

**REGULAR MEETING OF THE CITY COMMISSION
FEBRUARY 12, 2018**

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 Rev. Alison Harrity, St. Richard's Episcopal Church, 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 Kurt Ardaman

Approval of agenda

Mayor Leary added under his report for the Commission to adopt a possible resolution against the RaceTrac gas station proposal going before the Orange County Commission (Semoran Boulevard). **Motion made by Commissioner Cooper to approve the agenda; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

Mayor's Report

a. Presentation – Dr. Phillips Performing Arts Center

President & CEO Katherine Ramsberger provided a video and PowerPoint presentation consisting of their 2016-2017 achievements, their programming, their finances, capital/project funding, sources and uses, their profitable year, earned versus contributed revenue, operating costs, their mission and community support, community contributions, and their future plans for expansion to include the Steinmetz Hall and the Green Room grand opening in Spring 2020. She thanked the Commission for their support.

b. Short Term Rentals/AirBnB

Mayor Leary recognized Maitland Mayor Dale McDonald and Eatonville Mayor Eddie Cole. Fire Chief Jim White briefed the Commission on the ordinance in place used to enforce this. Discussion ensued that this is a preemption before the Legislature and the need to alert the public as to how this affects Winter Park as well as other preemptions (CRA's, tree ordinance, impact fees, election dates). The Commission spoke about the importance that residents contact the specific individuals supporting these at the state level to oppose these preemptions and others affecting home rule and the ability of municipalities to make their own decisions as to what is best for their particular cities.

Maitland Mayor Dale McDonald addressed traveling to Tallahassee last weekend and expressed concerns the state representatives believe they know better what our community standards are and should be than we do. He encouraged everyone to contact those individuals in Tallahassee to oppose what they are pushing.

After further comments, there was a consensus to send an email to our residents with contact information (emails and phone numbers) for state representatives in Tallahassee as well as in the senate. Mayor Leary stated we are willing to share the email with the other cities to send to their residents with contact information. Commissioner Sprinkel suggested focusing on one or two issues for the public to address with the state. There was a consensus to focus on vacation rentals and the tree statute (after the City Manager reviews the current status and informs the Commission as to its status).

c. Mayor Leary addressed a possible construction project for a RaceTrac gas station on Semoran Boulevard that would impact Winter Park residents in that area. He reported that our staff is working with Orange County staff where it appears there is a recommendation for denial of the project from Orange County that our staff supports. He proposed the Commission adopt a resolution that is in support of our residents and the staff request for denial. There was a consensus of the Commission to bring back a resolution for the next meeting. Planning Director Dori Stone commented they contacted Orange County and that the property is currently zoned Office and have let them know we believe that is the appropriate land use and zoning for that as a transitional area near the Winter Park Golf Course and Winter Park Pines.

City Manager's Report

City Manager Knight showed a video "Weekend of the Arts" that presented performances, exhibits and events for the weekend of February 16-19.

City Manager Knight commented about the inquiry about how the City's historic preservation resolutions should be flagged as a historic designation for the County records so if a property is sold the indication is there that it is designated historic. Upon discussion, there was a consensus that all resolutions will be pulled and recorded with Orange County which is the believed to be the best way of handling this.

City Manager Knight provided an updated on quiet zones.

City Attorney's Report

Attorney Ardaman spoke about vacation rentals and the importance for elected officials and residents to pressure the state representatives not to move forward. He spoke about being at risk with the tree canopy and impact fee issues at the state level. He spoke about the legislators wanting to change election dates for

municipalities and that the Constitutional Revision Commission issue of home rule that failed can again be brought forward before the CRC.

Non-Action Items

There were no non-action items on the agenda.

Consent Agenda

- a. Approve the minutes of January 22, 2018.
- b. Approve the following contracts and authorize the Mayor to execute:
 1. GAI Consultants, Inc. - RFP-3-2018 - Continuing Contract for General Planning Services; As-needed basis (**PULLED AND VOTED SEPARATELY DUE TO A CONFLICT OF INTEREST – COMMISSIONER SEIDEL**).
 2. Logan Simpson - RFP-3-2018 - Continuing Contract for General Planning Services; As-needed basis
 3. Redevelopment Management Associates, LLC - RFP-3-2018 - Continuing Contract for General Planning Services; As-needed basis
- c. Approve the following piggyback agreements and authorize the Mayor to execute:
 1. Motorola Solutions, Inc. - Increase existing piggyback contract amount to account for the replacement, sustainment & maintenance of the City's multi-agency radio communication (MARC) equipment; \$105,305.
 2. Cintas Corp. - Renew existing piggyback contract for employee uniforms and facilities solutions; \$85,000.
 3. Central Florida Environmental Corp. - Piggyback of Seminole County contract #CC-0559-15/RTB for Public Works Minor Construction Projects; \$225,000.

Commissioner Seidel announced a conflict of interest for item b-1 and did not vote. Form 8B is attached.

Motion made by Commissioner Cooper to approve Consent Agenda items a., b. 2-3 and c.; seconded by Commissioner Sprinkel. There were no public comments. **The motion carried unanimously with a 5-0 vote.**

Motion made by Commissioner Cooper to approve Consent Agenda item b.1; seconded by Commissioner Sprinkel. The motion carried with a 4-0 vote. **Commissioner Seidel did not vote due to a conflict of interest.**

Action Items Requiring Discussion

- a. 2018 General Election Canvassing Board

Upon discussion, the Canvassing Board will consist of Commissioners Sprinkel and Seidel and City Clerk Bonham. There were no public comments made.

Motion made by Commissioner Sprinkel to accept the canvassing criteria as set by the state; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Motion made by Commissioner Weldon to allow the Orange County Supervisor of Elections office to open and run all vote by mail ballots through the tabulator that are not questionable without obtaining the results until 7:00 p.m.; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

b. Creation of Library and Events Center Task Force Naming Sub-Committee

Assistant City Manager Neuner addressed the Library and Events Center Task Force recommending the creation of a sub-committee for the naming of the campus and buildings where recommendation would come before the Commission for approval. Mayor Leary stated he has spoken with the task force members about the sub-committee being subject to the Sunshine Law.

Tom McMacken, Library Board, spoke about the importance of the naming process and the challenges with the process. He clarified that they are only talking about what the entire new facility will be called; not naming opportunities within the facility. Mayor Leary suggested someone with a branding expertise provide a workshop with the suggested sub-committee and task force members who would moderate that discussion and provide the Commission with a recommendation.

Motion made by Mayor Leary to have the task force come up with naming opportunities, have a branding expert lead them through that and bring back some recommendations for the City Commission to vote on for the naming of the entire facility; seconded by Commissioner Weldon. There were no public comments. Upon a roll call vote, the motion carried unanimously with a 5-0 vote.

Public Hearings:

a. Approval of a temporary barge at 1220 N. Park Avenue.

Assistant City Manager Neuner commented that Mr. and Mrs. Hagle are hosting a party at their home and have requested to locate a temporary barge in the lake. She addressed the City ordinance that requires if it is there more than 48 hours, a public hearing must be held for approval. She stated the request was evaluated by staff who supports the request.

Motion made by Commissioner Sprinkel to approve the request; seconded by Commissioner Cooper. There were no public comments. Upon a roll call vote, the motion carried unanimously with a 5-0 vote.

- b. RESOLUTION NO. 2201-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE HUGH G. PARTIN ESTATE FAMILY CEMETERY AT 2500 MODAC TRAIL, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Ardaman read the resolution by title. City Architect Brooks Weiss summarized the request and introduced the family members present.

Motion made by Commissioner Sprinkel to adopt the resolution; seconded by Commissioner Cooper. There were no public comments. **Upon a roll call vote, the motion carried unanimously with a 5-0 vote.**

- c. RESOLUTION NO. 2202-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING 654 WEST LYMAN AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Ardaman read the resolution by title. City Architect Brooks Weiss summarized the request and thanked John Skolfield for preserving the house from the 1920's.

Motion made by Commissioner Sprinkel to adopt the resolution; seconded by Commissioner Cooper. There were no public comments. **Upon a roll call vote, the motion carried unanimously with a 5-0 vote.**

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

Liz Sheppard, Bebe's and Liz's Fashion Experience, 311 Park Avenue S., spoke about her request through staff for a permit to shut the south end of Park Avenue down for a Spring/Summer fashion show on April 29. Staff has denied her request. She asked for approval. Upon discussion, this item will be added to the next agenda for discussion.

Shawn Shaffer, 151 N. Orlando Avenue, thanked the Commission for the successful library fundraiser golf tournament held on Saturday.

Martha Bryant Hall, 331 W. Lyman Avenue, addressed her historical home and the change orders associated with her improvements that she believed was at a standstill. After discussion, the City Manager will look into this with Mr. Weiss and Ms. Hall and will update the Commission after their review.

- d. ORDINANCE NO. 3102-18: 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 SINGLE FAMILY FUTURE LAND USE DESIGNATION ON PORTIONS OF THE PROPERTY AT 2141 OAKHURST AVENUE TO A LOW DENSITY AND MEDIUM DENSITY RESIDENTIAL

FUTURE LAND USE DESIGNATION, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

ORDINANCE NO. 3103-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM SINGLE FAMILY (R-1A) DISTRICT ZONING TO LOW DENSITY (R-2) AND MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON A PORTION OF THE PROPERTY AT 2141 OAKHURST AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read both ordinances by title.

Motion made by Mayor Leary to adopt the Future Land Use map ordinance (comprehensive plan); seconded by Commissioner Weldon.

Motion made by Commissioner Weldon to adopt the zoning ordinance; seconded by Mayor Leary.

Commissioner Seidel spoke about the discussion at the last meeting regarding the trail and having the opportunity to obtain some land. He asked for consideration to make some connectivity plans happen and to be more proactive when developments come in and when this project comes back for the conditional use. Mayor Leary addressed they are expecting the Mayflower to review this and see if they agree but that they had security and safety concerns with a path going through or near their residences.

Commissioner Cooper stated she wanted to address the bike path and their discussion because of the City vision statement. She addressed the recently adopted comprehensive plan (Policy 2-1.1.3) regarding the City continuing to plan, fund and construct a network of bicycle facilities as depicted in the Winter Park Pedestrian and Bicycle Circulation Plan as amended, to increase the non-motorized transportation system. She commented they should consider a real commitment to the vision statement, comprehensive plan and connectivity. Mayor Leary clarified that the circulation plan was accepted but never approved.

Bob Maraio, 1565 Mayflower Court, spoke in opposition to a bike path going through the Mayflower property.

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

- e. ORDINANCE NO. 3104-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING A NAMING POLICY FOR THE CITY'S LIBRARY AND EVENTS CENTER; PROVIDING FOR AUTHORIZATION TO THE MAYOR AND CITY MANAGER WITH RESPECT TO SUCH NAMING POLICY; MAKING FINDINGS; PROVIDING FOR SEVERABILITY, NON-CODIFICATION, 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 Seidel. There were no public comments. **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.**

City Commission Reports:

Commissioner Seidel – See below under Commissioner Weldon's report regarding undergrounding. He also addressed forwarding the DOT scope for 17-92 to the City Manager. The City Manager will forward to the remainder of the Commission.

Commissioner Sprinkel – Asked what is behind all the preemptions at the state level as to why they are pushing these.

Commissioner Cooper – Addressed the Constitutional Review Commission public meetings being held in Melbourne on February 19 from 1:00-7:00 p.m.

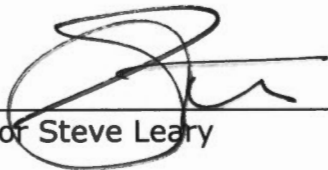
Commissioner Weldon – Spoke about the Commission acting as one with regard to notifying residents and encouraging them to contact their representatives in Tallahassee. City Attorney Ardaman will review this to see if it is legal for the city to send out a citywide notice to everyone as to what is going on in Tallahassee and how it will affect Winter Park and other municipalities.

Commissioner Weldon followed up on his notes regarding the analysis of the electric rate structures (from the last meeting) and that he was not immediately wanting to increase or decrease rates. He asked that his concept be provided to the Utilities Advisory Board for any input they may have.

Commissioner Seidel spoke about expediting undergrounding and working on the design elements of all the systems. He stated he wanted to meet with the Electric Director on the timeframe for the advanced design work and to determine what can be done to expedite undergrounding. Electric Director Dan D'Alessandro addressed a future meeting with the designers and will provide an update.

Mayor Leary – Spoke about what is going on with the state and the preemptions they are trying to pass that will negatively impact Winter Park.

The meeting adjourned at 5:45 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 SEIDEL, GREGORY STEPHEN		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE WINTER PARK CITY COMMISSION	
MAILING ADDRESS 1250 RICHMOND ROAD		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY WINTER PARK	COUNTY ORANGE	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 2/12/18		NAME OF POLITICAL SUBDIVISION: CITY OF WINTER PARK	
		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 FEBRUARY 12, 20 18

(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:

9.b.1.

2/12/18
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.