

**REGULAR MEETING OF THE CITY COMMISSION
JULY 9, 2018**

Mayor Steve Leary 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 Finance Director Wes Hamil, 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 Attorney Kurt Ardaman
City Clerk Cynthia Bonham

Approval of agenda

City Manager Knight reported that Item 11-a (Public Hearing Resolution) is being removed from the agenda.

Commissioner Cooper asked to remove item 10-a (Lawrence Center parking garage) to allow more time to digest it before it is on the agenda. There was no support to remove this item.

Motion made by Mayor Leary to approve the agenda with the removal of item 11-a; seconded by Commissioner Sprinkel and carried with a 4-1 vote with Commissioner Cooper voting no.

Mayor's Report

No report.

City Manager's Report

City Manager Knight presented a video highlighting the July 4 celebration in Winter Park. He commented that the last event at the civic center will be on Saturday (the We Still Do event). He also addressed the hurricane booklet the City produced.

Presentation of the proposed FY 2019 Budget

City Manager Knight presented an overview of the proposed budget for FY 2019. He spoke about the various funds, the general fund, expenses and revenues, property taxes, notable items in the budget, millage rate comparisons, capital projects, organizational support funding, the proposed homestead exemption and the effect on the City, City employees and departments, and the electric utility. City Manager

Knight will keep abreast of what the legislature is doing regarding taxing internet sales. Upon discussion, a work session was scheduled for August 13 at 2:00 p.m. to discuss the budget further.

City Attorney's Report

Attorney Ardaman handed out an outline of legal issues and standards that apply to comprehensive plans, land development regulations and zoning for their use at the July 10 work session mixed use discussion.

Non-Action Items

a. Financial Report for May 31, 2018

Finance Director Wes Hamil presented the report covering the first eight months of the fiscal year. Included in his PowerPoint was the permit and plan review revenues, the first seven months of the half cent sales tax revenue, the golf course operations (first six months), investment earnings, general fund revenues and projected variances, water and sewer, and electric. Mr. Hamil answered questions.

Consent Agenda

- a. Approve the June 25, 2018 Commission minutes.
- b. Approve the following purchase and authorize the execution of a purchase order:
 - 1. Asphalt Paving Systems, Inc. - Micro-surfacing of various streets throughout the City; \$152,184.10.
- c. Approve the following piggyback agreements and authorize the Mayor to execute:
 - 1. The Nidy Sports Construction Co. - Renewal of existing piggyback agreement for Athletic Surfacing Systems Maintenance & Construction; \$200,000.
 - 2. OpenEdge, A Division of Global Payments - Agreement for Merchant Services Processing; no impact on budget.
 - 3. Penn Credit Corporation - Collection Services; no impact on budget.
- d. Approve the following formal solicitation and authorize staff to enter into negotiations:
 - 1. High Performance Sports Management - RFP-17-2018 - Tennis Programming & Instructional Services; amount: TBD.

Motion made by Commissioner Cooper to approve the Consent Agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. No public comments were made.

Action Items Requiring Discussion

a. City Participation on Lawrence Center Parking Garage

Planning Director Dori Stone thanked the Commission and City Manager for the great years working with the City. This was her last regular Commission meeting.

Ms. Stone addressed the CRA work session discussion regarding the potential funding of a parking garage and partnership with Rollins College. She asked for permission to send out a revised citywide notice with a profile of both a five level and a six level garage to make sure the City has done proper notice before the Commission takes any action. She stated there is no action planned this evening for this item other than gaining permission to notice this appropriately as the code and comprehensive plan requires to include a five and six level profile.

There was a general consensus to provide the appropriate notice citywide containing a five and six level profile. Commissioner Cooper opposed. Commissioner Sprinkel did not agree to six levels. It was concluded that this item will be voted on sometime in the future.

Public Hearings:

- a. A RESOLUTION OF THE WINTER PARK, FLORIDA RECOMMENDING RAVAGO AMERICAS INC. BE APPROVED AS A QUALIFIED TRAGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES AND PROVIDING AN EFFECTIVE DATE.

This item was removed from the agenda.

- b. ORDINANCE NO. 3112-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING A 15 FOOT EASEMENT GRANTED TO THE CITY OF WINTER PARK ON OCTOBER 17, 1995, RECORDED IN OFFICIAL RECORDS BOOK 4964, PAGE 2797 AND OFFICIAL RECORDS BOOK 4971, PAGE 4989 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA (EXHIBIT A); PARTICULARLY DESCRIBED IN EXHIBIT B; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE
Second Reading

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance; seconded by Commissioner Weldon. There were no public comments 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.**

c. Request of Z Properties Group:

ORDINANCE NO. 3113-18: 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 FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO PARKING LOT ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

ORDINANCE NO. 3114-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) ZONING TO PARKING LOT (PL) DISTRICT ZONING ON A PORTION OF THE PROPERTY AT 301 NORTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

There were no public comments made. Planning Manager Jeff Briggs pointed out that they adjusted the effective date so they become effective when the home is built.

Motion made by Commissioner Cooper to adopt the comprehensive plan ordinance as presented; seconded by Commissioner Weldon. 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.

Motion made by Commissioner Cooper to adopt the zoning ordinance as presented; seconded by Commissioner Weldon. 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.

d. Request of Sydgan Corporation:

ORDINANCE NO. 3115-18: 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 FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTIES AT 218 S PENNSYLVANIA AVE AND 217 HANNIBAL SQUARE EAST, AND FROM COMMERCIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTY AT 227 HANNIBAL SQUARE EAST, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE SECOND READING

ORDINANCE NO. 3116-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTIES AT 218 S PENNSYLVANIA AVE AND 217 HANNIBAL SQUARE EAST, AND TO CHANGE FROM COMMERCIAL (C-3) TO COMMERCIAL (C-2) ON THE PROPERTY AT 227 HANNIBAL SQUARE EAST, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE SECOND READING

Attorney Ardaman read both ordinances by title. Commissioner Cooper commented about the comments made at the last meeting regarding personal property and her concern with loss of parking in the area. She stated because they are rezoning three properties to the highest density they have in the City she feels comfortable saying 'am I making a policy decision that is best for the entire area' and believed that the aggregate gradual erosion of loss of parking is not good.

There were no public comments made.

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

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

- e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE IV, SIGN REGULATIONS OF THE CITY OF WINTER PARK LAND DEVELOPMENT CODE; TO PROVIDE FOR THE REGULATION OF MURALS; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title. Mayor Leary stated he called this back for the agenda because of the 45% coverage of a wall for a mural that he thought would not make a mural better whether it is 45% or 100%. He stated it did not make sense for them to gauge or impose taste values through size. Mr. Briggs displayed samples of murals taking up the entire wall. There were no public comments made.

Motion made by Commissioner Weldon to remove the percentage limitation (45%) on murals (end the sentence after 'directly facing a street'); seconded by Mayor Leary.

Motion amended by Commissioner Cooper to delete the sentence that begins 'The City Commission may approve larger murals on a case by case basis'); seconded by Commissioner Weldon.

Motion amended by Commissioner Cooper that says that murals in the Park Avenue corridor require the approval of the City Commission. Motion failed for lack of a second.

Motion amended by Commissioner Cooper that says murals are allowed on properties outside of the Park Avenue corridor. Motion failed for lack of a second.

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

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

City Commission Reports:

Commissioner Seidel – Spoke about the process with setting the tentative millage rate before discussing the budget. He believed the process did not give them enough time and information to make a good decision on the millage rate.

Commissioner Sprinkel – Spoke about the exceptional July 4 event and the wonderful experience with the 19 people who became citizens. She spoke about how the whole world is watching the rescue of the boys in Thailand and gets behind it.

Commissioner Cooper – Asked about the flight path because of receiving comments and concerns with residents that appears to be a change. City Manager Knight will contact resident Carolyn Fennell, Senior Director of Public Affairs, GOAA, in hopes that she can either provide information or a contact to determine what is happening with the flight path that has changed.

Commissioner Weldon - Spoke about the right for anyone to run for the Commission. He addressed the Blue Bamboo and if the Commission finds them as valuable to the City as he believes they are to support them to some level.

Mayor Leary - No report.

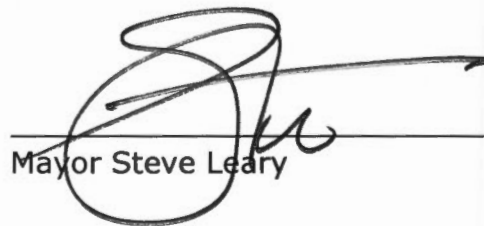
Public comments (items not on the agenda):

Shawn Shaffer, Executive Director, Winter Park Library, provided their annual report to the Commission.

Tom McMacken, 1821 Shiloh Lane, expressed code enforcement concerns with the property behind him being rented out too often and with too many people making noise late in the evening. He asked that short term rentals in the City be further enforced and to do more.

Todd Weaver, 1051 Lake Bell Drive, also addressed the large number of Air BandB's operating in his neighborhood. He stated that Orlando and Osceola County and other municipalities reached a compromise that people who are homesteaded on their homes are allowed to have short term rentals and the absentee landlords tend to be the problem. He asked that the Commission also consider a compromise.

The meeting adjourned at 5:03 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC