

**REGULAR MEETING OF THE CITY COMMISSION**  
**June 26, 2017**

The meeting of the Winter Park City Commission was called to order by Vice Mayor Pete Weldon, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Fire Chief Jim White; followed by the Pledge of Allegiance.

Members present:

Vice Mayor Pete Weldon  
Commissioner Greg Seidel  
Commissioner Sarah Sprinkel  
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight  
Debbie Wilkerson (for Clerk Bonham)  
City Attorney Kurt Ardaman

Absent:

Mayor Steve Leary

**Approval of the agenda**

City Manager Knight announced that public hearing 'c' has been pulled for the next meeting because the contract has not been finalized.

**Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Seidel and carried with a 4-0 vote.**

**Mayor's Report**

No report.

**City Manager's Report**

City Manager Knight reported that the purchaser of the Lee Road property has backed out of the deal so the property is back on the market. It was clarified that any new potential buyer will come back to the Commission for approval.

**City Attorney's Report**

Attorney Ardaman reported that the Governor signed the act regarding marijuana which is now the law that the State has preempted all matters related to the dispensaries to the Legislature but that the law allows the City to either ban dispensaries throughout the City or to regulate dispensaries consistent with how cities and local governments regulate pharmacies. He addressed a draft ordinance that would prohibit and ban them throughout the City that the Commission can consider after going through the Planning and Zoning Board. Commissioner Sprinkel asked that data be provided to them regarding the number of arrests for possession before the ordinance is adopted.

### **Non-Action Item**

No items.

### **Consent Agenda**

- a. Approve the minutes of June 12, 2017. **PULLED FROM AGENDA FOR DISCUSSION. SEE BELOW.**
- b. Confirm Daniel D'Alessandro as Electric Utility Director. **PULLED FROM AGENDA FOR DISCUSSION. SEE BELOW.**
- c. Approve the following purchase, contracts and formal solicitations:
  1. PR162185 to T.V. Diversified, Inc. for Upgrades, Repairs & Rehabilitation of Lift Station #55; \$106,734.80.
  2. Final Contract renewal of ITN-6-2013 (Utility Vegetation Management), The Davey Tree Expert Company; and authorize the Mayor to execute the amendment.
  3. Award RFP-13-2017, Continuing Contract for Concrete Services to Allcrete, Inc.; and authorize the Mayor to execute contract.
  4. Award RFP-13-2017, Continuing Contract for Concrete Services to CM Engineering Services Florida, PLLC and authorize the Mayor to execute contract.
  5. Award RFP-13-2017, Continuing Contract for Concrete Services to MCG Services, LLC and authorize the Mayor to execute contract.
  6. Authorize staff to enter into negotiations with Dix.Hite + Partners, Inc., RFQ-14-2017, Continuing Contract for Professional Landscape Architectural Services. **PULLED FROM AGENDA FOR DISCUSSION THROUGH ITEM 12. SEE BELOW.**
  7. Authorize staff to enter into negotiations with GAI Consultants, RFQ-14-2017, Continuing Contract for Professional Landscape Architectural Services.
  8. Authorize staff to enter into negotiations with S&ME, Inc., RFQ-14-2017, Continuing Contract for Professional Landscape Architectural Services.
  9. Authorize staff to enter into negotiations with Kimley-Horn & Associates, RFQ-15-2017, Continuing Contract for Professional Roadway Design Services.
  10. Authorize staff to enter into negotiations with Hanson Professional Services, RFQ-16-2017, Continuing Contract for Professional Green Planning & Engineering Services.
  11. Authorize staff to enter into negotiations with TLC Engineering for Architecture, RFQ-16-2017, Continuing Contract for Professional Green Planning & Engineering Services.
  12. Authorize staff to enter into negotiations with Vanasse Hangen Brustlin, Inc., RFQ-16-2017, Continuing Contract for Professional Green Planning & Engineering Services.
  13. Award to Irby Utilities, IFB-17-2017, purchase of Switchgears for Electric Utility; and authorize the Mayor to execute contract.
  14. Award to Wesco Distribution, IFB-17-2017, purchase of Switchgears for Electric Utility; and authorize the Mayor to execute contract.

Commissioner Seidel pulled Consent Agenda Items 'c' 6-12 because of conflict of interests. Form 8B is attached to the minutes.

Commissioner Cooper pulled Consent Agenda Item 'a', Minutes for discussion.

Commissioner Seidel pulled Consent Agenda 'b' for discussion.

**Motion made by Commissioner Sprinkel to approve Consent Agenda Items 'c', 1-5 and 13-14; seconded by Vice Mayor Weldon.** No public comments were made. **The motion carried unanimously with a 4-0 vote.**

**Consent Agenda Item 'a', Minutes:**

Commissioner Cooper asked to add under the social media policy "Commissioner Cooper submitted comments from the First Amendment Foundation based on their review of the proposed social media policy and asked that those comments be reviewed by City staff."

**Motion made by Commissioner Cooper to approve the minutes with the amendment; seconded by Commissioner Seidel and carried unanimously with a 4-0 vote.** No public comments were made.

**Consent Agenda Item 'b':**

City Manager Knight spoke about the great job Dan has done since being with the City and has earned the promotion as Director. Mr. D'Alessandro was praised by members of the Commission. No public comments were made.

**Motion made by Vice Mayor Weldon to approve Consent Agenda Item 'b'; seconded by Commissioner Cooper and carried unanimously with a 4-0 vote.** No public comments were made.

**Consent Agenda Items 'c', 6-12:**

**Motion made by Vice Mayor Weldon to approve Consent Agenda Item 'c' 6-12; seconded by Commissioner Sprinkel and carried with a 3-0 vote with Commissioner Seidel abstaining from voting due to a conflict of interest.**

**Action Items Requiring Discussion**

No items.

**Public Hearings:**

a. Request of Kim Neitzel:

ORDINANCE NO. 3078-17: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III,

"ZONING REGULATIONS" SECTION 58-72 "OFFICE (O-1) DISTRICT" AND SECTION 58-73 "OFFICE (O-2) DISTRICT" SO AS TO ALLOW VETERINARY CLINICS AS A PERMITTED USE SUBJECT TO LIMITATIONS ON A SINGLE TENANT BUILDING AND SEPARATION FROM RESIDENTIAL; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

**Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Cooper.** No public comments were made. **Upon a roll call vote, Vice Mayor Weldon and Commissioners Seidel, Sprinkel and Cooper voted yes. The motion carried unanimously with a 4-0 vote.**

- b. Request of the Dorough Brothers Properties LLC: Subdivision or lot split approval to divide the property at 331 S. Lakemont Avenue, zoned R-1A into two single family building lots fronting on Grinnell Terrace

Planning Manager Jeff Briggs addressed the property location, the lot sizes, the commitment to preserve the major specimen trees on site, the architectural diversity of the two homes to be built, and that no variances are required. Mr. Briggs spoke about the historic preservation program and that the owners did not want to put the property on the Winter Park historic register.

Commissioner Cooper spoke about the many people who would like to see the home preserved and asked if enough time has been spent assessing/evaluating the home to see if it is economically feasible to preserve its history.

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

Dale Cox, 11906 Provincial Way, Windermere, representing the applicant stated he has spoken with the City Architect and others and have spent a lot of time in reviewing and considering the history of the home. He introduced John Dorough (Dorough Brothers Properties), architect John Youngman, general contractor Greg Clarkson, his real estate broker, and real estate agent representing the seller. He stated that the real estate agent has gotten letters in favor of the demolition and lot split from the nearby residents.

He addressed the time spent with their architect and general contractor reviewing possibilities to include rehabilitation of the existing structure and other options for different structures if they were to demolish the home. He stated unfortunately they did not find where it made economic sense to move the home and would be very challenging so the building mover company was not interested in providing a bid if they found a location to move it to. He stated they have spent more than adequate time researching and evaluating the home and there is nothing else they would do if this request was delayed.



Commissioner Seidel asked Mr. Cox if they considered splitting the lot in an east/west direction as opposed to the north/south direction. Mr. Cox spoke about a rehab not making economic sense because of the condition of the home. Vice Mayor Weldon commented about the applicant doing everything possible to evaluate the property before coming up with their request. Mr. Cox stated they did not see anything in the home that warranted it to be historic. Commissioner Cooper expressed her preference that our city architect evaluates the inside of the home before moving forward with this request.

**Motion made by Commissioner Cooper that we table this time certain for our next meeting and give our City architect an opportunity to meet with Mr. Cox and actually go into the house. Motion failed for lack of a second.**

Planning Director Dori Stone addressed the historic preservation ordinance that allows them to ask permission to go into the house prior to demolition that will come through the building department. Mr. Weiss (City architect) will then contact the owners and ask permission to go in.

Jane Panchookian, Coldwell Banker, representing the property owner, read a letter from the owner where she stated they have no interest in putting the home on the historical register as there is no historical value in the house and that she is in support of demolishing the home and splitting the property. She spoke about the disrepair the house is in whereby no offers were made on the property. Vice Mayor Weldon asked her to provide copies of the letter submitted by the owner.

Jacob Stern, 2407 Forfarshire Drive, opposed the demolition of the house and spoke in favor of moving the house to another location.

Hilary Stalder, 2407 Forfarshire Drive, opposed the demolition of the house and spoke in favor of further investigating the historic designation.

Commissioner Seidel provided further comments regarding options for saving the home. Commissioner Sprinkel spoke about the home being in disrepair for many years and that they have gone through their due diligence and have done everything they can. She commented that she does not want to ask them to do more.

**Motion amended by Commissioner Seidel to allow the requestor the flexibility to make the decision whether to split the lot on an east/west bearing; seconded by Commissioner Cooper. Upon a roll call vote on the amendment, Commissioner Seidel and Cooper voted yes. Commissioner Sprinkel and Vice Mayor Weldon voted no.**

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

- c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED AT 301 WEST COMSTOCK AVENUE PURSUANT TO THE PROPOSAL ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. First Reading

This item was pulled from the agenda until July 10, 2017.

**PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)**

No comments were made.

**City Commission Reports:**

a. Commissioner Seidel – Reported receiving emails on the use of the Blake Yard property whereby staff is investigating the issue.

b. Commissioner Sprinkel – Asked for an update on Architect Sir David Adjaye's visit and where they are related to the City Foundation. City Manager Knight spoke about the public forum held by the architects last week and several meetings with stakeholders during the day. He addressed meetings being set up with individual Commissioners for those not able to attend.

Planning Director Stone spoke about the public forums, stakeholder meetings held on parking in downtown, and the strategic planning meeting with the community about parking. She addressed noticing the property owners and tenants within 1,500 feet of Orange Avenue and invited them to two stakeholder meetings with Logan Simpson to talk to them about Orange Avenue and Progress Point. They were held and are offering an open house to the community this week to review with them the Orange Avenue presentation provided last week. Commissioners Sprinkel and Cooper asked that they are made aware of what is happening before inviting the public to meetings or forums.

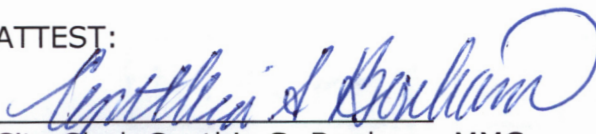
c. Commissioner Cooper – No report.

d. Vice Mayor Weldon – Spoke about the budget process coming forward, the CRA options being presented and the corridor studies underway. He looks forward to doing a lot of work on decisions to be made regarding priorities.

The meeting adjourned at 4:45 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 <b>SEIDEL, GREGORY STEPHEN</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>WINTER PARK CITY COMMISSION</b>	
MAILING ADDRESS <b>1250 RICHMOND ROAD</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>WINTER PARK</b>	COUNTY <b>ORANGE</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <del>JUNE 26, 2017</del> <b>JUNE 26, 2017</b>		NAME OF POLITICAL SUBDIVISION: <b>CITY OF WINTER PARK</b>	
		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, GREGORY S. SEIDEL, hereby disclose that on JUNE 26,, 20 17:

(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 9.C.6

9.C.7

9.C.8

9.C.9

9.C.10

9.C.11

9.C.12

6/26/17

Date Filed

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.