

**REGULAR MEETING OF THE CITY COMMISSION
APRIL 22, 2019**

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. Reverend Shawn Garvey, First Congregational Church provided the invocation, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Todd Weaver

Also Present:

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

Oath of Office

Mr. Tommy Cullens provided the oath of office to re-elected Commissioner Carolyn Cooper. Ms. Sally Flynn provided the oath of office to newly elected Commissioner Todd Weaver.

Approval of agenda

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

Mayor's Report

- a. Presentation – Best of Show from 60th Winter Park Sidewalk Art Festival

Barbara Gugel, President of the Executive Committee, Sidewalk Art Festival, presented the Best of Show printmaking art (Sea Ranch Flowers III) by Helen Gotlib of Dexter, Michigan. Monte Livermore, Jr., Past C-President helped to present the art to the City.

City Manager's Report

City Manager Knight reported that the buoys have been installed on Lakes Maitland and Virginia. The buoys will be installed this week on Lakes Mizell and Osceola.

He reminded the Commission about Board Appreciation on May 15 at the Casa Feliz, that there is an extra week before the next meeting, and that the second May meeting is cancelled.

Commissioner Sprinkel asked about the traffic study process. City Manager Knight explained the responsibility of the applicant to hire a professional to do a traffic study for their project and depending on the size of the study they will either have someone internal or external to review the study for soundness. Commissioner Seidel commented about meeting with the applicant for the agenda item that was pulled this evening and that he favored that mediation take place before this comes back before them. Planning Director Stephenson addressed the applicant sponsored public meeting that took place. He commented that he will work to resolve issues with the residents before coming back to the Commission.

Commissioner Seidel addressed The Canopy project and an exhibit he sent regarding the trees located closer to the building. He asked if these trees have been reviewed in an attempt to salvage them. City Manager Knight stated they are waiting for the next step to continue with design and agreed that this will be addressed as part of the Commission meeting when they discuss the design.

Commissioner Seidel asked that the Charter Review Committee and Old Library Site Task Force be added to the City Manager's Report. He spoke about the Charter and asked about the meaning of non-partisan elections. He wanted to make sure everyone is aware of what that means and if people outside the City are allowed to influence the election and if not what the penalties are for doing that. City Manager Knight explained non-partisan. Attorney Ardaman responded that he can provide statutory provisions regarding partisan and non-partisan for the Charter committee.

Commissioner Cooper asked about the Old Library Site Reuse Task force meeting date. She asked that Commission comments as to what they would like to see in the Charter be provided to the Commission. These will be provided to the City Manager to circulate to everyone. She also asked about the Orange Avenue Overlay comments that were collected. Planning Director Stephenson responded that the website is operational with a link under Planning for the Orange Avenue Overlay that will contain all comments posted online.

Commissioner Weaver asked to be allowed to submit his name for the Charter Review Committee since they have not met yet. He submitted the name of Lawrence Lyman. This was accepted by the Commission.

City Attorney's Report

Addressed the mediation coming up soon for the Champion Circle litigation.

Non-Action Items

No items.

Consent Agenda

- a. Approve the minutes of April 8, 2019.
- b. Approve the following piggyback agreements:
 1. ENCO Utility Services, LLC: Florida Municipal Power Agency RFP #2018-214 – Utility Call Center Support Services; Total expenditure dependent upon various factors (weather, outages, etc.). City shall pay a tiered, flat rate based on overall monthly call volume.
 2. Hubbard Construction Co.: Extension of Seminole County contract #IFB-602096-14/BJC – Pavement Management Program; Not to exceed \$350,000
 3. Pure Air Control Services, Inc.: Panhandle Area Educational Consortium RFP #18-05 – Indoor Air Quality Consulting & Remediation; Not to exceed \$200,000
 4. Stuart C. Irby Co.: Extension of Orlando Utilities Commission contract #3601-2 OQ – Padmount Switchgears; Not to exceed \$100,000
- c. Approve the following contracts:
 1. Hylant Group: Amendment to renew RFP-5-2016 – Employee Benefit Agent of Record; \$147,000
 2. Zyscovich Architects: Amendment to renew RFQ-3-2017 – Continuing Contract for Professional Architectural Services; As-needed basis
 3. GAI Consultants; Redevelopment Management Associates; Logan Simpson: Amendments to renew RFP-3-2018 – General Planning Services; As-needed basis **COMMISSIONER SEIDEL PULLED FOR DISCUSSION.**

Motion made by Commissioner Sprinkel to approve all Consent Agenda items except C.3.; seconded by Commissioner Seidel and carried unanimously with a 5-0 vote. There were no public comments made.

Commissioner Seidel addressed item c.3. He stated he previously recused himself on that item but currently is not working together so he does not have a conflict.

Motion made by Commissioner Seidel to approve Consent Agenda item c.3.; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote. There were no public comments made.

