

**CITY OF WINTER PARK
REGULAR MEETING OF THE CITY COMMISSION
April 8, 2003**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth "Kip" Marchman at 4:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was offered by Bill Swartz, Parks & Recreation, followed by the Pledge of Allegiance.

PRESENT: Mayor Kenneth "Kip" Marchman, Commissioners Douglas Storer, John Eckbert, Douglas Metcalf and Barbara DeVane; City Attorney C. Brent McCaghren; City Manager James Williams and City Clerk Cynthia Bonham.

MAYOR'S REPORT:

- a) Mayor Marchman recognized Mike Williams, Warehouse Specialist/Buyer, Purchasing Division as the April 2003 Outstanding Employee of the Month.
- b) Appointment of Vice-Mayor for upcoming year.

Motion made by Commissioner Metcalf to nominate Commissioner Eckbert as Vice Mayor for the upcoming year, seconded by Mayor Marchman. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. Motion carried unanimously with a 5-0 vote.

CITY ATTORNEY'S REPORT:

Attorney McCaghren addressed the deed for the extension of General Rees. He stated that he submitted proposed changes to the draft deed to Mr. Martin who will review, incorporate the changes, move forward with the execution of the deed and deliver it to the City. Commissioner DeVane spoke about the Commission approving this months ago and that they cannot go onto the school property without the deed. Attorney McCaghren believed it would be resolved this week. Commissioner Storer wanted to be sure that the agreement and the Orange County Public Schools commitment to that agreement was revisited.

CONSENT AGENDA:

- a) Approve minutes of 3/25/03.
- b) Accept the introduction of the Central Park Foundation, supporting Winter Park's parks and public arts. Support the Foundation to provide a proposal for a collaborative partnership with the City. Appoint City Manager Jim Williams as the liaison to the Central Park Foundation. Support providing a proposal for a feasibility study to be completed within 6 months to quantify facility needs and appropriate locations for a "civic site." Reserve the U.S. Postal Service site for the length of the feasibility study to determine its appropriateness as a "civic site" as recommended within the Central Park Master Plan.
PULLED FROM THE CONSENT AGENDA FOR DISCUSSION. SEE BELOW.
- c) Authorize the Mayor to execute the Public Safety boathouse agreement with Rollins College to construct a boathouse on Lake Virginia adjacent to the Dinky Dock Park.
- d) Authorize staff to proceed with the revised scope and contract for the Central Business

District Master Parking Plan with Glatting Jackson. **PULLED FROM CONSENT AGENDA FOR DISCUSSION. SEE BELOW.**

- e) Approve the request to relocate the easement and private roadway for "The Estates" section of Windsong pursuant to an agreement with the three property owners for the installation and maintenance of landscape screening between the new road and the lake (on the land and conservation area) which maintains a natural appearance of the lakeshore and screens vehicles from view with the condition that the easement documents be reviewed and approved by the City as well.
- f) Receive updated report on U.S. 17-92 improvements throughout the City. Authorize staff to continue the process consistent with the City's vision for the corridor. FDOT to conduct a stakeholders meeting in April and a public meeting on May 8, 2003, at the Civic Center.
- g) Support the request by the Timberlane, Waterbridge and Windsong Community Homeowners Associations to upgrade the roadway improvements by bricking Glenridge Way from Lakemont to General Rees as a mitigation measure from perceived traffic impacts of Baldwin Park. Draft a letter to Orange County soliciting straight up funding participation and not associating this request with the 20/20 Mobility Plan. Bring back to the Commission in 2 weeks. **PULLED FROM CONSENT AGENDA FOR DISCUSSION. SEE BELOW.**
- h) Approve Budget Adjustments as follows:
 - 1) Transfer \$5,647 from the Water and Sewer Fund to the Vehicle Replacement Fund to cover the additional cost of purchasing a hydrant/valve truck over what was budgeted.
 - 2) Transfer \$2,911 from the Fire Department to the Public Safety Complex to cover the cost of installing the fire pole.
- i) Approve Bids, Purchases, and Change Orders as follows:
 - 1) Extension of RFP-3-2001/2/3, Printing of the "City Today" employee newsletter and the mailing service for the City's Update to M. E., Inc., prices as noted (Budget: Public Relations)
 - 2) PR 101609 and PR 101614 to Classic Chevrolet for vehicles for new police officers and one detective as approved by the City Commission on 3/25/03, \$107,805 (Budget: Forfeiture/Vehicle Replacement)
 - 3) PR 101496 to Acme Dynamics, Inc. for a replacement pump from the Orange County contract Y2-618-JS, \$28,750.00 (Budget: Vehicle Replacement)
 - 4) Change Order #1, Bid WP-3-2003, Pennsylvania Corridor Bricking Project to Gibbs & Register, Inc. for additional services for stabilization, \$9,804.50 (Budget: CIP)
 - 5) PR 101485 to American Water Services Underground Infrastructure, Inc. for liners for various pipe sizes throughout the City, using the City of Miami's Contract #36-00/01, \$517,743.60 (Budget: CIP Utilities Sewer Mains Upgrade)
 - 6) PR's to Don Reid Ford from State contract: PR 101172 for cargo van for Utilities (\$20,619); and PR 101606 for 3 each heavy duty 3/4 ton pickup trucks F250 for Utilities (\$62,970) totaling \$83,589 (Budget: Vehicle Replacement)
- j) Review calendar and update with future work sessions and joint meetings. Scheduled the following meetings: work session to discuss the budget process (future work session meeting); work session to discuss the electric utility, April 21, 1:30; joint meeting with the City of Maitland, April 29, noon (Farmers' Market - tentative date); work session to discuss redevelopment in the Central Business District, May 20, 3:30; work session to discuss CRA planning review, June 9, 2:30; Town Meeting on June 9, 7:00 p.m.; joint meeting with the Chamber of Commerce on June 18, noon.

- k) Receive updates concerning Progress Energy (Florida Power Corporation) and City Hall redevelopment.

Margie Bridges, 767 Antonette Avenue, President of College Quarter Neighborhood Association, spoke in favor of Consent Agenda item 'g'. She asked that the bricking of Glenridge Way be extended to Lakemont due to traffic concerns. She addressed a letter from the association requesting that the bricking of Holt Avenue be added to the funding for the Lake Sue/Pennsylvania corridor project.

Commissioner Storer pulled Consent Agenda items 'b', 'd' and 'g' for discussion.

Motion made by Commissioner DeVane to approve the Consent Agenda with the exception of items 'b', 'd' and 'g' and with the addition of the condition to item 'e' ; seconded by Commissioner Metcalf and carried unanimously.

Consent Agenda Item 'b': Accept the introduction of the Central Park Foundation, supporting Winter Park's parks and public arts. Support the Foundation to provide a proposal for a collaborative partnership with the City. Appoint City Manager Jim Williams as the liaison to the Central Park Foundation. Support providing a proposal for a feasibility study to be completed within 6 months to quantify facility needs and appropriate locations for a "civic site." Reserve the U.S. Postal Service site for the length of the feasibility study to determine its appropriateness as a "civic site" as recommended within the Central Park Master Plan.

Commissioner Storer disputed the wording of the item. He spoke that he believed the Commission agreed to ask for a proposal with a time frame when the study would take place and also was against reserving any sites. He suggested to end the item after "Support providing a proposal for a feasibility study." Further discussion ensued regarding what the Commission believed was agreed upon at the work session.

After comments, Commissioner Eckbert suggested to instruct ACi to consider the feasibility study when it is submitted and not to finalize anything until they have seen the study so the site is not reserved. This would allow ACi to continue with their site study, and depending on the outcome of the feasibility study, to inform them if it works that the Commission has a strong interest in including it in the site. Commissioner DeVane agreed not to put out an RFP for a site plan before the feasibility study is finalized. Commissioner Storer added comments and that he agreed with Commissioner Eckbert's amendments.

Upon further comments, there was consensus to approve Consent Agenda 'b' with the following amendments:

Accept the introduction of the Central Park Foundation, supporting Winter Park's parks and public arts. Support the Foundation to provide a proposal for a collaborative partnership with the City. Appoint City Manager Jim Williams as the liaison to the Central Park Foundation. Support providing a proposal for a feasibility study to be completed within 4 months to quantify facility needs and appropriate locations for a "civic site."

Consent Agenda Item 'd': Authorize staff to proceed with the revised scope and contract for the Central Business District Master Parking Plan with Glatting Jackson.

Commissioner Storer asked for clarification about the decision made to proceed with the revised scope and contract. It was clarified that they agreed to hire Glatting Jackson at the amount last submitted.

There was consensus to approve Consent Agenda item 'd'.

Consent Agenda item 'g': Support the request by the Timberlane, Waterbridge and Windsong Community Homeowners Associations to upgrade the roadway improvements by bricking Glenridge Way from Lakemont to General Rees as a mitigation measure from perceived traffic impacts of Baldwin Park. Draft a letter to Orange County soliciting straight up funding participation and not associating this request with the 20/20 Mobility Plan. Bring back to the Commission in 2 weeks.

Commissioner Storer spoke that he is anxious to send out the letter and asked that one be circulated in the most expeditious way.

There was consensus to approve Consent Agenda item 'g'.

CITY MANAGER'S REPORT:

No report.

PUBLIC HEARINGS:

- a) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING A FIFTEEN FOOT WIDE PORTION OF THE RIGHT-OF-WAY OF VIA TUSCANY LYING EAST OF 2615 VIA TUSCANY BUT RESERVING A UTILITY EASEMENT, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

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

b) Request of Stephen Abrams for the property at 1412 Trovillion Avenue:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF MULTI-FAMILY RESIDENTIAL TO OFFICE ON THE PROPERTY LOCATED AT 1412 TROVILLION AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

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 MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY LOCATED AT 1412 TROVILLION AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney McCaghren read both ordinances by title. There were no staff or public comments made.

Motion made by Commissioner Storer to adopt both ordinances, including the two P&Z conditions that pursuant to the plans submitted as may be amended by the Town Designer; and staff review and approval of the final landscape plan, seconded by Commissioner DeVane. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

c) Request of Sydgan Corporation for property at 301 West New England Avenue:

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 MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT TO CENTRAL BUSINESS (C-2) DISTRICT ON THE PROPERTY LOCATED AT 301 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

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 unanimously with a 5-0 vote.

d) Request of Sydgan Corporation for the property at 430 West New England Avenue:

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 MULTI-FAMILY RESIDENTIAL (R-3) TO CENTRAL BUSINESS DISTRICT (C-2) ON THE PROPERTIES LOCATED AT 430 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

Motion made by Commissioner DeVane to adopt the ordinance with the inclusion of Section 2, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

e) Request of the City of Winter Park:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND THE R-1AAA, R-1AA, R-1A AND PURD ZONING DISTRICTS TO PROVIDE AN OPTION TO PROVIDE A SECOND KITCHEN ON PROPERTIES CONTAINING HOMES AT LEAST 5,000 SQUARE FEET IN SIZE AND WHERE A DEED RESTRICTION IS EXECUTED WITH CERTAIN CONDITIONS. Second Reading

Attorney McCaghren read the ordinance by title. Commissioner Storer asked what would prevent someone from taking their 5,000 square structure, splitting it into two, living in half and renting out the other half. Planner Jeff Briggs stated this is illegal and would go before the Code Enforcement Board for rectification. Building Official George Wiggins addressed the safeguards within the ordinance requiring the execution of a deed restriction with the property owner disallowing the installation of a separate utility meter and not renting out any portion of the structure.

Motion made by Commissioner Eckbert 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 unanimously with a 5-0 vote.

f) Request of the City of Winter Park:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND THE R-1AAA, R-1AA, R-1A AND PURD ZONING DISTRICTS TO PROVIDE A CORRECTION IN THE FLOOR AREA RATIO ALLOWANCE FOR PROPERTIES IN THESE ZONING DISTRICTS. Second Reading

Attorney McCaghren read the ordinance by title. No staff or public comments were made.

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 unanimously with a 5-0 vote.

g) Request of the City of Winter Park:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND SUBSECTION 58-64(D) "NONCONFORMING STRUCTURES TO CLARIFY THE EXTENT OF WORK WHICH CAN TAKE PLACE ON NONCONFORMING STRUCTURES. First Reading

Attorney McCaghren reminded the Commission that this ordinance was postponed at the last meeting to this evening. He addressed the letter submitted by Building Official George Wiggins asking that this item be continued. There was consensus to leave this item postponed.

- h) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING WITHIN THE CHARTER LAWS OF THE CITY OF WINTER PARK, SECTION 1.02, "CORPORATE LIMITS DESCRIBED", SO AS TO ANNEX PROPERTIES ON THE EAST AND WEST SIDES OF KILSHORE LANE INCLUDING 396, 400, 402, 405, 411, 415, 475, 503, 504, 510, 520 AND 525 KILSHORE LANE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE OF JUNE 1, 2003. First Reading

Attorney McCaghren read the ordinance by title. Planner Jeffrey Briggs spoke about the annexation of the Fairbanks Avenue corridor and the enclave created from this annexation consisting of 12 homes on Kilshore Lane. He stated per State Statute, Orange County passed a resolution allowing Winter Park to adopt this by ordinance instead of having to hold a referendum. He spoke that 10 of 12 property owners agreed to the annexation.

No public comments were made.

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

NEW BUSINESS:

1. Commissioner Storer addressed the City's recognition in the New York Times travel section regarding the Tiffany Chapel and Park Plaza Hotel.
2. Margaret Saunders, 641 Williams Drive, brought forward another draft regarding the Pilot School which she asked the Commission to review. She spoke that she believes it addresses the concerns brought forward by the School Board Attorney and Commission concerns as the CRA Agency. She stated it also contains issues the committee felt were unresolved in earlier drafts. She summarized the issues within the agreement.
3. Cindy Smith, 2909 Parkland Drive, spoke in favor of Consent Agenda Item 'g'. She addressed the Parkland neighborhood petition, subsequent approval of the Baldwin Park settlement agreement, being in favor of bricking Glenridge and the Lake Sue corridor studies showing this road being the most impacted by traffic in the future. She further addressed current traffic volumes on Lake Sue and future predictions. She asked the Commission to be sure every issue is considered in order to protect their neighborhoods.

Mayor Marchman adjourned the meeting at 5:27 p.m.

Mayor Kenneth R. Marchman

ATTEST:

City Clerk