

REGULAR MEETING OF THE CITY COMMISSION
July 11, 2016

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. Mayor Leary asked for a moment of silence before the invocation due to the tragic incident with the deaths of the Dallas police officers. The invocation was provided by Reverend Steve May, First Baptist Church of Winter Park, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel (via Skype)
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Pete Weldon

Also present:

City Manager Randy Knight
City Clerk Cynthia Bonham
City Attorney Rick Geller (for Attorney Ardaman)

Approval of the agenda

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

Mayor's Report

- a. Presentation – Winter Park High School Foundation Check

Sid Cash, on behalf of the Winter Park High School Foundation, Winter Park Pop Warner, and the community who supported 'Restore the Roar', presented the City with a \$200,000 for their contribution toward the installation of the artificial turf surface on Showalter Field. He stated that Winter Park Pop Warner is pursuing to help fund the improvement of the scoreboard with the help of the City.

City Manager's Report

- a. Presentation of the proposed 2016/2017 budget

City Manager Knight presented and provided an overview of the proposed budget for the upcoming fiscal year. Upon discussion, a work session was scheduled for 1:30, July 25 to receive a presentation on the broadband feasibility study and to have a budget/strategic discussion.

City Attorney's Report

City Attorney Geller reported that the bond validation lawsuit has been filed. The timing was addressed by City Attorney Geller and City Manager Knight.

Non-Action Item

No items.

Consent Agenda

- a. Approve the minutes of June 27, 2016.
- b. Approve the following contracts:
 1. Piggyback contracts with Daktronics for TCPN Contract No. R5195, Scoreboards and Electronic Signs; and Nevco, Inc. for NJPA Contract No. 082114-NVC, Video Display & Scoring Solutions; and authorize the Mayor to execute contracts; not to exceed \$185,000. **PULLED FROM CONSENT AGENDA. THE ITEM WAS NOT APPROVED.**
 2. Piggyback contract with The Nidy Sports Construction, Co. for NCPA Contract, Athletic Surfacing Systems Maintenance & Construction; and authorize the Mayor to execute contract; not to exceed \$187,500.

Motion made by Commissioner Sprinkel to approve Consent Agenda items 'a' and 'b-2'; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. No public comments were made.

Consent Agenda Item b-1:

City Manager Knight pulled this item to discuss. He addressed both companies and asked the Commission not to approve this item because they are finding that the piggybacking contract does not match the scoreboard they are purchasing. He stated they will be doing a short one week bid process so both companies can give the City a hard bid on the scoreboard they are looking at.

Motion made by Commissioner Cooper to authorize staff to go ahead with the bid and for an amount up to \$185,000 to award to whichever one comes in with the lowest, most responsible bid; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote. No public comments were made.

Action Items Requiring Discussion

- a. City Visioning Process Presentation

Commissioner Cooper asked to be able to make a correction. She stated when they initially started looking at this she believed they said they were going to put this in the comprehensive plan but after pulling the minutes and reviewing it, that was not the case. She stated this will end up being an advisory document. Commissioner Weldon expressed the importance that the community be accurately informed.

CRA Manager Kyle Dudgeon stated this was meant to be a guiding document that is not part of the comprehensive plan. He spoke about the steering committee and the many meetings they attended and that they have accomplished their goal. He commented that last month the committee unanimously approved a vision statement and four underlying themes for the Commission's consideration tonight. He introduced John Gill, Chairman of the Steering Committee and Bruce Meighen,

Principle at Logan Simpson from the consulting team that assisted them with the process.

John Gill, Visioning Steering Committee Chairman, recognized the members of the committee who were present. He summarized the process taken place over the last 13 months and the representation of the 21 committee members who represented all aspects of the City. He played a video showing what the committee did during those months.

Bruce Meighen, Logan Simpson, presented the results of the committee's work. He spoke about the large amount of public involvement, the process and the different phases they went through that included neighborhood meetings, and social events where residents communicated what they love about Winter Park and how they believe Winter Park will change over the next 30-40 years. He stated they took that information and created vision statements that were a compromise as they considered all peoples views and worked to find the correct words to use which brought them to the final phase today with receiving the Commission's input.

Mr. Gill summarized the vision themes and their vision statement brought forward. Committee members Jeff Blydenburgh and Dykes Everett spoke about the need to preserve Winter Park and what they accomplished. Mr. Everett asked the Commission not to get caught up with the wordsmithing of the vision statement itself because while it is important it is not as important as the full guts of the document.

Mr. Gill provided the following: Supporting Document A: 'Representing the Art of the Possible' that contains big ideas for possible further consideration; Supporting Document B: Public Outreach Summary of Results June 2016; and Supporting Document C: Steering Committee Packets June 2016. The document entitled "Vision Winter Park" contains the acknowledgements, Our Vision, Vision Themes and summarized the entire year process.

Commissioners thanked the committee for their dedication and accomplishments and for the excellent outcome. It was clarified that the committee has completed their task and is no longer seated as a committee.

Commissioner Cooper agreed with pages 0-28 and was receptive to exploring the other 'big ideas'. She expressed her preference to include other words/values in the main vision statement as communicated to her by concerned residents (heritage) and to change the word "incentivizing" to "increasing" public and private green space under vision theme #2.

Commissioner Weldon spoke about the construction of the words used in the vision statement and the importance that everyone is comfortable with the overriding vision statement and to make sure that residents are confident that their heritage is not going to be lost. Mr. Meighen addressed the many sets of words provided to the committee to help craft the vision statement and themes. Mr. Gill stated they

believed there were no omissions and that the words used were conveying the community feeling that our history and heritage are very important. Mayor Leary expressed that the committee has crafted a vision statement that gets through a thought and emotion without having individual specific words that people want to see in it.

Motion made by Mayor Leary to accept the vision statement and vision themes, seconded by Commissioner Weldon.

Joe Terranova, 151 N. Virginia Avenue, complimented the committee for a job well done.

The following spoke about the job well done by the committee but asked to include words such as "heritage", "history", "village scale" and "low density":

Mary Daniels, 650 W. Canton Avenue
Penny Potter, 1360 Canterbury Road
Mary Randall, 1000 S. Kentucky Avenue (also addressed lack of buffered zones around new growth)
Pat McDonald, 2348 Summerfield Road
Linda Kulmann, 257 E. Canton Avenue
Betti Gorenflo, 591 Lakefront Boulevard
Maria Bryant, 450 S. Virginia Avenue
Martha Bryant Hall, 331 W. Lyman Avenue
Roberta Willenkin, 1580 Grove Terrace

Gary Sacheck, 1034 Aloma Avenue, spoke about traffic control in the City.

Commissioner Sprinkel spoke about the City's heritage being very important to her but that she needs to support the outcome of the committee because she believed that the vision statement and vision themes do not take away the City's heritage but was designed to build it up.

Commissioner Seidel addressed not being comfortable changing what the committee has done but would agree if the committee discussed adding 'heritage' into the statement. Commissioner Cooper agreed to have the language looked at by the committee because of what has been heard today from concerned residents.

Motion made by Commissioner Cooper to table this until our next meeting to re-seat the committee and to give the committee an opportunity to look at the final vision statement and themes relative to what the residents have brought forward today. Motion failed for lack of a second.

Motion amended (amendment #1) by Commissioner Cooper to add the word 'heritage' back into the overarching 'Our Vision' statement after the word 'culture' (Arts, Culture, and Heritage); seconded by Commissioner Seidel for discussion.

Motion amended by Commissioner Cooper that under Vision Statement 2, (the 5th supporting statement) that we replace the word "incentivizing" public and private green space with "increasing" public and private green space. Motion failed for lack of a second.

Motion amended (amendment #2) by Commissioner Cooper to add under Vision Theme #2 an additional item that says "safeguard our small town feel and our village ambiance"; seconded by Commissioner Seidel for discussion.

Commissioner Seidel addressed the amendment made to add the word 'heritage' but was not comfortable changing the wording. He commented that he valued the time and the work performed of the visioning committee that he believed to be an excellent document. Attorney Geller stated the committee would have to be re-seated if any further changes were to be made. Mayor Leary clarified that the motion to re-seat the committee failed.

Motion to amendment #1 withdrawn (as the seconder) by Commissioner Seidel to add the word 'heritage'. Amendment #1 failed for lack of a second.

Amendment #2 to add under Vision Theme #2 an additional item that says "safeguard our small town feel and our village ambiance" was addressed by Commissioner Cooper. She stated she wanted this because of the high level value that was stated numerous times and is talked about in the visioning documents.

Commissioner Seidel spoke about amendment #2 to add an additional item that says "safeguard our small town feel and our village ambiance". He spoke about the visioning statement and believed this was addressed there. **Commissioner Seidel withdrew his second. Amendment #2 failed for lack of a second. The motion was withdrawn by Commissioner Cooper.**

Commissioner Weldon clarified that there is nothing in the document that any resident should fear; that everything ratifies the values that everyone shares about the City. He stated they should be ratifying the work of the committee without question and to re-write the words at the last minute after a year of effort, the funds spent and the energy expended is not honoring the process. He stated there is no downside to accepting what has been offered; only upside.

Upon a roll call vote to accept the vision statement and the vision themes, 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):

Pat McDonald, 2348 Summerfield Road, asked about the timing of the bond validation and if the civic center would still be torn down in January. Mayor Leary

stated they just heard about this timeframe and they need to regroup to try and determine the strategy moving forward.

Linda Eriksson, 535 N. Interlachen, informed the Commission that the property located at 503 N. Interlachen is scheduled to be torn down (the pink apartments that have been there for 50 plus years). She expressed concerns with that property becoming a three story multi-million dollar condo complex and with concerns regarding our historic preservation. Staff will review this.

Recess

A recess was taken from 6:09 – 6:24 p.m.

Public Hearings:

- a. Request of Morney Partnership Ltd. for the property at 226 Hannibal Square, East:

ORDINANCE NO. 3043-16: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE PARKING LOT (PL) DISTRICT ZONING TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING ON THE PROPERTY AT 226 HANNIBAL SQUARE, EAST, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

Attorney Geller read the ordinance by title.

Motion made by Commissioner Sprinkel to adopt the ordinance; seconded by Commissioner Weldon.

The following opposed the three story residential home being proposed:
Stuart Bogue, 2270 Howard Drive
Martha Bryant Hall, 331 W. Lyman Avenue

Commissioner Cooper addressed the conditional use approval from the previous meeting. Mr. Briggs explained the conditional use is dependent upon the zoning being put into place and is not effective until the zoning is adopted. He explained if the Commission votes no, the zoning stays PL. It was clarified that the zoning before it was changed to PL was R-3. Commissioner Cooper stated if they do not want three stories built here, they have to vote no.

Commissioner Seidel asked if the R-3 zoning allows three story homes. Mr. Briggs explained that two stories is a permitted use and three stories require a conditional use approval. Commissioner Weldon explained that the lot is very small and it has underlying medium density residential zoning in the comprehensive plan; if you uphold the R-3 zoning it can only be one dwelling even though it is medium density residential.

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.

- b. RESOLUTION NO. 2175-16: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, CREATING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM AND JOINING THE CLEAN ENERGY GREEN CORRIDOR PROGRAM IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; APPROVING A NON-EXCLUSIVE MEMBERSHIP AGREEMENT PURSUANT TO SECTION 163.01, FLORIDA STATUTES BETWEEN THE CITY AND THE GREEN CORRIDOR PROPERTY ASSESSMENT CLEAN ENERGY DISTRICT; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Geller read the resolution by title. City Manager Knight explained this is similar to the one approved last year who is also asking to be non-exclusive under the PACE Program.

Motion made by Commissioner Sprinkel to adopt the resolution; 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.

- c. 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.

Planning Manager Jeff Briggs explained the request to amend the conditional use approval granted on October 12, 2015 and where they reduced the density and separated some of the buildings so there are open space green areas in between the buildings that run north/south. He stated in order to maintain the square footage they are closer to the City park area; the City park walkway from Morse back to the Community Center is now closer to the property line by about 3 feet. He addressed the previous discussion that this is City property that is not heavily used and whether there was an advantage to having the townhouse HOA help the City by taking care of the park.

He stated one of the conditions was to work out the developer's agreement to cover the maintenance of the park between the City and the developers. He stated there is a landscape plan as to what will happen to the City property and there will be a new walkway directly from the front door to the pathway. He stated they tried to make both sides of the walkway look the same in the landscape plan so it does not completely look like it's their front yards and the developer's agreement would put in effect that maintenance agreement. He addressed the positive recommendation from the P&Z. The walkway size was discussed as well as any signage rights the City has since it is the City's property.

Applicant Jacob Farmer, 135 N. Knowles Avenue, explained they are lowering the density and increased the greenspace. He addressed the walkway and the landscape plan that is being enhanced, that they are re-doing the sidewalk and taking over maintenance on it. Mr. Farmer stated he was still interested in purchasing the City property.

Tom McMacken, 1821 Shiloh Lane, opposed the request because they have to go through our City property to get into their property. He asked that this be tabled until a property Notice of Disposal has been filed.

Mr. Farmer pointed out that the walkway was always designed that physical walking access to get to the front doors of the units would be through the park area. He stated there is only a difference of 2-3 feet from the first site plan and that there was never on the approved site plan of the original project a self-contained sidewalk inside their property line; you always had to access it through the park. He clarified the sidewalk is only being straightened out because of being in disrepair and winding around the trees. Mr. Briggs clarified that there was physically a way to get to the parking lot without having to cross; now there is no way to get there.

Commissioner Cooper stated it does not make sense to give away this property and if that is going to be done, they need to table this and discuss trading property of like value that could become parkland someplace else. Commissioner Weldon agreed with Commissioner Cooper that we should not give the property away but that we should pursue a sale as the applicant and the City have a long and constructive relationship, and as the applicant has expressed an interest in buying the property. He did not want to delay what they are doing but that the observation provided by former Commissioner McMacken is important. Mr. Briggs clarified that the CRA purchased this property necessitating a Notice of Disposal (NOD) to sell it and the current Park zoning.

Commissioner Seidel stated he recalls the previous approval and liked that they were using the park that he believed added character to the buildings and was in agreement with the request. He commented that going to the NOD process could cause issues with the adjacent property owner who may also want some of this property.

Upon discussion, Mr. Farmer agreed they would like to purchase the property, keep it greenspace and would become their private property. Commissioner Seidel expressed concerns with selling the property and then the owners putting up a fence so it is no longer open space. Mr. Briggs addressed you can sell it subject to a deed restriction.

Motion made by Commissioner Weldon to table this item to come back in two weeks while staff and the applicant discuss how to proceed; seconded by Mayor Leary. Upon a roll call vote, Commissioners Sprinkel, Cooper and Weldon voted yes. Mayor Leary and Commissioner Seidel voted no. The motion carried with a 3-2 vote.

City Commission Reports:

a. Commissioner Seidel – Thanked Commissioner Sprinkel for switching dates with him for his Coffee Talk. He spoke about touring cities in Eastern Europe and the town centers being preserved from when they were initially constructed. He wanted to give some thought to the old town concept as the City moves forward with figuring out the best way to preserve our historic assets.

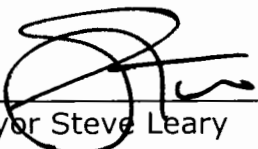
b. Commissioner Sprinkel – Spoke about her upcoming Coffee Talk and the Pulse event scheduled for Tuesday, July 12 a month after the tragedy.

c. Commissioner Cooper – Asked about the schedule for reviewing R-2 zoning codes regarding the turning radius and putting visitors parking inside a closed garage. City Manager Knight stated staff is looking at this.

d. Commissioner Weldon – Addressed being amazed at the quality of the visioning outcome and looks forward to talking about it further as they go through the Comprehensive Plan.

e. Mayor Leary – Reiterated the tragedy that took place in Dallas and that he appreciates our police department's work to keep us safe. He reminded everyone about the Orlando United event tomorrow in Central Park and thanked staff for their efforts to put this event together.

The meeting adjourned at 7:16 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC