

REGULAR MEETING OF THE CITY COMMISSION
March 11, 2013

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 Reverend Allison Harrity, St. Richard's Episcopal Church, 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 Sprinkel to approve the agenda; seconded by Commissioner McMacken; approved by acclamation with a 5-0 vote.

Mayor's Report

a. Presentation – Police Department accreditation

Mayor Bradley congratulated the Police Department on their recent accreditation. Chief Marcus who serves as a commissioner for the Commission for Florida Law Enforcement Accreditation presented the award to the Police Department. Police Chief Brett Railey thanked his staff, including Lieutenant Tom Pearson for making this award possible through their efforts and hard work.

b. Proclamation – Health Week

Mayor Bradley proclaimed the week of March 17-23, 2013 as Healthy Central Florida Week. Jill Hamilton Buss, Executive Director of Healthy Central Florida accepted the proclamation and provided a brief summary of this week's events.

KA-BOOM Playground

Mayor Bradley thanked the numerous volunteers that showed up last week to help build the new KA-BOOM playground at Fleet Peoples Park.

City Manager's Report:

1. City Manager Knight reminded the Commission that the City will be hosting the Tri-County League of Cities Luncheon on March 21, 2013 at the Community Center.

2. City Manager Knight addressed the scheduling of the strategic planning session and asked for feedback. A majority of the Commission agreed that we should have a facilitator and that we should entertain other options as to who the facilitator should be. They also agreed that before moving forward an outlined agenda should be provided so that we do not duplicate the efforts made over the past few years. City Manager Knight acknowledged.

3. City Manager Knight advised that in the next few week's staff will be contacting each of the Commissioners to schedule an individual tree tour so they can see exactly what is being done in the local neighborhoods and provide feedback. This will enable staff to finalize the tree discussions.

4. Commissioner McMacken requested adding quiet zones to the City Manager's Report for tracking purposes. The request was acknowledged.

Update on New Hope Church portable completion schedule

Pastor John Phillips, New Hope Baptist Church, provided a brief summary regarding the items completed to date and a timeline of when the outstanding items will be completed including the development certification to operate a daycare facility. Pastor Phillips and Fred Hendry, Facilities Coordinator for New Hope Baptist Church addressed the Commission's concerns related to securing the temporary fencing and stabilizing the skirting.

City Attorney's Report

Attorney Brown advised that the Federal Judge in the Bell case ruled in the City's favor by denying the injunction and dismissed the lawsuit at this time.

Non-Action Item

- a. Introduction of Silvia Vargas, (consultant with Wallace, Todd, Roberts) for the Comprehensive Plan review per the Economic Development Plan

Planning Director Jeff Briggs introduced Silvia Vargas and explained her role acting as the Comprehensive Plan reviewer. Ms. Vargas provided a brief PowerPoint presentation which included their business credentials, projects completed to date, regulatory analysis/implementation tools, and the overall process and timeline.

Following a brief discussion, a majority agreed that the Commissioners should be included in the conversations and that a draft report should be provided within four months rather than six months. Ms. Vargas answered questions and provided clarity regarding the proposed schedule. She said if they can accelerate the process they will and agreed to provide an exact timeline including a final completion date within the next two weeks. It was noted that the City's point of contact is Jeff Briggs.

b. Financial Report – December 2012

Finance Director Wes Hamil provided the financial report and answered questions.

Motion made by Commissioner Sprinkel to approve the report as presented; seconded by Commissioner Leary and approved unanimously with a 5-0 vote.

Consent Agenda

- a. Approve the minutes of 2/25/13.
- b. Approve the following contracts and formal solicitation:
 1. Renewal with Matern Professional Engineering, Inc. RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services) and authorize the Mayor to execute Amendment 1.
 2. Renewal with Shaw Environmental & Infrastructure, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Green Planning & Engineering Services) and authorize the Mayor to execute Amendment 1.
 3. Renewal with Kelly, Collins & Gentry, Inc. for RFQ-2-2012 Continuing Contract for Professional, Architectural & Engineering Services (Roadway Design) and authorize the Mayor to execute Amendment 1.
 4. Award Schuller Contractors, Inc. for IFB-12-2013 Canton Avenue Stormwater Outfall Improvement and authorize the Mayor to execute the Contract; \$78,461.05.
 5. Award Orlando Freightliner for IFB-14-2013 Purchase of New Cab & Chassis Tandem Axle Truck (PR 151755); \$76,459
- c. Approve the mid-year budget adjustment to address projected shortfalls in revenue.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Leary and approved unanimously with a 5-0 vote.

Action Items Requiring Discussion

There were no action items for discussion.

