

**REGULAR MEETING OF THE CITY COMMISSION  
APRIL 23, 2018**

Vice Mayor Pete Weldon called the meeting of the Winter Park City Commission to order at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Leslie McCarrick, Winter Park Christian Church, followed by the Pledge of Allegiance.

**Members present:**

Vice Mayor Pete Weldon  
Commissioner Greg Seidel (by phone)  
Commissioner Sarah Sprinkel  
Commissioner Carolyn Cooper

**Also Present:**

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

**Members absent:**

Mayor Steve Leary

Vice Mayor Weldon clarified that Commissioner Seidel's vote does not count since he is by phone and not physically present. Commissioner Seidel stated he will make comments but not vote.

**Approval of agenda**

Vice Mayor Weldon addressed an amendment to the agenda after receiving a notice from the applicant's attorney regarding the 301 W. Comstock item to postpone their application request until May 14 due to the number of Commissioners present.

**Motion made by Commissioner Sprinkel to approve the agenda with the deletion of public hearing 'b'; seconded by Commissioner Cooper and carried unanimously with a 3-0 vote.**

**Mayor's Report**

No report.

**City Manager's Report**

City Manager Knight announced that the Orange County Planning and Zoning Board unanimously denied the proposed RaceTrac project. Staff will find out what the next steps will be if any.

Public Works Director Troy Attaway provided an update regarding a stormwater project on Temple Drive (Sharon Place electric pump station) where they are trying to get off that system. He also addressed the Racquet Club electric pump station and trying to provide a gravity system from the Racquet Club to Lake Maitland. He stated they also analyzed what they can do to improve the drainage system serving Temple Drive. He addressed their plan for a drill company to drill a pipe from the Racquet Club pond into Lake Maitland to make the pump station gravity.

### **City Attorney's Report**

No report.

### **Non-Action Items**

#### **a. Parking Strategies – Parking Code Modernization**

Assistant Planning Director Kyle Dudgeon introduced Brett Wood, Kimley Horn to provide an update of the first phase of the parking code research. Mr. Wood provided a PowerPoint presentation concerning their peer cities code evaluation (Delray Beach, FL; St. Armands, Sarasota, FL; Davidson, NC, Asheville, NC; Mt. Pleasant, SC; and Highland Park, IL.). He addressed multifamily parking minimums for each city studied, retail parking minimums, restaurant parking minimums, general office parking minimums, hotel parking minimums, reductions, shared parking and exemptions, and a Park Avenue demand analysis. He summarized the schedule for the next steps and answered questions provided by Commissioners.

#### **b. Presentation by Ms. Deirdre Macnab "Why is Solar Smart for Cities"?**

Ms. Deirdre Macnab, provided a PowerPoint presentation as to how solar is smart for cities, cities expanding solar, that Florida is surging ahead in solar, Florida Law, that solar is cheaper than fossil fuels, that solar helps cities reduce energy costs, what cities can do to promote solar, and the savings to the city and residents. Vice Mayor Weldon encouraged them to work on third party private entities who are dedicated only to large scale solar fields that are not directly affiliated with large scale utilities.

### **Consent Agenda**

- a. Approve the minutes of April 9, 2018.
- b. Approve the following piggyback agreements and authorize the Mayor to execute:
  1. Layne Inliner, LLC - Renewal of existing piggyback of City of Orlando contract #IFB15-0017 – Storm Line Rehabilitation Cleaning & Video Recording; \$600,000
  2. Aquatic Weed Control, Inc. - Piggyback of Orange County contract #Y18-178 – Aquatic Restoration & Management Services; \$125,000
  3. Neopost USA, Inc. - Renewal of existing piggyback of State of Florida contract #44102100-17-1 – Mail Processing Equipment - for city-wide postage and equipment maintenance; \$15,000
- c. Approve the following contract and authorize the Mayor to execute:
  1. Sensys Gatso USA, Inc. - Amendment to RFP-13-2009 – Red Light Safety Enforcement System – extending the contract for an additional 3 years; \$335,000 annually.
- d. Approve the following purchase and authorize the execution of a purchase order:

1. Environmental Products of Florida Corp. - Purchase of a Vactor 2100 Plus HXX - Hydroexcavator mounted on a freightliner 114SD chassis;  
\$413,631

**Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Cooper and carried unanimously with a 3-0 vote.**

**Action Items Requiring Discussion**

a. Lake Killarney Shores Reimbursement Agreement

Assistant Public Works Director Don Marcotte addressed the plat approved at the last meeting and the developer dedicating one of his developable lots for stormwater treatment, which will serve his private development as well as the untreated existing paved streets. He also dedicated a 10' utility and sidewalk easement along the street where he will install an upgraded water main and sidewalk. He addressed the request to share the costs because of responsibilities the cities has. Water/Wastewater Director Dave Zusi explained the City has been attempting for several years to upgrade the water system there and that the City has agreed to reimburse the contractor toward his costs for what the cost would have been to install the upgrades. He stated the sewer does not exist now and the developer is paying the cost to install the sewer.

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

Commissioner Cooper stated when a developer comes into the community they should be willing to take care of the necessary infrastructure. Mr. Zusi addressed the existing infrastructure that has been there for water and was put in years before the City purchased it and is below the City's current standards so they have been looking to upgrade that system for a while. He addressed the challenge to obtain easements from all property owners so this helped the City from the aggregation of properties and made it easier for the City to do the upgrade they wanted to do for some time.

Attorney Tara Tedrow presented the reasons for their request as well as the way the upgrades benefit other property owners in the area. She stated since they are upgrading the stormwater and sewer system they would be happy at the same time to do the entirety of Country Club Drive in those areas around them as well as Ellen Drive so the houses are also being served in addition to the ones that are part of their subdivision. She addressed the cost savings for the City doing this.

There were no public comments.

**Upon a vote, the motion carried with a 2-1 vote with Commissioner Cooper voting no.**

b. Events Center Rooftop Add/Alternate

City Manager Knight explained that the Commission asked staff to bring back the rooftop for discussion and the possibility of putting in the infrastructure needed to hold it at a future date. He stated Jim Russell is present to discuss the item as well as task force member Sam Stark. There was a consensus to place this on the next agenda when there is a full Commission present.

**Public Hearings:**

- a. ORDINANCE NO. 3109-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CERTAIN PROVISIONS OF ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE TO REVISE THE REGULATIONS FOR TEMPORARY AND PROHIBITED SIGNS, REVISING THE DEFINITIONS FOR SIGNS, PROVIDE MORE SPECIFICITY AND CLARITY TO EXISTING SIGN REGULATIONS; AND AMENDING SECTION 1-24, SCHEDULE OF VIOLATIONS AND PENALTIES, RELATING TO SNIPE SIGNS; AND PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

**Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Vice Mayor Weldon.**

Commissioner Cooper expressed issues she had with the ordinance regarding the continued use of sandwich board signs in the downtown Central Business District (wanted to discontinue the use of them) because they create clutter on the avenue. She also did not want to see the encouragement of murals on commercial and office buildings.

**Motion made by Commissioner Cooper to prohibit murals within the Central Business District and Hannibal Square District planning areas on our commercial and office buildings. Motion failed for lack of a second.** She stated she was trying to compromise at the last meeting but she was not sure that was a good compromise.

**Motion made by Vice Mayor Weldon to table this item until the next Commission meeting; seconded by Commissioner Sprinkel and carried with a 2-1 vote with Commissioner Cooper voting no.**



- b. Request of Sydgan Corp. for conditional use approval under the cluster housing provisions of the R-2 zoning to construct a two-story, four-unit residential project of 10,556 square feet on the property at 301 West Comstock Avenue, zoned R-2.

This item was pulled from the agenda to be heard at the May 14 meeting.

- c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT NEW ZONING REGULATIONS CHANGING THE PERMITTED, CONDITIONAL PROHIBITED USES AND DEVELOPMENT STANDARDS WITHIN THE OF THE CITY BY ADOPTING A NEW MEDICAL ARTS ZONING DISTRICT AND AMENDING THE MULTI-FAMILY (R-3) DISTRICT AND PARKING LOT (PL) DISTRICT AS NECESSARY TO IMPLEMENT THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, DATED APRIL 24, 2017; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title. Vice Mayor Weldon thought it best for the full Commission to be present to discuss this.

**Motion made by Vice Mayor Weldon to table this item until the next meeting; seconded by Commissioner Sprinkel and carried with a 2-1 vote with Commissioner Cooper voting no.**

**Public Comments (items not on the agenda)**

1. Michael Perelman, 1010 Greentree Drive, spoke in opposition to the 'Canopy' branding for the Library and Events Center campus. He spoke about the need for transparency on the budget for this project.
2. Mary Daniels, 650 Canton Avenue, opposed the branding for the new campus.
3. Martha Bryant Hall, 331 West Lyman Avenue, opposed the 'Canopy' branding. She also spoke about the flooding on 17-92 and at 1211 Lewis Avenue.
4. Sally Flynn, 1400 Highland Road, opposed the 'Canopy' branding, stressed that MLK Park should remain the prominent sounding name for that park. She also addressed the 17-92 flooding due to the hard rains.
5. Forest Michael, 358 W. Comstock Avenue, spoke against the 'Canopy' branding. He commented about wiping out the canopy of trees that has taken years to grow.

6. Jill Bendick, 1211 Oxford Road, opposed the 'Canopy' branding and that the MLK Park name should remain just that way.
7. John Skolfield, 358 Vitoria Avenue, supported keeping MLK Park separate from the branding. He also addressed parking issues in the City and the extra spaces he has that could be used for public parking after hours. He stated there could also be other businesses that have underutilized assets. He stated he would not mind others using his spaces if there were no liability issues.
8. Beth Hutton Lewis, 1241 Oaks Boulevard, spoke about the 6' structure (wall) built at 1211 Oaks Boulevard that is too close to her carport. She addressed the difficulty of opening her vehicle doors because of the wall proximity to her carport and the three surveys available.

Building Director George Wiggins addressed the property next door being redeveloped and that this is a property line dispute issue. He stated Ms. Lewis has a non-conforming carport that encroaches into the neighboring property according to the surveys that staff has reviewed. He stated that staff has tried several times to have the wall built as far away from her carport as possible but the adjacent property owner has decided to place the wall right inside her property according to the survey.

After further comments and discussion, Ms. Lewis was advised to seek a private attorney because the City has no ability to get involved in a private dispute as long as City code requirements have been met by both property owners. Mr. Wiggins stated they are happy to review all the surveys if they are provided to staff. Vice Mayor Weldon commented about this identifying a potential need to look at whether or not they need to change codes in certain circumstances to prevent this type of conflict from occurring again. Commissioner Seidel commented it may help the issue if a variance was given to the property being developed that allowed them to have a setback that did not meet code and sell Ms. Lewis the property.

Mr. Wiggins stated he previously advised Ms. Lewis to contact the owner to see if they would agree to an easement and move the wall over 2' to allow Ms. Lewis to have the extra area.

9. Trish Gallagher, 881 Via Lugano, Winter Park Library Board President, thanked the Commission for including their remarks to the construction team for the new library and that they had a very productive discussion with all team members. She stated they believe that everything has the attention it needs

and will be working toward resolutions. She spoke about discussion from the last meeting regarding the raked auditorium and that they believe this to be a unique and special feature in the new library. She requested they delay removing this officially from the design until they have an opportunity to seek private funding for this amenity. The rooftop venue and the raked auditorium will be added to the next agenda for further discussion.

Ms. Gallagher commented about the valedictorian lunch being held by the library thanks to Ken Murrah who endowed the event for the future because he believed the straight A students did not get the attention they deserved.

### **City Commission Reports:**

Commissioner Seidel – Spoke about the sign code and not allowing murals in the downtown and Hannibal Square areas.

Commissioner Sprinkel – Mentioned the Winter Park High School winning the All Sports award again this year.

Commissioner Cooper – Asked if the Commission is interested in looking at having a Joint Planning Agreement with Orange County and if that is a good idea or not. She asked that staff provides guidance and whether or not it makes sense for the City.

Spoke about changes to the R-3 tabled until the next meeting and the items under the workforce/affordable housing speaking about payment in lieu of taxes. She asked if they would want a task force to review this. There was not a consensus to form a task force but to address this later with the entire Commission present.

Asked if the Commission could have a work session to provide them an update before the Library and Events Center design team brings back the next formal step. Vice Mayor Weldon addressed the process they have to follow. Commissioner Cooper spoke about significant costs and as they are making those decisions, she wanted the entire Commission to be on board with it. She stated she is happy to meet privately with the parties involved because she did not want to wait until the design is brought forward to them to start having those conversations. Commissioner Sprinkel spoke about the entire Commission being aware of the costs and keeping within the budget.

Commissioner Weldon – Commented about being amazed with the great resources the City has and how fortunate the City is and how well they manage many things. He encouraged everyone to be sensitive to the judgments that have to be made by the Commission and to respect the process they all go through when faced with certain decisions, some of which are of a magnitude that are extremely small in the overall picture of the greatness of the City.

Mayor Leary - Absent.

The meeting adjourned at 5:56 p.m.

  
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Mayor Steve Leary

ATTEST:

  
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City Clerk Cynthia S. Bonham, MMC