

**CITY OF WINTER PARK
REGULAR MEETING OF THE CITY COMMISSION
March 27, 2006**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth A Kip Marchman at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was offered by Reverend Steven Parker, Aloma Baptist Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Marchman
Mayor David Strong
Commissioner Douglas Storer
Commissioner John Eckbert
Commissioner Barbara DeVane
Commissioner Douglas Metcalf

Also present:

City Attorney Trippe Cheek
City Manager James Williams
City Clerk Cynthia Bonham

MAYOR'S REPORT:

a) March 2006 Outstanding Employee of the Month

Mayor Marchman recognized Toan Tran, Public Works Department (Water Plant), as the March 2006 Outstanding Employee of the Month.

b) Vice Mayor DeVane recognized outgoing Mayor Kenneth Marchman for the outstanding initiatives accomplished during his tenure and presented him with an engraved gavel on behalf of the City. Mayor Marchman thanked everyone for the honor of serving as Mayor and welcomed David Strong as the new Mayor-Elect.

c) Parks and Recreation Director John Holland announced that April 2006 is the 100th anniversary of Central Park which will be celebrated with various events throughout the month of April.

OATH OF OFFICE – Mayor Elect David Strong:

The Oath of Office was given to Mayor Elect David Strong by his son Alexander Strong. After the oath of office was administered, Mayor Marchman departed the meeting. Mayor Strong presided over the meeting at this time.

Additional item for the Mayor's Report:

d) Mayor Strong resigned from the Comprehensive Plan Task Force and appointed Carolyn Cooper as his replacement.

Motion by Commissioner Storer to appoint Carolyn Cooper to the Comprehensive Plan Task Force, seconded by Commissioner DeVane. The motion carried unanimously.

NEW BUSINESS – CITIZENS COMMENTS:

1. Lurline Fletcher, 790 Lyman Avenue, asked if contractors could meet with Westside residents to inform them of proposed redevelopment. She also inquired about designating English Court as historical, the status of the minority business plan for Pennsylvania Avenue, and street debris cleanup that results from redevelopment.
2. Shay Silver, 735 Pansy Avenue, requested that the pool located at the Community Center be opened and available for children to use all year long.
3. Wes Perkins, 1565 Grove Terrace, expressed his concern over the possible loss of a tree in his neighborhood as a result of redevelopment.
4. Pam Peters, 467 Lakewood Drive, expressed her concern with the status of pedestrian safety within the City. She asked that the City develop a program that encourages the practice of pedestrian safety in the City.

In response to Ms. Peters' comments, Commissioner Eckbert reported that the City currently has a Pedestrian and Bicycle Committee and that their primary responsibility is to deal with bike and pedestrian issues. He expressed his concern with sidewalk access and obstruction as a result of overhanging trees. He suggested that the Pedestrian and Bicycle Committee return with a recommendation on effective methods for maintaining sidewalk access.

5. Janie Baker, 650 Northwood Circle, expressed her appreciation for Ex-Mayor Marchman and his efforts to resolve an access issue involving her property. Ms. Baker expressed her concern with residential representation of some of the boards that deal with issues involving the Westside community. She elaborated on the need for social and economic opportunities for Westside residents.

Mayor Strong responded that he believed half of the CRA Advisory Board is comprised of Westside residents. He encouraged Ms. Baker or any resident that has an interest in serving on the CRA Advisory Board to submit an application. Ms. Baker corrected that her inquiry involved the City's Comprehensive Plan Task Force, not the CRA. Mayor Strong noted that meetings of the Comprehensive Plan Task Force are open to the public and that the task force welcomes input from residents. He reported that their next meeting is March 28, 2006, and encouraged Ms. Baker to attend. Additionally, he stated that information regarding the status of the Comprehensive Plan Task Force is available on the City's website for review.

6. Rudolph Scott, 750 Northwood Circle, provided a brief history and status update of the removal of the Northwood Subdivision wall.

Commissioner Storer asked that staff provide an update. Planner Jeff Briggs reported that the wall and the house in close proximity were damaged by Hurricane Charlie and that the subdivision wall was constructed in the 1960's without an easement and without a legal document that required the wall's existence. He said as a result, the City issued demolition permits for the house and the wall. Planner Briggs stated with subsequent redevelopment of the property, staff has imposed the condition that prior to any reconstruction of the house, the wall must be reconstructed to the specifications imposed by the City and the surrounding neighborhood. He reported that the property is currently for sale and when a house is constructed, the wall will be replaced.

Commissioner DeVane addressed a developer who was proposing to construct two single family residences on the property. She asked that staff return with a cost estimate to replace the wall and possibly imposing a lien on the property. City Manager Williams responded that staff will return with a cost estimate to replace the wall.

7. Will Graves, 3048D George Mason Avenue, as a spokesperson for the Friends of Winter Park, reported that the group is working on an east and west Winter Park parade. He spoke about the postal service issue and preserving the character of the City.

CITY ATTORNEY'S REPORT:

- a) RESOLUTION NO. 1944-06: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, ACKNOWLEDGING AND AFFIRMING THE EXISTENCE OF A STANDARD OF RESPONSE COVERAGE FOR THE DELIVERY OF FIRE AND EMERGENCY MEDICAL SERVICES FROM THE WINTER PARK FIRE RESCUE DEPARTMENT.

Attorney Cheek read the resolution by title. No public comments were made.

Commissioner Metcalf inquired if this resolution is the result of the presentation provided by the Fire Department at the last Commission meeting. He wanted assurance that the City is not required to develop a certain number of fire stations in the future to maintain the accreditation standards. Chief White responded affirmatively. He explained that the resolution requires the department to have a plan in place to address the standard that is being used. He said this is a tool that the City will use in the application of the service delivery provided that is equally applied to any geographical area and is a result of the risk assessment performed on the City. He explained how the standard will be applied to future annexations and that it does not immediately void any type of accreditation status, but does require the City to address any such changes.

Discussion ensued regarding First Response coverage areas. Commissioner DeVane expressed her concern with the demand being imposed on the Lakemont Avenue fire station as a result of surrounding redevelopment; specifically from Baldwin Park. She asked if Orlando is participating in discussions regarding this issue. Chief White responded that the Fire Department is currently in discussions with the Orlando on how they propose to provide additional services in Baldwin

Park. He noted that it is the City of Orlando's decision as to what service they will provide to the area and that it is our decision as to how much we assist.

Motion made by Commissioner DeVane to adopt the resolution, seconded by Commissioner Storer. Upon a roll call vote, Mayor Strong and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- b) RESOLUTION NO. 1945-06: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1771 GLENCOE ROAD, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Cheek read the resolution by title. No public comments were made.

Motion made by Commissioner DeVane to adopt the resolution, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Strong and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

CONSENT AGENDA:

- a) Approve the minutes of 3/13/06.
- b) Approve the following purchase orders and bids:
- 1) Addition to the Purchasing Policies and Procedures Manual to include wording for processing purchases and paperwork during an emergency incident.
 - 2) Extension of bid WP-3-2005/06, Open and Close Burial Spaces with Quality Vaults, Inc. accepting the price changes as noted on the attached. Price of interment has been increased therefore these changes will not be effected by the vendor's price increase (Budget: Cemeteries).
 - 3) Purchase of asphalt S-III type as necessary from the Orange County Contract #Y-21057 for the next 12 month period. As the market changes Orange County will review the vendor's price increase request to verify it is coinciding with the market.
 - 4) PO 122198 (after the fact) to Garner Environmental change order for additional work: de-scaling equipment and labor to remove heavy tuberculation. Amount \$27,000.00 (Budget: Utilities CIP).
 - 5) Selection of CDS Handywork & Construction, Inc., as contractor for the Heritage Center at Hannibal Square project at a construction cost of \$485,480.00.
 - 6) Staff to begin negotiations on the Request for Proposals RFP-4-2006, Master Plan for Mead Gardens, with the following firms in this order.
 - a) PBS&J
 - b) MTR Landscape Architects, LLC
 - c) Meyer Bongirno MSI
 - d) Land Design Innovation, Inc. (LDI)

- c) Approve the following budget adjustments:
 - 1) Appropriate \$15,000 in Code Enforcement Training Fees for building inspection training.
 - 2) Transfer \$35,352 in salary and benefits costs associated with the Assistant Construction Project Manager from the Water & Sewer Fund to the Engineering Division.
- d) Approve "Thursdays on Park Avenue" event to promote art, music, shopping and dining on Park Avenue. Event will be every Thursday evening from 6-9 p.m.
- e) Conditionally approve the "Florida Film Festival" event and a sign code exemption for banners to be placed along Park Avenue from March 20, 2006, to April 3, 2006.

No public comments were provided. Commissioner Metcalf asked to remove item b(5) for discussion. City Manager Williams asked to remove for discussion and to clarify item b(6).

Motion made by Commissioner Eckbert to approve the Consent Agenda with the exception of items b(5) and b(6), seconded by Commissioner Storer. The motion carried unanimously.

Consent Agenda item b (5)

Commissioner Metcalf inquired into the cost of construction for the Heritage Center. CRA Manager Alberto Vargas reported on the total project cost. He said the difference from what was presented in the past is due to reappropriations from the projects that have been completed and that the difference in reappropriation has been petitioned from Orange County. Commissioner Metcalf inquired about the project cost increase. CRA Manager Vargas provided a brief history on this project. He explained the original budget, the increase in cost for materials in the construction industry, and the bid process conducted.

City Manager Williams noted that staff had an architect review and value-engineer the project. He said staff is confident that the amount being asked is a fair price. Commissioner Metcalf asked if the project can be fully completed with the requested amount. CRA Manager Vargas and City Manager Williams responded affirmatively. CRA Manager Vargas noted that December 2006 is the target date for completion of the project. There was discussion on whether a bond will be required from the contractor.

Motion made by Commissioner DeVane to approve the Consent Agenda item b (5), seconded by Commissioner Storer. The motion carried unanimously.

Consent Agenda item b (6)

City Manager Williams clarified the correct ranking of the firms selected for staff to begin negotiations for the Master Plan for Mead Gardens. Ranking as follows:

- a) PBS&J
- b) MTR Landscape Architects, LLC
- c) Land Design Innovation, Inc. (LDI)
- d) Meyer Bongirno MSI

Mayor Strong asked for a status update. Parks and Recreation Director John Holland responded that staff will begin negotiations with the first firm selected. He stated that the City has not committed itself to expend the funds at this point. Commissioner DeVane provided a brief update on the selection committee meetings she attended. Mr. Holland stated that an agreement will be presented along with a recommendation for execution.

Motion made by Commissioner Eckbert to approve the Consent Agenda item b (6), seconded by Commissioner Metcalf. The motion carried unanimously.

PUBLIC HEARINGS:

- a) Request of Michael Tierney to convert the existing one story home to an office building.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY TO OFFICE ON THE PROPERTY LOCATED AT 918 BEARD AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.
First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF SINGLE-FAMILY RESIDENTIAL (R-1A) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY LOCATED AT 918 BEARD AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

Attorney Cheek read both ordinances by title. Planner Jeff Briggs explained that the Planning and Zoning Commission recommended denial by a 5-0 vote; and the same denial 14 months ago when the property was under a different ownership. He said the new owner has reapplied, but with the negative staff report, never appeared at the P&Z meeting or provided proper public notification. He continued that the P&Z could have deemed the item withdrawn, but instead recommended denial so that this matter would not be dealt with for another year.

Commissioner DeVane sought clarification on whether the ordinance still needed to be considered if the recommendation of P&Z was upheld. Planner Briggs explained if the request is denied, the one year time limit is imposed.

Mayor Strong asked if the applicant was in attendance. Planner Briggs stated the applicant was not present.

Motion made by Commissioner Metcalf to accept the recommendation from the Planning and Zoning Commission and to deny the request, seconded by Commissioner Storer. Upon a roll call vote, Mayor Strong and

Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.

b) Request of Dexter's Restaurant to modify the hours of sale and consumption within the Hannibal Square commercial district to conform to the same hours that exist currently throughout the City.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" SECTION 10-33 "HOURS OF SALE" AND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING REGULATIONS" SECTION 58-82 "GENERAL PROVISIONS" SO AS TO AMEND THE HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PROXIMITY TO RESIDENTIAL PROPERTIES. First Reading

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 10 "ALCOHOLIC BEVERAGES" SECTION 10-33 "HOURS OF SALE" SO AS TO AMEND THE HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN PROXIMITY TO RESIDENTIAL PROPERTIES. First Reading

Attorney Cheek read both ordinances by title. Planner Jeff Briggs elaborated on the prior problems that resulted from an earlier bar and its activity in the Hannibal Square commercial district, and how the commercial district has evolved to what it is today. Mr. Briggs stated at that time staff recognized the need to be cautious and protective of the surrounding residential area with the forthcoming Dexter's Restaurant. He said staff preferred shorter hours of alcohol consumption in the Hannibal Square area and as a protection for the residential area the City adopted 11:00 p.m. as a closing hour Sundays -Thursdays, and midnights on Friday and Saturday nights. He addressed the longer closing hours that exists as the closing hour throughout the remainder of the City. He continued that more restrictive hours are in place, both in the zoning code and in the alcoholic beverage code in the Hannibal Square area, than elsewhere in the City.

Mr. Briggs elaborated that merchants in the Hannibal Square area have always felt singled out, and that they should be entitled to the extended hours that exist throughout the City. He stated that consideration of extending the operating hours to 2:00 a.m. has resulted from the applicant's request and similar inquiries from the other restaurants in the area.

Mr. Briggs explained staff's preference of inserting protections into the code to deal with activity that occurs late in the evening and outside of the establishment. He elaborated on the companion ordinance that includes a rollback protection. He explained that rollback protections include referring managerial issues to the Code Enforcement Board or the City Commission who will have the legal ability to decide whether to continue to allow the extended operating hours. He said the rollback protections will protect the surrounding residential area.

Mr. Briggs elaborated on the preferences expressed by the members of the Planning and Zoning Commission who recommended denial of the ordinance by a

4-1 vote. He said since what is being requested entails an amendment to the zoning regulations, it requires four commissioners to override the decision.

Mr. Briggs continued that the protection ordinance component is important for the Commission to proceed with regardless of the decisions made involving the applicant or the surrounding restaurateurs. He explained the purpose of the two ordinances. He said public input has suggested that staff deal with the Dexter's request after the protections have been adopted and established. He stated if the Commission decides to wait until the protections have been established, the applicant's request can be tabled and dealt with at a later date.

Commissioner Storer inquired whether there have been incidents of significance involving the applicant's establishment reported to the Police Department that may impede this from moving forward. Mr. Briggs addressed the problems that resulted early on from live entertainment that have ceased because their doors are now closed. Commissioner Metcalf had a similar inquiry involving the other restaurants in the area. Mr. Briggs responded there have been no reported problems from the other establishments in the area. Commissioner Eckbert sought clarification on the differences between the two ordinances proposed and whether both had been presented to the P&Z. Mr. Briggs stated the second ordinance did not go before the P&Z; they separated the two issues subsequent to this meeting.

Commissioner DeVane asked about the outdoor dining component compounding the problem with the noise and if there are restrictions as to when the serving of food and alcohol needs to stop outside. Mr. Briggs stated they can serve up until 2:00 a.m. but that the entertainment needs to be inside after 10:00 p.m. Commissioner DeVane addressed the need for a strong ordinance that can be enforced that will not penalize the good neighbor that has not caused any problems but will penalize the business that is causing the problems.

Mayor Strong inquired whether the ordinance applies to all restaurants/bars throughout the City. Mr. Briggs clarified that the protection ordinance that can roll back the hours will apply City-wide.

Applicant Dexter Richardson, Dexter's Restaurant, 558 W. New England Avenue, spoke about the lack of problems at their establishment over the last six years. He stated that he would embrace and abide by a new ordinance with substance. He asked to extend his hours of business because of fairness and that he has been a good neighbor.

Dan Bellows, 533 W. New England Avenue, spoke in favor of granting Dexter's Restaurant longer hours and the proposed ordinance to equalize the hours of operation City-wide. He addressed the residences he owns near Dexter's and never receiving complaints or having problems with them being close to his residences. He stated the proposed ordinance would cover any problems if they ever did arise.

Joe Terranova, 700 Melrose Avenue, agreed with Mr. Richardson and Mr. Bellows. He spoke about Dexter's running a professional establishment. He spoke about the

issue of alcohol coming before him when he was a Commissioner and the ordinance that has worked very well. He suggested that before this ordinance is acted upon that the residents of that area be contacted to see if they have concerns with the ordinance because of prior concerns when he was Commissioner and when this was previously discussed.

Tom Taylor, 797 Pinetree Road, agreed that the residents should be contacted before a decision is made to extend the hours of operation.

Will Graves, 3048-D George Mason Avenue, addressed the original promise made to the residents that this establishment would not be open late. He spoke against extending the hours because of the close proximity to residents.

Susan Gable, 1539 Golfside Drive, spoke against the extension of hours at Dexter's because of possible concerns that could arise later at night.

Kenneth Murrah, 1601 Legion Drive, stated the issue is whether the hours are extended to 2:00 a.m. He addressed the history of the problems with the Big-C Bar at that location and the restriction placed on the present tenant after that time to limit the hours. He asked that the commitment made to the residents remain to not change the hours of operation.

Lurline Fletcher, 790 Lyman Avenue, spoke against additional hours of operation for Dexter's because of concerns with noise, cars being parking in their residential areas because of a lack of parking, and people coming through their neighborhoods after consuming alcoholic beverages.

Margie Wagner, 181 W. Stovin Avenue, asked to deny the ordinance because of the impact to the neighborhoods close by.

Martha Bryant-Hall, 331 W. Lyman Avenue, expressed concerns with the loud noise with people coming through the neighborhood after consuming alcohol. She asked for a denial to extend the hours.

Sandy Womble, 940 Old England Avenue, addressed possible concerns with the elderly residents in the area if the hours are extended.

Janie Baker, 650 Northwood Circle, spoke about her concerns with how the neighborhood has changed and what she believed the people in the Westside has been denied. She spoke about the need to listen to the Westside residents and against the extension of hours at Dexter's.

Forrest Michael, 130 N. Center Street, spoke against the ordinance to extend the hours because of nearby churches and families and the impact this will have on them.

Commissioner DeVane disclosed conversations with Mr. Richardson about the ordinance. She spoke about the need to individually deal with the two issues; 1) the extension of hours of restaurants along New England Avenue; and 2) adopting an

ordinance specifically dealing with noise and the City's ability to reprimand/punish the establishment if they break the rules. She suggested that the CRA Advisory Board review the first ordinance to discuss hours of operation of restaurants that serve alcohol in residential neighborhoods; and that a map of the City be provided to the Commission locating where establishments are that contain liquor licenses and their proximity to neighborhoods. She spoke about being sympathetic to noise in residential areas and is also looking at the restaurants along Fairbanks Avenue that present problems with noise and the need for the ability to reduce/restrict hours of operation if they are cited for noise.

Commissioner Metcalf agreed to send ordinance #1 to the CRA Advisory Board for community input and to move forward with ordinance #2 this evening that would provide consistent rules with restaurants/bars City-wide. He disclosed his conversations with Mr. Richardson.

Commissioner Storer disclosed conversations with Mr. Richardson and residents. He spoke about when the restaurant hours were first approved and the history of what the Westside has been faced with from other establishments in that area which he is sympathetic to. He also addressed the issue of fairness and equity and that the second ordinance polices the first ordinance very well because they will lose their ability for extended hours if there is ever a problem. He concluded that he is in favor of the second ordinance and is supportive of obtaining more input from the CRA Advisory Board regarding ordinance #1 and to inform all the restaurant owners and residents surrounding the "hot spots" about the upcoming discussions.

Commissioner Eckbert asked what governs the hours of operation at this time. Mr. Briggs responded that the City has complete control over hours of sale and consumption but that the 2:00 a.m. is consistent with Orange County and has been the hours of operation for many years. Commissioner Eckbert disclosed conversations with Mr. Richardson and agreed that the second ordinance is necessary and should move forward because of the need for equal protection for operations and equal punishment for establishments that do not abide by the rules.

Mayor Strong disclosed conversations with Mr. Richardson. He provided positive comments regarding Dexter's but addressed the promises made to the Westside community regarding hours of operation. He also asked how it is determined who is a problem for the City. Commissioner Metcalf spoke about the noise ordinance adopted that spelled out the rules regarding what is allowed regarding music and noise. Mayor Strong asked out the mechanism to deal with outside nuisance/noise and the criteria for when an establishment is punished for breaking the rules in place. Ways to enforce the rules was further discussed to include the presence of police as necessary. Mayor Strong stated he wanted to find a solution that meets everyone's needs, i.e., Dexter's and the surrounding residents.

Commissioner DeVane addressed the need to split the two issues into two ordinances to address each issue separately. She asked for input from the Police Department as to public nuisance and restriction of hours accordingly.

Motion made by Commissioner Metcalf to accept ordinance #2 on first reading; seconded by Commissioner Storer for discussion. Amendment made by Commissioner Eckbert that prior to the second reading of the second ordinance that the police department provide recommended criteria that would help the Commission understand how someone can be deemed to have been a public nuisance to provide a better understanding as to how the ordinance will be enforced after adoption. Commissioner Storer (second) agreed with the amendment to the motion. Upon a roll call vote, Mayor Strong and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Eckbert to table ordinance #1 which is to be sent back to the CRA Advisory Board and Code Enforcement for their comment and review; seconded by Commissioner DeVane. Upon a roll call vote, Mayor Strong and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- c) Request of Robert Vega for Conditional Use and Planned Development Approval to allow the construction of a three story, six unit condominium building of 20,430 square feet with associated underground parking on the properties at 335 and 357 North Knowles Avenue, zoned O-2. The Planned Development approvals (variances) are for a third floor of 6,355 square feet vs. the code limitation of two stories.

Planner Jeff Briggs explained that the applicant has requested to table this item until April 10 because his legal representative is unable to attend this hearing.

Motion made by Commissioner DeVane to table Public Hearing Item “c” until the April 10, 2006, City Commission meeting, seconded by Mayor Strong. The motion carried unanimously.

- d) Schedule of fees and charges to become effective April 1, 2006.

City Manager Williams addressed the last page in the Commission package outlining the only changes to the fee schedule pertaining to parks and recreation. No public comments were made.

Commissioner Metcalf asked that the changes be provided at the beginning of the item because of the difficulty he had locating the changes. City Manager Williams stated the list was at the end of the schedule but in the future they will provide it first. Commissioner DeVane spoke about the disconnection between the fees charged and the actual cost to provide the services in the Parks Department; more specifically non-resident fees. She stated this is a high priority issue for her and the City needs to tie the cost of providing the services and charge accordingly. She stated that the parks master planner will review this to be sure costs are covered.

Motion made by Commissioner Metcalf to approve the changes to the fees and charges, seconded by Commissioner Storer and carried unanimously with a 5-0 vote.

- e) Request of John Kolb to split the property at 1476 Grove Terrace into two single family lots, each 75 feet wide.

WITHDRAWN BY THE APPLICANT.

- f) Request of Giles-Menaker LLC to split the two properties at 1420 and 1460 Via Tuscany into three single family lots.

WITHDRAWN BY THE APPLICANT.

CITY MANAGER'S REPORT:

- a) Redevelopment survey update.

Communications Director Clarissa Howard reviewed the past Commission discussions and recommendations given to staff to go forward with a topic specific survey of redevelopment, incorporate focus groups to test the understandability of concepts and terms, and to mail out an education piece separate from the survey. She thanked Pecora and Blexrud for their support and assistance with drafting the educational piece that discussed the comprehensive plan and for working with the Communications and Planning staff to develop the draft survey questions for review by the focus groups. She stated they tested the materials in two focus groups. John Blexrud of Market Soundings summarized the general findings from the two focus group meetings.

Commissioner DeVane expressed concerns with sending out a questionnaire that is too lengthy. Ms. Howard stated the original education piece created was summarized into a three page document and was presented to the focus groups who considered it still too long and too hard to comprehend. She stated it included a basic summary about the comprehensive plan and the elements in the plan. She stated as a result of that feedback, they are now proposing a new survey because of the outcome of the feedback that asks one vital question, "As the City reviews the comprehensive plan for the next 10 years, what is your vision for the City of Winter Park?"

She provided a copy of the postcard to be mailed out to all households with a cover letter outlining the additional opportunities that the residents can participate in to provide feedback. She also stated that the responses received back from the postcard can give the City a general feel as to what the residents see as their vision for the City. She continued that the responses can be used in decisions as provisions to the comprehensive plan are being made and also in the Commission strategic planning session. She addressed the mailing of the postcards and the schedule for reviewing and providing the results to the Commission in May 2006. She commented that the draft letter outlines the upcoming Planning and Zoning Commission and the City Commission comprehensive plan public hearing dates. She stated there is an email address available to email their comments/questions.

Commissioner Eckbert expressed his concerns that the single question on the postcard may not deliver broad comprehensive responses because most of the public is not aware of what the comprehensive plan contains. Commissioner DeVane agreed and asked if a tutorial has been considered for people who want to listen to it. She addressed the citizens wanting to know more about the comprehensive plan and the need for an opportunity for them to become educated on the plan.

Upon questioning by Mayor Strong, Ms. Howard responded that the web site contains what the comprehensive plan task force has accomplished so far. Mayor Strong spoke about the importance of encouraging the public to respond to the survey and to attend the public hearings.

Mr. Blexrud spoke about the focus groups difficulty with answering the questions on the survey who in return suggested that they provide their vision for the City and that the City put together a plan that adheres to that vision. Commissioner Eckbert addressed concerns that someone may have a very extensive opinion about the comprehensive plan but not knowing that it is the comprehensive plan that their opinion regards. He stated that providing a broader opening in the letter stating that the comprehensive plan governs the density of development and the City is asking for input regarding the appropriate heights and scale for the City may affect the number of surveys returned. Ms. Howard suggested adding language in the cover letter regarding height, scale, density, traffic etc. and how this impacts the comprehensive plan.

Commissioner Metcalf suggested adding "citizen survey" to the front of the envelope. Commissioner Eckbert suggested adding language onto the top of the postcard explaining that the City is asking their opinion about development in the City. Commissioner DeVane also suggested adding an email address for Commissioners or a City phone number at the bottom so residents can contact the Commission directly if they desire. Mayor Strong suggested adding where the residents can find information related to the comprehensive plan on the City's website. City Manager Williams summarized the changes to be made and asked for concurrence. Mayor Strong agreed that the list was complete. There was a consensus to move forward with the survey and cover letter with the changes as outlined.

b) Renaming of the Public Safety Building.

City Manager Williams spoke about this item previously being discussed concerning the suggestion made to rename the Public Safety Building after the City's former Public Safety Director the late Ray Beary. Parks and Recreation Director John Holland addressed the policy adopted in April 2005 by the Commission. He summarized the recommendation made by the Parks and Recreation Commission to honor all police and fire chiefs in the City by placing a plaque in the lobby of the Public Safety Building in lieu of naming the facility after him even though they all agreed that Mr. Beary is certainly worthy of such an honor. Mr. Holland stated it was brought forward at the meeting that Mr. Beary was not a citizen of the City of

Winter Park which is a requirement under the adopted policy for naming the facility after him.

Commissioner Metcalf inquired whether the City has ever had an officer or firefighter killed in the line of duty and stressed the importance of also honoring them. Police Chief Ball responded that an officer was killed in the 1920's. Fire Chief White responded negatively.

Mr. Russell Troutman who made the original proposal, spoke in favor of a plaque being installed in the Public Safety Building to honor every police and fire chief. He summarized the many ways Mr. Beary contributed to the community and suggested looking for a significant naming opportunity such as a street for Ray Beary if the Commission decides not to name the building after him.

Motion made by Commissioner Metcalf to approve the Parks and Recreation Commission recommendation to provide a plaque in the lobby of the Public Safety Building honoring all past Police and Fire Chiefs; seconded by Commissioner Storer and carried unanimously.

Mayor Strong asked that the City Manager consider another alternative naming opportunity in the City to honor Mr. Beary. There was a consensus to explore this and to provide a plaque honoring officers/firefighters killed in the line of duty. Commissioner DeVane suggested naming a park on the westside of Winter Park after Mr. Beary.

NEW BUSINESS (CITY COMMISSION):

1. Commissioner DeVane spoke about the downtown sidewalk cafe restaurants and the tables being placed along the curb. Mr. Williams stated the City is working with the restaurants to provide a plan for each individual restaurant regarding their outside seating. He added that a public meeting will be held and he would provide a status report. Commissioner DeVane asked that code enforcement remove the tables from the curbs. Commissioner Metcalf agreed but added there are restaurants on Park Avenue where tables cannot be put up against the building. He agreed that code enforcement needs to enforce this and for staff to provide a plan.

Building Official George Wiggins reported about their preliminary meetings with merchants and restaurant owners and has further circulated information that came before the Commission. He stated there will be a follow-up, broader meeting of the restaurants. Economic Development Director Chip Weston reported that the City has given them an opportunity to come up with a solution for their particular restaurant and hoped this will be compiled within the next two weeks. City Manager Williams instructed Mr. Weston to put this on the next meeting agenda.

2. Mayor Strong addressed the election of a Vice-Mayor. He stated the normal rotation places Commissioner Doug Storer next in line. **Motion made by Commissioner Eckbert to appoint Commissioner Doug Storer as Vice-Mayor**

for the upcoming year, seconded by Commissioner DeVane and carried unanimously.

Mayor Strong adjourned the meeting at 6:12 p.m.

Mayor David C. Strong

ATTEST:

City Clerk Cynthia Bonham