

REGULAR MEETING OF THE CITY COMMISSION
March 24, 2014

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:33 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Pastor Stan Reinemund, Redeemer Lutheran 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

The Oath of Office was administered to re-elected Commissioner Sarah Sprinkel by her spouse; and Commissioner Steve Leary by his son.

Approval of the agenda

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

Mayor's Report

a. Recognition of Artist Ben Rupp – Art in Chambers

Mayor Bradley introduced local artist Ben Rupp and thanked him for displaying his art work in the Commission Chambers for public viewing.

b. Proclamation – Bike Month

Mayor Bradley presented a proclamation marking March as "Bicycle Month". Traffic Engineer Butch Margraf, Pedestrian Advisory Board Chair accepted the proclamation and invited everyone to attend 6th annual "Bike from Park to Park" that will be held on March 28, 2014 at 8:00 a.m.

Other miscellaneous comments

Mayor Bradley advised that the Winter Park Public Library now offers free bicycle checkouts to adult, full service cardholders and to registered, adult guests of the Alford Inn.

Mayor Bradley thanked staff for their outstanding efforts in making the 55th Winter Park Sidewalk Art Festival a wonderful event.

Mayor Bradley said he was privileged to serve on the election Canvassing Board last week and thanked City Clerk Cynthia Bonham for the superb job she does with the handling of the City's yearly elections.

City Manager's Report

City Manager Knight thanked staff and the Winter Park Sidewalk Art Festival Volunteer Board for the hard work in coordinating the art festival.

Upon request, City Manager Knight provided an update on the temporary certificate of occupancy for the Alford Inn and a synopsis of their recent trip to Tallahassee where they met with several Senators to discuss this year's upcoming agenda.

A request was made by Commissioner Cooper to issue a Resolution in support of pension reform.

City Attorney's Report

Attorney Brown advised that the court approved the picketing ordinance in the Bell case and recommended that the City's loitering ordinance be amended for conformity. This item will be forthcoming in the next few weeks.

Attorney Brown advised that the Max Media settlement agreement is near completion and will update them accordingly.

Non-Action Item – No items.

Consent Agenda

- a. Approve the minutes of March 10, 2014.
- b. Approve the following contracts:
 1. Piggybacking City-County of Denver/US Communities contract RFP 0572U with Kone Elevator for elevator maintenance services; and authorize the Mayor to execute the piggyback contract.
 2. Renewal with Bellomo-Herbert & Company for RFQ-2-2012 Continuing Contracts for Professional, Architectural, and Engineering Services (Parks & Recreation); and authorize the Mayor to execute Amendment 2.
 3. Renewal with Le-Huu Partners for RFQ-2-2012 Continuing Contracts for Professional, Architectural, and Engineering Services (Parks & Recreation); and authorize the Mayor to execute Amendment 2.
 4. Renewal with Environmental Research & Design for RFQ-2-2012 Continuing Contracts for Professional, Architectural, and Engineering Services (Lake Management); and authorize the Mayor to execute Amendment 2.
 5. Renewal with Integrated Systems of Florida for IFB-12-2011 Electronic Security, Access & Monitoring for Water Plants; and authorize the Mayor to execute Amendment 1.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

- a. Request to donate the affordable housing lot at 663 Symonds Avenue for the Wounded Warrior Project.

Planning and Community Development Director Dori Stone explained that the City acquired the lot at 663 Symonds Avenue in 2006 for use in the Affordable Housing Program. The Hannibal Square Community Land Trust (HSCLT) is requesting a donation of this lot for use in the Wounded Warrior Project. The HSCLT is partnering with the non-profit group Fairways for Warriors to provide a home for Sergeant Bacary Sambou, a disabled decorated Army veteran that served since October 1997. He was injured in an IED blast in 2012 and has been rehabilitating in Orlando since being honorably discharged.

Ms. Stone explained that Palm Harbor Homes will be donating the house for this lot. Staff recommended approval of the vacant lot, subject to the City Attorney's approval of the contract for conveyance and all closing costs to be covered by the HSCLT. If approved, an ordinance will be forthcoming which transfers this property to the HSCLT as required by code.

Motion made by Commissioner McMacken to approve the request; seconded by Commissioner Sprinkel.

Commissioner Leary commented on the architectural style of the homes and expressed his desire for the HSCLT to build concrete masonry homes versus manufactured homes so that the character of the neighborhood remains as is.

To gain a better understanding, a majority of the Commission requested that the HSCLT provide a detailed presentation explaining their organization, their overall plans and goals, how the Affordable Housing Program works, how many vacant lots are currently held by the HSCLT and what the City's obligations are to the HSCLT.

