

REGULAR MEETING OF THE CITY COMMISSION
June 25, 2012

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:34 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was provided by Pastor George Cope, Calvary Assembly of God, followed by the Pledge of Allegiance.

Members present:

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

Also present:

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

Approval of the agenda

Motion made by Commissioner McMacken to approve the agenda as presented; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Mayor's Report

a. Recognition of retiring Fire Rescue Lieutenant Jim Duba

Mayor Bradley recognized Lieutenant Jim Duba for his contributions to the Fire Department and the City for the last 35 years and proclaimed July 5, 2012 as "Jim Duba Day". Mr. Duba accepted the proclamation.

b. Presentation by Ms. Kathy Till (working with Florida League of Cities) – Advocacy Planner

Kathy Till, Advocacy Consultant, spoke briefly about the upcoming events in 2012 and how the Florida League of Cities can assist local government agencies with strategies to address advocacy issues such as pension reform, local business tax receipts and the proposed amendments in the upcoming general election.

c. Report of the U.S. Conference of Mayors

Mayor Bradley mentioned that he participated in the U.S. Conference of Mayors and provided a brief update on the topics discussed.

d. City Strategic plan/"Best City in Florida"

Mayor Bradley spoke about the strategic plan document that was in the agenda packet that he created which provides a visual explanation of City related issues.

He suggested that the City Manager adopt something similar so they can keep track of the issues. City Manager Knight distributed a copy of a similar type of document that staff had been working on for their review and comments at a later date.

e. Proclamation – Parks and Recreation Month

Mayor Bradley proclaimed the month of July 2012 as Parks and Recreation Month and gave special recognition to Director of Parks and Recreation John Holland and the entire department for their hard work.

City Manager's Report

City Manager Knight announced that the budget is being finalized and will be presented to the Commission at the next meeting. Mr. Knight spoke about scheduling a future meeting with the post office.

Public Works Director Troy Attaway advised that all of the local wayfinding signs are installed and staff is now working on the FDOT and welcome signs. He also noted that we received a response from FDOT stating that we cannot have two historic designation signs as previously discussed. Mayor Bradley said the signs look great and thanked staff for their efforts.

Commissioner Leary requested that staff make every effort to ensure that everyone involved receives notification for upcoming meetings as they move forward with the ULI/Fairbanks Avenue topic. CRA Director Dori Stone provided an update regarding last week's ULI presentation and what the next steps are. She explained that the ULI representatives will be issuing their white paper (report) within the next month and in the meantime they will continue the dialogue with the business and resident stakeholders who will help determine the vision of Fairbanks.

City Attorney's Report – No items.

Non-Action Item – No items.

Consent Agenda

- a. Approve the minutes of 5/14/2012 and 6/11/2012. – **5/14/2012 MINUTES PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following purchase, contracts, and bids:
 1. Blanket Purchase Order with Air Liquide for Liquid Oxygen: \$182,500.00
 2. Continuing Services Contract with BASE Consultants, P.A. for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Structural Engineering); and authorize the Mayor to execute the contract.
 3. Continuing Services Contract with Florida Bridge & Transportation, Inc. for RFQ-2-2012, Continuing Professional, Architectural & Engineering Services

- (Discipline: Structural Engineering); and authorize the Mayor to execute the contract.
4. Continuing Services Contract with John J. Christie & Associates for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Mechanical & Electrical Engineering); and authorize the Mayor to execute the contract.
 5. Continuing Services Contract with Universal Engineering Sciences for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Environmental Services); and authorize the Mayor to execute the contract.
 6. Piggyback State of Florida Contract 600-760-11-1 with Neopost USA, Inc. for Mail Processing Equipment and authorize the Mayor to execute the contract.
 7. Piggyback Western States Contracting Alliance Contract #1907 for Wireless Voice Service, Wireless Broadband Service, Accessories & Equipment and authorize the Mayor to execute the contract.
 8. Piggyback State of Florida Contract #360-240-06-1 for Carpet & Flooring Materials and authorize the Mayor to execute the contract.
 9. Piggyback State of Florida Contract 490-000-12-ACS for Laboratory and Safety Supplies & Equipment and authorize the Mayor to execute the contract.
 10. Piggyback Orlando Utilities Commission Contract for Liquid Oxygen and authorize the Mayor to execute the contract.
 11. Staff to enter into negotiations with the top ranked firms Ardaman & Associates, Inc. and Universal Engineering Sciences for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services). – **PULLED FOR DISCUSSION, SEE BELOW**
- c. Approve the request of the Hamilton Place Homeowner's Association to install a new 8' vinyl fencing (replacing the existing 5' fence) across the rear of the properties which abut the railroad to assist with privacy and sound issues. – **PULLED FOR DISCUSSION, SEE BELOW**

