

**REGULAR MEETING OF THE CITY COMMISSION
SEPTEMBER 10, 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 Mike Davis. Winter Park Missionary Fellowship of Christian Athletes of Central Florida, followed by the Pledge of Allegiance.

Members present:

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

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 Seidel and carried with a 5-0 vote.

Mayor's Report

Mayor Leary announced that Cynthia Strollo, who served on City boards, passed away.

a. Introduction of school principals

Joie Cadle, Orange County Public Schools, introduced new principals as follows: Matt Arnold, WPHS; Dr. Paul Wilhite, 9th Grade Center; Jason Fritz, Brookshire Elementary; and Karl Fox, Lakemont Elementary. She introduced her replacement upon retirement of Angie Gallo. Dr. Chris Camacho, Glenridge Middle could not be present. Mayor Leary thanked Ms. Cadle for her time and dedication over the years with OCPS.

City Manager's Report

b. Confirmation of Planning and Community Development Director

City Manager Knight presented Mr. Bronce Stephenson's credentials and recommendation as the new Planning and Community Development Director.

Motion made by Commissioner Sprinkel to approve the appointment, seconded by Commissioner Weldon, and carried unanimously with a 5-0 vote.

City Attorney's Report

Attorney Ardaman provided an update on the status of the buoys in the lakes. He explained about regulatory and informational buoys and the current plan to handle this. He explained the necessity of an ordinance to show where regulatory ones can go where there are hazardous conditions. After discussion, staff will prepare a draft map outlining the areas of concern where they will go to include the specifications, before any taking any action to install them.

Non-Action Items

a. Historical Association Annual Presentation

Winter Park History Museum Executive Director Susan Skolfield provided their annual presentation as to attendance, being the custodian of the City's Archives, and presenting the City's history with engaging exhibitions. She summarized their speaker events, geographic visitor profile, Be My Neighbor Day, and the Penelope Princess of the Peacocks free children's show every Monday. She thanked the Commission for their support.

Consent Agenda

- a. Approve the August 27, 2018 Commission minutes.
- b. Approve the following contract items and authorize the Mayor to execute:
 1. Lewis Outdoor Solutions - Amendment to IFB-7-2017 to include landscape maintenance at additional City locations; \$151,263
 2. DRMP, Inc. - RFQ-20-2018 - Continuing Contract for Professional Survey Consulting Services; As-needed basis **PULLED FROM CONSENT AGENDA BY COMMISSIONER SEIDEL. SEE BELOW.**
 3. High Performance Sports Management, Inc. - RFP-17-2018 - Tennis Programming & Instructional Services; Structured revenue return program

Motion made by Commissioner Sprinkel to approve all items on the Consent Agenda, except item b.2.; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. There were no public comments made.

Consent Agenda item b.2.

Commissioner Seidel pulled this item because of a conflict of interest.

Motion made by Commissioner Sprinkel to approve Consent Agenda item b.2., seconded by Commissioner Weldon and carried with a 4-0 vote with Commissioner Seidel abstaining from voting due to a conflict of interest.

Action Items Requiring Discussion

- a. Discussion of Comprehensive Plan policies including items/actions that are prohibited

Mayor Leary stated this topic is on the agenda because he became aware when the subdivision was proposed on Lake Killarney that certain areas in the City are prohibited from asking for a subdivision or lot split unless those applicants go through a citywide notice for a comprehensive plan amendment that is costly. He believed this was unfair. He thanked staff for the inclusive list of 27 "prohibits" but just wanted to focus on those policies listed as #4, #23 and #24.

Planning Manager Jeff Briggs explained the history as it relates to these three policy areas regarding lakefront estates and the two neighborhoods of Orwin Manor and the North Park neighborhood. He also discussed the notice requirements for a citywide notice at a cost of \$6,000.

Mayor Leary suggested removing the prohibited language from the comprehensive plan from #4, #23 and #24 as listed in the packet. Commissioner Seidel expressed concerns with #4 (lakefront lots) without stipulating that the minimum lot size should be no less than one acre in size.

Commissioner Cooper expressed the importance of having these policies but said that she is comfortable giving the Commission the authority to waive the fees for homesteaded properties. She was against changing the comprehensive plan. She did not receive support to waive the fees.

Commissioner Weldon stated he was not ready to move forward today but wanted more information as to how many lots are at stake in Orwin Manor and North Park and what are the ramifications of removing these policies.

Commissioner Seidel did not want to change what the citizens years ago asked for with the prohibited language in certain neighborhoods. Commissioner Sprinkel commented that the areas chosen to have prohibitions placed on them was not right and should not have happened, in creating two different processes and costs.

Mayor Leary stated he wanted to look at #4, #23 and #24 with the prohibited language removed.

After further discussion, the action taken was to ask staff to provide information as to the impact of the number of properties affected by a change to these three policies before moving forward with any other action.

Public Hearings:

a. Fee Schedule effective October 1, 2018

Commissioners asked questions of information contained in the fee schedule that staff answered and clarified.

Motion made by Commissioner Weldon to approve the fee schedule; seconded by Commissioner Sprinkel. 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.**

City Commission Reports:

Commissioner Seidel – Reported that his Coffee Talk is this Thursday. He mentioned the report submitted to them on possible traffic calming measures for Orwin Manor/Orange Avenue to discuss the next steps. Commissioner Sprinkel spoke about other areas in the City where people are also frustrated with traffic and that all of the community should be considered. Public Works Director Troy Attaway updated the Commission that they received the final DOT report and there were recommendations. They also received a report from the neighborhood who presented their desires but there were desires in their report in conflict with DOT. Staff will provide a presentation at the next meeting with DOT's recommendations and thoughts of the neighbors and staff's judgment.

Addressed the emails received regarding the comprehensive plan for corridors and wants to make sure they identify the greenspace corridors and work in conjunction with the other corridors so they do not lose the emphasis of the greenspace plan they discussed. He spoke about the identification of about 10 greenspace concepts and asked if they should narrow them down and emphasize a fewer number. It was decided that this will be a task for the new Planning Director.

Commissioner Sprinkel – Spoke about transportation issues and how it impacts the greenspace and water and lakes, etc. to make sure they keep the big picture.

Commissioner Cooper – Asked that the Commission agree to consider a commercial impact (usage) fee, consider an impact fee for commercial developments for increasing and maintaining our parks, and consider a transportation impact fee for commercial development to help the City deal with our transportation issues. There was not a consensus for any of these at this time but is something the new Planning Director could investigate.

Commissioner Cooper asked if the Commission would like a presentation from the League of Women Voters explaining the proposed Charter amendments to make the

public aware. There was no consensus for a presentation but that the Commission would welcome any information and direct the public to their website.

Commissioner Weldon – Stated that he met with the DePugh Nursing Center people to learn more about their operation where he was reminded about the idea of taxpayers funding non-profits in the City. He stated they support the non-profits in the City that are positive to our residents but do nothing to help them with communicating with the public as to what they are about. He suggested the quarterly newsletter promote one each time. There was a consensus that staff provide a list of all the 501(c)(3)'s with a link to their 990 forms for further discussion.

Mayor Leary – No report.

Public comments (items not on the agenda):

Sally Flynn, 1400 Highland Road, spoke about the residents wanting the 'prohibited' language as presented and discussed earlier. She stated there needs to be more conversations with the citizens.

Martha Bryant Hall, 331 W. Lyman Avenue, addressed her concerns with her historical home regarding issues with the windows.

Mary Daniels, 650 Canton Avenue, asked for clarification regarding the 'prohibited language' issue previously discussed. Mayor Leary clarified the direction given to staff. She spoke about the confusion with her and residents and the need for more information. She spoke about staff addressing there are 27 properties that could be affected but only three were discussed. Mayor Leary explained the three discussed were the only ones brought forward with concerns but that all the other ones will remain as they are unless a Commissioner brings specific other ones up for discussion which they have not.

MILLAGE AND BUDGET PUBLIC HEARINGS

ORDINANCE NO. 3123-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING A 4.0923 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY, A 0.1478 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2011, AND A 0.3271 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2017 Second Reading

ORDINANCE NO. 3124-18: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 AND ACCOMPANYING

FIVE YEAR CAPITAL IMPROVEMENT PLAN; APPROPRIATING FUNDS FOR THE GENERAL FUND, DESIGNATIONS TRUST FUND, STORMWATER UTILITY FUND, COMMUNITY REDEVELOPMENT FUND, FEDERAL FORFEITURE FUND, POLICE GRANT FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AND UNSPENT PROJECT BUDGETS AS OF SEPTEMBER 30, 2018; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED BETWEEN DEPARTMENTS SO LONG AS THE TOTAL FUND APPROPRIATIONS SHALL NOT BE INCREASED THEREBY Second Reading

This was a simultaneous public hearing. Attorney Ardaman read both ordinances by title. The Mayor made the opening statement as follows: "The millage rate needed for Fiscal Year 2019 to generate the same property tax revenue for the City as in 2018, based on the Property Appraiser's certification, is 3.8456 mills.

The budget proposed by the staff with amendments generally agreed to by the City Commission requires a millage of 4.0923 mills which has been the rate levied by the city for the last ten years. The proposed millage of 4.0923 mills would represent an increase in property taxes, not counting new construction and the City's dedicated increment value payment to the Community Redevelopment Agency, of 6.42%. This increase in property taxes levied over the prior year is not due to any change in tax rate but is due to the increase in assessed values of properties.

In addition, a 0.1478 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2011 approved by the citizens of Winter Park at the May 16, 2000 bond referendum. As well as a 0.3271 mill voted debt service levied to cover the debt service of the General Obligation Bonds, Series 2017 approved by the citizens of Winter Park at the March 15, 2016 bond referendum."

City Manager Knight addressed the two changes made to the budget from the work session: \$10,000 to the Blue Bamboo and \$33,000 to Mead Botanical Garden, Inc. for new flooring that comes out of contingency.

The following spoke in favor of the funding for the Blue Bamboo: Chris Cortez, Blue Bamboo Center for the Arts; and Jeff Flowers, Blue Bamboo.

Motion made by Commissioner Weldon that we reduce the millage rate to 4.0000 in reflection of the \$6 million in increased tax revenue the City has received over the past several years. The success we have had at rebuilding our reserves, the prospect for realizing our full 30% Reserve goal in the next year or two or several years based upon the properties that are available - the property on Lee Road that is available for sale, and the prospects for some


changes on the Progress Point circumstances that will likely result in some revenue to the City. Motion failed for lack of a second.

Mayor Leary announced the following: "The City Commission of the City of Winter Park is going to adopt an operating millage of 4.0923 which represents a property tax levy that is 6.42% higher than the rolled-back rate of 3.8456 mills due to increases in assessed values."

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

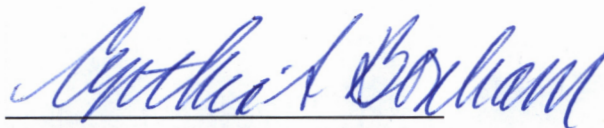
Upon a roll call vote on the budget ordinance on first reading, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

The meeting adjourned at 5:35 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 SEIDER, GREGORY STEPHEN		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY COMMISSION - WINTER PARK	
MAILING ADDRESS 1251 LAKEVIEW DRIVE		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 SEP 10, 2018		NAME OF POLITICAL SUBDIVISION: WINTER PARK	
		MY POSITION IS: <input 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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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. SEIDER, hereby disclose that on SEPTEMBER 10, 20 18:

(a) A measure came or will come before my agency which (check one or more)

- ☒ 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 subsidiary, or sibling 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.2

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

9/10/18

Date Filed

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.