

REGULAR MEETING OF THE CITY COMMISSION
April 24, 2017

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. Mayor Leary addressed the loss of Commissioner Sprinkel's mother this week and asked for a moment of silence. The invocation was provided by Dr. James Doggette, Patmos Chapel Seventh-Day Adventist Church, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Pete Weldon

Also present:

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

Approval of the agenda

Motion made by Commissioner Cooper to approve the agenda; seconded by Commissioner Weldon and carried with a 5-0 vote.

Mayor's Report

a. 2017 Historic Preservation Board awards

Genean McKinnon, Historic Preservation Board presented along with Mayor Leary the following awards: 1) Excellence in Residential Renovation- Geer-Van den Berg House @ 138 Detmar Drive (Rob and Stacey Panepinto, owners); 2) Excellence in Residential Renovation- Maher Home @ 616 Seminole Drive (Michael and Diane Maher, owners); 3) Excellence in Commercial Renovation- Woman's Club of Winter Park @ 419 S. Interlachen Avenue; 4) Excellence in Adaptive Reuse- The Ninth Grade Center, 1923; 528 Huntington Avenue (Joie Cadle, OCSB Commissioner, District 1 accepted the award); and Exceptional Individual Making Notable Contribution/Achievement to Historical Preservation in Winter Park - Frank Roark, General Contractor.

City Manager's Report

a. Preview – "We Are Winter Park" short film

Assistant Communications Director Craig O'Neal presented the two minute sneak peek preview of "We Are Winter Park". He stated the entire 20 minute film can be viewed on our website.

City Manager Knight stated the library appeal period ended last week and since there was no appeal they can move forward with the library/events center.

City Manager Knight addressed a rumor that the City Commission is looking to change the name of Martin Luther King, Jr. Park that is not true.

City Attorney's Report

Attorney Ardaman stated that the appeal period is over and have not seen an appeal.

Attorney Ardaman addressed meeting with the City Manager about the charitable contribution mechanism issue. He stated they are recommending that the City create their own 501c3 and will bring back alternative mechanisms for any controls and how the Commission would control those mechanisms. He addressed the cost associated with creating the 501c3 and that they believed the City can administer this so they do not need new employees to manage and operate the 501c3.

There was a consensus to proceed with this, bring back options on what type of input and types of controls, and how to control this. Mayor Leary addressed the library having their own foundation for people to contribute to.

Non-Action Item

No items.

Consent Agenda

- a. Approve the minutes of April 10, 2017. **PULLED FOR DISCUSSION BY COMMISSIONERS SEIDEL AND COOPER. SEE BELOW.**
- b. Approve the following purchases, contracts, and formal solicitations:
 1. PR161913 to Brown & Brown of Florida, Inc. for 2017-2018 Insurance Premiums; \$308,239.
 2. Purchase of Yale Veracitor Pneumatic Tire Forklift from MacKinnon Equipment & Services; \$89,795.70; and authorize the Mayor to execute agreement.
 3. Second and final renewal of IFB-12-2011 with Integrated Systems of Florida, Inc. - Electronic Security, Access & Monitoring for Water Plants; \$10,359.58.
 4. Contract with Anixter, Inc., IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.
 5. Contract with Electric Supply of Tampa, IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.
 6. Contract with Gresco Utility Supply, Inc., IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.
 7. Contract with Irby Utilities, IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.
 8. Contract with Tri-State Utility Products, IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.
 9. Contract with Wesco Distribution, Inc., IFB-8-2017 - Electric Utility Materials; and authorize the Mayor to execute the contract.

- c. Authorize staff to sell the property located at 1111 W. Fairbanks Avenue minus the land needed for additional roadway right-of-way along Fairbanks Avenue. **PULLED FOR DISCUSSION BY COMMISSIONERS SEIDEL AND COOPER. SEE BELOW.**
- d. Approve the execution of the HuntonBrady Architects agreement, with such changes as may be required upon the final review and approval by the City Attorney. **PULLED FOR DISCUSSION BY COMMISSIONER SEIDEL. SEE BELOW.**
- e. Approve the FY 2017 budget amendments for Water & Sewer, CRA, Capital Fund and Building Department.

Motion made by Commissioner Sprinkel to approve Consent Agenda Items 'b' and 'e'; seconded by Mayor Leary and carried unanimously with a 5-0 vote. No public comments were made.

Consent Agenda Item 'a' – Minutes

Commissioner Seidel asked for clarification under his report regarding his meeting with Duke Energy and that he should go through the City Manager. He stated there are times he is meeting with others for his job and would like to be to speak to them at that time which does not allow time to go through the City Manager. He asked if there is anything in our code that says they are not allowed to meet with certain individuals and wanted to make sure he was acting appropriately.

Mayor Leary addressed the Charter. He spoke about the challenges from a protocol standpoint, the remainder of the Commission not knowing what you are doing there and how you are representing them because they have not previously agreed on things taken to them, and that some Commissioners may not agree with what he is doing. In conclusion, questions should always be posed through staff.

Commissioner Cooper asked to change the word commercial 'property' (page 3) to 'parking'.

Motion made by Commissioner Cooper to approve Consent Agenda Item 'a', Minutes, with her change; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. No public comments were made.

Consent Agenda Item 'c'

This item was pulled by Commissioners Cooper and Seidel. He expressed concerns that they are entering into an evaluation of MLK Park and have not yet received public comment. Commissioner Cooper provided an excerpt from our CRA Plan Amendment that speaks to an expansion of Lake Island Park being proposed and believed this needed more public discussion.

Motion made by Commissioner Cooper to table this until it goes back through the Parks Board and through proper discussions in light of the

adopted CRA plan; seconded by Commissioner Seidel. City Manager Knight clarified the CRA Plan stated east of Ward Avenue to Denning and that the bowling alley property is west of Ward Avenue. **Upon a roll call vote to table, Mayor Leary and Commissioners Sprinkel and Weldon voted no. Commissioner Seidel and Cooper voted yes. The motion failed with a 3-2 vote.**

Forest Michael, spoke in opposition to the sale of the property as he wanted to see more park land. He submitted a paper regarding MLK Park and downtown parking garage considerations.

Peter Gottfried, Carollee Lane, asked to postpone a decision until it goes back to the Parks Board for consideration.

After comments, **motion made by Commissioner Seidel to not approve (deny) the sale until we wait until the completion of the library plans and park evaluation; seconded by Commissioner Cooper.**

Motion made by Commissioner Sprinkel to approve Consent Agenda Item 'c'; seconded by Mayor Leary.

Motion amended by Commissioner Cooper to approve it contingent upon the completion of the design for the library and MLK Park; seconded by Commissioner Seidel.

Commissioner Sprinkel spoke about the contract in place with Rollins College using the field and the other properties that would have to be acquired costing millions which is why she changed her mind about using City funds for this purpose. Commissioner Weldon addressed his support of the sale of this property and was in favor of spending available resources to improve and expand our parks. Mayor Leary stated the initial purpose of this property was almost singularly for the right-of-way turn lane acquiring for and that they currently have parkland (playing fields) that they are challenged to keep up with and did believe this to be the proper time to add to that.

Upon a roll call vote to not approve (deny), Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote for the amendment, Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote to approve the sale, Mayor Leary and Commissioners Sprinkel and Weldon voted yes. Commissioners Seidel and Cooper voted no. The motion carried with a 3-2 vote.

Consent Agenda Item 'd'

This was pulled from the Consent Agenda by Commissioner Seidel. He addressed the original budget for the library/events center and the \$3.45 million contingency for the bond referendum that helped get them to the \$30 million. He spoke about stormwater being a contingency. He stated he wanted to approve the \$30 million budget because he believed the project will go over the \$27.5 million budget and wanted the source for the money dealing with overages in the future to not come out of the general fund or other City fund. City Manager Knight summarized the original budget. Mayor Leary commented he is comfortable with this number because of the fundraising efforts going on.

Commissioner Cooper asked about the decision whether we would allow bonds to be designated for the local community. City Manager Knight addressed his conversation with the financial advisor who has determined it is not easy to do without driving up the cost so he decided to move forward with the competitive sale and to encourage the winner to make bonds available to anyone local that would like to acquire it.