Public Hearings:

- a. ORDINANCE NO. 2911-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT BEGIN AT THE NORTHEAST CORNER OF SAID LOT 14, BLOCK "A", CLOISTER GROVE SUBDIVISION, RUN WEST 50 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE NORTHWEST CORNER OF SAID LOT 14; THENCE SOUTH 52 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK A, CLOISTER GROVE REPLAT, AS RECORDED IN PLAT BOOK O, PAGE 147, OF

THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (1141 VIA CAPRI) THENCE NORTHEASTERLY 72 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. Second Reading

Attorney Brown read the ordinance by title.

Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Sprinkel. 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 the Sydgan Corporation:

ORDINANCE NO. 2912-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO LOW DENSITY RESIDENTIAL ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second Reading

ORDINANCE NO. 2913-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE FAMILY (R-1A) DISTRICT TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ON THE PROPERTY AT 250 WEST LYMAN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second Reading

Attorney Brown read both ordinances by title. Commissioners disclosed their ex-parte communications as it relates to the rezoning ordinance.

Motion made by Commissioner Cooper to deny the first ordinance (comprehensive plan). Motion failed for lack of a second.

Motion made by Commissioner Leary to adopt the first ordinance (comprehensive plan); seconded by Mayor Bradley.

Motion made by Commissioner Leary to adopt the second ordinance (zoning); seconded by Mayor Bradley.

Commissioner Sprinkel mentioned that at the last meeting they did not address the preserving of the Grant Chapel Church and asked if they can amend the above motion and address it now. Attorney Brown provided legal counsel. He noted that since she was the prevailing side of the motion she could bring this item back up to address her concerns with the Office O-2 District zoning of this property. He suggested the best time to do that is during the Commissioner Reports period.

Lurlene Fletcher, 790 Lyman Avenue, spoke in opposition. She urged the Commission to keep this property zoned as Single Family.

Sally Flynn, 1400 Highland Road, spoke in opposition.

Upon a roll call vote on the first ordinance (comprehensive plan), Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the second ordinance (zoning), Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

- c. RESOLUTION 2122-13: A RESOLUTION OF THE CITY OF WINTER PARK AUTHORIZING THE CITY MANAGER TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF WINTER PARK AND THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

Attorney Brown read the resolution by title.

Motion made by Commissioner Leary to adopt the resolution; seconded by Commissioner McMacken. City Manager Knight answered questions. 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.**

City Commission Reports:

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

Commissioner Sprinkel spoke about: 1) the large amount of people in the park yesterday for a concert; 2) several Commissioners will be traveling to Tallahassee this week for Legislative meetings; 3) as a representative of the City she will be attending the Hotel Conference on Tuesday; 4) her son spoke highly of our Police Department addressing an issue in his neighborhood this past weekend; 5) and that it might be beneficial to have an in-house grant writer.

Commissioner Sprinkel requested to have the Grant Chapel Church item brought back to the Commission to revisit the Office (O-2) District zoning. A suggestion was made to possibly establish an irrevocable deed restriction so as to preserve the chapel. There was consensus of three Commissioners to consider this for the next meeting.

c. Commissioner Cooper

Commissioner Cooper referenced an email the Commission received with concerns related to the safety aspects and traffic lanes on New England. Mr. Briggs noted that the New England traffic study will be presented to the Commission at the next meeting and it addresses street cross sections and safety issues.

Commissioner Cooper mentioned that from now until the end of March the Catholic Diocese and the Common Threads Organization will be collecting new shoes, socks and underwear for the homeless children in Central Florida; collection boxes are located in the Winter Park Fire Stations.

d. Commissioner McMacken

Commissioner McMacken said he had fun helping assemble the KA-BOOM playground this past weekend and thanked the Parks and Recreation Department for organizing such a great event.

e. Mayor Bradley

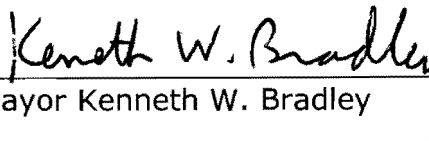
CRA Director Dori Stone responded to Mayor Bradley's inquiry by providing a brief status report on the downtown parking study/plan. She noted that part of the study included several surveys. She explained that since this is a CRA effort the results from the report will first be given to the CRA Advisory Board, then to the Park Avenue Merchant's Association, then to the CRA Agency and then to the Commission.

The meeting adjourned at 5:10 p.m.

Recess and Executive Session

A recess was taken at 5:10 p.m.

At 5:30 p.m. an Executive Session was held pursuant to Section 447.605 to discuss matters relative to collective bargaining. The Executive Session meeting adjourned at 6:20 p.m.



Mayor Kenneth W. Bradley

ATTEST:


FOR _____
City Clerk Cynthia S. Bonham