

**REGULAR MEETING OF THE CITY COMMISSION  
AUGUST 26, 2019**

Vice-Mayor Greg Seidel 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. Ms. Tee Rogers, Humanist Chaplain of UCF, provided the invocation, followed by the Pledge of Allegiance.

Members present:

Vice-Mayor Greg Seidel  
Commissioner Carolyn Cooper  
Commissioner Todd Weaver  
Commissioner Sarah Sprinkel

Also Present:

City Manager Randy Knight  
City Attorney Kurt Ardaman  
City Clerk Rene Cranis

Members absent:

Mayor Steve Leary

**Approval of agenda**

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

**Mayor's Report**

a. Proclamation - Cindy Bonham Day

Vice-Mayor Seidel read the proclamation declaring September 6, 2019 as Cindy Bonham Day in the City in recognition of 19 years as City Clerk. City Clerk Bonham expressed her appreciation and thanked everyone for their support.

b. Presentation - Resolution presented by the Florida Association of City Clerk's for retiring City Clerk Cindy Bonham

Patricia Burke, Florida Association of City Clerks Central East District Director, read Florida Association of City Clerk (FACC's) resolution recognizing Ms. Bonham's dedication and service to her profession and the FACC.

**Citizen Budget Comments**

Debbie Komanski, CEO/Executive Director, Albin Polasek Museum, gave a brief history of the Albin Polasek Museum. She presented a request of \$23,000 for support to offset the loss of funding from the State.

Sabrina Bernat, Winter Park Public Library, thanked the City for its ongoing support of the Library. She requested \$56,000 to fund an integrated management system which is a one-time cost. The Library will cover annual ongoing costs.

LaShanda Lovette, Executive Director, Winter Park Housing Authority, explained the purpose and mission of the Authority, its properties, expenses and capital improvements. She requested \$25,000 to support capital repairs as necessary at one of their properties, The Plymouth apartments, and for ongoing utilities expenses.

### **City Manager's Report**

City Manager Randy Knight gave an update on the storm that will affect Central Florida over the upcoming weekend. He reminded everyone of the hurricane preparedness information and updates on the City of Winter Park Emergency Info Facebook page.

He thanked City Clerk Bonham for her years of service as City Clerk.

#### **a. Parks and Recreation Summer Program Update**

Jason Seeley, Parks and Recreation Director, provided information on the summer camp and aquatics program including participation, revenue, programming and community events. He added that heating of the pool is on target for the end of September; however, there is no hot water for the showers. Commissioner Sprinkel asked that this be part of the budget discussion.

Vice-Mayor Seidel asked for the status of the Orange Avenue project as it relates to traffic calming. Mr. Knight advised that staff is reviewing the final report received from FDOT and will be working with FDOT on the next steps.

Commissioner Sprinkel asked for an update on the Metroplan report for Corrine Drive. Mr. Knight advised that the City was notified as a courtesy since it is outside the City limits although staff has provided input. Commissioner Sprinkel asked that staff obtain the report and make it available to the public.

Commissioner Cooper asked that staff seek information on restrictions of the Post Office in regards to disposal of their property. She said that the State will receive \$166 million from the Volkswagen settlement which can be invested in transit. She suggested that the City may potentially qualify for funding for shuttle bus service. She asked for air quality reports for the past five years.

### **City Attorney's Report**

Attorney Ardaman summarized the discussion from the work session held prior to this meeting on the recently adopted statute regarding tree removal permitting. He explained the City of Pensacola's legal challenge and potential outcome. Staff will

draft modifications to our current arbor provisions after soliciting input from City boards and upon review by the City Attorney to ensure compliance with State Statutes, will bring recommendations to the Commission. Discussion followed on the background of the city's decision to suspend issuance of tree permits and definition and designation of danger trees.

Attorney Ardaman recommended that the City reinstate the issuance of tree removal permits while applying the definition and rules regarding designation of danger trees. He provided additional information the intent and application of the statute.

Commissioner Cooper summarized the application of the statute as it relates to dangerous trees. She supported re-implementing tree removal permitting and drafting language to provide an exemption for permitting requirements for danger trees.

Commissioner Sprinkel said she would prefer to wait until the decision is made on the legal challenge to avoid having to again reverse a decision regarding issuance and suspension of permitting.

Vice-Mayor Seidel summarized that staff will draft code revisions, obtain input from the appropriate City advisory boards and present recommended code changes to the Commission. At this time, the City will return to issuing tree removal permits and seek to monitor tree removal to maintain an accurate urban forestry inventory. Consensus was to move forward as summarized.

### **Non-Action Items**

a. Financial report for June 30, 2019.

Finance Director Wes Hamil provided highlights of the financial report for June 30, 2019 including the decline in anticipated revenue from communication services tax due to "service bundling" by providers, and increase in building permit revenues, investment earnings and golf course revenues and expenditures. He explained the State reduced the allowed carry-over amount from fees and as a result, the City is proposing a reduction in permit fees for FY 2020. Mr. Knight stated that permit revenue can only be used for enforcement of building codes. Commissioner Cooper suggested the addition of an inspector rather than a reduction in permit fees.

Mr. Hamil stated the anticipated reserves for FY 2020 is approximately 26.5%. He reviewed projected revenues and the fund balance in the Water and Sewer and Electric revenue accounts and expenditures relating to service at Ravaudage. Upon questioning by Commissioner Cooper, staff advised that there is a waiting list for decorative lighting.

## **Consent Agenda**

- a. Approve the minutes of August 12, 2019.
- b. Approve the following piggyback agreements:
  1. T.V. Diversified: Increase allowable spend under existing piggyback of City of West Palm Beach contract #ITB-13-14-129 – Lift Station Repairs & Rehabilitation; Not to exceed \$150,000.
  2. Cain Enterprises dba Engineering Solutions International: School District of Volusia County contract #RFP S-802BC – Water & Wastewater Facilities – Operations & Maintenance; Not to exceed \$75,000 per year; Initial term valid through 6/30/2021.
  3. Audio Visual Innovations: Extension of existing piggyback of State of Florida contract #52161500-ACS-16-1 – Audio Visual Equipment & Accessories; Not to exceed \$75,000 per year; Term valid through 4/14/2021.
- c. Approve the following contract items:
  1. Brown & Brown of Florida: Amendment to renew RFP-22-2018 – Insurance Agent/Broker of Record Services; \$80,000.
  2. School Board of Orange County, Florida: 2019- 2021 School Resource Officer Program; City shall be reimbursed by SBOC in accordance with the attached schedule; \$787,600. **(Pulled by Commissioner Cooper. See discussion below.)**
- d. Approve the following formal solicitations:
  1. Mechanical Services of Central Florida: RFP-22-2019 – Community Center Chiller; \$117,538.
  2. Moore Stephens Lovelace: RFP-23-2019 – External Audit Services; Not to exceed \$62,000 per fiscal year.
- e. Approve extension of Old Library Site Task Force through the end of September.

**Motion made by Commissioner Sprinkel to approve Consent Agenda items a-e, except Item c(2); seconded by Commissioner Weaver carried unanimously with a 4-0 vote. (Mayor Leary was absent.)** There were no public comments made.

Consent Agenda Item c(2), School Board of Orange County, Florida: 2019- 2021 School Resource Officer Program; City shall be reimbursed by SBOC in accordance with the attached schedule; \$787,600.

Upon questioning by Commissioner Cooper, City Manager Knight confirmed that resource officers are in place at middle schools. Commissioner Cooper thanked staff for placement of resource officers before it was mandatory to do so.

**Motion made by Commissioner Cooper to approve Consent Agenda item c(2); seconded by Commissioner Sprinkel and carried unanimously with a 4-0 vote. (Mayor Leary was absent.)** There were no public comments made.

## **Action Items Requiring Discussion**

### a. Discussion of Potential FY 20 Budget.

City Manager Knight distributed a spreadsheet with suggested budget amendments from Commission and staff. Budget and Performance Manager Peter Moore explained the potential increase in projected sales tax revenue and a decrease in the Communication Services Tax. He explained revenue and projected fund balances and contingency fund balances. A utility rate increase was recommended for FY 2020.

Mr. Moore reviewed staff's recommendations listed below: He stated that the Affordable Housing Trust Fund can be used to fund the Housing Authority's request for operational support.

- Police School Resource Officers, \$50,000, adjustment due to increased reimbursement from Orange County (General Fund)
- Cybersecurity IT position, \$85,000, to address increase in cybersecurity attacks. (General Fund)
- Water and Wastewater Interlocal Agreements, \$189,815, to cover increases under the interlocal agreement with Seminole and the North Orange County Wastewater Transmission Authority. (Water and Wastewater Fund)
- Polasek Museum, \$23,000, to offset reduced State funding for arts and cultural organizations. (Designations Trust Fund)
- Housing Authority, \$25,000, for capital repairs and replacement (Affordable Housing Trust Fund)

Commissioner Cooper asked staff to provide opportunities to use the Affordable Housing Trust Fund.

Commissioner Sprinkel asked for clarification on the \$85,000 cost for cyber security. Mr. Moore stated it will fund salary and benefits for a full-time position. Commissioner Cooper supported the additional position. Commissioner Sprinkel asked whether this could be outsourced. Mr. Knight explained that current staff is overwhelmed with monitoring potential threats.

Mr. Moore continued with Commissioner recommendations as follows:

#### Commissioner Sprinkel:

- Mead Garden Weeds, \$10,000, add to budget for improved maintenance (add to Parks and Recreation budget)
- Library ERP System, \$56,000, one-time increase to operational support to the Library for new operating system (General Fund). Library to pay ongoing costs.

- MLK Park Plan, undetermined amount, for rehabilitation of MLK Park. Project scope completed with recommended improvement plan to be presented to Commission (General and CRA Fund) (To be discussed as part of strategic plan in January)
- City-wide Drainage Plan, (\$350,000 from CRA, undetermined amount from Stormwater Fund)
- Parks and Recreation Bike Path and Green Spaces Plan. Will be included in overall Transportation Master Plan. (Funds appropriated in Planning Department budget with work to be performed by new position of Transportation Planner)

Commissioner Cooper:

- Polasek Museum, \$23,000 (addressed under Staff recommendations)
- Corridor Traffic Model Beyond the CRA, undetermined amount (General Fund Organizational Support Contingency, possible use of CRA Fund)
- 17/92 PD&E Intersection Improvements Beyond the CRA, \$113,750, landscaping and intersection improvements at Orlando/Orange and Orlando/Minnesota (General Fund Contingency)
- Transportation Impact Fee for Commercial Development, undetermined amount, could be considered as part of the work on the Mobility Fee with possible funding through proposed 1 cent sales tax increase. (Impact Fee Revenue to General Fund)
- Establish Commercial Parks Usage (Impact) Fee, currently only assessed on residential properties on multi-residential units. (Impact Fee Revenue to General Fund)
- New Vehicle Purchases, undetermined amount, upgrade new vehicles to electric vehicles. Staff researching the feasibility and purchase of vehicles for Building and Permitting Department. (General Fund Operating Budgets)
- Circulator Shuttle, \$150,000, for movement of visitors between Sunrail, shopping and other areas of interest. Staff can look at grant opportunities and proposed sales tax increase by Orange County.

Commissioner Cooper stated that the purpose of her recommendation for commercial impact fees is that parks are not used exclusively by single-family residents. She asked that staff provide options for calculating these impact fees. Commissioner Sprinkel expressed her opposition to this proposal without a transportation plan.

Commissioner Cooper asked how many passenger vehicles are proposed to be purchased in FY 2020. Mr. Moore stated that staff has been looking at electric vehicles, particularly for the Building Department; however it will not be feasible for the purchase of heavier equipment and vehicles. He added the majority of the replacement vehicles are police SUVs. Commissioner Cooper asked that staff research the cost of electric vehicles for future purchases.

Commissioner Weaver expressed his concern for environmental impact of gas or diesel vehicles. He commented that the City should take advantage of the changing technology in an attempt for at least 50% of its vehicles. Commissioner Sprinkel concurred. Discussion continued on electric vehicles. Vice-Mayor Seidel suggested staff also look at the conversion of small equipment.

Commissioner Cooper commented on her recommendation for a circular shuttle. Mr. Moore stated that the CRA Advisory Board supported this concept provided that staff study the current demand for this service and research grant opportunities before allocating funds for FY 2020.

Commissioner Seidel:

- Lakemont Avenue Study, undetermined amount, from the hospital to Pine Avenue (General Fund Contingency, possible completion in-house with new Transportation Planner)
- 17/92 Corridor Modeling, undetermined amount.
- Reduce Millage Rate, undetermined amount, due to failed homestead exemption bill. Will impact General Fund as primary revenue source from property taxes.
- Lake Health Analysis, undetermined amount (General Fund Contingency)

Mr. Moore explained the potential impact to the budget if the millage rate was reduced as a result of the failed homestead exemption bill. Vice-Mayor Seidel explained that this would have impacted the budget by approximately \$700,000 if it passed. He questioned whether it would be prudent to decrease the millage rate since the bill did not pass and also because of the added millage rate for the library bonds.

Commissioner Cooper asked for a future work session on air quality.

Commissioner Sprinkel asked for the percentage of employees that receive a merit increase. She expressed her support for equitable pay for employees. She asked for an update on the employee health clinic. Mr. Knight stated that the clinic will continue operations; however the model may be changed as of October 1.

**Motion made by Commissioner Sprinkel; seconded by Vice-Mayor Seidel to accept the budget adjustments as follows:**

- Police School Resource Officers, \$50,000 (General Fund)
- Cybersecurity IT position, \$85,000 (General Fund)
- Water and Wastewater Interlocal Agreements, \$189,815 (Water and Wastewater Fund)
- Polasek Museum, \$23,000 (Designations Trust Fund)
- Housing Authority, \$25,000 (Affordable Housing Trust Fund)

- Mead Garden Weeds, \$10,000 (add to Parks and Recreation budget)
- Library ERP System, \$56,000 (General Fund)

**Motion made by Commissioner Cooper to amend the motion to add the requirement that at least 2 of the 14 proposed new vehicles are electric; seconded by Commissioner Weaver. Commissioner Sprinkel accepted the addition to the original motion.**

Mr. Moore explained the status and plan for the remaining items on the list. Commissioner Sprinkel clarified that the cybersecurity item should be simply for cybersecurity IT and not an additional position. Vice-Mayor Seidel concurred.

The matter of hot water for the showers at Cady Way pool was discussed. Vice-Mayor Seidel pointed out that this would require installation of hot water lines, which would be a significant cost and suggested staff research options.

No public comments were made.

**Upon a roll call vote, the amendment carried unanimously with a 4-0 vote.**

**Public Comments (Items Not on the Agenda):**

Marcia Bryant, 450 S. Virginia Avenue, representing the Valencia Community College Peace and Justice Institute, spoke on Global Peace Day. She distributed information on Peace Day in the Park and invited members of the Commission to attend and participate by reading the Guiding Principles at the event. She asked for support for a series of music that begins on September 13.

Torek Thompkins, 430 N. Alafaya Trail, owner of Green Phantom Eco Wash, addressed current City C-1 zoning regulations. He asked for guidance and assistance to allow him the ability to expand into Winter Park because his operation does not fit into a specific zoning category. He explained that his business is not a typical car wash in that they typically set up in a shopping center with little water and focus on being eco-friendly and sustainable. Mr. Knight stated he will discuss this with staff and will respond to Mr. Thompkins.

A brief recess was called from 5:58 to 6:11 p.m.

## **Public Hearings:**

- a. Request to terminate Development Agreement for 1345 Clay Street.

Planning Manager Jeff Briggs provided background information of this house which was annexed and rezoned in 2005 with the condition that the house be added to the City's Register of Historic Places in order to preserve the home which was built in 1925. The accompanying development agreement gave the City the authority to approve or deny changes to the office use. He explained that conditions have changed in the immediate area of this house and the owners are requesting termination of the Development Agree to allow City office zoning to dictate future tenants.

He commented that staff supports this request as any changes to the property must be approved by the Historic Preservation Board at a public hearing, the tenant base is limited due to the interior of the house, and the minimal risk that a tenant would generate a higher traffic volume.

Dr. Jerry Horton, applicant, explained his practice is a small medical spa and will generate less traffic than its current use.

Mr. Briggs explained that permission must be given by the Historic Preservation Board if, in the future, the owner can demonstrate that the house is damaged and not repairable it can be demolished; however it must be replaced with a house in an architectural style of the era of the original house.

Commissioner Cooper addressed the low density residential zoning surrounding this property and asked the applicant if he was willing to agree to limit future residential use of the property to low density residential zoning. Dr. Horton stated that he has no intent to modify the existing building.

**Motion made by Commissioner Sprinkel approve the request to terminate the Development Agreement; seconded by Vice-Mayor Seidel.**

Mr. Briggs clarified that the building cannot be used for residential purposes.

Betsy Gardner Eckbert, 541 Fairfax Avenue, spoke in support of this request.

**Upon a roll call vote, the motion carried unanimously with a 4-0 vote.**

- b. Request of Rex-Tibbs Construction for: Subdivision or lot split approval to divide the property at 2700 Wright Avenue, zoned R-1A, into two lots with 65 and 69.41 feet of frontage on the street and lot sizes of 10,129 and 10,816 square feet of land area for each lot. Variances are requested for the proposed lot widths. The applicant is proposing to preserve and dedicate to the city, a

permanent easement for the preservation of the three live oak trees located in the rear yards of the new lots.

Planning Manager Jeff Briggs reviewed this request to divide the property into two single-family lots that is currently occupied by one house that will be demolished. The two new lots will have frontage on Wright Avenue meeting the lot size requirements, but variances are requested to the 75 foot lot width. Approval of the variance and subdivision will preserve three large healthy oak trees through an easement granted by the applicant. He added that these lot split requests provide the City the opportunity to provide input on the architectural style of the houses to encourage variety and character in neighborhoods. The Planning and Zoning Board recommended approval with two conditions:

1. That the applicant enter into a tree preservation agreement with the City to preserve the three live oak trees in the rear of the split lots.
2. That the final front elevations of the homes be of varied architectural styles to each other to provide diversity to the neighborhood.

The agreement is currently being revised to ensure commitment from the owners of the easement and maintenance of the trees.

Mr. Briggs responded to questions from the Commission. Mr. Briggs addressed a similar request was approved for property on East End and approximately 1/3 of the lots in this area are this width or smaller.

Commissioner Sprinkel expressed her concern about how these requests are processed. She said that it should be clear that these decisions are made on a case-by-case basis and that requests are made in the best interests of the affected parties and/or residents.

**Motion made by Commissioner Sprinkel to approve the request to approve the lot split; seconded by Commissioner Weaver.**

In response to questions by Commissioner Cooper, Attorney Ardaman explained the purpose of the easement in this case is to preserve the trees and maintain trees if not maintained by the owner. He stated that language could be added to ensure proper care and maintenance of the tree. Urban Forestry Manager Dru Dennison stressed the importance of tree protection during construction and stated that signs will be posted to that end.

There were no public comments.

**Upon a roll call vote, motion carried unanimously with a 4-0 vote.**

**City Commission Reports:**

Commissioner Sprinkel – Commissioner Sprinkel asked that planning and project items be added to the City Manager’s Report.

Commissioner Sprinkel asked for an update on Peter Gottfried’s request. Mr. Knight stated that the documentation has been submitted to the state and approval is pending.

Commissioner Sprinkel asked who is responsible for removing mildew on sidewalks. Mr. Knight stated that it is the property owner’s responsibility to ensure the sidewalk in front of their home is clear.

Commissioner Sprinkel spoke on Governor DeSantis’ visit to Central Florida.

Commissioner Sprinkel asked for information regarding the numerous e-mails from Winter Park Hills residents regarding Spectrum. Mr. Knight stated that he responded explaining the City’s fiber installation and copied the government relations person at Spectrum.

Commissioner Cooper – Commissioner Cooper spoke on the Volkswagen settlement where funds are available through the state for replacing diesel vehicles with alternate fuel or electric vehicles for agencies in areas designated as having poor air quality. She stated that a plan must be in place and encouraged the City to pursue grant funding.

Commissioner Cooper addressed the issue of calculating lakefront setbacks using accessory versus non-conforming structures. She encouraged staff to expedite revising these regulations and to evaluate and make recommendations.

Commissioner Cooper suggested that a letter be sent to the new Postmaster.

Commissioner Cooper asked that staff provide information on the current regulations/restrictions on the use of Affordable Housing funds and to provide alternatives for use of these funds. This was agreed to by consensus.

Commissioner Weaver – Commissioner Weaver advised that the watershed cleanup around Lake Bell is September 7<sup>th</sup>.

Commissioner Weaver stated that he will be speaking on the topic of plastic recycling at the League of Women Voters regular meeting on September 26<sup>th</sup> at 6:30 p.m. at Valencia College.

Vice-Mayor Seidel – Vice-Mayor Seidel stated that his daughter conducted a test on whether oceans or lakes had more plastics and encouraged people to think about disposing of plastics.

The meeting adjourned at 6:55 p.m.

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Mayor Steve Leary

ATTEST:

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City Clerk Rene Cranis CMC