Motion made by Commissioner Seidel to approve Consent Agenda Item 'd'; seconded by Mayor Leary. Dan McIntosh, on behalf of Library Board of Trustees, spoke in support of approval and that they want as magnificent a project they can get and an increase to \$30 million would be great for the library. He stated they are committed to raising \$2.5 million but hopefully more. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

a. 301 W. Comstock Avenue NOD Offers

Planning Director Dori Stone addressed the two proposals submitted regarding the NOD issued. She stated the original proposals were \$425,000 and \$370,000 so staff was directed to go back to each bidder and ask for at least the appraised value of the property. Two new bids were received: Winter Park Redevelopment Agency LTD, \$456,000; and for Rowland and Company LLC, \$455,000; both exceeded the appraised value. Ms. Stone clarified the Commission is not approving the project but will be recommending a buyer and will be entering into a contract and ordinance to transfer the property if approved. She stated the Commission can continue to market the property if neither bid is acceptable or can chose not to accept any bids and begin another process.

Motion made by Mayor Leary to approve the higher bid of \$456,000 with the Winter Park Redevelopment Agency LTD; seconded by Commissioner Sprinkel.

Commissioner Seidel addressed prior discussions regarding the need for parking spaces at the David Weekly Homes site that he wanted to see incorporated. He stated it appears they are taking the higher bidder that he believed was not the intent in the beginning. Ms. Stone stated when the Commission sent it back out to take the highest bidder, they were taking the highest bidder. She addressed that the Winter Park Redevelopment Agency LTD added in parking spaces for the townhouse project (was in the NOD) and Rowland did not offer those spaces which led staff to lean toward the Winter Park Redevelopment Agency.

Commissioner Cooper expressed the need to stipulate precisely the things they know are important to them when the NOD is issued. She read from the NOD that the City can reject any and all proposals for any reason and the amount of the monetary bid shall not be the exclusive determinate of any decision to sell. She stated she still does not want to sell the property and summarized the pros and cons of what was submitted to them. It was clarified that approving this is not approving any site plan but that it would go through the regular process for approval.

Attorney Rosemary Hayes, representing Rowland and Company, commented that her client on Friday morning, April 14 submitted a revised best and final offer for \$455,000. She stated that the other bidder responded that they would pay \$450,000 as their final and best offer or \$1,000 more than anyone else. She clarified their final offer was \$450,000; not \$456,000. She concluded that the process for her client has been unreasonable and that they had the best and final offer.

Dan Bellows, representing Winter Park Redevelopment Agency LTD, spoke about keeping trees on the western property line and the additional parking for the David Weekly townhomes. He addressed submitting his bid on time and that his was the highest bid but that his bid of \$425,000 should have been accepted.

Further discussion ensued regarding the process followed.

Peter Gottfried, 1841 Carollee Lane, stated they need to plan for the property before selling it.

Forest Michael, 358 W. Comstock, disagreed with selling this property.

Commissioner Cooper addressed her concerns with shared ingress/egress with the office property that comes with the triangular structure, the parking that appears to be more than necessary for the residential, and it's in proximity to an office that is being redone.

Motion made by Commissioner Cooper to sell half of the property that is facing Comstock, keep the half and the triangular portion for the residents as greenspace or whatever it is needed for. Motion failed for lack of a second.

Upon a roll call on the main motion to approve the higher bid of \$456,000 with the Winter Park Redevelopment Agency LTD; Mayor Leary and Commissioner Weldon voted yes. Commissioners Seidel, Sprinkel and Cooper voted no. The motion failed with a 3-2 vote.

Motion made by Commissioner Cooper to sell the property to Rowland and Company LLC. Motion failed for lack of a second.

Public comments (items not on the agenda)

No comments were made.

b. Community Paramedicine Program – Fire Rescue

Fire Chief Jim White provided a summary of the program to improve the health of City residents by defining gaps in healthcare for some residents causing an increase in 9-1-1 use. He addressed increased EMS transports and the City's partnerships with Winter Park Health Foundation, Florida Hospital, GuideWell Health, and multiple Human Services Agencies. He spoke about anticipated outcomes to improve services, necessary funding for a fulltime civilian paramedic, and an initial budget, including personnel costs not to exceed \$100,000. In conclusion, Chief White asked for approval of the program and to establish a corresponding budget adjustment that reflects revenues and expenses associated with the program through the remainder of FY 2017.

Commissioner Weldon addressed the opportunity for the effectiveness and efficiency of the City's Fire Rescue operations as well as the ability to improve response to individual resident health circumstances. He proposed: to evaluate the ability of follow-up visits to residents requesting 9-1-1 service who do not need transport to reduce unneeded 9-1-1 responses; and to evaluate the ability of follow-up visits to residents requesting 9-1-1 service who do not need transport to provide measurable benefits to such residents health. He believed there should be limitations on the structure of this as a Pilot Program and if the results come back positive in this area he will support increased funding and responses where they can lobby the other healthcare providers in our community to come on board where they can identify and document the extent of the program.

In conclusion, the limitations he suggested were: that the program be limited to Winter Park residents who have received 9-1-1 responses more than once within a year that did not need transport; and limitations of no more than 25 residents to be followed; to develop policies and procedures for interaction with residents included within the Pilot Program; develop procedures to record specific data on each resident visit; develop means of measuring the number of 9-1-1 calls avoided that result from the program; develop means of measuring and reporting resident outcomes that result from the program; and that the development issues be developed and approved by the City Commission prior to initiation of a Pilot Program.

Fire Chief White stated they are acceptable to come back with more specific procedures and implementation processes. Mayor Leary spoke about necessary procedures to make sure this program is controlled. Commissioner Sprinkel wanted this to be a part of the regular budget.

Motion made by Commissioner Seidel that we implement the program and provide us a report in six months on how it is going and if Fire Chief White would like to meet with Commissioner Weldon on what he wants to see to include that in the six month report; seconded by Commissioner Cooper.

Motion amended by Commissioner Weldon to limit the limitation only to Winter Park residents who have received 9-1-1 responses more than once within a year; seconded by Commissioner Sprinkel.

No public comments were made.

Dr. Todd Husty, Winter Park Medical Director, spoke in favor of approval of the program.

Upon a roll call vote on the amendment, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the main motion with the amendment, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Public Hearings:

- a. ORDINANCE NO. 3075-17: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO COMMUNICATIONS FACILITIES; AMENDING CHAPTER 40, ARTICLE IV OF THE CITY CODE OF ORDINANCES TO ADD AND AMEND REGULATIONS GOVERNING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY, INCLUDING BUT NOT LIMITED TO ADDING AND AMENDING CODE DEFINITIONS, PROVIDING FOR USE AND CONSTRUCTION OF CITY-OWNED STRUCTURES AND REAL PROPERTY FOR SITING OF COMMUNICATIONS FACILITIES, PROVIDING FOR REQUIREMENTS FOR PERMITTING, SAFETY, AESTHETICS, LOCATION, APPEALS, AND CITY AUTHORITY, AND REQUIRING PAYMENT OF CERTAIN FEES BY PASS-THROUGH PROVIDERS FOR USE OF THE RIGHTS-OF-WAY; AMENDING CHAPTER 58, ARTICLE VII OF THE CITY CODE OF ORDINANCES TO ADD AND AMEND REGULATIONS GOVERNING CITY APPROVAL OF COMMUNICATION TOWERS AND ANTENNAS, INCLUDING BUT NOT LIMITED TO ADDING AND AMENDING CODE DEFINITIONS, PROVIDING FOR REQUIREMENTS FOR PERMITTING, SAFETY, AESTHETICS, LOCATION, APPEALS, AND ADMINISTRATIVE APPROVAL OF CERTAIN FACILITY MODIFICATIONS AND ANTENNA CO-LOCATIONS; PROVIDING FOR AUTHORIZATION OF CITY STAFF, CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Mayor Leary to adopt the ordinance; seconded by Commissioner Weldon. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

- b. RESOLUTION NO. 2183-17: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING A PARTY MEMBERSHIP AGREEMENT AND ITS INCORPORATED INTERLOCAL AGREEMENT, IN ORDER TO JOIN THE FLORIDA RESILIENCY AND ENERGY DISTRICT'S PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM UNDER SECTION 163.08, FLORIDA STATUTES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

Attorney Ardaman read the resolution by title. Assistant Director of Building and Sustainability Kris Stenger provided the report and commented that this would be the last one.

Motion made by Commissioner Cooper to adopt the resolution; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

Recess

A recess was taken from 6:01 – 6:21.

- c. Request of Deshpande, Inc.: Subdivision approval to divide the properties at 839/841/851 West Canton Avenue into four single family lots, zoned R-1A.

