

CITY COMMISSION MEETING MINUTES
November 8, 2004

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.

PRESENT: Mayor Kenneth "Kip" Marchman, Commissioners Douglas Storer, John Eckbert, Douglas Metcalf and Barbara DeVane; City Manager James Williams; City Attorney Brent McCaghren and Deputy City Clerk Tania Haas.

The invocation was offered by Marguerite Ellingham, Baha'i Faith, Baha'i Group of Winter Park, followed by the Pledge of Allegiance. Dr. George Via, JD, Baha'i Faith, Baha'i Group of Winter Park, thanked the Commission for allowing the Baha'i Group of Winter Park to provide the invocation.

MAYOR'S REPORT:

- a) Mayor Marchman recognized Orange County Ted Edwards for his service as County Commissioner.
- b) Mayor Marchman recognized Gail Tinch, Parks & Recreation Department, as November 2004, Outstanding Employee of the Month.

CITY ATTORNEY'S REPORT:

No report was given.

CONSENT AGENDA:

- a) Approve minutes of 10/25/04.
- b) Approve purchases as follows:
 - 1) PR 113260 to Alan Jan Chevrolet for two ¾ ton pick up trucks for Building Maintenance and Wastewater Collection, from Florida Sheriff's Contract 03-11-0825, \$44,474.00 (Budget: Vehicle Replacement)
 - 2) PR 113261 to Alan Jay Chevrolet for ¾ ton pick up truck for Water Distribution, from Florida Sheriff's Contract 03-11-0825; \$18,487.00 (Budget: Vehicle Replacement)
 - 3) PR 113262 to Garber Chevrolet GEO for three ½ ton pick up trucks for Water Distribution, from Florida Sheriff's Contract 03-11-0825; \$45,849.00 (Budget: Vehicle Replacement)
 - 4) PR 113263 to Garber Chevrolet for ¾ ton pick up truck for Water Distribution, from Florida Sheriff's Contract 03-11-0825; \$24,616.00 (Budget: Vehicle Replacement)
 - 5) PR 113445 to Don Reid Ford for F550 truck for Parks Maintenance, from Florida Sheriff's Contract 03-11-0825; \$28,809.00.
PR 113447 to Bennett Truck Equipment for dump bed replacement for same vehicle; \$2,390.00. (Budget: Vehicle Replacement)
 - 6) PR 113476, to Earth Tool Co, for a used Hydro-Burst pipe bursting equipment. New price would be: \$109,510.00: demo/used price; \$93,553.00 (Budget: Utilities Construction Division)
 - 7) PR 113512 to Alan Jay Chevrolet for Chevrolet Blazer for Code Enforcement, Florida

- Sheriff's Contract 03-11-0825; \$18,219.00 (Budget: Vehicle Replacement)
- 8) PR 113618, to Classic Chevrolet for one 2005, police equipped Chevy Impala, from the Sheriff's Assoc. Contract; \$20834.00 (Budget: Vehicle Replacement Fund)
- c) Cancel the December 27, 2004, Commission meeting due to the holiday.
- d) Approve the request of Douglas Partners to temporarily reserve 25 City parking spaces for the Sprint employees in the City's New York Avenue parking lot south of Morse Boulevard during the construction of Douglas Grand on Sprint properties. **PULLED FROM CONSENT AGENDA FOR DISCUSSION. SEE BELOW.**
- e) Approve the contractual agreement with the Keep It Green organization for the replanting program and fund. **PULLED FROM CONSENT AGENDA FOR DISCUSSION. SEE BELOW.**
- f) For Your Information - Special Event Permit - St. Margaret Mary Walk-A-Thon (November 14, 2004).

No public comments were provided. Commissioners DeVane and Eckbert asked to remove items 'd' and 'e' for discussion purposes.

Motion made by Commissioner Storer to approve the Consent Agenda with the exception of items 'd' and 'e', seconded by Commissioner Metcalf. The motion carried unanimously.

Consent Agenda Item 'd': Commissioner DeVane expressed her preference of granting Douglas Partners the parking spaces needed during the construction phase of the Douglas Grand project on Sprint properties. She commented on the flexibility of available spaces that may be needed while the Post Office is redeveloped. City Attorney McCaghren explained that the reserved parking spaces for Douglas Partners begins upon construction and is for a 18 month period. He said since a firm date for construction has not been established, a cut-off date needs to be included. Mayor Marchman suggested that the reservation of 18 months be accomplished or not exceed 24 months.

Motion made by Commissioner DeVane to approve Consent Agenda item 'd' with the proposed changes that the 18 month reservation period be completed within a 24 month period, seconded by Commissioner Metcalf. The motion carried unanimously.

Consent Agenda Item 'e': Commissioner Eckbert reported that several citizens that lost trees located in their right-of-way during the recent storms have shown interest in contributing personal funds for an upgraded tree. He expressed his preference of providing residents with this option.

Commissioner Metcalf asked if a reforestation plan has been established. Parks and Recreation Director John Holland responded that staff is requesting the formation of a task force to assist staff with the reforestation efforts. Commissioner Metcalf suggested that staff include the reforestation option in the next publication of the Winter Park Update.

Motion made by Commissioner Eckbert to approve Consent Agenda item 'e', seconded by Commissioner Metcalf. The motion carried unanimously.

PUBLIC HEARINGS:

- a) ORDINANCE NO. 2608-04: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO CENTRAL BUSINESS (C-2) DISTRICT ON THE PROPERTY LOCATED AT 300 N. NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

ORDINANCE NO. 2609-04: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF PUBLIC, QUASI-PUBLIC (PQP) DISTRICT TO CENTRAL BUSINESS (C-2) DISTRICT ON THE PROPERTY LOCATED AT 300 N. NEW YORK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. Second Reading

Attorney McCaghren read both ordinances by title. No public comments were provided. Commissioner Storer did not vote because of a conflict of interest due to potential involvement with the construction of the project.

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

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

CITY MANAGER'S REPORT:

- a) "Respect of Florida - Quest" proposal for maintenance of park restrooms.

City Manager Williams explained that the organization is requesting a considerable cost increase and that staff recommends hiring a full time employee instead of approving the increase. No public comments were provided.

Commissioner Eckbert inquired about the increase in the current contract. Parks and Recreation Director John Holland explained the reason for the increase. Commissioner DeVane asked that staff contact representatives from Respect of Florida - Quest to see whether they can provide another proposal. Commissioner Metcalf asked whether additional services can be included in the proposal. Mayor Marchman suggested and consensus was reached that staff explain to Quest representatives that the City is appreciative of their work and would like to continue to work with them, but in light of the tight budget year, staff has determined that the City can provide the same services for \$31,000. Parks Director Holland confirmed he will meet with Quest to provide them this information.

b) Proposed roadway transfer agreement for Orange Avenue from 17-92 to Fairbanks Avenue.

Public Works Director Troy Attaway explained this is the only request that DOT is willing to work with the City on. He said that DOT prepared the agreement and that staff recommended approval in light of the improvements planned for Orange Avenue. He said this transfer agreement will make the improvements to Orange Avenue easier, and that the advantages of taking over the roadway outweigh the additional costs.

Commissioner DeVane, supportive of approving the agreement, inquired into discussions about the area west of Orange Avenue. Mr. Attaway responded that DOT prefers to retain connections from I-4 to 17-92. Commissioner Eckbert inquired whether staff was comfortable that item #7 would not restrain the City in any way. Mr. Attaway responded affirmatively.

Eric Winchell, 1302 Orange Avenue, representing the CPA firm Thomas, Beck, Zurcher & White, provided comments and concerns regarding the Orange Avenue Enhancement Project.

Mayor Marchman explained that the Commission was not moving forward with any enhancement program at this time. He said this was only a preliminary step that involved DOT transferring over to the City's authority in this particular area along with some requirements.

Motion made by Commissioner DeVane to approve the transfer agreement, seconded by Commissioner Storer. The motion carried unanimously.

c) Proposed plan to utilize the old Police Department wing of City Hall for various City personnel.

Public Works Director Attaway presented the proposed plan. He said the plan is a program with the opportunity to incorporate adjustments if necessary. Discussion ensued regarding the strategy that would be implemented if City Hall is redeveloped, the need to relocate the Parks and Recreation Department, and the funding commitment from the Winter Park Chamber of Commerce. City Manager Williams clarified the improvements funding will come from the City's Contingency Fund.

Mayor Marchman asked for public comments. No comments were provided.

Motion made by Commissioner DeVane to approve the proposed plan to utilize the old Police Department wing of City Hall for various City personnel, with the funds to come from the Contingency Fund, and with the possible repayment from the Chamber of Commerce as the project moves forward; seconded by Commissioner Storer. The motion carried unanimously.

d) Brick street policy implementation - North Lakemont Avenue and Glencoe Road.

Public Works Director Attaway reported that petitions were received from both neighborhoods. He spoke of the cost estimates and the official voting letters sent to residents that failed to meet the two-thirds majority in favor of bricking Lakemont Avenue from Pine Avenue to Palm Avenue, and Glencoe Road from Stirling Avenue to Lake Sue Avenue. Mr. Attaway explained the redesigned limits of the two projects that include Lakemont Avenue from Pine Avenue to Chestnut Avenue, and Glencoe Road from Stirling Avenue to Hampden Avenue that supports the two-thirds majority vote which staff recommended bricking the smaller sections of.

Eileen Dodd, 1532 North Lakemont Avenue, supportive of the North Lakemont Avenue bricking project, spoke of the neighborhood association that was formed in support of traffic calming and beautifying the area.

Gina McGuiness, 7791 Spruce Street, spoke in favor of the North Lakemont Avenue bricking project.

Robin Chapman, 1510 Glencoe Road, provided comments in support of the Glencoe Road bricking project.

Judith Giraulo, 1580 Glencoe Road, concerned with traffic speeds on Glencoe Road, spoke in favor of the Glencoe Road bricking project.

Sally Ward, 1539 Glencoe Road, concerned with traffic speeds on Glencoe Road and the young children that reside in the area, spoke in favor of the Glencoe Road bricking project.

Ken Grushka, 1595 Glencoe Road, expressed his concern with stopping the bricking project at Hampden Avenue.

Clayton Swain, 1525 Glencoe Road, spoke in opposition to the Glencoe Road bricking project.

Jim Loomis, 1555 Glencoe Road, provided comments in favor of bricking Glencoe Road.

Bonnie Osgood, 1560 Glencoe Road, spoke in favor of the Glencoe Road bricking project.

Cynthia Skolfield, 640 North Park Avenue, on behalf of her parents that reside on 210 Stirling Avenue, spoke in opposition to the Glencoe Road bricking project.

Mr. Attaway explained that three public hearings will be required to place the assessment on the tax bill. Discussion ensued regarding the method used to assess properties on the south and north sides of Glencoe Road and Hampden Avenue. Commissioner DeVane elaborated on the one per home vote policy. Mayor Marchman commented that bricking streets as a means of traffic calming is the most effective method available for the City to use. Commissioner Metcalf suggested staff send a letter to the residents on Highland Avenue regarding the possible impacts to their area.

Motion made by Commissioner DeVane to approve bricking North Lakemont Avenue from Pine Avenue to Chestnut Avenue, seconded by Commissioner Metcalf. The motion carried unanimously.

Motion made by Commissioner DeVane to approve bricking Glencoe Avenue from Stirling Avenue to Hampden Avenue, seconded by Commissioner Eckbert. The motion carried unanimously.

e) City Hall developer selection process update.

Planning Director Don Martin reported that the City Hall Redevelopment Committee met on October 28, 2004, with the four development teams under consideration. Mr. Martin stated two of the teams expressed concerns with the response time frame and that staff recommended to reschedule the deadline for proposals to January 21, 2005. He confirmed that the proposals should be presented by the teams on January 27, 2005, and invited Commissioners to attend. Mr. Martin said on February 10, 2005, a staff and consultant work session is scheduled with the City Hall Redevelopment Committee and Commission to review the full proposals. Lastly, he reported that the ranking of the development teams will be presented on February 28, 2005.

Commissioner DeVane encouraged staff to include public participation in the selection process. Commissioner Metcalf inquired whether the surrounding property owners have been informed of the proposed meeting schedule. Commissioner Eckbert sought clarification on the talent level of the teams under consideration. Commissioner Storer elaborated that the major issue for public discourse should be whether or not to redevelop the site. Mr. Martin elaborated on the guidelines that were outlined for the teams. Discussion ensued regarding the level of detail to expect for the January 27th meeting.

George Herbst, 1742 Temple Drive, as a member of the City Hall Redevelopment Committee, commented on the expertise and capabilities of the developers under consideration.

Commissioner DeVane addressed points that should be included in the Request For Proposal. Commissioner Storer clarified the two sets of evaluation criteria. Commissioner DeVane expressed her preference of adding evaluation criteria items not typically included in a Request For Proposal. Mr. Martin stated staff will revisit the items listed in the evaluation criteria and discuss with the consultants whether the items should be included in the Request For Proposal. Discussion ensued regarding financial structures and the strategies that should be included in the proposals. Consensus was reached to accept the revised schedule of meetings.

f) Draft meeting request letter to Orange County School Board to discuss various issues.

Mayor Marchman explained that the School Board is not opposed to a meeting, but instead would prefer a preliminary meeting that would involve the Mayor, the City Manager, and the City Attorney along with OCPS staff. He suggested tentatively scheduling the meeting for December 1, 2004. He said the preliminary meeting should attempt to plan a meeting with the Commission and the School Board.

Commissioner Storer expressed his support of the letter and the approach used, but noted his concern whether a commitment to meet with the School Board can be obtained. He said discussion needs to ensue between the Commission and the School Board. He said he was not opposed to the preliminary meeting as long as a subsequent meeting is held. Commissioner DeVane elaborated on the issues regarding the Ninth Grade Center. She said the most important issue that needs to be resolved is the redevelopment of the old Glenridge Middle School site. Discussion ensued regarding the proposed closing of Killarney Elementary School.

Consensus was reached to schedule a preliminary meeting for December 1, 2004, that would involve the Mayor, City Manager, City Attorney, and OCPS staff.

g) Citizen's group for planning the replacement of street trees.

City Manager Williams stated that this agenda item involved the creation of a task force to assist the City with reforestation efforts. He provided names of residents that requested to participate and stated that staff recommended approval of the task force to assist with these efforts. No public comments were provided.

Motion made by Commissioner DeVane to approve the formation of a Tree Reformation Task Force to assist the City with its reforestation efforts with the following members: Bob Bendick, Brian Canin, Jeanette Dunlop, Tom McMacken and Steven Pategas. Seconded by Commissioner Metcalf and carried unanimously.

NEW BUSINESS:

- 1) Commissioner DeVane inquired when the issue of generator use will be discussed. Consensus was to delay the generator use issue until after the November 30th meeting.
- 2) Commissioner Storer expressed his preference of performing needed improvements to park facilities at this time while debris is still an issue. Commissioner Metcalf suggested adding this issue to the School Board letter.
- 3) Commissioner DeVane asked staff to return with a report regarding the running of red lights within the City.

Mayor Marchman adjourned the meeting at 5:25 p.m.

Mayor Kenneth R. Marchman

ATTEST:

City Clerk Cynthia Bonham