Action Items Requiring Discussion

- a. Appointment of Vice Mayor

Motion made by Commissioner Cooper to nominate Greg Seidel; seconded by Mayor Leary. Upon a roll call vote, the motion carried unanimously with a 5-0 vote.

Public Hearings:

a. Request of Z Properties:

AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE SINGLE FAMILY RESIDENTIAL FUTURE LAND USE DESIGNATION TO A PARKING LOT FUTURE LAND USE DESIGNATION ON THE EAST 33 FEET OF THE STORM WATER RETENTION AREA SERVING ISRAEL SIMPSON COURT, 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 SINGLE FAMILY RESIDENTIAL (R-1A) DISTRICT ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE EAST 33 FEET OF THE STORM WATER RETENTION PROPERTY SERVING ISRAEL SIMPSON COURT, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE LEASE OF THE EASTERN 33 FEET OF THE CITY OWNED STORM WATER RETENTION AREA SERVING ISRAEL SIMPSON COURT HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBER 06-22-30-3724-13-001; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE. First Reading

Attorney Ardaman read all three ordinances by title. Senior Planner Allison McGillis explained the item was a two-part request for a future land use amendment and rezoning for a portion of the property located off of Israel Simpson Court just west of Pennsylvania Avenue. The property is owned by the City and currently holds a storm water pond that captures the drainage from Israel Simpson Court. The applicant, Z Properties, has entered into a long-term lease of the building to the east, fronting on Pennsylvania Avenue, which has a Masonic Lodge on the second floor and the first floor was the former Franks' Market, which will now be office space used by the Applicant.

The building was built in 1947 with no off-street parking. In order to add off-street parking, Z Properties made a request to the City Commission in January 2019 to lease a portion of the City's pond property to construct 5 parking spaces to the east of the pond. As part of the lease of the 341 Pennsylvania Avenue property, the applicant agreed to take over the maintenance of the existing pond. Mrs. McGillis stated that the applicant has agreed to renovate the entire building and also update the façade and landscaping which would be an aesthetic upgrade to the first floor. She presented the site plan for the two properties outlining the five parking spaces that will be constructed on the City's property. The applicant will cover the cost of reshaping the existing pond to continue to capture the drainage from Israel Simpson Court as well as the added impervious area from the new five parking spaces. The

applicant will also provide a privacy fence and landscaping to buffer the parking spaces from the adjacent residences to the north and south.

Mrs. McGillis stated that the City Commission conceptually agreed to the lease of this pond property, but in order to implement the lease which would change the east side of the property to a parking lot, future land use and rezoning is necessary as the area is zoned (R-1A) and commercial parking would not be allowed without the changes.

#1 Motion made by Commissioner Sprinkel to accept the comprehensive plan ordinance on first reading; seconded by Commissioner Seidel.

#2 Motion made by Commissioner Sprinkel to accept the zoning ordinance on first reading; seconded by Commissioner Seidel.

#3 Motion made by Commissioner Sprinkel to accept the lease ordinance on first reading; seconded by Commissioner Seidel.

Mrs. McGillis answered questions of the Commission. Attorney Ardaman explained if the use of the property changes there is nothing in the lease that requires it to be renegotiated if the property is redeveloped. He stated if the Commission wants this to be negotiated again if there is a change of use, they can provide language in the lease agreement for that.

Commissioner Cooper addressed a request from Ms. Daniels asking that the parking lot and the stormwater pond be screened. Mrs. McGillis commented it is a requirement of the zoning code that the parking spaces be screened and that they can also add it to the lease agreement. Commissioner Seidel addressed his preference to keep the pond area as open space and landscaped instead of a fence (depending on the depth of the pond determines if it has to be fenced). Planning Manager Jeff Briggs explained the parking spaces have to be screened so Ms. Daniels will not be able to see the parking because of the installation of a vinyl fence. He stated the pond does not have to be screened. There was a consensus to add this into the lease document.

Zane Williams, 1160 Mayfield, addressed Ms. Daniels property that currently has a fence and that he is willing to take branches overhanging into her property off and clean it up. Mr. Williams will work with City staff regarding the fence.

There was further discussion regarding parameters if the property is ever redeveloped and the use of the property changes. Mr. Williams stated at this time there is no intent for the Lodge to sell the building. He commented about not knowing at this time the depth of the pond but was told that it can hold capacity. There was not a consensus to add a clause in the agreement regarding change of use but there was a consensus to add language regarding a change to the structure itself. Attorney

Ardaman will bring back at second reading of the ordinances the revision to the lease agreement for approval.

There were no public comments made.

Upon a roll call vote on ordinance #1, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on ordinance #2, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote on ordinance #3, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:

Commissioner Seidel – Mentioned the FAA air traffic noise and that his wife is gathering information to bring forward. Addressed the upcoming Winter Park High School 'Night on Broadway' show and that this year is the 20th anniversary of choir student Tyler Rush who passed away in a car accident. The school is raising funds for this event to put into a fund to help with scholarships in the future.

Commissioner Sprinkel – Spoke about starting the Easter Egg Hunt; the 44 Winter Park High School valedictorians being honored this Friday; the UCF student who created the program at Nemours Hospital that helps children that cannot go to school; the Winter Park Health Foundation Wellness Center opening; the FAA air traffic meeting held; her involvement with Celebration Motherhood with Mother's Day coming up; and her attendance at the Florida League of Cities meeting.

Commissioner Cooper – Welcomed Commissioner Weaver, and spoke about the FAA meeting where they are only taking comments on this phase of the program through May 18 (Metroplex Orlando project).

Commissioner Weaver – Proposed resolutions to the following:

1. How to get the areas annexed in 2004 on the City electric utility.
2. If staff can run sewer lines down Lee Road for the homes and businesses that are still on septic tanks that is capable of handling all the neighborhoods but in the near term hook up all the commercial properties to it. Mayor Leary suggested having work sessions on the sewer and electric because of all the work already done by staff in the annexed areas regarding costs and other opportunities. Commissioner Seidel

suggested involving the Utilities Advisory Board in the work session. After discussion, the Commission will meet and then have staff send back the discussion items to the UAB to ascertain their thoughts. There was a consensus to schedule two work sessions, one for electric and one for sewer.

3. Spoke about resident concerns with traffic at the intersection of Bennett, Lee and Executive and the agreement by the developer of Ravaudage when he received entitlements from Orange County to align those roads, add an additional firehouse and Lynx accommodations which he believed has not been done. He asked that the study be expedited and direct staff to design the alignment and finish the construction by the end of the year. Mayor Leary asked that staff provide the status at the next meeting.

4. Commissioner Weaver spoke about the last update to the parking ordinance and the parking spaces by the train station used by tour buses. He asked to revisit that portion of the ordinance because of the tour buses taking those public parking spaces and parking much closer to Park Avenue and people having to walk a longer distance to their destination. He spoke about the 750' distance that was approved by the Commission and asked that this be revisited. Mayor Leary commented that nothing is telling people to park 750' away. Commissioner Seidel asked if there is a more specific issue in the parking ordinance or an addition that Commissioner Weaver wants to add and if so for him to come forward with that as opposed to revisiting the ordinance because of the large amount of time the Commission has already spent on it.

CRA Manager Kyle Dudgeon commented that the bus parking is not specifically addressed in the ordinance but that shared use when it comes to new development is addressed. He asked if there is a particular issue that they need to update Commissioner Weaver on with regards to the ordinance and shared use distances and that staff can do that. There was not a consensus to address the entire parking plan that is in place or to discuss the parking spaces for the buses.

5. Asked to readdress a 'Forestry Sustainability Board' because of his concerns with trees being cleared off lots. He commented that he does not want to fine homeowners for tree removal. Commissioner Seidel addressed his preference to revisit the entire tree ordinance because of concerns he had with portions of the ordinance. Commissioner Sprinkel asked for an update from staff. There was a consensus to schedule a presentation for the June 10 meeting.

Mayor Leary – Congratulated Commissioners Cooper and Weaver.

PUBLIC COMMENTS (ITEMS NOT THE AGENDA)

Tommy Cullens, 1274 Serena Drive, spoke how lucky he is to live in Winter Park and that he has good family, health and friends.

Jim Fitch, 1820 Via Genoa, opposed the noise from planes and spoke about attending the FAA meeting and spoke with a FAA employee suggesting how the City can push for noise abatement procedures. He asked that the City put together a unified response to present to the City of Orlando.

LaWanda Thompson, 664 W. Lyman Avenue, stated she was representing West Winter Park and read the Charter Preamble. She asked that the Preamble language be changed to reflect the importance of diversity. She also asked that a west Winter Park resident be a liaison for the Charter Review Committee to represent them.

Barbara Chandler, 730 Minnesota Avenue, and on behalf of the Coalition for Access and Representation PAC, asked that a Westside liaison be appointed to represent the Westside residents and be a part of the Charter Review Committee process.

Michael Perelman, 1010 Greentree Drive, spoke about the funding for 'The Canopy' and congratulated the City for working to gain the \$6 million to go toward the project. He asked that the library and the events center be considered as two separate entities so the money raised from the citizens go more toward the library. He also suggested that the local businesses who would directly benefit from the increased tourism driven by the uprated Events Center should be asked to make a direct contribution to the costs of building the Events Center.

Lauren Zimmerman, Writers Block Bookstore, 125 E. Webster Avenue, expressed her support for the new library and Canopy project.

Tom McMacken, 1821 Shiloh Avenue, welcomed Commissioner Weaver. He elaborated on his support for 'The Canopy'. He encouraged the Commission to support the project that will be presented to them from the library task force which he believes is the best that we can get for the dollars that are available to the City.

Sally Flynn, 1400 Highland Road, hoped that the Westside residents will be represented on the Charter Review Committee and recommended adding another member to the board.

The meeting adjourned at 5:15 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Cynthia S. Bonham, MMC