

REGULAR MEETING OF THE CITY COMMISSION
October 23, 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. The invocation was provided by David Williamson, Central Florida Freethought Community followed by the Pledge of Allegiance.

Members present:

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

Also Present:

City Manager Randy Knight
City Clerk Cynthia Bonham
City Attorney Dan Langley

Approval of agenda

City Manager Knight announced that public hearing items 'b' and 'c' are being pulled from the agenda. **Motion made by Commissioner Cooper to approve the agenda with the deletion of public hearings 'b' and 'c'; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

Mayor's Report

a. Week of the Family Proclamation

Mary Rahter, Week of the Family Foundation Chair, commented about the importance of family time together and the events the City sponsors to make that happen. Mayor Leary presented Ms. Rahter with a proclamation proclaiming November 4-11 as "Week of the Family".

City Manager's Report

City Manager Knight announced the Veteran's Day event scheduled for November 10 at 10:00 a.m.

Commissioner Seidel spoke about the quiet zones information on the City Manager's Report and offered to go with the City Manager to meet with FDOT to try and accelerate that project. He stated maybe the City could advance the FDOT funds to be repaid as an option to expedite the project. Discussion ensued that the FDOT portion is about \$1.4 million, the meeting would only be to investigate options and to obtain their schedule to see if the City has to wait another two years for the project to be completed or if the project can be jump started.

Assistant Public Works Director Don Marcotte addressed the agreements signed with the State and that FDOT's focus at this time is the second phase of SunRail so most of their contractors are working there. He stated if we had the funding we could go to bid to obtain other contractors to do the work quicker. Commissioner

Cooper agreed that Commissioner Seidel along with staff meet with FDOT. Upon further discussion, there was a general consensus that the City Manager and staff obtain more information from FDOT along with their schedule to provide to the Commission and then determine where to go from there.

City Manager Knight updated the Commission on debris removal throughout the City from Hurricane Irma.

City Attorney's Report

No report.

Non-Action Items

a. Update on Progress Point and Orange Avenue

Planning Director Dori Stone provided an update on what is being done on Orange Avenue and Progress Point and shared what staff has received from interested parties in the community. She addressed Progress Point and Orange Avenue being tied together and the comprehensive plan looking at Orange Avenue as a gateway corridor. She summarized the land use and zoning districts and some of the redevelopment improvements that have already taken place on Orange Avenue that they need to continue to encourage. She spoke about the City's property (Progress Point) that has the opportunity to set the tone for what happens in redevelopment along Orange Avenue.

Ms. Stone shared potential development scenarios for Orange Avenue in looking at a variety of uses. She summarized conceptual site plans submitted for preliminary discussions for possibilities on the site and the opportunities that each option has with a development price tag or anticipated return to the City based on the development potential. She also addressed the trade-offs that included public parking versus private parking, open space versus density, and scale and design standards. Ms. Stone spoke about what they can do today: create a public parking lot along the railroad to address parking concerns today (not to preclude future partnerships); or to sell part or all today as office or commercial; and/or if they should through a continued public process to create a mixed use district to apply to Progress Point and Orange Avenue.

Ms. Stone spoke about their six month timeline where they will continue to engage the large property owners along Orange Avenue for a more detailed discussion on the corridor. They will review the Orange Avenue streetscape project and look at future corridor potential (urban design, mobility, open space, and parking); and they will continue to move forward with a mixed use option for consideration by the Commission before selling the property (if that is decided) because of the benefit for the community for more open space and shared parking and parking options. They will also have dialog about height and size and activity and pedestrian activity.

Ms. Stone answered questions of the Commission. Mayor Leary wanted to also include the smaller property owners in the discussions. Commissioner Seidel asked if any property owners are willing to help pay for parking. Ms. Stone stated it is too early because they are not sure of what the solution is going to be and after that is decided by the Commission they can have those conversations.

Commissioner Seidel asked if there are any plans to reconfigure the area between Orlando Avenue and Denning Drive and if they could have an idea of an overall plan for this area in the six month timeline. Ms. Stone commented that Kimley Horn has been tasked with doing a scope for Orange Avenue to look at it from an urban design corridor as well as that transportation corridor that they have been asked to complete in 6-8 months.

Commissioner Cooper spoke about her preference to tackle the design standards for parcels of two acres and above. She spoke about the difference between greenspace and open space as related to providing amenities to the City and the importance of seeing the greenspace as you drive through the corridor. She stated that residents she has talked with prefers a medium scale density, the availability of green connectivity, visibility to greenspace within the projects, and if they consider anything above our current three story height map that covers the entire area there needs to be some type of meaningful benefit. Ms. Stone reminded the Commission that they can sell the property now if they choose to. Commissioner Cooper asked that moving forward for staff to include other information they are going to be discussing in the agenda packet.

Commissioner Sprinkel spoke about the need for parking there that needs to be considered when looking at the usage. She also expressed the need to improve how the Progress Point building currently looks. There was a consensus for staff to clean up the property for now.

Commissioner Weldon voiced his preference to build something compatible with Winter Park and to entertain something at least initially that would not involve risk for the City such as shared parking investments, etc.. He added that the opportunities for the Orange Avenue corridor become greater if they align Palmetto all the way down the railroad track and find a way to improve the intersection with 17/92 as a result. He stated a change in the zoning could be dependent upon swapping the street right-of-way for the existing property along the railroad track in exchange for a high density on the remaining property.

Consent Agenda

- a. Approve the October 9, 2017 minutes.
- b. Approve the following purchases over \$75,000:
 1. Approve PR18000141 to Intermedix Corp. for FY18 payment collection services for EMS billing. Amount: \$100,000.

2. Approve FY18 purchases from Core & Main, LP related to material utilized in the capital improvement of the Water/Wastewater Utility. Amount: \$500,000.
3. Approve FY18 purchases from Electric Supply of Tampa for underground wire/cable utilized in the citywide undergrounding program of the Electric Utility. Amount: \$600,000.
4. Approve FY18 purchases from Gresco Utility Supply for underground conduit utilized in the citywide undergrounding program of the Electric Utility. Amount: \$250,000.
5. Approve PR18000099 to Waste Pro of Florida for FY18 residential, commercial & construction solid waste disposal. Amount: \$3,030,000.
6. Approve FY17 BPO Change Order to Duke Energy for Electric Power Transmission. Amount: \$2,285,000.
7. Approve FY17 BPO Change Order to Florida Power & Light for Electric Power Transmission. Amount: \$940,000.
8. Approve FY17 BPO Change Order to Florida Power & Light for Bulk Power. Amount: \$10,460,000.
9. Approve FY17 BPO Change Order to ENCO for Call Center Services. Amount: \$105,000.
10. Approve FY17 BPO Change Order to Heart Utilities for Undergrounding & Other Electric Services. Amount: \$2,185,000.
- c. Approve the following piggyback contract:
 1. Approve the piggyback agreement of OUC contract #3601-2 OQ for purchase & delivery of Padmount Switchgears for citywide undergrounding program. Amount: \$275,000.
- d. Approve the following contracts:
 1. Approve Contract agreement with Magic Ice USA, Inc. for Winter in the Park. Amount: \$84,750.
 2. Approve Amendment 1 for RFQ-15-2016 - Leidos Engineering, LLC for Substation Consultant Services. Amount: As-Needed Basis.
 3. Approve Amendment 1 for RFQ-15-2016 - UC Synergetic, LLC for Substation Consultant Services. Amount: As Needed Basis.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Seidel. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

Action Items Requiring Discussion

a. City Manager Annual Review

Commissioner Seidel asked about the possibility of giving the City Manager a bonus in lieu of a salary increase. He spoke about his performance during the hurricane and caring about the City and residents that went above and beyond. He offered a 5% bonus for the extraordinary work he did this year in lieu of a raise or asked if you could do a combination of the two. After discussion about the 3% cap for all employees, Mayor Leary expressed concerns with a 5% bonus because of the 3%

cap imposed by the Commission but supported the bonus idea. Commissioner Weldon did not want to change the structure because of the way all employees are compensated. Commissioner Cooper stated she could entertain a bonus but not to be in lieu of the merit system in place.

Motion made by Commissioner Sprinkel to approve the 3% increase for the City Manager for the upcoming year; seconded by Commissioner Cooper. No public comments were made.

Commissioner Seidel stated he would like to be provided a salary evaluation for the City Manager for next year so they can compare to other cities. Mayor Leary thanked the City Manager and staff for their great work.

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

Public Hearings:

- a. Request of Condev Land LLC for 650 North New York Avenue:
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 DESIGNATION OF INSTITUTIONAL TO MEDIUM DENSITY RESIDENTIAL ON A PORTION OF THE PROPERTY AT 650 NORTH NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading
- Subdivision approval to divide or split the 2.38 acres of 650 North New York Avenue to create a northern parcel of 1.43 acres to be purchased by Condev Land LLC for use as a fee simple, 16-unit townhome project and to create a southern portion of 0.95 acres to be retained for potential reconstruction of the First Church of Christ Scientist.
 - Conditional Use approval to construct a fee simple, three-story, residential townhouse project of 16 units in eight separate two-unit duplex buildings with an average individual townhouse unit size of approximately 4,700 square feet and a total combined project size for the eight separate duplex buildings of 68,394 square feet, on property zoned R-3.

Attorney Langley read the ordinance by title. Commissioners Seidel and Weldon stated they met with Condev, Commissioner Cooper met with Condev and several residents, and Mayor Leary met with Condev and the parishioner of the church. Planning Manager Jeff Briggs provided the information regarding the request of Condev to purchase the north 63% of the block from the church which makes it necessary to change the comprehensive plan future land use from Institutional to Medium Density Multi-Family to match the R-3 zoning. He stated the Commission

has to approve dividing the property so the north piece can be purchased and the south piece will remain in the ownership of the church where a new church facility to be built on the southern third of the property. He stated the conditional use approval is necessary for the 16 unit multi-family project of three story townhouses. He addressed the variance for the parapet of 18" higher than code to install the air conditioning on the roof to be able to screen it. He elaborated on the other aspects of the project concerning parking and parking spaces, that the oak trees along Whipple and New York Avenue will be saved and will screen the project, and the setback on the third floor.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Weldon.

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

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

Commissioner Cooper expressed her preference to save the church because of it being a Gamble Rogers building and that it qualifies for the National Register. She spoke about the project being an asset to the community.

Chris Gardner, Condev, 1270 N. Orange Avenue, Winter Park, introduced others involved in the project. Scott Weber, ACI Architects, provided renderings of the proposed three story project where the second floor and third floor are setback 9' 4" as shown from various views.

The following spoke against the project:

Bunny Simmerson (church member) and Ronald Richards, 383 Sylvan Drive. Mrs. Simmerson provided a letter from the Florida Department of State saying the building is eligible for listing in the National Register of Historic Places at the local level under Criterion C for Architecture.

The following spoke in favor of the project:

Matthew Ardea (unknown spelling and no address given) (member of church)
Judy Lauser, (unknown spelling and no address given)
Nan Williams, 385 Grouse Court
Wendy Landry, architect and member of the church

Commissioner Seidel asked if a 60 day demolition notice would cause any issue. Mr. Gardner stated it has already been issued.

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

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE VI, "SUBDIVISION AND LOT CONSOLIDATION REGULATIONS" SO AS TO ESTABLISH MINIMUM CRITERIA AND STANDARDS FOR THE SUBDIVISION OR SPLIT OF THE LAKEFRONT PORTIONS OF PROPERTIES LOCATED ACROSS THE STREET FROM THE PRINCIPAL RESIDENCE, PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

This item was pulled from the agenda at the beginning of the meeting.

- c. Request of Deborah Crown and Brandon & Jenifer Lenox for subdivision or lot split approve to divide the lakefront portion of 1486 Alabama Drive

This item was pulled from the agenda at the beginning of the meeting.

- d. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AN EASEMENT LOCATED AT 841 W. CANTON AVENUE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 1859, PAGE 55, OFFICIAL RECORDS BOOK 1859, PAGE 90 AND OFFICIAL RECORDS BOOK 1859, PAGE 579, OF THE PUBLIC RECORDS OF ORANGE COUNTY, MORE PARTICULARLY DESCRIBED IN PLAT BOOK O, PAGE 140; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE. First Reading

Attorney Langley read the ordinance by title. City Manager Knight stated there are no known utilities in the easement so there are no objections from staff. Attorney Tara Tedrow, representing the applicant, explained the request and found no objections.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Cooper. 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. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2016 – 2017 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE First Reading

Attorney Langley read the ordinance by title. City Manager Knight explained these items were brought to the Commission during the year and is being cleaned up by this ordinance.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Cooper. 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.**

PUBLIC COMMENTS (Items not on the agenda):

Bill Lawton, 1228 N. Park Avenue, spoke about a Planning and Zoning Board hearing on October 3 that he attended concerning Dr. Allen Cohen who resides at 1204 N. Park Avenue that he thought would be at the Commission level this evening. Planning Manager Jeff Briggs explained the home has been approved and does not come before the Commission.

City Commission Reports:

Commissioner Seidel – Commissioner Seidel commented about the vote this evening concerning the church and that he hopes this goes well for them.

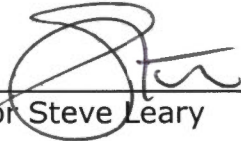
Commissioner Sprinkel – No report.

Commissioner Cooper – Commissioner Cooper asked if the historic list can be updated and would like the codes that will help them with tools relative to historic preservation. She hoped that something can be worked out to save the church.

Commissioner Weldon – Commissioner Weldon stated he wanted to discuss the various fund reserves the City has outside of the general fund. He stated the funds have captured a significant amount of money over the years that have no clear purpose and some money has legislatively restricted purposes. He stated he is going to talk with Mr. Knight and do a study on the history of how those balances have been funded and any needs we can identify so the funds can be used for real potential risks we face as opposed to just having the money there.

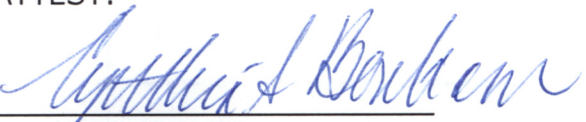
Mayor Leary – Mayor Leary thanked Vice Mayor Weldon for standing in for him and retiring the Christmas tree in Central Park, for handling the Pink Out event, and the 50 Plus expo.

The meeting adjourned at 5:18 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC