

REGULAR MEETING OF THE CITY COMMISSION
September 8, 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 Reverend Jim Govatos, Aloma United Methodist Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Vice Mayor 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 moved item 11.c up to Non-Action items (7.c).

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

Mayor's Report

a. Winter Park Historical Association report on funding agreement and video

Executive Director Linda Skolfield, Winter Park Historical Association thanked the Commission for their continued support. She provided a brief overview of this year's accomplishments and contributions to the community. A short video titled "Whistle in the Distance, the Trains of Winter Park" was presented.

b. Recognition – Diane Boswell, artist for SunRail Art in Transit "Tree Whisperers" installation

A special recognition was given to Diane Boswell, artist and Winter Park resident for the Art in Transit sculpture titled "Tree Whisperers". This artwork will greet passengers as they arrive in downtown Winter Park at our new train station.

c. Golf Course Task Force

Parks and Recreation Director John Holland announced that the following individuals have volunteered to serve on the Golf Course Task Force:

Bill Neidlinger, City resident
Gary Diehl, Golf Industry Professional, City resident
Steve Hoffman, CFO of Golf Week, City resident
Matt Hegarty, Senior Director, The Golf Channel, City resident

Motion made by Mayor Bradley to appoint Bill Neidlinger, Gary Diehl, Steve Hoffman and Matt Hegarty to this task force and for the Parks & Recreation Advisory Board to add a member at their discretion, that we seek a nearby resident from the golf course area to be added and to invite the President of the Men's & Women's Golf Association to participate/co-chair; seconded by Commissioner Sprinkel. No public comments were made. The motion was approved by acclamation with a 5-0 vote.

It was noted that this task force will automatically sunset six months from the first meeting.

d. Board appointment – Utilities Advisory Board

Motion made by Mayor Bradley to appoint Hugh James to the alternate position on the Utilities Advisory Board; seconded by Commissioner Cooper. No public comments were made. The motion was approved by acclamation with a 5-0 vote.

City Manager's Report

City Manager Knight announced the following events:

- Winter Park Country Club Centennial Celebration - September 16 at 7:00 a.m.
- Library Task Force Public Forum - September 17 at 6:00 p.m. at the Women's Club
- Scoping Meeting for the Visioning Process – September 23 at 1:00 p.m. at the Winter Park Community Center
- CRA Agency meeting – September 22 at 2:30 p.m.

City Attorney's Report

Attorney Brown provided a brief update on the Max Media/Clear Channel case. He also answered questions related to the proposed medical marijuana ordinance which will be forthcoming in October.

Non-Action Item

a. Pedestrian and Bicycle Citywide Connectivity Plan

Traffic Engineer Butch Margraf introduced the Pedestrian & Bicycle Advisory Board (P&BAB) members and provided an overview of the entire plan. P&BAB member Jill Hamilton Bus provided an introduction linking the circulation/connectivity plan with healthy activities. P&BAB member Whit Blanton hosted a PowerPoint presentation titled "Improving Walking and Bicycling in Winter Park" which included the context for a balanced transportation network, creating a well-defined network, pedestrian visibility and safety, types of on-street bike facilities, bike lanes, shared lane

markings, cycle tracks, bicycle and pedestrian proposed projects, the existing and planned bike-pedestrian network, pedestrian crossing facilities, annual park to park ride, bike valet and bike rodeos, and continuing efforts including the St. Andrews Trail and Rails With Trails.

Mr. Margraf answered questions related to our current and proposed sidewalk/key trail interconnectivity. He spoke briefly about the proposed wayfinding signage which will provide bicyclists with the safest routes to take within the City. He explained that the P&BAB will be prioritizing the proposed Pedestrian and Bicycle project list at their next meeting.

In an effort to provide additional pedestrian safety, Mayor Bradley recommended that a sidewalk be provided on every street and urged staff to begin the process of addressing this. He also requested that the P&BAB provide a yearly or bi-yearly update regarding projects completed to date, proposed projects, etc. Commissioner Cooper suggested having the P&BAB provide safety recommendations for new construction projects that come before the Commission for approval. Commissioner Sprinkel stressed the need to limit the wayfinding signage throughout the City.

b. Presentation/demonstration of the new Undergrounding Status Map

Electric Utility Director Jerry Warren explained that since the development and implementation of our undergrounding priority list in June of 2012, the Electric Department has posted the priority list on the City's webpage. Unfortunately, the list is not very user friendly and Electric Department customers are routinely asking when their neighborhoods are scheduled for undergrounding.

As a result of citizen input, the Electric Department has recently developed a user friendly point and click GIS map that will allow customers to identify their property and find out where their neighborhood is on the undergrounding priority list. The map was developed by Meredith Ahern, Operations Analyst (ENCO Utility Services) in concert with Keith Gerhartz, the City's GIS contractor. Ms. Ahern provided a brief demonstration of the new underground status map. A direct link for this GIS map feature will be provided on the City's website and marketing efforts are underway to inform the residents of this new feature.

Public Comment (General 5:00 p.m.)

Sandra Blossey, 1262 Melissa Court, spoke on behalf of the Women's Club of Winter Park and requested monetary support of \$30,000 for their organization.

Jackie Sward, 292 Sylvan Boulevard, spoke about modifying the proposed Farmers' Market ordinance so their organization which is not headquartered in Winter Park would be allowed to distribute promotional flyers for an upcoming fundraising event for Mead Gardens.

Note: Agenda order was rearranged

c. Proposed Farmer's Market Ordinance

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING THE FARMERS' MARKET AS A LIMITED OPEN PUBLIC FORUM; IMPOSING CONTENT AND VIEWPOINT NEUTRAL REGULATIONS IN THE FARMERS' MARKET AREA DESIGNED TO PROMOTE THE PURPOSE OF THE FORUM AS A FARMERS' MARKET AND TO PROHIBIT ACTIVITY INCONSISTENT WITH THE LIMITED PURPOSE OF THE FORUM; PROVIDING FOR CODIFICATION, SEVERABILITY, ENFORCEMENT, REPEAL OF PRIOR INCONSISTENT PROVISIONS AND AN EFFECTIVE DATE First Reading

Parks and Recreation Director John Holland explained that this ordinance is in response to requests from market vendors whose businesses have been impacted by solicitors blocking entrances to the market and blocking shoppers access to the vendors. The ordinance does not prohibit the solicitation of signatures, charities and fundraising or the distribution of literature but provides for an area within the market space for these public forum activities.

Attorney Brown advised that when he previously met with Mr. Holland regarding this matter he provided a draft ordinance which is included in their agenda packet. This ordinance is based on a limited public forum. He explained that upon further review of the draft ordinance, he made several redline comments during this past week. Attorney Brown distributed a copy of these proposed changes to the Commission and recommended that a clear description of the area be provided and that it be consistent with the referenced map.

Attorney Brown addressed the public comment related to charitable organizations by referencing the proposed language in the ordinance. He provided legal counsel regarding certain language and provisions in the tenant/City lease agreement, addressed questions, and made recommendations to add to the lease agreement.

Mayor Bradley asked for support for staff and the City Attorney to look at ordinances that govern the leasing of our property to private or public entities and if it provides protection under private property issues when leased. A majority agreed. Staff and Attorney Brown acknowledged the request.

Consent Agenda

- a. Approve the minutes of August 25, 2014. **PULLED FOR DISCUSSION. SEE BELOW.**
- b. Approve the following contracts:
 1. Renewal and subsequent purchase order with Cigna Group Insurance for RFP-19-2008, Group Term Life, AD&D, Voluntary Term Life for Employee, Spouse and Children, Long Term Disability, and Voluntary Short Term Disability and authorize the Mayor to execute the renewal package documents.

2. Renewal with MetLife for RFP-19-2008, Group PPO Dental Benefits and authorize the Mayor to execute the renewal package document.
 3. Renewal with Aetna for RFP-6-2007, Medical Insurance and authorize the Mayor to execute the Renewal Package document.
- c. Approve the annual review of the City's Debt Management Policy (no changes are recommended).
- d. Officially authorize elected officials to participate in health and/or dental insurance at the same premium level as full-time employees; establishing a separate class. **PULLED FOR DISCUSSION. SEE BELOW.**

Motion made by Commissioner McMacken to approve Consent Agenda items 'b.1-3' and 'c'; seconded by Commissioner Leary. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Consent Agenda Item 'a' – Approve the minutes of August 25, 2014.

Mayor Bradley requested to modify page 9 of the minutes regarding the budget discussion. **Motion made by Mayor Bradley to approve the minutes as amended; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

Consent Agenda item 'd' - Officially authorize elected officials to participate in health and/or dental insurance at the same premium level as full-time employees; establishing a separate class.

Motion made by Mayor Bradley to deny this as a policy of our City; seconded by Commissioner Sprinkel. City Manager Knight provided clarity regarding the request for eligibility. He noted that in past years several different Commissioners have had this benefit and that the Commission would have to make a policy decision to allow this. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

A recess was taken from 6:00 p.m. to 6:20 p.m.

Action Items Requiring Discussion – No Items.

PUBLIC HEARINGS:

- a. ORDINANCE NO. 2974-14: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 1870 LAUREL 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 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. ORDINANCE NO. 2975-14: AN ORDINANCE AMENDING OFFENSE OF LOITERING WITHIN THE CITY OF WINTER PARK; AMENDING DIVISION 1, OF ARTICLE IV, OF CHAPTER 62, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CITY CODE, SECTION 62-77, LOITERING - GENERALLY; PROVIDING FOR CONFLICTS; CODIFICATION, SEVERABILITY; AND AN EFFECTIVE DATE. 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 voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.**

Note: Public Hearing item 'c' was moved to Non-Action Items 'c'

Millage and Budget Public Hearings

Mayor Bradley opened the public hearing and read into the record the following: "The millage rate needed for Fiscal Year 2015 to generate the same property tax revenue for the City as in 2014, based on the Property Appraiser's certification, is 3.9650 mills. The budget proposed by the staff with amendments generally agreed to by the City Commission requires a millage of 4.0923 mills which has been the rate levied by the city for the last six years. The proposed millage of 4.0923 mills would represent an increase in property taxes, not counting new construction and the City's dedicated increment value payment to the Community Redevelopment Agency, of 3.21%. This increase in property taxes levied over the prior year is not due to any change in tax rate but is due to the increase in assessed values of properties. In addition, a .0965 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2004 approved by the citizens of Winter Park at the June 4, 1996 bond referendum, and a .2019 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2011 approved by the citizens of Winter Park at the May 16, 2000 bond referendum."

Mayor Bradley commented that this would be a simultaneous public hearing on both ordinances. Attorney Brown read both ordinances by title.

- a. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING A 4.0923 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY, A .0965 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2004, AND A .2019 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2011. First reading

Motion made by Commissioner Cooper 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.**

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015 AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, AFFORDABLE HOUSING FUND, COMMUNITY REDEVELOPMENT FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, VEHICLE/EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AND UNSPENT PROJECT BUDGETS AS OF SEPTEMBER 30, 2013; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY. First reading

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

Motion amended by Commissioner Cooper to add \$30,000 for the City of Winter Park Women's Club; seconded by Commissioner Leary.

Planning & Community Development Director Dori Stone advised that this request can be funded through the CRA. She explained if the Commission approves the motion that staff will add the request to the CRA budget which will then be presented to the CRA Agency on September 22 for approval.

Motion amended by Mayor Bradley that if the first amendment is approved, that it be referred to the CRA Agency at their next meeting; seconded by Commissioner Sprinkel.

Betsy Gwinn, Executive Director of the Bach Festival Society of Winter Park, 1501 Orange Avenue, requested funding assistance for their organization.

Sally Flynn, 1400 Highland Road, spoke in opposition to fund \$100,000 for the Dr. Phillips Performing Arts Center and preferred that the money be given to Winter Park cultural organizations.

John Kern, 1615 Roundelay Lane, referenced the proposed \$100,000 contribution to the Dr. Phillips Performing Arts Center and said it is unclear to the residents how our funds would specifically be used. He suggested that the Commission agree on

a baseline funding formula that would be used every year; for the City to mail out an official notice to local organizations regarding funding assistance so they can publically present their most urgent needs; and that the Commission not make long term funding commitments.

Linda Eriksson, 535 N. Interlachen, explained that our City has greater needs and wanted the distribution of the \$100,000 to the Dr. Phillips Performing Arts Center given to our local cultural organizations.

Upon a roll call vote on the second amendment (that if the first amendment is approved, that it be referred to the CRA Agency at their next meeting); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the first amendment (to add \$30,000 for the City of Winter Park Women's Club); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Commissioner Cooper explained that she is opposed to the level of contribution to Dr. Phillips Performing Arts Center and preferred that we focus on our local organizations.

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.

City Commission Reports:

a. Commissioner Leary

Commissioner Leary said today's event with Governor Rick Scott was wonderful and that he enjoyed attending Commissioner Sprinkel's coffee talk.

b. Commissioner Sprinkel

Commissioner Sprinkel said she is very proud to have been part of today's meeting with Governor Rick Scott and commended Mayor Bradley and Vice Mayor Leary for their outstanding representation of the City.

Commissioner Sprinkel said she had an enjoyable time attending the 100th birthday of Mr. Myrfyn Thomas this past week.

Commissioner Sprinkel requested City Manager Knight to follow up with some ideas on how we might recognize our board members and if residents are allowed to

plant azaleas or other ornamental plants around the green electrical boxes. City Manager Knight acknowledged these requests.

c. Commissioner Cooper

Commissioner Cooper asked if the audio control in the chambers can be adjusted in an effort to improve the sound for video presentations.

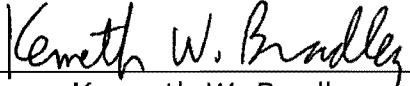
d. Commissioner McMacken – No items.

e. Mayor Bradley

Mayor Bradley reminded everyone about the 100th celebration of the Winter Park Golf Course which will be held on September 16.


Mayor Bradley announced that the Parks and Recreation Department recently published their bi-annual report. Hard copies can be obtained at the Community Center or viewed on the City's website.

The meeting adjourned at 6:49 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham, MMC