City Commission
Regular Meeting Minutes

August 23, 2023 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Phil Anderson, Commissioners Marty Sullivan (virtual), Sheila DeCiccio, Kris Cruzada and Todd Weaver; City Manager Randy Knight, Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman, Deputy City Clerk Kim Breland

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 3:39 p.m.

2) Invocation

The invocation was given by Pastor Mark Tutschulte, Action Church, followed by the Pledge of Allegiance.

3) Approval of Agenda

Motion made by Commissioner Cruzada to approve the agenda; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.

4) Citizen Budget Comments

5) Mayor Report

a. Green Business Award: TruGrit Traction

Sustainability Specialist Mia Brady presented the Green Business Award to Commissioner Weaver for the sustainability efforts of his company, TruGrit Traction.

6) City Manager Report

a. Update on Splash, Swim and Float Program

Director of Parks and Recreation Jason Seeley gave a report on the Splash, Swim, Float program and highlighted its impact on children in area schools and the community.

Michael Dively, 1210 Raintree Place, thanked the Commission, staff, and supporters of this program which he first suggested in 2019, initially as a program to prevent drowning. He asked for support and to encourage other agencies to adopt the program.

Director of Electric Utility Dan D'Alessandro gave an update on street light outages along Park Avenue. He explained the cause of the outages and steps staff will take to control lights individually and to find a solution for the intersection of Webster and

Carver. Regarding Douglas Avenue, Commissioner DeCiccio said she will ask residents where the issues are prior to meeting with staff.

7) City Attorney Report

Mr. Ardaman reported the suit filed by Winter Park Station is scheduled for mediation on September 20th and recommended Mr. Knight' appointment as the city's representative at mediation. He reported that Holler has dismissed their suit (OAO) and that the suit filed by Mary Demetree entities is pending.

Motion made by Mayor Anderson to appoint Mr. Knight as the city's representative in the WP Station mediation; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.

8) Non-Action Items

9) Public Comments | 5 p.m. or soon thereafter (Taken after Item 11a)

10) Consent Agenda

a. Approve the minutes of the regular meeting, August 9, 2023.
b. Approve the minutes of the work session, August 10, 2023
c. Approval of the following piggyback contracts:
   1. Duval Ford - Bradford County Sheriff's Office Contract #BCSO 22-27-1.0 - Vehicle Purchasing Contract; for vehicle replacements to be repurposed within the City during the term of the Agreement through September 12, 2027; Amount: $150,000
   2. Fusus - GSA Contract #47QSWA18D003K - Video & Data Collaboration Platform & Services; additional spend for goods and services during the term of the Agreement through April 12, 2028; Amount: $119,647.28
d. Approval of the following contracts:
   1. Singhofen & Associates Inc. - RFQ6-23 - Professional Stormwater Management Engineering Services; Task Order for Basin Study - Central Region; Amount: $260,011
   2. PNC Equipment Finance LLC - FY23-53 - Golf Cart Lease Agreement; for the Winter Park Pines golf cart lease for the term of the Agreement through September 26, 2024; Amount: $715,000

Motion made by Commissioner DeCiccio to approve the Consent Agenda; seconded by Commissioner Cruzada. Motion carried unanimously with a 5-0 vote.

11) Action Items Requiring Discussion

a. Commission Budget Suggestions & Capital Update

Commissioner DeCiccio withdrew her request to fund an additional $36,800 for the Library.

Division Director of Office of Management and Budget Peter Moore noted a projected of increase in state revenue of approximately $500k, which increases the general fund contingency to approximately $1.1m. Since the last meeting, staff learned that the city is ranked fourth for grant funding for Mead trails and is requesting $150k for the city's required matching portion.

Consensus was to approve staff's recommended budget changes (increase of state revenue estimates and $150k matching grant for Mead trails.

Commissioner DeCiccio suggested the addition of a construction manager position to work with staff on major projects due to the number and size of current and upcoming projects ($150k from contingency fund) and the addition of a community service officer position to begin in March 2024 ($112k for position, vehicle and equipment from contingency fund). Staff will consider an electric vehicle for this position.

Mr. Knight said staff is recommending that the construction manager position report to the Director of Public Works with "boots on the ground" construction experience with the administrative support. He said the lack of a construction manager in this capacity has adversely impacted productivity.

Commissioner Weaver agreed and having attended today's Lake Killarney Board meeting and becoming aware of the amount of time staff has to spend with that board and day-to-day responsibilities, he fully supports this position.

Mr. Knight confirmed that the position will be responsible for projects done by outside contractors or a combination of contractors and in-house staff.

Commissioner Sullivan asked if this position would be responsible for Seven Oaks Park construction. Director of Public Works Charles Ramdatt explained that a construction manager at risk was contracted for this project and would be separate. He cited stormwater repairs, paving, and other large projects that would be the manager's responsibility. Discussion followed on the benefit of providing relief to staff for several projects.

Consensus to add a construction manager and CSO position.

Commissioner Sullivan presented his recommendation to purchase the Bank of the Ozarks (Ozarks) property ($6m). He said funding options need to be addressed if the city desires to purchase the property i.e., bond issue, although not preferable given current interest rates, or sell the old Library.

Mr. Moore said he would not recommend borrowing at today's rates and suggested considering whether to allocate one-third of the general fund reserves or disposing of another asset. Mr. Knight advised there is just over $1m in the Parks Acquisition Fund and the Land Trust has committed to raise $500k toward the purchase, which leaves an unfunded amount of $4.5m or more depending on the purchase price.

Commissioner Sullivan noted that Ozarks wants forgiveness of approximately $250k in impact fees and compared that cost to the approximately $1m that could be incurred for the city to acquire the land needed for transportation improvements.

Mr. Knight said the corner of this property will be needed for a roundabout, which is part of the Transportation Master Plan but has not been fully vetted. Mobility fees could be used for a bike path extension across Seven Oaks Park.

Commissioner Weaver spoke about poor stormwater treatment and feels this property could be used for an underground treatment facility to serve a significant area along Orange Avenue in the CRA and could be funded by the CRA. He addressed previous discussions regarding the old library, which he opposes selling, and would not support purchasing the Ozarks property if the old RFP would pulled. He suggested using reserve funds to cover the shortfall and if donations do not reach the $500k goal, selling the property. In regards to sale of tree farm property, he is not opposed to selling but it may require some expense to extend sewer connection and create a subdivision plan.

In response to Commissioner Sullivan regarding budgeting the purchase, Mr. Moore said that while a balanced budget must be approved by the end of the September, the commission can amend the budget at any time, if consensus is not reached today. Commissioner Sullivan suggested tabling this discussion.

Mayor Anderson opposed selling the old library to fund this purchase and stopping the RFP. With the sale of tree farm property, the two remaining funding sources are reserves and/or a bond issue/long-term financing. He reviewed funding assumptions based on purchase price of $6m with $1m funded from Parks Acquisition Fund and $1m from donations/reserves suggesting it may be better to borrow the balance of $4m. Mr. Moore reported the debt service over 15 years would be approximately $300k and the commission could pledge contingency toward that.

Mayor Anderson stressed the importance of prioritizing infrastructure improvements for storm water and flood control, particularly on the west side, over the purchase of this property; however, the CRA adopted budget allocates approximately $5m over the next three for improvements for flood control and storm water management within the CRA boundaries.

Commissioner Cruzada said while he appreciates Commissioner Weaver's comments to resolve environmental and stormwater issues, he questions of the feasibility of spending reserve funds which may be needed for potential hurricane recovery. He is intrigued with the idea of selling one city property (old library) to purchase another for public purposes and is concerned that buying more property will become overwhelming for staff to manage and maintain.

Mr. Knight said he advised Ozarks representatives that this could be on the September 13th agenda to consider an offer to purchase. Commissioner Sullivan said he understands that Ozarks desire is for a transaction to sell the property to the city concurrently with the purchase property in Ravaudage.

Mayor Anderson referred to the 5/25-year plan which shows the purchase is unfunded. Mr. Moore confirmed the purchase will remain unfunded until the commission directs staff to make the changes in the FY 24 budget. Mr. Knight said if a potential deal can be reached by the next meeting, the commission can decide whether to purchase the property and on what terms.

The commission readdressed the sale of a portion of the tree farm and the city's investment to create residential lots, i.e. sewer extension. Consensus was to exclude from the FY 24 budget but retain in the long-term plan for future discussion.

A recess was held from 4:59 to 5:07 p.m.

David Williams, 209 Tyree Lane, encouraged the commission to keep site of services for residents and reported on what he feels is a failure to provide basic services for tree trimming, street cleaning, and waste pickup and slow progress of undergrounding. of street cleaning. He expressed his displeasure with the budget process.

Jim Fitch, 1820 Via Genoa, spoke in support of additional funding for the Library and noted non-residents use the library without paying for the use and suggested asking surrounding agencies for a voluntary contribution to support the library. He suggested the city fund software that would alert homeowners of unusual increases in water usage.

Mr. Moore will provide an updated list as part of budget public hearings.

9) Public Comments | 5 p.m. or soon thereafter

12) Public Hearings: Quasi-Judicial Matters

a. ORDINANCE 3278-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE DONATION AND CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT THE CORNER OF ORANGE AVENUE AND U.S. HIGHWAY 17/92 TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE. (2nd reading)

Attorney Ardaman read the ordinance by title. Commissioner Weaver encouraged staff to request FDOT consider requiring bike paths to be above the curb on roads with a speed limit at or above 35 mph. Engineer Hong Lim reported that FDOT is providing five-foot bike lanes and will advocate FDOT to consider Commissioner Weaver's comments. There were no public comments.

Motion made by Commissioner DeCiccio to adopt the ordinance; seconded by Commissioner Weaver. Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

b. RESOLUTION 2277-23 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1714 WESTCHESTER AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Ardaman read the resolution by title. Director of Planning and Community Development Jeff Briggs introduced new Planning Technician Corinna Lundgren who reviewed the request for historic designation which has been recommended for approval by the Historic Preservation Board.

Motion made by Commissioner Weaver to approve the resolution; seconded by Commissioner Cruzada. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

13) Public Hearings: Non-Quasi-Judicial Matters

The following public hearings were taken out of order.

c. Ordinance - amending Chapter 58, "Land Development Code", Article III, "Zoning" Section 58-71 "General provisions for residential zoning districts", to revise subsection (f) regarding the parking of boats, trailers and recreation vehicles to include vehicles over 25 feet. (1st reading)

Attorney Ardaman read the ordinance by title. Assistant Director of Planning and Zoning Allison McGillis provided the background of this ordinance and state the Planning and Zoning Board recommended a more general provision to prohibit vehicles over 25 feet, similar to RVs, boats and trailers, and can be parked for a 24-hour period.

Motion made by Commissioner DeCiccio to approve the ordinance; seconded by Commissioner Weaver. There were no public comments. **Upon a roll call vote. Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

a. ORDINANCE 3279-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE I OF CHAPTER 102 OF THE CITY OF WINTER PARK CODE OF ORDINANCES; AMENDING SECTION 102-60 OF ARTICLE III OF CHAPTER 102 OF THE CITY OF WINTER PARK CODE OF ORDINANCES; AMENDING SECTIONS 102-93 THROUGH 102-100 OF DIVISION 1 OF ARTICLE IV OF CHAPTER 102 OF THE CITY OF WINTER PARK CODE OF ORDINANCES; AMENDING SECTIONS 102-132, 102-134 AND 102-135 OF DIVISION 3 OF ARTICLE IV OF CHAPTER 102 OF THE CITY OF WINTER PARK CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. (2^{nd} reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sullivan to adopt the ordinance; seconded by Commissioner Cruzada. There were no public comments. **Upon a roll call vote. Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

d. RESOLUTION 2278-23 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING A TRANSPORTATION MASTER PLAN; PROVIDING FOR SEVERABILITY, NON-LIMITATION OF AUTHORITY, AND AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title.

Engineer Hong Lim stated the goal of the Transportation Master Plan (TMP) to establish goals and visions and prioritize future transportation improvements to be used as a guide by staff, public, and other agencies and for use in seeking grant opportunities.

He summarized the background of the development of the plan and reviewed the changes made by the commission in several work sessions. He noted that the plan will include a weblink on the city's website to MetroPlan Orlando's approved project list to provide the most up-to-date information. He spoke about S.R. 426 projects, options and costs and said a cost estimate has not been prepared; however, FDOT has advised a commitment from the city is needed to cover a funding deficit of approximately $1.8m FDOT to include in their FY 26 budget. He advised that this document can be updated as new technology and other projects evolve.

