The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Reverend Alison Harrity, St. Richard’s Episcopal Church, followed by the Pledge of Allegiance. There was a moment of silence for the Orlando victims from the attack over the weekend.

Members present:
- Mayor Steve Leary
- Commissioner Greg Seidel
- Commissioner Sarah Sprinkel
- Commissioner Carolyn Cooper
- Commissioner Pete Weldon

Also present:
- City Manager Randy Knight
- City Attorney Kurt Ardaman
- City Clerk Cynthia Bonham

Approval of the agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Seidel and carried unanimously with a 5-0 vote.

Mayor’s Report

Mayor Leary announced that Winter Park High School was voted number one for the 9-A All Sports Award for the entire state of Florida.

Mayor Leary spoke about the support our police department provided to assist Orlando with the attack at the Pulse nightclub incident on Saturday night/Sunday morning. He addressed the 102 flags in front of City Hall; 49 flags for the victims and 53 flags for the ones suffering injuries.

a. Presentation – Best of Show artwork – 2016 Sidewalk Art Festival

Holly Henson, President of the Winter Park Sidewalk Art Festival Board and Past President Louise Alimahomed presented Mayor Leary with the Best of Show from the 2016 Sidewalk Art Festival. The watercolor painting was by Aletha Jones and was called “A Grand Croquet Masquerade” inspired by the classical Renaissance Gardens of Italy.

b. Presentation – I-4 Ultimate

Laureen Bobo, Florida Department of Transportation’s I-4 Ultimate Construction Program Manager and David Parks, I-4 Ultimate Public Information Officer provided a presentation on how the I-4 Ultimate Project affects travel in and around the City and an update on the latest I-4 Ultimate happenings.
c. **Proclamation – Patrick Chapin Day**

Mayor Leary presented Winter Park Chamber of Commerce President/CEO Patrick Chapin with a proclamation proclaiming June 15, 2016 as Patrick Chapin Day who is leaving Winter Park after 6 ½ years for a job in North Carolina. Patrick’s family was also present. Mayor Leary spoke about his many accomplishments during his time in Winter Park and wished him well.

d. **Establishment of Auditor Selection Board**

City Manager Knight explained the requirement in the City Charter to establish this board.

Motion made by Mayor Leary to appoint David Currie (Emeritus Professor of Finance and Economics at Rollins College), Steve Miller (Miller's Hardware), David Moore (financial advisor) and David Satcher (practicing CPA). The motion was seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Motion made by Commissioner Cooper to appoint Commissioner Weldon to the board as the Commissioner appointee; seconded by Commissioner Seidel and carried unanimously with a 5-0 vote.

e. **Board Appointment – Keep Winter Park Beautiful and Sustainable**

Mayor Leary appointed Ellen Wolfson as the alternate member by Mayor Leary; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.

**City Manager’s Report**

City Manager Knight spoke about the Visioning Committee completing its work and that the report will come to the Commission on July 11. He reported that staff is continuing to work with FDOT on the quiet zones to try and determine what to do since the bids came in higher than anticipated. Assistant Public Works Director Don Marcotte will check with MetroPlan as to the status of any funding for the shortfall.

**City Attorney’s Report**

Attorney Ardaman provided information regarding drones. Upon discussion, there was a consensus to ask the Florida League of Cities what they have and find out if there are other cities and counties that have some regulation they can provide from a local standpoint, evaluate those and bring back to the Commission for further discussion to see if they want to move forward with changes. If nothing is found from other cities/counties, the City Attorney will draft an ordinance for the City Commission to determine if they want to send it to the FAA’s general counsel for their approval and for our consideration at a Commission meeting.
Non-Action Item

a. Presentation – Body worn camera technology

Police Chief Brett Railey and Police Lieutenant Jamie Watson provided a PowerPoint presentation with an update on the applicability of body worn camera technology for the Winter Park Police Department. The police department recommendation was to continue their research as to the perceived need and the fiscal impact associated with the implementation. City Manager Knight informed the Commission that this is only informational but that this may be a conversation the Commission may want to have during the budget process.

Commissioner Sprinkel asked what other Florida cities are doing. Chief Railey stated he could obtain that information but many agencies who had implemented this are backing out of the program because of the cost. Mayor Leary mentioned that there is no legislation currently in place providing direction. In conclusion, no action was taken but it was agreed that there is more work that should be done to decide at budget time whether this is something to pursue or not.

Consent Agenda

a. Approve the minutes of May 23, 2016.
b. Approve the following purchases, contracts and formal solicitations:
   1. Piggyback contract with FieldTurf USA, Inc. for Showalter Field synthetic turf installation; $783,905.94; and authorize the Mayor to execute the contract. **PULLED FOR DISCUSSION BY COMMISSIONER SEIDEL. SEE BELOW.**
   2. Blanket Purchase Order to Layne Inliner LLC for sewer line rehab cleaning/ manhole; $250,000.
   5. Change Orders to Blanket Purchase Orders 156944, 156945, & 156946 for operations – Removal of remaining funding for ENCO and adjustments to contracted labor with ENCO and Heart Utilities.
   6. Amendment No. 4 to BASE Consultants, P.A., RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Structural Engineering); and authorize the Mayor to execute renewal.
   7. Amendment No. 4 to Florida Bridge & Transportation Inc., RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Structural Engineering); and authorize the Mayor to execute renewal.
   8. Amendment No. 3 to The Davey Tree Expert Company, ITN-6-2013, Utility Vegetation Management; and authorize the Mayor to execute renewal.
9. Amendment No. 1 to Massey Services, Inc., RFP-16-2013, Pest Control Services; and authorize the Mayor to execute renewal.

10. Amendment No. 4 to Universal Engineering Sciences, RFQ-2-2012, Continuing Contracts for Professional, Architectural & Engineering Services (Discipline: Environmental Services); and authorize the Mayor to execute renewal.

11. Interlocal agreement with Seminole County for solid waste management; and authorize the Mayor to execute contract.

12. Award to CBRE, Inc., RFP-10-2016, Commercial Broker Service; and authorize the Mayor to execute contract.

13. Award to Kimley Horn, RFQ-11-2016, Traffic Consultant for City Comprehensive Plan; and authorize staff to enter into negotiations. PULLED FOR DISCUSSION BY COMMISSIONER COOPER. SEE BELOW.

c. Approve the Interlocal Aid Agreement for fire protection and rescue services between the City and the City of Orlando; and approve the Memorandum of Understanding (MOU) between the City of Winter Park Fire Rescue and the Orlando Fire Department for Special Operations response and training.

Commissioner Seidel advised a conflict of interest on items b-7, b-10, and b-13 that he would not be voting on. Form 8B was submitted as part of the record.

Motion made by Commissioner Sprinkel to approve the Consent Agenda with the exception of items b-1 and b-13 (pulled); seconded by Commissioner Cooper. No public comments were made. The motion carried with a 5-0 vote on items a, b-2, b-3, b-4, b-5, b-6, b-8, b-9, b-11, b-12, and c. The motion carried with a 4-0 vote on items b-7 and b-10 with Commissioner Seidel abstaining from voting due to a conflict of interest.

Consent Agenda Item b-13: Award to Kimley Horn, RFQ-11-2016, Traffic Consultant for City Comprehensive Plan; and authorize staff to enter into negotiations:

Commissioner Cooper asked why Kimley Horn was the only bidder and that she believed policy decisions needed to be made by the City and Commission before the consultant finishes their work product because of transportation impact fees, concurrency and proportionate fair share.

City Manager Knight addressed not knowing the reason why we only received one response. There was further discussion and agreed by most of the Commission that they need to wait until the study is completed and a recommendation is brought forward and presented to the Commission. Commissioner Weldon asked Commissioner Cooper to bring forward her concerns to review beforehand.

The motion carried with a 4-0 vote with Commissioner Seidel abstaining from voting due to a conflict of interest.
Consent Agenda item b-1: Piggyback contract with FieldTurf USA, Inc. for Showalter Field synthetic turf installation; $783,905.94; and authorize the Mayor to execute the contract

Commissioner Seidel pulled this item for discussion because he disagreed with the cool play ¾" layer and instead proposed to use type #5 organic. Discussion ensued regarding the timeliness of the turf installation, the organic turf that Rollins has had to replace, the rubberized turf, and safety concerns with certain types of harder surfaces with potential concussions. Number 2 was staff’s recommendation.

Commissioner Sprinkel addressed the need to support this and move forward and stated that she would never recommend anything that could potentially harm a child. Further discussion ensued regarding the types of turf and the need to make sure whatever is used will not harm the children. Commissioner Weldon spoke about being very comfortable that no risks are being taken in pursuing staff’s recommendation. Discussion ensued regarding the additional cost for option #3 that will further protect the players.

Chris Wedge of FieldTurf USA, Inc. addressed the safety concerns of using SBR rubber which he stated is and has been safe, the maintenance costs incurred with using the organic, and using the cool play system.

Motion made by Commissioner Weldon to approve consent agenda item b-1 as recommended by staff (option #2); seconded by Commissioner Sprinkel.

Motion amended by Commissioner Seidel to approve option #3 (thicker cool play); seconded by Commissioner Cooper.

The following from Winter Park High School spoke in favor of approving the turf: Coach David Benson; Paul Lansbury; Coach Tim Shifflet; and Sid Cash (Pop Warner). Several Winter Park High football players were present in support of new turf.

Mayor Leary spoke about the City getting involved so this was made a reality.

Upon a roll call vote to approve the amendment to the main motion with option #3, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Public comments (items not on the agenda)

No public comments were made.

Recess

A recess was taken from 5:33 to 5:45 p.m.
Action Items Requiring Discussion

No items.

Public Hearings:

a. ORDINANCE NO. 3037-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-201, DEFINITIONS; AMENDING SECTION 74-204, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 74-209, VESTING; AMENDING SECTION 74-210, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 74-215, MAXIMUM PENSION; AMENDING SECTION 74-216, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 74-226, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 74-228, PRIOR POLICE SERVICE; ADDING SECTION 74-230, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 185 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE Second Reading

Attorney Ardaman read the ordinance by title.

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

b. ORDINANCE NO. 3038-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING UTILITY EASEMENTS FOR LOTS 7 AND 8 OF SEVILLA SUBDIVISION Second Reading

Attorney Ardaman read the ordinance by title.

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

c. ORDINANCE NO. 3039-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, REPEALING AND REPLACING CHAPTER 58, ARTICLE V, DIVISION 3 FLOODPLAIN REGULATIONS; ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE BY AMENDING CHAPTER 22, ARTICLE II, SECTION 22-28; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION, FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE Second Reading

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


Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Weldon. No public comments were made. Commissioner Cooper expressed her opposition to reducing the percentage back to the original level. Commissioner Seidel addressed the lakes review ordinance concerning Section 58-87 (lakefront lots, etc.) and expressed the importance to preserve the City’s character. Upon a roll call vote, Mayor Leary and Commissioners Sprinkel and Weldon voted yes. Commissioners Seidel and Cooper voted no. The motion carried with a 3-2 vote.

e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO ABANDONMENT OF A RIGHT OF WAY; ABANDONING THAT PORTION OF VIA PALERMO ROAD First Reading

Attorney Ardaman read the ordinance by title. Public Works Director Troy Attaway addressed this being a right-of-way that was granted through the plat of Sicilian Shores.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Weldon. No public comments were made.

Commissioner Seidel expressed concerns with the future maintenance of the drainage pipe. He spoke about the 6 foot walkway and recommended a 10’ wide opening. Mr. Attaway explained the walkway going through is not part of the City and is between the property owners and the Racquet Club.

Motion amended by Commissioner Seidel to make the connection 10’ wide; seconded by Commissioner Cooper. Upon a roll call vote on the amendment, Mayor Leary and Commissioners Sprinkel and Weldon voted no. Commissioners Seidel and Cooper voted yes. The motion failed with a 3-2 vote.

Upon a roll call vote on the main motion, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.
f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA GRANTING A RESIDENTIAL, COMMERCIAL AND CONSTRUCTION SOLID WASTE COLLECTION FRANCHISE TO WASTE PRO OF FLORIDA, INC.; PROVIDING TERMS, CONDITIONS AND OTHER PROVISIONS; PROVIDING AN EFFECTIVE DATE First Reading

Attorney Ardaman read the ordinance by title. Assistant City Manager Michelle Neuner summarized the residential and commercial solid waste changes from the previous franchise, including the various size containers that will be provided.

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

g. Request of Phil Kean Designs, Inc.: Amend the conditional use approval granted on October 12, 2015 to redevelop the property at 652 West Morse Boulevard in order to develop 10 residential units in lieu of the approved 11 residential units and to modify the approved architectural elements. This item was tabled until June 27, 2016.

h. Request of Mr. Robert Moore: Withdrawn by the applicant.

City Commission Reports:

a. Commissioner Seidel – Asked about holding a work session with the Visioning Committee before bringing it forward to the Commission meeting. It was determined that this will be an action item at the July 11 meeting and that they can always bring it back again based on changes they would like to see made to it. Commissioners Seidel and Sprinkel addressed already speaking with the consultant to bring them up to speed. Commissioner Seidel agreed with the July 11 date.

Commissioner Seidel asked about the comprehensive plan update and if the Historic Preservation Board should be made part of the process. Commissioner Cooper spoke about the recommendation by the consultant that historic preservation is something that needs to be focused on and would like to see the HPB added to the list of boards working on this. Mayor Leary spoke about the Planning Director overseeing the comprehensive plan update and that he believed this will be a part of it. No consensus was reached.

b. Commissioner Sprinkel

Commissioner Sprinkel spoke about the Mayor’s Coffee Talk, the Aspen Institute event, and that Mead Garden will cut the ribbon for the new walkway this week.

c. Commissioner Cooper

Commissioner Cooper spoke about the comprehensive plan task force appointees made at the last meeting and asked if each Commissioner could also recommend a
person to this task force. Commissioner Cooper stated she did not object to the appointments made but wanted to be able to include others. Commissioner Seidel commented about the smaller task force that he believed could get things done faster because of the smaller number. Commissioner Cooper stated she would have liked for this to be on the agenda so that the community can express interest over and above the three members appointed by the Mayor.

Commissioner Weldon addressed agreeing with the appointments made but expressed concerns that this added another layer that may slow things down and confuse the issues. He believed the process is going along well in terms of having staff and the focused boards on the elements that they have agreed to pursue followed by a lot of public input.

d. **Commissioner Weldon**

Commissioner Weldon congratulated the Commission on the Showalter Field agreement that is a tremendous benefit for the City.

e. **Mayor Leary**

Mayor Leary addressed the large crowd that attended his Coffee Talk, the library discussion event, and the attack on Orlando this weekend whereby he is comforted with having our City staff to handle any tragedies that may occur in the City.

The meeting adjourned at 6:48 p.m.

ATTEST:

Mayor Steve Leary

City Clerk Cynthia S. Bonham, MMC
WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)
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

GREGG S. SEIDEL, hereby disclose that on JUNE 13, 2016:

(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, ________________________________ , 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:

RECUSE FROM VOTING ON ITEMS

9b7
9b10
9b13

Date Filed: 6/13/14
Signature: [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.