

**REGULAR MEETING OF THE CITY COMMISSION**  
**August 12, 2013**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:31 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Parks and Recreation Director John Holland, 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 Mayor Bradley to remove Item 11b; seconded by Commissioner McMacken to approve the agenda with the above change; approved by acclamation with a 5-0 vote.**

**Budget Comments**

Joe Terranova, 151 N. Virginia Avenue, commended City Manager Knight, staff and the Commission for establishing goals and providing feedback during the budget season. He approved the budget but did not want the City to use the profits from the electric utility fund for anything other than undergrounding. He suggested that the City set a definitive goal for the undergrounding program by determining what the yearly contribution amount should be over a certain period of time; then allow staff to figure out how we are going to achieve that goal.

**Mayor's Report**

- a. Check presentation of \$25,000 from the Winter Park Health Foundation to go toward the purchase of the City's new shuttle bus.

Patricia Maddox, President and CEO of Winter Park Health Foundation, presented a \$25,000 check to help pay for the new city shuttle bus to be used by the Community Center to transport seniors and youth to the various off-site programs.

- b. Board appointments:

- Code Enforcement Board:  
Daniel McIntosh and John Hunt (2012-2015 terms)

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

- Construction Board of Adjustment and Appeals Board:  
William (Bill) Maroon (alternate) (term 2012-2015)

**Motion made by Mayor Bradley that the Construction Board of Adjustment and Appeals appointment is accepted as presented; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.**

### **City Manager's Report**

City Manager Randy Knight reminded the Commission to submit their budget comments/suggestions to him no later than August 15.

### **City Attorney's Report**

Attorney Larry Brown addressed the letter recently sent to the Commission outlining the City's authority with regulating activities on our lakes and offered to address any questions. City Manager Knight acknowledged the request to provide information on the overall process including who is in charge of issuing permits for activities on the lakes.

Commissioner Cooper noted that there is new legislation on public/private partnerships and felt that it would be advantageous for the City Attorney to research this and provide feedback. Attorney Brown acknowledged. Commissioner Sprinkel asked to set aside some time during the strategic planning meeting to discuss public/private partnerships and how they should move forward.

### **Non-Action Item**

- a. June 2013 Financial Report

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

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

### **Public comments (5:00 p.m.)**

1. Bunny Simmerson, 383 Sylvan Drive, detailed the history of the old historic Alabama House located at 1700 Alabama Drive. She explained that her husband and her acquired the Alabama House in the early 1980's and while in the process of turning the home into a condominium she researched the historical archives and noticed that a lot of the dates in the City and library records are incorrect. She hoped the Historical Preservation Board would contact her so that she can help

them document/publish the correct information. Mayor Bradley let her know that City staff will be in touch with her and assist with the historical designation process.

2. Sally Flynn, 1400 Highland Road, believed that our community does not understand the designation program. She asked the City to educate the residents so they can embrace the program and voluntarily place their homes onto the historic register.

3. Jan Clanton, Public Art Advisory Board (PAAB), 1030 McKean Circle, asked the City to contribute an additional \$19,000 to add the Art in Transit element at the SunRail station. She explained that this item was discussed and approved by the Commission during their January 28, 2013 meeting.

City Manager Knight explained that on January 28 the Commission only approved the artwork. He said FDOT has budgeted \$6,500 for the Art in Transit component. He explained his understanding that the artist was to hold a fundraising event to raise the rest of the money needed; however, the PAAB is now requesting that the City contribute \$19,000 which is the remainder of the funds needed. Mayor Bradley acknowledged the request and asked City Manager Knight to provide them with several budget recommendations to fulfill this request.

4. Jeffrey Blydenburgh, 204 Genius Drive, complimented the work done by the Historical Preservation Board and agreed that the residents need further education.

5. Lurline Fletcher, 790 Lyman Avenue, felt that there are a significant amount of historical assets on the west side that should be registered or designated. She asked the HPB to research this part of the community as well.

### **Consent Agenda**

- a. Approve the minutes of 7/22/13.
- b. Approve the following purchases and contracts:
  1. After the fact Purchase Order 150557 to NU Environmental Development for pond excavation in conjunction with CNL development project for the Martin Luther King, Jr. Park excavation; \$70,000.00.
  2. Clay brick pavers for the New England/Alfond Inn Bricking project to Brick America (IFB-15-2011); \$67,210.00.
  3. Contract renewal and subsequent Purchase Order with Cigna Group Insurance for RFP-19-2008 Group Term Life, AD&D, and Voluntary Term Life for Employee, Spouse and Children, Long Term Disability and authorize the Mayor to execute the Renewal Package documents; \$133,282.
  4. Contract renewal and subsequent Purchase Order with MetLife Dental Group Insurance for RFP-19-2008 and authorize the Mayor to execute the Renewal Package documents; \$370,851.

5. Contract renewal and subsequent Purchase Order with Aetna for RFP-6-2007 for medical insurance and authorize the Mayor to execute the Renewal Package documents; \$6,128,100.
  6. Contract with ARAG to offer Pre-paid Legal Services benefits for employee and spouse.
  7. Piggybacking the South Florida Water Management District Contract #6000000579 with Winfield Solutions, LLC for various herbicides and related adjuvants and authorize the Mayor to execute the Piggyback Contract.
- c. Authorize the Mayor to execute the power supply and interconnection agreements with the Orlando Utilities Commission; and to execute the T-1 tariff service agreement and associated transaction confirmations with Florida Power & Light Company plus a limited services agreement which will allow FPL to act as the City's Transmission Agent.
- d. Confirm the appointment of Dori Stone as Director of Planning and Community Development (Planning and Economic Development/CRA Departments to be consolidated into one unified department).

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

#### **Action Items Requiring Discussion**

- a. Comparison report: Winter Park Register of Historic Places and the National Register of Historic Places

Planner Lindsey Hayes explained the Commission approval on July 8, 2013 regarding the Historic Preservation review process. She addressed that on July 10, 2013 the Historic Preservation Board (HPB) reviewed the suggested tasks and the review process as directed by the Commission. On July 15 and July 25 the HPB held two special meetings to review and approve the information being presented today.

Randall Glidden, Chairman of the Historic Preservation Board, provided a Power Point presentation. He discussed in detail: that preservation is future oriented; New Nation – New History; The National Register of Historic Places Criteria; the Downtown Winter Park Historic District; the Interlachen Avenue Historic District; advantages and disadvantages associated with listing on the National Register; Federal Tax Credit Programs; How communities protect their resources; the Path to Preservation; the Historical Resources Task Force 2000; Components of the ordinance and what it does and does not do; the Designation Process for Individual Properties; Results of Designation to the Winter Park Register of Historic Places; What is a Historic District and the designation process for Historic Districts; the benefits of Local Historic Districts; the Goals for the Conservation of Vintage Neighborhoods and Landmarks; if repairs and improvements can be made; if there

can be infill and redevelopment in a district; and the overall review process. Mr. Glidden answered questions posed by the Commission.

Ms. Hayes explained that staff will continue to work on the other tasks as outlined by the Commission including an update to the current inventory of historic properties. She said the HPB is suggesting the use of a consultant (not to exceed \$10,000) to assist in looking at the benchmarking with other key cities including those indicated by the Commission and others that might be relevant. The consultant would also assist in proposing modifications to the HPB ordinance that could help achieve the goals to increase the number of designated properties pursuant to goals as may be established by the Commission. Ms. Hayes asked for direction regarding the hiring of a consultant.

Mayor Bradley addressed the direction provided at the July 8 meeting by approving the use of an outside consultant if needed and that City Manager Knight has the authority to sign the contract as long as it is under the allotted threshold amount.

Ms. Hayes acknowledged the request to provide the Power Point to the Commission via email and to post it on the City's website.

City Manager Knight advised that prior to the start of today's meeting he received a telephone call from Debbie Komanski (Polasek Museum) asking to relay a message from her to the Commission. She said if they are successful in moving the Capen House they intend to place it on the historic register.

b. CNL request to use City owned land for public/private parking structure

This item was removed from the agenda.

**Public Hearings:**

- a. ORDINANCE NO. 2932-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA REPEALING OBSOLETE PROVISIONS AND AMENDING CHAPTER 98, TRAFFIC AND VEHICLES, ARTICLE VI, TRAFFIC LIGHT SAFETY ACT, OF THE CITY CODE TO IMPLEMENT CHAPTER 2013-160, LAWS OF FLORIDA; PROVIDING FOR LOCAL HEARING OFFICER CONSISTENT WITH GENERAL LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. Second Reading

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

- b. ORDINANCE NO. 2933-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 2-107(e), ADMINISTRATIVE FINES; COSTS OF REPAIR; LIENS, OF CHAPTER 2, ADMINISTRATION, REPEALING THE CLAUSE DECLARING THAT CODE ENFORCEMENT LIENS TAKE PRIORITY OVER OTHER LIENS; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND EFFECTIVE DATE.  
Second Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Leary.** No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Cooper and McMacken voted yes. The motion carried with a 4-0 vote. Commissioner Sprinkel was absent during the vote.**

- c. Red Light Camera Program:

Attorney Brown read all three resolutions by title.

RESOLUTION NO. 2125-13: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPOINTING A HEARING OFFICER PURSUANT TO THE AUTHORITY CONFERRED IN CHAPTER 2013-160, LAWS OF FLORIDA; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

**Motion made by Mayor Bradley to adopt the resolution; 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.**

RESOLUTION NO. 2126-13: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPOINTING A STAFF MEMBER OF THE CITY OF WINTER PARK POLICE DEPARTMENT AS DESIGNATED BY THE CHIEF OF POLICE AS THE CLERK TO THE LOCAL HEARING OFFICER FOR RED LIGHT CAMERA INFRACTION HEARINGS PURSUANT TO CHAPTER 98, OF THE WINTER PARK CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

RESOLUTION NO. 2127-13: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SETTING THE AMOUNT OF THE MUNICIPAL COSTS FOR RED LIGHT CAMERA INFRACTIONS PURSUANT TO CHAPTER 98, WINTER PARK CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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

- d. Police and Fire Pension ordinances to comply with recent changes to the Internal Revenue Code relating to tax qualified pension plans:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 3, FIREFIGHTERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-151, DEFINITIONS; AMENDING SECTION 74-154, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 74-165, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. City Manager Knight explained that based on recent statutory revisions several administrative changes were made to the ordinances per the direction of our pension attorney.

In addition, the police pension ordinance also incorporates the new statute related to limiting 300 hours of overtime and limiting the amount of accrued vacation/personal leave that will be paid out from the police side. He explained that this specific information is currently in the police contract; however, the fire contract is still being worked on so this language is not in the fire pension ordinance. City Manager Knight answered questions.

Commissioner Sprinkel felt it would be advantageous to know what percentage of the City's budget goes towards the police and fire departments. She asked City Manager Knight to provide the information in a pie chart format so that everyone can understand it more clearly.

**Motion made by Commissioner McMacken to accept the ordinance on first reading; 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.**

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-201, DEFINITIONS; AMENDING SECTION 74-204, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 74-215, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner McMacken to accept the ordinance on first reading; 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.**

**City Commission Reports:**

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

Commissioner Sprinkel addressed the great turnout at Mayor Bradley's coffee talk.

Commissioner Sprinkel asked staff to provide a monthly or quarterly report on items such as how many children attended summer camp, how many people we are transporting to social events via the new city bus that was just purchased, etc. The request was acknowledged by City Manager Knight.

- c. Commissioner Cooper

Commissioner Cooper thanked Attorney Brown for providing information outlining the City's authority with regulating activities on the lakes. She suggested that we obtain feedback from our Lakes and Waterways Board as to what other municipalities are allowing or not allowing and how they are handling the safety issues of paddle boarders, etc.

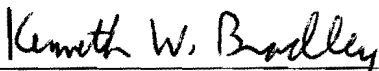
As requested, Director of Planning and Community Development Dori Stone provided a brief status update concerning street musicians on the Avenue.

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

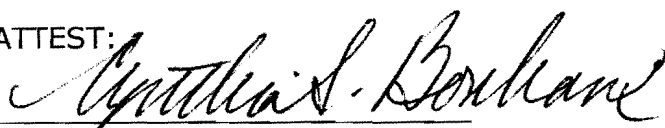
Mayor Bradley encouraged everyone to drive safely during the school starting season and welcomed all of the students back to school.

Mayor Bradley expressed excitement to attend the grand opening of the Alford Inn Hotel this coming Sunday and said the new boutique hotel is a great addition to our community.

The meeting adjourned at 5:40 p.m.

  
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Mayor Kenneth W. Bradley

ATTEST:

  
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City Clerk Cynthia S. Bonham