

REGULAR MEETING OF THE CITY COMMISSION
August 22, 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. The invocation was provided by Fire Chief Jim White, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Pete Weldon

Also present:

City Manager Randy Knight
City Clerk Cynthia Bonham
City Attorney Kurt Ardaman

Approval of the agenda

Mayor Leary reported they are removing Item 'a' from the City Manager's Report.

Motion made by Commissioner Sprinkel to approve the agenda with the removal of Item 'a' from the City Manager's Report; seconded by Commissioner Seidel and carried unanimously with a 5-0 vote.

Citizen Budget Comments

Joe Terranova, 151 N. Virginia Avenue, asked to come up with an equitable way of handling the drop service from the streets to the residents (undergrounding electric). He also addressed the need to control the post office property and to determine practical ways to resolve the issues.

Mayor's Report

Former Mayor Allen Trövillion provided the history of what Winter Park used to look like and how it looks today. He spoke about growing up in Winter Park and his family history.

a. Presentation – 2016 Historic Preservation Awards

Historic Preservation Board member Genean McKinnon presented the following awards and provided the history of each historical home: 1) Excellence in Residential Renovation – the Grover House to owners William and Joanne Stange; 2) Excellence in Commercial Renovation – The Capen-Showalter House to the Albin Polasek Foundation; and Excellence in Adaptive Reuse – Osceola Lodge to the Charles Hosmer Morse Foundation.

b. Presentation – Rollins College Women's Golf National Championship

Mayor Leary presented Rollins College Golf Team Head Coach Julie Garner with a certificate for winning the National Championship. The win gave Rollins a record six

NCAA Division II National Championships led by head coach Garner. The team was present along with freshmen who will be joining the team and were congratulated.

c. Proclamation – Brett C. Railey Day

Police Chief Brett Railey was presented a Proclamation proclaiming August 26, 2016 as Brett C. Railey Day in Winter Park upon his retirement after 35 years of service in the police department. Chief Railey spoke about his time with the City.

d. Winter Park Historical Association Annual Update

Susan Skolfield, Executive Director, Winter Park History Museum, thanked the Commission for their support. She provided an overview of their accomplishments over the last year.

Board appointments:

The following appointments were made by Mayor Leary and seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote:

Board of Adjustments: Lucy Morse (alternate position)

CRA Advisory Board: Michael Clary (alternate position)

Police Pension Board: Wes Naylor

City Manager's Report

a. Confirmation of appointment of Police Chief

This item was pulled from the agenda at the beginning of the meeting. No action was taken.

b. Budget discussion

City Manager Knight commented about the list that was provided by the Commissioners as to changes they would like to see to the budget. He added that anything they receive consensus on this evening will be reflected in the ordinance in September.

Discussion ensued as to what each Commissioner wanted to see changed. The Arts Coordinator position was discussed by Commissioner Sprinkel. It was determined that the Communications Department staff will handle this. Regarding the capital request by Commissioner Sprinkel, there will be a work session to receive a presentation by the Mead Gardens group with their list of priorities to determine if the capital funds will be included in the budget.

Commissioner Cooper spoke about her preference to add another police officer to the general fund (and CRA that would have to be addressed by that board). There was no support from the other Commissioners to justify this. Regarding her

request to move the cost of street lighting from the electric utility back to the general fund, an update will be provided regarding undergrounding at the work session on September 12. Commissioner Cooper did not receive support to add funds to water and maintain our trees and for an additional 100 trees. She provided a list of other potential sources of revenue and asked if they were something the Commission needed to consider at some other time.

Commissioner Seidel addressed his preference for a funding source for transportation projects that would also handle sidewalks and traffic items. He asked for consideration of the extension of the Denning project to the south and to tie the trail into Mead Gardens. Commissioner Weldon spoke about the extension of the trail being a potential add-on that Public Works is considering as part of the plan being presented in November. Commissioner Sprinkel reminded the Commission about the Transportation Board that she wanted to see what they bring back.

Commissioner Weldon stated over the past 5 years there have been great things done such as the forestry management effort, the undergrounding program being financed that will add to the long term quality of the City, is pleased with the work of staff and past Commissions who have set the priorities, and is happy with the budget.

Mayor Leary spoke about the electric utility increase in reliability since the City took it over. He asked for additional consideration of a workforce housing plan program to see more City staff and emergency services personnel living in Winter Park. Commissioner Weldon suggested that this issue may fit also within the comprehensive plan discussions coming up and that there are areas in the City that they could plat or restructure for a residential density and mixed use that would attract what the Mayor is speaking about. He stated it would save the taxpayers directly out of pocket to subsidize it and would like to consider that. Mayor Leary stated he can support looking at that. There was a consensus to do so.

City Manager Knight addressed items that staff needed a consensus on. Discussion ensued regarding the Christmas lights in the downtown area. He displayed a picture of oak trees wrapped with lights for use on Park Avenue that he would like to investigate further with funding and some concepts. He stated they are still negotiating with the private contractor and wanted to put this item on hold for now. Discussion ensued about the red and green lights currently used that people have said are confusing and distracting drivers when driving up Park Avenue because of stop lights being the same color.

City Manager Knight addressed the Showalter track and proposed the City pay 1/3 of the cost for a high school level synthetic track. The other 2/3 funding will be provided by OCPS and the track parents. There was a consensus to budget \$99,000.

City Manager Knight addressed the State estimates for the ½ cent sales tax, communications services tax, municipal revenue sharing, and the local option gas tax. When the budget was initially presented, the estimates from the State were not available. Now that the state estimates are available the Commission agreed to amend the budget to incorporate those revenue projections.

Organizational support allocation for Mead Gardens, Historical Association, United Arts, Winter Park Day Nursery and the Dr. Phillips Performing Arts Center (DPAC) was discussed. There was a consensus to fund those as presented (and to also fund the Welbourne Day Nursery the same as the Winter Park Day Nursery).

Commissioner Cooper stated she is not uncomfortable removing support for United Arts because of the City's contribution to the DPAC. City Manager Knight addressed the cultural organizations that United Arts supports. Commissioner Sprinkel stated they also pay for students to go places and would not be in favor of cutting that funding. Commissioner Weldon agreed to continue funding.

City Manager Knight corrected the count for planting trees; we have already planted 500 trees and have a 100 on the way to be planted.

City Attorney's Report

City Attorney Ardaman updated the Commission on the bond validation proceeding. He stated there is an outside date set of December 13 but are working to move that up and accelerate the time. He stated he will let the City Manager and Commission know if there is a change.

Commissioner Cooper asked if our comprehensive plan has a future land use designation and we are going to change zoning on a piece of property that is not part of the zoning compatibility chart in the comprehensive plan, can this be done as long as the density does not increase or are we supposed to do a comprehensive plan change. Attorney Ardaman explained the zoning chart under the comprehensive plan and generally speaking you must have your zoning consistent with the future land use map chart unless you find an express textual policy that deviates from that.

Public Comments (items not on the agenda)

No public comments were made.

Non-Action Item

No items.

Consent Agenda

- a. Approve the minutes of August 8, 2016.
- b. Approve the following purchases, contracts, and bid solicitations:
 1. Purchase with Wesco Turf for golf course maintenance equipment; and authorize the Mayor to execute the price quote \$146,224.91.
 2. PR 160520 to Stuart C. Irby for construction materials for the Electric Utility (fuses and splices); \$79,692.75.
 3. Amendment No. 4 to Brown & Brown of Florida, Inc., RFP-13-2012, Insurance Agent/Broker of Record; and authorize the Mayor to execute renewal.
 4. Amendment No. 1 to Fisher & Phillips LLP, RFP-18-2015, Labor Attorney Services; and authorize the Mayor to execute renewal.
 5. Award to Leidos Engineering, LLC, RFQ-15-2016, Distribution Engineering & Substation Consultant; and authorize staff to enter into negotiations.
 6. Award to UC Synergetic LLC, RFQ-15-2016, Distribution Engineering & Substation Consultant; and authorize staff to enter into negotiations.
 7. Award to The Pizzuti Companies, RFQ-13-2016, Owner's Representative Services; and authorize staff to enter into negotiations.
 8. Award to Moore Stephens Lovelace CPA's & Advisors, RFP-12-2016, External Audit Services; and authorize the Mayor to execute contract; \$62,000 annually.
 9. Award to Symbiont Services Corporation, IFB-16-2016, Geothermal Pool Heater for Cady Way; and authorize the Mayor execute contract; \$133,285.00.

City Manager Knight addressed Consent Agenda Item 'a' (minutes of August 8, 2016). He addressed an additional comment for page 3 that Commissioner Cooper asked to be included related to the appeal that took place. City Manager Knight read the entire paragraph (what was already included in the minutes and the additional comment) as follows: "After comments, City Manager Knight stated for the record that he wanted to clear up a comment made that the motion from 2015 was to identify the library/events center going in the northeast corner (he corrected that he should have said northwest corner) of MLK Park and another Commissioner spoke about utilizing another corner in the park, so the discussion was revolving about where in the park it was being proposed." The additional comment requested to be added: "Commissioner Cooper stated she was the Commissioner that made that motion and on two separate occasions (both public hearings when they adopted the ordinance) and that her intention was to make it clear to the residents where the library was going to be located."

Commissioner Cooper clarified her intent was to be clear where the library was going to be located and that it was not going to be built downtown. Commissioner Sprinkel commented that the discussion that day was not about where it was to be located but where in the park it was going to be located. City Manager Knight clarified the context of the conversation was the decision was made that it would be

built in MLK Park. He stated he was attempting to clarify that the appellant and their attorney made the comment that a motion was made to say that it was going to be in MLK Park and was trying to clarify that the motion was the northwest corner of MLK Park.

Commissioner Cooper asked that her direct quote from the meeting be included in the minutes as her response to what the City Manager said. Upon discussion regarding the motion made at the November 23, 2015 meeting regarding the bond referendum ordinance language, there was not three votes to adjust the minutes.

Motion made by Commissioner Weldon to approve the Consent Agenda; seconded by Mayor Leary and carried with a 4-1 vote. No public comments were made. **Commissioner Cooper voted no.**

Action Items Requiring Discussion

a. Review and approval of five new proposed historic preservation incentives

Staff requested the consideration of the addition of five new incentives to the historic preservation incentive package for adoption and implementation for FY 2016/17. The proposed incentives were as follows: 1) reduced or waived building permit fees; 2) undergrounding of electric services; 3) rehabilitation grants; 4) streetlights for Districts; and 5) preparation of National Register applications.

Planning Director Dori Stone explained each proposed incentive and staff's recommendations as thoroughly discussed by the Historic Preservation Board. She stated that they will work to come up with other incentives to bring forward and that these are a start to help determine if there are interested individuals. Ms. Stone addressed the \$50,000 budgeted to begin funding of the recommended incentives.

Each incentive was discussed, Commission preferences were brought forward and questions were answered by Ms. Stone. The \$50,000 budgeted was addressed that it could go very quickly and that staff can come back and request more funding during the year if needed. The need to preserve legitimate historic structures by those who share those values that he wanted to encourage was addressed by Commissioner Weldon.

Motion made by Mayor Leary to approve incentive #1, reduced or waived building permit fees; seconded by Commissioner Cooper.

Motion made by Mayor Leary to approve incentive #2, undergrounding of electric services; seconded by Commissioner Cooper.

Motion made by Mayor Leary to approve incentive #3, rehabilitation grants; seconded by Commissioner Cooper.

Motion made by Mayor Leary to approve incentive #5, preparation of National Register applications; seconded by Commissioner Cooper.

Motion made by Commissioner Sprinkel to approve incentive #4, streetlights for Districts at 50% of the cost; seconded by Commissioner Cooper.

The following spoke in support of the proposed incentives:

Christine French, 656 N. Park Avenue, new Executive Director of Casa Feliz
Joe Terranova, 151 N. Virginia Avenue

Mayor Leary asked about the cost for streetlights and since there was not a cost provided at this time, he was uncomfortable approving this incentive without knowing what they are committing to.

Motion amended by Mayor Leary concerning incentive #4, streetlights, that prior to any commitment from the City for a District streetlight program that it requires Commission approval (and would only be for individually designated resources and not districts); seconded by Commissioner Sprinkel.

Commissioner Cooper expressed concerns that this may cause people to hesitate because they may worry it will become a political issue and maybe a dollar cap could be placed on it. Mayor Leary stated he could not support that because the dollar amount could be significant for a future Commission and that they should make that type of decision.

Mayor Leary clarified his understanding that this is for individual homes and not districts which is how he based his motion. Ms. Stone stated it was intended for incentive #2, undergrounding of electric services, to be both individually designated resources and districts. **Commissioner Cooper withdrew her second to the motion made above to approve incentive #4; that her motion included both individually designated resources and districts.**

Motion seconded by Commissioner Weldon to approve incentive #4 at 50% of the cost for individually designated resources only. Commissioner Weldon expressed the need to be careful because \$3,000 a house for every house in the District is a lot more than the cost of the streetlights and they need a budgetary reality included to make it clear to future Commissions. It was clarified that the Districts would vote themselves whether or not they want streetlights and they are not mandatory.

Amendment made by Commissioner Cooper to approve incentives 1-5 as presented by staff (which includes Districts in incentive #2); seconded by Commissioner Seidel. Upon a roll call vote, Mayor Leary and Commissioners

Seidel, Sprinkel and Weldon voted no. Commissioner Cooper voted yes. The motion failed with a 4-1 vote.

Commissioner Sprinkel withdrew her motion to approve incentive #4.

Upon a roll call vote to approve incentive #1, reduced or waived building permit fees, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote to approve incentive #2, undergrounding of electric services, as presented and for individually designated resources only and not districts, Mayor Leary and Commissioner Sprinkel voted yes. Commissioners Seidel, Cooper and Weldon voted no. The motion failed with a 3-2 vote.

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

Upon a roll call vote to approve incentive #5, preparation of National Register applications, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

After further discussion, there was a consensus that incentives 2 and 4 will go back to the Historic Preservation Board for further work before coming back to the Commission.

b. Permitting process and policies for temporary signage on public property

Fire Chief Jim White addressed this item and the struggles that code enforcement faces with the display of snipe signs and when the signs are in conflict with approved programs/projects that appear in those same locations that are in violation of the sign code. He asked that a process/policy be put into place for when a supported program comes before the City Commission or City Manager and involves the placement of signage in the public right-of-way.

Upon comments and discussion, there was a consensus not to take action on this item and that they enforce the sign code as it currently stands. It was agreed that if they are approached by outside entities that want to promote a particular event with a sign, code enforcement will tell the requester that they cannot post their sign.

Kathy Keily, 1800 Oneco Avenue, agreed with the Commission with not taking action on this item and to not allow signs to be placed on City property.

Recess

A recess was taken from 6:28 – 6:43 p.m.

Public Hearings:

a. Request of Walter Ray for the property at 2281 Nairn Drive:

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 LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 2281 NAIRN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE First Reading

CONDITIONAL USE APPROVAL UNDER THE CLUSTER HOUSING PROVISIONS OF R-2 ZONING TO BUILD A THREE UNIT CLUSTER HOUSING PROJECT OF TWO-STORY TOWNHOUSES AT 2281 NAIRN DRIVE, ON PROPERTY TO BE ZONED R-2, PROVIDING FOR CERTAIN EXCEPTIONS AND FOR A DEVELOPMENT AGREEMENT, IF REQUIRED.

Attorney Ardaman read the ordinance by title. Planning Manager Jeff Briggs explained the Office zoning history of the entire area that was established by Orange County prior to annexation which creates challenges when property owners want to go from single family to R-2; but not to Office zoning. He stated this is a significantly lesser designation and previous city attorneys have concurred with the method of only changing the zoning even though it does not match completely what the Comprehensive Plan says is compatible because it is far less than what the future land use would otherwise allow. On six other previous rezonings to R-2, this has been the method agreed to by the city attorney. With respect to the particular conditional use request, he displayed the layout for the three unit townhouse project being proposed. He addressed the one neighbor at the Planning and Zoning Board meeting who was concerned about the driveway going on their property so P&Z added a condition to address this.

Commissioner Cooper expressed that we have a future land use map that says Office, we have a single family use and have an applicant wanting R-2. She asked if the city attorney was comfortable not doing a comprehensive plan map amendment. Attorney Ardaman stated that he understood the position that previous city attorneys have taken as there have been a number of these that have been allowed regarding what is being proposed this evening to occur. Mr. Ardaman suggested that since the City is in a Comprehensive Plan rewrite effort at this time, that staff could add a provision that was clear to authorize this and not take away anything that now exists or that the owners of the property could request a change from Office to a residential future land use map designation. He stated the easiest way to solve this is to add the residential permission to the planning area for this neighborhood which allowed R-2 zoning but did not take away the office future land use that is there. Commissioner Cooper stated she is not comfortable that this complies with our comprehensive plan.

Attorney Ardaman stated if you wanted to change the area, there is a policy in place already that allows a sub-area and focus on this area that says the properties that have it in place

now and if there are any vacancies to add that specific residential component to the future land use map or to the comprehensive plan.

Applicant Eric Ray was available for comments. Commissioner Cooper asked Mr. Ray if he had any issues with changing the future land use and the comprehensive plan to match their zoning. Mr. Gray was unsure how to answer the question.

Attorney Ardaman clarified the Commission is contemplating approving the rezoning and conditional use permit with the contingency that the City process a comprehensive plan future land use map change for his property to make it residential or do a planning area amendment that would then resolve the issue for the other six properties in similar situations. He stated his preference was the planning area amendment as this would resolve the issue for this property, resolve the previous actions and provide a method for future similar requests.

After further discussion, **motion made by Commissioner Sprinkel to approve the rezoning as it has come to us from P&Z and that staff go back and come forward with the best recommendation to address the Comp. Plan policy issue in the neighborhood sometime in the near future, as was discussed by the city attorney; seconded by Commissioner Weldon.**

Motion amended by Commissioner Cooper that a condition of this approval include permission to administratively re-designate this property to a compatible future land use designation of low density residential.

Jose Ray, father of applicant, expressed concerns with putting a condition on this property and everything else becomes offices in the future they would be surrounded by large buildings next to them and that condition should be made for all the properties. He stated they have no intention of building an office there.

Attorney Ardaman stated the motion and amendment addresses Commissioner Weldon's concern that it be done for the entire area and that the action would be the administrative amendment.

Amendment by Commissioner Cooper seconded by Commissioner Seidel. Upon discussion that if they take the initial motion to approve the request, and direct staff to go back and add a future land use designation, this can move forward. **Amendment withdrawn by Commissioner Cooper.**

Upon a roll call vote on the motion to approve on first reading, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Leary to approve the conditional use request, with the conditions by P&Z, seconded by Commissioner Weldon. Upon a roll call vote on the motion to approve, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

- b. Request of Ron Scarpa and Bob Walker: Subdivision or lot split approval to divide the property at 2098 East End Avenue, zoned R-1A into two single family building lots

Planning Manager Jeff Briggs explained the lot and the request to divide it as it was originally platted. He explained there are variances since the lots are undersized and that the Planning and Zoning Board believed the lot split and variances were justified. He showed the layout of the two lots and the existing home on the corner lot. He stated that the applicants want to preserve that home and remodel it for sale to keep things as they are on that property. He stated they are also willing to preserve the large oak tree in the back yard by providing an easement to the City. He addressed the interior vacant lot and the condition of the older laurel oak tree. He stated that will be taken down as a result of the lot split but that P&Z has a condition that nothing will be built on that vacant lot until the site plan, elevations and floor plans for the new home are approved by the P&Z Board. Commissioner Cooper asked if the house is on septic tank. Mr. Briggs responded that the entire neighborhood is on septic tank.

Applicant Ron Scarpa addressed the concession made as to what the neighbors wanted but also to be able to develop the property to the south. He addressed the oak tree in the right-of-way that they agreed to also preserve. He stated both properties will be on septic and their intention is to preserve the home currently there. He explained their commitment to keep the character of the neighborhood with the smaller size of the home being built.

Motion made by Commissioner Weldon to approve the request as presented, seconded by Commissioner Sprinkel.

Stephen Combs, 2812 Woodside Avenue spoke in opposition to the request because of wanting to preserve the scale within the neighborhood with the lot sizes. He spoke about the lack of 50' lots.

Commissioner Seidel stated he spoke with the applicant and to Mr. Combs this afternoon who had a concern with the scale within the neighborhood. He addressed the importance to keep the character of the neighborhood and expressed concerns with removing the laurel oak tree.

Commissioner Cooper expressed her reservations with adding another septic tank in this area and did not agree with allowing a variance to make that happen. She stated the square footage is smaller than the standard R-1A lot, the frontage is smaller than our zoning requirement both in the way of frontage and the way of square footage and it adds another septic tank when we have a policy that we are trying to move away from them.

Mr. Scarpa addressed the laurel oak tree that is not in perfect health but is still a nice tree but where it is located is extremely difficult to try and split the lot. He stated the tree will be dealt with in the future and will go through the process with

the City. He spoke about the septic tanks that require an aerobic treatment system that is a much cleaner affluent that they will have to put in on both lots. It was clarified that City sewer is not present anywhere in that neighborhood because of being old Orlando.

Commissioner Weldon asked Attorney Ardaman if the City has any authority to deny an approval based on the property requiring a septic tank because there is no sewer hookup. Attorney Ardaman stated if they meet the requirements of the subdivision lot split and there is nothing else showing a reason not to approve this, that is not an issue for denial.

Commissioner Sprinkel addressed the area being predominantly 50' lots and that the lot split is in keeping with the neighborhood. Commissioner Weldon also commented about the large number of 50' wide lots that are 139' deep or more in Mr. Combs' neighborhood and that they are not approving something that is not typical of the neighborhood. He reminded everyone that someone else could build a 5,700 square foot house on that lot without the Commission having a say in that.

Commissioner Seidel asked about the height of the home being built. Mr. Scarpa explained his suggestion to go to 38% on the FAR.

Upon a roll call vote to approve the request, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

- c. Request of the Interlachen North Partners, LLC: Conditional use approval to redevelop the property at 503 North Interlachen Avenue with an eight unit, three story residential project

Planning Manager Jeff Briggs addressed the property to be redeveloped. He stated that Interlachen North Partners LLC are the new owners of the Casa Disena apartment property that originally had 10 apartments that will be removed and redeveloped into eight unit condominiums. He stated the project is close to or slightly below the maximums allowed under R-3 zoning and is within the R-3 code requirement. He spoke about the driveway that leads to underground parking. He stated the developers and neighbors have met and have come to agreement on a construction methodology to protect all the surrounding properties (condition #4 from Planning and Zoning Board meeting).

Discussion ensued regarding construction related parking. Commissioner Cooper expressed concerns with construction and demolition times and asked if the start time could be changed through the construction management plan. Building Director Wiggins stated they have done that with regard to demolition and that an operational demolition time limit has been set from 7:30 a.m. to 5:00 p.m., Monday-Friday only. He stated they also have the capacity through the construction management plan to require ways for the developer to provide worker parking off-site. Mr. Wiggins explained the process for dealing with asbestos. Commissioner Sprinkel asked that the neighbors that live close by are aware of the schedule for this project, including deliveries. Mr. Wiggins commented that they will make the superintendent and contractor phone numbers available to all surrounding neighbors.

Applicant Randall Slocum, Slocum Platt Architects, was available for questions.

Motion made by Commissioner Sprinkel to approve the conditional use request, including all the P&Z conditions, seconded by Mayor Leary.

Motion amended by Commissioner Cooper that the time for demolition not start until 8:00 a.m.; seconded by Commissioner Seidel for discussion.

Nancy Rossman, principle of the developer, expressed concerns with the amended start time. She stated they always try to work with the neighbors and be good developers. She preferred not to have this as a condition but will be willing to speak with their subcontractor once the bid is awarded to see if it can be worked out.

John Beck, 457 N. Interlachen Avenue, stated they worked out an agreement with the developer because of concerns with damages to their properties. He expressed concerns with no parking at the site for workers and asked that be considered because of blocking the streets. He requested that a stop sign be installed at the intersection of Canton and Interlachen because of speeders.

Rudy Hlavek, Interlachen North Partner LLC, 333 N. Interlachen Avenue, spoke in favor of the development. He asked for consideration of the four way stop at Canton/Interlachen, to reduce the speed limit from 25 to 20 mph, and put a stanchion at the crosswalk across from the clubhouse at Interlachen.

Linda Eriksson, 535 N. Interlachen, spoke in opposition to the project because of the size and architectural integrity of the design and the need to save the building for historical and affordable housing purposes.

Grady McClendon, 535 N. Interlachen Avenue, #106, opposed the project because of the proposed building architectural style that does not look like his neighborhood and because of the history of the current building.

Eric Rosoff, 1247 Via Salerno, past owner of the building, spoke in favor of the proposed project. He asked for support for Mr. Beck's and Mr. Hlavek's request because of speeding. He spoke about how good the neighbors have always been there.

After comments regarding the demolition time versus construction time, **amendment withdrawn by Commissioner Seidel as the seconder. Amendment made by Commissioner Cooper that the start time for both the basic construction time and the demolition time both are 7:30 a.m.; seconded by Commissioner Seidel.**

Upon a roll call vote on the amendment, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The amendment carried unanimously with a 5-0 vote.

Upon a roll call vote on the main motion to approve the conditional use request with all P&Z conditions included, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.

- d. Request of New Hope Baptist Church: Conditional use approval to use the portable buildings on their church property for Sunday School classroom space and Fellowship Hall activities in conjunction with the church at 274 N. Capen Avenue, zoned R-2

Planning Manager Jeff Briggs brought forth the request regarding the two buildings that were moved and then approved to be relocated onto the property in 2012. He elaborated on the background of this request due to the death of Pastor Phillips. He stated the church is asking to amend their conditional use approval in order to use the two portable buildings for Sunday School classrooms and Fellowship Hall space. He stated the church has completed their renovations, driveway, parking, stormwater retention, landscaping and irrigation. He clarified that the daycare option is no longer a viable option and likely never was. He explained what transpired when the portables were first moved to the property.

Motion made by Commissioner Seidel to approve the conditional use request; seconded by Commissioner Cooper.

Daughter of Pastor Phillips, Jonna Griffin (youngest daughter) and executor of his estate, asked for approval of the request and recognized her sister Tara Phillips and other church members present. Mayor Leary spoke about the Commission's difficulty with this, not a reflection of their church or mission but was more about the process that took place. She spoke about the church being a historical site and that they would be willing to consider a historic designation for the church.

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.

- e. RESOLUTION NO. 2176-16: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF LANDSCAPE CONSTRUCTION AND MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF WINTER PARK CONCERNING LANDSCAPING IMPROVEMENTS WITHIN A PORTION OF THE RIGHT-OF-WAY OF U.S. HIGHWAY 17/92; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title. Commissioner Cooper asked who approves the non-standard materials that are going in the right-of-way. Assistant Public Works Director Don Marcotte explained for the City right-of-ways the City approves them but the FDOT requires a resolution so the Commission can approve the agreement for the pavers in their right-of-way.

Motion made by Commissioner Cooper to adopt the resolution; 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.**

- f. RESOLUTION NO. 2177-16: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE REQUIRED ASSURANCES INCLUDED WITHIN THIS RESOLUTION IN ACCORDANCE WITH THE REQUISITE LIBRARY CONSTRUCTION GRANT REQUIREMENTS ESTABLISHED BY THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, FOR THE PURPOSE OF SECURING A PUBLIC LIBRARY CONSTRUCTION GRANT; AND PROVIDING FOR AN EFFECTIVE DATE

Attorney Ardaman read the resolution by title. City Manager Knight explained this is the grant previously discussed that has to be done from the City.

Motion made by Mayor Leary to adopt the resolution; seconded by Commissioner Sprinkel.

Winter Park Public Library Executive Director Shawn Shaffer explained there is no issue with the language in the resolution only speaking to the library and that the exact conditions were placed on them in the 1990's when they added the third floor. No other 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.

City Commission Reports:

a. Commissioner Seidel - Asked about the traffic sign request at Canton/Interlachen. It was clarified that staff will review this. He asked about future discussions regarding the other two historic preservation incentives that will go back to the board. They will come back in a future time.

b. Commissioner Sprinkel - No report.

c. Commissioner Cooper - Asked now that the issue of the bond referendum is put to bed and we know there is going to be a new library and will allow up to a \$30 million bond for it, if the Commission has a desire to allow the residents to vote relative to location. Mayor Leary stated the residents have already voted on the location. Commissioner Weldon commented that the bond validation hearing will indicate what will happen at that time. Commissioner Seidel stated they need to let the courts decide and then react.

d. Commissioner Weldon - Commented that it feels like the year 2007 when meetings went very late.

e. Mayor Leary - Spoke about the loss of Blair Culpepper who was a great member of the community and will be missed.

The meeting adjourned at 8:36 p.m.



Mayor Steve Leary

ATTEST:



City Clerk Cynthia S. Bonham, MMC