

**CITY OF WINTER PARK
CITY COMMISSION MEETING and
BUDGET PUBLIC HEARING
September 8, 2003**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth 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, followed by the Pledge of Allegiance.

PRESENT: Mayor Kenneth Kip Marchman, Commissioners Douglas Storer, John Eckbert, Doug Metcalf and Barbara DeVane; City Attorney Brent McCaghren; City Manager James Williams and City Clerk Cynthia Bonham.

MAYOR'S REPORT:

- a) Mayor Marchman recognized Dell Massie, Landscaping Division, as the September 2003 Outstanding Employee of the Month.

CITY ATTORNEY'S REPORT:

Attorney McCaghren commented that they are still waiting for information being compiled by the Florida League of Cities regarding single member districts and will provide their survey as soon as it is available.

PUBLIC HEARINGS:

- a) ORDINANCE NO. 2528-03: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 114 "WATERWAYS", PROVIDING FOR A NEW ARTICLE III, SO AS TO ESTABLISH A LAKE KILLARNEY ADVISORY BOARD; AMENDING SECTION 114-58, "USER FEES" TO WAIVE THE REQUIREMENTS FOR SUCH FEES ON LAKE KILLARNEY; AMENDING SECTION 114-75 "USE OF LAKES AS LANDING PLACES FOR SEAPLANES" SO AS TO PERMIT SEAPLANES TO USE LAKE KILLARNEY AND ADOPTING A NEW SECTION 114-80 "PUBLIC BOATS RAMPS PROHIBITED" TO PROHIBIT BOAT RAMPS ON LAKE KILLARNEY. Second Reading

Attorney McCaghren read the ordinance by title. No public comments were made. Commissioner DeVane addressed Section 114-75 that allows anyone to land seaplanes on Lake Killarney and asked if that is the intent of the Commission. There was discussion about the planes that land to dine at Houston's. Attorney McCaghren suggested to monitor the type of activity on the lake and if the plane traffic increases and the lake cannot withstand the traffic, the ordinance can be revisited. There was consensus to revisit the ordinance to determine if any problems have surfaced.

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

BUDGET DISCUSSION:

No public comments were made at this time regarding the budget. It was clarified that the actual public hearing will be held after 5:00 p.m. but that comments will be allowed at this time.

Finance Director Wes Hamil provided a priority list of General Fund budget recommendations for the upcoming budget and informed the Commission that there was \$287,000 to work with. The list included the various organizations requesting funding. A lengthy discussion took place regarding each request provided by the organizations and also the Facility Replacement Fund. There was consensus to fund the following: 1) \$100,000 - Contingency Fund; 2) Historical Association - \$60,000; Crealde - \$15,500 (explore taking from CRA Fund); Bach Concerts - \$18,770; Chamber of Commerce - \$6,000; Park Avenue Area Association - \$7,500; Enzian - \$12,500; Winter Park Playhouse - \$5,000; Winter Park Day Nursery - \$5,000; Welbourne Day Nursery - \$5,000; Facility Replacement Fund - \$20,000.

It was clarified that fee waiver funding was not included in this budget but that the City will continue to support events as in the past with staffing. It was also addressed that some of the requests can be revisited after the City sees that more revenue is coming in than originally anticipated. Discussion ensued regarding the organizations that have taken the effort to raise funding on their own to help fund their organization. There was consensus to accept the budget figures as shown above.

CITY MANAGER'S REPORT

a) Consideration of a policy on athletic leagues using City facilities.

City Manager Williams addressed the meeting held with City residents to discuss the Little League and changes with the rules of the league that have disallowed some Winter Park residents to play on Winter Park fields. Mayor Marchman spoke about the City not being able to interfere with the districting of the Little League. He agreed that either a letter or adopted resolution indicating that all City residents are entitled to use City fields; that Winter Park residents have first priority to use the fields; and as the League looks toward possibly redistricting, the children residing in the City can play in the Winter Park Little League would be appropriate. Commissioner DeVane asked that a City-wide policy be addressed by the Parks Board on the use of athletic facilities by all sports teams, including adults and children. She stated the first priority needs to be City residents.

Discussion ensued regarding the field capacity for sports within the City. Commissioner Storer addressed the need to strongly state by ordinance the clarification on the uses of City fields and that Winter Park residents cannot be denied playing on City fields for any reason. Commissioner Eckbert agreed the City needs to move toward this policy and wanted to be sure an orderly process to move toward this was followed. Commissioner Metcalf expressed concerns with other City residents using our fields and citizens in Winter Park being denied access.

Gary Vasquez, Reading Way, spoke about his children not being allowed to play in the Winter Park Little League this season because they were told they were out of the district. He commented about the meeting held at his home regarding this issue and to find a solution to be able to play in Winter Park. He stated he would hope that this will be resolved so they can play in the spring since they have already missed the fall league. He asked that the Mayor send a letter to the main Little League office in Williamsport. Mayor Marchman asked that he review the text of the letter.

Martha Baker, 375 Cortland Avenue, President of Winter Park Little League, spoke about the Winter Park Little League being chartered in Winter Park for over 50 years and that the City's boundaries have not changed. She addressed problems with the boundaries they have encountered with children in Winter Park not receiving permission to play in Winter Park by the Little League. She spoke about their work to try and find a solution with the Little League. She recommended that a letter be sent by the Mayor, along with a boundary request, to Williamsport. She stated they hope to resolve this issue before the end of the year so they can play in the spring. She stated she will work with Mr. Vasquez to write the letter.

Kevin Robillard, 1616 Palmer Avenue, spoke about the need to clarify the boundaries because of losing players that he previously coached. He spoke about it being unfair that some residents are not allowed to play in the City.

Tim Dwyer, 1421 Place Picardy, stated he coaches youth sports in Winter Park and that fields are always an issue. He spoke about the first-come, first-serve basis for use of the fields and the importance of the City's children being allowed to play in the City.

No other public comments were made.

There was Commission consensus to draft a letter to be sent to the Little League office in Williamsport.

CONSENT AGENDA:

- a) Approve minutes of 8/25/03.
- b) Budget adjustments:
 - 1) Transfer \$1,474 from the Purchasing Division's budget to the ITS Internal Service Fund to purchase a new CPU base for the Buyer.
- c) Approve bids, purchases and change orders:
 - 1) Task Order 2003-02 for CH2M Hill to conduct a vulnerability assessment of the critical assets of the water system and suggest recommendations and improvements, \$63,417 (Budget: Utilities)
- d) Review calendar and update with upcoming events.
- e) (For Your Information) Approve Albin Polasek Museum special event request for October 11, 2003, that requires use of amplified equipment.

No public comments were made.

Motion made by Commissioner Metcalf to approve the Consent Agenda, seconded by Commissioner Eckbert and carried unanimously with a 5-0 vote.

NEW BUSINESS:

Commissioner DeVane asked if a special meeting should be scheduled this week to discuss the results of the referendum.

Recess

A recess was taken from 4:52 - 5:00 p.m.

PUBLIC HEARING:

ORDINANCE NO. 2532-03: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" SO AS TO AMEND SECTION 58-74 "CENTRAL BUSINESS (C-2) DISTRICT TO PROVIDE FOR FINE DINING RESTAURANTS AND OTHER TYPES OF RESTAURANTS AS PERMITTED USES AND PROVIDING A DEFINITION FOR FINE DINING RESTAURANTS. Second Reading

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

Motion made by Commissioner Metcalf to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Metcalf, Eckbert and DeVane voted yes. The motion carried unanimously with a 4-0 vote. Commissioner Storer was not present to vote.

BUDGET PUBLIC HEARING:

Mayor Marchman opened the first public hearing for the 2004 fiscal year budget at 5:03 p.m.. He stated that the millage rate needed for fiscal year 2004 to generate the same property tax revenue for the City as in 2003, based on the Property Appraiser's certification, is 3.268 mills. The budget proposed by the staff with amendments that were generally agreed to by the City Commission requires a millage of 3.654 mills. This proposed millage of 3.654 mills would represent an increase in property taxes not counting new construction of 11.81%. In addition, a .148 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 1996 approved by the citizens of Winter Park at the June 4, 1996, bond referendum; and a .332 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2001 approved by the citizens of Winter Park at the May 16, 2000, bond referendum.

Mayor Marchman opened the public hearing on the City's budget for the fiscal year starting October 1, 2003, and ending September 30, 2004. Attorney McCaghren read both ordinance titles to set the millage for 2004 and adopting the fiscal year 2004 budget.

Public comments were made by Dewey Anderson, new Executive Director of the Bach Festival Society. He stated they will have to eliminate the festival's participation in the Cultural and Heritage Day due to the budget reduction by the City in this year's budget. He stated they do not receive outside funding for this event but that they do for the other four events.

Debi Rodi, Park Area Avenue Association, stated they understand the budget being tight this year and that she provided an amendment outlining what they had accomplished. She asked if more funds are found that the City provide funding for their 'Peacocks' event. No other public comments were made.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING A 3.654 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY; A .148 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 1996; AND A .332 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2001. First Reading

Motion made by Commissioner Eckbert to accept the millage ordinance on first reading, seconded by Commissioner Metcalf. A roll call vote was taken with Mayor Marchman and Commissioners Eckbert, Metcalf, and DeVane voting yes. Motion carried unanimously with a 4-0 vote. Commissioner Storer was not present to vote.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003, AND ENDING SEPTEMBER 30, 2004; APPROPRIATING FUNDS FOR THE GENERAL FUND, STORMWATER UTILITY FUND, AFFORDABLE HOUSING FUND, COMMUNITY REDEVELOPMENT FUND, LAW ENFORCEMENT TRUST FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, GOLF COURSE FUND, FLEET MAINTENANCE FUND, VEHICLE/EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AS OF SEPTEMBER 30, 2003; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED WITHIN DEPARTMENTS SO LONG AS THE TOTAL DEPARTMENTAL APPROPRIATION SHALL NOT BE INCREASED THEREBY. First Reading

Motion made by Commissioner DeVane to accept the budget ordinance on first reading, seconded by Commissioner Eckbert. A roll call vote was taken with Mayor Marchman and Commissioners Eckbert, Metcalf, and DeVane voting yes. Motion carried unanimously with a 4-0 vote. Commissioner Storer was not present to vote.

Mayor Marchman adjourned the meeting at 6:10 p.m.

Mayor Kenneth R. Marchman

ATTEST:

City Clerk Cynthia Bonham