

**CITY OF WINTER PARK  
REGULAR MEETING OF THE CITY COMMISSION  
November 13, 2006**

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 offered by Pastor Eugene Kern, St. John Lutheran Church, followed by the Pledge of Allegiance.

Members present:

Mayor David Strong

Commissioner John Eckbert

Commissioner Douglas Metcalf

Commissioner Barbara DeVane

Commissioner Douglas Storer (left the meeting at approximately 6:10 p.m.)

Also present:

City Attorney Trippe Cheek

City Manager James Williams

City Clerk Cindy Bonham

**MAYOR'S REPORT:**

a) Presentation – IACP Technology Award.

Deputy Police Chief Bill McEachnie announced that the Police Department received the first place technology award for their traffic enforcement safety programs in the 2006 National Law Enforcement Challenge competition. He stated they were the only department to win this award twice and for the second consecutive year. He presented the Mayor with the award.

b) November 2006 Outstanding Employee of the Month

Mayor Strong recognized Ed Bigley, Property & Evidence Control Specialist, Police Department as the November 2006 Outstanding Employee of the Month.

c) Raymond Beary Plaque design.

Mr. Russell Troutman, upon previously obtaining Commission approval, showed the design for the plaque to be displayed above the community room doorway at the police department to read, "Chief Raymond E. Beary Community Room." He addressed the cost as around \$4,000 and stated that he would pay the invoice. There was a consensus to move forward with the design.

d) Ethics Task Force progress report

Mayor Strong rearranged the agenda to accommodate Mr. Markel's schedule and moved the Ethics Task Force progress report as the next item. Task Force Chairman Jim Markel provided an update on the progress made by the Ethics Task Force. Commissioner Eckbert commented he wanted to see defining conflict of interests for the Commission, City boards and guidance from the task force on what kind of process they should go through. Mr. Markel clarified their mission statement. He explained that the task force reviewed existing Florida law and listed the tasks assigned to the members of the task force.

Commissioner DeVane asked them to provide more conversation guidelines and for the Task Force to discuss what is appropriate for the Commission to disclose with their involvement or relationships with members of the community when they come forward with projects. Mr. Markel stated this was addressed where the Commissioners need to state on the record who

they talk with but he will work more on this subject and make recommendations. Commissioner DeVane also asked the task force members to discuss elections and to review and provide the comments regarding the letter from State Attorney Lawson Lamar regarding limiting campaign contributions.

d) Pecora and Blexrud Scope of Services for Winter Park.

Communications Director Clarissa Howard provided a summarization of the scope of services provided by Pecora and Blexrud since being retained by the City. Commissioner Metcalf asked how much it would cost to hire a staff member versus using a contracting service. Ms. Howard responded the salaries would be between \$60,000–\$70,000 for a full time staff member, plus benefits. She stated it would probably have taken a longer time for the staff member to accomplish what Pecora and Blexrud has done in almost a four year timeframe.

Mayor Strong asked about the contract with Pecora and Blexrud. Ms. Howard responded about the retainer and no time limit on the contract. He asked about the monthly retainer and if this is paid regardless of the amount of work they do each month. Ms. Howard concurred. He also asked if there were other expenses paid. Ms. Howard explained there were minimal fees for copies and mileage. He asked if the contract has an indefinite term and if it could be cancelled if the City chose to do so. Ms. Howard concurred. Mayor Strong addressed the exposure in national publications about the positive things happening in Winter Park and asked if this has any direct financial benefit to the City or if there was any kind of insurance break. City Manager Williams stated it was good to be recognized and have people aware of the community but he could not think of any direct insurance break; but there are economic benefits with bringing people into the City.

Mayor Strong asked Ms. Howard to clarify what work is from her and what work is derived from Pecora and Blexrud. Ms. Howard stated that most of the work comes from their department and she considers Pecora and Blexrud as part of the Communications Department as an extension of staff. She explained that they work together on projects and that she writes the articles for the Winter Park Update and Pecora and Blexrud writes the CRA section. Mayor Strong asked what services they would be needed for in the coming year. Ms. Howard stated she would like them to continue their work in obtaining national awareness and to maintain the awards program which is a key role in keeping the international and national level of acknowledgement. She spoke about the invaluable expertise of their firm and hoped to continue receiving their guidance. Mayor Strong asked if they pay their fees by invoice. Ms. Howard stated that was correct and is done on a monthly basis. Mayor Strong asked if they would be involved with the survey. Ms. Howard stated they would not be.

Commissioner Metcalf commented on things that raise the profile of Winter Park in various national magazines and asked if there was a way to turn supporting data into grants. Commissioner DeVane stated she did not want to lose sight of the importance of being able to immediately respond to the public when unfortunate things happen and thought it was important to have someone on board to help the City when situations occur.

Ron Pecora spoke about an incident in October 2006 where it became evident in the media that the Orlando-Orange County Expressway Authority, through their firm, had paid consultant fees. He explained that a consultant also appeared to be involved with activities of Winter Park and that his firm contacted their clients to explain their relationship and ensure that the client's information was confidential. Mr. Pecora explained they spoke with the City Manager and the Mayor and offered to come and discuss the situation but they were asked to attend this meeting

and answer questions in regard to their scope of services and their relationship with Advantage Consultants.

Mayor Strong asked if it was his opinion that the money that went through the firm to Advantage Consultants had nothing to do with the City of Winter Park election. Mr. Pecora stated in sworn testimony to the Florida Department of Law Enforcement and the State Attorney's Office, that he had no idea what that money was used for. He explained it was important that both of the organizations he mentioned, as well as a grand jury, are currently hearing this information and it would be inappropriate for him to provide his opinion. Mayor Strong concurred.

Mayor Strong mentioned the conflict of interests that had been discussed earlier in the meeting and asked Mr. Pecora if he represented the commuter rail DOT. Mr. Pecora stated they do not any longer represent commuter rail. Mayor Strong asked if he perceived any potential conflict of interest between his firms existing clients and his work for the City of Winter Park. Mr. Pecora stated absolutely not.

Mr. Pecora as a resident, business owner and a community volunteer in Winter Park addressed his concerns that it was not healthy for the City to invite (in his opinion) residents, business owners, vendors to the Commission Chambers to explain or defend themselves. He stated he hoped that the City will come together and focus on our common interests in a continuous atmosphere of civility.

e) North Highland's Strategic Planning Session summary and status.

North Highland representative Bob Hiltz asked the Commission if they had any questions or comments with the accuracy of the draft roadmap regarding the information they gathered from their last session two weeks ago. There was a consensus that the Commission was satisfied with the contents of the draft roadmap. Mr. Hiltz spoke about a proposal for Phase two. He explained the steps in the process and their fee to continue to the next step which would be adjusted accordingly, depending on how much participation is needed by North Highland.

Commissioner DeVane spoke about the need for an agenda that addresses their issues smaller in nature but that needs attention. Mr. Hiltz responded this was discussed at the last meeting that she was unable to attend and that he would provide her with this information. Mayor Strong asked about the next step. Mr. Hiltz stated this would be the next logical and potentially the last step depending on how much is accomplished for developing the strategic articulation map and strategies.

Commissioner Metcalf addressed the effectiveness of having a facilitator push the Commission to make decisions and arrive at specific goals and outcomes. He complimented North Highland on getting them this far and wanted to keep North Highland engaged with moving them forward as they continue the strategic planning. Mr. Hiltz stated that North Highland welcomes the opportunity to continue the engagement. Commissioner DeVane agreed. Mayor Strong suggested that they present a proposal for the next meeting on November 27, 2006 and place it under the Consent Agenda.

- f) Board appointments: Economic Development Advisory Board; Code Enforcement Board; Architectural Task Force; and Commuter Rail Task Force

Economic Development Advisory Board appointment:

Mayor Strong announced his nominee for the Economic Development Advisory Board, William Dingman. Commissioner Metcalf asked if he could suggest someone. Mayor Strong stated he could but explained why he nominated Mr. Dingman. Commissioner Eckbert asked about soliciting input from other Commissioners. Mayor Strong stated he welcomed their input and opinions. Commissioner Storer asked about setting standards in place to screen for potential conflicts of interest. Mayor Strong stated they talked about it but they did not decide to do that. Commissioner DeVane explained that the reappointment period is in May and prior to that time the Commissioners could speak with the Mayor about the selection process for board appointments.

Commissioner Eckbert commented that his firm has a business relationship with Mr. Dingman. City Attorney Cheek stated unless Commissioner Eckbert has a direct special benefit to be gained, which it sounds like he does not, this is not something that should preclude him from voting.

**Motion made by Commissioner DeVane to appoint Mr. Dingman to the Economic Development Advisory Board, seconded by Commissioner Storer and carried unanimously.**

Architectural Task Force appointment:

**Motion made by Commissioner Storer to appoint Randall Robertson to the Architectural Task Force, seconded by Commissioner Metcalf and carried unanimously.**

Code Enforcement Board appointment:

Mayor Strong nominated Bryan Thomas for the Code Enforcement Board.

**Commissioner Metcalf seconded the nomination, and carried unanimously.**

Commuter Rail Task Force appointment:

Mayor Strong nominated Rick Lufjens who replaced Mr. Haddock.

**Commissioner Metcalf seconded the nomination, and carried unanimously.**

More on the Economic Development Advisory Board:

Mayor Strong announced that EDAB Chairman Barnes requested that Sam Stark become a member of the EDAB; seconded by Commissioner Storer. Attorney Cheek stated the ordinance would have to be amended if this is an additional position and was asked to prepare an ordinance for the next meeting. Attorney Cheek concurred. Commissioner Storer stated if he had known that it was Mr. Barnes desire to add Mr. Stark he would not have voted for the additional EDAB member because it creates a problem with the existing ordinance. Mr. Barnes stated that Mr. Stark is a non-voting member. Mayor Strong asked if they could wait until the May appointments. Mr. Barnes agreed. Discussion ensued regarding Mr. Stark being appointed in May, the alternate on the board (Ms. Francis) and if she should become the

standing member and Mr. Dingman becoming the alternate member. There was consensus to amend the ordinance to reflect the Executive Director of the Chamber of Commerce to become a standing member of the board in May or if there is an opening before May.

**Nomination made by Mayor Strong that Ms. Francis become the full member and Mr. Dingman become the new alternate, seconded by Commissioner DeVane and carried unanimously.**

g) Report on Carlisle discussions.

Mayor Strong read a statement regarding the Carlisle and said he would not answer any questions. He addressed being optimistic in approaching a solution that was in the best interest of everyone. There was a brief discussion regarding the scheduled public hearing on November 27, 2006.

Attorney Cheek requested scheduling a shade meeting. He explained that under the present circumstances, he did not believe it would happen but they may need to have one in the next two weeks.

**CITY ATTORNEY'S REPORT:**

- a) Proposed settlement agreement with Carolyn Franklin Trust and Stacy J. Thornton Trust regarding settlement of claims and outdoor advertising at Braden Drive and Wymore Road.

Planning Director Briggs explained the City Attorney has been discussing the legal litigation aspects of the settlement agreement and staff has been focused on the code and policy items. He explained the policy of the Commission and what the agreement provides for and if it does not happen they have to pay the City the equivalent fee for the fair market appraised value of an I-4 billboard. Mr. Briggs commented in the future they will solidify the location of a billboard to be removed as a replacement. He stated there are many steps after this agreement such as annexing the property, zoning it, and it requires comprehensive plan amendments which probably will not happen until April.

Mr. Briggs addressed this as the first step towards resolving the litigation under the terms and conditions of removal of a billboard elsewhere in the City which has been their goal and policy in the past. Commissioner DeVane asked what type of billboard it will be. Mr. Briggs responded that it would be a typical 684 square foot billboard which would either be a static two face or the potential for tri-vision but will not be electronic. He addressed the interest to improve the Fairbanks and 17-92 corridors.

**Motion made by Commissioner Metcalf to approve the settlement agreement, seconded by Commissioner Storer. Upon a roll call vote, Mayor Strong and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.**

**CONSENT AGENDA:**

- a) Approve the minutes of 10/23/06. **PULLED FROM THE CONSENT AGENDA. SEE BELOW.**
- b) Approve the following bids and purchases:
  - 1) Reject bid WP-31-2006, Purchase of Traffic Signal Mast Arms. The only bid received was for \$78,960.00, which was over budget.
  - 2) Reject all responses for Request for Proposals RFP-22-2006: Garfield Property Disposition. Proposals received do not meet the city's goals for this property.
- c) Approve the continuation of the Medical Director Agreement with Dr. Todd Husty.
- d) Approve the removal of the bricks at the intersection of Park Avenue and Oaks Boulevard and replace with asphalt.

Mr. Dan Bellows and Commissioner DeVane requested that item a) be pulled from the Consent Agenda for discussion.

**Motion made by Commissioner DeVane to approve Consent Agenda items b-d; seconded by Commissioner Storer and carried unanimously with a 5-0 vote.**

**Consent Agenda Item a:**

Dan Bellows, 533 West New England Avenue, stated they discussed the New England Avenue façade guidelines at the last City Commission meeting. He explained there was discussion, the issues were separated for a vote but the Commission never voted to having the street frontage on New England go to pink. Mr. Bellows felt that it was not appropriate to have the property owners bring this up in April 2007 and believed it should be consistent with the comprehensive plan now as it is sent to Tallahassee.

Commissioner DeVane interpreted what Mr. Bellows was asking. Mr. Bellows stated he said the comprehensive plan is already commerce and it is not an expansion of anything commercial. He explained it would be consistent if things were pink, CDB would be consistent with the language in the CRA and the New England Avenue façade guidelines. He stated commerce is not consistent with the language in the other documents.

Mr. Briggs stated there was an advertised public hearing for the comprehensive plan adoption and the Commission made some motions and that included transmitting. He stated that Mr. Bellows is here under minutes asking the Commission if they made a motion that no one heard on this property. He explained there is an opportunity when it comes back for adoption to change the color but the public hearing has been closed. Mr. Briggs commented that unless there was a question about the minutes and if a motion was made or not, that is the context of this item on the agenda.

Mayor Strong asked if he was contesting the validity of the minutes. Mr. Bellows stated he had a court report present at the last meeting and he has the transcribed document. He spoke about the Commission discussion on this item, there was some consensus on the board and then Mr. Briggs asked to separate the two votes from the Hannibal Square piece. He stated there was some discussion but the vote never took place. Attorney Cheek stated that the issue was whether or not the minutes correctly reflect what did happen. Mayor Strong stated that this should be heard under item 5 d) comprehensive plan implementation. Mr. Bellows concurred.

Commissioner DeVane stated that if he has the court reporter transcript and if there is something there that he feels is relevant, the Commission should be provided a copy of the report before they discuss it. Mr. Bellows stated he would like to see if the vote takes place first and if there is an issue then he will take it from there.

Commissioner DeVane addressed concerns with the minutes regarding the Commission voting on changing the land use designation on one lot that had gone to the P&Z the week before and denied. She expressed concerns with them doing the right thing with changing the zoning. She stated she wanted to see the court reporters transcript before she approves the minutes. She was concerned about what they did at the October 23, 2006 meeting and was not sure if the minutes reflected everything they did that night. Mayor Strong asked City Clerk Bonham to transcribe the minutes verbatim on this particular item. Mayor Strong announced they would postpone approval of the minutes until the next meeting on November 27, 2006.

Mayor Strong announced that Commissioner Storer has a commitment and moved item 5 d) as the next item on the agenda for discussion.

#### Comprehensive Plan implementation.

Planning Director Jeff Briggs provided an implementation plan for adoption of the comprehensive plan for November 2006 - April 2007 and briefly discussed the list of items. He addressed the Canin and Associates proposal to continue the community vision and consensus building process. Mr. Briggs stated the process would take at least a year City-wide and include the Central Business District. He explained the proposal was for \$225,000 and it represented about 1,800 man hours working on a process that would involve 400-500 participants and a series of meetings to bring about some kind of consensus. Mr. Briggs answered Commission questions and concerns. Commissioner Storer asked Mr. Briggs about his recommendation. Mr. Briggs stated it was their decision whether to spend the funds on this versus other Commission priorities. He said he was comfortable with the scope and has no doubt that the hours will be spent on phone calls, group and individual meetings and engaging the community, but whether they would get the result they hoped for is another question.

Commissioner DeVane was surprised at the dollar amount and asked if they needed to engage in an RFP process. Attorney Cheek stated the City is not required to competitively bid projects unless they fall within the Contractor's Competitive Negotiations Act. Mr. Briggs added that the problem with an RFP process is they cannot start one without knowing what the budget is going to be. He stated if they go through the advertisements and selection committee, there will not be enough time to do it between late January and March.

Michael Harbison, 2150 Forrest Road, addressed the need to further investigate the cost before making a decision.

Jan Nichols, 1505 Bonnie Burn Circle, asked that this be given more consideration before making a decision. She agreed with Commissioner DeVane on the RFP process and had concerns about the mark up of expenses by Canin & Associates.

Carolyn Cooper, 1047 McKean Circle, spoke about the State statute that supports not rolling future changes into a comprehensive plan. She expressed concerns with sunset provisions and addressed the need to define what was in the comprehensive plan that was unacceptable. She stated they cannot wait until April. She addressed state agencies with funds that are willing to help the City and that the City does not need to pay a consultant. She explained there has been

a vision expressed by the citizens and that whoever works on this needs to consider the two years that have already been put in place.

Dan Bellows, 533 W. New England Avenue, spoke about the New England Avenue item that he addressed earlier in the meeting. He asked the Commission to approve transmitting it to Tallahassee as pink CBD instead of red Commerce.

Susan Gabel, 1539 Golfside Drive, expressed her disappointment about the parcel being changed without notice or public hearing.

Lurline Fletcher, 790 Lyman Avenue, asked the Commission to give things more thought before they make any decisions.

Mayor Strong stated they had three issues before them: the Canin proposal; Mr. Bellows; and whether or not they transmit the comprehensive plan. Mr. Briggs stated the transmittal hearing is over and they have already transmitted.

Commissioner DeVane announced that she met with Mr. Phillip Laurien, Executive Director of the East Central Florida Regional Planning Council and that he was interested in working with the City and helping with the visioning. She asked that staff meet with his firm and determine how they can work with him and what he can recommend. She provided a bio on Mr. Laurien.

Commissioner Eckbert spoke about receiving guidance from a professional proficient in design guidelines and architecture and who can help identify the tools to distinguish between the positive and negative. He stated they should not be pinching pennies because the outcome is too important to the City to short change a planning effort. He was open to having further discussion on who might be the right person for this, what would be the right time, and what is the right scope.

Mayor Strong stated that Mr. Canin shared the design guidelines for the City of Windemere and agreed that they are missing design guidelines. He wanted to defer action on this and become more focused on what they want Mr. Canin or someone else to do rather than what he has proposed. The Mayor asked for copies of the Windemere Design Study for everyone to look at.

Commissioner Storer explained he was very pleased with Mr. Canin's recommendation to go through this process and wanted the best value and product. He believed the process would be tainted if they go back and ask for more proposals. He asked staff to review this proposal and commented that he would be in favor of staff doing a more detailed analysis. He also suggested that Canin & Associates return and respond to the comments they received from the Commission and the public and to provide a recommendation. Commissioner Storer left the meeting shortly after this time.

There was a consensus not to take action on Mr. Canin's proposal until there is investigation by staff. Commissioner Metcalf asked that staff make a commitment on what needs to be done and to move forward. Mayor Strong asked staff to have a recommendation for the next meeting. He added he would consider a proposal from Mr. Laurien if necessary. He asked Assistant Director of Economic and Cultural Development, Peter Moore to provide them copies of the Windemere Design Study.

Mayor Strong asked if the comprehensive plan has been transmitted to the State. Mr. Briggs responded that the comprehensive plan will be transmitted in a few days and it will come back to the P&Z and to the Commission prospectively in April 2007. He explained at that time they

will have the opportunity to change the color on the map to anything they want on any property in town for Mr. Bellows or for anyone else. He stated this would be the second required public hearing and that these properties could be CBD which is the staff recommendation. He addressed this being done in April with the comprehensive plan because as far as they know there was no motion made at the previous public hearing. Mr. Briggs stated it cannot be done at this meeting because of it being an unadvertised non public hearing on the comprehensive plan. He said if they find something in the transcript that leads them to believe they did it at the former public hearing or if they want to approve it during adoption, it can be done. Mr. Briggs responded to Commission questions and concerns.

Attorney Cheek stated they have the opportunity to make a change in the future but there could not be an effective change without an advertised public hearing. Mayor Strong stated that there was no action they could take at this meeting and they need to be aware that it may come back in April, if not be earlier.

A recess was taken from 6:18 - 6:27 p.m.

### **PUBLIC HEARINGS:**

- a) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO ABANDONMENT OF THE WEST 10 FEET OF A 15 FOOT UTILITY EASEMENT REDUCING THE UTILITY EASEMENT TO 5 FEET; ABANDONING THAT PORTION OF THE 15 FOOT PLATTED UTILITY EASEMENT ON LOT 2 AS RECORDED IN PLAT BOOK 8, PAGE 76, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS LYING WITHIN ANCHORAGE ESTATES, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE. First reading

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

### **CITY MANAGER'S REPORT:**

- a) Annual Report of the Economic Development Advisory Board/Fairbanks Avenue sewer presentation.

Economic and Cultural Development Director Chip Weston introduced Economic Development Advisory Board (EDAB) Chairman Jim Barnes. Mr. Barnes provided their annual report. He provided a list of the recommendations made to the Commission since 2002, the names of the board members and the mission overview of the board. He stated there is less commercial now than in 2001. Economic and Cultural Development Assistant Director Peter Moore provided a power point presentation regarding the tax base and commercial opportunity analysis.

Commissioner DeVane asked for information comparing Winter Park income and homes sales to Orange County. She addressed the large gap between what a home sells for and what is listed as the market value on County records. She commented if the County appraisals were closer to the value our assessed values could increase. Commissioner questions were answered by Mr. Weston and Mr. Moore.

Mayor Strong asked Mr. Barnes if there are any actions the Commission needs to take to promote the EDAB recommendations. Mr. Barnes spoke about the importance of the Fairbanks Avenue sewer and the opportunity on Fairbanks to redesign the entire roadway from a

beautification standpoint and being able to have office buildings and mixed uses. He stated they would be willing to provide their recommendations as to what Fairbanks Avenue can become. He asked for approval to hold meetings for the purpose of encouraging property owners along Fairbanks to proceed along the path the City believes is advantageous and to report back to the Commission in 3-4 months. Mayor Strong asked if there is anything the City has done in its recent comprehensive planning that inhibits the prospects for Fairbanks. Mr. Barnes stated no and that he believes they were careful to stay within the comprehensive plan as we know it to be now. He stated there may be some areas near I-4 that they may bring back a recommendation on.

Commissioner Eckbert asked why the sewer has not been facilitated more quickly since the annexation of the roadway. Commissioner Metcalf addressed the need to move quickly to improve this roadway and to pursue further annexations. Utilities Director David Zusi responded that they have been moving forward and there are a number of issues that are completed that the Commission is aware of such as the preliminary Fairbanks Avenue feasibility study and survey of the entire corridor. He provided a power point presentation regarding the Fairbanks Avenue sewer project and what they are proposing to accomplish along that corridor.

There was discussion as to areas the City could annex and areas in unincorporated Orange County that did not want to be annexed. The area around Minnesota Avenue was discussed. Mr. Zusi commented that putting in gravity sewer along Fairbanks Avenue does not mean it is practical to serve the entire area south to Orlando or Orange County. He spoke about gravity systems, force mains and lift stations; sizing them properly and the issues and challenges associated with this. Commissioner Metcalf addressed putting in force mains in the southern area. Commissioner DeVane expressed the need to move forward with the project and the importance of the correct sizing. Mr. Zusi further elaborated about the project being delayed due to a large regional project (St. Johns Water Management District reclaimed allocation project) being analyzed that could have saved the City a large amount of money in our force main construction that did not work out for the City so we can now move forward. Mr. Zusi continued discussing possible locations of the force mains and issues they will be faced with during the design and construction.

Commissioner DeVane stated she did not want to expand the existing CRA but wanted to consider the Fairbanks corridor as its own CRA. She stated she wanted this conversation to take place with Orange County. Mr. Zusi stated he hoped to obtain assistance from other entities to help with some of the costs and to possibly begin beautification of the corridor with lights or landscaping to enhance the islands. He also spoke about a potential as the area is redeveloped, that the City require they install a portion of the beautified master plan.

Mr. Zusi provided the projected project schedule. He stated the gravity sewer survey is complete, the negotiations with Altamonte Springs on the treatment of the wastewater is complete, negotiations are ongoing with a property owner and are evaluating upgrading the existing City lift stations; and other properties will be discussed with the property owners about allowing the City to install lift stations on those locations. Other scheduling issues were addressed including the design; the force main survey; permitting through DEP, Orange County and DOT; and the completed construction target date of 2009.

Mr. Zusi concluded by stating he will bring back a task order for the design and survey which will require Commission approval once the pricing is obtained. Mayor Strong asked Mr. Barnes about the increased tax revenue for the Fairbanks Avenue properties. He asked that a comparison with what the system will cost versus increased revenues be provided. He stated he believed that if we never annex another piece of property that the sewer system will pay for

itself many times over once everyone is hooked to the system. Mr. Zusi agreed this would happen as the area fills in. Commissioner DeVane spoke about the lack of the costs involved in providing other services other than the sewer line. She stated we are only talking about the revenue the City will receive from increased property values and asked for discussions regarding what the police and fire departments envision they will need.

Mr. Briggs elaborated on what has taken place so far with meetings and studies and design. He spoke about improving the aesthetics of the corridor and surrounding areas. He addressed studying both sides of the right-of-way north and south and that they have a good plan in place without the code yet being in place. He spoke about future annexations and rezoning the properties to the north which are now residential so they can be used for parking to allow for bigger buildings on the north side of Fairbanks Avenue. He stated otherwise, there are no economics with redeveloping the area for the same square footage. He stated there are specific guidelines as to how the parking will look so the residents on the other side of the street are not negatively impacted by looking at a parking lot. He stated the same constraints do not exist on the south side because while there is little residential on Oglesby and Kentucky and it is likely, either through the City or Orlando, to be phased out over time. He stated there is no neighborhood to affect and so they have discussed significant densities of property from Formosa to I-4 which is a prime area for redevelopment in terms of landmark buildings at density far greater than the 45% put in the study. He spoke about the rest of the southern portion south of Fairbanks, the comprehensive plan speaking about five (5) plus stories and densities that are far in excess of the 45% used in the study. He stated because of this there is the potential over time after the sewer is in for significant growth in values. He stated we can now move forward with the codes, setbacks, etc.

Commissioner DeVane asked if while we are moving forward with the sewer line if we can determine how large a building the ground can support. She spoke about comments made by an individual in the past that certain areas are too marshy and that we would not be able to have buildings too tall in certain areas. Mr. Briggs stated he did not believe the soil is going to be problem.

b) Presentation and recommendation of the Digital Broadband RFP Evaluation Committee.

Economic and Cultural Development Director Chip Weston thanked the numerous people that devoted time to this project since its inception. He stated the Commission has a recommendation before them tonight to complete a final agreement between the City and Bright House Networks that fully describes the type of services, the level of service, the capacity of services, digital inclusion, terms, area of deployment and costs. He stated the EDAB made a recommendation to allow a full review and hire if necessary technical legal counsel to ensure that the agreement/contract is in the best interest of both citizens and the City and to submit a final agreement to the Commission for approval. Mr. Weston summarized the objectives for this meeting to review the project, have Bright House provide their partnership ideas, provide the financial assessment and rationale, provide the benefits to the community and to answer any questions of the Commission.

Consultant John Casio, PraX.es LLC, provided the project overview. He summarized the initiative, infrastructure planning, application development, and WiFi across the United States. He addressed the entire public process they went through to bring them where they are this evening. Mr. Casio summarized the entire project RFP process; the short list of the three out of seven who responded (Cellnet/Sky Pilot, Bright House Networks, and ClearWire); and the Bright House Networks proposal summary.

Bill Gilliam, Bright House Networks, Vice President and General Manager, Broadband Services, addressed their intent to provide outdoor public internet services to showcase Winter Park as a digital City. He spoke about delivering strong value and commitment to the community and being a proven technology leadership. He explained what WiFi is and the coverage areas such as shopping districts, parks and recreational facilities, and community centers. He stated that additional locations will be defined through a cooperative effort working with the City and the community. Mr. Gilliam spoke about municipal use where there will be secure access to wireless services to be separated from the public data traffic. He offered programs to support the community such as internet access, free of charge, at the Winter Park Community Center, WiFi coverage and establishing hot spot locations externally to the community center and other identified facilities allowing wireless access to internet resources in public areas, and a partnership with the City to establish grant programs.

Project citizen volunteer Mike Harbison, provided a financial assessment and the rationale for providing WiFi. He stated he enjoyed working with staff and that Bright House was very generous and cooperative. Mr. Harbison stated his job was to answer the question whether this made economic sense for Winter Park. He stated that Bright House is retaining ownership of all the equipment which he did not believe to be an issue. He spoke about the cost to the City thus far for project management, the cost to Bright House for this project and the benefit to them. He provided the independent economic analysis with the net project cost and the net project benefit to Winter Park of \$900,000.

Team member citizen volunteer Jud French summarized the benefits to the community. He addressed the importance to City residents, including school aged children. He stated that Bright House is a substantial partner that wants to invest in Winter Park. He spoke about the City wanting to be a showcase for our technology provider and for Winter Park, and to attract the type of businesses the City wants along the Fairbanks/Lee corridor when the new offices are developed. He stated that service from WiFi is going to be around for quite some time. Commissioner Metcalf thanked Mr. French for his valuable service to the team.

Mr. Weston stated they would like approval to allow them to develop a final contract agreement with Bright House and to bring it back to the Commission on the Consent Agenda for approval. He stated the contract would be for three years with a three year option if everything goes according to the contract.

Commissioner Metcalf, as part of the WiFi team, summarized the process they have participated in for the last two years and what they tried to accomplish to bring WiFi to the City. He spoke about the entire team being the best and who accomplished this the correct way. He agreed that Bright House is the right partner for the City. He announced the website that people can go out and provide their suggestions as to hot spots and free access to the network. He endorsed the decision to approve a proposal with Bright House Networks and to move forward with building it out and testing.

Mayor Strong clarified there are no other monies to be expended by the City. Attorney Cheek stated there is no reason that this proposal cannot be finalized. Mayor Strong asked that the final proposal be brought to them as soon as possible for approval.

- c) Kitson and Partners report regarding golf course operations and management.

Michael Rippey, Kitson and Partners, summarized his golf course recommendations. He addressed areas that need improvement; including operating trends, conditions and facilities and business operations with an annual deficit approaching \$100,000 for the past few years. Mr. Rippey stated that the rounds of golf have decreased from 2003; tees are small and worn out; the irrigation pumps and controls need to be maintained; the practice greens are in poor condition; parking is marginal; they need better record keeping; the golf shop needs to be updated and needs to accept credit cards; the management model is outdated; the City should own the food and beverage profit center and merchandise profit center to be under one management team; pricing and membership policies are inconsistent; and the systems and policies need upgrading because of the weak marketing and promotion. He stated it was a great golf course and an asset and unique piece of history but it should be an affordable, player friendly nine hole community facility where walking is the norm.

