

**CITY OF WINTER PARK  
REGULAR MEETING OF THE CITY COMMISSION  
May 29, 2007**

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

The invocation was offered by Building Director George Wiggins, followed by the Pledge of Allegiance.

Members present:

Mayor David Strong  
Commissioner John Eckbert  
Commissioner Karen Diebel  
Commissioner Margie Bridges  
Commissioner Douglas Metcalf

Also present:

City Attorney Trippe Cheek  
City Manager James Williams  
Deputy City Clerk Nancy McLean

**MAYOR'S REPORT:**

- a) Update by Robin Chapman regarding the grant and educational activities of the Winter Park Neighborhood Council.

Robin Chapman explained the board contains representatives from Winter Park neighborhoods who want to be active and involved. She gave a brief presentation on the work and accomplishments of the Neighborhood Council and updated their grant and educational activities. Ms. Chapman answered questions posed by the Commission.

- b) Holiday lighting request from the Holiday Lighting Committee.

Co-chair Woody Woodall, Holiday Lighting Committee, requested \$25,000 from the contingency fund for holiday lighting. He discussed the 2007 budget for Christmas lights and expressed they would like retail storefront outlets on Park Avenue; additional lights in trees; additional pots, lights and trees on New England and Park Avenue; lights on the pots at the fountains; enhance the Park Avenue/Fairbanks intersection and Morse Avenue and 17/92 with lights to entice people to enter Winter Park's shopping district. Mr. Woodall answered questions posed by the Commission.

Finance Director Wes Hamil suggested they include this request along with others as part of the budget package they would put together for the Commission's consideration. Mayor Strong stated there are other organizations that want to submit similar requests and they should publicize that the City would like to accept those requests by a certain date to be considered. Mr. Hamil stated he set a date for the end of May. Mayor Strong suggested the end of June. Mr. Hamil agreed.

- c) Proclamation-Albin Polasek Day.

This item will be on the June 11, 2007 agenda.

d) Report from the Architectural Standards Task Force and draft recommendations

Building Director George Wiggins explained that the task force has been meeting for 8 months on enhancing the architectural and design review of buildings and reviewing the expansion of historic preservation in the City. He stated they deliberated and discussed existing codes, the current City process, and redevelopment issues. Mr. Wiggins introduced Chairman David Lamm, Vice Chairman Patty Heidrich, and board members Rebecca Furman and Randy Robertson who presented the report. The task force explained the introduction and overview; directives from the City's comprehensive plan; the historic background; current regulations for building and task force action items; comparative analysis with other communities; findings of the task force; recommendations of the task force; their conclusion of the process and the outcome; timing; implementations; cost implications; and infrastructure analysis.

The task force answered questions posed by the Commission. Mayor Strong expressed that this should be a topic for a work session because it takes a lot of time. Commissioner Metcalf agreed. Commissioner Eckbert was encouraged by the task force working together and having a united front by agreeing on these issues and wanting to move forward. He stated that he would like the Commission to figure out how they can support and encourage what the task force has accomplished and decide how they can practically move forward on the recommendations that they made.

Commissioner Diebel asked if they were looking for additional funding to complete their work to have guidelines and pattern books completed for consistency in decision making. Mr. Lamm agreed. He stated that they believed it would be possible at the end of a design guideline procedure that conditional use/plan development may no longer be necessary. She stated that in this report the funding was redirected to the Holler property/Progress Energy site studies and asked why this was done. Mr. Lamm stated he did not know that first hand but gave a brief explanation as to why that may have occurred. Commissioner Diebel asked what the projected budget would be to complete the work by the task force or the consultant they recommended to hire. He stated between \$200,000-\$300,000 for a good public visioning process and a completed set of guidelines for all of these planning areas.

Commissioner Bridges suggested the Commission have a work session on June 18 with the task force members to discuss these issues. Mayor Strong stated this was a draft report but he had concerns with some the task force issues. He thought it may be important to hear what the public has to say before they get into this as a Commission. Mr. Lamm explained that the visioning process is a public forum for those work sessions with charrettes and for polling. He stated if the Mayor and the Commission feels it is important to have a work session or a forum to discuss whether it is a good investment of funds, he would encourage their committee to meet with them in a public setting and that they would work within the Commission's guidance. Mayor Strong stated that he was startled by the \$200,000-\$300,000 figure and with the City's budgetary pressures that number would be difficult to deal with today. He stated in his opinion he would like to hear what the public has to say about where they are in their draft before they commit to any real dollars being spent.

Commissioner Eckbert agreed that \$200,000-\$300,000 was a lot of money and with the upcoming budget they will be searching to find ways to cut money rather than spend more. He stated whatever the cost is for this exercise, that they should make this the very first dollars that they spend. He expressed that if they could constructively spend money to resolve this issue then they should do it. Mayor Strong stated he did not disagree with Commissioner Eckbert but he did not feel as though they were ready.

Commissioner Bridges asked that the work session on June 18 become a special session dedicated to this. She suggested the public send in questions and begin the dialogue. Commissioner Eckbert addressed what may occur from a work session environment: a list of priorities to accomplish items which would eventually become ordinances or that certain issues will be public hearings. He had concerns about public hearings regarding what the task force proposed and did not believe they would receive great representative feedback from the public. Ms. Heidrich commented that since the report has been on the website she has received emails and phone calls thanking the task force and they agreed with what they said. Mayor Strong stated they may not need a public hearing after listening to her comment.

Commissioner Diebel asked if there are funds in the budget that has been allocated to redirect towards this effort. City Manager Williams stated they would review that, however Mr. Briggs had \$100,000 in his budget that could be redirected toward completing these guidelines and pattern books. She asked if the Planning and Zoning Commission (P&Z) was in agreement with their recommendation to fund the completion of the study. Mr. Lamm stated he has heard that some of the planning members have felt very good about the direction and are in favor of it. She advocated if they are to change the composition of the P&Z board that this should be presented to the new board and consider the funding at a future time.

Mayor Strong commented that his intent with the board was to maintain the current character of the P&Z and have a lay person and a developer type person. He stated he would be interested in having a presentation to the new board. Mayor Strong suggested they discuss on June 11 to establish what needs to be discussed at the June 18 work session. The work session is scheduled from 1:00-5:00 p.m. on June 18.

e) Presentation of defibrillator to the Winter Park Golf Course

Fire Chief Jim White presented a defibrillator to the Winter Park Golf Course in memory of the family member of Winter Park resident Beverly Lassiter. Ms. Lassiter expressed that her brother-in-law suffered a fatal heart attack on the golf course in Jacksonville. Chief White explained that these defibrillators save lives and the placement of this device at the golf course will include the training of employees in CPR and how the device operates to hopefully prevent this tragedy from being repeated.

f) Proclamation-Recreation and Parks Month

Mayor Strong read a proclamation from Governor Charlie Crist proclaiming July 2007 as "Recreation and Parks Month."

- g) 2007 Annual Board appointments:
- |                                  |                              |
|----------------------------------|------------------------------|
| - Planning and Zoning Commission | - Construction Board         |
| - Environmental Review Board     | - Historical Preservation    |
| - Board of Adjustment            | - Keep Winter Park Beautiful |
| - Lakes & Waterways              |                              |

Mayor Strong commented that he would like to defer action on the Keep Winter Park Beautiful until later in the discussion. **Motion made by Mayor Strong that the board appointments be approved as submitted; seconded by Commissioner Bridges.**

Commissioner Eckbert stated that he would support every board that the Mayor submitted with the exception of Planning and Zoning (P&Z). He expressed concerns with the overall constitution of the board and the dynamics and balance on the board, not with the nominees. Commissioner Metcalf expressed similar concerns with individuals on the boards who have expressed a desire for zero growth in Winter Park. Commissioner Bridges disagreed with her fellow Commissioners and expressed that the nominees on the P&Z were open to development and looked for ways to find compromise and good development projects. She encouraged the Commission to support the Mayor's P&Z slate unless there was a specific reason as to why they did not support the nominees. Mayor Strong stated that he would like to avoid discussion of individuals.

There was discussion regarding the May 3, 2007 P&Z work session and the words that were exchanged. Mayor Strong commented he believed it did not relate to the composition of P&Z but rather personalities that perhaps had been in conflict for awhile. **Mayor Strong amended his motion to exclude P&Z appointments for the moment and wanted to see if they could approve the balance of the boards.**

Commissioner Diebel again expressed concerns she addressed at the May 14 meeting concerning the nominees to the Board of Adjustment and the Environmental Review Board. She asked to amend the motion to include the Environmental Review Board and to approve the other board nominees. Mayor Strong stated he did not accept that amendment. Commissioner Metcalf asked about her reservations with the Environmental Review Board. She explained it was similar to Commissioner Eckbert's issues with the P&Z board relating to the communication methods on the board and the discourse. **Mayor Strong restated his motion that the nominated board members, exclusive of the P&Z nominations, be approved as submitted; seconded by Commissioner Bridges.** City Attorney Check commented that this would be an amendment to the existing motion and asked if the second agreed to the amendment. **Motion seconded by Commissioner Bridges.**

Commissioner Eckbert asked for more detail about the concerns with the Environmental Review Board. Commissioner Eckbert and Commissioner Diebel engaged in a discussion regarding their reservations of the board appointments that they did not support. Commissioner Diebel stated that the Board of Adjustment, the Environmental Review Board and the P&Z Board have the same names from the last commission meeting and no new appointees were presented. **Upon a roll call vote, Mayor Strong and Commissioner Bridges voted yes; and Commissioners Metcalf, Eckbert, and Diebel voted no. The motion failed with a 3-2 vote.**

**Motion made by Commissioner Eckbert to approve all of the Mayors appointments with the exception of P&Z and the Environmental Review Board; seconded by Commissioner Diebel. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

Mayor Strong stated he would resubmit different names for those two boards at the next Commission meeting and would not include anyone except Mr. Drew Krecicki who was an alternate. Commissioner Diebel clarified that she did not have a reservation with the P&Z board appointees and she was not advocating that Mayor Strong resubmit names entirely but it was up to his discretion.

**Motion made by Mayor Strong to accept the P&Z board as submitted; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges**

**and Diebel voted yes. Commissioners Eckbert and Metcalf voted no. The motion carried with a 3-2 vote.** Mayor Strong stated he would submit a new board slate for the Environmental Review board at the next meeting.

**Motion made by Commissioner Eckbert to accept the Environmental Review Board nominees as submitted; seconded by Mayor Strong. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert and Metcalf voted yes. Commissioner Diebel voted no. The motion carried with a 4-1 vote.**

Mayor Strong spoke about issues with the Keep Winter Park Beautiful Board. He commented about the issue raised by Commissioner Eckbert at the last meeting that one of the two appointees did not live in Winter Park. Mayor Strong stated he would like to resubmit the Keep Winter Park Beautiful Board nominees at the next meeting. **Motion made by Commissioner Eckbert to table the Keep Winter Park Beautiful Board nominations pending recommendation for the next meeting, seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioner Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

In conclusion, the following appointments were made to the boards:

**Planning & Zoning:** Drew Krecicki, Sara Whiting and Michael Dick as the alternate.  
**Environmental Review Board:** Jan Nichols, Linda Jennings and Clark Sprinkel as the alternate.

**Board of Adjustment:** Mark Van Valkenburg, Cynthia Stollo and Bruce Becker as the alternate.

**Lakes & Waterways:** Bill Swartz.

**Construction Board:** Roger Kansier, Raymond Holloway and Matthew Roberts.

**Historical Preservation Board:** Kit Pepper.

- h) Commission member appointments to the Holler/Progress Energy Task Force and the Parks Master Plan Steering Committee.

Commissioner Diebel explained that at the Commission meeting on May 14 she was appointed to the Holler/Progress Energy Task Force and Commissioner Bridges was appointed to the Parks Master Plan Steering Committee. She stated that preferred to be the liaison to the Parks Master Plan Steering Committee. Commissioner Bridges commented she was satisfied with the current appointments and she would like to serve on the Parks board. Commissioner Diebel stated that she preferred to be on the Parks Master Plan Steering Committee but she will accept the motion as stands.

**Motion made by Mayor Strong that Commissioner Bridges be appointed to the Parks Master Plan Steering Committee and Commissioner Diebel be appointed to the Holler/Progress Energy Task Force, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Strong and Commissioner Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- i) Affirm June 18 from 1:00-5:00 for a Commission strategic planning session.

Mayor Strong stated they have already addressed this item. They have a Commission meeting on June 11, 2007 and they may modify this time and date if they deem it necessary.

Commissioner Metcalf requested the topics of boards be a part of their work session items on June 18. Commissioner Eckbert also requested a staff recommendation on the P&Z concerns that were discussed earlier. City Manager Williams agreed that staff would follow up with this request.

**CITY ATTORNEY'S REPORT:**

- a) RESOLUTION NO. 1974-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA RELATING TO THE KEEP WINTER PARK BEAUTIFUL BOARD; AMENDING RESOLUTION NO. 1555 TO PROVIDE FOR TERMS OF MEMBERS AND TERM LIMITS; PROVIDING AN EFFECTIVE DATE.

**Motion made by Commissioner Eckbert to table the resolution; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- b) RESOLUTION NO. 1972-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1360 CANTERBURY ROAD, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Cheek read the title of the resolution. No public comments were made.

Planner Lindsey Hayes explained that 1360 Canterbury Road is associated with the final phase of historic development in the Orwin Manor neighborhood and that this is the mid century modern ranch house. She addressed the recommendation for listing in the Winter Park register of historic places as a historic resource.

**Motion made by Commissioner Bridges to adopt the resolution; seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- c) RESOLUTION NO. 1975-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS IN AND FOR THE CITY, TO-WIT: IMPROVEMENTS TO THE ROAD, LANDSCAPING, SIDEWALKS, STREET LIGHTS, TRAFFIC LIGHTS, DRAINAGE PIPES, IRRIGATION AND STORMWATER INLETS (COLLECTIVELY, THE "IMPROVEMENTS") ON A PORTION OF ORANGE AVENUE, FROM U.S. ROUTE 17/92 TO HOLT AVENUE; FURTHER DECLARING THAT A PORTION OF THE COST OF SAID IMPROVEMENTS SHALL BE PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY SPECIALLY BENEFITTED BY SAID IMPROVEMENTS; SPECIFYING THE MANNER OF AND TIME FOR PAYING THE SPECIAL ASSESSMENTS; AND INVITING THE PUBLIC TO REVIEW THE PROJECT PLANS AND SPECIFICATIONS AND THE ASSESSMENT PLAT, ALL OF WHICH ARE ON FILE AT THE OFFICE OF THE CITY CLERK OF THE CITY OF WINTER PARK; PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the title of the resolution. No public comments were made.

CRA Manager Sherry Gutch gave a presentation on the Orange Avenue streetscape/special assessment. She spoke about the approval process; project costs; voting breakdown; voting statistics; methodology; the street configuration of Minnesota-Denning-Orange intersection

where improvements are to be completed in the Fall of 2007; and additional street improvements to follow in 2008 from 17-92 to Holt Avenue. Ms. Gutch answered questions posed by the Commission. Commissioner Eckbert asked that the presentation be available as part of the decision making process for both the Commission and the public. Ms. Gutch agreed.

**Motion made by Commissioner Eckbert to adopt the resolution; seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

RESOLUTION NO. 1976-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO SECTION 170.07, FLORIDA STATUTES, FIXING THE TIME AND PLACE OF A PUBLIC HEARING TO DISCUSS ALL ASPECTS OF THE INSTALLATION OF AND FUNDING OF PUBLIC IMPROVEMENTS TO THE ROAD, LANDSCAPING, SIDEWALKS, STREET LIGHTS, TRAFFIC LIGHTS, DRAINAGE PIPES, IRRIGATION AND STORMWATER INLETS (COLLECTIVELY, THE "IMPROVEMENTS") ON A PORTION OF ORANGE AVENUE, FROM U.S. ROUTE 17/92 TO HOLT AVENUE; A PORTION OF SAID IMPROVEMENTS TO BE PAID FOR BY SPECIAL ASSESSMENTS LEVIED AGAINST THE PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK, CONSISTING OF ALL LOTS AND LANDS ADJOINING AND CONTIGUOUS OR BOUNDING AND ABUTTING UPON SUCH IMPROVEMENTS ON A PORTION OF ORANGE AVENUE, FROM U.S. ROUTE 17/92 TO HOLT AVENUE, OR SPECIALLY BENEFITED THEREBY; PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the title of the resolution. No public comments were made.

**Motion made by Commissioner Eckbert to adopt the resolution and set the public hearing on June 25, 2007; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- d) RESOLUTION NO. 1973-07: A RESOLUTION DECLARING THE OFFICIAL INTENTION OF THE CITY OF WINTER PARK, FLORIDA, TO REIMBURSE FROM THE PROCEEDS OF TAX-EXEMPT DEBT, CERTAIN CAPITAL AND PRELIMINARY EXPENDITURES TO BE PAID BY SUCH CITY; DESCRIBING SUCH EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the title of the resolution. No public comments were made. Assistant City Manager Randy Knight explained the intent of the resolution and answered questions asked by the Commission.

**Motion made by Commissioner Eckbert to adopt the resolution, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

**CONSENT AGENDA:**

- a) Approve the minutes of 5/14/07.  
b) Approve the following bids, purchases and task order:  
1) PR 133019 to DGG Taser, Inc. for the sole source purchase of tasers; \$102,233.70 (Budget: Police)  
2) Enter into negotiations for RFQ-13-2007 Pedestrian Upgrades to Fairbanks Avenue with CES.

- 3) Contract extension of RFP-12-2006 for the printing of the City Today and Monthly Calendar of Events with Maitropolis (Budget: Communications).
  - 4) PR 133176 to Data911 for the purchase of three mobile data systems, piggybacking off New York State Contract # 18889; 27,361.32 (Budget: Fire).
  - 5) Task Order 2006-06 to CH2M Hill for engineering services including preliminary design and permitting for the Fairbanks Avenue Corridor Roadway and Streetscape Improvements; \$415,854.00. (Budget: Fairbanks Avenue CIP)
  - 6) PR 133183 to APAC-Southeast Inc. for asphalt, piggy-backing Osceola County Contract A/R 03-358; \$122,875.00 (Budget: Asphalt Paving)
- c) Approve the request to waive the boat pass fee for the Winter Park Boat Parade and Festival of Lights parade entrants for the day of the event only.
  - d) Approve the extension of the Historical Society lease agreement for 10 years.
  - e) Approve the reimbursement of \$10,000 to Landmark Condo Development for street improvements on Center Street.

Mayor Strong announced that item b) 6) was pulled from the agenda. Mayor Strong asked that items b) 2) and b) 5) be pulled for questions. **Motion made by Commissioner Eckbert to approve the Consent Agenda with the exception of items b) 2) and b) 5); seconded by Commissioner Metcalf. The motion carried unanimously with a 5-0 vote.**

**Consent Agenda item b) 2):**

Public Works Director Troy Attaway stated they had the FDOT state funded project look at pedestrian enhancements along Fairbanks Avenue to Aloma Avenue. He explained that they went through the selection process and that CES was the top ranked firm and that they wanted to begin negotiations with CES. He addressed that FDOT was funding the design and the City would be funding the construction this coming fiscal year. Mr. Attaway answered questions of the Commission. **Motion made by Commissioner Eckbert to approve item b) 2); seconded by Commissioner Metcalf and carried unanimously with a 5-0 vote.**

**Consent Agenda item b) 5):**

Utilities Director David Zusi stated they will spend \$60,000 in 45 days and they will have feedback from FDOT whether or not this is going to move forward. He stated it can be funded through sewer impact fees when and if they get Commission approval to proceed with the construction of the entire project of the sewer and the streetscape. Mayor Strong requested that Mr. Zusi report to the Commission how much money they spend and the status of the project. Commissioner Eckbert stated they would approve the item pending a report in 45 days. Mr. Zusi expressed approving the whole thing contingent upon a favorable view from FDOT that it is a build able project. **Motion made by Commissioner Eckbert to approve the Consent Agenda item b) 5); seconded by Commissioner Bridges and carried unanimously with a 5-0 vote.**

**PUBLIC HEARINGS:**

- a) ORDINANCE NO. 2711-07: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SO AS TO AMEND WITHIN SECTION 58-65 "R-1AAA LAKEFRONT DISTRICT" THE STANDARDS FOR THE CREATION OF NEW LAKEFRONT R-1AAA LOTS BY INCREASING THE MINIMUM LOT WIDTH STANDARD TO 150 FEET AND PROHIBITING THE CREATION OF NEW FLAG LOTS; PROVIDING FOR APPLICABILITY, PROVIDING AN EFFECTIVE DATE. Second Reading



Attorney Cheek read the ordinance by title. No public comments were made. Director of Planning Jeff Briggs stated the Commission asked that they send letters to the 25 property owners that may be affected and that they have completed this task.

Jeanne E Atkinson, 324 N. Interlachen Avenue, asked for clarification of the ordinance. The Commission and Mr. Briggs explained the situation. Ms. Atkinson requested that she receive a letter that explained what they were planning to do. Attorney Cheek stated it was already in writing; however Mr. Briggs could provide her with a copy. Mr. Briggs agreed.

**Motion made by Commissioner Eckbert to adopt the ordinance; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- b) ORDINANCE NO. 2712-07: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING SECTION 94-128 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK TO INCREASE THE ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS AGE 65 AND OLDER; DEMANDING THE ORDINANCE BE DELIVERED TO PROPERTY APPRAISER BEFORE JUNE 1, 2007 AND REQUIRING NOTICE TO THE PROPERTY APPRAISER IN THE EVENT THE ORDINANCE IS REPEALED; PROVIDING FOR AN EFFECTIVE DATE. Second Reading

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

**Motion made by Commissioner Metcalf to adopt the ordinance; seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Eckbert, Metcalf and Diebel voted yes. The motion carried unanimously with a 5-0 vote.**

- c) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE RESTATED CITY OF WINTER PARK POLICE OFFICERS' PENSION PLAN, ADOPTED PURSUANT TO ORDINANCE NO. 2624-05; AMENDING SECTION 7, PRE-RETIREMENT DEATH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. First Reading

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

Assistant City Manager Randy Knight explained the intent of the two ordinances. He entered the Actuarial Impact Statement into the public record showing that there is no cost to the plan of this additional benefit.

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

- d) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE RESTATED CITY OF WINTER PARK FIREFIGHTERS' PENSION PLAN, ADOPTED PURSUANT TO ORDINANCE NO. 2614-05; AMENDING SECTION 7, PRE-RETIREMENT DEATH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. First Reading

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

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

- e) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, PROGRAMS, AND FACILITIES IN THE CITY OF WINTER PARK, FLORIDA; AUTHORIZING THE IMPOSITION OF A FIRE RESCUE CHARGE AGAINST PROPERTY THROUGHOUT THE CITY OF WINTER PARK, FLORIDA; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING FIRE RESCUE CHARGES; ESTABLISHING THE PROCEDURE FOR COLLECTION OF FIRE RESCUE CHARGES; PROVIDING THAT FIRE RESCUE ASSESSMENTS MAY CONSTITUTE A LIEN ON ASSESSED PROPERTY; PROVIDING THAT A PERFECTED LIEN FOR FIRE RESCUE ASSESSMENTS SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; PROVIDING AN EFFECTIVE DATE. First Reading

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

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

**CITY MANAGER'S REPORT:**

- a) Tree Board decision appeal to City Commission.

Director of Parks and Recreation John Holland stated the applicant was not in attendance for this item. Mr. Holland answered questions posed by the Commission. **Motion made by Commissioner Metcalf for denial on the appeal; seconded by Commissioner Bridges. Commissioner Metcalf restated his motion to support staff on upholding the Tree Board recommendation; seconded by Commissioner Bridges. The motion carried unanimously with a 5-0 vote.**

- b) Central Park Master Plan renovations

Director of Parks and Recreation John Holland spoke about the renovation of the east portion of Central Park per the Central Park Master Plan. He stated that staff was requesting guidance from the Commission on initiating the renovations due to the proposed commuter rail station and proposed concert stage and their design interaction with the renovation plans. He explained that new sidewalks as well as lighting and irrigation could be impacted by the construction of these facilities. Mr. Holland asked the Commission if they would like to delay the renovations or proceed with the current plans.

Commissioner Bridges expressed her preference to coordinate the effort and postpone this to ensure that it ties in efficiently with what happens with the commuter rail stop. Commissioner

Eckbert commented that he would like to consider this after item d). Mayor Strong suggested deferring this item until the commuter rail stop was discussed. There was a consensus to continue this discussion after item d) below.

c) Update of the Water Improvement Program.

Director of Utilities David Zusi presented an update on the Water Improvement Program. He explained that the water system improvements were initially planned to be implemented in two phases; the water system in 2001 consisted of four existing water treatment plants and all sites were extremely congested. The first plant to be upgraded was the Magnolia Water Treatment Plant; and the new Magnolia Phase I facility was a new operational building with the design of high service pumps which are neighbor friendly and a new control system monitored 24 hours a day.

The next plant upgraded was the Swoope WTP; the last ozone facility to construct was the Aloma WTP. Phase II involved the Magnolia WTP which was the Operations Award Winner of the 2007 Outstanding Class C Water Treatment Plant Award; the last plant project is the conversion of the Wymore WTP into a Re-pump Facility Construction that is just beginning with demolition starting in 2-3 weeks and requires wetland mitigation on the Howell Branch Preserve.

d) Winter Park commuter rail stop design study process.

Director of Planning Jeff Briggs stated that they need to have a skilled consultant for the City's Commuter Rail stop and staff was recommending a Request For Qualifications (RFQ) to select a consultant team. He stated this would be the preliminary design and engineering and FDOT would pay for these expenditures and the City would need their 10% match. Mr. Briggs explained the scope of work with the consultant who would assist the City in the public consensus building process and present design alternatives for the City's selection of the facilities to build a commuter rail stop and multimodal facilities.

Mr. Briggs explained that depending on the budget for the prototype from FDOT he was uncertain if there would be extra dollars that the City would have to spend. He stated by late fall he will have a better idea of the prototype budget from FDOT. He also spoke about staff suggesting that a "Commuter Rail Stop Steering Committee" be established by the City Commission. He explained the Steering Committee could assist in monitoring the design study process and their meetings also provide forums for citizens to attend and keep up to date on the work process. Mr. Briggs asked for authorization to proceed with the RFQ and find local and national representation and assemble a Steering Committee. Mr. Briggs answered questions asked by the Commission.

Commissioner Eckbert stated he was frustrated because it seemed like they did this in response to the Winter Park Camp Fire effort; his perception was that it seemed reactive rather than proactive. He also spoke about the citizen task force recommendation and whether to have public input. He asked if it would be helpful to have a citizen board interfacing between the Commission and the public or if these professionals could have tools and techniques to engage the public on wider a basis without having a specified board. He wondered if it would be possible to receive better results with broader public input earlier in the process rather than having a task force. Commissioner Eckbert stated this might make it less political. Commissioner Bridges and Mayor Strong agreed.

Commissioner Diebel discussed the Architectural Task Force and their guidelines and pattern books and advocated that the design of the commuter rail stop be a part of their process and their recommendation to the Planning and Zoning Commission. She suggested rather than hiring a consultant or a paid professional to assist in this process to direct those funds to complete this task force recommendations such that it can be applied to this process. Mr. Briggs explained that this stop was not for an architectural assignment. He explained that they needed a transportation person and someone who is familiar with rail because they would be dealing with the commuter rail stop and the interface of buses.

Commissioner Eckbert stated he would support hiring a consultant and asked how that consultant would engage public input, and if the consultant would suggest a task force or have a design charrette format or some other process. Commissioner Diebel inquired if his recommendation would include the Winter Park organization as well. Commissioner Eckbert responded that if they want to bring forward their expertise to be hired, they would need to follow the RFQ process. Mayor Strong stated the Winter Park Campfire does not have the monopoly on the interest of the commuter rail stop. He stated that everyone who has an interest will be invited to speak in such manner that the consultant believes is appropriate.

Commissioner Metcalf expressed the importance of ensuring that they have an expert regarding intermodal stops. Commissioner Eckbert stated the only tweak to staff's recommendation was to hold off on the task force until they hear from the consultants. Mr. Briggs agreed to do that. Mayor Strong stated that his concern involved timing. Mr. Briggs explained that we will receive a response in 30 days, it will be out in 2 weeks and they will return in 6–7 weeks with the selection. Mayor Strong stated they would like to follow staff's recommendation however they would like to defer any task force or participation by any member of the boards. Commissioner Eckbert agreed.

Commissioner Bridges asked that when the outline for the consultants is provided that they see something other than artist renderings; perhaps scaled computer renderings that will give the average citizen and the Commission the best articulation of what they will be viewing.

Commissioner Metcalf commented if there are combinations of train stations/commuter rail stations around the country, he would like to incorporate that. He believed that would be the benefit to making this an efficient, effective, and positive contribution to the entire park. Mr. Briggs explained that by late summer or early fall they would receive the budget on the prototype and they'll know how much extra money they may have to address the station within the confines of the \$3.75 million. Mayor Strong commented there were lots of issues to consider before they start thinking about building a train station.

Mr. Briggs stated they will advertise, field some consultants and return with recommendations on the public involvement process. Mayor Strong stated in light of this decision they should defer any improvement on the Central Park Master Plan. There was a consensus on this matter.

- e) Presentation regarding City participation in a regional alternate water source project.

Director of Utilities Dave Zusi stated they would like approval to enter into an agreement with other municipalities in Orange/Lake and possibly Marion County to study alternate water sources. He stated there were 14 other municipalities that have already signed on and they were asking for approval to fund the first year of a 3 year preliminary design study with the

other municipalities. He stated that the first year would be \$97,000 for the City and it will be taken out of the utility budget for 2008.

**Motion made by Commissioner Eckbert to give Mr. Zusi direction to include this on his budget for next year; seconded by Commissioner Eckbert. The motion carried unanimously with a 5-0 vote.**

f) Letter to residents concerning Property Tax Reform.

City Manager Jim Williams explained that the legislature is meeting in special sessions to discuss and approve a Property Tax Reform Bill. He stated that any significant tax cut will result in a reduction of services that the City currently provides. He stated the draft letter to residents was to begin to educate and encourage them to request the legislature to continue to provide local control over this revenue source.

Commissioner Metcalf thought the letter was good but expressed the need for preliminary ideas of what the percentage cut (10% or 20%) would be. City Manager Williams stated they were looking at as much as \$3-\$9 million from the General Fund.

Commissioner Eckbert believed the letter was defensive and was self serving to ask citizens to defend them when they did not know what may happen. He stated that it was well written and productive in many ways but was not sure that it would be ultimately helpful and that he would not send it. Mayor Strong agreed that they should respond when they know what they are talking about and they know what they will have to do. Commissioner Metcalf believed that there was good information in the letter and did not see it as defensive. Commissioner Bridges agreed with Commissioner Metcalf and thought it was informative and was important.

Mayor Strong suggested they eliminate the last paragraph to contact your legislature. Commissioner Diebel agreed. Mayor Strong suggested a redraft and to eliminate the call to the legislature and that it be widely published instead of mailing it out.

Mayor Strong asked that Assistant City Manager Randy Knight and Director of Communications Clarissa Howard get together and have the essential facts in the correct format and then circulate it to the Commissioners before it is published.

**NEW BUSINESS: Dan Bellows**

Dan Bellows, 433 West New England Avenue, voiced concerns with an invoice of \$53,000 that he received from the City to relocate a power pole on his project at 362 South Pennsylvania Avenue. He addressed the power pole not providing power and that he does not need it. He stated he would appreciate it if the City paid the \$53,000 to have the pole removed per the invoice and the proposal that he was given. Commissioner Eckbert requested that staff present the alternatives as well as identifying the relative costs and to provide their recommendations by next meeting. Mayor Strong agreed.

**NEW BUSINESS (CITY COMMISSION):**

Commissioner Diebel stated she would like clarification for the staff recommendation on the composition of the Planning and Zoning board. Mayor Strong stated he would like to hear the staff recommendation. Mayor Strong stated when staff provides their recommendation at the

June 11 meeting they will have alternative courses of action. Commissioner Eckbert agreed and stated if staff has a pre-recommendation before the next meeting which may help the process, they should let the Commission know so they reconvene before then.

Commissioner Eckbert spoke about the architectural design guidelines presentation and their earlier conversation. He believed that Commission meetings should be about decision making and not about having dialogue or brain storming. He stated it was not clear what the task force wanted the Commission to act on at the end of their presentation. Mayor Strong agreed that it came to the Commission prematurely and it should have gone through a work session first. Commissioner Metcalf suggested that staff inform them what decisions they need from them before a presentation and while the Commission listens to the briefing they can be focused on what the end result needs to be.

Commissioner Eckbert recommended that City Manager Williams act as a preview for the Commission meeting and to let them know any decisions that staff is asking for so they can make those decisions. Mayor Strong commented that should have been the Commission's job and not Mr. Williams's job to do this. He stated that he did receive the architectural draft report but he should have said they were not ready to hear it. Mr. Williams stated that it was his understanding that this was only an update to the Commission.

Building Director George Wiggins commented it was a draft report given to the Commission in the timeline that was identified in the Strategic Plan; they met for the past 8 months and they gave them the results of the deliberation for three different areas. He stated they sent out the draft with the recommendations in two different formats to the Commission and to numerous citizens. He stated he has not received any negative comment from the citizens and he asked what was not clear in terms of the recommendations.

Commissioner Diebel agreed with comments made by Commissioner Eckbert and Commissioner Metcalf. She asked for clarification on who was responsible for setting the agenda and the order of the agenda. There was discussion regarding the charter and who is responsible for setting the agenda. Attorney Cheek explained what the Charter states and that the Charter does not indicate who constructs the agenda but that the practice has been that the City Manager and staff compile the agenda. Attorney Cheek stated that under the Charter the Commission determines its own rules and order of business.

Commissioner Eckbert proposed that the City Manager present the decision that will be coming before the Commission. Commissioner Diebel advocated a work session to discuss what should be the order of the agenda; and prioritize who is asking for funding; why are they asking; if it fits with our priorities of our citizens and the services they asked to maintain; include the recommendation of the City Manager; and where the money will come from. She believed the agenda should be rearranged and the City Manager's Report should be first and discretionary items should be last on the agenda such as the Architectural Task Force to complete work. Mayor Strong suggested that she outline the format of the agenda that she believes would be more appropriate. Commissioner Diebel stated she would like to defer what the Mayor asked to the City Attorney to make a recommendation based on the Charter. She also asked the City Manager present to the Commission his recommendation on the order of the agenda; why, and base it on the budget priorities.

Commissioner Metcalf suggested this be discussed at a work session. Commissioner Eckbert asked that Mr. Williams be prepared for the introduction of every issue, tell the Commission what the policy decision is they are voting on, what the alternatives are, what the costs are,

what process has it has gone through, what boards has it been through, and why the recommendation is what it is. He stated this process will address Commissioner Diebel's concerns of the order of the agenda. Commissioner Diebel added that if the City Manager's Report was first on the agenda there would be clarity on what is being asked to be funded in the budget. She also commented that the Commission needs to know items what items require funding and if it is funded in the current budget cycle; if it is not funded to indicate the recommendation of the City Manager and the Finance Director for funding such projects; and the benefits to our community through improvement, processes or services. She stated that would prepare this Commission to vote fiscally responsibly at the beginning of a meeting and consider discretionary projects last.

Mayor Strong stated that he had no problems with Commissioner Eckbert's suggestion on the process however he did not want Mr. Williams to give a recommendation on decisions; only the pros and cons and to leave it up to the Commission to decide. Commissioner Eckbert and Commissioner Diebel disagreed with Mayor Strong. Commissioner Eckbert again reiterated his preference of directing the City Manager to present the decision that is coming before the Commission with his recommendation and backup information as to what led him to the recommendation as well as any budget implications. Commissioner Diebel added that she would also like the City Manager's recommendation on her concerns with the agenda and to make a new policy concerning prioritization. Mayor Strong stated he was not sure he would be in favor of that and did not know if that would be appropriate. Mayor Strong stated that he would like to hear the City Attorney's and the City Manager's recommendation on that issue. There was a consensus on Commissioner Eckbert's direction to Mr. Williams as to the information provided to the Commission.

Mr. Williams stated he would work on this but the process may be slowed down. Commissioner Diebel stated they have given him clear direction on anything that involves budgetary dollars to have a priority on the agenda and if he starts from there it would be helpful. Commissioner Eckbert and Commissioner Metcalf felt it would speed up the process rather than slow it down.

City Manager Williams stated he would not be here for the next Commission meeting because he would be on vacation.

The meeting adjourned at 8:36 p.m. '

  
\_\_\_\_\_  
Mayor David C. Strong

ATTEST:

  
\_\_\_\_\_  
~~City Clerk Cynthia Bonham~~  
Deputy City Clerk, Nancy McLean