

**CITY OF WINTER PARK
LAKES AND WATERWAYS ADVISORY BOARD**

**Regular Meeting
Winter Park Country Club
761 Old England Ave.**

**October 16, 2013
12:00 pm**

MINUTES

Present: Chair Jesse Graham, Marty Sullivan, Thomas Smith, Dr. David Moorhead, Vice Chair Todd Weaver, Mike Whiting, Jim Barnes

Absent: Nora Miller

City of Winter Park Staff: Troy Attaway, Public Works Director, Don Marcotte, Stormwater Eng/Asst PW Director; Tim Egan, Environmental Resource Manager; John Holland, Parks and Rec. Director, Mark Dawkins, Police Dept.,

Larry Brown, City Attorney, Commissioner Carolyn Cooper

CALL TO ORDER. Chair Graham called the Lakes and Waterways Advisory Board to order at 12:02 pm.

Due to time constraints for the City Attorney, approval of the minutes was postponed until after discussion of the report on commercial activities in City parks.

New business

Discussion of commercial activities in City Parks

Mr. Brown, City Attorney, offered to answer questions regarding the opinion letter he submitted to the City Commission. Members received a copy of that letter at the previous meeting.

Mr. Brown summarized the contents of the letter stating that the City has the power and authority to regulate activity on the lakes so long as state law does not preempt the regulation and the local regulation does not conflict with state law. The City has the authority to regulate safety on the lakes, impose special regulations on specifically identified lakes and prohibit certain activities on specifically named lakes, while allowing such activity on other lakes. Mr. Brown comments included developing a new, more cohesive ordinance to correct code inconsistencies as a result of code developed through the years, either enforcing City code that prohibits use of kayaks, paddle boards and personal watercraft through the canals or changing code to permit, addressing police authority to enforce code on the lakes, the City's ability to tax and regulate business activities if they are conducting business on City/public property and the implications of the Scenic Boat Tour franchise. Members discussed, use of Dinky Dock, using City parks for business purposes, regulating business by using open space business permits, benefits of permitting, and implementing a collaborative process including lakefront residents, paddle boarders, Scenic Boat Tour, Dinky Dock businesses, and City staff. Mr. Brown excused himself at 12:40, but offered to help draft code changes once a consensus is reached. After responding to questions regarding the history of parking a Dinky Dock Mr. Holland excused himself.

administration

Chm Graham asked for approval of the minutes from the August 21, 2013 and September 18, 2013, meetings. Motion made by Mr. Weaver to approve the August 21 and September 18, 2013, minutes as presented, seconded by Mr. Barnes. Motion carried unanimously with a vote of 7-0.

action items

Shoreline Permit Applications –

- **SAP 13-21 Boathouse/Dock for James Lien, 1375 Alberta Dr. on Lk Osceola**
Mr. Egan explained that the application was to add a roof to a dock. All criteria meet code and staff is recommending approval.

Mr. Sullivan motioned to approved. Mr. Weaver seconded. Motion carried unanimously. (7-0)

- **SAP 13-22 Boathouse/Dock for Michael Poteshman, 1500 Summerland Ave on Lk. Maitland.**
Mr. Egan explained that this is a replacement for an older existing boathouse dock and all criteria meet code. Staff is recommending approval with the condition that the shoreline be revegetated to current standards. He confirmed that water depth is sufficient for replanting and there are no issues with the existing seawall.

Mr. Weaver moved to approve with the condition that the shoreline be revegetated to current standards. Mr. Barnes seconded. Motion carried unanimously (7-0).

- **SAP 13-23 Dock for Craig Castor 525 Lakefront Blvd, Lk. Killarney**
Mr. Egan explained that this is a dock, all criteria meet code. Staff is recommending approval with the condition that the shoreline be revegetated to current standards.

Mr. Whiting moved to approve with the condition that the shoreline be revegetated to current standards Mr. Sullivan seconded. Motion carried unanimously (7-0).

reports

Mead Botanical Garden – Troy Attaway

Mr. Attaway announced that he was meeting with the group to take over the environmental building and start the design process. The building will be used as a public education facility for stormwater and ecology education.

Lakes Report – Tim Egan

He reported that Ms. Giannotti and 2 Lakes staff applicators are attending the Florida Lakes Management Society Annual Conference. He will provide an update from the conference and a water quality report at the November meeting.

Lakes Patrol – WP Police Mark Dawkins

Officer Dawkins reported that routine lakes patrols have stopped for the season. They will continue to respond to emergencies

City of Maitland – Marissa Williams

Ms. Williams did not attend the October meeting.

Stormwater Management –Don Marcotte

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Mr. Marcotte distributed the CIP Budget Report, spoke on the added projects, reported on the Lk. Killarney whole lake treatment and Orange County's contribution, announced the rebid of N. Park Exfiltration System Project, advised of two alum station upgrades, and reported on taking bids for dredging the larger outfalls on Lk Killarney.

Mr. Marcotte reported that the Capen House move is in for permitting. He met with Frank Rouke to discuss how the move will be accomplished. The house will be split in 2 pieces, floated across the lake and assembled at the Polasek museum. The City has placed conditions on the move such as repairing any damage to the shoreline.

adjourn

Meeting adjourned at 1:07 p.m. Next meeting date November 20, 2013.

Respectfully submitted,

Debbie Wilkerson

Debbie Wilkerson
Recording Secretary
Approved 11/20/13