



City Commission Regular Meeting Minutes

November 11, 2019 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1. Meeting called to order

Mayor Steve Leary called the meeting of the Winter Park City Commission to order at 3:30 p.m.

2. Invocation and Pledge of Allegiance

Pastor Ed Garvin, Calvary Assembly of God, provided the invocation, followed by the Pledge of Allegiance.

3. Approval of Agenda

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

4. Mayor's Report

Mayor Leary thanked veterans for their service and to city staff for coordinating the Veteran's Day celebration.

5. City Manager's Report

Orange Avenue Overlay District

Mr. Knight reviewed the request from Planning and Community Development Director Bronce Stephenson to schedule at least two Commission work sessions on the Orange Avenue Overlay District.

Commissioner Cooper stated she would like to have public information sessions prior to the work sessions as it is a large scale comprehensive plan amendment affecting use of properties.

In response to comments by Commissioner Seidel, Mr. Stephenson advised there has been public involvement for the past year and they continue to have public involvement. He advised that the draft overlay and other information is on the city's website. He suggested the first work session be held on December 9th prior to Commission meeting and a second work session in January. Commissioner Seidel suggested holding both work sessions after 5:00 p.m. to allow for public participation.

Mayor Leary spoke in favor of moving to the next steps as public input will be received during future meetings.

Commissioner Sprinkel commended staff on the videos on the website and suggested promoting these videos.

Commissioner Weaver expressed his appreciation for the work completed and suggested the work sessions be held following the Commission's regular meeting

After discussion, Mayor Leary asked that Mr. Stephenson work with the City Manager on coordinating dates.

Worksession on proposed Electric Vehicle Ordinance

Mr. Knight summarized the discussion at the work session and the consensus to move forward with multi-family and commercial aspects of the ordinance with no consensus on the single-family portion. Commissioner Seidel provided additional information and stated this would come back later for further discussion.

Noise complaints regarding Showalter Field

Commissioner Seidel asked for information on the noise complaints as a result of the on PA system at Showalter Field. Mr. Knight stated that of the 26 events held in the past 180 days, 14 events had full use of PA system and 12 used a portable PA, and none went beyond 10:00 p.m. Staff is looking at the purchase of a sound system that will reduce the noise. Parks and Recreation Director Jason Seeley advised that a contractor will look at systems and provide a solution around the holidays. Mayor Leary asked that this information provided to the neighbors.

Post Office

Commissioner Cooper asked that purchase of the post office be added to City Manager's Report.

Notice of Construction

Commissioner Weaver commented on complaints about the lack of public notice to residents regarding construction at Virginia and Lyman Avenues. Mr. Knight stated the city's practice is to notify residents but he will check into this complaint.

6. City Attorney's Report

Commissioner Cooper asked if staff has been able to verify that the City made a commitment to Chez Vincent restaurant regarding extended operating hours. Mr. Knight explained that this was addressed by the Commission after a one-year trial period and determined that it was working well but did not approved extended hours.

Commissioner Weaver stated that he recently learned that Park Avenue restaurants serving alcoholic beverages have the ability to stay open until 2:00 a.m. He expressed his concern about the impact to residential areas if hours are extended and suggested changing the areas covered by the ordinance to include only New England Avenue between Virginia and Pennsylvania Avenues. He would support bringing the ordinance back to the Commission for reconsideration applying the same language that applies to Park Avenue. Mayor Leary and Commissioner Sprinkel agreed.

7. Non-Action Items

a. Old Library Site Reuse Task Force Report

Budget and Performance Measurement Manager Peter Moore thanked the members of the Task Force and staff for their work. He gave a presentation on the mission, process, and past studies on the cost, re-use and appraisal of the Library property. He stated that public comments support a civic use although other uses were discussed. He outlined site and building constraints and options for addressing these constraints. He reviewed the recommendations for re-use including City Hall for temporary relocation while renovating existing City Hall or moving some functions of City Hall to the Library with complimentary uses of remaining space.

Commissioner Cooper expressed her support for keeping the building and maximizing the purpose and use for community purposes. Commissioners Weaver and Sprinkel agreed. Commissioner Cooper spoke in favor of the continued preservation of city hall in its current location as it is a contributing property to the Downtown National Historic District and opposed the report's suggestion that City Hall wings could be torn down.

Commissioner Weaver agreed with Commissioner Cooper although he feels the west wing of city hall has less historical value compared to the main section of City Hall. He acknowledged that using the library as temporary space for City staff could allow for expanding parking and/or mixed use along Lyman Avenue.

Commissioner Sprinkel spoke in favor of maintaining the existing Library building and maintaining some city functions at City Hall on Park Avenue. She suggested that discussions continue to work toward planning for future space. Commissioner Seidel agreed and expressed his appreciation for work of task force and public input.

Mayor Leary thanked city staff and task force members. He stated that there are other ongoing matters such as the purchase of the post office property and planned expansion of Alford Inn and feels that neighborhood impact

must be considered before making final plans for the library property. He said he would like for this to move forward with continued work by the task force.

Commissioner Seidel stated that the task force has provided good information but suggested reconvening the task force after more information is known about the post office. Commissioners Sprinkel and Weaver agreed.

Commissioner Cooper commended the task force on the work they have done but suggested using the resources of the city's continuing services contracts to facilitate the next steps.

Commissioner Weaver commented on the building condition and asked if funding is available for repairs. Mr. Knight stated staff will provide the information.

Consensus was to provide direction in January after more information is obtained on the post office property and library.

b. Financial Report for September 30, 2019

Finance Director Wes Hamil presented the preliminary financial report for Fiscal Year ending September 30, 2019 outlining revenues, investment earnings and budgetary savings which contributed to reaching an unassigned fund balance of 29%. With the recent sale of the property at 2600 Lee Road in FY 2020, the 30% goal has been reached. He reviewed balances in the utility funds and explained the decreased cash balance is partly due to the outstanding reimbursement for restoring power after Hurricane Irma and the delayed reimbursement for the Fairbanks Avenue project which was received in October.

Mayor Leary asked for a summary of tennis center operations revenues and expenditures. Mr. Hamil stated that the city has only partial year data after resuming city operation mid fiscal year 2019 but staff expects a good year in FY 20.

8. Citizen Comments

Citizen Comments were heard after Public Hearing Item 11b.

9. Consent Agenda

- a. Approve the minutes of October 28, 2019 (**Removed by Commissioner Cooper**)
- b. Cancel the City Commission meeting on December 23, 2019
- c. Budget Amendment FY20 Budget
- d. Approve the following piggyback agreements: 1 minute
 1. KONE: OMNIA Partners contract #EV2516 - Elevator & Escalator Maintenance & Repair Services; not to exceed \$75,000 per year (initial contract term shall be valid through 11/30/2024).
 2. Tyco Integrated Security: Sourcewell contract #031517-TIS - Facility Security Equipment, Systems & Services with Related Equipment & Supplies; Not to exceed \$75,000 per year (initial contract term shall be valid through 6/29/2021).
 3. Danus Utilities: SSNOCWTA contract #2016-002 - Wastewater Pump Station Construction & Rehabilitation Continuing Services; not to exceed \$400,000.

Motion made by Commissioner Sprinkel to approve the Consent Agenda excluding Item 9a; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote. There were no public comments.

Commissioner Cooper asked for an amendment to the minutes in the last paragraph on Page 15 to change "Sunshine Law" to "public records law" and on the motion Resolution 2224-19, change the first bullet to read "Delete the third Whereas paragraph which reads "Whereas, the New York Avenue corridor adjacent to the Property is prime for economic redevelopment, and" to clarify what was deleted."

Motion made by Commissioner Cooper to approve Consent Agenda Item 9a as amended; seconded by Commissioner Weaver and carried unanimously with a 5-0 vote. There were no public comments.

10. Action Items requiring Discussion

a. Harmon v City of Winter Park Proposed Settlement Agreement

Mr. Knight reviewed the background on the litigation regarding the abandonment of Champions Circle and the terms of the settlement agreement including setback variances to the park side. Staff is recommending approval subject to receipt of title insurance. City Attorney Ardaman explained the delays and need for a title policy on 22-foot wide property that the city will be receiving as part of the settlement agreement.

Mayor Leary expressed concern about the development of the park and expending city resources to maintain. Mr. Knight advised that the park will be low maintenance.

Motion made by Commissioner Cooper to approve the settlement agreement with the condition of receipt of title insurance; seconded by Commissioner Sprinkel. There were no public comments. **Upon a roll call vote, Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Mayor Leary voted no. Motion carried with a 4-1 vote.**

11. Public Hearings

a. Ordinance - Amending Adopted FY19 Budget - Amending the adopted budget and accompanying five year Capital Improvement Plan for Fiscal Year 2018 - 2019 (1)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel to approve the ordinance on first reading; seconded by Commissioner Cooper. There were no public comments made. **Upon a roll call vote Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.**

b. Partial Easement at Fairbanks Avenue and New York Ave

Ordinance - Authorizing the Partial Assignment of the City Owned easement located at the intersection of Fairbanks Avenue and New York Avenue to FDOT (1)

Attorney Ardaman read the ordinance by title.

Public Works Director Troy Attaway explained that this transfers easements to FDOT for the construction of the traffic signal mast arms at the corner of Fairbanks and New York Avenue.

Motion made by Commissioner Sprinkel to approve the ordinance on first reading; seconded by Commissioner Cooper. There were no public comments made. **Upon a roll call vote Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.**

8. Citizen Comments

Dory Larson, Southern Alliance for Clean Energy, provided information on the benefits of electric transportation such as emission reduction, lower fuel and maintenance costs, improved public health, and reduced impact of international supply, electricity usage, and need for offshore drilling. She stated a policy guide is available to aid in increasing use of electric vehicles.

Cynthia Wood, Interim Executive Director of Winter Park Public Library, thanked city staff and the commission for their support. She outlined the Library's accomplishments including new systems and policies, partnership with Rollins College to conduct a needs assessment, and development of a strategic plan including core values of learning, access, and inclusion.

Sabrina Bernat, Winter Park Public Library, provided details on new library services, partnerships and outreach programs.

Becky Gardner Eckbert, President and CEO of Winter Park Chamber of Commerce, stated she attended the World Travel Market in London where the Chamber has an outreach program to welcome British guests to Winter Park. She invited everyone to attend the Best of Winter Park event on November 13th from 5-8 p.m.

Martha Bryant Hall, 331 W. Lyman Avenue, stated that the road construction on Virginia and New England has impacted the residents and asked that residents be notified of construction. She commented on the noise level in the area of New England and Virginia and the difficulty she had in connecting with the Police Department's non-emergency number. Mayor Leary said staff will look into her concerns.

9. Public Hearings - continued

c. Charter Amendments

Ordinance - Proposing amendments to the charter of the City of Winter Park Sections 1.01, 1.03, 2.03, 2.05, 2.06, 2.08, 2.11, 2.17, 3.01, 3.03, 3.04, 4.01, 4.05, 4.07, 5.05, 5.08, 5.10 and 6.04, the preamble, changing article and section names and creating gender neutral language; providing for a referendum vote by the electors of the City of Winter Park on the question of approval of the proposed charter amendments at the election to be held on March 17, 2020. (1)

Attorney Ardaman read the ordinance by title only.

Mr. Knight stated the ballot questions in the ordinance were the result of consensus reached at the last meeting. Since that meeting, the Civil Service Board addressed modifications to the Civil Service Code, which is part of Ballot Question #11, and requested that more time be taken on this question with intent to place on the 2021 ballot. **Approved by consensus.**

Question #1 - Gender Neutral, Preamble, Title Changes and Sections 1.01 and 1.03

Shall the Winter Park City Charter be amended to provide for gender neutral language, modify the preamble to inspire a diverse and inclusive government, change the titles to Articles I and V and Sections 1.01 and 4.01 to better reflect the substance of provisions, delete obsolete language, amend Section 1.01 to provide for liberal interpretation of powers, and amend Section 2.08 to eliminate references to keeping a journal?

Motion made by Commissioner Cooper to approve Question #1 as presented; seconded by Commissioner Weaver.

Question #2 - Annual Base Salary of Mayor and City Commissioners

Shall Section 2.05 of the Winter Park City Charter be amended to provide for a minimum annual base salary of \$12,600 for City Commissioners and \$15,000 for the Mayor effective on October 1, 2020 and to provide for annual increases or decreases to base salaries based on the Consumer Price Index?

Motion made by Commissioner Sprinkel to deny Question #2; seconded by Mayor Leary.

Motion made by Commissioner Cooper to approve Question #2 as presented; seconded by Commissioner Weaver.

Question #3 - Form of Government

Shall a new Section 1.03 of the Winter Park City Charter be created to identify the City's form of government as the Commission - Manager form of government, which is consistent with how the City currently operates, and renumber the existing Section 1.03 to Section 5.10?

Attorney Ardaman recommended changing the word "identify to "clarify" and adding "and the existing charter" after the word "operates" to clarify that the operation of the government is not changing.

Motion made by Commissioner Weaver to approve Question #3 as recommended by the City Attorney; seconded by Commissioner Cooper.

Question #4 - Form of Ballot and Elections

Shall Section 3.03 and Section 3.04 of the Winter Park City Charter be amended to require that the conducting of city elections and form of ballots be consistent with state law, to delete the requirements for charter amendment ballots and to eliminate the subsection on poll workers to avoid potential conflicts with the Orange County Supervisor of Elections' poll worker operations?

Motion made by Commissioner Seidel to approve Question #4 as presented; seconded by Commissioner Cooper.

Question #5 - Citizen Referendum Petitions,

Shall Section 5.05 of the Winter Park City Charter be amended to change the deadline for citizen referendum petitions to reconsider an ordinance from 30 days to 45 days after the commission adopts an ordinance and to amend Section 5.08 of the City Charter to change the deadline for conducting a referendum on a citizen referendum petition from 60 days to 180 days from the date that the petition was deemed sufficient?

Motion made by Commissioner Cooper to approve Question #5 amending the deadline for conducting a referendum from 180 days to 90 days; seconded by Commissioner Weaver.

Motion made by Commissioner Sprinkel to approve Question #5 as presented; seconded by Mayor Leary.

Question #6 - Judge of Qualifications and Forfeiture of Office; Filling Vacancies.

Shall Section 2.03 of the Winter Park City Charter be amended to clarify that the Commission shall be the judge of the grounds of forfeiture of office for its own members and to provide that the Commission has authority to adopt procedures concerning judging qualifications for and grounds of forfeiture of office, and shall Section 2.07 be amended to give flexibility as to whether to fill Commissioner vacancies within 60 days of a general election?

Commissioner Sprinkel said she feels these should be two separate questions. Commissioner Weaver agreed.

Motion made by Commissioner Sprinkel to deny Question #6; seconded by Mayor Leary.

Mr. Knight clarified that the Commission removed the different violations. This clarifies that the Commission is judge of qualifications of office and forfeiture of office but does not include the list of violations in previous versions. Mayor Leary added that procedures would need to be adopted by ordinance.

Question #7 - Board Appointments

Shall Section 2.06 of the Winter Park City Charter be amended to clarify the timing of the election of the Vice Mayor and to delete the Mayor's lone board appointment authority and shall a new Section 2.19 of the City Charter be created establishing the size of city boards at seven members and providing for the Mayor to have three board member appointments and one appointment by each of the four City Commissioners?

Attorney Ardaman explained that there was a previous discussion to include task forces and ad hoc committees in Section 2.19. He stated that the language now reads "all boards and ad hoc committees" which is broader than task forces; however, for clarity he the Commission could include task forces. He added that he feels ad hoc committees includes task forces. He stated that Section 2.19(d) of the supporting language does not include a time limit for adoption of an ordinance for the transition to a new process; however, the Commission can add a deadline for adoption of an ordinance in the supporting language but it will not be included as part of the ballot question. He provided alternate language which he feels is clearer.

Shall Section 2.06 of the Winter Park City Charter be amended to clarify the timing of the election of the Vice Mayor and eliminate the Mayor's sole city board appointment authority and add Section 2.19 to establish city boards at seven members with each Commissioner appointing one member and the Mayor appointing three members to each city board?

Commissioner Cooper said she would like these questions separated. She said she feels the supporting language in Section 2.19 appears to complicate the issue. She stated that if these amendments are approved in March there is no time to adopt ordinance establishing the process for board appointments which occur annually in May.

Discussion followed on creating two questions and the challenge in adopting an ordinance prior to annual board appointments that occur in May.

Attorney Ardaman advised that if an ordinance is required, then the ordinance must be adopted prior to changing the process and suggested setting a deadline for adoption of the ordinance. He stated there are issues that need to be addressed prior to making appointments such as which Commissioner will appoint which board member.

Assistant City Manager Neuner stated that Chapter 2 of the Code of Ordinances will need to be modified in conjunction with any approved charter amendments and staff's intent is to bring the ordinance with the process to the Commission in April to meet the May board appointment deadline.

Discussion followed on options for delaying 2020 board appointments to allow for adoption of an ordinance for Commissioners to consider their appointments.

Motion made by Commissioner Sprinkel to deny Question #7; seconded by Mayor Leary. (withdrawn later in meeting.)

Question #8 - Quorum, voting and Video

Shall Section 2.08 and Section 2.11 of the Winter Park City Charter be amended to permit a quorum for voting purposes to be established by a majority of the City Commission being present in person or by way of video-conferencing and to restrict a Commission member's use of video-conferencing to not more than three times per year and by rules and procedures adopted by the City Commission?

Motion made by Commissioner Sprinkel to deny Question #8; seconded by Mayor Leary.

Motion made by Commissioner Weaver to approve Question #8 as presented; seconded by Commissioner Cooper.

Question #9 - Auditor Contract Term and Charter Amendments

Shall Section 2.17 of the Winter Park City Charter be amended change the contract term for the city's auditor from three years to five years, and shall the charter amendment provisions of Section 1.03 be renumbered to Section 5.10 and be amended to change the deadline from 60 days to 180 days to hold a vote on a proposed charter amendment after an elector petition is certified as sufficient?

Motion made by Commissioner Sprinkel to approve Question #9 as presented; seconded by Commissioner Seidel. (withdrawn)

Motion made by Commissioner Cooper; seconded by Commissioner Weaver to create two questions:

Shall Section 2.17 of the Winter Park City Charter be amended change the contract term for the city's auditor from three years to five years?

Shall the charter amendment provisions of Section 1.03 be renumbered to Section 5.10 and be amended to change the deadline from 60 days to 180 days to hold a vote on a proposed charter amendment after an elector petition is certified as sufficient?

Question #10 - Nonpartisan Elections

Shall Section 3.01 of the Winter Park City Charter be amended to prohibit candidates for mayor or commissioner to campaign as a member of any political party and from accepting campaign contributions from any political party, and to establish maximum civil fines for violations and giving the City Commission authority to adopt an ordinance to determine violations, provide due process and set fines concerning non-partisan requirements?

Attorney Ardaman advised that accepting political party contributions, per se, are not unconstitutional but can be problematic. He recommended deleting the prohibition of accepting campaign contributions from any political party.

Motion made by Commissioner Sprinkel to deny Question #10; seconded by Mayor Leary.

Motion made by Commissioner Cooper to approve Question #10 as presented; seconded by Commissioner Weaver.

Attorney Ardaman clarified that the City could limit the amount of political party contributions which is more defensible than a full prohibition of acceptance of campaign contributions from a political party. Discussion followed on prohibitions, enforcement and penalties.

Question #11 - City Manager Duties and Civil Service Code

Shall Sections 4.05 and 4.07 of the Winter Park City Charter be amended to provide for the adoption of a Civil Service Code by the electors and to establish minimum duties of the Civil Service Board, to amend the duties of the City Manager to permit the Civil Service Code to give the City Manager oversight of the Police Department and Fire Department, and further to clarify the duties of City Manager?

Mr. Knight stated that as a result of meetings with the Civil Service Board, this question will be postponed. The other change included in this question would require majority vote of the entire commission to confirm appointment of department heads and the city clerk.

Motion made by Mayor Leary to deny Question #11; seconded by Commissioner Sprinkel.

Commissioner Cooper suggested adding a question that would allow the Commission to determine whether certain matters should require a supermajority vote. Commissioner Seidel stated that everything in the proposed ordinance has been discussed through this process except supermajority vote and opposed adding an amendment was not vetted through the Charter Review Committee with public input. Commissioner Cooper accepted Commissioner Seidel's suggestion that this be considered in a later referendum.

Review of Supporting Language in Ordinance

Question #1 - Approved by consensus.

Question #2 - Commissioner Cooper said she would like to limit the salary increase to no more than the max increase provided to general employees approved with the annual budget. **Approved by consensus to add in the supporting language.**

Question #3 - Approved by consensus.

Question #4 - Approved by consensus.

Question #5 - Approved by consensus.

Question #6 - Mayor Leary stated that there is a motion to deny and consensus to separate the ballot questions.

Motion made by Commissioner Weaver to deny Section 2.03 and approve Section 2.07 as a separate question; seconded by Commissioner Cooper.

Question #7 - Mayor Leary said he does not see an issue with current process but would support changes given concerns of Commission regarding perception of the board appointment process. He stated the change will not address the perception of Commission interference of city board matters and developing preconceived notions on issues that may come before the Commission. He questioned whether there is an opportunity to add language in the charter stating communications between members of the Commission and board members will comply with the Sunshine Law.

Commissioner Seidel said he feels it is more a matter of getting a broader representation on boards and is a start to correcting perception. Commissioner Weaver agreed with Commissioner Seidel and added that he feels the process should be changed to increase future participation of under-represented residents.

Commissioner Cooper spoke in support of Section 2.06 as written and suggested changing 2.19(a) to state that the details on board appointments will be adopted by ordinance and delete Paragraphs (b), (c), and (d) which could then be placed in the ordinance.

Attorney Ardaman stated that the timing of appointments for 2020 could be delayed until after adoption of the ordinance establishing the appointment process. Discussion followed on establishing the process for board appointment and timing for 2020 board appointments.

Commissioner Sprinkel questioned whether this is an attempt to fix a problem that does not exist and whether the solution would be worse than the current process, which is why she made a motion to deny. She stressed the importance of continuity on city boards and expressed her concern that board appointments may be perceived as a being a commissioner's board member.

Motion made by Commissioner Seidel to approve as presented; seconded by Mayor Leary.

Motion made by Commissioner Cooper to split the question on 2.06 from 2.19 and in Section 2.06 strike the sentence “He shall annually appoint members of the city boards subject to the approval of the commission”; seconded by Commissioner Weaver.

Motion made by Commissioner Cooper to delete Paragraphs 2.19 (b), (c) and (d) from the supporting language and the City Attorney write a one-sentence explanation that the process would be implemented by ordinance; seconded by Commissioner Weaver.

Question #8 - Approved by consensus.

Question #9 - Approved by consensus.

Question #10 - Approved by consensus.

Question #11 - Motion pending to deny.

A recess was taken from 6:42 - 6:54.

Mayor Leary opened the hearing for public comment.

Michael Perelman, 1010 Greentree Drive, commented on Section 4.05, Powers and Duties, stating that consistency is needed between Paragraphs (e) and (f). He spoke in support of all Commission members making board appointments but board members should not serve at the pleasure of the appointing Commission member. He said he feels board members should be a resident but do not need to be a registered voter.

Sally Flynn, 1400 Highland Road, spoke in favor increasing the Commission’s salary. She stated that she never felt that the Mayor exerted any pressure or that there was lack of transparency but feels there will be more diversity on city boards if different commissioners make appointments.

Beth Hall, 516 Sylvan Drive, supported the proposed pay increase, clarifying the type of government, 90-day time frame for holding a referendum, and changing the board appointment process. She expressed her concern that voters may not vote on a question if they do not understand and suggested that the questions and information are clear.

Ruth Heine, 2358 Summerfield Road, expressed her support of a pay increase, the 90-day time frame for holding a referendum and splitting Question #9 into two questions. She said she does not feel there has been undue influence by the Commission but it is a matter changing the process.

Vote on motions:

Question #1 - Gender Neutral, Preamble, Title Changes and Sections 1.01 and 1.03

Upon a roll call vote on the motion to approve Question #1 as presented, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Question #2 - Annual Base Salary of Mayor and City Commissioners

Mayor Leary stated no changes were proposed to the ballot question, however the supporting language will be revised to reflect that the increase shall not be more than the max increase provided to general employees as approved with the annual budget.

Upon a roll call vote of the motion to deny Question #2, Mayor Leary and Commissioner Sprinkel voted yes. Commissioners Seidel, Cooper and Weaver voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the motion to approve Question #2 with the amendment to the supporting language limiting the salary increase to no more than the maximum annual raise provided to general employees, Commissioners Seidel, Cooper and Weaver voted yes. Mayor Leary and Commissioner Sprinkel voted no. Motion carried with a 3-2 vote.

Question #3 - Form of Government -

Attorney Ardaman read the revised question.

Shall a new Section 1.03 of the Winter Park City Charter be created to clarify the City's form of government as the Commission - Manager form of government, which is consistent with how the City currently operates and the existing charter, and renumber the existing Section 1.03 to Section 5.10?

Upon a roll call vote on the motion to approve Question #3 as revised and presented by the City Attorney, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Question #4 - Form of Ballot and Elections

Upon a roll call vote on the motion to approve Question #4 as presented, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Question #5 - Citizen Referendum Petitions

Shall Section 5.05 of the Winter Park City Charter be amended to change the deadline for citizen referendum petitions to reconsider an ordinance from 30 days to 45 days after the commission adopts an ordinance and to amend Section 5.08 of the City Charter to change the deadline for conducting a referendum on a citizen referendum petition from 60 days to 180 days from the date that the petition was deemed sufficient?

Upon a roll call vote to approve Question #5 amending deadline for conducting a referendum from 180 days to 90 days, Commissioners Seidel, Cooper and Weaver voted yes and Mayor Leary and Commissioner Sprinkel voted no. Motion carried with a 3-2 vote.

No vote was taken on the motion to approve as written given the passing of the above motion to approve with amendment.

Question #6 - Judge of Qualifications and Forfeiture of Office; Filling Vacancies.

Upon a roll call vote to deny Section 2.03 and approve Section 2.07 as a separate question, Mayor Leary and Commissioners Sprinkel, Cooper and Weaver voted yes and Commissioner Seidel voted no. Motion carried with a 4-1 vote.

No vote was taken on the motion to deny given the passing of the above motion.

Mayor Leary pointed at that with this change, the title of Question #6 will change to Filling Vacancies.

Question #7 - Board Appointments

Commissioner Sprinkel withdrew her motion to deny, accepted by Mayor Leary as second.

Upon a roll call vote to delete Paragraphs 2.19 (b), (c) and (d) from the supporting language and add language stating that the process would be implemented by ordinance, Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to separate the question on 2.06 from 2.19, and in Section 2.06 strike the sentence "He shall annually appoint members of the city boards subject to the approval of the commission." Commissioner Cooper and Commissioner Weaver voted yes and Mayor Leary, Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to approve Question #7 as presented, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Question #8 - Quorum, voting and Video

Upon a roll call vote to deny Question #8, Mayor Leary and Commissioner Sprinkel voted yes and Commissioners Seidel, Cooper and Weaver voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to approve Question #8 as presented, Commissioners Seidel, Cooper and Weaver voted yes and Mayor Leary and Commissioner Sprinkel voted no. Motion carried with a 3-2 vote.

Question #9 - Auditor Contract Term and Charter Amendments

Motion was made and seconded to split into two questions.

Shall Section 2.17 of the Winter Park City Charter be amended change the contract term for the city's auditor from three years to five years?

Upon a roll call vote to approve this question, Mayor Leary, Commissioners Seidel, Sprinkel and Weaver voted yes and Commissioner Cooper voted no. Motion carried with a 4-1 vote.

Shall the charter amendment provisions of Section 1.03 be renumbered to Section 5.10 and be amended to change the deadline from 60 days to 180 days to hold a vote on a proposed charter amendment after an elector petition is certified as sufficient?

Upon a roll call vote to approve this question, Mayor Leary, Commissioners Seidel, Sprinkel and Weaver voted yes and Commissioner Cooper voted no. Motion carried with a 4-1 vote.

Question #10 - Nonpartisan Elections

Upon a roll call vote to deny Question #10, Mayor Leary and Commissioner Sprinkel voted yes and Commissioners Seidel, Cooper and Weaver voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to approve Question #10 as presented, Commissioners Seidel, Cooper and Weaver voted yes and Mayor Leary and Commissioner Sprinkel voted no. Motion carried with a 3-2 vote.

Question #11 - City Manager Duties and Civil Service Code

Upon a roll call vote to deny Question #11, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Seidel to approve the ordinance as amended; seconded by Commissioner Weaver. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Cooper and Weaver voted yes and Commissioner Sprinkel voted no. Motion carried with a 4-1 vote.

12. City Commission Reports:

Commissioner Seidel

- Pointed out that the Commission meeting on December 23rd has been cancelled.
- Said he attended Cows and Chandeliers event which raised over \$1M for youth in the Orlando area.

Commissioner Sprinkel

- Gave an update on the youth swimming program which should be in place soon and thanked staff for their help in developing this program.
- Spoke on Orlando's upcoming vote regarding restrictions of motorized scooters.
- Spoke in favor of a noise ordinance in light of recent complaints.
- Asked staff to check on the rules regarding monuments place on rights-of-ways and can obstruct driver's view.

Commissioner Cooper

- Thanked veterans for their service and commended city staff on the Veterans Day event.
- Advised that the Orange Avenue Task Force meeting is Wednesday at Mead Gardens clubhouse at 5:30.
- Announced that the Florida League of Cities Conference starts Wednesday.

Commissioner Weaver

- Thanked Kris Stenger and Vanessa Balta Cook for the lakes cleanup on Saturday and their work on the electric vehicle ordinance and thanked Starling Chevrolet for bringing the Bolt to test drive.

Mayor Leary

- Thanked Reverend Williams for his contributions to the city.
- Suggested that board member qualifications should be reviewed, including residency requirements as there may be others outside the community with the expertise to contribute to a city board.
- Asked that members of the Commission encourage residents to submit applications.

- Expressed his concern regarding maintaining transparency between the Commission and city boards. He feels board member should be left to serve their role and purpose with no commission input before a board's recommendations are presented to the Commission for action. He suggested further discussion on the Commission's interaction with staff and board members.

The meeting adjourned at 7:41 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis, CMC