REGULAR MEETING OF THE CITY COMMISSION
July 14, 2008

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

The invocation was given by Pastor Micah Millican – Aloma Baptist Church, followed by the Pledge of Allegiance.

Members present:       Also present:
Mayor David Strong       City Manager Randy Knight
Commissioner Margie Bridges   City Attorney Trippe Cheek
Commissioner Phil Anderson  Deputy City Clerk Nancy McLean
Commissioner Beth Dillaha
Commissioner Karen Diebel

Citizen Budget Comments and Requests:

Joe Terranova, 700 Melrose Avenue, on behalf of the Winter Park Library, stated that the budget has the library listed under other organizations and not as a function of the City. He asked that they be treated fairly along with other City departments.

Mayor's Report:

a) Employee of the Quarter Presentation-Aaron Choquette.

Mayor Strong recognized Aaron Choquette, Lead Wastewater Operator, as the 2008 second quarter Employee of the Quarter. Utilities Director David Zusi thanked Mr. Choquette for his hard work.

b) Ethics Board speakers.

Barry Greenstein, 2348 Summerfield Road, Ethics Board Chairman, explained that the Ethics Board scheduled six major speakers in the area of campaign finance reform and their first speaker was Rick Foglesong on July 9. Commissioner Dillaha suggested a press release regarding the speakers to get more participation. Mr. Greenstein explained they have already worked out a full press release and media type package for the remaining five guest speakers.

c) Proposal for Parking Consulting Services.

Mayor Strong commented about the proposal for the parking consulting services in an attempt to have an efficient parking facility for the library and the JW Marriott. He stated that Planning Director Jeff Briggs was looking into improving the price and expanding the scope. Mr. Briggs explained that they were trying to find an architect firm that specializes in libraries that can tell us what kind of parking is needed as they are built elsewhere and they also need a better insight on what the cost of the two alternatives are. He stated that Walker Parking Consultants is a parking garage expert firm and explained that he has been talking but does not have the result to broaden the scope and lower the price. He commented that if they have conceptual approval to move forward then he can, with the Mayor's assistance, work that out.
Commissioner Anderson asked where the funding would come from. Mr. Briggs responded that it would be taken from the Planning Department budget. Commissioner Bridges commented that all the participants could share in the consulting fee and should not be the sole burden of the City. Mr. Briggs stated they could ask and but suspected it would be the Library Board because there is no real benefit for the hotel. Mr. Briggs and City Manager Knight answered further questions about funding.

Commissioner Anderson wanted to move forward with the analysis so they can better understand if they can reduce the parking requirement and build less of a parking structure. Mr. Briggs explained that he needs to rework the scope and this was a not-to-exceed number because he was hoping to negotiate it lower. There was a consensus on that matter.

Commissioner Diebel questioned revisiting the scope to validate what the library parking needs are for the expanded building. She suggested looking at the scope and verifying the parking needs based upon our individual experience. Commissioner Anderson agreed that the principal task is to validate the way we operate and what the right number of spaces is to build based on our operational characteristics. Mr. Briggs explained they are meeting with Library Director Bob Melanson to ensure the logic of his estimate of parking needs and then double checking with outside sources so they build the correct number of spaces. Mr. Briggs said the scope also needs to be revised to include cost estimates. Commissioner Diebel asked that they wait until the scope is revised and table this until the next meeting. There was a consensus to do so.

**Action Items:**

a) Approve the minutes of 6/23/08.

b) Approve the budget adjustment transferring $96,000 from the Reserve for Developmental Services (Building Permits) to purchase 3 Ford Escape Hybrids (or similar hybrid vehicles) for Building Inspectors.  
   - Approve PR 138426 to Don Reid Ford for the purchase of two 2008 Ford Escape hybrid vehicles, piggy-backing off State contract # 071-000-08-1. Amount: $51,848.00.

c) Approve the following bids and change order:  
   2) Award of RFP-19-2008 Group Term Life, AD&D, Voluntary Term Life for Employee, Spouse and Children, Long Term Disability, and Voluntary Short Term Disability to Cigna.  
   3) Award of IFB-22-2008 Purchase of HDPE Pipe and Accessories to HD Supply Waterworks; $104,339.15.  
   4) Deductive Change Order No. 3 for Task Order 2004-02 to CH2M Hill for Aloma Water Treatment Plant & Magnolia Water Treatment Plant Phase II; ($5,385,098.65).  
   5) Award of IFB-20-2008 Landscape Maintenance Services for Water Treatment Plants and Public Works Compound to Groundtek of Central Florida; $30,558.00 (annually).

d) Central Park West Meadow Rules and Standards for Use.

e) Approve all the recommended guidelines listed under the Winter Park Youth League Fee Schedule for local youth groups that are providing athletic programs on City rental fields.

f) Authorize staff to refuse further Brighthouse Networks, Inc. pole attachments to the City’s electric distribution poles until a pole attachment agreement is executed between the parties.
g) Approve the Ethics Board recommendations; authorize the City Attorney to attend the Ethics Board meetings on an as needed basis and to request an alternate be appointed to the board.

h) Health Insurance.

i) Appoint the voting delegate for the Florida League of Cities conference.

j) Determine the survey method to use to conduct the 2008 Resident Survey.

The following action items were pulled for discussion: Items a, b, c)4), c)5), d, e, f, g, h, i and j.

Motion made by Commissioner Anderson to approve Action Items c)1), c)2) and c)3); seconded by Commissioner Bridges and carried unanimously with a 5-0 vote.

Action Item a: Approve the minutes of 6/23/08.

Commissioner Anderson asked to change the word ‘opinion’ to ‘agreement’ on page 6, second paragraph. Motion made by Commissioner Dillaha to approve the June 23, 2008 minutes as amended; seconded by Commissioner Bridges and carried unanimously with a 5-0 vote.

Action Item b: Approve the budget adjustment transferring $96,000 from the Reserve for Developmental Services (Building Permits) to purchase 3 Ford Escape Hybrids (or similar hybrid vehicles) for Building Inspectors. Approve PR 138426 to Don Reid Ford for the purchase of two 2008 Ford Escape hybrid vehicles, piggy-backing off State contract # 071-000-08-1. Amount: $51,848.00.

Commissioner Anderson had concerns about the lifecycle costs of hybrid vehicles and if they pay for themselves and whether they should be doing this right now or reserve their capital. He recommended they defer this to later in the year when things become more definitive or after they approve the City budget. City Manager Knight commented that they were fine with this either way. He stated their thought process was the commitment to be more green and the funding comes from the Building permit fees. He explained that the purchase of these vehicles will result in 50% or greater reduction of fuel costs and will allow the transfer of vehicles to another department for the remaining service years on vehicles being replaced; the performance of these vehicles will be studied to determine if the purchase of future vehicles is appropriate.

Commissioner Bridges shared Commissioner Anderson’s concerns and agreed with being innovative and green. She mentioned researching smart cars and commented that if they did not take action now they might be able to do an additional study to see if there is a better investment than hybrids. She stated that they should defer this later either in the budget cycle or until they are more comfortable. Building Director George Wiggins explained that the Developmental Services (Building Permit) fund has surplus funds available that can only be used for building code enforcement purposes and that this is an extremely wise investment. Mr. Knight and Mr. Wiggins answered further questions. Fleet Maintenance Director Jeff Parrish spoke about the cost basis of the hybrids being 12 cents per mile in fuel versus the gas version of 20 cents per mile. He stated the hybrid components are covered under warranty for 8 years or 100,000 miles.

Motion made by Commissioner Dillaha to approve the budget adjustment for the three Ford Escape Hybrid cars as requested. City Manager Knight explained that they located two cars and the money should be set aside for the third car should they find it. The motion was seconded by Commissioner Bridges. Commissioner Diebel agreed with Commissioner Anderson on deferring this item.
Mayor Strong suggested they purchase two hybrids rather than three and not spend as much money. He also questioned the cost of the three vehicles versus the two. Mr. Knight explained the State contract came in lower. Mayor Strong supported transferring sufficient funds to purchase two and see how that works out.

Commissioner Dillaha amended the motion to approve the budget adjustment for $51,848 for the purchase of two Ford Escape Hybrid cars; seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges and Dillaha voted yes. Commissioners Anderson and Diebel voted no. The vote carried 3-2.

Action Item c)4): Deductive Change Order No. 3 for Task Order 2004-02 to CH2M Hill for Aloma Water Treatment Plant & Magnolia Water Treatment Plant Phase II; (5,385,098.65).

Commissioner Diebel asked for clarification on this item. Utilities Director Dave Zusi explained that the Guaranteed Maximum Price (GMP) for this project included the value of plant equipment that the City self purchased and supplied to the contractor. He stated that this was basically deducting that from their contract amount and the remaining funds are shared savings. This item was approved (see below).

Action Item c)5): Award of IFB-20-2008 Landscape Maintenance Services for Water Treatment Plants and Public Works Compound to Groundtek of Central Florida; $30,558.00 (annually).

Commissioner Diebel asked why they were outsourcing landscape maintenance services. Mr. Zusi explained that they originally had a landscape maintenance person but after a cost analysis, they decided it would be cheaper to outsource; they eliminated the position a few years ago. He stated that the existing landscaping contractor (Quality Lawn Services Unlimited) opted not to renew the contract for another term and they rebid it.

Mr. Knight explained that historically Utilities has had its own maintenance crew and the Parks crew maintains City Hall and the parks. He stated this could be absorbed into the Parks Department but they will need an additional person because this contract handles four water plants and the common areas in the Public Safety Complex which is a good amount of work. Mr. Knight spoke about the privatization aspects of this being less expensive and they evaluate this on an ongoing basis to see if privatizing makes sense. Commissioner Bridges commented that there is a significant savings and staff should spend some time analyzing other comparable areas where this could be done.

Motion made by Commissioner Bridges to approve items c)4) and c)5); seconded by Commissioner Diebel and carried unanimously with a 5-0 vote.

Action Item d: Central Park West Meadow Rules and Standards for Use.

Parks and Recreation Director John Holland provided background information and explained that action on this item was postponed at the June 23, 2008 Commission meeting so the Parks and Recreation Commission could consider restrictions on the hours of amplified music and other issues such as access and fencing. He stated that the Parks and Recreation Commission addressed the Rules and Standards of Use for the hours of amplified sound in the West Meadow during their June 25, 2008 meeting. The board approved the use of amplified sound during
events in the Central Park West Meadow between the hours of 8:00 a.m. and 9:00 p.m. Sunday through Thursday and between 7:00 a.m. and 10:00 p.m. on Friday and Saturday.

Mr. Holland answered questions regarding fencing requirements and the decibel levels of amplified music. Commissioner Bridges was concerned about the decibel levels of the base that is immediately adjacent to the residences. She believed they should establish decibel levels and have the Parks Board look at this. Mr. Holland commented that the audience sets the volume level and if it is uncomfortable, the promoter will usually make adjustments accordingly and has been self regulating for most concerts and events. He added that anything that happens in that lot comes through the Parks and Recreation Board and there are Central Park guidelines for one large event that can take place every 30 days.

Vicki Krueger, 200 Carolina Avenue, had concerns about amplified music and commented that this ordinance does not set any limits on the decibel levels during this day time period. She read the City code, Section 2-98 Central Business District, Section e), and Quiet Solution from OSHA that gives a listing of sounds and how loud they are.

Melixa Carbonell, 200 St. Andrews Boulevard, spoke about the rules and regulations and stated that the purpose of this active space was for it to be active. She wanted to come to a compromise on the fees being charged for private events and agreed with decibel settings and some time limitations such as 9:00 p.m. during the week and 11:00 p.m. on Fridays and Saturdays. She spoke about non-profit and residential rates and the lack of electrical outlets during this phase of redeveloping and asked if that rate will be adjusted and if an event will have to bring their own generators.

Joe Terranova, 700 Melrose Avenue, emphasized that they are eliminating parking in the Central Business District (CBD) and it is essential in terms of providing it to shoppers in that area. He wanted parking to be underground of that lot and a park with trees over top of it and hoped the Commission would be open to that.

Julie Von Weller, 356 South Park Avenue, spoke about the usage standards like for Central Park for a big event and having an extra hour once a month. She commented that they are limiting events with the 10:00 p.m. time; those can be tented which will condense some of the sound. She stated that the merchants feel strongly that 11:00 p.m. is reasonable.

Meredith Gardner, 348 Park Avenue, Vice President of the Merchant’s Association and resident, spoke about being recently married at Casa Feliz and having amplified sound until 11:00 p.m. as long as it was reasonable. She stated that if they are going to set this cost for people to use as a private event then they need to be able to have the event that they want.

Woody Woodall, 411 Shepherd Avenue, stated he will be moving downtown and he realizes there will be noise and activities but he expects that.

Commissioner Dillaha asked if they could specify the type of fencing. Mr. Holland agreed that they could and can add barricades, subject to approval by the Parks Board. She also wanted to be cognizant that they have condominiums across the street. She also addressed her preference of changing the hours of amplified sound and having a limitation on use such as one or two large events a month. She suggested revisiting the guidelines in one year since this was new.
Mayor Strong agreed to exclude the road races that begin at 7:00 a.m., agreed with the specifications for the fencing and wanted flexibility in the code regarding amplified sound. Commissioner Anderson agreed with trying it and revisiting it if it becomes a nuisance. He commented that as a rule he would not allow the music to go beyond 10:00 p.m. but would agree if it went to 11:00 p.m. once a month. He asked if they should restrict the frequency of amplified music. Commissioner Diebel believed that they should not be restrictive because they have invested to green this lot for outdoor participation and this was something the community is embracing. She thought they should try it and determine if it is the best practice going forward. Mr. Holland answered further questions.

Mayor Strong commented that he would like the Parks Board to look at the different rates for non-profits and see if there is a difference in using a tent; things can be done in a tent that are less offensive to the public outside or is less noisy. He recommended they adopt these rules and regulations recognizing that there is flexibility for the Parks Board even with these rules and regulations to accept or reject all kinds of alternatives. He commented that the first event will indicate whether or not it is offensive to the neighbors and react accordingly.

Motion made by Commissioner Dillaha to adopt the standards for the Central Park West Meadow the Rules and Standards for Use and to include some language for specific types of fencing (other than orange silk fencing) that the Parks Board/Parks Department might find acceptable, and that amplified sound be allowed 9:00 a.m. except for road races which start at 7:00 a.m. and limit to 2 large events per month; seconded by Commissioner Anderson. Commissioner Anderson asked if she would consider amending the motion to leave it at one large event per month with discretion to the Parks Board for exceptions. Commissioner Dillaha agreed.

Commissioner Diebel spoke in support of the Parks Board recommendation as opposed to it being further restrictive and suggested to let the recommendation stand and consider a revision to it if needed after some experience is brought forth by the Parks Board and to let the process work to that extent. Commissioner Dillaha stated exceptions will come to the board and they will have some discretion on that.

Mayor Strong suggested to identify these as guidelines rather than rules and standards and to leave the Parks Board some discretion. Commissioner Dillaha spoke about the guidelines and explained that less than a year ago the board decided they needed to be more clear with the guidelines and changed that terminology to rules and standards.

Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson and Dillaha voted yes. Commissioners Diebel voted no. The vote carried 4-1.

A recess was taken from 5:11– 5:20 p.m.

**Action Item d:** Approve all the recommended guidelines listed under the Winter Park Youth League Fee Schedule for local youth groups that are providing athletic programs on City rental fields.

Director of Parks and Recreation John Holland stated that there are several groups that offer youth sports programs to Winter Park residents and use our fields on a continuous basis that have requested fee reductions. The Parks Department recommended to the Parks and Recreation Commission specific guidelines to accommodate these particular groups that provide
local athletic programming for youths. He explained that this fee structure will help offset the cost of maintaining the fields instead of exchanging field rental for youth scholarships as has been the practice in the past with Pop Warner Football. He explained the guidelines/requirements and commented that these proposed changes will increase their revenues. He also spoke about the existing and proposed pricing of the fields and stated that the three groups that have qualified for these fees are the Central Florida United Soccer (CFU), Central Florida Youth Football League, Pop Warner and they are anticipating the Lacrosse groups. Mr. Holland answered questions.

Commissioner Dillaha spoke against reducing the fees for use of the fields. Mr. Holland explained the reduced rates were for these four athletic groups and everyone else would be paying the same rate with the exception of Ward Field. Commissioner Dillaha commented that she was not sure why they have different rates instead of the same rates for everyone. Mr. Holland explained that the reason was to be in line with other cities and municipalities and to give the Winter Park kids and organizations a break on the use of the fields.

Commissioner Diebel supported the Youth League fee schedule and believed the citizens of Winter Park paid for these parks through property taxes, it is the majority of the expenditure in their budget and they should make it easier, not harder, for our children to use our parks.

Commissioner Bridges had concerns as to why only these four athletic groups were entitled to this and did not know what efforts were being made to collect outside of City user fees. Parks and Recreation Assistant Director Ron Moore explained that based on research, all cities now have a separate fee for their youth sports because it helps provide programs by supporting them with fields and this has become common practice now.

Stephen Lang, 1385 Hibiscus Avenue, board member of Pop Warner Football, explained that they provide an outlet for 200-225 kids to play football and to be cheerleaders and the league is 80% Winter Park orientated. He agreed with the fee increase, stated that their budget could support this, they understood the economics of it and Pop Warner Football would continue to provide scholarship programs for the kids.

Commissioner Dillaha expressed that if they are going to have lower fees for specific groups for a season, she would like to be sure that the City is paid for the utilization of those fields and they pay the remaining 50% (the first 50% is paid upon signing their contract) either when they first use the field or sometime in the beginning since they are using the fields for an entire season. Mr. Holland commented that the CFU Soccer issue on past due invoices has plagued the Parks Board. He added that if the Commission wants to collect fees up front prior to the use of the fields, they could do that.

City Manager Knight explained that the procedures in place now will allow them to collect those revenues before they move into the next month so they are not behind in payments. He believed that the policy recommended by the Parks Board is adequate to ensure they are compensated before moving on. He stated if the Commission wants to collect the fees up front they can do that but he would like to rely on the Parks Board and supports their recommendation. He also addressed the accounting procedures in place.

Mayor Strong asked if it would be their recommendation to collect past due balances prior to allowing someone to continue to use our fields. Mr. Holland agreed. There was a discussion as to the fees owed by CFU Soccer for the 2005 and 2006 seasons. Commissioner Anderson wanted to stipulate to qualify for these fields that they have no outstanding balances. Mr. Holland
agreed. He commented that in terms of CFU soccer, there is a credit problem and would like 100% of their fees for the year collected up front and did not think it should carry over into the next year.

Commissioner Bridges disagreed with giving CFU Soccer the discounted rate for not having paid in the past. She commented that if they need time to continue to play catch up with what they owe the City then they should collect on what has already been used. She commented that instead of giving them the discounted rate they make that collection and set it on a monthly timetable that is appropriate for them to get the rest of the 2007 invoice to us. There was further discussion regarding CFU and their outstanding fees.

Motion made by Commissioner Diebel to approve the recommended guidelines under the Winter Park Youth Fee Schedule as advocated by City Manager Knight and the Commission; seconded by Commissioner Anderson. Commissioner Anderson asked she consider the amendment that to qualify for this they cannot have outstanding balances. Commissioner Diebel agreed. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes and carried unanimously 5-0.

Motion made by Commissioner Bridges to collect the invoice balance on 2007 and allow them to provide us with a timeline that is manageable for them in which to collect that balance due and state that they forgive the 2005 and 2006 so that it is cleared off the books and they start with a new slate.

Mayor Strong asked for clarification on applying the new rates retroactively and the old rates and asked for Commissioner Bridges motion again, which was to forgive CFU the balances due from 2005 and 2006 and provide a payment schedule for the collection of 2007 fees owed in full before the reduction. She added she did not know what the number was but that should be whatever the contract was that they signed in 2007 to pay certain fees. Mr. Holland responded that they did not sign any contracts and that was one of the problems, however, they sign contracts now. She restated her motion that whatever the prevailing rate schedule was for 2007 that they had agreed to verbally since not in writing, it is collected over a reasonable timeframe to be defined; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes and carried unanimously 5-0.

Action Item f: Authorize staff to refuse further Brighthouse Networks, Inc. pole attachments to the City's electric distribution poles until a pole attachment agreement is executed between the parties.

City Manager Knight explained that the recommendation was to discontinue issuing right-of-way permits for Brighthouse until we finalize an agreement. He added that they have been without an agreement since they bought the electric system in 2005. He stated he would like to modify the staff recommendation to give them 30 days to finalize this agreement before they impose this sanction on issuing permits. Mr. Knight answered questions.

Motion made by Commissioner Diebel to authorize staff to proceed with Brighthouse Networks; seconded by Commissioner Dillaha. Commissioner Bridges asked for clarification on if they were giving the 30 days as requested. Commissioner Diebel agreed. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes and carried unanimously 5-0.
Action Item g: Approve the Ethics Board recommendations; authorize the City Attorney to attend the Ethics Board meetings on an as needed basis and to request an alternate be appointed to the board.

Ethics Board Chairman Barry Greenstein addressed that the Ethics Board received preliminary approval to begin work on campaign finance reform and conflicts of interest during the discussion of new business at the Commission Meeting on June 23, 2008. He expressed that they wanted formal approval on these topics that were important. **Motion made by Commissioner Bridges to approve; seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes and carried unanimously 5-0.**

Mr. Greenstein also commented that the board wanted to come up with some type of process for counsel selection. He stated that he spoke with Karla Miller Internationalist Specialist in this field and she worked with the task force for 2 years. She believed they could do this for less than $25,000 per year and they would not have to do an RFP as he understands it. He stated there were three possibilities: 1) their board is permitted to vet, interview and hire their counsel; 2) they vet and advertise to the Commissioners for their approval; or 3) assign a Commissioner to the Ethics Board. He asked for direction on how to proceed.

Mayor Strong commented that this Commission should not be involved with their City Attorney and wanted to see if there is a Winter Park resident who would volunteer to be their attorney; if not, he would support the board hiring their own attorney but the cost was a different question. Commissioner Bridges liked the idea of a volunteer and they will need to see how they will provide for this attorney in their budget discussions. Mayor Strong suggested that the board outline the qualifications necessary and see if they find someone who is acceptable to their board on a volunteer or paid basis.

City Attorney Cheek commented that he could give general advice to the Ethics Board, such as determining the law on various points, but when the Ethics Board serves as a body that considers allegations against someone, especially persons affiliated or connected with the City, it would not be appropriate for the City Attorney to handle this. He stated he was willing to assist with the initial, general level of services if the Commission wants him to.

Commissioner Dillaha agreed that the board should create a list of requirements for this attorney and estimate how many hours per quarter and start with that. Mayor Strong asked they draft those requirements and see if they have any success. Mr. Greenstein agreed.

Mr. Greenstein also requested an alternate be appointed to the board and asked for a real effort for diversity. Mayor Strong commented that he explored that however, he did not find a willing African American to serve that lived in Winter Park which was the requirement. He stated that if Mr. Greenstein had a suggestion he and the Commission would be open to it. Mr. Greenstein addressed that if this was not possible they would need to skip diversity the first year but they need an alternate. Attorney Cheek commented that they need to do another resolution to add an alternate and this could not be done tonight. Mayor Strong asked Attorney Cheek to prepare the appropriate resolution for the next meeting and see if collectively they can find someone they can recommend as an alternate. Attorney Cheek agreed to do so.
Action Items h: Health Insurance.

Human Resources Director Anna Currie explained that the current natural trend for health insurance is up 12% and predictions indicate it will only increase. She stated with Brown and Brown’s assistance and plan changes they were able to get the 18.5% proposed for our fully insured plan down to 12%. She commented that they have one option of going fully insured at 12% and any further design changes or significant increases in premiums will be a hardship for employees. She commented that changes in plan design are short term and they tried to focus on the long term solution. She advocated an onsite health clinic and explained the benefits of opening the health clinic for employees. She expressed the need for a decision on the clinic because that will drive whether they go forward with a self funded Aetna policy or whether they stay with the fully funded policy. She explained that self funding begins to set the City up for the possibilities of savings in the years that our claims are lower. She addressed staff’s recommendation.

Assistant City Manager Michelle del Valle gave a brief overview (handouts to Commission) of the data on medical plan financial analysis of fully insured versus self insured that was prepared by Brown and Brown Insurance. She also provided the staff summary of the medical plan financial analysis, the onsite medical clinic and the Health Management Services RFQ analysis. City Manager Knight asked the Commission about their thoughts on the health center concept and if they were in favor of that to approve them to move forward in negotiating the self-funded contract. He stated that if they were not in favor of the health center concept, they would recommend they stay with the fully insured plan for next fiscal year.

Commissioner Bridges expressed concerns with the information already received about self-funding and lack of information that has not given her a comfort level. Mr. Knight explained that it was a risk reward decision and the reward (looking at this type of funding arrangement) far exceeds the risk in the long run, including the ability to have a better impact on our trend moving forward. She was also uncomfortable with the speed in which they find themselves. She stated that if this is a great concept, she thinks it will be just as valid this time next year as it is this year. She added that she was not comfortable making an incredibly radical change in our health insurance at this time and set it up for January 1, 2009.

City Manager Knight described in further detail the magnitude of the risk versus the magnitude of the reward of the staff summary medical plan financial analysis. Mr. Knight stated that staff’s recommendation was not to go to the self-funded model without the clinic because the clinic is the way to best control our costs going forward. Mr. Knight, Ms. del Valle and Ms. Currie answered further questions posed by the Commission.

Commissioner Dillaha stated that she listened to the RFP presenters and felt there was a lot more to explore regarding clinics which time did not allow. She was in favor of delaying this for a while and to look at #6 of the fully insured plan. She summarized that she wanted to stay fully funded at this time with a different plan design and then look into a host of different options. She wanted to provide a good health plan and remain competitive and to take more time on the clinic and self-insured options.

Mr. Knight explained the timeline on evaluating the clinic. Commissioner Diebel stated that she was supportive based on the financial analysis of the self-insured model and taking 6-9 months to implement the clinic onset and making an assessment at that time. She advocated adopting the staff recommendation to go forward on the self-funding maximum liability plan as calculated.
**Motion made by Commissioner Dillaha to stay fully insured with plan #6 and continue exploring and fully understanding the pros and cons of being self insured and explore the different clinic options.** Discussion ensued regarding being self insured versus fully insured and how the run out liability applies at cancellation.

Commissioner Dillaha stated they were self-insured at one time and asked why they went to being fully insured. Mr. Knight explained that when they went out to bid they received a better fully insured quote than a self-insured quote at that time and decided to go back to being fully insured.

Commissioner Diebel again advocated staff’s recommendation. City Manager Knight explained that staff’s recommendation was to proceed with the proposed plan #6, self funded and to pursue simultaneous negotiations with the three companies to see which one can put together a pro forma and bring that back to the Commission.

Commissioner Dillaha reiterated her motion to go with the fully insured with plan #6 on the different planned design options and to continue exploration of self insured versus fully insured and the health clinic concept; seconded by Commissioner Bridges. Mayor Strong asked for clarification on the plans. Ms. del Valle explained that all three plans offer the employee the same benefit structure.

Commissioner Anderson agreed with Commissioner Diebel about a self-insured program but differed in that he would only go with it if they were prepared to do the clinic. He thought the clinic compunds the saving aspect of it and in a way gives the ability to manage toward the savings.

Commissioner Dillaha stated that she was not comfortable because they were seeing the self-insured for the first time tonight and it was not presented before. Commissioner Diebel stated that she was fine with tabling this if she has questions she would like staff to research over the next two weeks if that will provide her the decision basis. Commissioner Diebel reminded the Commission that this was a model that worked for our City 2 years ago and they were not reintroducing something new. She added that they were simply making the best choice for the current situation we are in.

Mayor Strong commented that he would go with the self-funded program now and commit to the clinic now so it is ready this time next year and would support staff’s recommendation. He was satisfied with the risk and reward and the potential decrease costs of the same benefits for employees. He stated that he would be inclined to make that decision tonight but if they need to defer it and give it more thought he would be happy to do that.

**Upon a roll call vote, Commissioners Bridges and Dillaha voted yes. Mayor Strong and Commissioners Anderson and Diebel voted no. The motion failed with a 3-2 vote.** Mayor Strong stated they need another motion to table this for another two weeks.

Ms. Currie asked them to adopt plan #6 (the benefit design) so they could get started on writing the booklets. **Motion made by Commissioner Bridges that they adopt plan #6; seconded by Commissioner Diebel. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes and carried unanimously 5-0.**
The Commission will need to decide if the City will go with a fully funded plan or a partially self funded plan and whether or not to include a health clinic. Commissioner Diebel advocated that the self-insured option can be mutually exclusive of the clinic.

**Action item ‘i’: Appoint the voting delegate for the Florida League of Cities conference.**

Commissioner Dillaha nominated Commissioner Bridges to be the voting delegate for the upcoming Florida League of Cities conference. The nomination was seconded by Commissioner Diebel and carried unanimously with a 5-0 vote.

**Action Item ‘j’: Determine the survey method to use to conduct the 2008 Resident Survey.**

Assistant Communications Director Craig O’Neill addressed the Commission regarding the 2008 resident survey and the direction of the Commission to obtain the cost related to on-line surveys and how it compares to other methods. He provided the approximate costs that he stated could change when they receive the official RFP responses; the exact costs will be provided from the RFP process. He stated that from their initial conversations, on-line only costs range from $10,000-$24,000 depending on how in-depth the survey will be. Mr. O’Neill further elaborated on the projected costs and what would be included in those costs. City Manager Knight answered questions posed by the Commission. There was discussion regarding the postcard that will be mailed with the on-line information and where residents can request a paper survey and also concerns with residents not owning computers or who are computer savvy.

Commissioner Dillaha addressed her preference of the on-line survey and sending a postcard because it could reach more people and hopefully get a larger response. She explained her hesitancy of a telephone survey because of the time and money involved.

**Motion made by Commissioner Bridges that we utilize the on-line survey, statistically valid, to every household in Winter Park; seconded by Commissioner Dillaha.**

Commissioner Anderson stressed the importance of having someone available to assist residents. It was suggested that certain locations be designated to assist and inform the residents of those locations. Mayor Strong asked when this will take place because of major issues coming. Mr. O’Neill stated it would be after school starts and before the holidays. Mayor Strong stated we should have direction of some of the major issues in the City by then and that the content of the survey needs input from each of the Commissioners. Commissioner Dillaha asked that possible questions be discussed at a future work session. The motion carried unanimously with a 5-0 vote.

There was a recess taken from 7:40-7:49 p.m.

**Comments from a citizen regarding the insurance issue**

Jim Kragh, 1024 Tuscany Place, stated he is an expert working in the national arena for health care automation. He spoke against taking an action at this time regarding the insurance issue because of the need to thoroughly discuss this before making that decision. He suggested that the Commission take their time in making a decision and believed there has been a lack of information provided. He stated he would be glad to help with this issue. Mayor Strong stated that maybe they will invite him to their work session when they discuss this.
Public Hearings: Equalization Board:

a) Tuscany Place Special Assessment:

RESOLUTION NO. 2004-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS AND MUNICIPAL SERVICES IN AND FOR THE CITY, TO-WIT: STREET BRICK ON TUSCANY PLACE, EAST OF VIA TUSCANY; FURTHER DECLARING THAT THE COST OF SAID IMPROVEMENTS AND MUNICIPAL SERVICES SHALL BE PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY SPECIALLY BENEFITED BY SAID IMPROVEMENTS AND MUNICIPAL SERVICES; SPECIFYING THE MANNER OF AND TIME FOR PAYING THE SPECIAL ASSESSMENTS; AND INVITING THE PUBLIC TO REVIEW THE PROJECT PLANS AND SPECIFICATIONS AND THE ASSESSMENT PLAT, ALL OF WHICH ARE ON FILE AT THE OFFICE OF THE CITY CLERK OF THE CITY OF WINTER PARK, PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the resolution by title. Public Works Director Troy Attaway addressed the location of the project and the petition that was brought to the City that met the requirements requesting consideration of bricking. He spoke about the cost estimate that the City prepared along with a summary and breakout of what the residents would pay; 89% of the residents voted to move forward. He explained how the City’s share of the project is determined and answered questions.

Jim Kragh, 1024 Tuscany Place, complimented City staff with the work they performed on this project.

Motion made by Commissioner Bridges to adopt the resolution, seconded by Commissioner Dillaha. There was discussion regarding budget constraints, the need to further discuss future bricking projects, and the City paying a share of these projects. **Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes.** The motion carried unanimously with a 5-0 vote.

RESOLUTION NO. 2005-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170.03, FLORIDA STATUTES, CONFIRMING THE SPECIAL ASSESSMENTS FOR THE INSTALLATION OF STREET BRICK ON TUSCANY PLACE, EAST OF VIA TUSCANY, GENERALLY DESCRIBED AS ADJACENT TO THOSE PROPERTIES ON TUSCANY PLACE, EAST OF VIA TUSCANY, PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the resolution by title. No other public comments were made. **Motion made by Commissioner Bridges to adopt the resolution, seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes.** The motion carried unanimously with a 5-0 vote.

b) French Avenue and Alfred J. Hannah Way Special Assessment:

RESOLUTION NO. 2006-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS AND MUNICIPAL SERVICES IN AND FOR THE CITY, TO-WIT: STREET BRICK ON FRENCH AVENUE AND ALFRED J. HANNAH WAY; FURTHER DECLARING THAT THE COST OF SAID IMPROVEMENTS AND MUNICIPAL SERVICES SHALL BE PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY
Attorney Cheek read the resolution by title. Public Works Director Troy Attaway explained the petition received from the residents. He addressed the discussion and negotiations with Rollins College where they wanted to improve their on-street parking along French Avenue and Hanna Way and believed this was a good time. He addressed the petition for French Avenue and a section of Lakeview that is not bricked because they did not get support for that portion so the City decided not to brick that block to avoid delaying the entire project. He further explained that when the City received the petition for French, staff thought it desirable to also brick that section of Lakeview which was added to the vote; the City committed to consider the two votes together if they all passed or separately so if Lakeview voted against the bricking, the project on French would still move forward; the project cost included French and the one block on Lakeview. He stated the French Avenue residents voted to support bricking their street by 77%; the City did not receive good support this time on Lakeview.

David Miller, 767 French Avenue, stated he gathered the petitions for this project and worked with the City, Rollins College and the College Quarter Neighborhood Association. He spoke in support of the project with two conditions: that no Rollins College signs are permitted in the City park as illustrated in their plan, and that no loading zones would be permitted in the City right-of-way. He provided a letter for the public record.

Larry Lokken, 719 French Avenue, spoke in favor of the resolutions and asked that Hanna Way remain open.

Stephen Coutont, 905 Lakeview Drive, commended Mr. Miller for his work. He spoke in opposition to the bricking but stated it would be a mistake to leave the asphalt between Lakeview and French. He asked that the resolution be tabled so a consensus can be reached with the residents on Lakeview. Mr. Attaway addressed a gentleman coming into the office wanting to change his vote on Lakeview along with another resident so Lakeview may have the votes eventually but would not be able to put it on this tax bill.

Mr. Attaway answered questions regarding the sign and loading zone and the verbal commitment of Rollins concerning the parking lot. Commissioner Bridges commented regarding the bricking process followed and the commitment from Rollins College concerning the parking lot which did not concern her. 

Motion made by Commissioner Bridges to adopt the resolution, seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

RESOLUTION NO. 2007-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170.03, FLORIDA STATUTES, CONFIRMING THE SPECIAL ASSESSMENTS FOR THE INSTALLATION OF STREET BRICK ON FRENCH AVENUE AND ALFRED J. HANNAH WAY, GENERALLY DESCRIBED AS ADJACENT TO THOSE PROPERTIES ABUTTING FRENCH AVENUE AND ALFRED J. HANNAH WAY, PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the resolution by title. No other public comments were made.
Motion made by Commissioner Anderson to adopt the resolution, seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

c) Portion of Holt Avenue from Pennsylvania Avenue to Park Avenue Special Assessment:

RESOLUTION NO. 2008-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, DECLARING THAT THE CITY IS TO FUND CAPITAL IMPROVEMENTS AND MUNICIPAL SERVICES IN AND FOR THE CITY, TO-WIT: STREET BRICK ON A PORTION OF HOLT AVENUE, FROM PENNSYLVANIA AVENUE TO PARK AVENUE; FURTHER DECLARING THAT THE COST OF SAID IMPROVEMENTS AND MUNICIPAL SERVICES SHALL BE PAID BY SPECIAL ASSESSMENTS LEVIED AGAINST REAL PROPERTY SPECIALLY BENEFITTED BY SAID IMPROVEMENTS AND MUNICIPAL SERVICES; SPECIFYING THE MANNER OF AND TIME FOR PAYING THE SPECIAL ASSESSMENTS; AND INVITING THE PUBLIC TO REVIEW THE PROJECT PLANS AND SPECIFICATIONS AND THE ASSESSMENT PLAT, ALL OF WHICH ARE ON FILE AT THE OFFICE OF THE CITY CLERK OF THE CITY OF WINTER PARK; PROVIDING AN EFFECTIVE DATE.

Attorney Cheek read the resolution by title. Public Works Director Attaway explained the background of this project that began a while ago that was in the process of voting to put it on the 2007 tax bill. He stated the Commission decided to move forward with the project, to fund it in the current fiscal year, complete the project and put it on the 2008 tax bill. He stated this project will refund the City for the portion it spent on the project. No public comments were made.

Motion made by Commissioner Bridges to adopt the resolution, seconded by Commissioner Anderson. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

RESOLUTION NO. 2009-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, PURSUANT TO CHAPTER 170.03, FLORIDA STATUTES, CONFIRMING THE SPECIAL ASSESSMENTS FOR THE INSTALLATION OF STREET BRICK ON A PORTION OF HOLT AVENUE, FROM PENNSYLVANIA AVENUE TO PARK AVENUE, GENERALLY DESCRIBED AS ADJACENT TO THOSE PROPERTIES ON HOLT AVENUE, FROM PENNSYLVANIA AVENUE TO PARK AVENUE, PROVIDING AN EFFECTIVE DATE.

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

Motion made by Commissioner Anderson to adopt the resolution, seconded by Commissioner Dillaha. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

Public Hearings:

a) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO BUILDINGS; AMENDING CHAPTER 22 TO AMEND A CITY FIRE SPRINKLER AMENDMENT TO THE FLORIDA BUILDING CODE FOR UNIFORMITY; PROVIDING AN EFFECTIVE DATE. First Reading
Attorney Cheek read the ordinance by title. Building Director George Wiggins explained the intent of the ordinance and answered questions. Fire Chief Jim White also answered inquiries of the Commission. No public comments were made.

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


Attorney Cheek read the resolution by title. City Manager Knight explained that changes were necessary to the bond issue and that bond counsel and Mr. Dunlap agree with the changes. The changes mandated by both the Financial Security Assurance (FSA) and Moody’s Investors Services were explained by Bond Counsel John McWilliams. Craig Dunlap, Dunlap and Associates, spoke about the current market. No public comments were made.

Motion made by Commissioner Anderson to adopt the resolution, seconded by Commissioner Bridges. Upon a roll call vote, Mayor Strong and Commissioners Bridges, Anderson, Dillaha and Diebel voted yes. The motion carried unanimously with a 5-0 vote.

City Attorney’s Report:

1. City Attorney Cheek addressed the need to schedule a shade meeting regarding the resolution of the Trismen lawsuit, a new lawsuit filed by DI Partners, LLP and potentially discuss the Williams’ lawsuit. It was scheduled for 11:00 a.m. on July 21.

2. City Attorney Cheek provided the status of the sale of the University water plant property to Full Sail and the closing no later than August 14.
Non-Action Items:

a) City Manager’s Report.

City Manager Knight provided updates on Brookshire (will be on the July 28 agenda), commuter rail, grading of Lot B, and the Lake Bell issue. Public Works Director Attaway provided additional information regarding the Lake Bell issue and answered questions posed by the Commission. City Manager Knight provided additional updates regarding the Park Place parking garage event, the upcoming budget work session scheduled for July 21, and adopting the tentative millage rate. Building Director Wiggins provided an update on the landscape code adoption schedule.

b) Presentation of the proposed Residential Parking Permit Program.

Public Works Director Attaway explained the proposed program regarding a residential parking permit program and its purpose because of some neighborhoods being impacted by non-residential parking. He commented that this is a way to address the problem without penalizing the residents in the neighborhood that park on the street. He stated they are currently reviewing the College Quarter neighborhood and the Kenilworth Shores area. He stated the ordinance will establish the process and will allow the Commission to establish districts to control the non-residential parking issues.

Discussion ensued regarding the possible use and the cost of decals. Traffic Engineer Butch Margraf provided comments for the use of decals and the cost incurred by the City. Commissioner Bridges asked about the use of handicapped type hangers for vehicles to allow more flexibility for the residents. Mr. Attaway stated they have reviewed the pros and cons of both decals and hangers. Commissioner Diebel suggested approaching the School Board and making sure that students with stickers from the school are not allowed to park on the street. City Manager Knight explained that the ones not paying for school stickers are the violators. He explained the signage is in place to prohibit this but that it punishes the residents.

There were further comments regarding support for this program by Commissioner Anderson. He suggested that this needs to solve areas that have a proven problem. Mr. Attaway stated they will clarify the guest issue at residences. Commissioner Anderson expressed a concern with residents paying for this and asked if there is a funding source in the City that could fund this. Mr. Attaway will explore that. There was a consensus to bring forth an ordinance at a future meeting.

New Business (Public):

No new business.

New Business (City Commission):

1. Commissioner Dillaha asked about holding bi-weekly Commission work sessions. There was a consensus to discuss this at the July 28 meeting.

2. Commissioner Dillaha suggested sending a copy of the strategic plan to all board members so they are aware of the plan.
3. Commissioner Dillaha addressed wanting to follow up on the comprehensive plan going forward. She stated that the Commission along with the Planning and Zoning (P&Z) made the decision at their meeting last week to get a team together to go to the Department of Community Affairs (DCA) in Tallahassee. She asked for confirmation of this and to inform the DCA of this now. Mayor Strong suggested they wait for the P&Z to adopt the comprehensive plan at their meeting tomorrow and then schedule the meeting with the DCA, but subject only to them adopting something. He agreed but that it should and can wait until this happens.

4. Commissioner Dillaha asked that Brown and Brown complete the comparative analysis before the next meeting.

5. Commissioner Bridges asked about the Fleet Peeples dog park plan and the agreement that there would be shared responsibilities delineated between the Friends of Fleet Peeples and the City's Parks Board. She asked for the status of that and if they have worked with the City on a timeline of how this park will happen. Parks Director John Holland stated that staff has put together a memorandum of understanding for their action and have not heard back at this time but will follow up on it.

6. Commissioner Diebel spoke about the importance of the Planning and Zoning Commission adopting the comprehensive plan at their next meeting.

7. Commissioner Bridges asked about the status of the Way Finding Program. City Manager Knight stated the RFP is finalized and required a lot of changes by staff that were needed before the RFP went out.

ATTEST:

Mayor David C. Strong

Cynthia S. Bonham, City Clerk