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 Pastor Todd Haymans, Aloma Baptist Church; followed by the Pledge of Allegiance led by Abigail & Emma Saint’Gregory and Alexander, Catherine & Victoria Doyla.

Members present:
Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper (arrived 3:35)
Commissioner Pete Weldon

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

Approval of the agenda

Motion made by Mayor Leary to approve the agenda; seconded by Commissioner Sprinkel and carried with a 4-0 vote. Commissioner Cooper was absent for the vote.

Mayor’s Report

a. Presentation - Winter Park High School Principal Tim Smith

Orange County School Board member Joie Cadle and Winter Park High School Principal Tim Smith presented a Proclamation of Gratitude to Police Chief Mike Deal, Fire Chief Jim White and Parks and Recreation Director John Holland for their continued support.

b. Presentation of check to the City from the Winter Park High School Foundation

Members of the Foundation presented Mayor Leary with a check for $99,100 for their final share for Phase I of the Showalter Field project as part of their partnership with the City, Rollins College and Orange County Public Schools (OCPS).

City Manager’s Report

City Manager Knight mentioned the first anniversary of the Pulse tragedy and the City’s tribute in front of City Hall.

City Manager Knight spoke about the CRA work session scheduled for Tuesday, July 11 that they would like to reschedule for August because they will know how to properly factor any possible cost associated with parking as part of the CRA discussion. There was a consensus to schedule this in August. Commissioner Sprinkel asked that the City Manager’s Report be included again in the packet.
Commissioner Cooper asked about the Transportation Advisory Board discussing adaptive signalization and whether it makes sense for Winter Park. City Manager Knight will find out the status. She also asked if the Development Review Committee (DRC) had their meeting on Bennett Avenue; it was clarified that has not yet happened.

City Manager Knight announced that Mayor Leary has been elected to the Board of Directors of the Florida League of Mayors.

Commissioner Seidel asked about quiet zones. City Manager Knight spoke about going out to bid and the prices came in a lot higher than anticipated so they have been working with the DOT to re-plan the intersections. That has been completed and an agreement was signed last week by the City Manager that modified the project to be able to complete it for the amount of funds of the grant and what the City budgeted. Mr. Knight addressed the changes made to the agreement that included extra gates at the Fairbanks intersection and that the median at Orlando Avenue is no longer going in.

The railroad crossing at Minnesota Avenue was addressed regarding the minor improvements to make it smoother. On July 28 they will be leveling the rails and the City will asphalt so the crossing will be closed the entire weekend.

City Attorney’s Report

Attorney Ardaman reported that the memory care mediation is scheduled for June 29.

Non-Action Item

No items.

Consent Agenda

a. Approve the minutes of May 22, 2017. PULLED FROM AGENDA FOR DISCUSSION BY COMMISSIONER COOPER.

b. Approve the piggyback contract with MUSCO Sports Lighting, LLC; and authorize the Mayor to execute the agreement. PULLED FROM AGENDA FOR DISCUSSION BY MAYOR LEARY.

Consent Agenda Item ‘a’ – Minutes:

Commissioner Cooper addressed page 5 of the minutes regarding Attorney Ardaman’s suggestion that the Commissioners not send emails and advisory positions to other Commissioners (under Commissioner Sprinkel’s report). Upon discussion, motion made by Commissioner Cooper to approve the minutes with the addition of words prior to the last sentence on page 6 of the agenda packet “Although not prohibited, he cautioned, etc.”; seconded by Mayor Leary and carried unanimously.
Mayor Leary also addressed an email from the City Clerk with a request from Commissioner Cooper to add two other motions she made that were ruled out of order. Upon discussion, the additional wording will not be added as it was determined not to be necessary.

**Consent Agenda Item ‘b’:**

Mayor Leary asked for more information about the lighting contract. City Manager Knight explained this is the ongoing effort to replace all the lighting at the tennis courts and ballfields and is a piggyback contract bid by another community. He explained this is for the poles and the lights.

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

**Action Items Requiring Discussion**

a. Review of the Notice of Disposal (NOD) for 1111 W. Fairbanks Avenue (former Bowl America site)

Planning Director Dori Stone presented the preliminary Notice of Disposal for the former Bowl America site that will be used to advertise the surplus property located at 1111 W. Fairbanks Avenue. She addressed the direction of the Commission on April 24 to prepare this notice and asked for review and make any changes the Commission agrees to. She explained the 20’ of the property that the City will retain on the southern portion of the property along Fairbanks Avenue and an additional 3’ along Harper Street for right-of-way purposes. She also addressed the appraised market value to be $2.96 million and the NOD process to be followed. Ms. Stone asked for clarification of certain points within the NOD and other points for consideration to be added to the NOD. Ms. Stone answered questions of the Commission and received a consensus regarding the removal of certain wording.

Commissioner Cooper asked to remove the word ‘currently’ under Site Information (2nd paragraph) regarding the C-2 zoning. She also asked to elevate the formatting as was done for the preferences they do not want included so ‘additional consideration will be given to development that provides public benefit, etc.’ stands out so any design for consideration is sensitive to the view both from Fairbanks Avenue and the park.

**Motion made by Commissioner Sprinkel to approve the NOD as presented; seconded by Commissioner Weldon.**

(Amendment #1) Motion amended by Commissioner Sprinkel that the NOD include a minimum bid of $2.96 million; seconded by Commissioner Seidel.
(Amendment #2) Motion amended by Commissioner Weldon to approve the two recommendations stylistically that Commissioner Cooper brought up (removing the word 'currently' and to bullet point the additional positive considerations); seconded by Commissioner Cooper.

Motion amended by Commissioner Cooper to change where it currently says "the City will retain 20' along Fairbanks Avenue" to 50'. Motion failed for lack of a second.

Bobby Palta, CBRE, addressed the average market time for prime real estate. He agreed that 30 days is on the minimal side but will get good options within the 30 days but if it were extended for an additional 15 days that may be more feasible.

(Amendment #3) Motion amended by Commissioner Cooper to change the marketing on the property from 30 to 45 days (will pre-advertise for 15 days prior to the official advertisement of the NOD); seconded by Mayor Leary.

The following spoke in opposition to either the process and/or selling the property (either at this time or at all because of wanting to keep as parkland):
Charley Williams, 757 Antonette Avenue
Joe Terranova, 151 North Virginia Avenue
Beth Hall, 516 Sylvan Drive
Bob Bendick, 1211 Oxford Road
Sally Flynn, 1400 Highland Road
Forest Michael, 358 W. Comstock Avenue
Elizabeth Bosserman, 818 Antonette Avenue
Michele Massoni-Dubuc, 508 Balmoral Road
Bonnie Ferguson, 700 Melrose Avenue
Pat McDonald, 2348 Summerfield Road
Barry Greenstein, 2348 Summerfield Road
Mary Randall, 1000 S. Kentucky Avenue
Penny Potter, 1360 Canterbury Road
Linda Eriksson, 535 N. Interlachen Avenue
Martha Bryant Hall, 331 W. Lyman Avenue
Lurline Fletcher, 811 English Court

Nancy Shutts, 2010 Brandywine, was not opposed to selling the property because of seeing it as a commercial corridor but was concerned with parking issues in the City, it being unsafe to have ballfields there, that the price tag is high for greenspace and wanted to make sure all options have been weighed before moving forward with the NOD.

(Amendment #4) Motion amended by Commissioner Seidel that we include that bidders are not limited to one bid and one approach; seconded by Commissioner Cooper.
Commissioner Seidel asked about the size of the property and the market value. He commented about having a lot of questions about what could be done with the property and wanted more time to think about it to be sure they are doing the right thing. Commissioner Cooper expressed being uncomfortable with the process and suggested tabling this so it can be presented to the Parks Board to evaluate it.

Motion made by Commissioner Cooper that this decision be tabled and sent back through our Parks Board for careful evaluation and alternatives as to the use of this property to be brought forward to this board. Motion failed for lack of a second.

Motion made by Commissioner Seidel to table this for three months to have more evaluation done with the appropriate departments (go to the Parks Board, have a work session, go to the Utilities Advisory Board, and go to the Transportation Advisory Board); seconded by Commissioner Cooper. Upon a roll call vote, Mayor Leary and Commissioners Sprinkel and Weldon voted no. Commissioners Seidel and Cooper voted yes. The motion failed with a 3-2 vote.

Commissioner Sprinkel stated this property was for solving intersection issues and for a turning lane on Fairbanks; was not for an expansion of the park which is why the various boards were not involved with the decision to sell this property. She stated she is in agreement with obtaining more parkland but that this is not the right location. She spoke about the emails she has received in agreement with selling the property.

Commissioner Cooper expressed her preference that this property becomes parkland.

Commissioner Weldon spoke about his support for the NOD and that he looks forward to reinvesting the money (or a portion of) from the sale of the property for park improvements and other acquisitions that he finds more strategically suitable for the City and residents long term than this property.

Mayor Leary spoke that this property was never meant to be parkland which is why it did not go through the Parks Board. He stated this sale has not been rushed and has been discussed for over a year. He spoke about other locations in the City that are best suited for playing fields. He addressed his support for parkland and has proven to the community their commitment to parks and that this is not the best site for that purpose.

Upon a roll call vote on the first amendment (see above), Mayor Leary and Commissioners Cooper and Weldon voted no. Commissioners Seidel and Sprinkel voted yes. The motion failed with a 3-2 vote.
Upon a roll call vote on the second amendment (see above), Mayor Leary and Commissioners Seidel, Cooper and Weldon voted yes. Commissioner Sprinkel voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the third amendment (see above), 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 on the fourth amendment (see above), 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 with the amendments that were accepted, Mayor Leary and Commissioners Sprinkel and Weldon voted yes. Commissioners Seidel and Cooper voted no. The motion carried with a 3-2 vote.

Public comments (items not on the agenda)

Lurline Fletcher, 811 English Court, addressed a concern with a house being built on her street and that she was not notified that a house is being built there. She was directed to go to the Planning Department for information as the Commission does not have that type of information.

Public Hearings:

a. Request of Kim Neitzel:

   AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING REGULATIONS” SECTION 58-72 “OFFICE (O-1) DISTRICT” AND SECTION 58-73 “OFFICE (O-2) DISTRICT” SO AS TO ALLOW VETERINARY CLINICS AS A PERMITTED USE SUBJECT TO LIMITATIONS ON A SINGLE TENANT BUILDING AND SEPARATION FROM RESIDENTIAL; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE

   First Reading

Attorney Ardaman read the ordinance by title. Planning Manager Jeff Briggs addressed the request of Garden Veterinary Clinic to move into the City to 1479 Gene Street which is zoned Office. He stated this property is a medical building that has been for sale for two years and that more veterinary clinics are needed. He stated staff proposed this ordinance on behalf of the applicants and that it provides protections with only allowing vet clinics if they are in a single tenant building, are 200’ feet away from residential, is not a hospital providing 24 hour usage and there are no outside pens causing noise problems. He addressed the positive recommendation from staff and the Planning and Zoning Board.

Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Mayor Leary.
Commissioner Cooper spoke about the current zoning codes and the current commercial zoning code requiring veterinarians to be 250’ from residential. She asked if the intention is to bring them a change to commercial to bring consistency across the codes. Mr. Briggs stated he wants to do that. He verified there will be no overnight boarding. Commissioner Cooper submitted information for the record pertaining to animal care businesses and zoning. She expressed her preference to allow animal care businesses as a conditional use in O-1 only; not as a permitted use. Commissioner Weldon disclosed his conversation with the owner of the property.

Applicant Kim Neitzel confirmed there will be no overnight boarding or hospitalization and that she wants to beautify the property.

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. A RESOLUTION OF THE CITY COMMISSION OF WINTER PARK, FLORIDA, REPEALING AND REPLACING THE POLICY GOVERNING CITY USE OF SOCIAL MEDIA AND EXTERNAL INTERNET TO UPDATE AND CLARIFY THE CITY’S POLICIES GOVERNING CITY USE OF SOCIAL MEDIA AND EXTERNAL INTERNET AND TO ADOPT POLICIES AND RECOMMENDATIONS REGARDING THE USE OF PERSONAL SOCIAL MEDIA ACCOUNTS BY CITY COMMISSIONERS AND OTHER CITY BOARD MEMBERS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

Mayor Leary provided his preference to obtain further clarification regarding the public recordkeeping portion and asked to table this.

Commissioner Weldon expressed concerns with people using his name to post something that he had no part of and did not state and with allowing anonymous comments or commentary from someone pretending to be somebody else. He wanted to see real comments from real people explaining what they are thinking and why. Commissioner Cooper submitted comments from the First Amendment Foundation based on their review of the proposed social media policy and asked that those comments be reviewed by staff.

Motion made by Mayor Leary to table this item to allow more time to speak with staff; seconded by Commissioner Weldon. 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.

There was a consensus to schedule a work session to discuss the handling of social media. Communications Director Clarissa Howard explained that the current policy is from 2009 and since social media has become so popular there is a need to bring this forward to clarify our policy with public records and custodians of public records. Ms. Howard spoke about keeping personal accounts separate from having City accounts.
City Commission Reports:

a. Commissioner Seidel – Asked about the bond rates we received. City Manager Knight explained they received 14 bids and the winning bidder was 2.66%. He was very pleased with this because the residents will see a lower impact than they thought when the library/events center was voted upon.

b. Commissioner Sprinkel – Stated she will be talking to the Winter Park Youth Leader Group here next week.

c. Commissioner Cooper – Complimented Planning Director Dori Stone for the parking summit held and the way she handled the public wanting to provide input. She thanked staff for the board appreciation event. Asked if Commissioners are going to send out emails using her email list that she has built that everyone follow the same rules she follows and state, "The opinions expressed are your own and not the opinion of the Commission" and give people the ability to unsubscribe.

d. Commissioner Weldon – Spoke about Commissioner Cooper’s request and that he reviewed the email with the City Manager he sent out regarding the bowling alley in response to blog emails that went out to a similar list. He commented that he put the disclosure at the top of the linked message, all emails are done by a regular service and offers an unsubscribe link at the bottom. He also spoke about the great opportunity they have to work together and find consensus for a large range of things that will benefit the City in the future because of being in such a good position financially.

e. Mayor Leary – Reported the passing of Rich Palmano, Shay Silver, and George Herbst. He thanked the Commission for the gracious way they handled the bowling alley property item this evening because of all the misinformation and partial information out there.

The meeting adjourned at 5:57 p.m.

Vice Mayor Pete Weldon

ATTEST:

City Clerk Cynthia S. Bonham, MMC