Ms. Stone answered questions and clarified that this vacant lot is in addition to the land that the City has previously given to the HSCLT.

Upon request, HSCLT Executive Director Denise Weathers explained that they are in the process of qualifying three potential homeowners for the three homes recently built on New England Avenue which currently do not have a Certificate of Occupancy. She said the HSCLT will not move forward with constructing the next two homes until the first three homes are owner occupied. Their goal is to have all five homes owner occupied by June or July of 2014.

Commissioner Leary asked if they could use one of the two vacant lots that HSCLT already owns and customize a specialty home for Sergeant Sambou. Ms. Weathers explained that the land trust has already predetermined the actual floor plans and model homes for the two remaining sites. She explained that neither site would accommodate Sergeant Sambou's specialty needs since they are not ADA accessible and a home larger than 1,300 square feet is needed for his extended family to assist him.

Ms. Stone acknowledged the request to provide the Commission with an affordable housing needs report by the next meeting and to update/distribute the report yearly.

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.**

PUBLIC HEARINGS:

- a. ORDINANCE NO. 2954-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 2020 W. FAWSETT ROAD, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE. Second reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner Cooper 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. ORDINANCE NO. 2955-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY DESCRIBED AS THE SOUTH 34 FEET OF 321 HANNIBAL SQUARE, WEST, WINTER PARK, FLORIDA, IN EXCHANGE FOR THE PROPERTY LOCATED AT 325 SOUTH PENNSYLVANIA AVENUE, SUBJECT TO MINIMUM REQUIREMENTS AS SET FORTH HEREIN; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. Second reading

Attorney Brown read the ordinance by title. **Motion made by Commissioner Sprinkel 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.**

- c. Request of Lakeside Winter Park LLC: To amend the conditional use site plan approval and development agreement for the Lakeside Winter Park project at 111 N. Orlando Avenue, zoned C-3, to substitute the 4,500 sq. ft. retail/office building approved in the southeast portion of the site for a 7,000 sq. ft. medical office building and requesting a variance to locate the

additional needed parking offsite at 271 South Orlando Avenue which is 487 feet from the subject property in lieu of the required 300 feet.

Planning Manager Jeff Briggs explained that on January 27 the Commission was on the verge of denial when the applicant withdrew their request. During the public hearing the applicant understood from the discussion that if offsite parking could be found for employees then there may be some opportunity for the request to be approved. In an effort to solve this shortfall, the applicant has under contract, the small motel property at 271 S. Orlando Avenue. The applicant would propose to tear down the motel building and convert the property to an offsite employee parking lot which can hold 20-21 parking spaces.

Mr. Briggs answered questions regarding the two components to this request, the site plan change and the alternative offsite parking arrangement. He explained that the property immediately to the north is now being used as an offsite parking lot for employees of the Hillstone Restaurant. There is still the distance variance (487 feet versus 300 feet) but staff believed this location is close enough to be usable by employees. He advised that the Planning and Zoning Board voted unanimously for approval.

Commissioners shared concern with the lengthy distance between the business location and the proposed offsite parking for medical staff, the potential overflow parking onto Beachview Avenue which would impact local homeowners/residents thus creating the need for additional enforcement. A suggestion was made to possibly have a single entry point off of Fairview Avenue rather than 17-92 to help alleviate traffic congestion.

Applicant Chuck Woodall, UniCorp Development, addressed concerns regarding parking enforcement and said that excessive signage will be provided. He committed to significant landscaping and decorative type entrance and buffer walls adjacent to Orlando Avenue. He explained that their long range goal is to acquire the property at the Orlando Avenue intersection, relocate the medical employee parking to this new location and then redevelop the old motel property. Mr. Woodall stated that he also plans to meet with Hillstone to work out a joint parking lot for employees and customers in an effort to avoid code violations.

Motion made by Commissioner McMacken to approve with the following conditions; that there only be access to this parking lot off of Fairview Avenue and for the parking plan to come back to the Commission for final approval so they can see the screening and the landscaping that is being proposed on Fairbanks Avenue; seconded by Mayor Bradley.

In an effort to avoid the creation of a potential parking issue, Commissioners Sprinkel and Cooper expressed their desire to keep the building square footage to a minimum of 4,500 square feet as previously approved.

The following spoke in opposition:

Sarah Whitaker, 1028 W. New Hampshire Street, Orlando (property owner)
Carol Lotspeich, 151 N. Orlando Avenue
Donna Colado, 327 Beloit Avenue

Mr. Woodall responded to citizen comments including employee parking signage and the mechanical venting louver.

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

A recess was taken from 5:21 p.m. to 5:36 p.m.

Public Comments (5:00 p.m.)

Joan Cason, 1915 Woodcrest Drive, requested a follow up to the Central Park/West Meadow tree replacement. City Manager Knight acknowledged the request.

Continuation of Public Hearings:

- d. Request of David Weekly Homes: Approval of two new single family homes at 331 and 341 East Kings Way.

Planning Manager Jeff Briggs explained that in August 2001, the City granted approval for a lot split to allow the property at 341 East Kings Way to be subdivided or split into two single family lots (331 & 341 E. Kings Way). There were two conditions of approval: 1) that the new homes not have front facing garages; and 2) that the preliminary plans for the two new homes be approved by the Planning and Zoning (P&Z) Board and the City Commission. He explained that David Weekly Homes has purchased the property and has submitted plans for approval. On March 4, 2014 the P&Z Board voted unanimously to approve the request.

Motion made by Commissioner Sprinkel to approve; seconded by Commissioner McMacken. Mr. Briggs responded to 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.**

- e. RESOLUTION NO. 2138-14: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA AUTHORIZING NEGOTIATED AND FORMAL TENDER OFFER SOLICITATIONS OF ALL OUTSTANDING ELECTRIC REVENUE BONDS, SERIES 2005A OF THE CITY ISSUED AS AUCTION RATE SECURITIES, SUBJECT TO CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

Attorney Brown read the resolution by title. **Motion made by Mayor Bradley to adopt the resolution; 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.**

f. Adoption of the fee schedule effective April 1, 2014.

City Manager Knight summarized the changes to the fee schedule.

Motion made by Commissioner Leary to adopt the fee schedule as presented with one change, to remove the affordable housing fee listed on page 6. Upon request, City Manager Knight said currently there is approximately \$410,000 of available funds in the affordable housing account. Commissioner Leary addressed the City not having an affordable housing issue at this time and disagreed with collecting additional funds. He addressed the ability to update the fee schedule at any time and suggested that once they have reviewed the affordable housing status report they can then decide if the fee needs to be adjusted, suspended or removed. **Motion failed for lack of a second.**

Motion made by Commissioner McMacken to adopt the fee schedule as presented; seconded by Commissioner Cooper.

Motion amended by Commissioner Leary to remove the affordable housing fee (reflect the dollar fee amount in the fee schedule to be "0"); seconded by Mayor Bradley.

Discussion ensued regarding how the fees are collected, if the funds can be used for something other than affordable housing, how the fee implementation was established and if there are other ways to encourage affordable housing rather than taxing our citizens. A majority agreed to have staff provide this information in the forthcoming affordable housing status report.

Upon request, Planning Manager Jeff Briggs clarified that the City has currently exceeded the 5% of affordable housing with the advent of the Atlantic Housing project.

Patricia Schoene, 2121 Mohawk Trail, spoke in opposition to suspending the collection of the affordable housing fee.

Donna Colado, 327 Beloit Avenue, felt that the park concessionaires permit fees are too low and that they need to be more in line with the daily pavilion rental fees.

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

City Commission Reports:

a. Commissioner Leary

Commissioner Leary said over the past few weeks he has received a significant amount of positive feedback from outside officials and council members saying how wonderful it is to visit the City. He thanked Police, Fire and EMS personnel for providing safety and security during the art festival.

b. Commissioner Sprinkel

Commissioner Sprinkel distributed a list of concerns noted to her during her re-election campaign. She asked City Manager Knight to address the items as they move forward with this year's goals by possibly placing the items on the 90 day schedule.

c. Commissioner Cooper – No items.

d. Commissioner McMacken

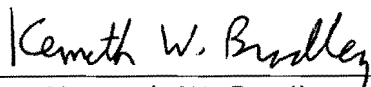
Commissioner McMacken spoke about the Lee Road extension and felt it would be advantageous to have our traffic consultant present his final report to the community and asked for support. Following a brief discussion regarding the overall process, a majority agreed to have the City Manager work with FDOT and all consultants involved with this project to develop a presentation for the City to use in an effort to educate the citizens. City Manager Knight acknowledged the request.

e. Mayor Bradley

Mayor Bradley said the election of Vice Mayor will be on the next agenda.

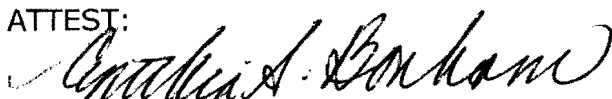
Mayor Bradley commended staff for the great Parks and Recreation Department Annual Report booklet that was created. He asked staff to post this item on the City's website and noted that hard copies are available at the Community Center.

The meeting adjourned at 6:10 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham, MMC