

REGULAR MEETING OF THE CITY COMMISSION
August 23, 2010

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

The invocation was given by Reverend Bryan Fulwider, First Congregational Church, followed by the Pledge of Allegiance.

Members present:

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

Also present:

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

Approval of the agenda

The agenda was approved by acclamation of the City Commission as presented.

Citizen Budget Comments

Gene Randall, 1285 Richmond Road, agreed that adjustments need to be made to the benefit package. He also shared his concerns with the up keeping of Mead Gardens and disagreed with the reduction in the parks budget. He also discouraged eliminating the tree trimming.

Stephen Pategas, 1425 Berkshire Avenue, commented on the reduction of the parks budget and noted that by deferring the parks maintenance it will make it worse in the long term. He suggested that they keep up the maintenance.

Tom Shutts, 2010 Brandywine Drive, stated that he is in favor of increasing City Commission salaries in future years, the 401A City contributions for staff is unreasonable, and he is very disturbed about the Police and Fire pension bubble coming. He suggested switching to a defined contribution plan.

Mayor's Report

a. **Keep Winter Park Beautiful award presentation**

Mayor Bradley announced that they would like to recognize several volunteers who are fine examples of dedicated leaders in the community. He stated that Keep Winter Park Beautiful is one of the most active volunteer groups in Winter Park and noted that their mission is to beautify, conserve resources, recycle, educate and preserve the City's environmental legacy.

Joan Carroll, Chairman of Keep Winter Park Beautiful, presented awards to Masonic Lodge #239, Adventist Health Systems, Dayo Scuba, Keke's Breakfast Cafe, Phil Keane Designs, Inc. and the Winter Park Wedding Chapel. She thanked them for their hard work and volunteer services they provide.

b. Purchasing Division Achievement of Excellence in Procurement Award

Mayor Bradley recognized the City's Purchasing Department for receiving the 2010 Achievement of Excellence and Procurement Award from the National Purchasing Institute. Purchasing Director, Carrie Woodell mentioned that the City is 1 of 20 government agencies in Florida and 1 of 56 cities in the United States to receive this award. She noted that this was the first time they submitted their application for consideration and won. Mayor Bradley thanked the department for their excellent service and their achievement.

c. IT Division 2010 FLGISA Technology Achievement Award

Mayor Bradley recognized the City's Information Technology Department for receiving the 2010 Florida Local Government Information Systems Association Award. IT Manager Parsram Rajaram mentioned that this is the second similar award in three years that the City has received. Mayor Bradley thanked the department for their excellent service and achievement.

d. Recognition of the Police Department winning 1st place in the Champion's Class in Highway Safety in the Florida Law Enforcement Challenge

Mayor Bradley praised the City's Police Department for participating once again in the yearly Florida Law Enforcement Challenge. He noted that this year the Winter Park Police Department received 1st place in the Champions Class in Highway Safety. Mr. Tom Banks, Department of Transportation Law Enforcement Liaison, presented the award and commended Chief Railey and the rest of the team for their great work and efforts in making the City a safe place to live.

Mayor Bradley mentioned that last week there was a tornado warning in the City and the Fire Department conducted their first real test of the Emergency Warning System. He said that it was very effective in calling the citizens to take precautionary safety measures immediately. He thanked the department for their efforts.

City Manager's Report

City Manager Knight presented the City Manager's Report and also provided an update on the procurement process for the bulk power supply for the electric utility. He noted that a total of four proposals have been received over the past couple of weeks. The companies who submitted proposals are Florida Power and Light, Progress Energy, Orlando Utilities Commission and Seminole Electric Co-Op. He said that all of them appear to be viable options and they are currently performing the negotiating process. He mentioned that the overall decision process will be sometime at the end of October.

City Manager Evaluation Form

The City Manager evaluation form was submitted to the Commission for their review, comment and approval. There was an overall discussion regarding the actual form, the categories and their order of importance. It was suggested to remove the intermediate numerical rating line numbers but leave the descriptions and have only one total category score or rating for each of the four sections. It was also suggested that each Commissioner place an overall percentage number on the weighted rating option for each category. There was an overall consensus with these suggestions. It was noted that Human Resources Director Mary Greenwood will

assemble and revise the evaluation form. It was also suggested and encouraged that each of the Commissioners meet with the City Manager to discuss the form. Commissioner Cooper requested to change the first section to read Long Range Planning and to add the Comprehensive Plan, Implementing the Goals and Policies of the Comprehensive Plan, and the Charter. Commissioner Dillaha mentioned to follow what is set forth in City Charter in terms of what the City Manager's responsibilities are and to include that in the evaluation. Mayor Bradley asked if the re-adjusted form can be sent out to the Commissioners so that the process can be completed by September 20.

Commissioner Dillaha asked about the deadline negotiations between the City and Concord Eastridge, Inc. Mr. Knight said that they have had a couple of negotiating sessions and the City Attorney is working on a draft lease agreement to be considered by both parties. CRA Director Dori DeBord provided a brief summary and noted that they are currently working on a proposal. She said they are hoping for a quick turnaround and would like to bring it back to the Commission before the end of September or beginning of October.

Commissioner Dillaha questioned the status of the Planning and Zoning process, particularly the conditional use two step process. Planning Director Jeff Briggs stated that they just readopted the conditional use process in April and noted that they will have their recommendations to the Commission by October.

Commissioner Cooper asked when the next shade meeting will be held regarding union negotiations. She asked that one be schedule if it is not already scheduled. Mr. Knight stated that he will schedule this item and inform them of the date.

Commissioner Cooper followed up on her item regarding assigning a task force to look at best practices and policies relative to pensions. Mayor Bradley suggested that she meet and discuss the issue with Mr. Knight and then put some of her concerns and key issues in writing. This can be presented to the Commission at the next meeting to determine whether it is appropriate for the pension board or a new task force to address this issue. She complied.

City Attorney's Report

a. Canin Associates Settlement Agreement

Attorney Brown provided a brief summary of the proposed settlement agreement between Canin Associates versus the City. He noted that both Mr. Knight and himself have reviewed and recommend the settlement; however, it is for the Commission to decide. He said that the agreement provides for a payment of \$50,000 within 14 days from approval, if approved.

Motion made by Commissioner McMacken to approve the settlement agreement; seconded by Mayor Bradley. There was an overall discussion regarding the settlement dollar amount and whether it is a favorable or unfavorable amount. **Motion made by Commissioner Cooper to amend the motion to strike on page 4 of 5 the last part of the last sentence which says "and I can recommend the firm to achieve good results for similar projects"; seconded by Commissioner Dillaha.**

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

Upon a roll call vote on the original motion, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. Commuter Rail Agreement

Attorney Brown provided a brief outline of the changes presented and noted that he incorporated the changes from the last meeting. He answered questions of the Commission and clarified Commissioner Dillaha's items of concern.

Motion made by Commissioner Cooper to send this document forward inclusive of the alternate language in Mr. Brown's memorandum dated August 16, 2010. Specifically on page 1 of the memorandum, beginning with the second paragraph starting with the quotation mark after the introduction that reads, "The alternative language could look something like this." Alternative language starts with the term 'Adverse Impact' and goes to the end of the quotation mark on page 2 which ends, 'Adverse Impacts' including items numbered 1-4. The motion was seconded by Commissioner Dillaha. (Clerk's note: Attorney Brown's August 16, 2010 memorandum is attached to these minutes for clarity).

Commissioner Dillaha stated that she is in favor of having the adverse impact language in the amendment. She read a study that was conducted by Chief Ball dated July 26, 2006 regarding The Impact of Commuter Rail on Crime In Surrounding Neighborhoods (attached at the end of the minutes). Commissioner Cooper expressed her concern relative to the congestion of the City's downtown area and supported the alternative language. Commissioner Anderson asked Attorney Brown if this question has been addressed at all with Orange County. Attorney Brown provided a summary of the negotiations that have and will transpire with Orange County.

Motion made by Commissioner Anderson to table the item until Attorney Brown has negotiated. Motion failed for lack of a second.

Tom Shutts, 2010 Brandywine Drive, asked if there is a cost to operate the stop in Winter Park including security and if so who pays for it. He also supported the ability to have an alternate stop in Winter Park to alleviate whatever situation that may occur.

Patrick Chapin, 151 West Lyman, recommended that they support this agreement.

Joe Terranova, 700 Melrose Avenue, spoke in favor of supporting the agreement. He agreed that adverse conditions are important and that specific language should be included. He urged the Commission to vote in favor of sending the document to Orange County.

Attorney Brown addressed Commissioner Dillaha's concern by clarifying an issue regarding a provision for the right to terminate after an appropriate amount of time.

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.

Public Comments

Brian Wettstein, 329 Park Avenue North, asked for clarification regarding the last two meetings where the dog ordinance was voted down so that he can work through the permitting process for his upcoming event with staff.

Woody Woodall, 328 North Park Avenue, said he loves the dog events and wants it to continue. He agreed that the Police and Fire pension issue must be addressed.

Donna Colado, 327 Beloit Avenue, said she is a little discouraged about the signage during the recent campaigns and believes the sign ordinance has not been enforced.

A recess was taken from 5:09 p.m. to 5:28 p.m.

Commissioner Anderson was absent from the meeting from 5:30 p.m. to 6:14 p.m.

Non-Action Items

a. Friends Groups

Commissioner Dillaha provided her suggestions as to what should be included in a policy for Friends Groups and the need to include both definitions and guidelines. She spoke about her list of recommendations that she presented (attached at the end of the minutes). Commissioner McMacken suggested that staff review the suggestions and provide their input and feedback. Mayor Bradley asked to see a listing of all the Friends Groups. Commissioner McMacken asked that the Commission add any additional thoughts to Commissioner Dillaha's draft document between now and the next Commission meeting and to forward those to Mr. Knight so staff and the City Attorney can prepare a draft to be brought back to the Commission. There was a consensus to do that and to bring it back at the first meeting in October so they can focus on the budget at this time.

b. Financial Report – July 2010

Finance Director Wes Hamil provided the financial report for July 2010 as presented in the packet.

Motion made by Commissioner McMacken to accept the report as is; seconded by Commissioner Cooper. The motion carried unanimously with a 5-0 vote.

Consent Agenda

- a. Approve the minutes of 8/9/2010 – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- b. Approve the Emergency Medical Services (EMS) Patient Transport Fee Adjustment – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- c. Approve RFQ-23-2010 Architect for Golf Pro Shop Renovations and authorize staff to enter into negotiations with the top ranked firm of Bender & Associates Architects – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**

Consent Agenda Item 'a': Approval of the Minutes of 8/9/10

Mayor Bradley requested clarification be made on page 6 regarding the RFQ for the Engagement of Nore Winter. It was his understanding that Commissioner McMacken and himself asked what the RFQ process is, did not recall if they had an answer at that point and would like the minutes to reflect what the actual conversation was.

Motion made by Mayor Bradley to approve the minutes as presented with the adjustments which have been discussed; seconded by Commissioner Dillaha and carried unanimously with a 4-0 vote (Commissioner Anderson not present).

Consent Agenda Item 'b': Approve the Emergency Medical Services (EMS) Patient Transport Fee

Chief White addressed several questions from the Commission regarding the fees and rates being charged, recoverable costs and actual cost of services provided. He noted that this increase will bring them in comparison to surrounding areas and is cost effective.

Motion made by Commissioner Cooper to approve the EMS patient transport fee; seconded by Commissioner McMacken. Upon a roll call vote, Mayor Bradley and Commissioners Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote (Commissioner Anderson not present).

Consent Agenda Item 'c': Approve RFQ-23-2010 Architect for Golf Pro Shop Renovations and authorize staff to enter into negotiations with the top ranked firm of Bender & Associates Architects

Motion made by Mayor Bradley to table this item until October 1 after the budget season and feels like this at this point is a discretionary spending, that as they go into the budget season he would personally like to know where they are going to be with the budget before they expend this.

