

REGULAR MEETING OF THE CITY COMMISSION
January 26, 2015

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 Minister David Fitzgerald, First Christian Winter Park, 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
Deputy City Clerk Michelle Bernstein

Approval of the agenda

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

Mayor's Report

a. Business Recognition Award Recipient – Gary Lambert Salon

Director of Planning & Community Development Dori Stone announced that Gary Lambert Salon received this quarter's Business Recognition Award.

b. Holiday Window Contest Winners

Director of Planning & Community Development Dori Stone announced this year's Holiday Windows Contest winners. The People's Choice Award was given to Taylor's Pharmacy. The Design Excellence Award was given to Breakaway Bicycles. Winners received a plaque award and an electric utility credit.

c. Proclamation - In honor of Bach Festival Society's 80th Anniversary

Mayor Bradley proclaimed February 7 as "Bach Festival Society of Winter Park Day" and thanked the society members for their outstanding contributions to the City.

d. Presentation - Core Value Coin Recipients for July – December 2014

City Manager Knight publically recognized one-hundred and three staff members who received a core value coin during the past six months for their exceptional public service skills.

e. Award of Accreditation - Fire Rescue for the Accreditation of Ambulance Services (CAAS)

Fire Chief Jim White announced that the Winter Park Fire Department recently received "accredited" status with the Commission on Accreditation of Ambulance Services. A special recognition was given to Lieutenant Dan Hagedorn and Deputy Fire Chief Patrick McCabe for their professional contributions.

f. Proclamation - 2015 General Election

Mayor Bradley accepted the March 10, 2015 General Election Proclamation.

g. Presentation of Fire Chief's Award of Merit for recognition of heroic efforts in saving a life at the Winter Park YMCA

Fire Chief White presented the "Fire Chief's Civilian Award of Merit" to Matthew Hewlett, Daniel Strange and Jay Gallaty for saving the life of Raymond Blackwell who was suffering from cardiac arrest at the local YMCA campus.

City Manager's Report

Palmer Avenue Street Light Conditions

City Manager Knight explained that due to the concerns raised by the Commission regarding the need to improve the street light conditions on Palmer Avenue, staff performed an analysis of the current situation with recommendations. Assistant Electric Director Terry Hotard provided a detailed overview and offered several options to help mitigate the issue.

Discussion ensued related to the costs involved and/or potential budget implications for tree trimming and installing new LED lights, if an assessment fee should be implemented and if there is a cost difference for decorative versus overhead lights. Mayor Bradley recommended that we focus on adopting a Winter Park street standard plan which addresses sidewalks, street lights, trees, sewers and undergrounding so that we are not setting a precedent in one particular neighborhood.

Motion made by Commissioner Cooper to direct staff to go back and look at the cost and present a logical plan for how we would approach this and to start with Palmer Avenue as the first; seconded by Commissioner Sprinkel. A consensus was reached in support of the above motion.

City Manager Knight acknowledged the request for staff to assemble a detailed report with cost estimates for consideration and adoption.

Miscellaneous Items

- City Manager Knight addressed the FDOT railroad crossing upgrades report/schedule provided to the Commission where it appears that the work will commence mid-June/July. Assistant Public Works Director Don Marcotte answered questions related to the upgrades. City Manager Knight acknowledged the request to update his report with this new information.
- City Manager Knight advised that staff has been working with SunRail to see if they would provide train service during the spring art festival weekend. SunRail said they would be able to add Saturday and Sunday service for \$20,000 per day. Negotiations are underway to see if the cost can be reduced and if that is achieved this item will be forthcoming for discussion and consideration.

a. Performance Measurement Report

City Manager Knight noted that this report was included in the agenda packet and addressed questions. Mayor Bradley suggested sending the residents a condensed version of this report highlighting the eight or ten key indicators. City Manager Knight welcomed receiving input from the Commission on the key indicators.

Motion made by Mayor Bradley to direct staff to conduct and send out a specific summary report with this information under our current budget documents that we already have to send out; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Miscellaneous

Upon request, Communications Director Clarissa Howard provided a status update regarding the next City video episode.

City Attorney's Report

Attorney Brown advised that the City is scheduled to close on the 2600 Lee Road property acquisition within the next week.

Non-Action Item - No items.

Consent Agenda

- a. Approve the minutes of January 12, 2015.
- b. Approve the following contracts and formal solicitation:
 1. Renewal with Gerhartz and Associates, Inc. for RFQ-16-2012, Continuing Contract for GIS Services and authorize the Mayor to execute Amendment 2.

2. Renewal with Helman Hurley Charvat Peacock, Inc. (HHCP) for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Architectural Services) and authorize the Mayor to execute Amendment 3.
3. Renewal with Associated Consulting International (ACi) for RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Architectural Services) and authorize the Mayor to execute Amendment 3.
4. Piggybacking GSA Federal Supply Schedule Contract #GS-35F-0119P with Verizon Wireless and authorize the Mayor to execute the contract.
5. Award to LaFleur Nurseries and Garden Center for RFQ-1-2015, Right-of-Way Tree Planting, and authorize the Mayor to execute contract and all subsequent purchases through this contract - **PULLED FOR DISCUSSION. SEE BELOW.**

Motion made by Commissioner Cooper to approve Consent Agenda items 'a' and 'b.1-4'; seconded by Commissioner Sprinkel. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Consent Agenda item 'b.5': Award to LaFleur Nurseries and Garden Center for RFQ-1-2015, Right-of-Way Tree Planting, and authorize the Mayor to execute contract and all subsequent purchases through this contract

Urban Forestry Manager Dru Dennison addressed Commissioner McMacken's inquiry as to why we are obtaining prices for 37 varieties of trees. He recommended that we focus on replacing all oak trees first before planting any other variety/type of tree. Ms. Dennison acknowledged the request to provide a detailed report with the number of tree species planted to date.

Motion made by Commissioner McMacken to approve Consent Agenda item 'b.5'; seconded by Commissioner Leary. Nancy Shutts, 2010 Brandywine Drive, asked for clarity. **The motion carried unanimously with a 5-0 vote.**

Public comments (Items not on the agenda)

John Kern, Roundelay Lane, requested that he receive a response to his letter dated December 2, 2014 as to what benefits the City receives as a result of our contribution to the Dr. Phillips Performing Arts Center. City Manager Knight advised that he will provide a response.

Joan Cason, 1915 Woodcrest Ave., asked if Winter Park elections are non-partisan.

Pete Weldon, 700 Via Lombardy, commended the IT and Communications staff for their outstanding efforts with upgrading the City's website.

Action Items Requiring Discussion

- a. Review and approval of the Request for Proposals (RFP) to select a consultant to lead the city visioning process

Director of Planning & Community Development Dori Stone provided a brief overview and answered questions. Discussion ensued related to the possibility of waiving or reducing the points for local preference, outreach and funding mechanisms and to define the roles and responsibilities of the steering committee.

Motion made by Commissioner Leary to approve the RFP as presented; seconded by Mayor Bradley.

Motion amended by Commissioner McMacken that we change the term social media to either public outreach or multi-media (at the discretion of staff whichever is more descriptive); as far as giving a preference to local vendors that we reduce the weight of that preference to 5 points in lieu of 10 points; that we outline in the proposal the anticipated number of district meetings that we would want this consultant to conduct; while we do not have a role of the steering committee outlined as of such, it needs to be made clearer that there will be a steering committee in place and that they will have a significant role in this process; seconded by Mayor Bradley.

Motion amended by Mayor Bradley to appoint Commissioner McMacken to be the City Commissioner representative on the selection committee; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper that the visioning process be limited to residents of Winter Park, property owners or those who own or operate businesses or non-profits in the City of Winter Park; seconded by Commissioner McMacken. Following a brief discussion related to not allowing employees who work in the City to participate in the study, **Commissioner McMacken withdrew his second to the motion.**

Motion amended by Commissioner Cooper that the visioning process for the City of Winter Park needs to be a vision of those of us who are residents, property owners, business owners or who operate businesses in the City. Motion failed for lack of a second.

Pete Weldon, 700 Via Lombardy, agreed that no local preference should be given.

Nancy Shutts, 2010 Brandywine Drive, agreed that only local residents should be allowed to participate in the visioning process.

Upon a roll call vote on the first amendment (that we change the term social media to either public outreach or multi-media (at the discretion of staff whichever is more descriptive); as far as giving a preference to local vendors that we reduce the weight of that preference to 5 points in lieu of 10 points; that we outline in the proposal the anticipated number of district meetings that we would want this consultant to conduct; while we do not have a role of the steering committee outlined as of such, it needs to be made clearer that there will be a steering committee in place and that they will have a significant role in this process), 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 second amendment (to appoint Commissioner McMacken to be the City Commissioner representative on the selection committee), 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 main motion as amended, Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

A recess was taken from 5:49 p.m. to 6:08 p.m.

b. Continue discussion of the potential acquisition of the USPS property

City Manager Knight spoke about the potential opportunity to acquire the USPS property. The post office has given the City parameters by which it would contemplate selling the post office to the City which was included in the agenda packet. At the last meeting the conversation centered on where we would obtain the funding and one of the proposals offered was to sell the Progress Point property. At the moment, the post office is not actively marketing their property and is not in a hurry to sell it. He mentioned that approximately two years ago the Commission gave staff the authority to sell the Progress Point property. Staff delayed marketing that property due to other discussions that transpired (the proposed baseball stadium and the library).

City Manager Knight suggested moving forward with issuing a Notice of Disposal (NOD) for the Progress Point property to see what type of funding opportunities might become available based upon the money generated from the sale. He clarified that we would not be committing to acquire the post office property with those funds. The NOD does not obligate the Commission to accept any proposals at this point and after the notice is over, the City may choose to reject all proposals. A majority agreed that it might be advantageous to receive various proposals to see what we can get for this property since we are under no obligation.

Upon request, City Manager Knight clarified an item he briefly mentioned at the last meeting. He explained that he was approached by someone about possibly allowing a developer to build the required postal facilities on a piece of property at their cost for the right to develop the Progress Point property. He clarified that he has not received a specific offer/proposal, but that it was a general conversation. City Manager Knight answered questions.

Discussion ensued including the pros and cons with issuing a NOD for the Progress Point property, the current zoning designation of the post office, and if we should cease negotiations with the USPS to acquire the property.

Commissioner Cooper said at this time she is not ready to issue a NOD on the Progress Point property and shared opposition with ceasing negotiations with the USPS. In an effort to secure the post office property for future generations and avoid having to move or build a new USPS facility, she suggested that the City make an offer to the USPS for the appraised value of PQP and lease the building back to them for a certain number of years at a nominal amount.

Motion made by Commissioner Leary that we stop current discussions with the USPS; seconded by Mayor Bradley for discussion.

Commissioner McMacken asked if the above motion allows for the USPS to come back to us for renegotiations. Commissioner Leary said yes.

Motion amended by Commissioner McMacken that we make an offer to buy the property as is and lease it back to the post office at an appropriate price; seconded by Mayor Bradley.

No public comments were made.

Commissioner McMacken responded to Commissioner Sprinkel's inquiry pertaining to the purchase price offer by referencing the current market appraisal value of \$1.7 to \$2.3 million and that it would be at staff's discretion.

Upon a roll call vote on the amendment (that we make an offer to buy the property as is and lease it back to the post office at an appropriate price), 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 main motion as amended (that we stop current discussions with USPS with the exception of this proposal; that we make an offer to buy the property as is and lease it back to the post office at an appropriate price), Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

A majority agreed to have staff present a Notice for Disposal (NOD) for the Progress Point property at the next Commission meeting. City Manager Knight acknowledged.

Public Hearings:

- a. Request of Mr. Joseph Passalacqua: Approval of a lot consolidation to combine the two properties at 1251 and 1252 Lakeview Drive as one property, thereby permitting 1251 Lakeview Drive to be used for the principal single family residence and to allow 1252 Lakeview Drive to be used for other accessory structures as permitted by code, subject to limitations as may be made as part of this request.

Planning Manager Jeff Briggs provided the background on this request. He advised that the Planning & Zoning Board approved the request unanimously to consolidate 1251 and 1252 Lakeview Drive subject to the voluntary deed restrictions offered by the applicant that:

- 1) 1251 Lakeview Drive is limited to a residence up to 4,500 sq. ft. if 1252 Lakeview Drive is developed with a guest house/pool cabana (up to 1,000 sq. ft.) in accordance with Section 58-71(i); or
- 2) 1251 Lakeview Drive may be developed as a residence of up to 5,200 sq. ft. if there is no development (other than a swimming pool) on 1252 Lakeview Drive.

Attorney Rebecca Wilson of the Lowndes, Drosdick, Kantor & Reed Law Firm and representing the applicant, provided an abbreviated version of the request and addressed questions related to the voluntary conditions. She advised that the applicant is agreeable to the above voluntary deed restrictions and code requirements.

Upon request, Mr. Briggs answered code related questions pertaining to lot consolidations, particularly the setback requirements and maximum allowable floor area ratio.

Motion made by Commissioner Leary to approve the lot consolidation; seconded by Commissioner Sprinkel.

Kathryn Campbell, 1351 Richmond Road, spoke in opposition to the lot consolidation and shared concern with setting a precedent in the area for potential future consolidation requests.

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.

Commissioner Cooper requested that staff perform an analysis of other lakefront parcels across the street from the main house that may allow accessory structures to be built on these types of lots in an effort to see if this needs to be addressed.

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING PORTIONS OF CHAPTER 102, UTILITIES, ARTICLE IV, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES, AS WELL AS CREATING THE CITY OF WINTER PARK GREASE MANAGEMENT ORDINANCE, SECTIONS 102-115.01 THROUGH 102-115.14; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. First Reading

City Attorney Brown read the ordinance by title. **Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Leary.** Water and Wastewater Utility Director David Zusi answered questions. No public comments were made. **Upon a roll call vote, Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote. Mayor Bradley was absent for the vote.**

- c. RESOLUTION NO. 2149-15: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE TITLE VI/NONDISCRIMINATION POLICY AND PLAN FOR THE CITY OF WINTER PARK.

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

- d. RESOLUTION NO. 2150-15: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE DESIGN OF THE ST. ANDREWS TRAIL FROM CADY WAY TO ALOMA AVENUE.

City Attorney Brown read the resolution by title. Traffic Engineer Butch Margraf explained the intent of the resolution. Mr. Margraf and Public Works Director Troy Attaway answered questions.

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

The Commission shared concerns with the agreement language pertaining to the installation of a privacy fence which will separate the trail from the adjacent property owners. Upon questioning, Mr. Margraf stated they had an opportunity to review the design prior to construction.

Motion amended by Mayor Bradley to strike the privacy fence out of the project. Motion failed for lack of a second.

Mr. Attaway advised the Commission that staff will ensure that the final design product meets the needs of the residents, the Four Seasons Condominium owners and the City by providing meaningful input throughout the entire design phase. Mr. Margraf acknowledged the request to provide a copy of the proposed renderings.

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. 2151-15: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, TO EXECUTE A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE BROOKSHIRE ELEMENTARY SCHOOL SIDEWALKS – MULTIPLE LOCATIONS.

City Attorney Brown read the resolution by title. Traffic Engineer Butch Margraf explained the intent of the resolution. **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. Request of the Avis Budget Group, Inc.:

Mayor Bradley commented that this would be a simultaneous public hearing. City Attorney Brown read the ordinance by title. Planning Manager Jeff Briggs explained the intent of the ordinance and conditional use request.

ORDINANCE NO. 2987-15: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT REGULATIONS", ARTICLE III, "ZONING" SECTION 58-74 COMMERCIAL (C-1) DISTRICT SO AS TO ADD CAR RENTAL AGENCIES TO THE LIST OF CONDITIONAL USES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND EFFECTIVE DATE. Second Reading

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

Request of the Avis Budget Group, Inc.: Conditional use approval to locate a car rental agency at 501 N. Orlando Avenue, zoned C-1.

Motion made by Mayor Bradley to approve the conditional use request; 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.**

City Commission Reports:

a. Commissioner Leary – No items.

b. Commissioner Sprinkel

Commissioner Sprinkel announced that this week is Literacy Week in the local schools; she recommended to have staff correct the verbiage in Code Section 58-71 Accessory Structures (remove the word "servants"); and to clearly define in the tree preservation code/guidelines where a tree can or cannot be planted.

c. Commissioner Cooper

Assistant Public Works Director Don Marcotte acknowledged the request to provide detailed information regarding the Operations & Maintenance (O&M) cost for commuter rail in an effort to plan accordingly.

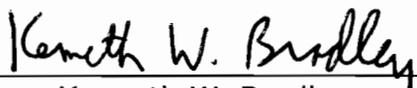
d. Commissioner McMacken

Commissioner McMacken recognized all of our public service responders for their outstanding service.

e. Mayor Bradley

Mayor Bradley welcomed residents and non-residents to participate in our visioning process.

The meeting adjourned at 7:45 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham, MMC