

REGULAR MEETING OF THE CITY COMMISSION
November 23, 2015

The meeting of the Winter Park City Commission was called to order by Vice Mayor Sarah Sprinkel, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Alison Harrity, St. Richard's Episcopal Church, followed by the Pledge of Allegiance.

Members present:

Commissioner Greg Seidel
Vice Mayor Sarah Sprinkel
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Cynthia Bonham

Members Absent:

Mayor Steve Leary

Approval of the agenda

Motion made by Commissioner McMacken to approve the agenda; seconded by Commissioner Cooper and carried unanimously with a 4-0 vote.

Mayor's Report

a. Proclamation – Small Business Saturday

Vice Mayor Sprinkel presented Debbie Hendrickson, Winter Park Chamber of Commerce, with a proclamation proclaiming Saturday, November 28, 2015 as Small Business Saturday. Ms. Hendrickson expressed the importance to support the businesses in Winter Park.

b. Gift of art to the City in recognition of Employment Technologies Corporation 20th anniversary in Winter Park

Susan Battaglia, Public Art Advisory Board Chair, addressed the art being gifted to the City by Mr. Sefcik. Mr. Sefcik spoke about their 20 years in Winter Park. He introduced artist and sister-in-law Belva Sefcik from Charlotte, North Carolina who painted the two pictures of Shady Park and the molecular dog being presented to the City.

c. Presentation – Bicycle Friendly Community Bronze Designation from the League of American Bicyclists

Staff board liaison and Traffic Manager Butch Margraf spoke about the Bicycle Friendly Community Bronze Designation they were awarded from the League of American Bicyclists. Jill Hamilton-Buss, Executive Director of Healthy Central Florida, commented about their accomplishment and the many cyclists who ride to school and to work.

d. Proclamation – #GivingTuesday, a “Day of Giving”

Vice Mayor Sprinkel introduced Karen Revels, Senior Manager of Philanthropy for the Rollins College Edyth Bush Institute for Philanthropy & Nonprofit Leadership. Vice Mayor Sprinkel presented a proclamation proclaiming December 1, 2015 as “#Giving Tuesday” as a national day of giving on the Tuesday following Thanksgiving and to encourage citizens to serve others throughout the holiday season and during all other times of the year. Ms. Revels introduced her colleagues also present.

e. Presentation - Core Value Coin recipients (Fiscal Year 2015 4th Quarter)

City Manager Knight introduced the coin recipients for this quarter as follows: Hector Williams for Customer Service; Charles Simon for Innovation; Mimi McDaniel, Nikki Johnson, Josh Pantan and Joe Smirti for Professionalism; and Georgia St. Peter for Teamwork.

City Manager’s Report

City Manager Knight summarized the many events coming up for the holidays.

Commissioner Cooper inquired about the status of the oaks removed by Unicorp and the railroad crossings order of being worked on. City Manager Knight stated they have been working with the Unicorp applicant who wants to mitigate with larger and more oaks as opposed to paying the fee. She asked if we could plant cypress trees on the lakefront behind Whole Foods. City Manager Knight stated that staff met with FDOT and that they are in the process of re-bidding the work. Assistant Public Works Director Don Marcotte stated they should begin the work the first quarter of 2016, will start in Winter Park and that they hope to have the crossing at Lyman Avenue completed by the end of December 2015.

City Attorney’s Report

City Attorney Ardaman spoke about the pass through ordinance, where the fees and costs the City incurs for reviewing and processing developers’ development applications are to be paid by the developer, being submitted to staff for review to bring back to the Commission.

Non-Action Item

No items.

