

REGULAR MEETING OF THE CITY COMMISSION
July 8, 2013

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:33 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Building Director George Wiggins, 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 Bill Reischmann
Deputy City Clerk Michelle Bernstein
City Clerk Cynthia Bonham

Approval of the agenda

City Manager Randy Knight advised that Public Hearing item 'e' has been postponed to another meeting per the applicant.

Motion made by Commissioner McMacken to approve the agenda as presented with this one change; seconded by Commissioner Cooper and approved by acclamation with a 5-0 vote.

Mayor's Report

a. Recognition of Robert Ross – Art in Chambers

Mayor Bradley introduced local artist Robert Ross and thanked him for displaying his art work in the Commission Chambers for public viewing.

b. Recognition of Diane Culpepper (Bright House Networks) as she retires

Mayor Bradley recognized the retirement of Diane Culpepper, Vice President of Public Relations at Bright House Networks. He presented Ms. Culpepper with a plaque as a token of appreciation for her commitment to our community.

Mayor Bradley thanked City Manager Knight and staff for the great July 4th event.

City Manager's Report:

a. Capen House update

City Manager Knight said he understands that there is a group who is working diligently on the overall plans to relocate the house and that a proposal was submitted today to the owners of the home for review and evaluation. To date, the owners have not pulled their demolition permit. City Manager Knight noted that the

City is eager and willing to help in any way that we can to expedite the process and that he will keep them informed.

- b. Schedule a work session to discuss public/private partnership on the Rachel D. Murrah Civic Center parking site

City Manager Knight announced that there is a proposal being worked on to acquire and redevelop the Mt. Vernon Inn site and part of the proposal includes the request to construct a joint use parking garage on the City's Rachel D. Murrah Civic Center property. Prior to the issuance of a city wide notice, City Manager Knight felt that the Commission should be given an opportunity to hear the proposal and decide if they agree or disagree on the concept that City land could be used for the project.

Discussion ensued regarding calendar availability. The City Clerk was directed to coordinate and schedule a mutual date/time for a one hour work session and if one or more cannot attend, individual briefings may need to be scheduled. The request was acknowledged.

City Attorney's Report

Commissioner Cooper addressed the lack of a procedure relative to applicant master planning approval and the need to clarify the procedures. She stated that over the next month she would like to understand the extent of the City's commitment relative to an applicant's master plan; how we process them; what our procedures are, and if there are none, what they should be; and the extent of our legal obligation. Attorney Reischmann acknowledged the request.

Non-Action Item

- a. Budget presentation

City Manager Knight provided a PowerPoint presentation on the 2014 budget. The presentation included management reports, revenues, budget summary, program budgets, legislative and general administration, internal service funds, capital improvement plan and cash reserves. City Manager Knight answered questions and noted that if the Commission requires additional information after the August 15 work session he would be happy to brief them individually upon request.

Mayor Bradley suggested that they use the same format as last year where City Manager Knight provided the Commissioners with a budget item list so that each of them could provide their input on items they believe are priorities. The line items that receive consensus are then brought forward to the budget hearing and voted on. The Commissioners were directed to submit their list to the City Manager no later than August 19 so they can be included in the agenda packet. City Manager Knight acknowledged and said the list will be sent out shortly. By acclamation, the procedure above was agreed upon.

City Manager Knight requested the Commission to direct all budget related questions to him via email and he will distribute the response to all members of the Commission.

Commissioner Cooper requested the following information be provided: the analysis of the pension contributions, the 10 year pro forma, the annual change in the parks acquisition fund and the tree preservation fund, park land per resident count, breakdown of capital improvements to the Mead Gardens line item, policy decision on the City's financial contributions to Ravaudage and the extent of participation, who is going to be responsible for the maintenance of the right-of-way of canopy trees (residents or City) and the potential funding commitment for electric undergrounding.

Mayor Bradley requested that the following changes be made to the FY 2014 budget schedule: Receive public input and Commission discussion on August 12 and August 26; add the due date of August 19 for the Commission to submit their budget suggestions/adjustments; and add the budget work session scheduled for August 15. City Manager Knight acknowledged the request.

Public comments (5:00 p.m.)

Nancy Shutts, 2010 Brandywine Drive, requested that during this year's budget discussion they include a process to increase the compensation for the Mayor and Commissioners salaries.

Patrick Chapin, Winter Park Chamber of Commerce, mentioned that the Chamber is hosting "Good Morning Winter Park" on Friday at 8:00 a.m. The Alford Inn representatives will be presenting an update on their project and encouraged everyone to attend.

Consent Agenda

- a. Approve the minutes of 6/24/13. – **PULLED FOR DISCUSSION, SEE BELOW**
- b. Approve the following purchases and contract:
 1. PR 152580 to Heart Utilities of Jacksonville for undergrounding of electric; \$70,887.17.
 2. Purchase of a new shuttle bus for the Community Center from Duval Ford; \$59,994.00. – **PULLED FOR DISCUSSION, SEE BELOW**
 3. Purchase for replacement storage area network for end of life equipment from CDW-G; \$147,484.00.
 4. Contract for Trane U.S., Inc. to update Trane Tracer air conditioner control system; \$11,597.89.
- c. Approve the administrative costs of \$250 to cover the costs associated with the implementation of a red light camera hearing program. – **PULLED FOR DISCUSSION, SEE BELOW**

Motion made by Commissioner McMacken to approve Consent Agenda items 'b.1' and 'b.3-4'; seconded by Commissioner Sprinkel and approved unanimously with a 5-0 vote.

Consent Agenda Item 'a' - Approve the minutes of 6/24/13:

Commissioner Cooper referenced page 17, third sentence and requested to add "controlling commercial use of our lakes." **Motion made by Commissioner Cooper to approve Consent Agenda item 'a' as amended above; seconded by Commissioner Sprinkel and approved unanimously with a 5-0 vote.**

Consent Agenda Item 'b.2' - Purchase of a new shuttle bus for the Community Center from Duval Ford; \$59,994.00.

In response to an inquiry, City Manager Knight and Assistant Parks and Recreation Director Ronnie Moore explained that the Community Center uses the bus to transport seniors and youth to the various off site programs. Also, local non-profit organizations lease the bus for their events and it is also used for the Lake Killarney Elementary School bus program.

Motion made by Commissioner Leary to approve Consent Agenda item 'b.2'; seconded by Commissioner Cooper and approved unanimously with a 5-0 vote.

Consent Agenda Item 'c' - Approve the administrative costs of \$250 to cover the costs associated with the implementation of a red light camera hearing program.

In response to an inquiry, Police Chief Brett Railey explained that due to recent legislation, individual municipalities are now required to set up their own court hearing program. He provided detailed information regarding the total court cost associated with the current appeal process and the difference in fees if the City were to handle the appeal process. Chief Railey answered questions related to the approximate number of people who contest red light citations and the benefits of traffic safety programs, including red light cameras.

Motion made by Commissioner Leary that the cost would be \$137.00 and that it be reviewed in 6 months of activity with data to make sure our costs are fully covered; seconded by Commissioner McMacken. Chief Railey asked for clarity regarding the data to be provided. Mayor Bradley suggested that it include financial data, personnel costs, and hard and soft costs. **The motion was approved unanimously with a 5-0 vote.**

Action Items Requiring Discussion

a. Historical Preservation Review Process

Mayor Bradley provided a brief overview regarding his recommendations that were submitted to the City Clerk's office for inclusion in this agenda packet.

Motion made by Mayor Bradley to move the process that is in our packet for discussion (attached); seconded by Commissioner Leary.

Senior Planner Lindsey Hayes answered questions relative to the current process for outbound communications with property owners to encourage historic designation.

Commissioner McMacken explained that he will not be voting in favor of this because this should be a bottom up process and not a top down process. He would prefer to have the recommendations come from a board rather than the Commission as they previously discussed.

Motion amended by Commissioner Cooper to delete everything except item 'e'. Motion failed for lack of a second. Commissioner Cooper felt that we should not be benchmarking the cities nor provide a firm timeline in a short period of time; and now that this information has been brought to her attention she does not feel comfortable supporting this.

No public comments were made.

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

Public Hearings:

- a. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING WITHIN THE CHARTER LAWS OF THE CITY OF WINTER PARK, SECTION 1.02, "CORPORATE LIMITS DESCRIBED" SO AS TO ANNEX THE RIGHT-OF-WAY OF ALOMA AVENUE FROM 2015 ALOMA AVENUE EAST TO THE CITY LIMITS AND THE RIGHT-OF-WAY OF BALFOUR DRIVE FROM AMSDEN ROAD SOUTH TO THE CITY LIMITS, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney Reischmann read the ordinance by title.

Planning Director Jeff Briggs explained that this ordinance would annex that portion of the Aloma Avenue right-of-way from 2015 Aloma Avenue (Mellow Mushroom) out east to the city limits (at the CVS Pharmacy). He explained that years ago the City annexed down from the north and up from the south and never included the Aloma right-of-way. This will eliminate the confusion in this section of Aloma Avenue and also for a tiny section of Balfour Drive where the same condition exists for the

Police and Fire Departments because when they get called to accidents in this section of Aloma they have to get the Orange County Sheriff's Office or the Highway Patrol to take over since it is not in the City limits.

Motion made by Commissioner Leary to accept the ordinance on first reading; 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 with a 5-0 vote.**

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED AT 645 SYMONDS AVENUE, WINTER PARK, FLORIDA, IN EXCHANGE FOR THE PROPERTY LOCATED AT 813 W. NEW ENGLAND AVENUE, SUBJECT TO MINIMUM REQUIREMENTS AS SET FORTH HEREIN; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. First Reading

Attorney Reischmann read the ordinance by title.

Planning Director Jeff Briggs explained that on May 13, 2013 the Commission approved the request of CRDI LLC (Dan Bellows) to exchange or swap the City owned lot at 645 Symonds Avenue for his lot at 813 W. New England Avenue. An ordinance is required for the City to sell (or swap) City owned land. Under the terms approved by the Commission, the applicant pays all of the closing costs.

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

- c. ORDINANCE NO. 2929-13: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING SECTION 1-7, GENERAL PENALTY; CONTINUING VIOLATIONS, OF CHAPTER 1, GENERAL PROVISIONS, ARTICLE I, IN GENERAL, TO AMEND THE PENALTY FOR VIOLATING MUNICIPAL ORDINANCES TO COMPLY WITH STATE LAW; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE. Second Reading

Attorney Reischmann read the ordinance by title.

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 with a 5-0 vote.**

- d. ORDINANCE NO. 2930-13: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, RENAMING THAT PORTION OF LOCH LOMOND DRIVE BETWEEN GLENWOOD DRIVE AND MIZELL AVENUE AS NORTH EDINBURGH DRIVE AND RENAMING THAT SECTION OF EDINBURGH DRIVE BETWEEN MIZELL AVENUE AND DUNDEE DRIVE AS

SOUTH EDINBURGH DRIVE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE
Second Reading

Attorney Reischmann read the ordinance by title.

Motion made by Commissioner Cooper 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 with a 5-0 vote.**

- e. Request of the Winter Park Hospital: Final approval of the plans for the parking garage as approved in the Winter Park Hospital master plan.

This item has been postponed to another meeting per the applicant.

City Commission Reports:

- a. Commissioner Leary – No items.
b. Commissioner Sprinkel

Commissioner Sprinkel will be hosting the coffee talk this Thursday at 8:00 a.m. in the Winter Park Welcome Center and encouraged everyone to attend.

Upon request, Traffic Engineer Butch Margraf and Water/Wastewater Director Dave Zusi provided a briefing regarding the traffic rerouting due to Lakemont Avenue being closed for the sewer rehab project.

- c. Commissioner Cooper

Commissioner Cooper asked for support to instruct staff to take a look at what other cities have in their codes relative to parking garages. She believes that other cities have a lot more information than we do and felt it would be advantageous to seek this information for possible further action. There was a consensus for staff to work on this and provide a follow up report on their findings.

Commissioner Cooper welcomed Marlow's Tavern to the City.

Commissioner Cooper mentioned that the Florida League of Cities had a great presentation on crime prevention through land use codes and land planning and that she passed the information on to City staff.

- d. Commissioner McMacken

Commissioner McMacken thanked everyone involved for putting on a great 4th of July celebration.

HISTORICAL PRESERVATION REVIEW PROCESS:

City of Winter Park, Florida

Proposed and Presented at the Winter Park City Commission July 8, 2013

GOALS:

Determine current inventory of historic properties, review City historic preservation ordinances and recommend goals or changes to achieve preservation.

PROCESS:

A. Inventory all current City wide historic assets through a new or updated historic survey (e.g. homes, buildings, properties etc.).

1. Utilize outside consultation if necessary.
2. Determination of historic assets by accepted Florida and National standards.
3. Inventory current City, State or National registry designations and determine current % of eligible properties preserved either by public or private auspices.

B. City staff will summarize the differences / benefits / distinctions between any current City ordinances / designations or National designations including preservation, demolition etc.. Also, summarize the differences between "district" versus "specific property" designations. City staff to present this summary to the Historic Preservation Board first then the City Commission by August 15, 2013.

C. Review current Winter Park historic preservation ordinances, policies and incentives:

1. **Benchmark to key municipalities including:**
 - Orlando, Florida
 - Maitland, Florida
 - Longwood, Florida
 - Orange County, Florida
 - Sarasota, Florida
 - Coral Gables, Florida
 - St. Augustine, Florida
 - Savannah, Georgia
 - Charleston, South Carolina
2. Benchmark targeted designations to actual preservation both by public and private preservation efforts in key municipalities.

3. **Determine from Winter Park property owners** the number of voluntary City / National designations along with their reasons for designating or not designating under either criteria since the enactment of current Winter Park ordinances (circa 2001). Determine property owner's awareness of current ordinances and benefits.

4. **Study the business model** and success of private preservation in Winter Park e.g. Friends of Casa Feliz etc.

D. The Historic Preservation Board, after seeking appropriate public input, will recommend to the City Commission the City wide goal for % of properties eligible for historic designation designated with time frames. Recommend goals for both public and private preservation.

E. The Historic Preservation Board, after seeking appropriate public input, will recommend to the City Commission any necessary changes to existing ordinances, policies or incentives to accomplish the City wide goal of historic designation and preservation.

Any recommendations to ordinances, policies or incentives will be referred to the City's Planning and Zoning Board (ordinances) and Economic Development Advisory Board (incentives) for their review and input of any impacts before the City Commission reviews the final recommendations.

F. This review process should be substantially complete by October 15, 2013.