REGULAR MEETING OF THE CITY COMMISSION
NOVEMBER 26, 2018

Mayor Steve Leary called the meeting of the Winter Park City Commission to order at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Finance Director Wes Hamil, followed by the Pledge of Allegiance.

Members present:
Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper (arrived 3:37)
Commissioner Pete Weldon

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

Approval of agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Weldon and carried with a 4-0 vote (Commissioner Cooper was absent).

Mayor's Report

Mayor Leary commented about heading home from the holiday and the kind people who stopped to help a gentleman who was injured in a car accident.

City Manager’s Report

City Manager Knight addressed the parks master plan work session scheduled for the next meeting and asked that everyone provide any questions or comments to him beforehand.

City Manager Knight provided an update on the library and events center.

Commissioner Seidel asked about the Seminole County ditch drainage issue that is on the City Manager’s Report. He asked that the work be completed before the rainy season. Mayor Leary will address this with Don Marcotte.

City Attorney’s Report

No report.

Non-Action Items

No items.
Consent Agenda

a. Approve the November 12, 2018 Commission minutes.
b. Approve the license agreement for use of the parking lot at 941 W. Morse Boulevard for overflow and valet parking for The Canopy.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Weldon and carried unanimously with a 5-0 vote. There were no public comments made.

Action Items Requiring Discussion

a. Installation of informational buoys on the Winter Park Chain of Lakes

Public Works Director Troy Attaway addressed the draft plan showing where the buoys could be placed and that the FWC approved the proposal. He stated this is for the Commission to confirm if they are going to move forward with placing the buoys.

Mayor Leary spoke about the Lakes and Waterways meeting minutes that a board member wanted to clarify. Commissioner Cooper addressed her preference that the lakefront property owners be a part of a forum to discuss this issue. She spoke about her neighbors that are in support of the buoys and wanted their alcove to be included in the test trial.

After discussion and further comments, motion made by Commissioner Sprinkel to approve staff’s recommendation; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote. Jim Barnes, 7 Isle of Sicily, spoke in favor of the installation of buoys because of safety concerns.

Public Hearings:

EXECUTION OF A FORWARD PURCHASE CONTRACT; AND PROVIDING AN EFFECTIVE DATE Second Reading

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.


Motion made by Commissioner Sprinkel 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.

c. Request of Benjamin Partners:

ORDINANCE NO. 3128-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO AN ORANGE COUNTY PLANNED DEVELOPMENT FUTURE LAND USE DESIGNATION ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE Second Reading

ORDINANCE NO. 3129-18: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO ORANGE COUNTY PLANNED DEVELOPMENT (PD) DISTRICT ZONING ON THE PROPERTY LOCATED AT 1308 LOREN AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE Second Reading

Attorney Ardaman read both ordinances by title. There were no public comments made.
Motion made by Commissioner Sprinkel to adopt the comprehensive plan ordinance; 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.

Motion made by Commissioner Sprinkel to adopt the zoning ordinance; 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.

d. Request for an extension of the Conditional Use approval at 345 Carolina Avenue

Planning Manager Jeff Briggs explained the request was made because the project is not ready to begin and are asking for three additional years after the expiration of the current approval of August 2019.

Attorney Grant Downing, representing the applicant Sid Cash who was present, spoke in support of the request.

Motion made by Commissioner Sprinkel to approve the extension, seconded by Commissioner Cooper. 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. AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE MEDIUM DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION TO OPEN SPACE AND RECREATION WITH A CONSERVATION OVERLAY FUTURE LAND USE DESIGNATION ON THE 3.12 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL, ON THE EAST SIDE OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE First Reading

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO PARKS AND RECREATION (PR) DISTRICT ZONING ON THE 3.12 ACRES OF PROPERTY LOCATED AT 2899 TEMPLE TRAIL, ON THE EAST Side OF TEMPLE TRAIL ADJACENT TO HOWELL CREEK, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE First Reading

Attorney Ardaman read both ordinances by title. Planning Manager Jeff Briggs explained this one parcel purchased to the wetlands was not zoned parks and
recreation and was part of the multi-family residential because it used to belong to the parent tract where the townhouses are located on Temple Trail. No public comments were made.

Mr. Briggs addressed a parcel adjacent to the street where the creek is located that has a name in the tax rolls and has no value or address or who the owner is so it sits as a piece of private property (is the water of the creek). City Manager Knight explained the research showed the owner of the property passed away decades ago and will take some work to determine who is the owner. Attorney Ardaman will research how to acquire this piece.

**Motion made by Commissioner Sprinkel to accept the first ordinance on first reading; 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.**

**Motion made by Commissioner Sprinkel to accept the second ordinance on first reading; 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.**

**f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING REGULATIONS”, SECTION 58-87 “LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, WETLANDS, BOATHOUSES AND DOCKS” SO AS TO MODIFY THE REQUIREMENTS FOR BOATHOUSE AND DOCK APPROVALS BY THE LAKES AND WATERWAYS BOARD; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE First Reading**

Attorney Ardaman read the ordinance by title. Planning Manager Briggs explained the ordinance streamlines the approval process so docks and boathouses that meet code will no long require Lakes and Waterways Board approval. He stated the Board will hear requests that require a variance.

Commissioner Cooper explained her concerns with people being able to build larger structures or locate them elsewhere on the lot that she believed should go through an approval process with the Lakes and Waterways Board. No public comments were made.

**Motion made by Commissioner Sprinkel to accept the ordinance on first reading as presented; seconded by Commissioner Weldon. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, and Weldon voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.**
g. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS OWNED BY THE CITY OF WINTER PARK GENERALLY DESCRIBED AS APPROXIMATELY 8.85 +/- ACRES LOCATED NORTH OF HOWELL BRANCH ROAD AND WEST OF TEMPLE TRAIL AND HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBER 29-21-30-0000-00-002 INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF WINTER PARK; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF WINTER PARK JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

First Reading

Attorney Ardaman read the ordinance by title. Planning Manager Briggs explained that this is the property Maitland is de-annexing and the City is annexing and once it is annexed the City will establish the Parks zoning. No public comments were made.

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

Commissioner Seidel - He asked to include in the boat dock ordinance just discussed that if when building the boat dock you want to build a storage area within the 50’ with approval of the neighbors that they can request that. There was no consensus. Commissioner Seidel spoke about attending the successful Welbourne Nursery luncheon.

Commissioner Sprinkel - Spoke about the complaints she has received regarding the sound system at Showalter Field. City Manager Knight responded that either staff or the police can respond to determine if it is a noise violation. Commissioner Sprinkel addressed the email from Mr. Craig regarding the sidewalk sale and asked about the rules as to what can be hung outside your door on Park Avenue. Building Director George Wiggins explained the definition of display and agreed to meet with the Chamber of Commerce President to ensure all members of the Chamber and Merchants Board are aware of what the rules and regulations are. Commissioner Sprinkel asked about the status of the grass in the lakes. Public Works Director Attaway explained the grass that happens every few years will eventually stop growing.

Commissioner Cooper - Spoke about the complaints she also has received regarding the Showalter Field noise with the sound system.

Commissioner Weldon - No report.

Mayor Leary - No report.
PUBLIC COMMENTS (ITEMS NOT THE AGENDA)

No public comments were made.

The meeting adjourned at 4:35 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Cynthia S. Bonham, MMC