Motion made by Commissioner Cooper to approve Consent Agenda items 'a' (6/11/2012 minutes only) and 'b.1-10'; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item 'a' – 5/14/2012 minutes:

Commissioner Cooper referenced the minutes and a comment made by Ned Cooper and requested that the minutes be amended. Discussion ensued as to the process for amending/adding information to the action minutes and what the normal protocol should be.

Motion made by Mayor Bradley to approve Consent Agenda item 'a' and accept the May 14, 2012 minutes with the memorandum for the record from Commissioner Cooper as an addendum and is not a factual part of the

minutes; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Motion made by Commissioner Cooper to reflect what Ned Cooper said regarding the disclaimer statement that he read that was included on Commissioner Cooper's Perspective Newsletters; seconded by Commissioner McMacken.

Commissioner Sprinkel reminded the Commission that they agreed to action minutes and asked for clarification. Attorney Brown provided legal counsel.

Commissioner Cooper withdrew her current motion.

Motion made by Commissioner Cooper that the statement that currently says "the following spoke about the need for Commission communication and for each Commissioner to provide their input" to be simply changed to "the following spoke on this topic" and that Patrick Chapin's comments regarding specifically what he said be removed and his name also be simply added to the list; seconded by Commissioner McMacken and carried with a 4-1 vote with Commissioner Leary voting no.

Consent agenda item 'b.11' - Staff to enter into negotiations with the top ranked firms Ardaman & Associates, Inc. and Universal Engineering Sciences for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Geotechnical Services)

Mayor Bradley spoke about the recent adoption of the local preference policy and that it may provide a cost advantage. He asked if they could rebid the current proposal. Attorney Brown provided legal counsel. Commission discussion ensued regarding the pros and cons with rebidding. City Manager Knight noted that the continuing contracts are for one year with an option for renewal and at that time the contracts will come back to the Commission for approval.

Motion made by Commissioner Cooper to approve Consent Agenda item 'b.11'; seconded by Commissioner McMacken and carried unanimously with a 5-0 vote.

Consent agenda item 'c' - Approve the request of the Hamilton Place Homeowner's Association to install a new 8' vinyl fencing (replacing the existing 5' fence) across the rear of the properties which abut the railroad to assist with privacy and sound issues.

Commissioner McMacken asked if this is a variance which allows for an 8' fence. Sylvia Hawkins, Chief of Code Enforcement explained that because this pertains to a subdivision wall, City Commission approval is required.

Motion made by Mayor Bradley to approve Consent Agenda item 'c', seconded by Commissioner Leary and carried unanimously with a 5-0 vote.

Action Items Requiring Discussion

a. Sustainability Advisory Board

Public Works Director Troy Attaway and Sustainability Coordinator Tim Maslow explained the request to combine the Environmental Review Board and the Keep Winter Park Beautiful Board into a single board called Sustainability Advisory Board.

Motion made by Mayor Bradley to approve the combining as mentioned in the June 20, 2012 minutes (attached) with the same details and add one element regarding the fifteen members: five will be appointed for a one year term, five will be appointed for a two year term and five will be appointed for a three year term initially; seconded by Commissioner McMacken.

Mr. Attaway answered questions pertaining to the intent of the request. City Manager Knight advised that if the Commission approves the combining of the boards that the board ordinance will have to be changed and adopted.

Commissioner Cooper stated that she would prefer to have the Utilities Advisory Board (UAB) make the final decision on any matters that relate to the functions of their board.

Commissioner Cooper also mentioned that going to a platinum level certification is very costly and recommended that a cost benefit analysis be provided to the Commission prior to moving ahead with obtaining the certification. **Mayor Bradley agreed and requested to delete the one line (in the minutes) "while also achieving the Florida Green Building Coalition's Green Local Government certificate at the Platinum level"; seconded by Commissioner McMacken. 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

Donna Colado, 327 Beloit Avenue, asked for a status of the decontamination at the new Progress Energy property. She mentioned the agenda that is published in the City News does not contain the links to individual agenda items and suggested that this be done so that citizens can easily obtain the information. Public Works Director Troy Attaway provided an update on the decontamination.

A recess was taken from 5:05 p.m. to 5:23 p.m.

- b. Naming opportunities to honor the memory and accomplishments of Dr. Martin Luther King, Jr.

City Manager Knight spoke about the task force. He presented the results of the community input survey as follows: approximately 470 people participated in the survey, 275 preferred Lake Island Park, 157 preferred Shady Park and 38 preferred neither.

Motion made by Commissioner McMacken to rename Lake Island Park in honor of Dr. Martin Luther King, Jr.; seconded by Commissioner Cooper.

Commissioner Leary commented that there is a naming policy for City owned facilities and apologized for the policy not being provided to the task force. He commented that he would support the motion even though he felt Shady Park would be more appropriate. Commissioner Cooper said she would prefer to make an exception to the naming policy rather than change it and will be supporting the current motion. Mayor Bradley expressed concerns with some emails he received and urged the citizens to be in unity with the naming of the park.

Commissioner McMacken clarified his motion by stating that this is an exception to a standing City policy; seconded by Commissioner Cooper.

The following spoke on this topic:

Task Force Chairperson Carolyn Fennel
Lurlene Fletcher, 790 Lyman Avenue

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. Potential policy that governs City Commission written communication

Commissioner McMacken recommended that they move forward and put this to rest. Commissioner Leary suggested that each Commissioner have a one page commentary on the City's website so they can post their opinions, recommendations, suggestions, etc. Mayor Bradley felt this was a good idea.

There was no further discussion on this topic and no action was taken.

Public Hearings

- a. ORDINANCE NO. 2877-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 1302 W. FAIRBANKS, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Brown read the ordinance by title.

Motion made by Mayor Bradley to adopt the ordinance; seconded by Commissioner McMacken. No public comments were made. **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. Request of Vision Development and Management LLC: Conditional use approval to develop up to a two story 12,000 square foot building with a new branch bank location as a redevelopment of the property at 957 W. Fairbanks Avenue, zoned (C-3).

Planning Director Jeff Briggs explained that the conditional use request includes two redevelopment options; a new branch bank facility with drive-in tellers and a building over 10,000 square feet in size. He provided a brief summary to include the site and context, project plans, parking, traffic circulation and stacking, stormwater retention and architecture and landscaping. He explained the three conditions imposed by the Planning and Zoning Board.

Mr. Briggs advised that staff is very complimentary of the overall site plan design and architecture and is also supportive of the variances requested per the plans submitted. The project meets all the code requirements, the setback variances are minimal and the drive-in components are designed to meet the peak stacking needs for the 'community' bank intended as the occupant. Mr. Briggs answered questions including code requirements, the difference between the two redevelopment options presented and the proposed variance request.

Discussion ensued as to the difference between community and national banks, code requirements and if they should approve one option or both options. Mayor Bradley commented that he would like for the landscaping to be upgraded to improve the view of Lake Rose.

David Lamm, Lamm & Co., spoke on behalf of the applicant and briefly explained that the reason for presenting the two schemes is to determine project feasibility. Mr. Lamm answered questions including parking, stormwater retention and setbacks.