In conclusion, Mr. Rippey offered different ways to improve the golf course and strategize for the future. He explained the three strategy options to improve the course and the cost of each. This included: a) "Minimal Option" with an investment of \$100,000 for a cosmetic facelift on the existing facility; b) "Moderate Option" which was investing more money into the golf shop by renovating the existing facility (\$100 a square foot) based on plans previously developed by the City at \$200,000; and c) "Aggressive Option" to construct a new golf shop on the former water plant site at Swoope and New York, followed by the demolition of the existing golf shop building. He stated Kitson and Partners recommended the moderate investment.

Commissioner DeVane encouraged going to the next step by providing a greater analysis of option b) and c) so they can decide what to do. Mayor Strong asked Mr. Holland if the golf course was considered in the Master Parks Plan. He stated it was not. He addressed setting a goal on making a decision of what to do with the golf course by the end of January 2007. Mr. Holland responded they have already implemented a lot of the management and operation issues that have been brought forward and they should start seeing some results very soon. Mayor Strong stated to notice the next meeting for the golf course on December 11, 2006.

d) Comprehensive Plan implementation.

This item was discussed above.

e) 2007 road paving plan.

Public Works Director Troy Attaway provided a power point presentation summarizing the road paving plan for FY 2007. He provided a summary of the number of miles of asphalt versus brick currently in the City, the Asphalt Maintenance Program, the condition of the streets, roads to be paved, the City's maintenance plan including the benefits of in-house crews, and the list of roads to be resurfaced in FY 2007. He elaborated on the plans for Temple Drive, S. Lakemont Avenue and the enhancement program for Palmer Avenue.

There was discussion regarding Holt and French Avenues and the possibility of bricking these roads. Mr. Attaway stated he will send out a notice that it is ready to be paved but if the residents want it bricked, they will need to garner the votes required to move forward with bricking. Commissioner DeVane spoke about the interest to brick Holt Avenue but the conversation is that everyone else in the corridor coming off from Baldwin Park had their streets bricked at no cost to them and they receive the same impact as people on Pennsylvania Avenue but that the City is going to ask them to pay for bricking their street. Mr. Attaway stated the traffic volume on Holt Avenue is less than half of the main routes.

Avenue but that the City is going to ask them to pay for bricking their street. Mr. Attaway stated the traffic volume on Holt Avenue is less than half of the main routes.

There was discussion whether or not to remove the island on Palmer Avenue. Commissioner Eckbert expressed his view of the ineffective and unattractive island. Mr. Attaway addressed the original thought to add several of the splitter islands along Palmer but after reviewing it and because of driveway accesses, this was the only location that made sense. He addressed the many modifications made to the island and that the records show it does nothing to reduce traffic volume and not much to slow down vehicles. There was a consensus to ask the residents on Palmer their opinion of removing the splitter island.

Commissioner Eckbert did not agree with the current cycle for repaving roads and believed that the roads need to be at a higher level. He asked that a different repaving cycle be provided so the City would be at a different place of maintaining them at a different level than they are now. Mr. Attaway stated their goal is to repave at least nine miles of road a year. They reached their goal last year, came close to their goal the year before, and the year before that the hurricanes diminished their budget. He stated they have not been able to consistently follow the plan and believed in the next 5-7 years they will meet the goal and will see drastic overall improvements. Mayor Strong asked Commissioner Eckbert to provide his recommendation if it is different from what Mr. Attaway suggested. He responded that the roads are not at a level he is proud of and was in favor of a bond issue to get the roads paved faster and to catch up the program.

Commissioner DeVane asked Mr. Attaway to provide the cost to add more miles to the list each year. She stated she was hesitant to have a bond issue on road repair because it needs to be done every year and believed monies needed to be earmarked in the budget for paving. She addressed the advantage of brick streets because of postponing maintenance of the roads. Mayor Strong stated this should be a consideration for next year's budget.

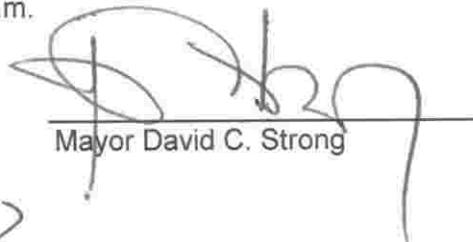
**NEW BUSINESS (PUBLIC):**

No new business of the public.

**NEW BUSINESS (CITY COMMISSION):**

1. Commissioner DeVane addressed the need to either hold more meetings where citizen input can be obtained or to find a way to get through the agenda faster.
2. Commissioner DeVane spoke about the four car garage on Woodale Avenue. Building Director George Wiggins stated that an ordinance has already been prepared which will be on the next Planning and Zoning Commission meeting agenda in December which would limit the size of a garage in proportion to the size of the house and other things as well.

The meeting was adjourned at 9:05 p.m.

  
\_\_\_\_\_  
Mayor David C. Strong

ATTEST:

  
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City Clerk Cynthia Bonham