

**CITY OF WINTER PARK
REGULAR MEETING OF THE CITY COMMISSION
February 27, 2006**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Akip Marchman at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was offered by Reverend Gary Rideout, First United Methodist Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Marchman
Commissioner Douglas Storer
Commissioner John Eckbert
Commissioner Barbara DeVane
Commissioner Douglas Metcalf

Also present:

City Attorney Trippe Cheek
City Manager James Williams
City Clerk Cynthia Bonham

MAYOR'S REPORT:

a) Check Presentation

Congressman John Mica presented the Winter Park Fire Department with a \$195,832 check from the receipt of the Fire Act Federal Grant to be used to replace the City's self-contained breathing apparatus.

NEW BUSINESS – CITIZENS COMMENTS:

a) Lurline Fletcher, 790 Lyman Avenue, commented about the problems she is experiencing with Waste Management with trash pickup. She also commented about her frustration with the rezoning taking place on the west side.

b) Kim Allen, 271 Virginia Drive, spoke against the Carlisle post office project and the USPS public meeting notification. She asked if meetings took place between the USPS and the City. Mayor Marchman reminded Ms. Allen that the City is in the middle of litigation and can not discuss this issue.

CITY ATTORNEY'S REPORT:

CONSENT AGENDA:

- a) Approve the minutes of 2/13/06.
- b) Approve the following Bids, RFP's, RFQ's and Change Order:
 - 1) Extension of Bid WP-1-2004/2005/2006, Interior Plant Maintenance, with Interscape Systems, Inc. for interior plant maintenance at various city buildings. All terms, conditions, and pricing will remain the same. (Budget: User Departments).
 - 2) Bid WP-3-2006, Tree Debris Disposal (not related to hurricane debris removal) to A Sun State Tree Service for the prices shown on the attached tabulation sheet. (Budget: Forestry)

- 3) Extension of Request for Proposals RFP-2-2005, Winter Park Update Printing, with Printing Ideas by M.E., Inc. and accept the increase monthly charge of \$2,215.00 to accommodate the increased volume from 15,000 to 17,000. (Budget: Communications)
 - 4) Extension of Request for Proposals RFP-2-2005, Printing of Utility Billing Calendars, and the mailing of the Winter Park Update, with Printworks and accept the price increase of \$867.54 per month for the Utility Billing Calendars and the price increase of \$154.64 per mailing of the Winter Park Update. Both increases are due to a raise in volume. (Budget: Communications)
 - 5) Change Order to Task Order 2000-01 to CH2M Hill requesting an increase to Task Order 2000-01, General Engineering Support Services for Water and Wastewater Systems; \$75,000. (Budget: Utilities CIP)
 - 6) Bid WP-10-2006, for various types of pipe for the Utilities Department, to National Water Works, Inc. as per attached tabulation. (Budget: Utilities)
 - 7) Request for Qualifications RFQ-6-2006, Design/Build Welcome Center for staff to go forth with negotiations as follows:
 1. LAMM Company Partners
 2. R.D. Michaels, Inc.
 3. McCree Design Builders Inc.
 - 8) Extension of Request for Proposals RFP-5-2004/2005/2006, Pest Control and Rodent Control Services, with Massey Services, all pricing, terms and conditions remaining the same. (Budget: Facilities Maintenance)
- c) Adopt the attached Canvassing Board absentee/provisional ballots criteria list. Schedule the Canvassing Board meeting(s) for 4:00 p.m. March 14, 2006, at the Supervisor of Elections Office to canvass questionable absentee ballots that did not meet the adopted criteria and to certify the election results if there are no provisional ballots. If there are provisional ballots that were not accepted, schedule a Canvassing Board meeting for Monday, March 20, 2006, at 12:00 noon to canvass provisional ballots that were not satisfied and certify the election results at that time.
- d) Approve the continuation of the valet parking initiative upon ending the trial period and determining its success. Enter into a partnership with the Chamber of Commerce and the Park Avenue Area Association to assist with the financing of its implementation for the next fiscal year at a \$5,000 contribution per station (total of 2).
- e) Approve the following budget adjustment:
- 1) Transfer \$55,000 from General Fund contingency for securing the former Dan McCarthy State Office Building and monthly dehumidifier rental to limit deterioration of the building.

No public comments were provided. Commissioner DeVane pulled item 'd' for discussion.

Motion made by Commissioner Storer to approve the Consent Agenda with the exception of Item 'd'; seconded by Commissioner DeVane. The motion carried unanimously.

Consent Agenda Item 'd'

Commissioner DeVane commented about the importance of continuing the valet parking partnership but asked to revisit and explore the implementation of a local connector within the shopping areas of Winter Park. She asked that staff review this for a future meeting. Commissioner Metcalf addressed the need to revisit the circuit bus previously utilized to be part of the upcoming budget. Commissioner DeVane mentioned the intelligent bus system that she reviewed in the past that could be considered.

Motion made by Commissioner Storer to approve item 'd', seconded by Commissioner Metcalf and carried unanimously.

PUBLIC HEARINGS:

- a) Request of James Hardy to build four townhouses at 2261 Nairn Drive.

ORDINANCE NO. 2662-06: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 68 LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE-FAMILY (R-1A) DISTRICT TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ON THE PROPERTY LOCATED AT 2261 NAIRN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Cheek read the ordinance by title. No public comments were provided.

Motion made by Commissioner Metcalf to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.

- b) Request of Dr. Virdi to convert the existing one story home at 2430 Glenwood Drive to a 1,000 square foot medical office building:

ORDINANCE NO. 2663-06: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE-FAMILY (R-1A) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY LOCATED AT 2340 GLENWOOD DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Cheek read the ordinance by title. No public comments were provided.

Motion made by Commissioner Metcalf to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.

c) Request of the City of Winter Park:

ORDINANCE NO. 2664-06: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SO AS TO AMEND THE SETBACKS FOR LOTS OF 60 TO 65 FEET IN WIDTH TO PROVIDE CONSISTENCY FOR FIRST AND SECOND FLOOR RESIDENTIAL SETBACKS WITH THE SINGLE FAMILY AND PURD ZONING DISTRICTS. Second Reading

Attorney Cheek read the ordinance by title. No public comments were provided.

Motion made by Commissioner Storer to adopt the ordinance, seconded by Commissioner DeVane. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.

d) Request of the City of Winter Park:

ORDINANCE NO. 2665-06: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, PROHIBITING ON OR OFF LEASH ANIMALS IN SPECIFIC CITY PARKS AND PARK AREAS; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; PERMITTING OFF LEASH ANIMALS IN A SPECIFIC AREA DURING SPECIFIED HOURS; AND PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney Cheek read the ordinance by title. No public comments were provided.

Motion made by Commissioner DeVane to adopt the ordinance, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.

e) Request of Fugelberg-Koch Architects:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE EXISTING SHOPPING CENTER (C-1) DISTRICT ZONING TO GENERAL COMMERCIAL (C-3) DISTRICT ZONING ON THE PROPERTIES AT 2555 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN. First Reading **NOTE: THIS ORDINANCE WAS WITHDRAWN FOR CONSIDERATION. SEE BELOW.**

Attorney Cheek read the ordinance by title. Planner Briggs addressed the history of this property and its zoning. He spoke about the owner wanting to construct the building at this time and the need to renew the conditional use approval that was granted twice in the past and to approve a variance to utilize a 10' side setback adjacent to the Winter Park Public Works facility in lieu of the 20' setback in the C-1 code. He addressed the rezoning recommendation from C-1 to C-3 made by staff that was determined not to be the best choice. He stated that the planned development route (variance) for the one single difference between the 10' and 20' side setback is the recommendation and to keep the current zoning.

Mr. Briggs stated there has been little controversy with the project over the years. He stated the Planning and Zoning Commission (P&Z) problem with the project appeared to be whether we should change the rules via zoning or via the PD ordinance which caused a 2-2 vote so there is no formal P&Z recommendation. Mr. Briggs addressed the different computerized views around the project that were provided. He stated they are working to incorporate these requirements into the code so the Commission will see more of the 3D perspectives in the future.

Commissioner Metcalf spoke about the rail station that was debated and the simulation provided of the downtown corridor including New York Avenue that would have been helpful with redevelopment of the Jacobson's building. He addressed projects coming before the Commission and suggested implementing a requirement that all developers provide computerized views around their project to provide a clearer visual for future projects. Commissioner DeVane agreed that this should be a requirement on all future projects.

Mayor Marchman clarified that the Commission wants this as a requirement on projects coming before the Commission and to adopt additional ordinances if necessary. Mr. Briggs stated that an ordinance was advertised for the P&Z and City Commission for March. Commissioner DeVane questioned Mr. Briggs concerning the P&Z vote and if the only problem with this project was it did not come to them in a form they liked in terms of zoning. Mr. Briggs stated part of the problem they had was that they did not meet the rules.

Applicant Bob Koch, Fugelberg-Koch Architects, 2555 Temple Trail, Winter Park, addressed the history of his property as related to zoning and the building that has taken place. He showed the original site plan. He spoke about the conditional use and placement of the building and whether they have a 10' or 20' side setback on the property adjacent to the storage facilities where the City currently has their Public Works Department. He stated they have a building they would like to propose in this location and they could comply with the 20' setback but would have to take down the 40" oak tree. He provided computer generated images to provide eye level and aerial perspectives of the project.

Discussion ensued regarding the stormwater retention. Commissioner DeVane addressed the retention pond and the possibility of a demonstration project and a better way to deal with retention with other projects within the City. Upon stating that this is no reflection of Mr. Koch's project, she informed Mr. Koch that she would be speaking with him about this.

No public comments were made.

Commissioner Eckbert asked if there was any guidance from staff as to which path the Commission could take as a more appropriate path if the Commission decides to move forward with the request. Mr. Briggs responded that since there was reservation from the P&Z as to the rezoning, he believed that approving the conditional use with the PD variance with the 10' setback and leaving the zoning as it currently is seems the best way to go. He clarified that the zoning ordinance would not get adopted and that the conditional use would be approved.

Motion made by Commissioner Eckbert to approve the conditional use request with the planned development variance for the 10' side setback; and to not change the zoning. Seconded by Commissioner DeVane and carried unanimously.

CITY MANAGER'S REPORT:

a) Enhanced communications presentation.

Communications Director Clarissa Howard provided a powerpoint presentation showing the numerous magazines/newspapers recognitions the City has received. She stated these articles hit over 900,000 potential readers locally, nationally and worldwide. She stated the various City departments and City management tremendously supported this effort which affected the number of articles and readership.

Ms. Howard provided three options as how to further enhance the current communications effort as follows:

Consideration #1: Continue using the *Winter Park Update* as one of the primary tools to reach residents about city news via the mail. Continue adding public hearing notices for upcoming Planning & Zoning and City Commission meetings. Diversify *Update* articles to include information explaining reasons for decisions made at the Commission meetings. There would be no new annual cost (already incorporated into Communications operating budget)

Consideration #2: Begin broadcasting City Commission meetings live on Orange TV. Interested residents can watch the Commission meetings on cable Ch. 9 or if they do not have cable, can watch the meetings via the Internet by logging on to www.OrangeTV.us. New annual cost would be between \$36,000 - \$48,000.

Consideration #3: Addition of a new monthly direct mail piece with two options: 1) AveNews (new annual cost including printing and postage \$70,000); or 8 ½ x 11, double-sided, black and white mailer. New annual cost including printing and postage \$60,000.

Ms. Howard addressed staff recommendations to include option #1 and option #2 with the funding for option #2 to come from the Contingency Fund.

Commissioner Metcalf spoke about the current availability of the live meeting audios for citizens to listen to from the City's website. Ms. Howard addressed the taping of the meetings that would be played at a designated weekday and weekend time by Orange TV. Commissioner Storer complimented Ms. Howard on her impressive report. He stated he has watched government meetings using live streaming video on their websites and asked if this could be accomplished on our website along with the audio. Ms. Howard stated she could further review this.

Commissioner DeVane asked about the percent of people who watch Orange TV. She addressed concerns with using the internet to broadcast. She spoke about mailing out bi-monthly or quarterly special surveys that address specific topics that we have every year, i.e., budget, holiday events, etc. that could be used at budget time. Mayor Marchman agreed with options #1 and #2 and to expand the Update to possibly cover Commissioner DeVane's suggestion.

Susan Gabel, 1539 Golfside Drive, spoke about consideration #2 and broadcasting it live at the 3:30 time when people are at work. She also asked for consideration of #3.

Roy Haldeen, 1111 Temple Drive, suggested reviewing who watches Orange TV first before approving consideration #2.

Margie Wagner, 181 W. Stovin Avenue, applauded the report that was provided by Ms. Howard. She asked how proactive the City is with getting the word out to the various magazines and if the City advanced certain articles or if they were initiated by another source. Ms. Howard responded.

Motion made by Commissioner Storer to approve staff's two considerations.

Mayor Marchman commented that Commissioner Storer's suggestion could be visited and brought back to the Commission with any additional cost but to move forward this evening with the other staff recommendations.

Commissioner Metcalf expressed concerns with the number of people watching Channel 9 to warrant the cost and wanted to see something more directed to Winter Park's citizens. He questioned whether the taxpayer's money would be spent wisely for Orange TV since there are many other ways to already obtain the audios from the meetings.

Commissioner Eckbert stated that he wanted to see if the residents felt that Orange TV would be valuable and if they would watch it if it were available.

Commissioner DeVane questioned when our meetings would be televised since it would not a live broadcast. She commented that this needs to be determined before a decision is made on Orange TV.

Commissioner Storer added that is prudent to obtain more feedback. He also expressed concerns with the platform that taping the meetings would provide which could prolong the already lengthy meetings. He addressed concerns about editing

the tape before the broadcast and what important portions may be cut out of the broadcast because of the long meetings the Commission usually has.

There was a consensus of the Commission to hold off on any decision at this time.

NEW BUSINESS (CITY COMMISSION):

No new business of the City Commission was brought forward.

Mayor Marchman adjourned the meeting at 4:34 p.m.

ATTEST:

Mayor Kenneth R. Marchman

City Clerk Cynthia Bonham