Consent Agenda

- a. Approve the minutes of November 9, 2015.
- b. Approve the following purchases and contracts:
 1. Blanket Purchase Order to Covanta Energy Marketing LLC for Bulk Power Supply (ITN-13-2013); \$4,765,000.
 2. Blanket Purchase Order to Gainesville Regional Utilities (GRU) for Bulk Power Supply (ITN-13-2013); \$4,400,000.
 3. Blanket Purchase Order to Orlando Utilities Commission for Bulk Power Supply and Transmission Services (ITN-13-2013); \$4,435,000.
 4. Blanket Purchase Order to Florida Power & Light Company for Bulk Power Supply and Transmission Services (ITN-13-2013); \$11,140,000.
 5. Blanket Purchase Order to Duke Energy for Transmission Services (ITN-13-2013); \$2,140,000.
 6. Blanket Purchase Order to Layne Inliner LLC for Sewer Lining Rehab Cleaning/Manhole; \$623,985.
 7. Blanket Purchase Order to ENCO Utilities Services for FY16 O&M Electric Utility; \$4,000,000.
 8. Blanket Purchase Order to Heart Utilities of Jacksonville for City-wide Underground Projects (IFB-8-2014); \$1,350,000.
 9. Blanket Purchase Order to HDD of Florida for City-wide Underground Projects (IFB-8-2014); \$650,000.
 10. Blanket Purchase Order to South Seminole & North Orange County Wastewater for Operational Maintenance; \$751,500.
 11. Contract renewal with A Budget Tree Service Inc. (RFQ-25-2014) for Tree Removal Services; and authorize the Mayor to execute Amendment No. 1.
 12. Contract renewal with Ardaman & Associates, Inc. (RFQ-2-2012), Continuing Contracts for Professional, Architectural & Engineering Services (Geotechnical Services); and authorize the Mayor to execute Amendment No. 3. **PULLED FOR DISCUSSION. SEE BELOW.**
 13. Contract renewal with Universal Engineering Sciences (RFQ-2-2012), Continuing Contracts for Professional, Architectural & Engineering Services (Geotechnical Services) and authorize the Mayor to execute Amendment No. 3. **PULLED FOR DISCUSSION. SEE BELOW.**
 14. Piggyback contract with Orlando Freightliner for Purchase of Semi-Tractor Truck and approve PR158911; \$95,558.
 15. Piggyback contract with Vermeer Southeast for the purchase of a Vermeer D24x40 S3 Horizontal Directional Drill Rig; and approve purchase of Horizontal Directional Drilling Rig; \$194,298.
- c. Approve the annual review of the City's Debt Management Policy.

Motion made by Commissioner McMacken to approve Consent Agenda items a, b.1-11 and b.14-15; seconded by Commissioner Cooper and carried unanimously with a 4-0 vote. No public comments were made.

Consent Agenda Items 12 and 13:

These items were pulled from the Consent Agenda by Commissioner Seidel due to a conflict of interest with being involved with those engineering firms. Form 8B, Memorandum of Voting Conflict form was completed and is a part of these minutes.

Motion made by Commissioner Cooper to approve Consent Agenda items b.12 and b.13; seconded by Commissioner McMacken and with a 3-0 vote with Commissioner Seidel abstaining.

Action Items Requiring Discussion

No action items.

Public Hearings:

- a. ORDINANCE NO. 3020-15: AN ORDINANCE CALLING A BOND REFERENDUM TO BE HELD ON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING \$30,000,000 GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF WINTER PARK, FLORIDA, TO FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF THE WINTER PARK LIBRARY AND EVENTS CENTER AND RELATED IMPROVEMENTS IN THE CITY; AUTHORIZING THE ISSUANCE OF SUCH BONDS IF APPROVED BY REFERENDUM; AND PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Ardaman read the ordinance by title. City Manager Knight pointed out alternate language for the bond question to consider. **Motion made by Commissioner Cooper to accept the alternate language presented and to adopt the ordinance; seconded by Commissioner McMacken.**

Motion made by Commissioner Cooper to add language for the ballot that says "on the northwest corner of the Martin Luther King Park". Motion failed for lack of a second. Attorney Ardaman recommended not to change this at this point but to make sure the information provided by the City for the referendum clearly points out the proposed location of the library/events center.

Catherine unknown, no address provided, asked to clarify the ballot language so people understand what is going on.

Sally Flynn, 1400 Highland Road, asked to put the proposed site location on the ballot.

Commissioner Seidel spoke about why a specific location should not be included in the ballot language because of concerns if something happened that the location is not feasible then a library would not be built. He stated not putting a location provides the flexibility to make that location work or to find another location if necessary.

Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

- b. Request of Drew Hill: Conditional use approval to redevelop Spanish Oaks and Golfview Apartments located at 633 and 651 North Park Avenue, zoned R-3, into ten (10) new residential units, three stories in height with a total project size of 44,200 square feet, providing for certain setback exceptions and for a development agreement

Planning Manager Jeff Briggs explained the conditional use request, the variance requested, and the conditions of staff. He showed the site plan, the elevation of the project and parking at the site. He concluded that the Planning and Zoning Board approved the project with the conditions recommended by staff.

Attorney Becky Wilson, representing the applicant, confirmed that the third floor is space to be occupied and that they are meeting code with the trees being planted. She stated they are not impacting the street trees. Commissioner Cooper provided her preference to planting oak trees in lieu of money going into the Tree Preservation Fund. Ms. Wilson stated they will take that into consideration.

Motion made by Vice Mayor Sprinkel to approve the conditional use request with the staff conditions as approved by the Planning and Zoning Board; seconded by Commissioner Cooper. No public comments were made. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

- c. Request of the Winter Park Health Foundation: This hearing took place at 5:36 p.m.

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADD A NEW COMPREHENSIVE PLAN POLICY TO THE TEXT OF THE FUTURE LAND USE ELEMENT WITHIN THE WINTER PARK HOSPITAL STUDY AREA "C" SO AS TO ALLOW FOR A BUILDING FLOOR AREA RATIO OF UP TO NINETY-EIGHT (98%) PERCENT, CONDITIONED UPON USE FOR HEALTH AND WELLNESS RELATED USES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO CHANGE WITHIN SECTION 58-72 OFFICE (O-1) DISTRICT, SUBSECTION (F) DEVELOPMENT STANDARDS SO AS TO ALLOW FOR A BUILDING FLOOR AREA RATIO OF UP TO NINETY-EIGHT (98%) PERCENT, CONDITIONED UPON USE FOR HEALTH AND WELLNESS RELATED USES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE

OFFICE (O-2) DISTRICT ZONING TO OFFICE (O-1) DISTRICT ZONING ON A PORTION OF THE PROPERTY AT 2010 MIZELL AVENUE AND THE PROPERTIES AT 1992 MIZELL AVENUE, 101 S. EDINBURGH DRIVE AND 149 S. EDINBURGH DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

- Preliminary conditional use approval to redevelop the Wellness Center property at 2005 Mizell Avenue and the adjacent streets with a new two-story, approximately 78,000 square foot "Project Wellness" facility consisting of a new 44,000 square foot Wellness Center, 34,000 square feet of medical/public space, and a companion parking garage with 265 spaces, on property zoned O-1.

City Attorney Ardaman read all the ordinances by title. Planning Manager Jeff Briggs summarized the request, and the need for the Commission to act on three ordinances and the preliminary conditional use approval. He stated if everything is approved this evening, because the text of the comprehensive plan is being amended, this has to be sent to Tallahassee for their review; therefore the second readings will not take place until sometime next year.

Mr. Briggs stated besides the formal recommendations on each item, the Planning and Zoning Board spent a lot of time addressing the interconnection of this project with the surrounding properties; Ward Park, Winter Park Hospital, and Lakemont and Mizell Avenues. The P&Z saw a need for the City to take the lead with looking at the street section in terms of pedestrian access, new crosswalks, etc. He stated that roadways will be vacated, and new roadways will be dedicated to the City once the road construction is finalized.

Patty Maddox, Winter Park Health Foundation President and CEO, addressed the vision for the project and the enhancements to the neighborhood. Architect Turan Duda of Durham, North Carolina addressed the programmatic design for "Project Wellness".

Attorney Becky Wilson explained their requests regarding the comprehensive plan text amendment, the zoning code text amendment, the rezoning of portions of the properties, and the preliminary conditional use approval. She spoke about the roads to be vacated and dedicated to the City. She stated a traffic analysis has been done and their recommendation was a turn lane at Mizell Avenue. She commented about Ward Park and the priority of a connection from the building into the park. Planning Director Dori Stone stated there are no City capital improvement funds dedicated at this time for improvements to Ward Park.

Upon discussion, Ms. Wilson agreed to change the language of the first ordinance, second page, third line where it states "redevelopment of this block" to read "redevelopment of 2005 Mizell Avenue".

The following spoke in favor of the project:
Harold Barley, 1671 Oakhurst Avenue
Kurt Wood, Glencoe Road, Winter Park Health Foundation
Keith Piazza, 2409 Whitehall Circle

Motion made by Commissioner McMacken to accept the comprehensive plan ordinance on first reading with the word change from "this block" to "2005 Mizell Avenue"; seconded by Vice Mayor Sprinkel. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

Motion made by Commissioner McMacken to accept the first zoning ordinance on first reading; seconded by Vice Mayor Sprinkel. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

Motion made by Commissioner McMacken to accept the second zoning ordinance on first reading; seconded by Vice Mayor Sprinkel. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

Motion made by Commissioner McMacken to approve the preliminary conditional use with the Planning and Zoning Board conditions; seconded by Vice Mayor Sprinkel. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

d. Request of Benjamin Partners, Ltd.:

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 DESIGNATIONS OF COMMERCIAL AND LOW DENSITY RESIDENTIAL TO PLANNED DEVELOPMENT FUTURE LAND USE ON THE PROPERTIES AT 1531 LEE ROAD AND 1325 LEWIS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

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 COMMERCIAL (C-3) AND LOW DENSITY RESIDENTIAL (R-2) DISTRICT DESIGNATIONS TO PLANNED DEVELOPMENT (PD-2) DISTRICT ZONING ON THE PROPERTIES AT 1531 LEE ROAD AND 1325 LEWIS DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney Ardaman read the ordinances by title. Planning Manager Jeff Briggs explained the requests for the properties at 1325 Lewis Drive and 1531 Lee Road that the applicant acquired to add to the Ravaudage development. He stated that

the Planning and Zoning Board recommended approval. No public comments were made.

Motion made by Commissioner Cooper to accept the comprehensive plan ordinance on first reading; seconded by Commissioner Seidel. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

Motion made by Commissioner McMacken to accept the zoning map change ordinance on first reading; seconded by Commissioner Cooper. Upon a roll call vote, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

- e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE I, CHAPTER 70, SECTION 70-10 OF THE CODE OF ORDINANCES REGARDING PEDDLERS, HAWKERS AND SOLICITORS BY CREATING REGULATIONS FOR STREET PERFORMERS IN CERTAIN DESIGNATED AREAS OF THE CITY; PROVIDING LEGISLATIVE FINDINGS OF THE CITY; PROVIDING ADDITIONAL DEFINITIONS; PROVIDING FOR PROHIBITIONS AND UNLAWFUL ACTS OF STREET PERFORMERS; PROVIDING AMPLE ALTERNATIVE CHANNELS RELATING TO PERFORMANCE AREAS; PROVIDING PENALTIES; AND PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. First Reading

City Attorney Ardaman read the ordinance by title. Fire Chief Jim White explained the problems that have occurred with activity of street performers especially on the Park Avenue area. He addressed the ordinance that the Park Avenue Merchant's Association and the Parks and Recreation Board worked on to create performance areas for the safe performance of individuals. He spoke about individuals currently being unregulated because they do not obtain permits, and safety issues with blocking the sidewalks and individuals seeking donations. He showed a video of an individual violating the current ordinance involving amplified music, blocking the sidewalk, and holding a special event without a permit. He reported other problems with individuals setting up in closed stores alcoves without permission.

Fire Chief White stated the ordinance went before the Parks Board because of the consideration to utilize Central Park as a performance area; the Board amended the ordinance to not restrict certain areas in the park. He commented that City Manager Knight has the flexibility to adjust this as needed in case of an event taking place in the park. He explained they would still need a permit if they are soliciting and if it is a larger event they need to go through the special event permitting process. He outlined the designated prohibited areas as stipulated in the ordinance and alternative locations if the park is closed to include the park located at Park and Whipple Avenues and in front of City Hall. He explained that violators will be asked to relocate and if they chose not to they will be issued a Notice of Violation and be required to go before the Code Enforcement Board.

Upon questioning by Commissioner McMacken, discussion ensued regarding the process of removing individuals if they do not cooperate, why City Hall was considered an alternate and not a base, certain activities that will still be allowed on Park Avenue such as the Salvation Army bell ringers, and that the City of St. Augustine ordinance that we are modeling this ordinance after has deemed to be sufficient in case of a challenge.

Commissioner Cooper asked if specifying particular locations within Central Park is legally defensible because of concerns with children playing in the park. Chief White stated after hearing the legal side of this it was determined the broader we make the opportunity the more likely this will be successful. He stated the ordinance can always be amended if the need arises.

Commissioner Seidel posed questions that were clarified concerning our codes with amplified music, blocking the sidewalk, other people soliciting money, the vote of the Park Avenue Merchant's Association having no dissenting comments, and when a permit is required.

Motion made by Commissioner McMacken to accept the ordinance as presented on first reading; seconded by Commissioner Seidel.

The following spoke in favor of the ordinance:

Linda Eriksson, 635 N. Interlachen Avenue
Karen Barber, 246 Rippling Lane
Nancy Shutts, 2010 Brandywine Drive (welcomed performers)

The following opposed the ordinance:

Larry Walker, Jr., 331 Scottsdale Square (balloon street performer) but was appreciative that they are welcomed in certain locations that he will obey.

Egberto Almenas, 1375 Lake Shadow Circle, Maitland (artist) stated he is welcomed and always receives positive comments.

