

**REGULAR MEETING OF THE CITY COMMISSION
JULY 23, 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 Reverend 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 Attorney Kurt Ardaman
City Clerk Cynthia Bonham

Approval of agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Weldon and carried with a 5-0 vote.

Mayor's Report

a. **Recognition – 2018 Summer Youth Enrichment Program**

CRA Redevelopment Coordinator Laura Neudorffer presented the students who participated in the program that will provide internship opportunities as follows (the bolded names were in attendance): **Nia Brown, Brooke Butner, Kevin Debose, Mya Gorman, Jerriya Griffin, Destinee Howard, Jaylen Lewis, Naryha Lewis, Max McGee, Jada Oliver, Jevon Pinard, Alexis Quinn, Asjah Quinn, Sabree Walker;** and **Shanylah Whittaker.**

Ms. Neudorffer also acknowledged the partners that have been a vital part of the program's success (the bolded names were in attendance): **Robynn Demar** – Welbourne Ave Nursery; Crystal Levsen & **Amy Wenner** – Winter Park Day Nursery; Barbara Chandler – Hannibal Square Heritage Center; **Ronnie Moore, Cathleen Daus,** & Stephanie Kunz – Parks & Recreation Department; Teri Acree – Water/Wastewater ***Dave Zusi** stood in for Teri; **Melissa Schneider** – Winter Park Public Library; Laura McBryde – Crealde School of Art; and **Mike Roberts** – Gardens at Depugh.

City Manager's Report

City Manager Knight provided a video of the Rachel Murrah Civic Center farewell ceremony (We Still Do event) held on July 14, 2018.

City Manager Knight addressed the ability to move trees at the site of the new library and events center and summarized the number of trees and associated costs. He spoke about meeting with the architects about the plans where they moved the outdoor amphitheater over more in the direct line between the two buildings and decreased the size of the hardscape on the belvedere to provide more greenspace. He stated the P&Z meeting to consider the project is on September 11 and will come before the City Commission on September 24. After discussion, there was a consensus for staff to obtain another quote on moving the trees and to provide a recommendation on the appropriate number of trees to potentially save, if any.

City Attorney's Report

Attorney Ardaman had no report. Commissioner Cooper asked about approving requests for changing land use designations and an accompanying request for rezoning if they are permitted to approve at a lower level of intensity than the requested land use designation. Attorney Ardaman explained they are not required to approve the maximum.

Non-Action Items

No items.

Consent Agenda

- a. Approve the July 9, 2018 Commission minutes.
- b. Approve the following formal solicitations and the respective motions:
 1. JHL Landscape Supply, LLC dba Sod Depot - IFB-26-2018 - Purchase, Delivery & Installation of Sod; \$50,000
 2. Tom's Sod Service, Inc. - IFB-26-2018 - Purchase, Delivery & Installation of Sod; \$100,000
 3. Wesco Distribution, Inc. - IFB-27-2018 - Pad-Mounted Switchgears; \$207,336.76
 4. Covanta Energy Marketing; Duke Energy Florida; Florida Municipal Power Agency; Florida Power & Light; Gainesville Regional Utilities; Orlando Utilities Commission; Seminole Electric Cooperative - ITN-12-2018 - Purchase of Wholesale Electric Power. Staff is requesting permission to enter into negotiations with all responsive firms to negotiate the pricing and terms.
- c. Approve the following piggyback agreement and authorize the Mayor to execute:
 1. Shaw Industries, Inc. dba Spectra Contract Flooring - Central Florida - NJPA contract #121715 for Flooring with Related Equipment, Products, Supplies, Installation & Services; \$200,000

d. Approve the following purchase and authorize the execution of a purchase order:

1. Hydro-Dyne Engineering, Inc. - Rebuild of WFS Center Flow Style Filter Screen & New WCP6 Integral Washing Compactor; \$89,375

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

Action Items Requiring Discussion

a. Budget discussion and set tentative millage rate

City Manager Knight commented that the Commission needs to adopt a tentative millage rate that will be advertised in the TRIM notice going out to all taxpayers in Winter Park. He addressed staff's recommendation with the presented budget for an operating millage of 4.0923, a voted debt service millage of 0.1478, and a debt service millage of 0.3271.

Motion made by Mayor Leary to adopt a tentative millage rate of 4.0923 mills; adopt a voted debt service millage of 0.1478 mills required to service debt on the General Obligation Bonds, Series 2011 (Public Safety Complex bonds) and 0.3271 mills required to service debt on the General Obligation Bonds, Series 2017 (Library & Events Center bonds). Seconded by Commissioner Cooper.

Motion amended by Commissioner Weldon to reduce the millage rate so as to generate \$500,000 in reduced tax revenues for the budget year ending 9/30/19 (reduce the millage rate from the existing rate to 4.0, saving about \$510,000).

Commissioner Weldon explained his justification for reducing the millage that the surpluses they expect this year and the current projected budget will leave them with their 30% reserves objective that will be met. He noted that the tax revenues have increased over \$6 million over the past several years. He stated they should not spend every penny when they have been able to make substantial improvements to the City as well as build their reserves to the 30% standard they established.

Motion failed for lack of a second.

There were no public comments made.

Upon a roll call vote on the main motion, 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. ORDINANCE NO. 3117-18: 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 Second Reading

Attorney Ardaman read the ordinance by title. **Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Weldon.**

Commissioner Cooper stated she is opposed to murals in the Central Business District, primarily the Park Avenue corridor. There were no public comments made.

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.

- b. Request of Greenhouse Partnership LTD.:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE ELEMENT TEXT POLICIES AND MAPS TO ENABLE THE APPROVAL OF CENTRAL BUSINESS DISTRICT FUTURE LAND USE ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM AN OFFICE FUTURE LAND USE DESIGNATION TO A CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION ON THE PROPERTY AT 338 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AMENDING THE ZONING REGULATIONS TEXT FOR THE SECTION 58-75 COMMERCIAL (C-2) ZONING DISTRICT AND SECTION 58-95 DEFINITIONS MAP D-2 TO ENABLE THE APPROVAL OF COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD AND TO AMEND THE "OFFICIAL ZONING MAP" TO CHANGE FROM OFFICE (O-1) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 338 WEST MORSE BOULEVARD, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading

- Conditional Use approval to convert the existing two-story office building into five residential condominiums with new attached garages with second floor guest quarters and to build a new three-story building with three residential condominiums on the property at 338 West Morse Boulevard.

Attorney Ardaman read both ordinances by title. Planning Manager Jeff Briggs provided the staff report to include the location, the second floor being vacant for many years, and the request to make the building and property more economically viable by converting the entire property to residential units by changing the zoning to C-2 for the building density. Mr. Briggs answered questions of the Commission for clarification purposes regarding the request.

Commissioner Cooper commented that she prefers this request to be under R-3 (Residential) zoning, not under C-2 (Commercial) because under residential there are apartments being built above garages and in residential zoning they can only be used for guests, domestic service employees, or family members of people living in the main unit as well as other limitations. She expressed concerns with C-2 zoning because of the lack of restrictions on it that are normally placed on residential zoning. She stated if this is approved under R-3 with variances they still get what they want to build.

Dan Bellows, 411 W. New England Avenue, representing Greenhouse Partnership, addressed the previous uses of the property and asked to approve the request.

Motion made by Commissioner Sprinkel to accept the comprehensive plan ordinance on first reading as requested with no restrictions; seconded by Commissioner Weldon for discussion purposes.

Motion made by Commissioner Sprinkel to accept the zoning ordinance as requested on first reading with no restrictions; seconded by Commissioner Weldon for discussion purposes.

Motion made by Mayor Leary to approve the conditional use request, seconded by Commissioner Weldon.

Todd Weaver, 1051 Lake Bell Drive, spoke in opposition to the request.

After further comments, **motion amended by Commissioner Cooper that the garage living areas be subject to the restrictions included in Section 58-71, General Provisions for residential zoning districts to include all the items that the guest houses are restricted to guests, domestic service employees or members of a family occupying the main building, that they be restricted to 1,000 square feet of floor space, that they be not allowed to have a kitchen, that they be not on separate utility meters, that they not be let or**

hired out for occupancy and that they be deed restricted in conformance with Section 58-71 ((i)(8)). Motion seconded by Commissioner Seidel.

After comments, Mr. Bellows stated that if these are condos they will be controlled by a Condo Association. He stated he does not want amendments and it would be unfair to single out this one building.

Motion amended by Commissioner Seidel that the C-2 zoning become effective when the structure is constructed as shown to us, seconded by Commissioner Cooper. Attorney Ardaman stated this could cause issues and that they can accomplish their objective by asking them to commit to what is presented this evening.

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

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

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

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

c. Request of Ansaka LLC:

- Subdivision approval to re-subdivide the properties at 1791, 1801, 1811 and 1821 Aloma Avenue, zoned R-1A, into six single-family building lots. All of the proposed lots meet or exceed the minimum R-1A lot dimension requirements of 75 feet of lot width and 8,500 square feet of lot area, except for one lot with 67.5 feet of lot width due to the need to provide a common driveway.

Planning Manager Jeff Briggs explained the request to re-subdivide the properties and that the zoning is remaining the same. He addressed comments made at the Planning and Zoning Board regarding concerns with vehicles coming through their neighborhood which has been taken into consideration.

Motion made by Commissioner Sprinkel to approve the subdivision request, seconded by Commissioner Cooper.

Nora Sanchez, 1790 Edwin Boulevard, expressed concerns with the effect on her property. Ms. Sanchez was directed to contact Building Director George Wiggins with her concerns.

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 FG Schaub Custom Homes LLC:

- Subdivision or lot split approval to divide the property at 1635 Dale Avenue, zoned R-1A, into two single-family building lots. Both lots will have 75 feet of lot width and 11,775 square feet of land area, which meet the requirements for new lots in the R-1A zoning district so that no variances are requested.

Planning Manager Jeff Briggs provided the information concerning the request.

Applicant Fred Schaub, 200 S. Andrews Boulevard, explained his request and asked for approval.

Motion made by Commissioner Seidel to approve the request, 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.**

e. Request of Eustacia Ledbetter:

- Subdivision or lot split approval to divide the property at 2737 Woodside Avenue, zoned R-1A, into two single-family building lots. Both lots will have 75 feet of lot width and 7,800 square feet of land area. Both lots will need a variance to the minimum lot size requirements of 8,500 square feet and the corner lot will need a variance from the 85 feet of lot frontage needed for a corner lot.

Planning Manager Jeff Briggs addressed the request and the variances needed. He spoke about the mix of homes on various size lots with the average home size on a 65' lot.

Commissioner Cooper stated she does not want to approve lot splits that do not meet code.

Motion made by Commissioner Weldon to approve the request, seconded by Commissioner Sprinkel. There were no public comments made. **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.

Commissioner Seidel asked about access and concerns with aesthetics. He asked if they are redeveloping the two lots that they do something to make the lots look nicer during redevelopment. Mayor Leary asked Public Works Director Attaway to look at that.

Public comments (items not on the agenda) and budget comments:

Jim Fitch, 1820 Via Genoa, expressed concerns with the airplane noise now happening in the City.

Georgette Myers, 812 Hamilton Place Court, expressed concerns with the amount of graffiti appearing on buildings and other structures in the City (including along Denning Drive).

Stefania McGrath, 655 Palmer Avenue, expressed concerns with speeders on Palmer Avenue and the large amount of traffic making it difficult for vehicles to get onto Palmer from the side streets. She asked that this issue be addressed.

City Commission Reports:

Commissioner Seidel – Spoke about his attendance at the Youth Leadership graduation at the Chamber of Commerce. Announced the event at Casa Feliz "Night of Expressions" that he will be attending that is a Hannibal Square Land Trust fundraiser.

Commissioner Sprinkel – Asked if everyone is aware that Ms. Fennell is coming to address airplane noise. City Manager Knight stated Mr. Brown and Ms. Fennell are coming the second meeting in August.

Spoke about her boathouse being destroyed in the hurricane where she did not realize the process for rebuilding it. She asked if those type of regulations for rebuilding need to be reviewed because of rebuilding it exactly how it was. The Commission asked that the issue of rebuilds be discussed by the Lakes and Waterways Board.

Commissioner Cooper – Asked that the public be able to ask questions of Ms. Fennell when she is at the meeting.

Spoke about the speeding on Palmer Avenue and the difficulty with entering Palmer Avenue from her street. She asked that an assessment be done for the possibility of

installing a stop sign either at Temple or Alabama. Commissioner Seidel suggested that someone review Palmer and come back with recommendations for a solution. Comments were provided that this is an enforcement issue that the Police Chief will address.

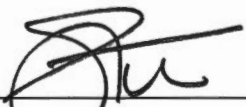
Commissioner Cooper asked if a Resolution should be prepared in advance of Ms. Fennell attending the meeting. There was no consensus to do this beforehand.

Asked that they discuss whether they want to continue allowing the C-2 zoning to be used for 100% residential. There was no consensus to continue this discussion at this time.

Commissioner Weldon - Reported that there were three police officers on Palmer today as he came through and that there is already an impact with their presence. Addressed the Youth Summer Program and spending CRA monies on this and other programs that is very positive.

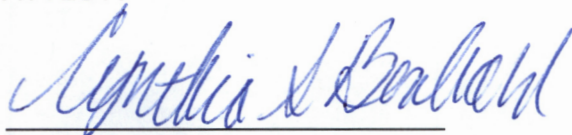
Mayor Leary - Addressed the police department social media program that has been very well received in the community.

The meeting adjourned at 5:33 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC