

REGULAR MEETING OF THE CITY COMMISSION
November 12, 2012

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 provided by Finance Director Wes Hamil, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Commissioner Steven Leary
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Tom McMacken

Also present:

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

Approval of the agenda

Motion made by Commissioner McMacken to accept the agenda; seconded by Commissioner Sprinkel and approved by acclamation with a 5-0 vote.

Mayor's Report

- a. Presentation - Winter Park Police Department Certificate of Appreciation to Jose Zabala

Police Chief Brett Railey thanked Jose Zabala for assisting the police with apprehending an armed prisoner in the Winter Park Hospital last month. A certificate of appreciation was given to Mr. Zabala for his heroic actions.

- b. Board Appointment - Hannibal Square Community Land Trust, Inc. (public representative) to replace Caleena Shirley

Motion made by Mayor Bradley to appoint Camille Reynolds to the Hannibal Square Community Land Trust (HSCLT) board; seconded by Commissioner Sprinkel. Commissioner Cooper felt the HSCLT board might benefit by appointing members with specific skill sets similar to the P&Z Board requirements. Planning Director Jeff Briggs and Executive Director HSCLT Denise Weathers answered questions and concerns. **The motion was approved by acclamation with a 5-0 vote.**

Mayor Bradley thanked everyone for their hard work and effort in making the second annual Veteran's Day remembrance event a huge success.

City Manager's Report:

City Manager Knight announced that there will be an ice-breaking ceremony on November 16th at 3:00 p.m. in Central Park West Meadow to officially open the "Winter in the Park" holiday ice skating rink. The event runs from November 16 through January 6, 2013.

City Manager Knight answered questions pertaining to the north end of Central Park and the need to irrigate the grass.

Assistant City Manager Michelle del Valle answered questions regarding the tree team update. An overview of the Urban Forestry Management Plan will be presented at the November 26 meeting (subsequently a work session meeting has been scheduled for December 3, 2012).

Public Works Director Troy Attaway addressed the status of the backyard chicken initiative. He noted that the City of Orlando is currently conducting a one year trial period for backyard chickens and results will be provided thereafter. The KWPB and Sustainable Board recommended waiting for the results prior to making a decision.

City Attorney's Report – No items.

Non-Action Item - No items.

Consent Agenda

- a. Approve the minutes of 10/22/2012. – **PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following purchases, contracts and formal solicitations:
 1. Purchase of mobile data terminals, docking stations and other accessories from CDW-G; \$191,062.00 (from Forfeiture Funds).
 2. Blanket purchase order to Wal-Rose, Inc. for Water and Sewer main extensions; \$334,560.00
 3. Piggybacking the City of Orlando contract with Layne Inliner, LLC, for sewer line rehabilitation cleaning & video recording (BI09-2570); approve blanket purchase order and authorize the Mayor to execute the piggyback contract; \$600,000.
 4. Piggybacking the Orlando Utilities Commission (OUC) contract with HD Supply Waterworks, Ltd. for water/wastewater materials (895-OQ) and authorize the Mayor to execute the piggyback contract; \$500,000.
 5. Award to Ace Home Supply Company (IFB-1-2013) for the purchase of PVC and HDPE pipe (award of 6" and 8" PVC pipe), approve subsequent purchase orders, and authorize the Mayor to execute the contract; \$88,950.
 6. Award to HD Supply Waterworks (IFB-1-2013) for the purchase of PVC and HDPE pipe (award of 6" and 8" PVC pipe), approve subsequent purchase orders, and authorize the Mayor to execute the contract; \$58,200.

- c. Approve the Radio Disney "NBT" (Next Big Thing) On Tour Concert event in Central Park on September 21, 2013, partnering with the City of Winter Park as a marketing and promotional sponsor and to waive the park fee of \$2,750. – **PULLED FOR DISCUSSION, SEE BELOW**
- d. Approve the Winter Park Sports Hall of Fame request to be placed on the "City Annual Events" list and receive a waiver of rental fees for their annual Hall of Fame Induction Ceremony and Awards Banquet.
- e. Award RFP-15-2012, Utility Services Electronic Bill Presentment and Payment, to Payment Service Network, Inc. (PSN) and authorize the Mayor to execute the contract.
- f. Approve the interlocal agreement with the City of Altamonte Springs and Maitland for construction and cost sharing of sewer utility improvements associated with the Gateway Drive Extension Project.

Motion made by Commissioner McMacken to approve Consent Agenda items 'b.1-6' and 'd-f'; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

Consent Agenda Item 'a' - Approve the minutes of 10/22/2012.

Motion made by Commissioner Cooper to amend the minutes on page 9; seconded by Mayor Bradley and carried unanimously with a 5-0 vote.

Consent Agenda Item 'c' - Approve the Radio Disney "NBT" (Next Big Thing) On Tour Concert event in Central Park on September 21, 2013, partnering with the City of Winter Park as a marketing and promotional sponsor and to waive the park fee of \$2,750.

Mayor Bradley abstained from voting since his employer is co-sponsoring the event. Form 8B (conflict of interest) is made part of this record.

Motion made by Commissioner Leary to approve Consent Agenda Item 'c'; seconded by Commissioner Sprinkel.

Following a brief discussion on whether or not the City should waive the fee, **motion amended by Commissioner Cooper that we approve the event but deny the fee waiver; seconded by Commissioner McMacken. By acclamation the motion failed with a 2-2 vote. Commissioners Leary and Sprinkel voted no.**

By acclamation (on the main motion to approve Consent Agenda Item 'c'), the motion failed with a 2-2 vote. Commissioners Cooper and McMacken voted no.

Action Items Requiring Discussion

a. Distribution of funding for Crealde to operate the Heritage Center

City Manager Knight explained that during the last Commission meeting staff was directed to bring this item back for formal action on whether or not payment should be made quarterly or distribute the full amount.

Motion made by Mayor Bradley that the City Commission defers to the CRA Board for any actions which have taken and any actions which the CRA has already taken that precede this action in this case; seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. Streetscape/bricking of New England Avenue and Interlachen Avenue in conjunction with Alford Inn construction

Public Works Director Troy Attaway explained that Rollins has asked the City to brick Interlachen Avenue from 100'+/- north of New England to Fairbanks Avenue and New England Avenue from Knowles Avenue to Fairbanks Avenue in conjunction with the construction of the Alford Inn. Rollins would also like to replace the existing concrete span wire traffic signal at the corner of New England Avenue and Interlachen Avenue with a decorative mast arm traffic signal at their sole expense. The proposed streetscape improvements for the project cost a total of \$840,000 and Rollins is committing to funding \$530,000 with the City funding \$310,000 of the improvements. The City will design and manage construction of the project at no cost to Rollins.

Commissioner McMacken recommended that staff present conceptual and/or construction drawings illustrating the proposed streetscape/bricking in conjunction with the traffic study prior to commencement. Commissioner Cooper noted that she was not comfortable passing on the repair costs to the taxpayers for the bricking upkeep.

City Manager Knight and Mr. Attaway addressed concerns and answered questions including the cost difference of paving versus bricking and the infrastructure needs of the Alford Inn. Mr. Briggs said the Alford Inn traffic study will be presented on November 26.

Motion made by Commissioner Leary to approve (the offer from Rollins College for the funding of streetscape/bricking improvements); seconded by Commissioner Sprinkel.

James Campisi, 315 E. New England Avenue, spoke in favor of the street bricking.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

c. Water & sewer rate study results (and possible action) from work session held

Motion made by Mayor Bradley that the Commission at its November 26 meeting will take under advisement and approve or deny a 4.2% increase to our water and our sewer rates which includes a three year plan to eliminate the sewer/water subsidy, cross subsidization as stated in our Charter as well as in the first year a residential/commercial cross subsidy which will be completed in the first year; seconded by Commissioner Leary.

Mayor Bradley advised that the City implemented a rate increase of 0.56% on October 1, 2010. He explained that with the natural rise in CPI and other items the 4.2% increase is needed to cover those items.

Greg Seidel, 1250 Richmond Road, and Chair of the Utilities Advisory Board, spoke about the need to educate residents on water conservation since it would lower everyone's overall costs.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Mayor Bradley requested staff to notify the residents that this item is scheduled for November 26 for discussion and comment.

Motion made by Mayor Bradley that we request our Utilities Advisory Board, our joint KWPB and Sustainable Board and both of our utility directors to bring back to the Commission in the next six (6) months a unified conservation plan with tangible metrics to suggest where we need to be in 5 years from now in both our water, sewer and electrical from a conservation standpoint; seconded by Commissioner Leary. No public comments were made. Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Public Hearings

a. Request of the City of Winter Park:

AN ORDINANCE OF THE OF WINTER PARK, FLORIDA, CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE V, "ENVIRONMENTAL PROTECTION REGULATIONS", DIVISION 6, "TREE PRESERVATION AND PROTECTION", SO AS TO AMEND TREE REMOVAL COMPENSATION REQUIREMENTS, AMEND USE OF THE TREE REPLACEMENT FUND, PROVIDE EXEMPTION FROM REQUIRING A TREE REMOVAL PERMIT, CLARIFY TREE MAINTENANCE DUTY OF CITY

AND PROPERTY OWNERS, AND ESTABLISH ENFORCEMENT PROCEDURE FOR REMOVING HAZARDOUS TREES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. Building Director George Wiggins explained the intent of the ordinance and its components. He explained the meetings of the Tree Preservation Board and their review of the proposed ordinance to include their recommendations. Mr. Wiggins further explained the process followed to date. He provided a comparison chart illustrating the current tree ordinance with the proposed tree ordinance and answered questions.

Motion made by Commissioner Cooper to deny the ordinance on first reading; seconded by Commissioner McMacken.

Commissioner Cooper noted that her biggest objection is to remove the requirement in section 58.296 (in the current ordinance) stating that homeowners are to be responsible for trees within the City's rights-of-way. She agreed with the Tree Preservation Board that the enforcement of this ordinance should not come from the Tree Preservation Fund.

Commissioner Leary noted that his objectives are to protect personal property rights and to get more residents to plant more trees. He would prefer the City to maintain the right-of-way trees and for the residents to maintain trees on their personal property.

Commissioner McMacken said he moved for denial because the proposed ordinance does not go far enough to address the concerns they have regarding street trees, camphor trees, the separation of commercial/residential and the value of incentivizing the planting of more trees.

Commissioner Sprinkel said she is opposed to fining people into obedience. She felt the proposed ordinance does not go far enough but for now it is a step in the right direction and will be supporting the board decision.

Mayor Bradley felt that dangerous trees need to come down and that he will be supporting the recommendations of the board.

Roberta Willenkin, 1580 Grove Terrace, submitted an exhibit to the Deputy Clerk defining invasive trees. She requested adding camphor trees to the list of protective species.

Sally Flynn, 1400 Highland Road, spoke in opposition.

Ann Higbie, 190 Ward Drive, expressed the need to be concerned with the healthy trees.

John M. Murphy, 2221 Hawick Lane, asked for direction regarding a huge oak tree that he believes is sick and needs to be removed in the City's ROW in his rear yard.

Deede Sharpe, 1599 Highland Road, felt the ordinance needs further revisions.

Peter Weldon, 700 Via Lombardy, spoke in favor.

Bee Epley, 151 N. Orlando Avenue, opposed the ordinance at this time.

Upon a roll call vote (to deny), Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.

Motion made by Commissioner Cooper to return to the Committee. Motion failed for lack of a second.

Motion made by Mayor Bradley to approve the ordinance as presented on first reading; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Leary to remove the camphor trees from protective species; seconded by Commissioner Sprinkel.

Motion amended by Commissioner Cooper to delete the requirement of Section 58.296 that the homeowners are responsible for trees within the City right-of-way; seconded by Commissioner McMacken.

Mayor Bradley questioned the cost impacts. Commissioner Leary said he will be voting against the amendment since the cost is unknown at this time.

Motion amended by Commissioner Leary that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees (the intent is if you remove a tree that is less than 19 inches it is replaced with one 3 inch tree and if you remove a tree that is greater than 19 inches it is replaced two 3 inch trees); seconded by Mayor Bradley.

Commissioner McMacken explained he would have preferred to sit down and talk this through rather than making changes to the ordinance on the dais so he will be voting against the amendment.

Mr. Wiggins addressed Commissioner Cooper's concern regarding the protection of our tree canopy on 3-5 acre parcels, particularly future multi-family or commercial development parcels.

Peter Weldon, 700 Via Lombardy, provided feedback on the proposed amendments.

Upon a roll call vote on the first amendment (to remove the camphor trees from protective species); Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the second amendment (to delete the requirement of Section 58.296 that the homeowners are responsible for trees within the City right of way); Mayor Bradley and Commissioners Leary and Sprinkel voted no. Commissioners Cooper and McMacken voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the third amendment (that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

Upon a roll call vote on the main motion as amended (to approve the ordinance as presented on first reading, to remove the camphor trees from protective species and that we take the proposed ordinance compensation and plant two 3 inch trees and use that same language for both specimen and historic trees); Mayor Bradley and Commissioners Leary and Sprinkel voted yes. Commissioners Cooper and McMacken voted no. The motion carried with a 3-2 vote.

A recess was taken from 6:05 p.m. to 6:30 p.m.

Public Comment

Peter Weldon, 700 Via Lombardy, said the only way our City could keep the millage rate constant during a period of declining property values was to ask City staff to make a sacrifice on behalf of the residents. He thanked staff for their actions.

- b. Appeal of Wendy Brandon and other neighbors to the decision of the Winter Park Historic Preservation Commission in the case of Certificate of Review COR-12-002; request of Steve and Shaina Markulin for alterations and an addition at their property located at 1005 Lakeview Drive.

Attorney Brown noted that this is a quasi-judicial matter. Disclosures were made by each Commissioner as follows: Commissioner Leary spoke with the homeowner and Attorney Frank Hamner. Commissioner Sprinkel had conversations and visited the homeowner's home. Commissioner Cooper spoke with staff. Commissioner McMacken spoke with the homeowner. Mayor Bradley had a very brief conversation with Attorney Frank Hamner.

Planning Director Jeff Briggs provided photographs and building elevations regarding the request for alterations/addition. Mr. Briggs answered questions including the existing/proposed building height, the variances requested, floor area ratio (FAR) and the action taken by the Historic Preservation Board.

Attorney Frank Hamner spoke on behalf of Ms. Brandon who lives at 318 Vitoria Avenue (the appellant) in opposition saying that that the proposed addition changes the historic character of the home and no hardships were presented for the requested variances. He shared concerns with the marketing/sales literature, the maximum FAR and the seven variances requested. He requested the Commission to grant the appeal and hold them to the rear setback of 35 feet rather than the 24.2 feet as shown.

Wendy Brandon, 318 Vitoria Avenue, presented various photographs presenting her concerns with how it will impact her outdoor living space and felt the setback should be adhered to.

Mr. Briggs answered questions related to hardships and the request at hand.

Steve Markulin, 1005 Lakeview Drive (the applicant), responded to comments made in regards to the stairs. He also noted that the property listing has expired and the home is occupied by his family.

Mayor Bradley asked what size building could be built on this lot if it was vacant. Mr. Briggs said if they conform to all of the setbacks they could theoretically build to the 43% FAR which would be about 600-700 sq. ft. larger than what has been approved.

Motion made by Commissioner Sprinkel to deny the appeal; seconded by Commissioner McMacken.

The following opposed the request:

Susanne Blankemeier, 325 Vitoria Avenue
Gary Graham, 318 Vitoria Avenue
Jan May, 338 Vitoria Avenue
Sandra Daugherty, 378 Vitoria Avenue

Jennifer King, Kelley Price Realty, 243 West Park Avenue, spoke in favor of the Markulin's request.

Following a brief summary discussion, **upon a roll call vote, Mayor Bradley voted no. Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.**

c. Ravaudage-Home Acres annexation

ORDINANCE NO. 2869-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING APPROXIMATELY 51+- ACRES OF REAL PROPERTY REFERRED TO AS RAVAUDAGE OR HOME ACRES; GENERALLY LOCATED IN THAT POCKET OF UNINCORPORATED ORANGE COUNTY AREA BORDERED BY LEE ROAD TO THE SOUTH, ORLANDO AVENUE TO THE EAST; MONROE AVENUE TO THE NORTH AND BENNETT AVENUE TO THE WEST; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY ANNEXED HEREBY INTO THE MUNICIPAL BOUNDARIES; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Second Reading

Mayor Bradley stated that this would be a simultaneous public hearing (annexation ordinance and interlocal agreement) and will require two separate votes. Attorney Brown read the ordinance by title.

Planning Director Jeff Briggs explained the intent of the annexation ordinance and noted that first reading was approved on April 9, 2012. He explained that the City discovered a small portion of 17-92 that has not been annexed that the Winter Park Police felt this small enclave was in our City limits and the Maitland Police felt it was in their City limits; however, it is in Orange County. We will be annexing this small portion and the City of Maitland is in complete agreement with this action.

Motion made by Commissioner Leary to adopt the ordinance; seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

- Interlocal agreement to annex 1211 and 1101 Lewis Drive

Planning Director Jeff Briggs explained the two enclave properties at 1211 and 1101 Lewis Drive that could not be included in the overall annexation of the 51 acres of Ravaudage because of registered voters residing on these properties.

Chapter 171, Florida Statutes allows for the annexation of such enclaves subject to the consent and adoption of an interlocal agreement by Orange County. On January 26, 2012 the Board of County Commissioners gave conceptual approval to this interlocal agreement and directed the City to agenda this as a public hearing for approval at the same date as the second reading on the overall Ravaudage annexation. Following the City's approval it will be formally approved by the Board of County Commissioners and then these two enclaves will be officially annexed. Mr. Briggs answered questions.

Motion made by Commissioner McMacken to approve the interlocal agreement; seconded by Commissioner Sprinkel.

Applicant Dan Bellows spoke in favor of the request. He asked for clarity on how the City would like him to handle the balance of the tree removal on the 50 acres. The Commission advised that the decision before them is the approval of the annexation agreement and that this topic would fall under the entitlements given by Orange County.

Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- d. ORDINANCE NO. 2867-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ANNEXING THE PROPERTY AT 600 LEE ROAD AND THAT PORTION OF INTERSTATE FOUR CONTIGUOUS TO THE PROPERTY AT 2684 LEE ROAD, CITY OF WINTER PARK, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR THE AMENDMENT OF THE CITY OF WINTER PARK'S CHARTER, ARTICLE I, SECTION 1.02, CORPORATE BOUNDARIES TO PROVIDE FOR THE INCORPORATION OF THE REAL PROPERTY DESCRIBED HEREIN; PROVIDING FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. First Reading

Attorney Brown read the ordinance by title. Planning Director Jeff Briggs explained the intent of the ordinance and the request to delete the interconnecting portion of Interstate Four (I-4) from the ordinance. Mr. Briggs answered questions.

Motion made by Commissioner Leary to accept the ordinance on first reading; seconded by Commissioner McMacken.

Motion amended by Commissioner Cooper to remove the Interstate Four parcel; seconded by Mayor Bradley. No public comments were made. Upon a roll call vote (to include the deletion of the interconnecting portion of Interstate Four), Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

- e. Request of Wawa:

ORDINANCE NO. 2891-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA PARTIALLY VACATING AND ABANDONING THE EASEMENT LOCATED AT 901 NORTH ORLANDO AVENUE, WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE Second reading

ORDINANCE NO. 2892-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT LOCATED AT 911 NORTH ORLANDO AVENUE,

WINTER PARK, FLORIDA, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE Second reading

Mayor Bradley stated that this would be a simultaneous public hearing and will require two separate votes. Attorney Brown read both ordinances by title.

Motion made by Commissioner McMacken to adopt the first ordinance (901 North Orlando Avenue); seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Motion made by Commissioner McMacken to adopt the second ordinance (911 North Orlando Avenue); seconded by Commissioner Sprinkel. No public comments were made. **Upon a roll call vote, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

f. Request of Heartwood 20, LLC:

ORDINANCE NO. 2893-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" IN THE FUTURE LAND USE ELEMENT SO AS TO ADD A NEW POLICY INCREASING THE RESIDENTIAL DENSITY FOR AND LIMITED TO, THE PROPERTY AT 444 W. NEW ENGLAND; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second reading

ORDINANCE NO. 2894-12: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SECTION 58-75 "COMMERCIAL (C-2) DISTRICT" SO AS TO INCREASE THE RESIDENTIAL DENSITY FOR AND LIMITED TO THE PROPERTY AT 444 W. NEW ENGLAND IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. Second reading

Mayor Bradley stated that this would be a simultaneous public hearing and will require two separate votes. Attorney Brown read both ordinances by title.

Planning Director Jeff Briggs stated that the ordinance amending the Comprehensive Plan policy for the 444 W. New England Avenue property was adopted on first reading on August 27. Since this is a comprehensive plan policy change it required review by the State Department of Economic Opportunity and other State agencies. Since the review yielded no adverse comments the City may now adopt the ordinance and its companion zoning text amendment.

Motion made by Mayor Bradley to adopt the first ordinance (Comprehensive Plan) seconded by Commissioner Sprinkel.

Motion made by Mayor Bradley to adopt the second ordinance (Zoning); seconded by Commissioner Sprinkel.

Commissioner Cooper said she is not comfortable approving an individual building at 51 units per acre and disagreed with amending our Comprehensive Plan to accommodate temporary fluctuations in market desires. Mr. Briggs answered questions including the Comprehensive Plan and density limits. No public comments were made.

Upon a roll call vote on the first ordinance (Comprehensive Plan), Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the second ordinance (Zoning), Mayor Bradley and Commissioners Leary, Sprinkel and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

City Commission Reports:

a. Commissioner Leary

Commissioner Leary shared his concern with the need for a public awareness campaign for pedestrian walkways. The Commission asked City Manager Knight and Police Chief Railey to come up with ways to better enhance notifications to the public.

Commissioner Leary said the Winter Park Concours d'Elegance event was terrific.

b. Commissioner Sprinkel

Commissioner Sprinkel said she has received numerous complaints on the noise level in the park and asked who should be notified. City Manager Knight provided the non-emergency police phone number (407-644-1313).

c. Commissioner Cooper

Commissioner Cooper said this weekend the Mount Moriah Baptist church will be celebrating its 126th anniversary.

Commissioner Cooper spoke about Operation Gratitude and said Andrew Weinstock will be packing boxes on Saturday at 10 a.m. and invited the Commission.

d. Commissioner McMacken - No items.

e. Mayor Bradley

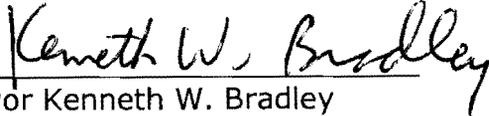
Mayor Bradley recommended having a brainstorming discussion/work session sometime in January regarding the future plans for the 17-92 surrounding area (Denning Drive from North Orange Avenue to the City line including Mead Garden). A majority of the Commission agreed.

Mayor Bradley reminded Attorney Brown to follow up with each of the Commissioners regarding the status of the federal lawsuit.

Mayor Bradley requested staff to investigate the costs involved in video recording Commission meetings and to report back with a summary. A majority of the Commission agreed.

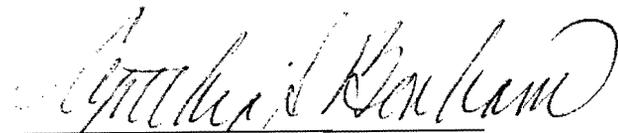
Mayor Bradley wished everyone a Happy Thanksgiving.

The meeting adjourned at 8:44 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham

City Clerk Cynthia S. Bonham

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Kenneth W. Bradley, hereby disclose that on November 12, 2012:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am employed by Adventist Health System which is the parent corporation of Florida Children's Hospital.

November 12, 2012
Date Filed

Kenneth W. Bradley
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.