Mayor Anderson suggested the city's anticipated contribution to the 426 Project be funded in the next five years in the capital budget ($1.8 to $2m). Mr. Lim noted that the cost does not include the city's request for bricked intersections, stormwater improvements., pedestrian wall, and pedestrian/traffic lights.

Commissioner Sullivan suggested considering: 1) including Morse Boulevard, from MLK Park to Central Park, as part of the greenway project list (in addition to the streetscape project list; 2) classifying Orange Avenue as a minor arterial road, and 3) adding a bike ped route on Denning north of Webster with a pedestrian bridge over 17-92.

Mr. Lim said that Morse Blvd. is in the TMP and a study is planned in conjunction with the Comprehensive Plan update and that the bike ped route with a crossing over 17-92 is in the greenway project list (Table 4, Item 12 in TMP). Staff can look at reclassifying Orange Avenue in conjunction with FDOT regulations which would allow the city guide the design/direction for redevelopment on Orange Avenue.

Motion made by Commissioner Weaver to adopt the resolution.

Commissioner Sullivan said he is hesitant to adopt the Plan as presented.

Commissioner Weaver rescinded his original motion and made a motion to adopt the Transportation Plan with the addition of the three items suggested by

Commissioner Sullivan; seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote. Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote**.

b. Ordinance - amending Chapter 2, Article V, Departments, creating new departments, renaming departments and updating department functions and responsibilities. (1st reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Weaver to approve the ordinance; seconded by Commissioner Cruzada. There were no public comments. **Upon a roll call vote. Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.**

14) City Commission Reports

Mayor Anderson –

- Said he was approached about a historic lakefront house at 1290 N. Park Avenue and the buyer and seller would not object to historic designation if they can split the waterfront lot where both would have both have water frontage.

Director of Planning and Zoning Jeff Briggs said current code prevents such a lakefront lot split; however, staff is in the process of updating the Comprehensive Plan and could draft language that could allow the lot split with the historic designation of the house. Draft language will be presented in a commission work session in October.

Commissioner DeCiccio –

- Asked for consensus to have one Commission float for the Christmas parade. Agreed by consensus.

Commissioner Cruzada –

- Asked staff to investigate the stormwater inlets on Whitehall/Brechin which appear to have been crushed by a truck. Mr. Knight said staff will investigate and noted that the city has sought reimbursement from companies known to have damaged the inlets and will provide an update.

Commissioner Weaver-

- Spoke about the need for affordable housing and about a program in New York State that offers funds to homeowners to add accessory dwellings on qualifying lots to provide affordable housing. He suggested a program that would allow accessory buildings on lots meeting certain criteria. Mayor Anderson suggested this be part of the Comprehensive Plan discussions.

- Said he will be hosting Trivia Night at the University Club on Wednesday, September 6th, and invited members of the commission to attend.

15) Summary of Meeting Actions

- Presented the Green Business Award to TruGrit Traction.
- Received report on Swim, Splash, Float Program.
- Received report on street light outages.
- Approved the Consent Agenda.
- Approved addition of a Community Service Officer position beginning in March 2024 and construction manager position to the FY 24 budget.
- Continue discussion of Bank of the Ozarks property to next meeting.
- Adopted ordinance authorizing transfer of Hopper Park to FDOT.
- Adopted resolution adding 1714 Westchester Drive to Register of Historic Properties.
- Approved ordinances relating to utilities, sewer impact fees and future annexations; to new departments; and to parking of large vehicles in front yards.
- Adopted resolution and Transportation Master Plan with additions.
- Add funds ($1.8-$2m) in five-year plan for the 426 project.
- Schedule discussion on Comp Plan on how to accommodate historic designation and lot split of waterfront properties, i.e., 1290 N. Park Avenue.
- Agreed to have only one commission float in the Christmas Parade.
- Staff to investigation damage to inlets at Whitehall and Brechin.
- Include accessory dwelling units as part of comp plan discussion.

16) Adjournment

The meeting adjourned at 6:30 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis, CMC