Commissioner McMacken asked Mr. Holland if there is any work in the interim that would need to be done on this building to keep it from deteriorating any further from now until October. Mr. Holland stated no and that they will make sure they send the maintenance crews in to oversee any work that needs to be done to maintain it. It was noted that no air conditioning is being run. Commissioner McMacken asked if they were to postpone this until October, if they can continue to negotiate with the architect so that if they were to approve a contract they would be ready to go. Attorney Brown provided legal advice regarding contract verbiage. **Motion failed for lack of a second.**

Discussion ensued regarding the design fees versus the actual renovation costs and possibly putting a cap on the design service fees. Mr. Holland stated that they have \$125,000 budgeted for both design and construction and that this is a maximum not to exceed amount. The Commission mentioned that this information needs to be shared with the firms that they are negotiating with. Public Works Director Troy Attaway provided a brief summary regarding the original scope of the project and what has transpired over time with the overall process and the Historic Preservation Board's involvement. Mr. Knight mentioned that last year they had a \$400,000 project in the budget for the Pro Shop and during the budget public hearing in

September, the Commission decided to move the project from 2012-2013 at the \$400,000 contract amount to 2010 at the \$125,000 amount, which then resulted in trying to build the same project with less money.

Motion made by Commissioner McMacken to table until the next meeting, September 13, 2010; seconded by Mayor Bradley. Upon a roll call vote, Mayor Bradley and Commissioners Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 4-0 vote (Commissioner Anderson not present).

Mayor Bradley asked that a copy of the RFP be provided along with the scope of project that has gone to the Historical Preservation Commission and the original \$400,000 contract. It was also requested that a copy of the previous minutes be included in the next agenda packet so they can all have an understanding of how this evolved.

Action Items Requiring Discussion:

a. Fairbanks Avenue design guidelines

Building and Code Enforcement Director George Wiggins provided a summary of what transpired in the last meeting with the decision process. He said that since then they have received two proposals for a cost (\$35,000) which does not require going through the RFQ process under the CCNA. The two proposals received were from Nore Winter and Placemakers. He asked for direction on whether to go forward with Nore Winter or go with the RFQ process, or wait until the Canin settlement agreement is resolved so that Placemakers has an opportunity to be considered. Discussion ensued as to which consultant would be the most qualified and suited for the project. Each Commissioner provided their opinion and concerns. They also discussed how much work has been completed to date by Placemakers.

Motion made by Mayor Bradley to proceed with the proposal for Placemakers; seconded by Commissioner McMacken, subject to the condition that Canin accept the change made to the settlement agreement at the meeting and that the Commission be included in the presentations to staff (as added by Commissioner McMacken).

Motion amended by Commissioner Cooper to require that all work that is done on Fairbanks comply with the existing Comprehensive Plan; seconded by Commissioner McMacken. Mayor Bradley noted that they will not vote on that; as the original maker of the motion he has accepted that and it goes without saying.

Jack Rogers, 1002 Temple Grove, spoke in favor of hiring Nore Winter and recommended and encouraged the Commission to work with them.

Upon a roll call vote, Mayor Bradley and Commissioners Anderson and McMacken voted yes. Commissioners Dillaha and Cooper voted no. The motion carried with a 3-2 vote.

b. Fleet Peeples Park one year review

Sandy Womble, Friends of Fleet Peeples Park, provided a power point presentation to include August 2009-2010 financials and fundraising information, in-kind donations, expense budget and maintenance fees. She also discussed why they deserve an extension of the fundraising

efforts and stated that no deadlines were set for other non-profit groups. She also noted that there has been a discussion about implementing membership fees, but does not recommend it right now because of the current economic hardships and it will compromise their fundraising ability. She spoke about the Wade Trim study which included the user ratio and the ranking of the park and their goals. Ms. Womble addressed questions about providing the City with a check of all funds raised. There was also a discussion on when the Friends group will commence the work.

Mr. John Fishback provided more detailed information regarding the improvements and said they would like to commence with the public pavilion on the south side. He noted that they would be more than happy to turn over the \$45,000 to the City to begin the improvements and feels that once they get started more individuals would be inclined to help or contribute either their time or money.

Commissioner Dillaha shared her concerns regarding the use of a dog park of that size on a lakefront, park rules, regulations and enforcement. She also mentioned fees, monitoring of activity, quality and environment with the use of the lakefront park, the compatibility of the dog park, the water quality and health threats. She referenced and spoke about a report that was prepared by the Public Works Department Lakes Division (Tim Egan) dated January 7, 2009 (attached at the end of these minutes) regarding lake management issues related to dog use at the Fleet Peeples Park on Lake Baldwin. She noted that the report lists four major areas of concern: water quality and stormwater management, human health and safety, aquatic habitat management and the use of a lake for recreation purposes and included recommendations.

Motion made by Commissioner Dillaha that we maintain a dog park over at Fleet Peeples, but that the configuration of it changes to a smaller configuration, whether it is the one that Wade Trim had proposed or whether it was one that was proposed by (I think) Commissioner McMacken before he was a commissioner and that we entertain fees again, which is what the intent was. Mayor Bradley asked her about her intent of the size of the park. Commissioner Dillaha stated just smaller than what they have now.

Motion restated by Commissioner Dillaha to revisit the actual configuration of the park with the goals of achieving access to the lakefront for our public, providing for water safety, preserving the environment, pulling it off the lake and in keeping with all of the recommendations from the professionals and from our different department heads and boards and that they will apply fees for use in order to control the numbers, in order to ensure the health of the dogs and in order to help maintain the park; seconded by Commissioner Cooper for discussion.

Commissioner Cooper shared her concerns with establishing a fee structure. She supported extending the time to fund raise by one year, the need to charge fees to cover costs, establishing control in the park, the need to identify alternate forms of revenue such as grants and the need to have a plan in place to have a restroom and a pavilion on the people's side of the park if funds are not collected. She suggested that a task force be created to help address the issues. Commissioner McMacken provided a brief summary of his interpretation and his understanding regarding the original scope of the project, the acceptance of the master plan, what has transpired over time with the overall process and how they got to where they are today.

A recess was taken from 7:34 p.m. to 7:41 p.m.

Commissioner McMacken asked for clarification with the plan that was approved along with the current actions presented. Mayor Bradley provided his interpretation with the approved recommendations. Commissioner Anderson said that the fee recommendation is a good idea, but the timing of when the fees come into place is a question. He provided his interpretation of what had transpired over time with the approval process and the recommendations and approvals that were given. He said in regards to the current motion, he is in support of considering a fee structure and to ask staff to revisit it and bring it back to the Commission for consideration at a later meeting, but does not support the other parts of the motion. He also thinks having access to the waterfront is an important facet.

Penny Potter, 1360 Canterbury Road, spoke on behalf of the boaters. She said that they use the lake for recreation, boating and swimming and she also teaches sailing classes and that it should be maintained.

Joe Terranova, 700 Melrose Avenue, spoke in favor of Fleet Peeples Park and that he is not in favor of the amendment and objects to the fees. He said they should extend the agreement for Fleet Peeples and implement the plan that has already been approved and not reduce the size of the park.

Rick Frazee, 1921 Englewood Road, is in favor of implementing a 'favorable fee' and asked the Commission to find a common ground and work forward.

Nancy Shutts, 2010 Brandywine, spoke about the funding issues and said it is important to have compliance regulations in place.

Bonnie Jackson, 3009 Temple Trail, shared her concerns with the current use of the park and asked that the park be given back to the people.

Joseph Brock, 2341 Randall Road, noted that Friends of Fleet Peeples has paid to upkeep the park to benefit of the City by providing poop bags and placards and is opposed to fees.

Marti Miller, 1399 Aloma Avenue, said the park is not being used to its highest potential and best use. She said there is no enforcement and no fees. She asked them to do what is right and what is good for the public and to bring it to a conclusion.

Sandy Womble, 940 Old England Avenue, noted that this item needs to come to closure and agreed with putting a task force together with the people who live in the City and not an outside consultant.

John Fishback, 180 Chelton Circle, said he hopes the wisdom of the Commissioners can distinguish between fact and innuendo and he will leave it up to the wisdom of the Commission.

Each Commissioner was given one (1) minute to make a final closing argument prior to the vote. Commissioners Dillaha, Cooper and McMacken took the opportunity to do so. Commissioner Dillaha stated she does not like the idea of a task force to design the park because it takes professionals but agreed with a group of people getting together consisting of a professional to work with staff and appropriate departments to come up with a plan. She agreed

with the fees and the need to do this correctly. Commissioner Cooper believed they could come to a reasonable resolution understanding all the desires of the Commissioners within a short time period and that we should charge fees for the park. She stated there may be a way to make what currently exists in the park work and did not believe that we needed to hire experts to do this and it can be done in a 2-4 week period because we already have some expert input. Commissioner McMacken asked for clarification on the motion they are voting on. Mayor Bradley clarified they are voting on a smaller dog park plus charging fees. Commissioner Cooper asked for clarification because they only stated smaller and did not say how much smaller. Mayor Bradley said that was the motion and there was no clarity provided by the maker of the motion after being asked.

Upon a roll call vote, Mayor Bradley and Commissioners Anderson and McMacken voted no. Commissioners Dillaha and Cooper voted yes. The motion failed with a 3-2 vote.

Motion made by Commissioner Dillaha to implement fees and to put together a team of professionals that would consist of staff to design the dog park, potentially the individual that I mentioned who designs dog parks to come together to address the environmental issues, the issues of lake access and to come up with a design that would take care of all these concerns that we have; we need professionals.

Commissioner Cooper asked if this relieves Fleet Peebles from any fundraising responsibilities. Mayor Bradley stated that it is not inherent in the motion. **The motion failed for lack of a second.**

Motion made by Commissioner Dillaha to implement fees for the dog park and to bring a fee schedule to the Commission for consideration and adoption (as clarified by Commissioner Anderson), seconded by Commissioner Anderson.

Mayor Bradley asked for clarity on the cost, how that would be determined and when that would be determined. Commissioner Dillaha said that Mr. Holland had already gone through that with the Parks Board and recalled seeing information about a fee structure that they discussed at last year's meeting and believes a lot of that has already been done. Mr. Holland agreed. She said maybe that could be something that could be brought to the Commission relatively soon for discussion and approval.

Joseph Brock, 2341 Randall Road, said that in this economy it is inappropriate to charge fees which will deter people from using the park and the taxpayers will pay double in taxes and fees.

Marti Miller, 1399 Aloma Avenue, asked to charge a smaller fee for the citizens of Winter Park and a larger fee for those outside of Winter Park to help pay for the expenses and if they cannot do that, then charge one fee.

Pat Fishback, 180 Chelton Circle, said the fees are punitive and now is the worse time of all to ask for fees.

Nancy Shutts, 2010 Brandywine Drive, said she supports user fees for the dog park and it is a simple solution.

Bonnie Jackson, 3009 Temple Trail, noted that she is opposed to a fee for a public park since they already pay taxes.

Joe Terranova, 700 Melrose Avenue, is opposed to fees and that the City is responsible for paying for the expenses of the park and he recommends that they do not approve the ordinance.

Motion amended by Mayor Bradley that they request all Friends organizations including Casa Feliz to provide the City by September 30, 2010 current financial statements. Motion failed for lack of a second.

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

Mayor Bradley noted that City staff will be bringing the Commission a recommendation to vote on at a later time. Mr. Knight acknowledged. No further motions were made regarding the design of the park.

c. Preparation of September 13, 2010 budget public hearings

Mr. Knight stated that at the work session last week there was a discussion as to two different ways to proceed to the September public hearings. One option was to have staff compile and group all of the specific ideas that came forth from the City Commission; the other option is to provide him with a specific dollar amount and have staff provide recommendations on how to arrive at that amount. He asked for direction. Mayor Bradley noted that there was a consensus of at least three Commissioners that recommended proposed cuts of about \$600,000 to \$1.6 million, but there was not an agreement on a set amount or percentage amount.

Motion made by Commissioner McMacken to direct the City Manager to, at his discretion, bring back to them a budget that takes out an additional \$1 million from what they had previously looked at; seconded by Commissioner Cooper.

There was a discussion regarding the need to further define where the cuts need to come from and whether it is from services or other specific areas. It was noted that the emphasis behind the task is for Mr. Knight to take each of their recommendations and let him implement the reductions and bring it back to the Commission for review and approval. The concerns over police and fire pensions were addressed.

Motion made by Commissioner Cooper to amend the motion that directs the City Manager not to negatively impact Comprehensive Plan dictated levels of service within the City specifically gallons of potable water available and parkland available. She does not believe that the police and fire are dictated in the Comprehensive Plan, but most of all their other levels of service are relative to their roads, water and sewer. The amendment failed for lack of a second.

The discussion continued on what specific areas are to be cut and if they can further define those areas. They also spoke about the revenue projections. There was a suggestion to have a work session in the next two weeks so that Mr. Knight can present his recommendations prior to the next Commission meeting of September 13, 2010. Mr. Knight acknowledged the request.

No public comments were made.

Motion amended by Commissioner Dillaha to amend the motion to include "and that it will presented before the next Commission meeting during a work shop"; seconded by Commissioner Cooper.

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

Upon a roll call vote on the amended motion, 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. 2066-10: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1710 WESTCHESTER AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

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

Sara Belperche, 1710 Westchester Avenue, informed the Commission that she has been the owner of the current residence for the past 37 years out of the 70 years of the existence of the house and she would like to preserve it.

Motion made by Commissioner McMacken 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. Conditional Use Approval-Request of Panera Bread: To construct a new restaurant with a drive-thru lane at 2516 Aloma Avenue.

Planning Director Jeff Briggs provided a summary of the proposed conditional use request and answered questions of the Commission regarding parking, the fencing and the noise level of the personal announcement system. Tom Daily, Daily Design Group, addressed the concerns with the sound attenuation of the speakers and acknowledged the suggested request for directional speakers.

Motion made by Commissioner McMacken to approve the conditional use request with the conditions (that the applicant provide to the City more detail on the exterior fence and landscape screening and night lighting protections for the adjacent apartments; and that any complaints involving noise from the PA ordering system will be addressed) and to modify the one condition to say that the use of directional speakers as part of the PA system be incorporated; 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.

- c. Conditional Use Extension-Request of Mr. Moye: Property at 125 S. Interlachen Avenue - Ye Ole Bric Condos

Planning Director Jeff Briggs provided a summary and history for the prior approvals related to the proposed continued two year additional extension of the conditional use request. He noted that since 2006 to now a comprehensive plan policy change and code change was implemented. He also spoke about the two variances in terms of the lot coverage and the height of the building and noted that staff recommends that the conditional use approval be extended for an additional two years for the lot variance but that the extension does not apply to the height variance so that the future development will be in compliance with the Comprehensive Plan. He answered questions of the Commission regarding the setbacks. There was a short discussion pertaining to potential Bert Harris claims. Attorney Brown addressed the concerns of the Commission and his advice is that both variances should be extended. James Moye with Interlachen Guarantor, the Applicant, stated that he would like to continue with the process but disagrees with the building height requirement.

Motion made by Commissioner Anderson extend the existing entitlements for another two year period (ending on October 14, 2012); seconded by Mayor Bradley.

Patrick Ozim, representing 143 Interlachen Condominium Association, stated that they would like the Commission to follow the recommendations of staff to preserve the character and to limit the project to three stories.

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.

- d. ORDINANCE NO. 2819-10: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE," ARTICLE VI, "SUBDIVISION REGULATIONS" SO AS RENAME SAID ARTICLE VI AS THE "SUBDIVISION AND LOT CONSOLIDATION REGULATIONS"; ADDING NEW DEFINITIONS TO SECTION 58-371 "DEFINITIONS"; AMENDING SECTION 58-377, "CONFORMANCE TO THE COMPREHENSIVE PLAN" TO INCORPORATE POLICY DIRECTION FROM THE COMPREHENSIVE PLAN AND ADDING A NEW SECTION 58-392 "LOT CONSOLIDATIONS" TO ESTABLISH REQUIREMENTS FOR THE REVIEW AND APPROVAL OF LOT CONSOLIDATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE. Second Reading

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

Motion made by Commissioner Dillaha to adopt the ordinance; seconded by Commissioner Cooper. Upon a roll call vote, Mayor Bradley voted no. Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

- e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO BUILDINGS; AMENDING CHAPTER 22 TO IMPLEMENT REQUIREMENTS FOR INACTIVE CONSTRUCTION SITES; ELECTRONIC SUBMISSION OF BUILDING PLANS WITH RELATED FEES AND MEMBERSHIP CRITERIA FOR THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; PROVIDING FOR CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. No public comments were made. Building and Code Enforcement Director George Wiggins summarized the ordinance and answered questions related to violations and the procedures to remedy violations, timelines to correct them, suitable materials for the buffer between the property line and the fence setback, inactive constructions sites and if the ordinance covers new construction sites or vacant lots with demolition permits. There were several suggestions made by the Commission pertaining to the verbiage and specific language that should be amended or deleted.

Motion made by Commissioner McMacken to accept the ordinance on first reading; and to clarify these two items in the ordinance on properties that have been demolished and whether that qualifies as a construction site or not; and the consideration of using just mulch as a material for the buffer between the property line and fence setback; 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. Final Conditional Use Approval-Request of Rollins College and Novasol Energy to increase the height and decrease the side setbacks for the installation of solar panels on a portion of the top deck of the SunTrust building parking garage at 400 S. Park Avenue (preliminary conditional use approval was on 12/14/2009). Rescheduled for September 13, 2010

City Commission Reports

- a) Commissioner Anderson

No items.

- b) Commissioner Dillaha

Commissioner Dillaha asked if they could develop regulations and guidelines for the use of Fleet Peoples Park. She also spoke about the need for enforcement, education and signage and to possibly put a program together. She asked if this item should be discussed during the budget discussion since it affects financials. There was a consensus that there is a need to further define this item. Mayor Bradley said to let staff suggest where this item is best fit.

- c) Commissioner Cooper

Commissioner Cooper followed up about the previous discussion concerning Planned Development areas and the Class A office space and to look into the possibility of trying to encourage tax generating development in that area. She noted that in the previous meeting Mayor Bradley stated that he will ask the City Manager at the right time to schedule this with staff and Planning and Zoning Commission. Mayor Bradley clarified the item and said that Mr. Knight will address the issue as soon as possible, in addition to all of the other items that they have asked him to do.

- d) Commissioner McMacken

No items.

e) Mayor Bradley

1. Denning vision for economics and beautification

Mayor Bradley said that he would like to see Denning be the next corner to look at in terms of beautification and economic improvement for the City.

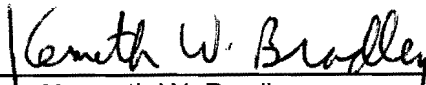
2. Green initiative: paperless billing for both utilities

Mayor Bradley said as part of his recommendations in the budget proposal, he wants the City to be very aggressive and incentivize for paperless billing for utilities. There was a consensus to ask Mr. Knight to figure out what percentage of the citizens pay their utility bills online and incentives to do that.

Meeting Adjourned

Motion made by Commissioner Cooper to adjourn the meeting; seconded by Commissioner Dillaha by acclamation.

The meeting adjourned at 10:03 p.m.



Mayor Kenneth W. Bradley

ATTEST:


FOR City Clerk Cynthia S. Bonham

The Impact of Commuter Rail on Crime In Surrounding Neighborhoods

July 26, 2006

A total of 9 agencies were contacted in an attempt to ascertain the impact of commuter rail stations on crime in the areas surrounding them. This document does not discuss economic impact or quality-of-life issues resulting from commuter rail; it only discusses crime trends in the commercial and residential areas serviced by the trains. Crime trends committed in the terminals, adjoining parking lots, and rail cars are not included in this document.

The agencies were chosen at random from throughout the United States in an attempt to obtain a broad sampling of information. All of the agencies chosen are suburban metropolitan areas serviced by commuter rail originating from a large metropolitan city, similar to the situation that will result should commuter rail service the City of Winter Park. No agency contacted had empirical data available for analysis, so the information contained in this document was obtained through personal contact with agency members who have been present since the inception of the commuter rail system in the affected jurisdiction. This information is the perception of crime of each person interviewed.

All of the surveyed areas utilize some type of armed security at the commuter rail terminals and railways. This is accomplished by armed security companies in most cases, transit police in fewer cases, and supplemental police officers from the agency having jurisdiction over the terminal in two cases. Some jurisdictions have cameras recording the activities in the terminals and/or the cars, but none have a system monitored at all times by a human. The agencies all agreed that there was little crime at the terminals and on the cars, but it is difficult to determine whether or not the terminal or car security deterred or otherwise affected crime in the surrounding areas.

The pages that follow contain brief synopses of the impact felt by each agency interviewed.

Boston, Massachusetts (Massachusetts Bay Transit Authority)-Ashland

Ashland is a suburban bedroom community of Boston. The transit station is located a quarter mile from the retail center of the town. The Ashland P.D. handles many complaints at the station due to the Transit Police usually not being near the station to respond. The representative from the Ashland Police Department said that he has seen little impact to his Department's calls for service in the surrounding areas adjacent to station. He said that traffic issues would be the only one thing that had any impact on the patrol units.

Boston, Massachusetts (Massachusetts Bay Transit Authority)-Hopkinton

Hopkinton is a middle class community that has a well defined downtown that is heavy in retail establishments. Hopkinton P.D. also handles some complaints at the transit station. The Hopkinton Police Department representative said that the surrounding area has seen an increase in burglaries and larcenies in the past four years since the station opened. The Department is receiving more calls for suspicious persons in the surrounding neighborhoods. He believes that the transit station has made an impact on the calls for service but can't give hard data.

Baltimore, Maryland (Maryland Transit Administration) - Hunt Valley

The Hunt Valley depot services a well-rounded community with a large shopping mall, as well as commercial businesses and residential areas. A sharp increase in vehicle thefts, retail thefts and general merchant complaints was noticed immediately upon installation of the terminal. There was little-to-no change in automotive burglaries, robberies and residential crimes. The representative from the Baltimore County Sheriff's Office said that there is no doubt that criminals use the system for transportation to Hunt Valley to commit crimes.

Buffalo, New York (Niagara Frontier Transportation Authority) - Amherst

Amherst is a desirable suburb of Buffalo, and has a campus of the State University of New York. No significant increase in crime has been noted, but the perception of the Buffalo Police Department is that the NFTA commuter rail is used by criminals as transportation from Downtown Buffalo to Amherst. There is also a belief that crimes increase in the immediate surrounding areas during the times of high student volume in the system. The representative from the Amherst Police Department has noted no increase in crime that can be directly attributed to light rail, as criminals use a variety of means of ingress into Amherst.

Cleveland, Ohio (Greater Cleveland Regional Transit Authority) - Shaker Heights

Shaker Heights is an affluent inner-ring suburb of Cleveland that borders the blighted, high-crime city of Warrensville. The representative from Warrensville said that few people arrive or depart since the shopping mall closed near the commuter rail terminal, and thus there is little impact. The representative from the Shaker Heights Police Department noted an increase in incidents of retail theft (particularly during heavy shopping periods and holidays,) and directly attributed this increase to the use of the commuter rail system as the primary method of arrival and escape for criminals from points between downtown Cleveland and Shaker Heights.

Dallas, Texas (Dallas Area Rapid Transit) - Plano

Plano, Texas is the end of the DART commuter rail line servicing the Dallas/Fort Worth area. The representative from the Plano Police Department has seen a marked increase in crime since the installation of commuter rail. Automobile and residential burglaries have increased the most, but other crimes (primarily property crimes) have increased as well. The popular trend is for criminals to arrive from the downtown Dallas area toting suitcases or wheeled duffel bags, and departs Plano later with the bags full of stolen items.

Denver, Colorado (Regional Transportation District) - Littleton

Multi-million dollar residences and high-end shopping areas adjacent to depressed, high-crime areas make up the majority of the city of Littleton. The city has two light rail terminals, each with dramatically different impacts. The downtown depot has seen very little impact from commuter rail, while the end-of-the-line depot has a huge crime problem in its two satellite Park-and-Ride lots. Auto burglaries and auto thefts in these lots have impacted the police department tremendously. The number of recovered stolen automobiles is very high as well, and is proportionate to the number of stolen automobiles. The Police Department representative has also noticed intermittent graffiti on the cars and terminals.

Portland, Oregon (Metropolitan Area Express) - Hillsboro

Hillsboro is a city west of downtown Portland that is experiencing very rapid growth, and its residential area is the primary route of the commuter rail. The representative from Hillsboro Police Department has seen a tremendous increase in the number of transients and gang members since the installation of the MAX commuter rail system. The amount of loitering, graffiti and vandalism has risen sharply in proportion to the increase in transients and gang members, as have the complaints from area businesses of them using facilities intended for customers. Auto burglaries are the fastest growing crime, and assaults are up as well.

St. Louis, Missouri (MetroLink) - Belleville, Illinois

Belleville is a suburb situated between downtown St. Louis and Mid-America Airport. The Belleville Police Department representative has seen no noticeable impact on crime since the MetroLink commuter rail was introduced, but does feel that it gives criminals another means of travel to and from target-rich areas. The City of Belleville was relatively high-crime prior to the installation of commuter rail and, according to the representative, has problems severe enough that the agency cannot distinguish between those associated with commuter rail and those that are not.

Dillaha Recommendations re: Policies for Friends Groups and framework of relationship with the City.

*Address fundraising, solicitation of funds (city approval?) and communication pieces with public (city approval?)

CITY OF WINTER PARK POLICY ON FRIENDS GROUPS AND COOPERATION FRAMEWORK

I. BACKGROUND / INTRODUCTION

The City of Winter Park desires to maintain and enhance parks and recreational facilities within the city in order to provide for the recreational needs of its residents. In order to meet the challenge of funding capital improvements associated with certain parks and facilities, the City, without relinquishing control, ownership or responsibility for the integrity and protection of the land and facilities under its stewardship, will recognize and encourage the partnership and participation of "Friends Groups." Friends Groups are designed to supplement – not supplant – resources provided to the City through

II. PURPOSE

To assist city in carrying forth capital improvements to certain parks or facilities within the city in order to meet the city's mission of providing its residents with high quality parks and recreational facilities.

III. FRIENDS GROUPS – DEFINED

On-going entity (vs. a group or individual making a one-time donation to the city)

with the goal of assisting the city in carrying out its capital improvement projects for various parks and / or recreation facilities.

Has a purpose and or mission to carry out the goals of the city pertaining to capital improvements to a specific park or facility.

Private, non-profit organizations qualifying as exempt organization under Section 501(c)3 of the Internal Revenue code of 1986 and its regulations.

Consisting of residents of Winter Park (%-age of Board....)

IV. FRIENDS GROUP GUIDELINES

Non-political organization: shall not engage in political campaigning; shall not use city parks or facilities as subject of any political campaign.

Will work cooperatively with city staff, the City of Winter Park commission and the Parks and Recreation Board.

After first granting written consent to any conditions or restrictions, the City can accept any grants, gifts, donations or other transfers of funds or property which would impose conditions upon or otherwise obligate the City in connection with the receipts and use of such funds or property.

Transparency: Provide articles of non-profit filing and status, Mission Statement, by-laws, Board of Officers and defining roles, membership, membership dues and financial donors on a semi-annual basis or as requested by the city. Financial policies shall be provided. Financial statements shall be provided to the city on a semi-annual basis.

Where they exist, all park deed restrictions will be recognized and upheld.

Trust and respect between parties is essential.

V. CITY'S OBLIGATION

The City agrees to place donated funds in a city account earmarked for the specific park or facility with which money or property is donated for use.

VI. CITY'S RIGHTS

City has a mandate to provide responsible stewardship of parks and recreational resources placed under its jurisdiction.

In furtherance of this mandate, the City All parks and facilities ultimately belong to the taxpaying citizens of Winter Park and as such, the City does not waive its sovereign rights to control the use of lands and facilities and that all improvements, equipment and amenities placed in any park or facility become the property of the City.

The City reserves the right to terminate (90-day notification) a relationship with a Friends' Group should that group fail to abide by the guidelines set forth or should the city, for whatever reasons, should need or desire to make adjustments to those parks or facilities.

LAKE MANAGEMENT ISSUES
RELATED TO DOG USE AT FLEET PEEPLES PARK ON LAKE BALDWIN
PREPARED BY THE CITY OF WINTER PARK PUBLIC WORKS DEPARTMENT, LAKES DIVISION
January 7, 2009

Introduction

The Parks Department has requested that the Lakes Division (Public Works Department) provide comments and recommendations related to the use of Fleet Peebles Park as a designated “dog park”, particularly as such use or designation pertains to the management of Lake Baldwin. The impacts that the current use of the park has on several lake management activities are discussed below, followed by recommendations that will allow the management goals to be more easily met.

Water Quality and Stormwater Management

Water quality in Lake Baldwin is currently good, having high clarity readings, a robust aquatic plant community and good fisheries. For this reason the Lakes Division is very interested in protecting the lake. Winter Park currently spends over \$2 million per year on lake and stormwater management activities. The vast majority of these funds go to rehabilitating lakes that have been impacted by stormwater runoff and other human/development related uses. It is much more cost effective to protect a lake from degradation than it is to clean it up after the fact. In order to provide adequate protection, it would be desirable to maintain a stormwater treatment system between the lake and the intensive activity areas of the park.

A combination of a grass filter strip and shallow, dry retention area would provide a high level of protection without restricting people from using any of the park areas. If the park, or parts of it, are continued to be used as a dog park, the dog use area would have to be located upstream of the stormwater management area to allow it to function properly and prevent it's being denuded of grass, as the current area adjacent to the beach has been impacted. This type of system would allow runoff from the rest of the park, including the dog use area to be treated to remove nutrients and other harmful constituents from the stormwater before discharging to the lake

Another factor that elevates Winter Park's lake management concerns is the listing of Lake Baldwin on the State's Draft Verified List of Impaired Waters released 10/30/2008. Due to a State policy related to lakes with low color readings, some lakes have a much lower threshold for nutrients than lakes with normal or high color readings. The result is that many lakes in very good condition, like Lake Baldwin, will end up having very strict nutrient load limits imposed by the State (Total Maximum Daily Loads, or TMDL's). If Lake Baldwin remains on the list (it currently appears that it will), then it is likely that Winter Park will need to take advantage of every opportunity possible, including the treatment plan discussed above, to reduce nutrient runoff to the level that would meet the new limits.

One final factor regarding water quality is the presence of water borne pathogens. This issue is discussed along with other health issues in a separate section below.

Human Health and Safety

Health and safety of park patrons is closely tied to water quality issues. Dog waste can present hazards to human health and safety. A number of canine borne parasites can be present in waters contaminated by dog waste and can also infect humans. These parasites are capable of causing significant health problems. Because testing for these organisms can be very expensive, and there are no accepted thresholds for recreational contact, the only biological monitoring that is performed is for fecal coliform bacteria, which can be harmful but also act as an indicator of other potential health threats. These organisms are present in the feces of warm blooded organisms including mammals and birds. In order for a beach to be licensed by the State as a swimming beach, bi-weekly bacteriological monitoring must be performed, and the beach must be closed whenever fecal coliform levels exceed an average of 200 colonies per 100 milliliters of sample. While Fleet Peeples Park is not a licensed swimming beach, the Lakes Division monitors it bi-weekly due to the heavy use of the park. The presence of large numbers of fecal coliform bacteria can indicate the potential for contamination by other pathogens that are not as easily monitored. The results of bacteriological monitoring for the past four years are summarized below (Table 1.).

Table 1. Summary of bacteriological monitoring of the Fleet Peeples Park Beach area.

Year	2005	2006	2007	2008
Average count (colonies/100 mL)	231	107	210	154
No. of event results over Swimming Beach threshold *	7	3	9	4
No. of event results over TMDL threshold **	3	2	3	0
Annual Average exceeds TMDL threshold Y/N**	No	No	No	No
Number of sample records***	18	20	18	13

*Swimming Beach Standard: Average Count must be less than 200 colonies/100 mL of sample.

Note: under swimming beach rules additional closures would have been required due very high individual samples.

**TMDL Threshold: Annual Average must be under 400 colonies/ 100 mL of sample.

***26 sampling events are scheduled during a given year, but some are missed due to holidays or manpower shortages. Some results were lost when some e-mail files were corrupted. These results are being retrieved from the lab and will be included on an update.

The results show that bacteria levels at the beach periodically exceed both swimming beach and TMDL standards. It is likely that levels of other pathogens, such as the intestinal parasite *Giardia*, are elevated at least periodically. While the summary data do not appear alarmingly high, some individual samples had levels exceeding several thousand colonies per 100 milliliters. It should also be noted that the relationship between bacterial levels and parasites like *Giardia* is not direct, and risk of human infection may be greater than the bacteria levels may seem to indicate. Human recreational contact with water

potentially contaminated with dog feces is not recommended. Continued use of the beach area by dogs could reduce the safety of that area for aquatic dependant recreational uses.

In addition to water borne parasites, several dog parasites including dog roundworms and hookworms can persist in soils contaminated by dog feces, and can be transmitted to humans (hookworms can be transmitted through skin contact). Since aquatic recreational activities often involve participants that are barefooted, having dog use areas that are not physically separated from other recreational areas can increase the risk of human infection.

Aquatic Habitat Management

Aquatic vegetation is very important to the overall ecology of any lake. Because much of the Lake Baldwin shoreline is undeveloped, the State of Florida allows us to keep the beach area of the park cleared for recreational access. The Lakes Division would, however, like to plant portions of the park frontage to improve aesthetics and to set a positive example to residents who are required by City and State law to maintain aquatic vegetation on portions of their shorelines. Prior to the use of the beach area as an off leash dog park, several stands of aquatic plants were present on the beach area, and were maintained by the Lakes Division. The extent of dog traffic in this area has resulted in the elimination of all vegetation from the beach area, and reestablishment of plants is not feasible without physical barriers between the plant stands and dog use areas.

Lake Related Recreation

The Lakes and Waterways Advisory Board has stated that they want Lake Baldwin to be accessible for low impact recreational activities such as fishing, sailing, canoeing and kayaking. They have recommended that motorized fishing boats be allowed as long as the internal combustion engines are not used. In order to facilitate these uses it is important to keep the existing boat ramp open to public use. Having a beach area for landing and staging sail and paddle craft is also very helpful for encouraging these uses. The current configuration of the park, with most of the beach area available to off leash dogs is not conducive to these water dependant recreational activities. Boaters who do not wish to interact with dogs are currently restricted to an approximately 50 foot wide beach area next to the boat ramp.

Recommendations:

While water quality data do not indicate an immediate threat to water quality in the Lake Baldwin, the City is facing extremely strict limitations on nutrient discharges to the lake. Available literature also indicates that there are significant threats to human health from mixing human recreation and concentrated dog use in the same area(s), particularly in the beach and lake area. If protecting and improving water quality, and minimizing the potential health risks are the only goals and concerns related to the management of Fleet Peoples Park, the following actions are recommended.

- Prohibit dogs from the lake and beach area to reduce the potential for health threats to park users, and to allow restoration of the beach area and construction of an effective stormwater management system.
- Provide enough space between dog use areas and Lake Baldwin to provide effective stormwater management while maintaining a beach area for recreational access. Approximately 200 feet would allow for a 100 foot grass filter strip a shallow dry retention swale or pond and a beach access area.
- Separate any off leash dog use areas from general park users who may not be aware of potential health threats associated with pet waste in upland areas, or who do not want to interact with the dogs.
- Implement strict requirements for disposing of pet waste.