

**CITY OF WINTER PARK  
REGULAR MEETING OF THE CITY COMMISSION  
July 11, 2005**

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 City Manager James Williams, followed by the Pledge of Allegiance.

Members present:

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

Also present:

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

**MAYOR'S REPORT:**

- a) Presentation of original art and poster from the 2005 Winter Park Sidewalk Art Festival.

The Sidewalk Art Festival Committee presented Mayor Marchman with the original peacock art poster from the 2005 Winter Park Sidewalk Art Festival.

- b) Winter Park Crew Team recognition.

Mayor Marchman recognized the Winter Park High School Crew Team and presented Coach Dan Bertossa with a Certificate of Recognition acknowledging the effort of the team and for obtaining the men's varsity national title.

- c) Presentation to WPPD regarding a contribution for summer camp.

Mayor Marchman and Parks Director John Holland presented Police Chief Doug Ball with a plaque of appreciation for their contribution of \$5,000 from Forfeiture Funds to help with the Summer Camp Program.

- d) July 2005 Employee of the Month - Phil Bellino, Public Works Department.

Mayor Marchman recognized Phil Bellino, Public Works Department as the July 2005 Employee of the Month.

- e) Commuter rail.

Mayor Marchman updated the Commission on recent conversations with Orange County and Harold Barley with Metro Plan Orlando regarding Winter Park's position related to commuter rail. He stated both entities are interested in Winter Park's position and its willingness to continue the process and review and determine if we feel commuter rail would be proper for Winter Park's future and if so, under what terms and conditions. He expressed the position of Winter Park .to

the County and Metro Plan. He stated according the plans, Winter Park is to have a suburban station in downtown Winter Park that calls for service parking for 200-600 cars. He stated he indicated to them that the station can no way be a suburban station but needs to be an urban station that provides only bus drop off and pickup and the kiss-and-ride drop off and pickup. He stated he indicated to them that the City needs to know the cost it will incur before a final decision can be made in support of commuter rail. He addressed the proposed number of downtown parking spaces specifically for commuter rail.

Commissioner Metcalf addressed prior discussions about not having commuter rail while CSX is still using the tracks and about having a second track which would be helpful if CSX is on the tracks. He addressed the benefit and importance of commuter rail to Winter Park and that the parking problem needs to be resolved. He stated we need to begin budgeting for the taxes the City will have to pay. Commissioner Metcalf elaborated on the economic impact on the cities of Georgetown and Alexandria, in the Washington, D.C. area, and their decisions related to commuter rail. He explained that both areas had rejected the idea, and that Alexandria had suffered a major economic disadvantage. He stated they both wish they had agreed to put in commuter rail because now it is going to cost them billions to reroute the lines through Georgetown so there is one line. He expressed that he did not want to see this happen to Winter Park. He said it is important that we continue to remain a significant part of the community and a vital part of Central Florida so that people have the opportunity to come and visit the City, but that the parking problem needs to be resolved as well. There was discussion about fast tracking this project, utilizing one and/or two tracks and parking issues.

Commissioners Storer and DeVane addressed their concerns and areas needing resolution to make commuter rail work in Winter Park. Mayor Marchman addressed the need for additional tracks so trains can pull off the main tracks when needed. He stated a commuter rail heading south and north every 30 minutes is being envisioned during a couple of hours in the morning and evening with a commuter rail north and south every two hours. Commissioner Storer commented about the caveats for the City's support that there be some mitigation of the freight traffic through Winter Park and the result being no additional traffic that we are now experiencing. He stated he is supportive of what had been previously outlined in the letters sent and addressed the issue of parking. Mayor Marchman commented about the City's monetary contribution to commuter rail if the City commits to support it.

Commissioner DeVane stated she would like the CSX freight line to use a line outside of the proposed line for commuter rail. She stated she would like the removal of the CSX freight trains from the City addressed in phase 2 or 3. Commissioner DeVane expressed that in order for the commuter rail project to be successful, alternatives for transporting passengers from the station to major employers in the area, i.e., Rollins College, Winter Park Memorial Hospital, the Mayflower and the Winter Park Towers, need to be developed along with the commuter rail plan. She suggested the idea of a bus connector from the commuter rail station to transport passengers to major employers within the area. Additionally, she requested that FDOT explore the possibility of a multi-county district with taxing authority separate from the individual governments involved in the project.

Commissioner Eckbert commented about the importance for the City to pursue commuter rail.

Sam Starke, Winter Park Chamber of Commerce, addressed the commuter rail public forum hosted by the Chamber on Friday at 8:00 a.m. at the Library for anyone wishing to attend.

Florida Department of Transportation representative George Gilhooly, stated they are willing to come back for a Commission work session to further discuss this. He stated this is not a trial but is reality and hope to be fully operational by 2009 with the northern half and then immediately following in about 2011 with the southern half which goes from downtown Orlando to the Poincianna area. He stated this project is not intending to go away. He addressed the parking issue and stated they are not at the preliminary engineering yet but are in the concept stage. He stated that Winter Park is going to be a destination station which is why there is not a large demand for parking. He addressed their position with CSX that FDOT will have full control of dispatching of the tracks between 5:00 a.m. and 11:00 p.m. and if they cannot attain that control, they will not have a project because they need assurance that the trains will arrive on time and moves the freight trains out of town during those times. He stated they are not yet at that level of negotiation with CSX. He clarified that Amtrak will still need to provide passenger service and that they need to work around them. He spoke about the double tracking that they will need (need to add 22 miles of double tracking) to accommodate the passenger service. Mr. Gilhooly responded to Commissioners questions.

Consensus was to continue to remain on board with the caveats expressed and the concerns we have. The City will be willing to contribute to commuter rail if the concerns we have are met. Commissioner DeVane stated she would like to revisit the discussion on the connector system.

f) Status report on electric utility.

Electric Director Don McBride provided a summary of the electric outages and problems the City had recently encountered after taking over the system. ENCO representative Rod Davis addressed some of the technical problems with the system that was passed onto the City from Progress Energy and their plans to correct those problems.

Assistant City Manager Randy Knight provided a proposal for a new phone system for the City. He stated it would help with the numerous electric calls the City is receiving. He addressed the steps they are taking to help improve customer service with the current phone system. He addressed an item for an upgrade to the phone system for the proposed budget but asked to accelerate this upgrade to be financed over 5 years. He summarized the benefits of the new system that will help alleviate some of the customer service problems and to help with billing questions and account information.

Commissioner Eckbert asked that the City be as proactive as possible when communicating with the residents. Commissioner Metcalf spoke about good comments he received from residents who received calls back from the City from the system saying the system was back up and running again and if they were not up yet to call another number that was provided.

There was consensus to move forward with obtaining the new phone system at this time. Commissioner Eckbert suggested sending the letter they were provided a draft of to the 700 residents affected by the recent outages. He added comments about holding a work session to explain to the citizens why the outages took place. He stated he is in favor of sending letters when we know there is a particular problem anticipated but was not sure if a meeting needed to be held as a result of 700 resident outages. The letter was discussed and if any Commissioners had read the letter.

Commissioner Eckbert stated it would not cost the City to hold a meeting if Mr. McBride and Mr. Knight were to attend to explain the outages and to answer questions. He stated that it would be a system of accountability to the residents and did not believe the Commission needed to attend but should only be attended by staff. There was consensus to mail out the letter to the 700 residents affected by the outages.

**SEE ADDITIONAL COMMENTS OF FURTHER DISCUSSION LATER IN THE MEETING ON PAGE 13.**

**NEW BUSINESS:**

1. Frances Daniely, 721 Northwood Circle, spoke about a problem with the land behind her property that is being developed and the demands the City imposed on the developer. She stated her yard and the neighbor adjacent to the property is being flooded with wild animals and is overgrown. She asked that the City be sure the demands imposed on them for development are met. She spoke about a fence that was supposed to be constructed to separate the three properties there including hers, that they have instead planted shrubbery. Mayor Marchman informed Ms. Daniely to be sure that the City Manager has her contact information so someone from staff can contact her.

2. Mr. Fred Michael, 1945 Oakhurst Avenue, addressed the City's tree ordinance. He stated he wanted to take down 3 trees in his yard (provided photos) that grew up as one tree and has no canopy. He explained the oak tree that came down that has no value to him and the current undesirable shape of his yard. He stated he obtained a permit and was told that he cannot take them down unless he pays the City \$900 and replace them with three more trees. He went before the Tree Preservation Board and told them that he would not pay the \$900 who informed him that he did not have to pay the \$900 but needed to plant three trees in his back yard at least 6" diameter. Mayor Marchman informed Mr. Michael about the appeal process and that he would be put on a future agenda so they can have all the facts regarding his appeal beforehand.

**CITY ATTORNEY'S REPORT:**

1. Attorney Trippe Cheek informed the Commission that the City has successfully prevailed in the appeal of the Peterson litigation over a fence issue on Via Tuscany.

**CONSENT AGENDA:**

- a) Approve the minutes of the 6/27/05 special meeting; and the amended 6/27/05 regular meeting minutes.
- b) Approve the following bids/purchases:
  - 1) Bid WP-8-2005, Building of a Canopied Pipe Storage Structure, to R.J. Michaels; \$138,791.00 (Budget: P/W CIP).
  - 2) Recommendation for Request for Qualifications-7-2005, Glenridge Property Development as per the memo attached from the Selection Committee and begin negotiations with the teams in the ranked order listed as:
    - 1. Keewin, Real Property (Windsong)
    - 2. Clayton Group
    - 3. Sumner, Kramer Trustee'

**REMOVED FROM THE CONSENT AGENDA. SEE BELOW.**

Mayor Marchman removed Consent Agenda item b) 2). He added that the minutes were previously amended to include the decision made related to the hiring of a contractor to help with emergency debris removal. No public comments were provided regarding item a) and b)1).

**Motion made by Commissioner Metcalf to approve the Consent Agenda, with the minutes as amended and with the exception of Item b) 2); seconded by Commissioner Storer. The motion carried unanimously.**

**Consent Agenda Item b) 2) – RFQ for Glenridge property development:**

Planner Jeff Briggs remarked about the subcommittee to decide a development partner for the Glenridge property. He stated that five firms submitted RFQ's which was short listed to three firms. He summarized the three firms and how and why they ranked in the order they did and the committee's conclusion that if there is going to be additional monetary consideration beyond the purchase price, then the recommendation is to direct the monies into an educational enrichment fund for the City Commission to use to augment school improvement projects with the City. He asked for authorization to begin negotiations with the top ranked firm – Keewin, Real Property. Commissioner Storer stated he was available for any questions regarding the proceedings and presentations. Mayor Marchman asked the Commission if they read the letter submitted by the Clayton Group.

Larry Lokken, 719 French Avenue, asked if anyone considered to use this property as Winter Park green space/park property; not residential. Mayor Marchman stated it was considered when they developed the guidelines for the property. Commissioner Storer stated they also pursued funding to purchase the property but the price was too high.

Stanley Wilson, Mayflower Court, addressed attending the meetings and presentations by the three contenders. He stated they all were capable of delivering a high quality product and that it was a good process.

Paul Pistulka, Clayton Group, stated they offered 16 acres of park space with their proposal off of Howell Branch Road near Temple Drive adjacent to the property the City purchased last year. He stated they wanted to make sure that warranted a lot of consideration. He addressed the process and stated they were not sure how everything ranked one against the other. He stated they felt there should be more discussions as to the size of the lots, the densities, and park land that would serve the community at large.

Stuart Kramer, 1540 Glencoe Road, emphasized that they offered, in addition to the purchase price and park space, a \$2 million payment to the City that should have been considered.

Commissioner Eckbert stated he did not see the process of the criteria used for ranking or the grading system for what the grading factors were in his evaluation. He asked how the committee evaluated the different aspects and went through that process. Commissioner Storer responded that the committee and staff recognized that this type of procurement does not happen very often and was a unique type of procurement for a City to be in this position and to go through a process of selecting a private development on the merits of a plan. He addressed the difficulty of coming up with hard fast evaluation criteria other than to list the areas important

to us. He addressed the discussion held before beginning the evaluation as a committee about the best way to address this because they recognized that they were going to have some type of conclusion after three hours of presentations. He stated the committee came to the conclusion that a consensus ranking was the best way to approach this.

Commissioner Metcalf asked if the issue of back alleys and garages in the back of the property was discussed heavily. Commissioner Storer responded affirmatively and addressed this as discussed as part of the committee. Commissioner Eckbert commented that he is sympathetic to the concerns about not knowing the important criteria ahead of time of the evaluation.

Commissioner Storer responded that everyone had the same information and was playing by the same rules. He stated there were other things offered that were not anticipated such as the monetary contributions or the suggested donation of park land on the other side of the City; the respondents took this upon themselves.

Commissioner DeVane addressed the discussion of park space earlier on and how it could be used as a park. She spoke in favor of rear entry access into garages. She stated it is more important that the plan fits into the neighborhood and benefits the community. She stated the selling point to her is that the park is a large piece not only available to Knowles Place at Windsong, but is also available to Timberlane and Timberlane Shores and becomes a neighborhood park.

Mayor Marchman applauded the three top ranked teams. He stated he has confidence in the selection committee with their decision. He asked that future RFQ or RFP's include more definitive criteria.

Commissioner DeVane disclosed her conversation with Alan Keen and Bill Roll regarding the project. Mayor Marchman stated he had conversations with Alan Keen before the rankings but nothing since the recommendation from the committee. Commissioner Metcalf stated he had conversations with Mr. Keen about a year ago but not recently.

**Motion made by Commissioner Metcalf to accept the ranking of 1) Keewin, Real Property; 2) Clayton Group; and 3) Sumner, Kramer Trustee and to begin negotiations with the teams in the ranked order; seconded by Commissioner Eckbert. Motion amended by Commissioner Metcalf to add that this will come back to the Commission and will not include the use of the \$1 million for an Educational Enrichment Fund to finance improvements to Winter Park Schools. Seconded by Commissioner Eckbert and carried unanimously.**

A recess was taken from 5:30 – 5:35 p.m.

**PUBLIC HEARINGS – EQUALIZATION BOARD:**

a) Glencoe Avenue Special Assessment:

RESOLUTION NO. 1913-05: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO SECTION 170.03, FLORIDA STATUTES, CONFIRMING THE SPECIAL ASSESSMENTS FOR THE INSTALLATION OF AND FUNDING OF PUBLIC IMPROVEMENTS AND MUNICIPAL SERVICES CONSISTING OF STREET BRICK ON A

PORTION OF GLENCOE AVENUE; WHICH IMPROVEMENTS AND MUNICIPAL SERVICES WILL BE PAID FOR BY SPECIAL ASSESSMENTS LEVIED AGAINST ALL PROPERTIES ABUTTING GLENCOE AVENUE FROM HAMPDEN PLACE TO STIRLING AVENUE; PROVIDING AN EFFECTIVE DATE.

City Attorney Cheek read the resolution by title. Attorney Cheek read a letter from Peter Weldon into the record expressing his non-support of the street bricking program.

Robin Chapman, 1510 Glencoe Road, spoke in support of bricking Glencoe Road. No other public comments were provided.

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

b) Hibiscus Avenue Special Assessment:

City Attorney Cheek read the resolution by title.

Sharon Sanders, 1676 Hibiscus Avenue spoke for Ms. Rita Bucko, 1624 Hibiscus Avenue who was present. She addressed the letter sent by Ms. Bucko prior to the meeting and asked that Ms. Bucko's assessment be reduced by 100% because of her limited income as a senior citizen. No further public comments were provided.

Commissioner DeVane spoke about giving relief for seniors living solely on social security. She stated this is something that should be considered. **Motion made by Commissioner DeVane to grant Ms. Bucko relief of 100% on the bricking assessment.** Discussion ensued regarding who would absorb Ms. Bucko's portion if she was granted relief, the concern with many others submitting the same type of request, and the need to set a policy for handling future requests of this type. Commissioner DeVane addressed the need for a needs test to determine if you are eligible for relief. Commissioner DeVane then suggested another option of a 50% reduction and to put the other 50% as a lien on the home if the other Commissioners did not want to grant a 100% reduction.

Upon further discussion regarding putting a policy into place, Mayor Marchman suggested to table the rest of the resolutions until a policy is adopted. Commissioner Storer expressed concerns with exempting a house from the assessment then the house is sold soon thereafter. After further discussion about setting a policy that needs to be in place before adopting the other resolutions, and the timing of the resolutions to be provided to the tax assessor, **a motion was made by Commissioner Eckbert to table the remaining equalization board public hearings pending a policy to be provided at the next meeting, seconded by Commissioner Storer and carried with a 4-1 vote with Commissioner DeVane voting no.**

**SEE BELOW UNDER CITY MANAGER'S REPORT FOR A CONTINUATION OF THIS DISCUSSION.**

c) Lakemont Avenue Special Assessment:

Tabled until July 25, 2005.

d) Seminole Drive Special Assessment:

Tabled until July 25, 2005.

e) Via Tuscany/Cypress Lane Special Assessment:

Tabled until July 25, 2005.

**PUBLIC HEARINGS:**

a) Request of Michael and Sandee Nebel:

ORDINANCE NO. 2634-05: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING WITHIN THE CHARTER LAWS OF THE CITY OF WINTER PARK, SECTION 1.02, "CORPORATE LIMITS DESCRIBED," SO AS TO ANNEX THE PROPERTY AT 1345 CLAY STREET, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

ORDINANCE NO. 2635-05: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE PLAN MAP AND ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO ESTABLISH FUTURE LAND USE AND ZONING DESIGNATIONS ON THE PROPERTY ANNEXED AT 1345 CLAY STREET, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

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

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

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

b) Request of Dr. Frank Lopez:

ORDINANCE NO. 2636-05: 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 MULTI-FAMILY (R-3) DISTRICT TO OFFICE (O-2) DISTRICT ON THE PROPERTY LOCATED AT 2225 GLENWOOD DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney Cheek read the ordinance by title. No public comments were provided.

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

c) Request of Michael/Wendy Gray, Jeff Bonyng and Jon/Theresa Swanson:

ORDINANCE NO. 2637-05: 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 (R-1A) DISTRICT TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ON THE PROPERTIES LOCATED AT 230 STRATHY LANE AND 2231/2241/2251 NAIRN DRIVE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

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

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

d) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO THE RESIDENCES OF SEXUAL OFFENDERS (THOSE CONVICTED OF A VIOLATION OF SECTION 794.011, SECTION 800.04, SECTION 827.071, OR SECTION 847.0145, FLORIDA STATUTES, REGARDLESS OF WHETHER ADJUDICATION HAS BEEN WITHHELD, WHEN THE VICTIM OF THE OFFENSE FOR WHICH THE CONVICTION RESULTED WAS LESS THAN SIXTEEN (16) YEARS OF AGE AT THE TIME THE OFFENSE WAS COMMITTED) WITHIN THE CITY LIMITS OF THE CITY OF WINTER PARK AND PROHIBITING THE RENTAL OF CERTAIN REAL PROPERTY TO CERTAIN SEXUAL OFFENDERS AND SEXUAL PREDATORS; AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK "DEFINITIONS," 62-194 ENTITLED "SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCE PROHIBITION; MEASUREMENT; PENALTIES; EXCEPTIONS," PROVIDING FOR A PROHIBITION FOR SEXUAL OFFENDERS AND SEXUAL PREDATORS CONVICTED OF CRIMES UNDER CERTAIN FLORIDA STATUTES FROM LIVING WITHIN 2,500 FEET OF SPECIFIED LOCATIONS WITHIN THE CITY OF WINTER PARK AND CREATING SECTION 62-195 ENTITLED "PROPERTY OWNERS PROHIBITED FROM RENTING REAL PROPERTY TO CERTAIN SEXUAL OFFENDERS AND SEXUAL PREDATORS; PENALTIES," PROHIBITING OWNERS OF REAL PROPERTY FROM RENTING OR LEASING ANY PLACE, STRUCTURE, STRUCTURE, OR PART THEREOF, TRAILER OR OTHER CONVEYANCE LOCATED WITHIN 2,500 FEET OF SPECIFIED LOCATIONS WITHIN THE CITY OF WINTER PARK TO SEXUAL OFFENDERS AND SEXUAL PREDATORS CONVICTED OF CRIMES UNDER CERTAIN FLORIDA STATUTES; PROVIDING FOR CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE, AND CONFLICTS. First Reading

Attorney Cheek read the ordinance by title. No public comments were made. Commissioner DeVane stated she will support the ordinance but believed it may give people a false sense of security. She asked if the Mayors still had their County-wide Mayor meetings and if the Mayor could take this to begin talking about a County/State wide approach to find solutions. She believed that adopting an ordinance only patched the problem and does not provide a solution. Mayor Marchman stated it is important to do all you can to protect the children and that this is something he believed can be achieved at the City level and would be happy to discuss it at the Mayor's meeting. The need for state wide support was discussed. Attorney Cheek clarified that this ordinance does not affect offenders already residing in the City.

**Motion made by Commissioner Storer to accept the ordinance on first reading, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried with a 5-0 vote.**

**CITY MANAGER'S REPORT:**

Continuation of discussion from the Equalization Board bricking assessment hearings above:

Regarding the bricking assessments that were considered and tabled earlier in the meeting, Finance Director Wes Hamil explained that the assessment rolls are due to the Property Appraiser's Office at this time so they can prepare the property tax notices to be mailed in August. He said there is still time to adjust the assessments before the actual bills are mailed in October. He explained that the residents that may become exempt from the assessment may receive a statement that indicates the entire amount that could be adjusted later. Commissioner Metcalf sought clarification on the timeline established by the Property Appraiser's Office and meeting the deadline to include the assessments on the tax notices. Mayor Marchman reiterated his preference of establishing a policy prior to making a decision regarding exemptions. Discussion ensued regarding whether a special meeting needs to be scheduled or if the Property Appraiser's Office can extend the deadline until the July 25, 2005, City Commission meeting. Additional discussion ensued regarding the need to draft a policy that addresses exemptions and the hesitation of moving forward with the proposed assessments.

Commissioner DeVane suggested moving forward with the assessment as is to meet the Property Appraiser's Office deadline for tax notices, and in the meantime establish an acceptable policy that addresses exemptions and their implementation. Mayor Marchman elaborated on the procedural problem that existed because the resolutions had been tabled earlier. Attorney Cheek explained the procedures that involve the tabling of an item during a public hearing.

Consensus was that staff inquire from the Property Appraiser's Office on whether delaying this issue until the July 25, 2005, Commission meeting allows sufficient time for the Property Appraiser's Office to incorporate the assessments into the tax notices. Responding to Commissioner DeVane, Public Works Director Troy Attaway elaborated about the residents in attendance earlier but left the meeting that were opposed to the assessment. Commissioner DeVane asked for staff to contact the residents about the next meeting. Mayor Marchman asked that staff return with a policy that addresses exemptions for bricking projects at a later date.

- a) Phase 2 contract – PraX.es for communication infrastructure planning and development.

Planning Director Don Martin stated the purpose of this item is to present the results of the work to date regarding the proposal with PraX.es and concept of communication technology within the City, and to recommend that the City continue the work into a Phase 2 contract. Mr. Martin stated that staff recommended approval of the Phase 2 contract to continue the efforts that will be presented. Mr. Martin commended Economic and Cultural Development Director Chip Weston for his efforts with this concept.

PraX.es representative John Casio presented a power point presentation and reported on the work performed over the last five months. Commissioner Metcalf commented on whether the concept of a portal attached to the City's website that would provide the opportunity for residents to order City services online was questionable because he felt that some residents would rather order their services directly from an actual representative. He addressed recent legislation to regulate municipalities from capitalizing from internet services and how the legislation will impact the City and its plans to get into the business of providing internet services. Commissioner DeVane spoke about the importance of providing high speed internet access to residents. Commissioner Storer inquired into the concept of the Federal Communication Commission's requirement of government access channels on televisions and whether this requirement will be extended to broadband services. Commissioner Eckbert inquired about the fees involved with the development of this plan. Commissioner DeVane inquired whether these services would be restricted within the City limits. Mr. Casio and Commissioner Metcalf responded with the ways that these services would not be restricted within the City limits. Mayor Marchman asked for public comments. None were provided.

**Motion by Commissioner Eckbert to approve the first quarter of the Phase 2 contract with PraX.es, funded by the Planning Department, with the caveat that the Commission is maintained closely apprised of the expectations on a quarterly basis based upon financial benchmarks or guidelines, so that if progress is unattainable, an opportunity exists for the City to opt out from the process using the financial benchmarks and guidelines provided, seconded by Commissioner DeVane. The motion carried unanimously.**

Commissioner Metcalf commented on the need to plan on the three remaining quarters within the next year as part of the City's budget.

b) 2005 resident survey results.

Communications Director Clarissa Howard introduced John Blehrud from Market Soundings who presented the 2005 resident survey results. Consensus was to accept the report provided.

c) Strategic planning session facilitator candidates.

Communications Director Clarissa Howard explained that staff was directed at the last Commission meeting to formulate a list of qualified candidates to serve as potential facilitators or moderators for the strategic planning session. She said staff has compiled a list of ten candidates for the Commission to review. Ms. Howard noted that all the candidates under consideration are qualified candidates that have over 20 years of strategic planning experience and that all candidates have been reviewed with City management. She asked if the Commission wanted to narrow the list and have them provide presentations along with their proposals. Ms. Howard responded to questions from the Commission regarding the qualifications of the ten candidates listed.

Commissioner Eckbert commented on the strengths of the proposal received from the City of Coral Springs. He expressed his concern with the disconnection between the planning phase and the execution phase which he believed was a problem with earlier strategy sessions. Commissioner DeVane commented on the accessibility of the candidate from Rollins College - Dr. Richard Bommelje, and the importance of the candidate's ties to the community which she

believed differed from the City of Coral Springs proposal. Mayor Marchman elaborated that the decisions made during strategic planning sessions need to be periodically reviewed. Agreeing that the Coral Springs model is experienced in creating a plan that includes a planning and execution phase, Mayor Marchman expressed his preference of designing our own plan that includes direction on how decisions are to be implemented. Commissioner Storer expressed his preference of the Rollins College connection and the use of the college as a resource. He elaborated that the Coral Springs model is more of an implementation tool.

Commissioner Eckbert expressed that preparation is the critical point in any strategic planning process and noted that he believed Coral Springs will help the City with this process. He expressed his preference of obtaining a presentation from the City of Coral Springs. Commissioner DeVane suggested obtaining proposals that include planning/vision as well as implementation strategies. Ms. Howard noted that candidates have been advised that the Commission was seeking assistance with the discussion on Commission objectives. She continued that she explained that the facilitator should outlay and describe a process once the Commission has narrowed the list of candidates. She said once the process has been established, the Commission should select a candidate.

Commissioner Eckbert suggested that the following candidates present a process for review: Dr. Richard Bommelje, Coral Springs, and Dr. Stiles. Ms. Howard said that each candidate is prepared to attend the next Commission meeting to provide presentations. Commissioner Eckbert reiterated his preference of integrating into the process what he believed was the invaluable process of executing strategy into budget and business plans. Commissioner DeVane explained that strategic thinking has to occur before a plan can be packaged into a model similar to the one designed by Coral Springs. Following additional discussion, it was decided that staff contact Dr. Bommelje, Dr. Stiles, Herb Marlowe, and the City of Coral Springs to attend the next Commission to provide presentations on their services.

d) Presentation of "The AveNews" direct mail piece.

Communications Director Howard explained this is an effort to inform the public of the redevelopment projects that are occurring in downtown Winter Park. She noted the first anticipated mail out date is scheduled for August 1, 2005, and will be mailed on a quarterly basis. She said this publication is an addition to the current resources that are being sent out. Ms. Howard explained how this publication differs from other City publications.

e) Naming of unnamed lake – "Mother Lake".

Public Works Director Troy Attaway spoke of the request received from the United States Board of Geographic Names and the process of naming a lake located adjacent to Wymore Road immediately north of Lee Road. He provided a visual of the lake in question. Mr. Attaway explained the results of the survey from residents on the name of Mother Lake; and the many responses received in opposition to this name. He said staff learned through this process that the lake had previously been named Wilderness Lake. He said staff has received petitions from residents in support of the Lake Wilderness name. Mr. Attaway recommended approval for staff to respond to the United States Board of Geographic Names opposing the name of Mother Lake and to say that the lake has already been named Lake Wilderness. He said residents are prepared to begin the process using the online application provided by the board.

Mayor Marchman asked for public comments. None were provided.

**Motion by Commissioner Metcalf to approve the name of Lake Wilderness, and for staff to inform the Board that the proposed name of Mother Lake is unacceptable and to forward information regarding the previous lake naming ceremony if applicable, seconded by Commissioner DeVane. The motion carried unanimously.**

f) Budget discussion.

Finance Director Wes Hamil presented preliminary information on the FY 2006 budget that included funding availability and budget requests from staff. He explained that the tentative millage cap needs to be set at the July 25, 2005, City Commission meeting. Commissioner DeVane commented on the projects that were delayed from last year's hurricane season. Finance Director Hamil explained that the funds are available for those projects. Commissioner DeVane spoke about revisiting projects as funds are received from FEMA. Commissioner Metcalf spoke about flexibility with the Contingency Fund. He also spoke of the need of staying on top of the commuter rail issue.

**POWER OUTAGES ISSUE (CONTINUED FROM ABOVE)**

Mayor Marchman revisited the letter that explains the recent power outages in the City. He clarified whether the letter should include a date for a meeting to discuss this with the affected residents and if the letter should include the option of a meeting. Commissioner Metcalf stated his belief that the letter to the affected residents was sufficient unless the meeting was open to City wide residents that can review the plans for the power system. Mayor Marchman confirmed that the letter is to be mailed excluding the meeting option. Commissioner Eckbert expressed his opposition to the exclusion of the meeting option. Consensus was to mail the letter without the meeting option.

**Additional item not listed on the agenda (Purchase of two lots on corner of English Court and Denning Drive:**

Planner Briggs explained an offer that was received from the owner/builder of two lots located on the corner of English Court and Denning Drive. He said funding exists in the Affordable Housing Fund for the transaction.

Commissioner Eckbert inquired into the balance of the Affordable Housing Fund. Discussion ensued on the square footage that each lot could accommodate and whether it is possible to control the affordability of the properties for Affordable Housing.

**Motion by Commissioner Metcalf to approve the purchase of the two lots located on the corner of English Court and Denning Drive, with funding to be provided from the Affordable Housing Fund; seconded by Commissioner DeVane. The motion carried 3-2. Commissioners Storer and Eckbert voted no.**

Mayor Marchman adjourned the meeting at 8:08 p.m.

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Mayor Kenneth R. Marchman

ATTEST: \_\_\_\_\_  
City Clerk Cynthia Bonham