titles in written or other communication; seconded by Commissioner Leary. Commissioner Cooper wanted to confirm that that they are telling people that they cannot sign their signature and their board capacity. Mayor Bradley clarified his motion by explaining unless they are acting in the official capacity of the board.

Motion amended by Commissioner Cooper that any correspondence that goes out from any member of a board state very specifically on it that they are speaking as a private resident and they are not speaking on behalf of the board; seconded by Commissioner McMacken. Mayor Bradley stated that his only concern with this amendment is that it may or may not be published as it may not state that in the body of their work.

Upon a roll call vote on the amendment (that a Section 9 be added that reads “Board members unless they are acting with the official authority of their board should not use their titles in written or other communication); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners McMacken and Cooper voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the amendment (that any correspondence that goes out from any member of a board state very specifically on it that they are speaking as a private resident and they are not speaking on behalf of the board); Mayor Bradley and Commissioners Leary, McMacken and Cooper voted yes. Commissioner Sprinkel voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the resolution as amended (that a Section 9 be added that reads “Board members unless they are acting with the official authority of their board should not use their titles in written or other communication); (that any correspondence that goes out from any member of a board state very specifically on it that they are speaking as a private resident and they are not speaking on behalf of the board); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO THE ADOPTION OF A POLICY FOR COMPLIANCE WITH FLORIDA’S PUBLIC RECORDS ACT; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. [First Reading](#)

Attorney Brown read the ordinance by title. No public comments were made. **Motion made by Commissioner Leary to accept the ordinance on first reading; seconded by Commissioner McMacken.**

Commissioner Cooper asked what transpired that generated the need for this policy. Attorney Brown noted that the City of Maitland has a policy on Chapter 119 and he furnished that

information to City Clerk, Cynthia Bonham and City Manager Knight. He explained that Ms. Bonham is the person who takes the lead on Chapter 119 compliance and requested his assistance in establishing a similar policy/ordinance for the City due to the increasing demands for public records requests.

Commissioner Cooper requested that any requests for public records be a written request. Attorney Brown said the law provides otherwise. She asked if the law states that if documents are easily retrieved and readily available there should be no charge unless there is a substantial amount of copies. Attorney Brown clarified that you may charge the actual labor costs involved if the request generates extraordinary administrative or clerical work. The law also says you may always charge 15 cents for a single sided copy, 20 cents for double sided standard copy and actual cost for things like blueprints. Commissioner Cooper wanted the City to be consistent in charging people for public records requests and suggested that they have a policy across the board that states that we always charge.

Motion amended by Commissioner Cooper to amend Exhibit A, Page 3, Item 4, B, (1) 'e' to have a standard provision by which we always charge for public records requests; seconded by Commissioner McMacken.

Commissioner Sprinkel noted that she questioned this item. It was explained to her that we did have those labor charges already in there. She did not think we need to add this but she believes that it should be equitably used across the board. Commissioner Cooper clarified that she is going one more step that says we always charge at least for the cost of copies. Commissioner Leary asked if this information is going in the ordinance. Attorney Brown clarified that it would be included in the policy which is attached to it as Exhibit "A".

City Manager Knight explained that the City uses discretion in certain situations such as for a single copy cost of \$.15 but if she is telling staff not to use discretion on those matters we will charge every time. Commissioner Cooper said 'no', I don't know that I am doing that. Attorney Brown suggested including language such as the City Manager may exercise his discretion to waive the copy charge if there is no extraordinary time spent in complying and the charge would be less than a certain monetary amount. He noted that similar verbiage will be included for their review at the second reading of this ordinance.

City Clerk Cynthia Bonham explained that she spoke with Attorney Brown regarding page 2, 3rd paragraph, 3rd sentence of the Public Records Policy which reads "No benefits multiplier shall be added to the labor charge." Ms. Bonham advised that the law does permit it and requested that it be changed to say that it will be allowed. Mayor Bradley asked if that language is in the ordinance or the policy. Ms. Bonham indicated that the language is in the policy which is part of the ordinance.

As the maker of the original motion, Commissioner Leary accepted to modify the language pertaining to the multiplier (The benefits multiplier shall be added to the labor charge); seconded by Commissioner McMacken.

Upon a roll call vote on the amendment (to amend Exhibit A, Page 3, Item 4, B, (1) 'e' to have a standard provision by which we always charge for public records requests); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. The motion carried with a 4-0 vote. (Commissioner Cooper was absent).

Upon a roll call vote on the ordinance as amended (The benefits multiplier shall be added to the labor charge); (to amend Exhibit A, Page 3, Item 4, B, (1) 'e' to have a standard provision by which we always charge for public records requests); Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. The motion carried with a 4-0 vote. (Commissioner Cooper was absent).

Commissioner Reports:

a. Commissioner Leary

Commissioner Leary stated that he was honored to attend and present a proclamation to the new Warner Chapel Primitive Baptist Church for the 60th Annual Observance of the National Day of Prayer last week on May 5. He commented that it was a wonderful celebration.

Commissioner Leary advised that there are numerous members of our community that are involved in the Make a Wish Foundation where the average wish costs \$7,000. Two weekends ago he attended the Orlando event where they had over 820 people attend and raised over \$330,000 allowing them to make a lot of wishes come true. He commended everyone for their outstanding efforts for this great cause.

b. Commissioner Sprinkel

Commissioner Sprinkel advised that she attended the Tampa Super Regional Leadership Conference last week and it was great to hear what is going on in the area.

Commissioner Sprinkel mentioned the upcoming Community Conversations and advised that she will be able to attend at least one or two of the dates and is looking forward to it. City Manager Knight noted that according to the schedule to date they will have a Commissioner at each event.

Commissioner Sprinkel recommended that once they meet with Representative Bill Peebles for a legislative update that they should look at those items as a whole and the effects it might have on the City. There was consensus for City Manager Knight to provide a report on the new legislation for the first meeting in June. Mr. Knight acknowledged.

Commissioner Sprinkel advised that she has been contacted by a citizen in her neighborhood about an issue with the post office for some time regarding post office boxes and mail boxes. Mayor Bradley advised that City Manager Knight and Attorney Brown are currently working on this item and it will be forthcoming. Attorney Brown acknowledged and advised that he is currently working on the draft document.

c. Commissioner Cooper

Commissioner Cooper asked what is being planned for the announcement for the approval of the Historic Preservation designation. Communications Director Clarissa Howard said there will be a small article in the update and that Lindsey Hayes is meeting with the Historic Preservation Board this week to discuss this. Commissioner Cooper requested to be kept informed. Ms. Howard acknowledged.

1. Consideration of establishment of a Budget/Finance Advisory Board or Task Force

Commissioner Cooper asked for support to have someone other than the Commission look at the budget and other financial items before it comes to them. Commissioner Leary explained that we have paid consultants acting in an advisory capacity for our debt policy and those areas and city staff has the background and knowledge to brief them on other financial matters therefore he does not see the need for this. There was not a consensus to establish the task force.

d. Commissioner McMacken

Commissioner McMacken followed up on the construction staging going on at the State Office Building that Ms. Fletcher spoke about earlier and recommended that the City clean it up. There was consensus to clean up the property at this location.

e. Mayor Bradley

1. Mayor's 125th City anniversary task force (October 2012)

Mayor Bradley inquired about the official starting of our City so that next year we could have an official celebration or two celebrations since the City was founded in 1882 and incorporated in October 1887. There was consensus to have staff explore this and bring it back to the Commission. Commissioner Sprinkel requested that those individuals that applied for boards and were not appointed be considered for this task force. Mayor Bradley acknowledged the request.

2. Denning Avenue vision and form based code

Mayor Bradley proposed that as soon as the Fairbanks vision and form based code is complete that they hold off until they can see the product. Commissioner McMacken agreed.

3. Commission governance

Mayor Bradley agreed with Commissioner Sprinkel's comment last week and said it is a good point for them to remember. He quoted from the minutes: "Commissioner Sprinkel informed everyone that when she receives the agenda packet if she has questions she calls staff right away to ask her questions. She suggested that the other Commissioners do the same thing and to contact staff before the meetings if they have any questions." He feels this is an appropriate way for them to continue to govern and be prepared for their meetings and thanked each of them for their due diligence in preparation.

4. City governance: balanced score card creation and review

Mayor Bradley proposed that staff look at a balanced score card for a monthly review on items such as response time for EMS, budget position, CAIDI-SAIDI and to have between 10-25 indicators. He deferred to staff to come up with these items and requested that it be a part of the budget process. He explained that in addition to the approval of the budget they would also look at key indicators that the City manages. There was consensus to bring this item forward.

Mayor Bradley advised City Manager Knight to converse with each of them for their top ten suggestions and to also converse with the advisory boards as they may have a few key items.

The meeting adjourned at 7:49 p.m.

The Executive Session commenced at 7:50 p.m. in Room 200 concerning settlement strategy and litigation expenses. The persons in attendance were City Attorney Brown, City Manager Knight, Mayor Bradley, Commissioners Leary, Sprinkel, Cooper and McMacken and the Court Reporter to discuss the pending lawsuit involving Club Harem. The meeting reconvened in Commission Chambers at 8:03 p.m. to take the following action:

Motion made by Commissioner McMacken to accept the recommendations of staff and City Attorney; seconded by Commissioner Leary. Upon a roll call vote. Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

The meeting adjourned at 8:04 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham