

**CITY OF WINTER PARK  
REGULAR MEETING OF THE CITY COMMISSION  
August 22, 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 Pastor Jim Book, First Christian Church of Winter Park, followed by the Pledge of Allegiance.

Members present:

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

Also present:

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

**MAYOR'S REPORT:**

a) Donation of Automatic External Defibrillator (AED)

Fire Chief Jim White donated an Automatic External Defibrillator (AED) to Winter Park High School Principal Bill Gordon to be used by the school's Athletic Department.

b) Orlando Chamber of Commerce – myregion.org presentation.

Myregion.org Chairman Randy Lyons presented a power point presentation on the economic and growth changes that are occurring and impacting the Central Florida region.

c) Proclamation – Muscular Dystrophy Association (Firefighter Appreciation Week).

Mayor Marchman read a proclamation that commended Winter Park Firefighters for their fundraising efforts to help the Muscular Dystrophy Association and proclaimed September 9-10, 2005, as Winter Park Firefighter Appreciation Week. Fire Chief White thanked the Commission for allowing firefighters to participate in the boot drive.

**NEW BUSINESS – CITIZENS COMMENTS (INCLUDES BUDGET COMMENTS):**

No comments were provided.

**CITY ATTORNEY'S REPORT:**

No items to report.

**CONSENT AGENDA:**

- a) Approve the minutes of 8/8/05.
- b) Approve the following bids and purchase orders:
  - 1) PR 119932 to Florida Highway Products under City of West Palm Beach contract 03-04-06, for micro resurfacing of various roadways; \$55,000.00 (Budget: Streets CIP).
  - 2) Adding another crew to the contract with Burford's Tree, Inc. under the Electric Line Clearance Tree Trimming RFP-10-2005 for an additional amount of \$2,221.40/week (Budget: Electric Utilities).
  - 3) Approve addition to bid WP-8-2005 Canopy for Pipe Storage at Central Compound (PO #118023). The addition will be a storage canopy for tire storage for Fleet Maintenance, amount \$28,944.00. (Budget: Fleet Maintenance).

No public comments were made.

**Motion made by Commissioner Storer to approve the Consent Agenda; seconded by Commissioner DeVane. The motion carried unanimously.**

**PUBLIC HEARINGS:**

- a) Request of Nodarse & Associates for property at 991 Bennett Avenue to construct two story office buildings of 32,500 square feet with parking:

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 991 BENNETT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

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 991 BENNETT AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. First Reading

City Attorney Cheek read the ordinances by title. Planner Jeffrey Briggs explained that the applicant is making two requests: (1) annexation of the property at 991 Bennett Avenue into the City of Winter Park; and (2) rezoning of the property from R-3 to O-2 for a new office building. He added the applicant has agreed to the City's request for a sanitary sewer easement to allow access to their sewer pipe to facilitate that redevelopment. Planner Briggs reported that the Planning and Zoning Commission recommended approval of the request.

No public comments were made. Commissioner DeVane inquired about the jurisdiction of certain properties located near the subject property.

**Motion made by Commissioner Eckbert to accept the annexation ordinance on first reading, seconded by Commissioner Storer. Upon a roll call vote, Mayor Marchman and**

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

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

b) Request of the City of Winter Park:

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" TO PROVIDE ALLOWANCES FOR ADDITIONAL HEIGHT ON BUILDINGS FOR PARAPET WALL HEIGHTS ON ROOFS AND ROOFTOP MECHANICAL EQUIPMENT WITHIN THE OFFICE (O-2) AND COMMERCIAL SHOPPING CENTER (C-1) DISTRICTS COMPARABLE TO THAT PERMITTED IN THE OTHER OFFICE AND COMMERCIAL ZONING DISTRICTS, TO PROVIDE CONSISTENCY AMONG THE ZONING DISTRICTS AND TO ADD CERTAIN CONDITIONAL USES TO THE R-2 DISTRICT. First Reading

Attorney Cheek read the ordinance by title. Planner Briggs stated at the direction of the City Commission, staff prepared an ordinance to achieve conformance with the heights permitted for parapet walls and rooftop mechanical equipment. He explained that in most zoning districts, including the Office (O-1) district, the General Commercial (C-3) district, the Light Industrial (I-1) district and the Public Quasi-Public (PQP) district, there is an allowance for up to five feet of height for parapet walls and for up to ten feet for mechanical equipment and elevator towers above the listed height limits. He said there is no such provision in the current Office (O-2) zoning and the Shopping Center (C-1) zoning. He stated in the Central Business (C-2) district, the City only has a two foot parapet provision for three story buildings due to the concern about height on Park Avenue. Mr. Briggs reported that the Planning Commission agreed that since the Office (O-2) zoning is most frequently used in the vicinity of residential zoning, that the 35 feet was intended to be a maximum and not permit any additional allowances for height. He said that logic however, would not apply to the (C-1) district and this ordinance brings that district into conformity with the others.

Commissioner DeVane asked that staff return and provide a table that shows the categories of zoning designations with parapet and mechanical heights, impervious coverage, and parking. She elaborated on the need to discuss methods that would respect various districts and zoning categories that abut each other. She asked that the information be presented by the second reading of the ordinance.

No public comments were made.

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

**CITY MANAGER'S REPORT:**

a) Closure of Swoope Avenue during St. Margaret Mary School hours.

Economic and Cultural Development Director Chip Weston explained that St. Margaret Mary Catholic Church has requested a street restriction on Swoope Avenue during school hours. He said staff distributed a mail out to residents who have direct access to Swoope Avenue. Mr. Weston reported that a public meeting was held with no opposition to the request and that this prompted a trial period during the last two weeks of the school semester in which no problems arose.

Mr. Weston explained staff was made aware of the residents that claimed they did not receive notification which prompted staff to conduct a more extensive mailing which is the reason for the meeting tonight. He said it is the opinion of staff to continue with the street restriction as requested since the street restriction has been performed problem free.

Mayor Marchman and Commissioners DeVane, Storer and Metcalf disclosed they had participated in discussions with the parties involved.

Stanley Wilson, 1620 Mayflower Court, expressed his concern over whether the City's Code of Ordinances was properly followed when it was decided to close a private street. He asked that the Commission set aside their findings from the last meeting, disallow the closing of Swoope Avenue, and dismiss this item from the agenda. Mayor Marchman addressed Mr. Wilson's interpretation of the code. He stated that the request does not in any way constitute making the road a private road. He added we are not closing a road, but are limiting traffic flow during a particular time. He explained that under the Home Rule provisions of the Florida Statute and our ordinances, we have the authority to regulate and limit traffic as necessary, especially if safety is a factor.

St. Margaret Mary Catholic School Principal Katie Walsh elaborated on the safety issues which prompted the request from the school for the street closure.

Nora French, 640 Park Avenue North, expressed that the opposition to the street closure from the Park Aire residents is not about their indifference towards the safety of the children, but about setting a precedent of the closing of a street to accommodate a school whose administration chose to place the school on both sides of the street.

Evelyn Pettit, 640 North Park Avenue, identified herself as the author of a letter that initiated this meeting. She elaborated on the issue of child safety and the safety deficiencies that she believes exist in certain areas of the City.

T. Ackert, 1759 Sunset Drive, provided a brief history on the growth of the church and the problems its expansion has created.

Mick Knight, 946 Moss Lane, spoke in support of the road closure. He addressed the comments in opposition to the request.

Jim Lee, 2200 Via Luna, traffic consultant retained by the church, explained the traffic report and the planning that was conducted. He stated that safety is the critical issue here.

George Driscall, 1350 Place Vendome, supportive of the street closure, believed that the comments in opposition to the request only addressed the legality of the issue instead of the inconveniences.

Robert Duchemin, 1440 Place Vendome, addressed some of the comments made in opposition to the request.

Paul Newnum, 1443 Hibiscus Avenue, spoke in support of the request.

Mary Coleridge, 1641 Chinook Avenue, Maitland, spoke of the traffic flow around the school. She expressed her concern over the safety of the children that attend the school.

Commissioner Eckbert inquired into the practicality of closing the roadway. Mr. Lee elaborated on the elements that are analyzed when considering a road closure. Ms. Walsh confirmed that the hours of the closure will be 8:15 a.m. - 2:15 p.m. when the barricades are erected and removed. There was discussion on the primary egress and ingress for the Park Aire residents.

Commissioner DeVane apologized for the inadequate meeting notification of the July meeting. She spoke of the rapid growth occurring in the area and how it is impacting our schools and roadways. Appreciative and apologetic of the inconveniences to the Park Aire residents, Commissioner DeVane expressed her concern over the safety of the children that attend the school. She said she was supportive of the road being closed because this is a public safety issue.

Commissioner Metcalf said he was supportive of the request. He spoke of the need to replace and provide an alternate handicap parking space for the one that is blocked in the road closure. He said the alternate space needs to be relocated to a reasonable location.

Commissioner Storer expressed his concern with the procedural issues that were raised and believed that amends were made. He said he was supportive of the request and the safety of the children. Commissioner Storer noted he would review any school site within the City and make the same decision if it were necessary to help the situation.

Commissioner Eckbert expressed he concurred with the Commissioners' comments. Mayor Marchman elaborated on the request. He said the closure is only for six hours and that east-west access will still be available for the Park Aire tenants. He spoke of the importance of the safety issue as related to the children.

**Motion by Commissioner Storer to approve the street closure of Swoope Avenue during St. Margaret Mary School hours of 8:15 a.m. to 2:15 p.m., seconded by Commissioner Metcalf. The motion carried unanimously.**

Although not listed on the agenda, the following issue was addressed.

- a) Update on the Regent Hotel.

Regent Hotel Legal Representative Hal Kantor provided an update on the project. He said the development team expects to submit and apply for a foundation permit in November or December. He said the construction loan should be closed by November and the final full drawings of the complete hotel should be submitted to the City in January or February. He said anticipated construction of the hotel and the vertical structure should begin in April. Mr. Kantor reported that the contractor selected is Centex. Lastly, Mr. Kantor distributed a 10-month detailed schedule of the project.

Discussion ensued about the daily rising construction costs and the challenges that lay ahead. Mr. Kantor elaborated on the economic conditions that have impacted the construction industry. Commissioner DeVane expressed her preference of moving forward as soon as possible.

b) Selection of Strategic Planning Facilitators/Moderator.

Communications Director Clarissa Howard addressed the three potential organizations recently presented to the Commission to assist the City with strategic planning. She provided a brief report on the three organizations and the proposals they made.

Mayor Marchman spoke about moving forward with a strategic planning session and to also hold one or two town hall meetings for residents to share their feelings related to development. He expressed that he would like the meetings to include a summary of the process a developer goes through with the City. Mayor Marchman stated he will be more amenable to meeting with a facilitator once the town meetings have been held.

Commissioner Eckbert elaborated on the differences between the candidates. He said he was willing to support any of the facilitators desired by the Commission as long as the process of the City of Coral Springs is included. He said the City of Coral Springs is unwilling to take the place of a facilitator because they will not assist with that function. Mayor Marchman in agreement with Commissioner Eckbert, stated that once the facilitator is determined and it is decided how to go through the process, they will then evaluate the results produced by the process.

Commissioner DeVane elaborated on the process of developing goals. She expressed her preference of postponing a strategic session until input is received from structured town meetings. She commented that it is the responsibility of the Commission, the City Manager and department heads to carry out the vision and address the important issues of the City. She stated that staff, under the leadership of the City Manager and the different department heads, are responsible for implementing the vision and the decisions made that address the important issues. She said everyone involved in the process is doing a fine job and was amenable to staff reviewing the Coral Springs model if they wished to do so. She elaborated that there has been an attempt to adopt some of Coral Springs' methods in the City's budget process, but that responses were not received from all the Commissioners. She expressed that it should be up to City staff to decide how to implement the directives given to them by the Commission. She commented on the projects that have been successfully completed under budget by staff. Commissioner DeVane expressed her concern with the deficiencies in obtaining input from residents on the changes occurring in the City and wanted to hold a forum to collect information from citizens.

Commissioner Eckbert inquired into what was not responded to. Commissioner DeVane clarified that the City Manager asked in January for Commissioners to submit a list of budget priorities for the next year, resembling the City of Coral Springs' S.W.A.T. list model. She noted that she did not believe that responses were provided. Commissioner Eckbert stated he was unaware of the process Commissioner DeVane referred to.

Commissioner Storer stated he reviewed the proposals received and looked forward to participating in the process. He said there needs to be a public meeting to discuss specific topics and wanted the process to be as productive as possible. Commissioner Storer added that we need to ask questions on specific items and that it is important for the Commission to communicate the facts related to growth.

Commissioner Eckbert spoke in support of obtaining public input and a City-wide meeting because he felt it is an important part of the process. He explained that many residents have legitimate concerns about the City without ever attending a Commission meeting. Mayor Marchman suggested two sessions, one at the Winter Park High School and the other at the Rachel Murrah Civic Center. He stated that residents need to understand that projects have been considered and have gone through a process that has worked well and that the Commission is always reviewing ways to provide the level of services that have always been provided without having to increase taxes.

Commissioner DeVane spoke of a meeting she attended at the UCF business center that addressed community issues. She spoke of obtaining information from representatives of City boards.

Commissioner Metcalf reminded the Commission that it has been two years since the last Strategic Planning session. He said it is the Commission's responsibility to devise a strategic plan that preserves the character of the City and needs to be proactive with defensive strategies that will preserve the City. He elaborated that much of the development that is occurring is beyond the City's control because it has met development guidelines. He said it is up to the Commission to move quickly and to think long range about what the City should be like in the future. He spoke of the need to be cost effective, plan for the long term and to not further delay this process.

**Motion by Commissioner Eckbert that regardless which facilitator is selected, that the City of Coral Springs is pursued and included in the process, seconded by Commissioner Metcalf.**

Mayor Marchman expressed his hesitation on voting to include the City of Coral Springs in the process at this time. He said that it will depend on the results from the process. Appreciative that their assistance would be an asset, Mayor Marchman stated he did not want to bind the City to them at this point in the process.

As support for the motion, Commissioner Eckbert spoke about approaches that have been used by unsuccessful entities. He expressed that he believed the City should be held to a similar standard if not greater than larger entities. He said he believed that the City has fallen short of pursuing a thoughtful strategic planning process that is integrated into the budget.

Mayor Marchman stated that the City of Coral Springs is available to assist the City with the budget process if it is decided to use them further along in the process. He said he did not want to make it contingent upon who is selected as facilitator at this point in time. Commissioner DeVane concurred with Mayor Marchman. She stated that once a strategic process is completed and goals and objectives are set, it would be the appropriate time to look at other communities and agencies that can provide a similar service. She said the City of Coral Springs is the only one that has been suggested at this time. Commissioner Storer stated he wanted to hear ideas proposed by the facilitator and how staff responds to those ideas. He stated that he looks forward to participating in Commission discussion on visioning plans.

**Following additional discussion, the Mayor called for a vote on the current motion. The motion failed by a 3-2 vote. Mayor Marchman, Commissioners DeVane and Storer voted no.**

**Motion by Commissioner DeVane to hire Mr. Marlow if he is available between now and October, seconded by Mayor Marchman.**

**Supporting the current motion, Commissioner Eckbert offered the following amendment: to pursue and include the City of Coral Springs in the process, seconded by Commissioner Metcalf. The amendment to the motion died by a 3-2 vote. Mayor Marchman, Commissioners DeVane and Storer voted no.**

**The vote on the original motion: (Motion by Commissioner DeVane to hire Mr. Marlow if he is available between now and October, seconded by Mayor Marchman), the motion carried 4-1. Commissioner Eckbert voted no.**

Mayor Marchman spoke about the urgency with this issue. He suggested that the Commission meet individually with staff to coordinate the public meetings. He said immediately following the meetings the facilitator should be contacted for a meeting. Mayor Marchman suggested a work session to discuss where to go from here. Commissioner Eckbert commented on the quality of the processes and evaluations proposed by the candidates and how they differed. Mayor Marchman suggested accomplishing the following objectives prior to meeting with the facilitator, plan and structure the town hall meetings and to move forward with a strategic planning process.

Commissioner Eckbert asked why Commissioners were against using Coral Springs since it he believed it was effective. Mayor Marchman restated that the City of Coral Springs has a method that has worked extremely well for them. He said their process could be one that the City could adapt, but not until we decide which direction to go. Commissioner Metcalf commented on the process of outside agencies evaluating other agencies as a means to measure efficiency. Commissioner DeVane commented that the City is looking to contract with a strategic planning facilitator and not a self evaluator. Commissioner Eckbert elaborated on the merits of the process used by the City of Coral Springs.

Consensus was for the City Clerk to poll the Commission for a possible work session date to discuss the public meetings and the strategic planning process. Commissioner Metcalf suggested a Monday or a Friday meeting.

c) Recent magazine coverage presentation.

Communications Director Clarissa Howard elaborated on the positive print media coverage that the City has received. She provided visuals of the magazine covers and gave a brief summary of the featured article. Mayor Marchman commended everyone involved for their efforts.

Recess

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

d) Update on the City Hall project.

Paul Bryan, 1031 W. Morse Boulevard provided an update on the City Hall redevelopment process. He introduced Jim Russell, Pizzutti Company, their partner on the project. He addressed the public input received and the process they are going through to inform and involve the public regarding the upcoming process of the City Hall redevelopment. He summarized the City boards and various organizations within the City that they met with or will meet with in the future. He stated they are also conducting two focus groups being run by Pecora and Blexrud and expect to have the new website up within the next 2 weeks (wp.cityhall.com).

Mr. Bryan addressed their timeline of tasks that was provided to each Commissioner that they are working to keep the project on schedule. He stated the two most important items they are working on now: 1) costing so they understand the cost comparisons between a stand-alone City Hall, a remodeled current facility and a potential new facility (they are 7-10 days away from providing this to City staff); and 2) coming up with a financial plan that establishes the financial feasibility of a private/public partnership. He stated he committed at the last meeting to provide a preliminary plan today but that he did not have it because they did not anticipate vacation schedules and the inability to get people together over the last 30 days. He stated they have also retained Steve Zooker a former member of the City of Orlando staff in the finance/legal department and bond and public finance specialist. He stated that joint meetings between Mr. Zooker and City staff will be scheduled. He addressed the need to finalize the financial plan that makes this plan feasible. He stated they are continuing to work on the other items listed on the schedule.

Commissioner DeVane expressed her concern with not receiving the financial numbers at this meeting. She stated she would like to meet with them to see exactly where they are within the next week. She encouraged Mr. Bryan to provide the parking financial plan simultaneously with the other financial figures. Mr. Bryan stated they will be providing the figures within September as promised within the agreement.

e) Development, lease and operating agreements with the Winter Park Chamber of Commerce.

Planning Director Don Martin addressed the agreements that were provided for the Welcome Center and Chamber of Commerce Headquarters. He addressed the term sheet regarding the Welcome Center and that these three agreements meet the details of the term sheet that was approved by the Commission. He recommended approval of the agreements so they can move forward. Commissioner DeVane asked about the expiration of the lease. Mr. Martin clarified it is

a 99 year lease with after 50 years if the building requires major reinvestment, it would be a joint decision between the Chamber and City whether or not it is worth it.

Commissioner DeVane also spoke about the net purchase price of not less than \$1 million for the Morse Boulevard property and asked if this does not sell for this amount if the project falls apart. Chamber President Sam Starke asked George Herbst (Building Committee Chairman), Chairman Bill Walker and Bill Diamond (legal work and contract development) to address this question. Mr. Herbst stated it is contingent on the sale amount but has no doubt of the ability to sell the property at that price. He stated it would be further discussed if it did not happen and does not necessarily mean the project would not take place. He spoke about the lease expiration and further explained the 50 year point within the lease agreement.

Commissioner DeVane asked about the private donations going toward the building and what happens if the project does not succeed. She stated that some entities may be contributing to the Welcome Center portion which is a City endeavor; not specifically to the Chamber of Commerce. She asked that this be clarified further within the agreement. Bill Diamond clarified the \$900,000 versus \$1 million cost figures within the agreement. Mr. Diamond addressed the condemnation portion of the agreement that if the project is condemned, there is an allocation of the proceeds in accordance with the contributions of the party. Commissioner DeVane asked for language clarification within the agreement concerning private donations.

**Motion made by Commissioner DeVane to approve the development, lease and operating agreements for the Welcome Center/Chamber of Commerce building, seconded by Commissioner Storer and carried unanimously.**

f) Discuss meeting decorum

City Manager Williams provided resolutions adopted over the years concerning meetings and the process. He asked if the Commission wanted the resolution modified. He spoke about the several boards within the City and the need to help the boards understand the process. Commissioner DeVane addressed her presence at the recent meeting where two gentlemen inappropriately behaved. She asked that the regulations be amended to include all City meetings and that the persons involved in the inappropriate behavior be removed from the room and the building. If they are there for their agenda item, the item should either be tabled or postponed until the next regularly scheduled meeting.

Commissioner Eckbert expressed concerns with the other citizens attending a publicized meeting that may be postponed because of someone disturbing the meeting. Mayor Marchman spoke about the presence of a police officer at P&Z, Board of Adjustment and Commission meetings. He expressed the need to educate the public that this type of behavior will not be tolerated in any City meeting. Commissioner DeVane suggested allowing the item to continue but to remove the applicant from the meeting who can appeal any decision they do not agree with. Mayor Marchman asked Attorney Cheek to bring suggested changes back to the Commission for review and approval.

Commissioner Eckbert applauded Mayor Marchman for the way he conducts the meetings. He stated the critical component is the way the Chair commands the process and authority of the gavel and sets the tone of the audience. He stated it may be helpful to provide resources to all

the board Chairs regarding the rules and regulations of meetings within the City. Mayor Marchman expressed his preference of receiving potential changes in writing for further review. The incident that took place at the Planning and Zoning Commission meeting was discussed.

George Herbst expressed the need for a regular program of training for the Board Chairpersons regarding the rules and regulations of meetings. He stated Rollins could provide this training free of charge if there is someone capable of this type of training.

David Erdahowski, 199 E. Welbourne Avenue, addressed his presence at the P&Z meeting and agreed about the need for regular training.

Lurline Fletcher, 790 Lyman Avenue, agreed that the gentleman should have been removed from the room, their meeting item should be postponed to the next meeting and that a police officer should be present.

Bill Walker, 2171 Glencoe Road, Chairman of Winter Park Chamber, stated the issue of decorum has been discussed frequently at their board meetings. He spoke about Rollins President Duncan offering to engage in this type of dialogue in a forum that would be participated in and students welcomed to. He stated he has a commitment to meet shortly with Mr. Duncan and invited the Mayor to attend. He stated this is not limited to Winter Park but as a society we have lost our cool in the way we communicate with each other on matters of importance.

Mark Squires, 7630 Broken Arrow Trail, suggested that the Board Chairpersons add comments to the introductory comments regarding rules and proper conduct of the meeting. He spoke about the inappropriateness of allowing people to lash out at the board and staff at the meetings. He also suggested that staff not make recommendations but only provide the pros and cons of items controversial and larger in nature. He also suggested posting a board showing the various projects and where they stand as well as conducting a survey.

There was a consensus for Commissioner DeVane to put her suggestions in writing and for her to work with the City Attorney to bring forward amendments to the resolution.

g) Horse drawn Surrey Tours

City Manager Williams stated Ms. Miller of Surrey Tours is present and is aware of the ordinance she needs to follow and is asking to store the surreys at Mead Gardens. Mr. Williams responded they have no concerns with the request but that it needs to be worked out. He stated the item is also scheduled to go before the Parks and Recreation Board.

Melanie Miller, Surrey Tours, 1430 Nottingham Road, Orlando, summarized the carriage drawn tour that they have put together specifically outlining the history of Winter Park. She stated the tours will completely comply with the City's ordinance. She addressed the horses used for the tours. She summarized the proposed tour route. She stated the tour was planned with the help of Marianne Popkins (Historical Association), Lindsay Hayes (City staff) and Robin Chapman. She stated that this is before the Commission as a trial basis and will go before the Parks and Recreation Commission on August 24 to ask permission to store the carriages at Mead Garden. Upon questioning by Mayor Marchman, Ms. Miller summarized her background and training as well as her partners.

Emily Belaires, 430 Shady Roots Road, Geneva, stated she will no longer patronize Winter Park if the City allows this request for horses to pull carriages to entertain people. She spoke about the hardship this causes on the horses. She urged the Commission not to take this issue lightly.

Carla Wilson, Animal Rights Foundation of Florida, spoke about the dangers of the carriage industry because of horses being spooked. She expressed concerns with the traffic on Park Avenue and the inhumane treatment of the horses due to heat, vehicle fumes, pounding on brick streets, etc.

Trudy McNair, Mizell Avenue, Humanities teacher at Valencia, and active in animal rights and inhumane issues, addressed the suffering inflicted on carriage horses. She asked the Commission not to approve this request.

Susan Shaw, 2040 St. George Avenue, spoke about horse drawn carriages not being appropriate in Winter Park and Park Avenue. She spoke about the mistreatment of animals.

Mayor Marchman reminded the Commission this is for informational purposes this evening and will go back to the Parks and Recreation Commission then back to the Commission.

h) Budget discussion.

City Manager Williams addressed the prior meeting where staff was directed to go back and review the organizations and create a list for the Commission to discuss for potential funding. He stated this needs discussion as well as any other items the Commission feels they need to discuss regarding the budget.

Finance Director Wes Hamil provided a compilation of the Commission's input. He asked if the Commission wanted to approve the averages of the input received or if the Commission wanted to make any adjustments.

No public comments were made.

**Motion made by Commissioner Storer to approve the average allocations as provided for each organization; seconded by Commissioner DeVane and carried unanimously.**

Mr. Hamil stated this leaves a contingency balance of \$289,000 beginning October 1. He stated this is based on the millage remaining at 5.09.

Commissioner Metcalf stated he calculated the percentage that Winter Park gets of the total amount - the percentage that Winter Park's increase is of the surrounding entities. He stated he tried to figure out what Orange County does for Winter Park for the amount that they take.

**Motion made by Commissioner Metcalf to set the millage at 5.25 to enable the City to do other things that are needed in the City.** Mayor Marchman stated we are not at the point where we need to make this decision and did not want to increase the millage. **Motion failed for a lack of a second.**

**NEW BUSINESS (CITY COMMISSION):**

No new business.

Mayor Marchman adjourned the meeting at 6:33 p.m.

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Mayor Kenneth R. Marchman

ATTEST:

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City Clerk Cynthia Bonham