Commissioner McMacken asked that we consider additional spaces on New England Avenue and that City Hall property be open more for this and not only when Central Park is closed.

Vice Mayor Sprinkel asked that when this comes back for second reading that data be provided concerning the number of performers, any problems experienced and when violations happened so she gains a better understanding as to how serious this is.

Motion amended by Commissioner Cooper that we specifically define places to include City Hall and parts within Central Park as opposed to the entire park before our next reading. Motion failed for lack of a second.

Upon a roll call vote on the main motion, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.

Public Comments (items not on the agenda):

No comments were made.

Recess

A recess was taken from 5:25 - 5:36 p.m.

- f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AMENDING SECTION 58-65 & 58-66 "RESIDENTIAL DISTRICTS "R-1AAA, R-1AA & R-1A," TO REMOVE AN UNNECESSARY DEED RESTRICTION REQUIREMENT TO STREAMLINE THE PERMITTING PROCESS, AMENDING SECTION 58-71 GENERAL PROVISIONS FOR RESIDENTIAL ZONING DISTRICTS SO AS TO ESTABLISH REAR SETBACKS FOR SINGLE FAMILY RESIDENTIAL PROPERTIES WITH SHORT LOT DEPTHS, AMENDING SECTION 58-67 "LOW DENSITY RESIDENTIAL (R-2) DISTRICT" TO CORRECT A SINGLE FAMILY DWELLING COVERAGE ERROR AND MODIFY CERTAIN MISCELLANEOUS RESIDENTIAL PROVISIONS IN SECTIONS 58-65, 58-66 & 58-71; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

City Attorney Ardaman read the ordinance by title. Building Director George Wiggins explained the content of the ordinance and that this ordinance originally came before the Commission on August 25, 2014 but was tabled due to concerns over density. The proposed ordinance provides appropriate rear and front setbacks to single family residential lots that are unusually short in lot depth. In addition, four other minor items are addressed to clarify and refine single family zoning rules for garages and articulation, elimination of an unneeded deed restriction requirement and correction of an error in the R-2 Zoning District.

Clarifications were made pertaining to portions of the ordinance. Commissioner Cooper spoke about single family homes that are built close to each other because of the setback and expressed concerns with 105' deep lots being shoved up to within 10' of the property line. Commissioner McMacken commented about not having a problem with a home being close to the property line.

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

Motion amended by Commissioner Seidel to have a third front facing garage there must be a minimum lot width of 100' (add to #4); seconded by Commissioner McMacken.

Vice Mayor Sprinkel expressed concerns with not having data to support the ordinance and did not want to pass the ordinance without knowing what the problems have been and how many people have been turned down for a variance. Mr. Wiggins explained properties having issues with the current ordinance that

applied for a variance. He explained that the Board of Adjustments has difficulty with granting variances for narrow lots because they are only looking at unique hardships for a particular lot. Commissioner Cooper stated she is more comfortable with asking the property owners that are impacted to go before the Board of Adjustments for a variance instead of granting reduced setbacks between neighbors across the board for everyone.

Zach Seybold, 2494 Whitehall Circle, Chairman of the Orange County Board of Zoning and Adjustment, and real estate broker, spoke about people being discouraged from applying for a property to be redeveloped which is why there is no data. He explained how the County handles this.

John (Jack) H. Rogers, 311 E. Morse Boulevard, opposed the ordinance because of the need for more study. He spoke about this pertaining to hundreds of lots and that young people can afford smaller homes on lots like this because they are affordable.

Motion made by Commissioner Seidel to table this item until staff can bring back the data; seconded by Commissioner Cooper. Commissioner Seidel stated he would like actual numbers for the 75' deep and the 105' deep lots that are affected. He also commented that maybe this could be done in certain zonings. **Upon a roll call vote to table, Vice Mayor Sprinkel and Commissioners Seidel, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote.**

g. Historic Preservation:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE VIII, "HISTORIC PRESERVATION" TO PROVIDE CLARITY, IMPROVE THE FUNCTIONALITY, AND REVISE THE PROCESS AND PROCEDURES FOR THE HISTORIC PRESERVATION BOARD AND STAFF, THE DESIGNATION OF HISTORIC LANDMARKS, HISTORIC RESOURCES AND HISTORIC DISTRICTS, THE REGULATION, ADMINISTRATION AND ENFORCEMENT CONCERNING SUCH DESIGNATED LANDMARKS, RESOURCES AND DISTRICTS, AND THE CERTIFICATE OF REVIEW PROCESS; CREATING PROCEDURES FOR THE DEMOLITION OF PROPERTIES IDENTIFIED IN THE FLORIDA MASTER SITE FILE AND HISTORIC SURVEY; AMENDING PROVISIONS REGARDING TAX EXEMPTIONS FOR HISTORIC PROPERTIES; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. First Reading

City Attorney Ardaman read the ordinance by title. Planning Director Dori Stone stated the ordinance contains all the amendments made to the ordinance at the prior meeting and are reflective of the vote taken. She stated the ordinance also contains clarification that multi owners on a property must agree how their vote will go with regard to the creation of a district and that each property owner only gets one vote.

Vice Mayor Sprinkel asked if there is a provision for a vote to take place for a historic district. Ms. Stone replied that each property owner is sent a ballot in the mail. After the ordinance is adopted, the Historic Preservation Board wants to put together a set of rules; it was discussed to make the vote in a sealed envelope sent to the City Clerk's Office to be opened on a date certain.

The master file list was addressed by Vice Mayor Sprinkel. She spoke about residents not understanding how they got on the list and how the list works now and will in the future. She asked that information be provided so people understand whether or not they qualify to be on the master file list. Ms. Stone stated the contributing properties listed on the Florida Master Site File Survey was created in 2000 and recommended that the list be updated by a professional who is very knowledgeable about historic preservation and historic elements of a home. She explained the process for being included on the master site file.

Commissioner Cooper addressed the importance to incentivize the homes in Winter Park that are on the list. Ms. Stone addressed the resolution on the next agenda regarding incentives. Further discussion ensued regarding districts.

The following spoke in opposition to the ordinance:

Bill Sullivan, 1562 Richmond Road
Nancy Shutts, 2010 Brandywine Drive
Zach Seybold, 2492 Whitehall Circle
Jennifer Tobin, Shutts & Bowen LLP, representing John & Connie Cox, 181 Virginia
Diana Almodovar, P.O. Box 452, Winter Park
Peter Weldon, 700 Via Lombardy
Jeffrey Hale, 1640 Palmer Avenue

The following spoke in favor of the ordinance:

Linda Eriksson, 535 N. Interlachen Avenue
Karen Barber, 246 Rippling Lane
Betsy Owens, Casa Feliz, 656 Park Avenue
Rebecca Talbert, 3024 Northwood Boulevard
John (Jack) Rogers, 311 E. Morse Boulevard
Thad Seymour, 1804 Summerfield Road
Sally Flynn, 1400 Highland

Motion made by Commissioner McMacken to accept the ordinance on first reading as presented in the packet; seconded by Commissioner Seidel.

Motion amended by Commissioner Cooper that for the 130 premier "A" list properties we revert to the 90 day waiting period. Motion failed for lack of a second.

Motion amended by Vice Mayor Sprinkel that the 50% plus 1 go back to 67% for historic districts. Motion failed for lack of a second.

Upon a roll call vote on the main motion, Vice Mayor Sprinkel voted no. Commissioners Seidel, Cooper and McMacken voted yes. The motion carried with a 3-1 vote.

City Commission Reports:

a. Commissioner Seidel – Spoke about the need for more discussions regarding traffic.

b. Commissioner Sprinkel – Expressed Thanksgiving wishes and spoke about the outstanding City staff that she is grateful for.

c. Commissioner Cooper – Addressed concerns with the properties surrounded by Ravaudage that are not a part of Ravaudage. She asked how we afford the holdout businesses the opportunity to develop and become part of the community they are surrounded by. She stated she would like to discuss this with the Commission if they are ever asked about it by a property owner.

d. Commissioner McMacken – Spoke about an email from the Lakes and Waterways Board regarding Lake Bell falling into the same category as lakes that are 40 acres and above. City Manager Knight stated that staff is looking into that. Commissioner McMacken spoke about the Sunday Sentinel Signature Magazine article about Orwin Manor.

The meeting adjourned at 8:11 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME SEIDEL, Greg	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY COMMISSION
MAILING ADDRESS 1250 RICHMOND ROAD	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY WINTER PARK Orange	NAME OF POLITICAL SUBDIVISION: CITY OF WINTER PARK
DATE ON WHICH VOTE OCCURRED NOVEMBER 23, 2015	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Greg Seidel, hereby disclose that on November 23, 20 15:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

CONSENT Agenda items 'b' 12 + 13

11/23/15
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.