Planning Manager Jeff Briggs summarized the request and the Planning and Zoning Board approval. He addressed the one condition that the homes have varying and diverse architecture. Commissioner Weldon reported he spoke with the attorney for the applicant at her request. Commissioners Cooper and Sprinkel also spoke with Attorney Tedrow.

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

Attorney Tara Tedrow, representing the applicant, provided a presentation outlining the location, surrounding properties, zoning, future land use, zoning test, subdivision complying with comprehensive plan, the option suggested by the City as they requested it fails to meet the comp plan test, they believe it meet the goals of the comp plan, information regarding comp plan analysis, aerial of the surrounding homes, Gardens at Park West, 2014 and the comp plan analysis, and their request for approval subject to staff's recommended condition of approval to

divide the property into four single family lots zoned R-1A and that the homes be of varying architecture.

Commissioner Seidel expressed concerns with the removal of trees. Architect Randall Slocum stated they identified the trees and that the camphor trees are not in good shape and was recommended not to be saved by the City's Urban Forester.

Mary Daniels, 650 Canton Avenue, asked about the entrance into the project and if there is a requirement for retention for dividing a lot with four homes. It was clarified this is only the lot split and do not have a site plan as of this time.

Michele Massoni-Dubac, 508 Balmoral Road, opposed the project because of density, street congestion and less parking in Winter Park and asked for three lots.

Commissioner Cooper spoke in support of staff's recommendation for three lots because of the new homes fronting Canton Avenue; next to these homes are 60.5', across the street are 54', are asking for 53' and preferred not to continue to gradually erode the frontage onto the street. Commissioner Seidel spoke in support of the four lots because of this request having smaller lots and smaller houses to provide more affordable houses and was in agreement with the trees not being saved.

Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

- d. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA AUTHORIZING A REVOLVING LINE OF CREDIT IN A PRINCIPAL AMOUNT NOT TO BE OUTSTANDING THEREUNDER AT ANY ONE TIME TO EXCEED \$8,000,000 WITH SUNTRUST BANK OR AN AFFILIATE THEREOF TO FINANCE WORKING CAPITAL NEEDS OF THE CITY'S ELECTRIC UTILITY SYSTEM AND TO PAY THE COSTS OF SUCH LINE OF CREDIT; APPROVING THE FORM OF A COMMERCIAL NOTE AND AGREEMENT TO COMMERCIAL NOTE; DELEGATING TO THE MAYOR OR CITY MANAGER THE AUTHORITY TO EXECUTE AND DELIVER THE COMMERCIAL NOTE, AGREEMENT TO COMMERCIAL NOTE AND ALL OTHER AGREEMENTS RELATED THERETO; PROVIDING OTHER DETAILS WITH RESPECT THERETO; AND PROVIDING AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title. Finance Director Wes Hamil addressed the ordinance and answered questions.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Weldon. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

- e. ORDINANCE NO. 3076-17: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE COMPREHENSIVE PLAN AND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT A NEW CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, SUBSTITUTING FOR THE CURRENT 2009 COMPREHENSIVE PLAN ADOPTED ON FEBRUARY 23, 2009 TOGETHER WITH ALL SUBSEQUENT AMENDMENTS THERETO; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title. Planning Director Dori Stone explained the process followed to date, why they update the comprehensive plan, the nine elements included, the City adoption process, the DEO concerns/comments and objections and the City's response. She summarized other amendments made by staff since the first reading which were policy clarifications or changes that were inadvertently left out or left in the document during transmittal, as well as new policies that staff recommended based on additional review of the GOPs to reflect existing conditions.

Commissioner Cooper asked for clarification regarding transportation concurrency and to use those levels of service in lieu of the road levels of service we currently have. Clif Tate, Kimley Horn and Associates addressed levels of service and road concurrency. He concluded that they cannot implement the old road concurrency but to place more emphasis on other options. He stated they are currently working on a mobility plan that does not include a mobility fee but there is an option if they like the mobility plan that could be a potential next step as a way to implement the fee. Commissioner Sprinkel clarified that the removal of concurrency for transportation out of the plan was because of the State removing it, not the city.

Upon questioning by Commissioner Weldon, Ms. Stone clarified that the height map or FAR has not been changed since 2009. She also clarified that they have removed R-4 High Density Residential completely from the comprehensive plan and removed PD-1 and PD2 entirely from the plan.

Ms. Stone explained the Medical Arts District reflects the Florida Hospital master plan adopted as part of the old comprehensive plan by reference, reflects the density and intensity of what the master plan has allowed as well as what the Commission has allowed under the conditional use process to be developed over the last 7 years, and reflects the boundaries of the new Wellness Center.

Commissioner Cooper expressed concerns giving the Medical Arts Districts more FAR and then allow residential to be built within the district. She explained her reasoning for the amendments below.

Motion made by Mayor Leary to adopt the ordinance to include all staff recommendations as presented; seconded by Commissioner Weldon.

(#1 amendment) Motion amended by Commissioner Cooper to delete workforce housing from the Medical Arts District in Policy 1-2.4.12; seconded by Commissioner Seidel.

(#2 amendment) Motion amended by Commissioner Cooper to add new Policy 1-G-23 to the CBD Planning Area; "The City shall preserve and enhance the village character of the Central Business District. Village attributes include the height

limitations of Map FLUM 1-03, medium density housing, mix of retail, restaurants and office, good public transit, open green spaces, proximity to public facilities and an overall emphasis on the pedestrian experience"; seconded by Commissioner Seidel.

(#3 amendment) Motion amended by Commissioner Cooper to add to the bottom of Policy 1-1.2.1 (Maintain Traditional Scale and Character) "The City shall exercise the conditional use and variance process in a manner that maintains Winter Park's traditional scale and character through compatible infill and redevelopment"; seconded by Commissioner Seidel.

(#4 amendment) Motion amended by Commissioner Cooper regarding Policy 1-1.1.3(9) (Require public notice prior to creation or expansion of CRA or CDD) to continue to include this policy requiring citywide notice to expand or establish a Community Redevelopment Area; seconded by Commissioner Seidel.

(#5 amendment) Motion amended by Commissioner Cooper regarding Table 1-2 NOT TO add PQP as a compatible land use in other designations but only include PQP zoning in Institutional land use only; seconded by Commissioner Seidel.

(#6 amendment) Motion amended by Commissioner Cooper to add in Policy 1-3.2.6 (90) (Planned Development Land Use) to add "single tenant retail in excess of 65,000 square feet is prohibited" to Commercial and Office and ultimately Mixed Use seconded by Commissioner Sprinkel.

(#7 amendment) Motion amended by Commissioner Cooper to add to Policy 1-5.2.8 (subdivision of Land and Lot Splits): "The City Commission in consideration of lot split requests may limit the Floor Area Ratio as a condition of approval in order to preserve neighborhood scale and character."; seconded by Commissioner Seidel.

(#8 amendment) Motion amended by Commissioner Cooper to add to Policy 6-2.4.4 (31) (Preservation of Central Park) "the city shall pursue expansion of Central Park by ongoing commitment to purchase existing Post Office property."; seconded by Commissioner Seidel.

(#9 amendment) Motion amended by Commissioner Cooper that we include the two policies in Planning Area H presented by Forest Michael that says: 1) "Encourage the preservation and conservation of historic Hannibal Square Community's cultural buildings and churches, homes and places along West Welbourne Avenue"; and 2) "Encourage educational and interpretive walking and bicycling tours throughout the Hannibal Square community for residents health."; seconded by Commissioner Seidel. Mayor Leary clarified that staff should determine the best place to place these.

The following spoke from the public concerning concerns with the comprehensive plan:

Ann Higbie, 190 Ward Drive
Ruth Heine, 2358 Summerfield Road
Beth Hall, 516 Sylvan Drive
Bob Bendick, 1211 Oxford Road
Donna Colado, 327 Beloit Avenue

Pat McDonald, 2348 Summerfield Road
Jack Rogers, 311 E. Morse Boulevard
John Rogers, 145 Lincoln Avenue (commercial property)
Vicki Krueger, 300 Carolina Avenue
Elizabeth Bosserman, 818 Antonette Avenue
Martha Bryant Hall, 331 W. Lyman Avenue (also speaking for: Donna and Robert Carter, 317 W. Lyman Avenue; Mary Daniels, 650 W. Canton Avenue; Andra Thomas, 514 W. Canton Avenue; Glenn Lenora Franklin, 445 W. Lyman Avenue)
Forest Michael, 358 W. Comstock Avenue (also speaking for: Ruden Shaw, 441 W. Virginia Avenue; and Maria Bryant, 450 S. Virginia Avenue)
Robert Trompke, 1702 Lochberry Road

After public comments closed, Commissioners offered their comments and Commissioner Cooper presented other amendments.

Motion amended by Commissioner Cooper regarding Policy 1-2.4.14 (Mixed use) to replace "will create" with staff's suggestion "shall explore." (a mixed use overlay for commercially designated parcels). Motion failed for lack of a second.

Motion amended by Commissioner Cooper regarding Policy 2-1.1.11 to not abandon road concurrency but instead replace "roads" with "multimodal transportation facilities." Motion failed for lack of a second.

There was discussion regarding Policy 6-1.1.1 Parks Level of Service and the word 'guarantee' that was removed. No motion made.

(#10 amendment) Motion amended by Commissioner Cooper regarding Policy 1.H.1.15 that the policy be deleted on Lyman Avenue that permits low density housing on the north side; seconded by Commissioner Sprinkel.

After further comments, the vote was taken as follows:

Upon a roll call vote on amendment #1, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on amendment #2, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on amendment #3, Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on amendment #4, Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on amendment #5, Mayor Leary and Commissioners Seidel, Sprinkel and Cooper voted yes. Commissioners Weldon voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on amendment #6, Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on amendment #7, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on amendment #8, Commissioners Seidel and Cooper voted yes. Mayor Leary and Commissioners Sprinkel and Weldon voted no. The motion failed with a 3-2 vote.

Upon a roll call vote on amendment #9, Commissioners Seidel, Sprinkel, and Cooper voted yes. Mayor Leary and Commissioner Weldon voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on amendment #10, Commissioners Seidel, Sprinkel, and Cooper voted yes. Mayor Leary and Commissioner Weldon voted no. The motion carried with a 3-2 vote.

Motion made by Commissioner Seidel to table this item until the May 8 meeting to allow time to obtain information from Mr. Bendick regarding his green plan; seconded by Commissioner Cooper. Upon a roll call vote, Commissioner Seidel voted yes. Mayor Leary and Commissioners Sprinkel, Cooper and Weldon voted no. The motion failed with a 4-1 vote.

Upon a roll call vote on the main motion to adopt the ordinance as presented with the amendments approved, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:

a. Commissioner Seidel - Addressed a meeting he had with the FDOT regarding the 17-92 PD&E where they determined it was a validation and not an update. He stated the FDOT was not 100% aware of some things happening on that corridor that was not included within their scope. He spoke about the work they are doing regarding drainage replacement for pipes. He stated staff was going to get with the FDOT to review the scope items and come back with what the expectations are and that he is going to monitor this.

Commissioner Seidel reported he attended the Winter Park High School Broadway show that was excellent to raise money for scholarships for the choir students.

Commissioner Seidel spoke about the interest the Chamber of Commerce has in SunRail and that Chamber President Ms. Eckbert asked him to get involved. He stated he wanted to set up a meeting with the CFO that runs SunRail and Ms. Eckbert and asked if the Commission has any issues with that. He stated he wants to see predictability with Saturday service and noticing to the public and believed he could help out while listening to discussions. Discussion ensued regarding concerns with Commissioners attending these types of meetings and the impression

that they are representing the City even though they may not be. After comments, Mayor Leary asked Commissioner Seidel to coordinate with the City Manager as to the scope of his conversations with FDOT and to work out a path to follow.

Commissioner Seidel addressed properties the City is selling. Mayor Leary asked the City Attorney to meet with staff to come up with a better process where the City is not faced with negotiating at the dais. There was a consensus for this to come back sometime in the next month. What should be included in a NOD was discussed.

Commissioner Seidel asked about the memorial he understood was going to go in the MLK Park and if that can be incorporated into the Park Master Plan.

b. Commissioner Sprinkel – Announced the upcoming valedictorian luncheon the library has every year. She spoke about sitting on the Library Board for the Commission and the number of meetings she is required to attend for other boards. She asked that Commissioners inform each other of their meetings and what they are doing.

c. Commissioner Cooper – Attended the America Bloom judges event who are evaluating the City on their criteria; and the Crummer 8th annual reunion was this weekend.

d. Commissioner Weldon – No report.


e. Mayor Leary – Expressed condolences to Commissioner Sprinkel for the loss of her mother.

The meeting adjourned at 9:40 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC