

**REGULAR MEETING OF THE CITY COMMISSION**  
**May 10, 2010**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:36 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was given by Father Richard Walsh, St. Margaret Mary Catholic Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley  
Commissioner Phil Anderson  
Commissioner Beth Dillaha  
Commissioner Carolyn Cooper  
Commissioner Tom McMacken

Also present:

City Manager Randy Knight  
City Attorney Larry Brown  
City Clerk Cynthia Bonham  
Deputy City Clerk Michelle Bernstein

**Approval of the agenda**

Mayor Bradley added several items to the agenda:

Mayor of Charleston, South Carolina visit

Mayor Bradley commented that the Mayor of Charleston visited the City last week and noted that it was a great opportunity to meet and talk with him. He also thanked Casa Feliz and Jack Rogers and family for arranging the visit.

28<sup>th</sup> Annual Orange County Remembrance service

Mayor Bradley announced the 28<sup>th</sup> Annual Orange County Remembrance service which honors those individuals in our Police and Sheriff's forces who have been either killed or passed away in the line of duty or from natural causes.

Quiet Zones

The agenda was approved by acclamation of the City Commission.

**Mayor's Report**

Mayor Bradley noted that the Community Center has been demolished and the City is in the process of rebuilding a new one. He also noted that last week they had an Executive session to discuss police and fire union negotiations.

- a. Presentation of check from the Kenneth and Rachel Murrah City of Winter Park Tree Fund

Mr. Kenneth Murrah presented the City with a \$1,151.82 check for the purchase and planting of trees.

b. Presentation of the Tree City USA and Growth Award

Lee Mackin, Forestry Division, presented the City with a Tree City USA historic street sign that will be displayed in over sixteen areas throughout the City. Ms. Dana Sussman, Florida Department of Urban Forestry, presented the 30th Annual Tree City USA award and the 19th Annual Tree Growth Award. She summarized the standards the City must meet annually to continue to receive the Tree City USA award and to receive the Growth Award. She also presented the Mayor with a plaque that lists the years of awards and a crystal memorabilia.

c. Report from State Lobbyist Bill Peebles

Bill Peebles introduced his law partner Karen Peterson, who assisted him over the past year to handle about half of the City issues and summarized her background. He thanked Mayor Bradley for coming to Tallahassee to support them in their efforts and City Manager Knight and his staff for a successful session.

Bill Peebles elaborated on several specific topics, one being the dedicated funding source for SunRail. He mentioned in the 2009 legislative session, it expanded an existing one penny with a referendum sales tax that existed for road construction, but in 2009 permitted uses for that penny were expanded to include transit O&M. There exists the ability to go to the voters and ask for an extra penny sales tax to support SunRail and other transit operations, as well as capital costs of other transportation improvements. He believed that Orange County looks to that as one of the possibilities for funding O&M for SunRail.

He mentioned the rental car surcharge, which is an extra \$2 a day on rental cars. He noted that the legislature declined to enact a local option rental car surcharge so that funding option should be taken off the table for the next couple of years. The other funding option that was talked about in this session was the fuel tax, even though there was no movement. Also discussed was the quiet zone funding, which this year in the State Appropriations Act there is \$3.5 million that is intended to facilitate the construction of quadrant crossing guards and mentioned that the City might qualify as a quiet zone and be eligible for these funds. He spoke about an opportunity to secure funding for stormwater projects and with the help of several individuals the City received funding for several local projects. He also mentioned that there was also a short discussion which included the issue of pensions and the aid in securing for latitude for the use of 175-185 insurance premium funds.

State Representative Dean Cannon thanked Mayor Bradley and the Commissioner for doing a great job and that the City is a great community to represent in Tallahassee. He briefly reported on the meetings in Tallahassee, along with mentioning several future financial issues. Mr. Cannon said he looks forward to working with the City on issues concerning pensions, such as moving from defined benefit to defined contribution, how to deal with the goals of public safety and the delivery of health insurance issues.

d. Proclamation – Building Safety Month

Mayor Bradley proclaimed May 2010 as Building Safety Month in the City. He gave special recognition to Director of Code Enforcement George Wiggins and the entire team in the Building and Code Enforcement Department for the work they perform. Mr. Wiggins gave a brief

presentation regarding the departments overall functions, tasks and responsibilities on a regular basis.

e. Florida Commission on Ethics ruling regarding any Mayoral conflicts of interest

Mayor Bradley stated that the Commission has received the ruling on ethics which shows that he has no conflicts as it relates to the SunRail vote. Commissioner Dillaha questioned the validity of the ethics ruling. Upon questioning of the ruling, Attorney Brown commented by saying that the ethics committee addressed the issue and he believes their decision was based on the fact that Florida Hospital is interested in the station in Orlando, they are interested in the project going forward, therefore a vote regarding the Winter Park station did not in itself inure to the special private gain of Florida Hospital.

f. Update on the City Strategic planning session

Mayor Bradley commented that they had an excellent strategic planning session last week with all of the Commissioners and the main City staff members. It was noted that Marilyn Crotty facilitated the meeting and her report will be forthcoming in the next few weeks. Upon approval it will be made available to the public via the City's website.

g. 2010 Board appointments

Mayor Bradley explained that he made appointments that met personal interests or desire to be on the boards. He noted that there are two board positions that do not require the applicant to be a resident and that he sought those with high qualifications, as well as experienced leadership. He thanked those that served on our boards and thanked staff for their hard work in making this an electronic process, stating this is the first year with moving from paper to electronics and a great step in moving forward long term.

It was noted that the May 24, 2010 meeting the Commissioners will vote on all open board appointments that were either tabled, or put on hold for proper submittal of an application.

The board vacancies were discussed individually and voted upon. Each Commissioner made their preferences known. The following motions were made for each board.

1. Board of Adjustment

**Motion made by Mayor Bradley to approve the reappointment of Cynthia Stollo (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Cooper and McMacken voted yes. Commissioner Dillaha voted no. The motion carried with a 4-1 vote.**

2. Civil Service Board

**Motion made by Mayor Bradley to approve the appointment of Paula Satcher; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

3. Code Enforcement Board

Motion made by Mayor Bradley to approve the reappointment of Tom Sacha (expires 2013); seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the reappointment of Peter Weldon (expires 2013); seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson and Cooper voted yes. Commissioners Dillaha and McMacken voted no. The motion carried with a 3-2 vote.

Motion made by Mayor Bradley to approve the appointment of Larry Sadler as alternate (expires 2012); seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson and Cooper voted yes. Commissioner Dillaha and McMacken voted no. The motion carried with a 3-2 vote.

4. Community Redevelopment Advisory Board

Motion made by Mayor Bradley to approve the appointment of John Dowd (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the reappointment of Hal George (expires 2013); seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of Joe Terranova (expires 2013); seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson and McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.

5. Construction Board of Adjustments and Appeals

Motion made by Mayor Bradley to approve the reappointment of Raymond Holloway; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

6. Economic Development Advisory Board

Motion made by Mayor Bradley to approve the appointment of Daniel Smith; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

7. Environmental Review Board

**Motion made by Mayor Bradley to approve the appointment of Brad James; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Lance Decuir; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Cooper, and McMacken voted yes. Commissioner Dillaha voted no. The motion carried with a 4-1 vote.**

**Motion made by Mayor Bradley to approve the appointment of Yovannie Storms Board; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

8. Winter Park Firefighters Pension Trust Board

**Motion made by Mayor Bradley to approve the reappointment of Anthony Gray; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

9. Historic Preservation Board

**Motion made by Mayor Bradley to approve the appointment of Frank DeToma; seconded by Commissioner Anderson. Commissioners Dillaha, Cooper and McMacken voted no. Mayor Bradley and Commissioner Anderson voted yes. The motion failed with a 3-2 vote.**

10. Housing Authority Board

**Motion made by Mayor Bradley to approve the reappointment of Michael Miller; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the reappointment of Hal George; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

11. Keep Winter Park Beautiful

**Motion made by Mayor Bradley to approve the appointment of Julia Tensfeldt; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Michelle Hallemeier; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

12. Lakes and Waterways Board

**Motion made by Mayor Bradley to approve the appointment of Todd Weaver (expires 2013); seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the reappointment of William Swartz (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

13. Parks and Recreation Board

**Motion made by Mayor Bradley to approve the reappointment of Herbert Weiss (expires 2013); seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Sam Stark (expires 2013) seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson and McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.**

**Motion made by Mayor Bradley to approve the appointment of Joel Roberts (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Cooper and McMacken voted yes. Commissioner Dillaha voted no. The motion carried with a 4-1 vote.**

**Motion made by Mayor Bradley to approve the appointment of Edward Englander as alternate; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha and Cooper voted yes. Commissioner McMacken voted no. The motion carried with a 4-1 vote.**

14. Pedestrian and Bicycle Board

**Motion made by Mayor Bradley to approve the appointment of Rhonda Markos (expires 2013); seconded by Commissioner McMacken. Commissioners Dillaha, Cooper and McMacken voted no. Mayor Bradley and Commissioner Anderson voted yes. The motion failed with a 3-2 vote.**

15. Planning and Zoning Commission

**Motion made by Mayor Bradley to approve the reappointment of Drew Krecicki (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the reappointment of Sara Whiting (expires 2013); seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Jeffrey Blydenburg (expires 2013); seconded by Commissioner Anderson. Commissioners Dillaha, Cooper and McMacken voted no. Mayor Bradley and Commissioner Anderson voted yes. The motion failed with a 3-2 vote.**

16. Winter Park Police Officers Retirement

**Motion made by Mayor Bradley to approve the reappointment of Lawrence Katz; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

17. Utilities Advisory Board

**Motion made by Mayor Bradley to approve the reappointment of Dan Swanson (expires 2013); seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Katherine Johnson; seconded by Commissioner Anderson. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

18. Hannibal Square Community Land Trust

**Motion made by Mayor Bradley to approve the appointment of Caleena Shirley to the Hannibal Square Community Land Trust; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Barbara DeVane; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper, and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Motion made by Mayor Bradley to approve the appointment of Joe Terranova; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson and**

**McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.**

### **City Manager's Report**

#### **Denning Drive Code Enforcement Issue**

Mr. Knight provided an update on the Denning Drive code enforcement issue that was discussed in the last Commission meeting stating that the lot has been mowed and the screen has been replaced. It was also noted that George Wiggins, Director of Code Enforcement has reviewed the code and has provided several recommendations to Mr. Knight which he will be forwarding to the Commission.

#### **RFP for the Pro Shop**

City Manager Knight stated that they are in the process of finalizing the RFP for the Pro shop and that Mr. Jack Rogers suggested they obtain an architect that is experienced in dealing with historic structures before finalizing. They are also doing a survey of the golfers and those that rent the clubhouse to obtain information.

#### **Lee Road medians**

Commissioner Dillaha asked that Mr. Knight keep the Commission updated on the progress with FDOT regarding the improvements to the medians on Lee Road.

### **City Attorney's Report**

#### **a. Tolling agreement**

Attorney Brown provided a copy of two additional tolling agreements, one from New England Partners, LLC and the other from The Holler Entities represented by Mr. Hamner, P.A. which was in addition to the one contract that is already in place. Attorney Brown stated that it is his intent that this will provide for an orderly process to evaluate any claims that may come forward and he will continue to press the counsel to make sure we receive this data. Attorney Brown is requesting that an action be taken by the Commission for approval.

**Motion made by Commissioner McMacken to approve the tolling agreements, seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

#### **b. Community Center Owner's Rep Contract**

Attorney Brown provided a summary regarding the ZHA contract for Owners Representative Services for the Community Center design build project. He addressed two items that the Commission had concerns over: the City being able to hard bid the consulting services for the Owner's Representative contract (he had never seen an Owner's Representative contract put out to a hard bid); and that the Owner's Rep contract services are the types of professional services that are called for in the Competitive Consultants Negotiation Act (CCNA 287.055 Statutes) and once a service is covered by that law, you can not go to an RFP and ask for price to be included. He noted that you would have to go through a certain process in order to



procure those services. He mentioned that staff wanted to not go through the process by piggybacking and he advised that it was okay to do so. He noted that staff wants to make sure that the Commission understands what the process would be and noted that it will not necessarily result in a lower price, nor will it result in proposals from qualified entities that will include a price because we are not permitted to ask for a price.

City Manager Knight asked the Commission if they still wanted to go through an RFQ type of process since they are moving along with this project and would be a 60 day or more process. Discussion ensued whether to go through the RFP process or to piggyback. Upon comments, Mr. Knight stated that he understood they are to go through with the RFQ process. There was a majority of the Commission that agreed.

Commissioner McMacken inquired about the impact on the timeline of the project. Mr. Knight stated it will take approximately 60 days for the RFQ process and another 60 days to get the project under contract. He commented that there could be some delay in the final construction.

### **Non-Action Items**

There were no action items for discussion.

### **Public Comment**

Bill Walker, 2171 Glencoe Road, shared his concerns with the fiscal aspects of pension commitments and challenges that the City is facing. He encouraged the Commission to begin early making tough choices and to raise matching funds from citizens for certain projects.

A recess was taken from 5:32 p.m. to 5:49 p.m.

### **Consent Agenda:**

- a. Approve the minutes of 4/26/10. – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- b. Approve the Interlocal Agreement between the City of Winter Park and the City of Casselberry for the maintenance and repair of the Casselberry Fire Department fleet of seven pieces of equipment.
- c. Approve the following Neighborhood Council Matching Grant requests as recommended in order:  
Lakemont Heights (\$1,400.00); Hannibal Square Community Land Trust neighborhood Association (\$2,150.00); Sevilla Owners Association (\$4,000.00); and Park Aire Condominium Association (\$3,252.90) to be funded from the current Planning Department's Neighborhood Enhancement budget.

**Motion made by Mayor Bradley to approve Consent Agenda; items b and c seconded by Commissioner McMacken and carried unanimously with a 5-0 vote.**

Consent Agenda Item 'a' – Minutes of April 26, 2010

Mayor Bradley asked to change the motions on page 18 that stated they carried unanimously with a 5-0 vote but that Commissioner Anderson was not present to vote on those two items. The minutes will be changed to reflect a 4-0 vote.

**Motion made by Mayor Bradley to approve the minutes as presented with the adjustment of 4-0. Commissioner McMacken seconded the motion and carried unanimously with a 5-0 vote.**

**Action Items Requiring Discussion:**

- a. Extension of conditional use for Morse/Pennsylvania parking garage (Tabled 4/26)

Planning Director Jeff Briggs stated this is an action item that has been on the agenda the last two meetings. He explained the request to extend the conditional use permit for the expansion of the parking garage at the Morse and Pennsylvania property. He explained that from discussions at the last two meetings, there seemed to be a consensus and a recommendation of staff and the City Attorney that the extension was warranted. He noted that the debate has been over whether to place conditions and what those conditions should be. He addressed staff's original recommendation to tie the parking garage to the buildings that were going to use it and that the property owners would like the flexibility to have different types of tenants rather than the office mix that predominates the two buildings that are currently there.

He spoke about the motion made by Commissioner Cooper at the last meeting asking the applicant to respond but that he did not have sufficient time to review the impact of the motion which is why this item was tabled. Mr. Briggs noted that he has received a reply email from the applicant that they agree with conditions 3, 4 and 5 and feel that conditions 1 and 2 in that motion places new linkages on this parking garage. The parking garage remains linked to the construction of the residential units and the vacant Symonds Avenue property that they are seeking rezoning on that may or may not happen. He stated there has been no answer given since 2006 and that is why the extension is warranted. Mr. Briggs stated that at this time, they would like to work out an approval on the wording.

Commissioner McMacken questioned the wording on Item 2 of Commissioner Cooper's motion that the parking garage expansion is not to exceed five (5) levels. He stated that the conditional use is to maintain the ability to construct 5 in total. Mr. Briggs stated that is correct. He also inquired about the zoning on Symonds and the timeframe for that issue to be resolved. Mr. Briggs stated that it could be 6 months but a reasonable timeframe would be 10-12 months.

Commissioner Dillaha questioned the 3 year extension, and the master plan approval process. Mr. Briggs stated that they have shown a master plan for housing on the Symonds property and the basis for the 3 years is they believe it is going to take 10-12 months to get through the zoning process and the construction planning preparation.

Commissioner Cooper asked for clarification of the conditional use extension as written in the developer's agreement and giving the applicant an opportunity to build a 5 level parking garage next to single family residential homes with the only condition that they begin construction on as little as one residential unit. Mr. Briggs stated that he would not read the agreement to be as little as one residential unit and that the approval he received in 2005 allows for the expansion

of the parking garage together with the construction of residential product. Attorney Brown referenced the 2007 Developer's Agreement, Paragraph 6, noting that the developer has substantially completed the residential units and his interpretation is he would have to substantially complete the units.

Commissioner Cooper's other concern is that another parking garage is sitting vacant on the Westside with no commercial property to support it.

**Motion made by Mayor Bradley to amend the May 14, 2012 date to May 14, 2013, from 1 year to 2 years. Commissioner Anderson seconded for discussion.** Other questions were asked by the Commission for clarification. **Motion made by Commissioner McMacken to amend the amendment to include from May 14, 2010 to May 14, 2011 for the purposes of the rezoning. Commissioner Anderson seconded for discussion.**

Commissioner Cooper asked if the applicant does not accept the City's conditions if he can come back and request his own version of the extension. Attorney Brown clarified the options that Mr. Bellows can: 1) counteroffer if he does not accept the conditions; 2) present a Bert Harris claim; or 3) he could do nothing.

Dan Bellows, 511 W. New England Avenue, owner representative of WFG Limited on the property at 655 West Morse Boulevard, stated the owner is supportive and requests consideration for the extension to the conditional use approval previously granted by the City for the construction of the two additional levels of the parking garage in the existing parking garage at 655 W. Morse Boulevard. He stated that WFG Limited would support the extension for a period of three (3) years from the date of either the denial or the approval of the master plan application, which has been previously submitted three times prior to the City and currently is waiting for a date and time to be placed on the Planning & Zoning (P&Z) and City Commission agenda and to allow the owner due process. WFG Limited requested only one condition that they are on the first available P&Z agenda and to provide any additional information that the City staff requires.

Mr. Bellows responded to the motion on the table. He stated that WFG could not support item #1; they would agree with item #2 with the comments of Commissioner McMacken that the five levels is what the original conditional use states; agreed with item #3 and noted that the document currently states the residential product must be substantially completed and initiated prior to commencement of the two additional levels (did not think it needs to be in the motion since it is already in the document). He also stated that on the current conditional use, it states that the developer WFG Limited must follow the public hearing process and that is the due process that WFG Limited has not been provided by the City. Regarding Item #4, he said that any modifications or clarifications would be an update to the existing development agreement and did not believe that item #5 was needed.

Commissioner Dillaha asked for clarification of the submitting the drawings three times to the City. Mr. Briggs explained when the applications were first filed on July 19, 2006, we were under the moratorium, the City replied back in a letter stating that they could not process so the City sent the plans back. The applicant then submitted the plans for a second time and the City wrote a second letter and sent them back. Once again the applicant submitted the plans for a third time in which the City is holding onto the plans until the moratorium is over. Commissioner Cooper asked if the package that was submitted is sufficient to go to P&Z. Mr. Briggs stated yes.

Upon a roll call vote on the amendment to the amendment that there will be a rezoning request within a year. Commissioners Anderson, Dillaha, Cooper, and McMacken voted yes. Mayor Bradley voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the amendment which allows a conditional use extension until May 14, 2013, Mayor Bradley and Commissioners Anderson and McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the motion which was tabled from last meeting dated April 26, 2010 as amended, the current item has the 3 years, as well as a new amendment which says that the zoning will take place in 1 year and then the other 5 requirements as presented (see below). Mayor Bradley and Commissioners Anderson and McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.

(Below is a copy of original motion that was tabled from the April 26, 2010 Commission Meeting)

**Motion made by Commissioner Cooper to extend the Conditional Use to permit expansion of the Morse/Pennsylvania parking garage for one year from May 14, 2010 conditioned as follows:**

1. No construction shall take place on the additional parking garage expansion until compatible development is approved by the City (as required via conditional use) for the vacant portion of the property at 655 W Morse Boulevard on the Pennsylvania and Symonds corner and construction of the approved project has begun.
2. The maximum parking garage expansion is not to exceed 5 levels. The specific authorized expansion will be determined based on land development code parking requirements for approved projects on the properties governed by the approved Development Agreement that demonstrate the need for such parking.
3. All other terms of the 11/28/00, Developer's Agreement, as amended on 11/26/07, remain unchanged. (This includes the requirement for residential development.)
4. This Conditional Use approval becomes effective upon mutual execution of an amendment to that Developer's Agreement.
5. This extension does not indicate or imply that the Commission approves any specific future development or level of parking required to accommodate such development. All proposed development is subject to the normal land use processing approvals.

b. Rauvadage property and draft "position paper" letter

Planning Director Jeff Briggs summarized the previous submittal issue for the Rauvadage Project development located west of 17-92 and north of Lee Road and surrounded by Winter Park and Maitland. This is the original "Home Acres" neighborhood and is 41 acres has a current plan development, large scale comprehensive plan amendment application before Orange County that is scheduled to go before the Orange County Planning Commission on May 20, 2010 and by the Board of County Commissioners on June 22, 2010. Mr. Briggs asked for direction. He stated that Orange County's process is much different from the City's process and

noted that they have applied to change the comprehensive plan future land use designation to a PD category. He also mentioned that there are no development plans, no maximum FAR's, no maximum building heights or any other details in the application.

This is a difficult position for the City because there is general support and consensus for redevelopment of this blighted "Home Acres" area so it may not serve the best interests of the City just to ask for denial. As a result, the staff has proposed some conditions of approval with respect to FAR (maximum of 100%) and building heights (maximum of six stories) as a basis for approval.

Mayor Bradley questioned the re-annexation of the property. Attorney Brown stated that it needs to go through annexation and that he needed time to review and study the legal aspects of this item. There was an overall discussion regarding the comprehensive plan stipulations with PD1 and PD2 categories, in which Mr. Briggs stated that staff has proposed 100% FAR.

**Motion made by Commissioner Anderson to adopt staff's recommendation at 100% Floor Ratio Area with other PD 1 and 2 zoning inclusive. Mayor Bradley seconded the motion for discussion.**

Kim Allen, 271 Virginia Drive stated she is excited about the project but has concerns with the impact fees going to Orange County and to consider the impact on the citizens referring to the open space. She asked that we encourage Orange County to look at the City's guidelines and try to negotiate with them so that we do not diminish the existing parks and facilities that we have.

**Motion made by Commissioner Cooper to amend the motion to restrict the density units per acre to an overall 17 units per acre. Commissioner Dillaha seconded the amendment. Upon a roll call vote for the amendment, Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. Mayor Bradley voted no. The amendment carried a 4-1 vote.**

**Upon a roll call vote on main motion, which is the recommendation to Orange County to have the 100% FAR, exclusive of garage, the combination of our PD's and to restrict the density units per acre to an overall 17 units per acre, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

**Public Hearings:**

- a. RESOLUTION NO. 2051-10: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SETTING FORTH THE CITY'S INTENT TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTION OF A NON-AD VALOREM ASSESSMENT FOR THE PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF PROPERTIES WITHIN THE TEMPLE GROVE SUBDIVISION (PLAT BOOK 6 PAGE 87) AND COMSTOCK PARK SUBDIVISION (PLAT BOOK K PAGE 87) AS RECORDED IN PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AS MORE PARTICULARLY INDICATED IN EXHIBIT "A" ATTACHED HERETO, TO FUND CERTAIN PUBLIC IMPROVEMENTS OF THE INSTALLATION OF UNDERGROUND ELECTRICAL/BRIGHT HOUSE NETWORKS (BHN) FACILITIES; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR AND THE FLORIDA

DEPARTMENT OF REVENUE IN ACCORDANCE WITH SECTION 197.3632(3)(a), FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Attorney Brown read the resolution by title. No public comments were made.

**Motion made by Mayor Bradley to adopt the resolution, seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- b. RESOLUTION NO. 2052-10: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA DEFINING THE ECONOMIC DEVELOPMENT/CRA DEPARTMENT OF THE CITY OF WINTER PARK AS THE CITY'S LOCAL ECONOMIC DEVELOPMENT AGENCY FOR THE CITY OF WINTER PARK PURSUANT TO THE REQUIREMENTS OF CHAPTER 288.106(3)(a)(9), FLORIDA STATUTES AND PROVIDING AN EFFECTIVE DATE.

Attorney Brown read the resolution by title. No public comments were made.

**Motion made by Mayor Bradley to adopt the resolution, seconded by Commissioner Anderson. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- c. Ordinances – Changing the zoning on properties:

Attorney Brown read the ordinance titles.

ORDINANCE NO. 2803-10: 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 ZONING DESIGNATION OF COMMERCIAL (C-3) DISTRICT TO COMMERCIAL (C-2) DISTRICT ON THE PROPERTY AT 463 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

ORDINANCE NO. 2804-10: 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 ZONING DESIGNATION OF COMMERCIAL (C-3) DISTRICT TO COMMERCIAL (C-2) DISTRICT ON THE PROPERTY AT 535 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

**Motion made by Mayor Bradley to adopt the ordinances, seconded by Commissioner McMacken.**

Commissioner Cooper reiterated comments from the last meeting that the comprehensive plan stresses compatibility, that our land use codes require submission of plans along with requested rezonings, that the City has chosen to rezone this property administratively by choosing not to rezone some other properties administratively and it is a choice that she does not particularly agree with to rezone without plans. She stated that the only reason she is comfortable supporting these two ordinances is because they are not adjacent nor do they abut single family zoning. Commissioner Anderson agreed that City initiated rezonings should be very judicious and not to have a specific project presented with a rezoning application is unusual given prior

practices of the Commission. Commissioner Dillaha stated she is voting against these because they have code that says plans come forth when the property is rezoned. Commissioner McMacken stated these rezonings are in the comprehensive plan. There was further discussion regarding this matter.

Dan Bellows, 511 West New England Avenue, Sydgan Corporation, spoke representing Winter Park Redevelopment Agency Ltd for the 463 W. New England Avenue, 535 W. New England Avenue, 400 W. New England Avenue and Morney Partnership Ltd for 227 Hannibal Square. He stated the entire blocks being discussed are CBD and every block on New England has adjacent residential. He explained what was in the CRA plan. He expressed frustration with the City changing it to CBD and the only single zoning designation that is allowed per the comprehensive plan in the CBD is C-2 zoning. He stated that staff needs to clean up the zoning map so they are in compliance with the recently adopted comprehensive plan and that they are trying to be responsible to bring this matter to clarity. The owners have been in negotiations with two perspective purchasers on the above referenced properties and the conflicting interpretation of the legal ramifications of not following staff's request and the recommendation to bring the zoning map into compliance with the comp plan are causing a negative response to negotiations. He asked that the two zonings before them are approved and requested that a motion be made to allow the other two properties to be re-advertised and come back for rezoning.

**Upon a roll call vote of ordinance #1 (463 W. New England Avenue), Commissioner Dillaha voted no. Mayor Bradley and Commissioners Anderson, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.**

**Upon a roll call vote of ordinance #2 (535 W. New England Avenue), Commissioner Dillaha voted no. Mayor Bradley and Commissioners Anderson, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.**

- d. Ordinances – Requests of the City of Winter Park for the West Meadow property, 150 North New York Avenue:

Attorney Brown read the ordinances by title. No public comments were made.

ORDINANCE NO. 2805-10: 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 EXISTING COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION OF INSTITUTIONAL TO OPEN SPACE AND RECREATION ON THE 1.21 ACRES OF THE WEST MEADOW TO CENTRAL PARK PROPERTY AT 150 NORTH NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. Second Reading

**Motion made by Commissioner Dillaha to adopt the ordinance; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

ORDINANCE NO. 2806-10: 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 ZONING DESIGNATION OF PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO PARKS AND RECREATION (PR) DISTRICT ON THE 1.21 ACRES OF THE WEST MEADOW TO CENTRAL PARK PROPERTY AT 150 NORTH NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. Second Reading

**Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

ORDINANCE NO. 2807-10: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THAT PORTION OF WEST PARK AVENUE LYING SOUTH OF CAROLINA AVENUE AND NORTH OF MORSE BLVD. SITUATED BETWEEN BLOCKS 30 AND 31, REVISED MAP OF THE TOWN OF WINTER PARK, MORE PARTICULARLY DESCRIBED HEREIN.  
Second Reading

**Motion made by Commissioner Dillaha to adopt the ordinance; seconded by Commissioner McMacken. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

e. Ordinances - 639 Overspin Drive:

Attorney Brown read the ordinance titles. No public comments were made. Planning Director Jeff Briggs explained that the first readings took place in December 2009 to expand the sleep lab and create additional parking. He stated there were a lot of issues that needed to be worked out before second reading and that they needed a development agreement in place to incorporate all the conditions. He stated the development agreement went back to Planning and Zoning who recommended approval of the agreement and second reading of these ordinances.

Commissioner Cooper asked about #2 in the summary regarding security for the neighboring property that was not part of the development agreement. Mr. Briggs stated they are taking care of the neighbor's concerns and that the specs of the construction plans they have shows the survey work and elevations to be done in the specs of the plans submitted to the City.

ORDINANCE NO. 2798-10: 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 THE PROPERTY AT 639 OVERSPIN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN.  
Second Reading

**Motion made by Commissioner Cooper to adopt the ordinance; seconded by Mayor Bradley. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

ORDINANCE NO. 2809-10: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN"



FUTURE LAND USE MAP SO AS TO ESTABLISH OFFICE FUTURE LAND USE ON THE ANNEXED PROPERTY AT 639 OVERSPIN DRIVE AND TO INDICATE THE ANNEXATION OF THIS PROPERTY ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

**Motion made by Commissioner McMacken to adopt the ordinance; seconded by Mayor Bradley. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

ORDINANCE NO. 2810-10: 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 ESTABLISH OFFICE (O-2) ZONING ON THE ANNEXED PROPERTY AT 639 OVERSPIN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

**Motion made by Commissioner McMacken to adopt the ordinance; seconded by Mayor Bradley. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- f. Ordinances – Requests of the City of Winter Park for the United States Post Office property located at 300 N. New York Avenue:

ORDINANCE NO. 2811-10: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION FROM CENTRAL BUSINESS DISTRICT TO OPEN SPACE AND RECREATION ON THE NORTH HALF OF THE WINTER PARK POST OFFICE PROPERTY AT 300 NORTH NEW YORK AVENUE AND TO INSTITUTIONAL ON THE SOUTH HALF OF THE WINTER PARK POST OFFICE PROPERTY, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. Second Reading

Attorney Brown read both ordinances by title. No public comments were made.

**Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Cooper.**

Commissioner Cooper addressed new information she found out about that changed how she thinks about this property concerning Congresswoman Kosmas who has been trying to get an appropriation for \$2 million to help us with this effort. She stated since that effort is being made she did not want the Commission to send mixed signals relative to their intentions. She stated it is the intention per our resolution that we would like for the post office to eventually give the City this land when they are finished using it. She provided further comments. Mayor Bradley spoke about the City being consistent with their intent.

Commissioner Anderson stated he understands Commissioner Cooper's position but that you are still moving from the existing zoning to something different that is within the advice of the City Attorney. Commissioner Dillaha expressed wanting to do what is best for the City and spoke about the \$2 million and to rezone the property as the City wants to.

Commissioner Cooper stated that if the post office objects, we can rezone it back. Commissioner McMacken spoke about the Commission being inconsistent because plans identifying that the arrowhead property will have a post office on it and now the Commission is saying they are going back and making this a park because they might get \$2 million that is not approved at this time.

**Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.**

ORDINANCE NO. 2812-10: 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 ZONING DESIGNATION OF COMMERCIAL (C-2) DISTRICT TO PARKS AND RECREATION (PR) DISTRICT ON THE SOUTH HALF OF THE WINTER PARK POST OFFICE PROPERTY AT 300 NORTH NEW YORK AVENUE AND TO PUBLIC QUASI-PUBLIC (PQP) ON THE NORTH HALF OF THE WINTER PARK POST OFFICE PROPERTY, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. Second Reading

Commissioner Dillaha asked for clarification on the boundaries. Mr. Briggs explained the map and the need to adjust the legal description as addressed at the last meeting and clarified this evening.

**Motion made by Commissioner McMacken to adopt the ordinance; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

### City Commission Reports

a) Commissioner Anderson

Commissioner Anderson stated that the library item was discussed in the CRA meeting and in terms of looking at the library demands for the next few years the board has been relying on an outdated report on square footage and what the uses would be. He stated he would like to ask staff to come back with a recommendation on how to do an independent review of what that recommendation would look like, what the expansion in services would be, what the trend is with cities of our size and for staff to obtain an independent verification.

Mayor Bradley asked Mr. Knight to bring this information to the next Commission meeting of May 24, along with financial plans and bonding information. It was noted that this information is needed so that they could start to prepare and plan for a worksession possibly in June.

Mayor Bradley mentioned the League of Cities Florida Publication article that described the joint use of the public library and city hall in West Palm Beach. He mentioned that we should look at this as an option and asked for feedback before taking a road trip.

b.) Commissioner Dillaha

Commissioner Dillaha expanded on the discussion about the strategic planning worksession. She noted it was a great session but that they need more time to complete the discussion and that she would like to schedule that. She stated that she also wanted to discuss the topic of boards and the process in reanalyzing our boards. She asked the Commissioners if they would be open to have one more mini-session.

1. City tree re-planting policy

Commissioner Dillaha asked Mr. Holland for information on the forestry policy with regards to the removal and replacement of trees and planting two trees when removing one tree. Mr. Knight that stated he will provide this information.

2. YMCA pursuit of expansion/developer's agreement and conditional use

Commissioner Dillaha spoke about a brochure that was being distributed by the YMCA to garner support for an expansion after the City has rejected an expansion. She expressed her concerns and inquired about what the City can do in the developer's agreement to hold the YMCA accountable to what they signed.

Attorney Brown stated that there is a contract with them and there is a doctrine law called anticipatory breach of contract, but he is not sure it would apply in this situation. He commented that people have the right to continue to petition and seek regress from their government and that he would look into the issue if the Commission directs him to do so. He also stated that there is nothing wrongful with the YMCA in purchasing adjacent lots or the YMCA taking surveys. Commissioner Dillaha asked that Mr. Knight forward a copy of the developer's agreement conditional use language to the Commissioners for their review. She expressed her concerns with the YMCA amending the developer's agreement and wanted clarity on the process they would have go through. Attorney Brown stated that the YMCA would have to present it to the Commission for approval.

c) Commissioner Cooper

Commissioner Cooper spoke about the vision for W. Fairbanks. She referenced the ordinance that was passed tonight regarding the annexation of a single family home to be utilized as a business. She asked for discussion of a policy and to give direction to Planning and Zoning regarding this item. Mayor Bradley stated that we already have a planning vision forthcoming and asked Mr. Knight that we include this in the W. Fairbanks visioning session.

Commissioner Cooper wanted to discuss the long term sustainability of pensions and 401K's. Mayor Bradley stated this item will be addressed during the budget process.

Commissioner Cooper commented on the board appointments and wanted to look at what the rules should be relative to residence, advancement of alternates, consistent requirements for applications, reappointing of second terms and property owners having presidency. Mayor Bradley suggested we should look at that when we are doing the board process and stated that we can have it scheduled in the next two months, so that we can bring it through the next board process.

d) Commissioner McMacken

No items to address.

e) Mayor Bradley

Mayor Bradley mentioned that on April 27, 2010 he was stuck in traffic due to a power line that crossed Maitland Boulevard. He asked Mr. Knight if they could look at an intercity community response to related issues.

Mayor Bradley stated that the City Commission Governing Structure topic will be addressed once the final report is received from Marilyn Crotty. He suggested that a worksession be scheduled to discuss how they operate as a Commission.

Mayor Bradley spoke about the meeting of May 24, 2010 being dedicated to the SunRail agenda. There was an overall consensus to limit the discussion to the amendment of the Orange County Interlocal Agreement.

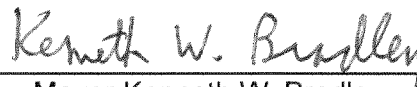
Mayor Bradley noted that the remaining mayoral appointments will be handled at the end of the meeting.

It was noted that Commissioner Dillaha requested that a worksession meeting be scheduled for this Saturday, May 15, 2010 at 11:30am.

**Meeting Adjourned**

**Motion made by Mayor Bradley to adjourn the meeting; seconded by Commissioner Cooper.**

The meeting adjourned at 8:21 p.m.

  
\_\_\_\_\_  
Mayor Kenneth W. Bradley

ATTEST:

  
FOR City Clerk Cynthia S. Bonham