Motion made by Commissioner Sprinkel to approve the conditional use request; seconded by Commissioner Leary.

Upon further discussion, Commissioner Cooper shared her concerns with the request and that this should be treated as two separate projects. Commissioner McMacken spoke in opposition to the site plan layout and felt that functionally it does not work.

Commissioner Cooper asked Attorney Brown if our code addresses bringing forward projects that are either/or. Attorney Brown said there is no code provision that says expressly either you can do it or you cannot do it.

Motion amended by Commissioner Cooper that they vote on two approvals. Motion failed for lack of a second.

No public comments were made.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

City Commission Reports:

- a. Commissioner Leary – No items.
- b. Commissioner Sprinkel

Commissioner Sprinkel addressed the following:

- Attended the 4 Generations Institute last week where they spoke about population by age group. She distributed data and said we have the same percentage of children under the age of 10-12 as we do for those over the age 70+ which means there is good potential for intergenerational support.
- Winter Park High School won the All Sports Award once again and asked that they be recognized.
- Kicked-off the Youth Leaders Program last week and said it was great fun.
- "Keep it Local" whereby citizens are asked to support local companies by making purchases on the first Tuesday of every month.

Commissioner Sprinkel requested a briefing by Mr. Peebles on the potential effects of Amendment 4 that will be on the election ballot this year. The Commission supported the request.

- c. Commissioner Cooper – No items.
- d. Commissioner McMacken – No items.
- e. Mayor Bradley

Mayor Bradley requested the following:

- 90 day plan presented for the third quarter
- Budget presentation for 2012/2013

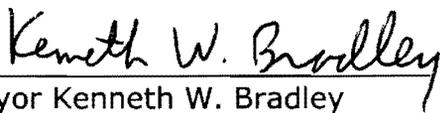
- In the next 90 days that they begin to tackle the modifications and changes to the Comprehensive Plan

Note: A majority of the Commission supported the three requests listed above to be placed on future agendas.

Mayor Bradley asked about the status of the City's lobbyist evaluation form. City Manager Knight advised that he received the Commission's responses. The Commission requested that this information be presented at the next meeting. City Manager Knight acknowledged.

City Manager Knight advised that the budget presentation will be given on July 9 and the tentative millage rate will need to be adopted on July 23. The Commission requested to be briefed individually. City Manager Knight acknowledged. Commissioner Leary requested that a list and corresponding map of City owned assets be provided to assist with the budget discussions. City Manager Knight acknowledged.

The meeting adjourned at 6:40 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham

City Clerk Cynthia S. Bonham

**ENVIRONMENTAL REVIEW BOARD & KEEP WINTER PARK BEAUTIFUL BOARD
JUNE 20, 2012
SPECIAL JOINT MEETING MINUTES**

I. Call to Order: The meeting was called to order at 5:45 p.m. by Tim Maslow.

KWPB Members Present: Dr. Myriam Garzon (Chair), Julia Tensfeldt (Vice-Chair), Martha McHenry, Lauren Bradley, Kim Roberts, Lucy Roberts, Barbara Chandler

ERB Members Present: Stephen Pategas (Chair), Kent Tse, Bob Robinson

Staff Present: Tim Maslow, Debbie Wilkerson

II. Discussion of combining with Environmental Review Board

This was a special joint work session for the city's Environmental Review and Keep Winter Park Beautiful advisory boards to discuss the proposed combining of the boards. This result of the meeting included a recommendation to be given to City Commission at the June 25, 2012 meeting.

Details discussed and agreed upon:

- Final Recommendation: To combine both boards into one.
- Board Name: Keep Winter Park Beautiful & Sustainable Advisory Board
- Number of Members: Fifteen members with one alternate
- Meetings taking place on the second Thursday of each month at 5:30 (the first being July 12, 2012)
- The new board would vote on a new mission statement at the first meeting that would be consistent with the two board's prior mission statements. The board would focus on working toward an overarching goal of a sustainable community while also achieving the Florida Green Building Coalition's Green Local Government certificate at the Platinum level.