



City Commission Regular Meeting Minutes

March 13, 2024 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

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

Absent

Commissioner Todd Weaver

1. Meeting Called to Order

Mayor Anderson called the meeting to order at 3:30 p.m.

2. Invocation - Reverend Alison Harrity, St. Richards Episcopal Church

3. Pledge of Allegiance

4. Approval of Agenda

5. Mayor's Report

Reminded everyone of the Sidewalk Art Festival this weekend.

6. City Manager's Report

Mr. Knight noted that the sale of the Kiwanis property has closed and the city has received funds to cover its legal costs

Commissioner DeCiccio asked about status of the non-functioning lights on Park Avenue and Canton. Mr. Knight said he will address and provide an update to the commission.

7. City Attorney's Report

8. Non-Action Items

9. Public Comments | 5 p.m. or soon thereafter (taken at end of meeting)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, February 28, 2024
- b. Approve the following piggyback contracts:
 1. Carr & Collier, Inc. - Seminole County Contract #CC-3563-21/RTB - Public Works Minor Construction Projects with Costs Less Than \$2,000,000; for services on an as-needed basis during the term of the agreement through August 9, 2024; Amount: \$474,000
 2. Southland Construction, Inc. - Seminole County Contract #CC-3563-21/RTB - Public Works Minor Construction Projects with Costs Less Than

\$2,000,000; for services on an as-needed basis during the term of the agreement through August 9, 2024; Amount: \$474,000

Motion made by Commissioner Sullivan to approve the agenda except Item 10a; seconded by Mayor Anderson. Motion carried unanimously with a 4-0 vote.

Motion made by Commissioner Sullivan to amend the second paragraph on Page 8 to read "... support the repeal of the ordinance by the commission or by referendum...", seconded by Commissioner Cruzada. Motion made by Commissioner DeCiccio to amend the end of the sixth paragraph on Page 6 to read "... upheld in court in the fall of 2023", seconded by Mayor Anderson. Motions carried unanimously with a 4-0 vote.

11. Action Items Requiring Discussion

12. Public Hearings: Quasi-Judicial Matters

- a. Request of Clermont Investment LLC for: Conditional Use approval for a 170 seat restaurant, for the property at 610 W Morse Boulevard, zoned C-3A. **(Tabled from February 28, 2024)**

Senior Planner John Harbilas reviewed this request, which is recommended for approval with six conditions as a result of the previous meeting:

1. Tenant must meet the definition of fine dining.
2. At least 51% of tenant revenue must be derived from food sales.
3. Patrons last seating is 10 p.m. and restaurant must be closed by midnight,
4. Conditional Use approval is dependent on maintaining a continuous parking agreement with an adjacent property.
5. Tenant must adhere to the City's noise ordinance, including no outdoor speakers, and restrict outdoor dining past 10 p.m.
6. Renovations to the building must abide by current land development regulations and comply with Morse Blvd. Design Guidelines.

Motion made by Mayor Anderson to approve the conditional use request as recommended; seconded by Commissioner DeCiccio. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio and Cruzada and Mayor Anderson voted yes. Motion carried unanimously with a 4-0 vote.**

- b. Ordinance - Adopting the amended Winter Park Community Redevelopment Plan; providing for the expansion and extension of the CRA. (1st reading)

Attorney Ardaman read the ordinance by title.

Mr. Dudgeon introduced Tom Kohler and John Jones of GAI Consultants, who assisted in the development of this plan. Mr. Jones gave a presentation on the current plan and proposed expansion to include the Fairbanks Avenue area, time frame, focus areas, plan elements, capital projects and tax increment financing projects. After adoption by

the city, the plan and interlocal agreements must be approved by Orange County and the City of Orlando, scheduled for May/June.

There were no public comments. **Motion made by Commissioner DeCiccio to approve the ordinance on first reading, seconded by Commissioner Sullivan. Upon a roll call vote, Commissioners Sullivan, DeCiccio and Cruzada and Mayor Anderson voted yes. Motion carried unanimously with a 4-0 vote.**

13. Public Hearings: Non Quasi-Judicial Matters

- a. RESOLUTION 2282-24 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA SUPPORTING THE TOWN OF EATONVILLE'S APPLICATION TO BE CONSIDERED AS THE SITE FOR THE FLORIDA MUSEUM OF BLACK HISTORY

Attorney Ardaman read the resolution by title.

Commissioner Sullivan supported the resolution and thanked staff for coordinating with the Town of Eatonville to bring this forward. Mr. Knight introduced Brittany Greg, representing Eatonville Mayor Gardner.

Motion made by Commissioner Sullivan to approve the resolution; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 4-0 vote.**

- b. RESOLUTION 2283-24 - A RESOLUTION ADOPTING THE STATEWIDE MUTUAL AID AGREEMENT FOR RECIPROCAL EMERGENCY AID IN CASE OF EMERGENCIES.

Attorney Ardaman read the resolution by title.

Motion made by Commissioner DeCiccio to approve the resolution, seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote, Commissioners Sullivan, DeCiccio and Cruzada and Mayor Anderson voted yes. Motion carried unanimously with a 4-0 vote.**

- c. Ordinance 3292-24 - Setting a referendum of the voters on the possible repeal of the internal combustion engine leaf blower ban. (2nd reading)

Attorney Ardaman read the ordinance by title.

Motion made by Mayor Anderson to approve the ordinance amending the fourth Whereas clause by striking "to delay implementation of the ban until June 1, 2025, and," seconded by DeCiccio for discussion.

Mayor Anderson said enforcement of the ban is a matter of policy and should be separate from the ordinance.

Commissioner Sullivan said he feels this should not be rushed through and should be delayed until it is clear what is approved in the state budget. **Motion made by Commissioner Sullivan to table until April 10, 2024, seconded by Commissioner DeCiccio.** Discussion followed on timing, given the deadline for Governor DeSantis to sign the budget.

Mr. Knight questioned the purpose of the delay since the city agreed, as a compromise with Senator Brodeur, to place this referendum on the ballot, which shows that the city is honoring its agreement with Senator Brodeur who agreed not to preempt the city. Discussion was held on the impact of delaying adoption of this ordinance. Mr. Ardaman opined that Senator Brodeur honored his agreement and the city would honor its agreement by approving this ordinance, which would be more practical to adopt now rather than a future meeting.

Mayor Anderson feels the commission should move forward, in part because Senator Brodeur's constituents raised a different perspective about the ban. Commissioner Cruzada agreed. Responding to questions about a tie votes, Mr. Ardaman explained that a 2-2 vote is no action and that a majority vote is required to pass a motion.

Motion to table tied with a 2-2 vote. Commissioners Sullivan and DeCiccio voted yes and Commissioner Cruzada and Mayor Anderson voted no.

Denise Gillespie, 1608 Hibiscus Drive, urged the commission to repeal the ordinance banning leaf blowers.

Gigi Papa, 1440 Hibiscus Drive, opposed the mandate banning gas powered leaf blowers.

Upon a roll call vote on the motion to approve the ordinance, as amended, Commissioner Cruzada and Mayor Anderson voted yes and Commissioners Sullivan and DeCiccio voted no. Motion tied with a 2-2 vote.

Motion made by Commissioner Sullivan to table this to April 10, 2024 at 3:30 p.m., seconded by Commissioner DeCiccio. Motion carried with a 3-1 vote. Commissioner Cruzada voted no.

14. City Commission Reports

Commissioner DeCiccio –

- Complaints about the types of plants and planters by Boca on Park Avenue. Ms. del Valle advised that staff rotates the plants; however, staff is aware and is investigating.
- Skateboarding and graffiti in the Canton Avenue parking garage. Police Chief Tim Volkerson said they are of bicyclists using the garage but no other criminal mischief complaints. The department has increased patrols and meet regularly with the owner when problems arise. Mr. Knight said he will contact the owner, as they are responsible for maintenance
- Non-functioning lights on Windsor. Director of Electric Utility Dan D'Alessandro said staff has retained an electrician who will be working on the lights at Park and Canton this week. Rewiring is preferable but the roads would have to be closed in order to bring in boring equipment.

Commissioner Cruzada –

- Commended staff on planting of pine trees on the WP-18 golf course.

Mayor Anderson –

- Conditional use applications. He feels compatibility with design, massing and facade guidelines should be required. He has spoke with staff and Mr. Knight to draft a guide to assist applicants in the application process which would include vocabulary, basis for allowing or prohibiting certain aesthetics and massing on Park, Morse, and New England avenues and neighborhoods. He also suggested developing facade guidelines for Orange Avenue. Director of Planning and Zoning Allison McGillis advised there are different guidelines for each street, including facade guidelines for Orange Avenue. Mayor Anderson suggested separating the streets due to historical influences on Park, New England, and Morse.

9. Public Comments

Gigi Papa, 1440 Hibiscus Avenue, asked for a report on crime in her neighborhood. Police Chief Volkerson will meet with Ms. Papa after the meeting.

15. Summary of Meeting Actions

- Sidewalk Art Festival is this weekend.
- Sale of Kiwanis Club property closed.
- Staff to look at Park Avenue street lighting.
- Approved consent with amendments to minutes
- Approved Conditional Use request with conditions for restaurant at 610 W. Morse
- Approved Ordinance approving CRA expansion and extension on first reading.
- Adopted resolution supporting Eatonville as a location for Florida Black History Museum
- Adopted resolution approving statewide mutual aid agreement
- Tabled ordinance calling for referendum on repeal of ban on gas-powered leaf blowers to April 10
- Staff to look at design guidelines in various districts.

16. Adjournment

The meeting was adjourned at 4:45 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis