

REGULAR MEETING OF THE CITY COMMISSION
May 24, 2010

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Bradley at 3:31 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

The invocation was given by Father Stephen Rhoades – All Saints Episcopal Church, followed by the Pledge of Allegiance.

Members present:

Mayor Kenneth Bradley
Commissioner Phil Anderson
Commissioner Beth Dillaha
Commissioner Tom McMacken
Commissioner Carolyn Cooper

Also present:

City Manager Randy Knight
City Attorney Larry Brown
Deputy City Clerk Michelle Bernstein

Approval of the agenda

The agenda was approved by acclamation of the City Commission.

Mayor's Report

- a. Presentation of new Summer Webisode produced in partnership with Full Sail University's SPARK program

Clarissa Howard introduced the Full Sail team who produced the new summer Webisode to be broadcasted on the home page of the City's website. The video that was produced featuring the City's parks was shown to the audience in hopes that it will help draw people to Winter Park.

- b. Proclamation – Code Enforcement Appreciation Week

Mayor Bradley proclaimed June 7-11, 2010 as Code Enforcement Appreciation Week. He gave special recognition to Director of Building and Code Enforcement George Wiggins and the entire department for the work they perform. Mr. Wiggins gave a brief presentation regarding the department's overall functions, tasks and responsibilities.

City Manager's Report

No discussion, presented as is.

City Attorney's Report

No items to address.

Non-Action Items

- a. Financial Report – April 2010

Finance Director Wes Hamil provided the financial report for April 2010 and summarized its content. He also addressed several questions that were asked by Commissioner Dillaha.

Mayor Bradley requested that City Manager Knight distribute the 2010/2011 projections prior to the June 14, 2010 Commission meeting for their review.

Motion made by Mayor Bradley to accept the report as is; seconded by Commissioner McMacken. The motion carried unanimously with a 5-0 vote.

Public Comment

No public comments were made.

Consent Agenda:

- a. Approve the minutes of 5/10/10 – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- b. Ratify the motion made on the West Meadow ordinances of May 10 per staff's recommendation
- c. Approve the Letter of Intent to purchase fire apparatus for FY 2011. – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**
- d. Approve the following proposals under an RFP process as recommended by the CRA Agency regarding the State Office Building site at 941 W. Morse Boulevard: Concord Eastridge; Shutts and Bowen; and Morse Boulevard Development Associates – **PULLED FROM CONSENT AGENDA FOR DISCUSSION – SEE BELOW**

Motion made by Commissioner McMacken to approve Consent Agenda item b, seconded by Commissioner Anderson and carried unanimously with a 5-0 vote.

Consent Agenda Item 'a' – Minutes of May 10, 2010

Commissioner Cooper asked to change the position of Mr. Dowd to the CRA Board, who was appointed as a board member; not as an alternate. The minutes will be changed to reflect the appointment of Mr. Dowd.

Motion made by Commissioner McMacken to approve the minutes as presented with the adjustment of the appointment of Mr. Dowd. Commissioner Dillaha seconded the motion and carried unanimously with a 5-0 vote.

Consent Agenda Item 'c' – Purchase of Fire Safety Apparatus for FY 2011

Commissioner Dillaha questioned Chief White and City Manager Knight as to how the replacement vehicle will be funded. Mr. Knight stated that it is on the five year schedule under the vehicle replacement fund.

Motion made by Commissioner Anderson to approve Consent Agenda item 'c', seconded by Commissioner McMacken and carried unanimously with a 5-0 vote in terms of the letter of intent.

Consent Agenda Item 'd' – RFP Process as recommended by the CRA Agency regarding the State Office Building site at 941 W. Morse Boulevard

Commissioner Cooper stated her concerns relative to the City's position on whether they prefer to continue to own City assets and simply lease them or to sell the property. She has a very strong bias toward keeping City assets and asked if there is a way to reduce the number of variables in the RFP so that it might make it easier in comparing the proposals that are submitted. Commissioner Anderson commented that he agreed with Commissioner Cooper and stated that he has a keen preference for leasing property as opposed to selling.

Motion made by Commissioner Anderson to continue working with these three parties to an RFP; seconded by Commissioner Dillaha for discussion.

Motion made by Commissioner Cooper to amend the motion to direct the RFP to include that the City maintain an ownership of the property; seconded by Commissioner McMacken for discussion.

Commissioner McMacken commented on the amendment to the motion saying he would like to keep the option available should the opportunity arise. Commissioner Anderson asked if Commissioner Cooper would amend her motion to express her preference for a lease situation.

Motion made by Commissioner Cooper to clarify her motion to say that the weighing would have to be significantly in preference to ownership by the City. Commissioner Anderson seconded the motion.

Joe Terranova, 700 Melrose Avenue, stated that as a matter of policy the City should not consider selling the property.

Marc Hagle, 1220 Park Avenue North, stated that the City should keep control of all City owned real estate.

Upon a roll call vote on the amendment that the preference would be given to a lease situation, Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Upon a roll call vote on the main motion (to provide for the three parties that went through the CRA Agency Board and including the amendment that the City would prefer a lease situation of the ground), Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Action Items Requiring Discussion:

a. Library space needs

City Manager Knight stated that at the last Commission meeting, staff was directed to bring back options for independently verifying the space needs for a new library building. A package was distributed that contains an option of hiring a consultant to do that. City Manager Knight was seeking direction if they should proceed with this or not. There was a short discussion regarding this item between Mayor Bradley and the Commissioners. It was agreed not to hire an outside consultant. It was suggested that the library conduct an internal audit of their report,

update the numbers and provide a result of the information to the City Manager, and possibly schedule a work session to work with the library on that effort.

b. Amendment of the SunRail (commuter rail) agreement with Orange County

Commissioner Anderson submitted for consideration a proposed resolution supporting staff's recommendation with a continuing option to opt out of the agreement if there is no dedicated funding source. He stated in addition to that is a pledge of a non-ad valorem sales tax to support the payment obligations, but to limit those payment obligations to an estimate of \$693,000. He also noted that the County Commissioners have worked on the City's behalf to reduce the City's operating cost by lowering and removing roughly half of the estimated costs. He commented that today's cost might be lower or it can be much higher, depending on the insurance program that the state approved which was nothing like the insurance program that was in the original agreement. He noted that the insurance program on a bad day might be \$700,000 plus to the City, so to address this item he is pledging the non-ad valorem sales taxes to be about \$700,000 to include the obligation for O&M and whatever the insurance loss might be in that particular year.

Commissioner Dillaha shared her concerns with staff's report and noted that some of the information opposes the attorney's recommendations, such as insurance and liability. City Manager Knight stated that there are no recommendations in the staff report. The staff was reporting to the Commission what Orange County's staff advised them of and what particular items are acceptable to them. He noted that the information that staff presented is to help the Commission with their decision making process.

Commissioner Dillaha submitted for consideration a proposed resolution. She shared her thoughts and recommendations by stating that there has not been a referendum of the voters to approve the operating costs for a commuter rail system. She is also concerned about the original interlocal agreement, the costs and expenses associated with operating a commuter rail system for 99 years, and the liability and insurance that is associated with it. She commented that she feels the City is expected to pay twice with no cap on yearly expenses. She mentioned that the opt out provision is vague and limited, with unknown liability, and that it opens up both risk and liability to the City. Commissioner Dillaha shared her four recommendations in summary, which are:

1. The City of Winter Park does not assume any of the financial obligations of Orange County.
2. The right to terminate should the City find that there is any kind of adverse impact whatsoever.
3. The \$3 million in federal funds is guaranteed so that the City taxpayers are not on the hook.
4. The indemnification as a result of any issues related to this agreement.

Discussion ensued between Commissioner Dillaha and Attorney Brown regarding the use of non-ad valorem tax revenue funds, the referendum to the voters and the expenditure of funds to do so.

Commissioner Cooper stated that her concern is that there are many different ways to amend the agreement and of the two resolutions she agreed 100% with Commissioner Dillaha's recommendations and 99% with Commissioner Anderson's recommendations. She noted that

she will never vote to approve a circumvention of a citizen's right to referendum; therefore, she will not be voting in favor of using non-ad valorem taxes. She requested that Attorney Brown be present and be the sole designated negotiator to speak on our behalf in the discussions with Orange County and to use his recommendations listed in his letter dated April 12, 2010 for negotiation. Commissioner Anderson requested that City Manager Knight be present with Attorney Brown in the discussions with Orange County.

Commissioner McMacken stated that he is not in favor of the resolutions presented; however, he is in favor of Attorney Brown's recommendations and would like to move ahead. He also requested that Mr. Knight be in attendance in the meetings with Orange County. He stated that the Commission has a very solid recommendation by Attorney Brown and he would like him to present these recommendations to Orange County for their review and comment.

Mayor Bradley reminded everyone that there is already an agreement in place between the City and Orange County and the current discussions being made today have to do with minor modifications to that agreement. He also stated that Orange County may say there is an agreement already in place and there will be no renegotiations.

Motion made by Mayor Bradley to move the three items that Commissioner Anderson has resolved and that is, with one modification. Therefore this Commission authorizes the City Manager and the City Attorney to negotiate on its behalf the following amendments to the existing agreement with Orange County.

- 1. Clarify that the City shall have continuing options to terminate this agreement after the FDOT Funding Period if there is no dedicated funding source that will FULLY pay for the costs of the system.**
- 2. Preserve the City's home rule authority by allowing the City to terminate the agreement if the presence of the station in any way creates the opportunity for the county, state or federal government to dictate land use.**
- 3. Pledge non-ad valorem sales tax revenues not to exceed \$693,000 to support any operations of Sunrail in the event a dedicated funding source is not in place or to support payment of the indemnification of Orange County for capital cost if such is required resulting from the City's termination of the agreement, but only if there is no dedicated funding source for Sunrail and/or transportation project funding.**

Commissioner Anderson seconded the motion for discussion.

Commissioner Dillaha stated that she does not agree with pledging non ad valorem revenues of \$693,000 at a time when we have increasing expenses and debt, we do not have to pay Orange County twice and it is not fair to the taxpayers. There was a short discussion regarding paying Orange County twice. It was clarified by Mayor Bradley that the City is paying a percentage and there is a difference between paying twice and paying a percentage. Commissioner Dillaha also commented on the opt out provision and stated that the City shall have a right to terminate whether there are any adverse impacts as a result of a station.

Discussion ensued between Mayor Bradley and the Commissioners regarding the dollar amount of \$693,000, the agreement, the amendments and a survey that was taken about 1 ½ years ago asking citizens how much they wanted to pay for SunRail. Mayor Bradley stated that he wanted to clarify what the citizens voted on by summarizing the survey questions.

The following spoke in opposition to the amendments:

Matthew Falconer, 12725 Water Pointe Boulevard
Mark Schmidter, 3320 Bay Lane, Windermere
Donna Colado, 327 Beloit Avenue

The following spoke in favor of the amendments:

Caroline Schramm, 1531 Highland Road, speaking on behalf of The League of Women Voters of Orange County
Jonathan Fosano, 2523 Shadow View Circle, Maitland, speaking on behalf of students residing at Rollins College
Joe Terranova, 700 Melrose Avenue
Patrick Chapin, 151 W. Lyman Avenue speaking on behalf of Winter Park Chamber of Commerce
Kit Pepper, 2221 Howard Drive
Bruce Stephenson, 1445 Mayfield
Vicki Krueger, 200 Carolina Avenue #201
Joshua Marinov, 501 South Phelps Avenue
Charlie Williams, 757 Antonette Avenue
Paige Blackwelder 301 Park Avenue South
Sally Flynn, 1400 Highland Road
Tom Shutts, 2010 Brandywine Drive
Sarah Sprinkel, 1031 Osceola Avenue
Peter Weldon, 700 Via Lombardy
Mark Hagle 1220 Park Avenue North
Jack Rogers, 1002 Temple Grove
Nancy Shutts, 2010 Brandywine Drive

Philip Korbin, 411 Courtland Avenue, asked what will happen if Orange County says no to all of the City's demands.

John Rogers, 1002 Temple Grove, expressed his concerns and shared his mixed feelings about this issue.

George McClure, 1730 Shiloh Lane, questioned what the costs will be for security, custodial care and utilities for the station. He also stated that the amount of \$693,000 is inadequate when you include local expenses and expenses of O&M.

Commissioner Dillaha asked that they follow the recommendation of Commissioner McMacken who stated that we should follow the recommendations of the City Attorney. She stated that she is not in favor of pledging non ad valorem revenues. Discussion ensued between Commissioner Anderson and Attorney Brown regarding the use of non ad valorem revenues, the limitation of the revenue source that is being pledged to the sales tax revenue and the liabilities involved.

Motion made by Commissioner Cooper to amend the amendment to limit the non ad valorem revenue to the annual portion of the motor fuel tax portion of the municipal revenue sharing program.

Discussion ensued regarding the motion. Commissioner Cooper then withdrew her motion to amend the amendment.

Upon a roll call vote on the original motion, Mayor Bradley and Commissioner Anderson voted yes. Commissioners Dillaha, Cooper and McMacken voted no. The motion failed with a 2-3 vote.

Motion made by Commissioner Cooper to designate the City Attorney, accompanied by City Manager Knight as our negotiating team with Orange County, that we support the positions set forth by the City Attorney in his letter dated April 12, 2010 and we direct him to move forward with negotiations with Orange County. Commissioner Dillaha seconded the motion for discussion. The recommendations are as follows:

- 1. The City of Winter Park will not waive its sovereign immunity or the limits of liability by contract or general indemnity, and will not be responsible in excess of the limits in Section 768.28, Florida Statutes, for any portion of liability arising out of an accident.**
- 2. The City's responsibility:**
 - a. Claims, legal expenses, damages, liability and risk management costs and settlements will not be part of the cost allocation formula. Any third party claim the City of Winter Park will not pay more than the limits of its liability under Section 768.28, Florida Statutes, with respect to any accident or liability claim.**
 - b. The obligation to fund a proportionate share of operating costs and capital costs will be subject to an unrestricted annual non-appropriation provision. In the future if a Commission determines that it will not appropriate funds to cover its share of the expense, the City of Winter Park will be relieved of the obligation to pay any portion of general operating or capital costs associated with the system, outside of the station in Winter Park. The only remedy of the Commission, FDOT and Orange County in the event of a non-appropriation, will be, at their option, the train station in Winter Park will not be used for commuter rail and there will be no stop in Winter Park. To expressly provide that the train station may be used for other purposes by Winter Park and that there will be no financial penalty or refund of any funds including the refund of federal grant funds as a result of non-appropriation and funding out.**

There was a general discussion regarding the funding out provision and how it works. Attorney Brown clarified the item in question. Attorney Brown also clarified that when he and Mr. Knight meet with Orange County to negotiate, he may come back with something different other than what is in his letter of recommendation.

Peter Weldon, 700 Via Lombardy, commented that the opt out clause in Attorney Brown's letter is a terrible mistake for the City and the commuter rail system.

Kim Allen, 271 Virginia Drive, stated that this is an open checkbook and open liability. She also spoke about bond ratings. She agreed with Attorney Brown's suggestions and hoped the Commission will support it.

Kit Pepper, 2221 Howard Drive, said they are doing the equivalent of terminating the agreement and takes great exception to that.

Joe Terranova, 700 Melrose Avenue, stated that it is important that the opt out provision be in there because it is unclear in the contract.

Mary Rumberger, 1234 Palmer Avenue, urged the Commission to move ahead and negotiate and stop trying to derail rail in Winter Park. She stated that the citizens voted for rail and it is what they want.

Sarah Sprinkel, 1031 Osceola Avenue, said that the Commissioners represent the citizens not the Attorney. She noted that the citizens voted for rail because they want it and that the Commission needs to hear the citizens when making the decisions.

Sally Flynn, 1400 Highland Road, said they are looking for the best contract that they can get for the citizens of Winter Park and they should definitely try to get them.

Jack Rogers, 1002 Temple Grove, commended the Commission for the direction they are moving in.

Patrick Chapin, 151 West Lyman Avenue, speaking on behalf of Winter Park Chamber of Commerce, stated that he is glad with the direction they are headed in.

John Dowd, 427 North Phelps stated that he is totally against trying to negotiate an annual opt out and that it does not make any sense.

There was a general discussion with regards to amending the wording of Commissioner Anderson's motion. The discussion included the option to opt out if there is no dedicated funding source and capping the expenses by changing the dollar amount.

Mayor Bradley spoke briefly by stating that there are two major issues to address, the funding out for non appropriation and the dedicated funding source. Discussion ensued with Attorney Brown commenting on the options presented and the procedures for curing the issues.

A recess was taken from 6:55 p.m. to 7:10 p.m.

Discussion continued regarding the wording of Commissioner Anderson's motion. The discussion included the opt out clause and the possibility of changing the not to exceed dollar amount for the pledge for non ad valorem sales tax revenue. Attorney Brown provided input on these items as well as the legal aspects of the dedicated funding source.

Motion made by Commissioner Anderson to amend the motion on the floor to include the latitude in addition to paragraph 'b', to evaluate whether a pledge of tax revenues with a cap of \$300,000 would be an alternative means of curing this agreement. So adding 'b2' that just says, that it includes getting the City Attorney and City Manager the latitude to review that option as well. Commissioner McMacken seconded the motion.

Other questions were asked by the Commission for clarification.

Motion made by Commissioner Cooper to amend the amendment that while we are asking the City Attorney to evaluate the cap that he also evaluate if there is a way to address other adverse impacts to the community as agreed upon by the majority of the Commission at that time. Commissioner Dillaha seconded the motion.

Upon a roll call vote for the amendment to the amendment, Mayor Bradley voted no and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried with a 4-1 vote.

Upon a roll call vote for the amendment, Mayor Bradley and Commissioners Dillaha and Cooper voted no. Commissioners Anderson and McMacken voted yes. The motion failed with a 3-2 vote.

Motion restated by Commissioner Anderson: In addition to paragraph 2.a we would also look at the ability to pledge non-ad valorem revenues up to \$300,000 as a second option of curing the contract. Motion made by Commissioner Anderson to amend this to have a non ad valorem expenditure of up to \$300,000 with 3% inflation. Commissioner McMacken seconded.

Upon a roll call vote for the amendment to the motion on the table which would create up to \$300,000 for non ad valorem taxes up to 3% annual. Mayor Bradley and Commissioners Dillaha and Cooper voted no. Commissioners Anderson and McMacken voted yes. The motion failed with a 3-2 vote. Commissioner Cooper objected to the non-ad valorem expenditure.

Upon a roll call vote for the original motion, Mayor Bradley and Commissioner McMacken voted no. Commissioners Anderson, Dillaha and Cooper voted yes. The motion carried with a 3-2 vote.

Public Hearings:

Attorney Brown read the ordinance by title. No public comments were made.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA VACATING AND ABANDONING THE EASEMENT OVER THE WEST SIX FEET (6.00') OF LOT 3, BLOCK "B", GREENVIEW AT WINTER PARK PINES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "7", PAGE 31 & 32, OF THE PUBLIC RECORDS OF ORANGE COUNTY, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE. First Reading

This was a utility easement located at 1741 Golfside Drive.

Motion made by Commissioner Anderson to accept the ordinance on first reading; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports

a.) Commissioner Anderson

Commissioner Anderson requested that the negotiation meeting between the City and Orange County be concluded ASAP so that it can be brought forward to the Commission for another vote possibly at the next Commission meeting.

b.) Commissioner Dillaha

Commissioner Dillaha spoke about the work session meeting that took place last week and mentioned that there was a request to have bi-weekly meetings in between regularly scheduled Commission meetings on a Monday from 5-7p.m. for general discussion. There was agreement to have the work session on June 7, 2010.

Commissioner Dillaha asked for a list of consultants that are used by department, the dollar amount for the consultants and the projects they are working on for the years of 2008, 2009 and 2010. There was a brief discussion regarding the difference between contractual services and consultant services. It was further defined that the information being requested be for consulting services of \$25,000 or more. Mayor Bradley asked Commissioner Dillaha what she intends to do with this information and what she wants the Commission to do. Commissioner Dillaha stated that she would like to see how frequently and for what purposes consultants are being used. This will help determine if they really need all of the consultants and if some of the work should be done by staff which also might help with budgeting.

Mr. Knight stated that once the information is gathered, they will send it out via email in the next couple of weeks for budget talks. Mayor Bradley requested that City Attorney fees also be included.

Commissioner Dillaha commented on the mayoral action plans relating to budget issues. One item she mentioned was the elimination of double taxation and user fees and another item mentioned was the advisory boards and to possibly streamline the number of boards through consolidation to be more efficient as a City. There was a brief discussion and it was agreed that the meeting of June 14, 2010 bring forth an initial discussion with staff regarding the review of the boards.

Commissioner Dillaha also spoke about the strategic planning session that was held last month. It was noted by City Manager Knight that Marilyn Crotty's report arrived today and will be distributed. Commissioner Dillaha stated that she would like to schedule an afternoon or morning meeting to review Marilyn Crotty's report and finish up on any outstanding items.

Commissioner Dillaha questioned City Manager Knight regarding the nurse on staff for the City. Mr. Knight explained that the nurse is not a City employee. It is through an agreement with the City's insurance company to have a nurse assist City staff members with their health issues to try and reduce the overall costs associated with health insurance and that it is a trial to see if it will help reduce claims.

Commissioner Dillaha questioned Mayor Bradley regarding a task force that he is putting together about determining the vision for Winter Park but outside of the city's role. There was a brief discussion between Mayor Bradley and the Commissioners in which Mayor Bradley noted

that he is acting as a private citizen, using his own personal expenses to engage in public discussion with the citizens to dialog about the vision of the City Winter Park and what they want to see happen by 2020 and going forward. Discussion ensued as to the legality of the issue. Attorney Brown provided legal advisory and clarification to the issue and stated that he will research the applicability to the Sunshine law for further clarity.

c) Commissioner Cooper

Commissioner Cooper wanted clarification about the discussion items for the bi-weekly Monday evening work session meetings. She asked if they will be discussing the items on the agenda for the next scheduled Commission meeting. It was clarified that the purpose of these meetings is for general discussion items.

Commissioner Cooper addressed Mr. Knight regarding her motion that she made last week on the Rauvadge Property. She stated that in her motion she stated 17 units per acre; however the letter that was sent Orange County stated 17 net density units per acre. She asked that a clarifying letter be sent out. Mr. Knight agreed that a clarifying letter will be written to include the exact language of the motion and resent to Orange County.

d) Commissioner McMacken

Commissioner McMacken stated that he had the opportunity to look at the plans for the SunRail station and that the decisions on materials and furnishings are going to be taking place shortly. He requested that staff be given the opportunity to look at the plans at interim stages rather than at the final stage. He noted that this is a civic building in design and therefore should reflect the character of Winter Park. It was agreed that this item be addressed to staff and also agreed that when the schematic design phase is completed that it be brought forward to the Commission for review.

Commissioner Dillaha asked Mr. Knight about the status of the ordinance that requires a referendum for building a structure on or adjacent to Central Park on City-owned land. Mr. Knight stated this item will be brought forward in June.

e) Mayor Bradley

No items to address.

Mayoral Appointments

1. Board of Adjustment

Motion made by Mayor Bradley to approve the appointment of Robert Trompke; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper, and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of John Simpson as alternate; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

2. Community Redevelopment Advisory Board

Motion made by Mayor Bradley to approve the appointment of Paul Saint-Pier to alternate; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

3. Construction Board of Adjustments and Appeals

Motion made by Mayor Bradley to approve the appointment of Mark Kirby; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of Robert Harris; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

4. Ethics Board

Motion made by Mayor Bradley to approve the appointment of Simon Snyder from alternate to board (expires 2013); seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of Patrice Dziire; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

5. Firefighters Pension Trustees

Motion made by Mayor Bradley to approve the reappointment of Mike Clifford; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

6. Keep Winter Park Beautiful

Motion made by Mayor Bradley to approve the appointment of Martha McHenry; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

7. Lakes and Waterways Board

Motion made by Mayor Bradley to approve the appointment of Marty Sullivan as alternate; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

8. Pedestrian and Bicycle Board

Motion made by Mayor Bradley to approve the appointment of Tom Hiles; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of Scott Redmon; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

9. Public Art Advisory Board

Motion made by Mayor Bradley to approve the appointment of Joan Pohl; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Motion made by Mayor Bradley to approve the reappointment or appointment of Robert Lemon; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the appointment of Cristina Parson; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

10. Utilities Advisory Board

Motion made by Mayor Bradley to approve the appointment of Ronald Ellman; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Mayor Bradley to approve the reappointment of Donald Doyle; seconded by Commissioner Cooper. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

11. Historic Preservation Board

Motion made by Mayor Bradley to approve the appointment of Candace Chemtob to the full board; seconded by Commissioner McMacken. Mayor Bradley and Commissioners Anderson, Dillaha, and McMacken voted yes. Commissioner Cooper voted no. The motion carried with a 4-1 vote.

Motion made by Mayor Bradley to approve the appointment of Phillip Marshall; seconded by Commissioner Cooper. Commissioners Anderson, Dillaha, and Cooper voted no. Mayor Bradley and Commissioner McMacken voted yes. The motion failed with a 3-2 vote.

Motion made by Mayor Bradley to approve the appointment of Patrick Doyle as alternate; seconded by Commissioner Dillaha. Mayor Bradley and Commissioners Anderson, Dillaha, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Meeting Adjourned

Motion made by Mayor Bradley to adjourn the meeting; seconded by Commissioner Cooper.

The meeting adjourned at 8:37 p.m.

Mayor Kenneth W. Bradley

ATTEST:

City Clerk Cynthia S. Bonham