

REGULAR MEETING OF THE CITY COMMISSION
February 23, 2015

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 Reverend Steve May, First Baptist Church of Winter Park, followed by the Pledge of Allegiance.

Members present:

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

Also present:

City Manager Randy Knight
Assistant City Attorney Bill Reischmann
City Clerk Cynthia Bonham

Approval of the agenda

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

Mayor's Report

a. Presentation - Healthy Weight Community Champions Award

Lesli Ahonkhai, Assistant Director of the Florida Department of Health, presented the City with the Healthy Weight Community Champions Award.

b. Proclamation - Invasive Species Awareness Week

Mayor Bradley proclaimed the week of February 22-28, 2015 as National Invasive Species Awareness week. He encouraged residents to participate in activities and events to promote knowledge and understanding of the threats posed by invasive species.

c. Proclamation - Bike Month

Mayor Bradley announced that March is Bike Month in the State of Florida and proclaimed March 11 as "Bike to Work Day." Traffic Engineer Butch Margraf encouraged everyone to attend the Group Bike Ride & Gathering Event which will be held on March 11, 2015 at 3:30 p.m.

d. Appointment - Members to Visioning Steering Committee

Planning Director Dori Stone answered questions pertaining to the anticipated number of meetings. She asked the Mayor and each Commissioner to announce the names of their two nominees for the Steering Committee. Commissioner Leary nominated Garrett Preisser and Steve Castina; Commissioner Sprinkel nominated Jeffrey Blydenburgh and Meg Baldwin; Commissioner Cooper nominated David

Strong and Steve Goldman; Commissioner McMacken nominated Michael Dick and Dykes Everett; Mayor Bradley nominated John Caron and said he will announce his second nominee at a future date. A majority agreed that due to unforeseen time commitments, an alternate person may need to be appointed by each commissioner.

e. Appointment - MetroPlan Orlando Municipal Advisory Committee

Mayor Bradley advised that Winter Park has a position on the MetroPlan Orlando Municipal Advisory Committee and is traditionally served by the Mayor of the City. It would be his expectation that whoever is elected as Mayor would fill that position and if that individual chooses not to serve or cannot serve, that they would seek an elected official to serve or co-serve with them. A majority agreed.

f. Appointment - Police Pension Board (Officer Sam Easterbrook to replace Officer Rafael Berrios)

Motion made by Mayor Bradley to appoint Officer Sam Easterbrook (to replace Officer Rafael Berrios) to the Police Pension Board; seconded by Commissioner Cooper. No public comments were made. **The motion carried unanimously with a 5-0 vote.**

City Manager's Report – No report.

Commissioner Sprinkel asked about the timeframe for implementation of quiet zones. Assistant Public Works Director Don Marcotte explained that the agreements have to be signed by the end of June and upon receipt, an applicable timeframe can then be determined.

Upon request, Electric Utility Director Jerry Warren provided a status update regarding the undergrounding on Fairbanks Avenue and answered questions.

City Attorney's Report

Attorney Reischmann provided an update regarding the most recent Code Enforcement Board action on the 788 W. New England Avenue property.

Attorney Reischmann acknowledged Commissioner Cooper's request to look into a City agreement with the Developer of Windsong. She recalled that they are to pay the City \$150,000 upon the last sale in Windsong.

Non-Action Item – No items.

Consent Agenda

a. Approve the minutes of February 9, 2015.

- b. Approve the following formal solicitations and contract:
 - 1. Award to Electric Supply, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 2. Award to Gresco, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 3. Award to HD Supply Power Solutions, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 4. Award to Tri-State Utility Products, IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 5. Award to Wesco Distribution Inc., IFB-6-2015 Underground Electric Materials and authorize the Mayor to execute the contract.
 - 6. Renewal with GATSO USA, Inc. for Red Light Safety Program and authorize the Mayor to execute the contract.
- c. Approve the agreement renewal to permit Central Florida Community Sailing Program, Inc. to teach a Community Sailing Program in Lake Baldwin Park.

Motion made by Commissioner McMacken to approve the Consent Agenda; seconded by Commissioner Sprinkel. No public comments were made. The motion carried unanimously with a 5-0 vote.

Action Items Requiring Discussion

- a. Concours d' Elegance use of the Winter Park Golf Course

Parks and Recreation Director John Holland explained that last year the Concours d'Elegance was granted approval to use the Winter Park Golf Course for their 2014 event. The approval was based upon the evaluation of the impact of the event on the golf course. The golf course Superintendent reported the condition of the course was not impacted by the event. The event manager worked very closely with golf course staff and followed all instructions as to accessing the fairways and protection of the turf.

On January 28, 2015 a public meeting was held by the Parks and Recreation Advisory Board (P&RAB) prior to their consideration of approving the request for the 2015 event. The meeting was very positive and concerns were heard and addressed by the event promoter. Mr. Holland explained that Tim Webber, Executive Producer of the event is requesting approval of the event for the next five years. The P&RAB approved the request by a vote of 5-1.

Applicant Tim Webber spoke about the move of the Concours d' Elegance from Park Avenue to the golf course. He summarized his request and agreed to work with staff to address the concerns of the residents.

Discussion ensued regarding the request for five years. The following recommendations were made: to add contract language that would allow the City Commission to look at fees and operating conditions on a yearly basis and

renegotiate/adjust as needed; to adjust the temporary mesh fencing; to not allow event parking on the golf course if it rains; and to adjust the sound system.

Motion made by Mayor Bradley for the creation of a series of one year contracts but with a five year term and that embedded in that is the ability for the City to adjust the rate for the use of the facility each year; seconded by Commissioner Sprinkel.

Patrick Chapin, Winter Park Chamber of Commerce, spoke in favor of the request.

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. Appointment of Canvassing Board for March 10, 2015 General Election

City Clerk Cynthia Bonham explained the need to select three members to the Canvassing Board in order to have a quorum. For the 2015 election, Mayor Bradley and Commissioners Sprinkel, Cooper and McMacken could serve on the Board unless they have been actively participating in any candidate's campaign. She noted that for any disqualified Commissioner or Mayor, the City Clerk can act as the alternate Canvassing Board member and if another member needs to be selected she was advised to appoint a citizen. Both City Manager Knight and Ms. Bonham recommended the appointment of Winter Park Library Director Shawn Shaffer to be the third Canvassing Board member who already agreed to serve if needed.

Commissioner Sprinkel and Mayor Bradley removed themselves, Commissioner Cooper said she is unavailable and Commissioner McMacken volunteered to serve.

Motion made by Mayor Bradley that our Canvassing Board consists of Commissioner McMacken, City Clerk Cynthia Bonham and Library Director Shawn Shaffer; 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 Mayor Bradley to accept the canvassing criteria as set by the state and used by Orange County for canvassing absentee ballots; 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 unanimously with a 5-0 vote.

Motion made by Mayor Bradley to allow the Orange County Supervisor of Elections to open and run all absentee ballots through the tabulator ahead of time that are not questionable and are valid; 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.

Public Hearings:

- a. Request of Winter Park Real Estate Advisors, Inc: To amend the conditional use approval previously granted at 125 S. Interlachen Avenue to allow for modifications to the approved multi-family project to be composed of six units, three stories and 20,542 square feet of residential living area with parking in the basement level below the project, on property zoned R-4.

Planning Manager Jeff Briggs provided background regarding the previously approved conditional use granted and the request for modifications to the approval. He advised that the Planning & Zoning Board voted in favor of the request with the conditions recommended by staff as follows:

1. The exterior patio walls shall be screened by landscaping and any other proposed walls within setback areas shall be no higher than three feet in height.
2. The electric transformer/switch gear and backflow preventers shall be located adjacent to the building so they can and shall be effectively screened by landscaping.

Since this is a quasi-judicial hearing, Commissioner Cooper disclosed she spoke with staff regarding this issue. Mayor Bradley and Commissioners Sprinkel, McMacken and Leary said no discussions transpired. Mr. Briggs answered questions.

Motion made by Commissioner Sprinkel to approve the request; 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 unanimously with a 5-0 vote.

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE PORTION OF KINDEL AVENUE BETWEEN BENJAMIN AVENUE AND LEWIS DRIVE WITHIN THE RAVAUDAGE PLANNED DEVELOPMENT AND HOME ACRES SUBDIVISION AREA, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney Reischmann read the ordinance by title. Public Works Director Troy Attaway explained the City has received a request to abandon a portion of Kindel Avenue from Lewis to Benjamin to help with the redevelopment of this area.

To compensate for the loss of this road, the developer will construct a parallel road approximately 75 feet to the north to be called Morgan Lane. This road will serve all of the functions as Kindel Avenue being proposed for abandonment. This action is also consistent with the abandonment of Kindel Avenue west of Lewis which has already been approved. Mr. Attaway advised that there is a requirement that the

actual road surface of Kindel will not be removed and the road will not be closed until Morgan Lane is completely constructed and open for traffic. Mr. Attaway answered questions.

Motion made by Mayor Bradley to accept the ordinance on first reading; seconded by Commissioner Sprinkel. Attorney Reischmann provided legal counsel regarding the public notice requirements. No public comments were made.

Motion amended by Commissioner Cooper that a condition for acceptance would be that Morgan Lane is in place and appropriately constructed prior to the vacation of Kindel Avenue; seconded by Mayor Bradley. No public comments were made.

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

c. Request of the City of Winter Park for the property at 2908 Temple Trail:

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL FUTURE LAND USE TO OPEN SPACE AND RECREATION ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE PROPERTY AT 2908 TEMPLE TRAIL, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Mayor Bradley noted that this will be a simultaneous public hearing. Attorney Reischmann read both ordinances by title. He noted that the first ordinance is a legislative decision and the second ordinance is a quasi-judicial matter. Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken said no discussions transpired regarding this issue.

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

Motion made by Mayor Bradley to accept the second ordinance on first reading; seconded by Commissioner McMacken.

Planning Manager Jeff Briggs explained that the City purchased the property at 2908 Temple Trail to be added to our park inventory so we are rezoning it from Single Family Residential (R-1A) to Parks and Recreation (PR) District. It was noted that the Parks and Recreation Department will address the appropriate use of the property once it has been rezoned.

No public comments were made. **Upon a roll call vote on the first ordinance, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

No public comments were made. **Upon a roll call vote on the second ordinance, Mayor Bradley and Commissioners Leary, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.**

Public comments (Items not on the agenda)

Donna Colado, 327 Beloit Avenue, said now that the quiet zone matters have been resolved, she asked if and when will they be discussing the dedicated funding source for Commuter Rail. City Manager Knight said he is predicting that it will not happen at the state level until the year it reverts back to the local governments to fund.

Pastor David Mark Sutton, 1876 Parker Drive, asked for support in his efforts to help with the homeless in the area.

Barry Carson, 601 Callahan Street, asked for approval to adopt a portion of Pennsylvania Avenue where it abuts his home so that he can maintain it on a regular basis. City Manager Knight was directed to follow up with this request.

City Commission Reports:

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

Commissioner Sprinkel was thrilled to see the creation of a Garden Group starting up in the City. She thanked City resident Mike Miller for representing us in Tallahassee and welcomed the new President of Rollins College, Grant Cornwell to our City. She requested putting some type of mechanism in place where our boards can provide an annual review and we in turn can acknowledge their great work. A majority agreed and suggested that the boards provide an annual update as well.

City Manager Knight announced that the St. Patrick's Day parade is Sunday, March 8. He spoke about the upcoming trip to Tallahassee and advised that our lobbyist

has proposed the dates of March 10-11 or March 17-18. Due to the potential conflicts with those dates, he will ask for a third option and will circulate that information to the Commission for consideration.

c. Commissioner Cooper

Commissioner Cooper asked when next year's election will be held. City Clerk Cynthia Bonham said we will be piggybacking with Orange County's Presidential Preference Primary to be held in March.

Commissioner Cooper requested that they consider reinstatement of a board appreciation event.

Commissioner Cooper mentioned that she would like for us to start looking into obtaining shared funding for the Commuter Rail circulator bus.

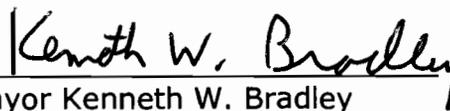
d. Commissioner McMacken - No report.

e. Mayor Bradley

Mayor Bradley requested support to have our Parks & Recreation Board review and recommend the renaming of a park for former Mayor Allen Trovillion and Mayor Joe Terranova and to rename the West Meadow to the Strong Meadow in honor of both David and Hope Strong. A majority showed support and said they look forward to hearing the recommendations from the board for their approval. Commissioner Cooper requested that we also look at renaming a park after Reverend Dawkins and to recognize Gus Henderson in some way. City Manager Knight acknowledged the request to provide information regarding the process by which we name things after people.

Mayor Bradley said he and Vice Mayor Leary have the privilege of throwing out the first pitch at this coming Saturday's baseball game and is looking forward to it.

The meeting adjourned at 5:07 p.m.



Mayor Kenneth W. Bradley

ATTEST:



City Clerk Cynthia S. Bonham, MMC