



City Commission Regular Meeting Minutes

October 14, 2020
Virtual Meeting

Present:

Mayor Steve Leary
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1) Meeting Called to Order

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

2) Invocation and Pledge of Allegiance

Pastor Darren Bess, Winter Park Presbyterian Church, provided the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

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

4) Mayor's Report

5) City Manager's Report

Mr. Knight stated that at the direction of the Commission at first reading of the micromobility ordinance, the Transportation Advisory Board reviewed the micromobility ordinance and recommended changes. The City Attorney has determined these changes to be substantial and recommended holding first reading again. Consensus was schedule for first reading.

Mr. Knight advised that Civil Service Board appointments must be made in December and that three of the five members appointed by the Commission need to be replaced or reappointed. The remaining two member's terms expire in 2022. He recommended revising the terms for these appointments to align with term of the commissioner making the appointment so one of the three appointments would be a one-year term.

Commissioner Cooper suggested appointments be made by seniority on the Commission. After discussion, consensus was for appointments to be made based on seniority on the Commission.

At the request of Commissioner Sullivan, Mr. Knight said he will provide the current board members, terms and length of time served as well as board applications.

Commissioner Cooper reminded staff of her request to review the City Code to ensure all ordinances have been codified.

Commissioner Cooper asked that the owner of the property pending annexation be notified that the delay is not an indication of opposition but is to hold a work session to discuss annexations in general. Mr. Knight advised that the property owner has been notified.

Commissioner Cooper asked for an update on the issues regarding the lift station on Gaines Way. David Zusi, Director of Water and Wastewater Utilities, provided an update on the status and unresolved issues and stated that the City Attorney has been providing options to resolve the matter.

Mr. Knight reminded everyone of the road closure for the downtown event this weekend. He asked for approval to move forward with the November weekend event in order to begin promotions. Approved by consensus.

6) City Attorney's Report

Attorney Ardaman advised that special meeting may be needed soon to discussion pending litigation.

7) Non-Action Items

8) Citizen Comments - Taken after Public Hearings

9) Consent Agenda

- a. Approve the minutes of the regular meeting, September 23, 2020.
- b. Approve the minutes of the work session, September 24, 2020.
- c. Approve the following contracts:
 1. Power Engineers, Inc. - Renewal of RFQ-18-2018 - Professional Engineering Services to Design Underground Conversion of Power Lines; \$150,000;
 2. HDD of Florida - Renewal of RFP-15-2019 - Underground Conduit/Pipe Installation Services; \$2,800,000 and authorization of additional FY20 contract funds for final invoice payment; \$128,050;
 3. Cathcart Construction Company - Renewal of RFP-15-2019 - Underground Conduit/Pipe Installation Services; \$82,000;
 4. Heart Utilities of Jacksonville - Renewal of RFP10-19 - Electric Utility Installation & Maintenance; \$2,600,000;
 5. High Performance Sports Management - Renewal of RFP17-18 - Tennis Programming & Instructional Services; \$300,000;
 6. Brown & Brown of Florida, Inc. - Renewal of RFP22-18 - Insurance Agent/Broker of Record; \$1,100,000; All City insurance premium payments are processed directly through Brown & Brown of Florida.
 7. Ambulance Medical Billing - RFP-13-2020 - EMS Billing Services; 2-year term, \$100,000 per year;
 8. Stryker Sales Corp. - ProCare LUCAS - 3-year term, \$2,667.60 per year.

- d. Approve the following Piggyback contracts:
 - 9. Odyssey Manufacturing Co - City of Daytona Beach ITB#20561 - Sodium Hypochlorite; \$400,000;
 - 10. Online Information Services, Inc. (Online Utility Exchange) - Kissimmee Utility Authority #19-022-CV - Debt Collection Services; \$12,000 per year. Contract through August 6, 2022;
 - 11. ABM Industry Groups, LLC - Pasco County IFB-TB-16-131 - Janitorial Services & Equipment; Increase allowable spend to \$615,000 per year;
 - 12. Cintas Corporation - Omnia Partners contract #R-BB-19002 - Facilities Management Products & Solutions; Increase allowable spend to \$90,000 per year.
 - 13. Cubix, Inc. - Sourcewell 121715-MAC - Flooring Supplies & Services; approve an additional \$150,000 spend under contract.

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

10) Action Items Requiring Discussion

11) Public Hearings

- a. ORDINANCE 3185-20 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, ARTICLE III, "ZONING" OF THE LAND DEVELOPMENT CODE, TO AMEND SECTION 58-71; CONCERNING LOT GRADING AND FILLING REQUIREMENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (Second Reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance on second reading with the revisions provided by staff as follows; seconded by Commissioner Weaver.

Section 58-71(b)(3) In addition, no lot shall be filled with elevated lot grades adjacent to or near other surrounding properties so as to require the use of retaining walls or other barriers to create an unnatural lot grade transition unless approved by the building director or the public works director based on one or more of the following criteria:

- 1. Verified topographic conditions on the property exist which include grading that requires the use of a retaining wall to prevent drainage onto adjacent properties.
- 2. Terraced retaining walls are required to retain water on site to prevent storm water runoff into a water body or other properties. On the waterfront side of lakefront properties terraced retaining walls must not exceed three (3) feet in height above the natural grade.
- 3. The proposed retaining wall is located a large distance from the nearest residential property, such as, but not limited to 30 feet, or a distance

determined proportionately based on the lot width in a manner that is designed to provide no adverse or increased storm water drainage onto an adjacent property.

4. Terraced retaining walls are used for aesthetic landscaping only and are designed in a manner that does not create storm water drainage onto neighboring residential properties.

Attorney Ardaman opined that these changes are not significant enough to require a second first reading.

There were no public comments.

Upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

- b. ORDINANCE NO. 3186-20 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE VI "SUBDIVISION AND LOT CONSOLIDATION REGULATIONS OF CHAPTER 58 "LAND DEVELOPMENT CODE" TO AMEND THE PROCEDURES FOR FINAL PLATS AND LOT SPLITS AND TO PROVIDE REGULATIONS FOR THE PERMITTED FLOOR AREA RATIO RELATED TO SUBDIVISIONS AND LOT SPLITS RESULTING IN FOUR OR LESS LOTS; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (Second Reading)

Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Sullivan to adopt the ordinance on second reading; seconded by Commissioner Weaver.

Commissioner Cooper reminded staff of the consensus at first reading for staff and Planning and Zoning to evaluate restricting lot splits where properties are not connected to city sewer, lots are on high recharge areas of the aquifer, if the split puts heritage trees in the footprints of a new building, or along waterways and wetlands, and also a discussion on compatibility and how to calculate when looking at lot splits.

There were no public comments.

Upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

12) City Commission Reports

Commissioner Sullivan

- Shared comments he received from residents regarding homelessness and asked for the city's efforts and whether it can be included in economic recovery efforts from COVID.

Mr. Knight advised that a city staff task force is working on this issue in partnership with homelessness organizations. Consensus was to have staff provide a report.

- Advised that Rollins College has offered to help the city in analyzing single member districts and its impact and educating the public and asked that the city agree to work with Rollins. He feels it will benefit the residents in understanding what he feels is a complicated issue.

Mayor Leary said he feels it is staff's responsibility to educate the public and that education is one of the reasons he has advocated for more time.

Commissioner DeCiccio stated staff should be responsible for education but could reach out to Rollins for assistance.

Commissioner Cooper expressed her reluctance because of the perception that city is advocating for this issue.

Commissioner Weaver stated that his one reason for supporting this is due to the pandemic; however, there should be some evidence of community support.

After additional comments, there was no consensus for staff to work with Rollins College.

- Reminded everyone of the event this weekend at Mead Gardens which includes a demonstration of electric landscaping equipment.

Commissioner DeCiccio

- Asked for support to use contingency funds to complete repairs at Dinky Dock.

Jason Seeley, Director of Parks and Recreation, responded to questions stating that the remaining projects include the parking lot, landscaping and beach.

Peter Moore, Division Director of Office of Management and Budget, stated that funding of \$164,000 was removed from FY 21 budget but can be looked at later in fiscal year.

After discussion, Commissioner DeCiccio withdrew her request and will readdress later in the fiscal year.

- Said that she has received comments from Whispering Water residents regarding the Scenic Boat Tour due noise, parking and litter, and asked if the tours could be changed to depart from Dinky Dock. There was no consensus to change locations.

Commissioner Cooper

- Asked that staff send a reminder to Orange Avenue businesses regarding the transportation discussion at the OAO work session on October 15th.
- Reminded everyone of the Bach Off the Avenue event in the West Meadow on October 25.

Commissioner Weaver

- Advised that the widow of Peter Hanson has offered his collection of railroad history to the library.
- Asked for support in removing some rooftop solar restrictions from the city code.

George Wiggins, Director of Building and Permitting, reported that the code conflicts with State Statutes which override the provisions allowing solar panels. Consensus to have staff make presentation at a future meeting.

- Said he spoke with Lashonda Lovett, Director of the Winter Park Housing Authority, who reported on issues of residents relating to increased utility bills during COVID and lack of internet access or devices. He directed them to facilities with internet access such as the library and Shady Park. He asked the commission to address fiber optics throughout the city and to address allocating funds to make energy saving improvements. He asked how Housing Authority appointments are made.

Mr. Knight advised that there is approximately \$400,000 in affordable housing fund. He explained that the Housing Authority is not an advisory board to the commission but an oversight board to the authority and stated that will provide information on board members, appointments, roles and responsibilities. He responded to questions regarding prior assistance to the Authority's facilities.

After additional discussion, consensus was to have future discussion on affordable housing, funding and allowed expenditures and fees.

- Invited everyone to the backyard biodiversity day in Mead Garden this weekend.

Mayor Leary

- Announced the dedication of boat house at Dinky Dock to Lt. Stan Locke.
- Referenced the fiberoptic task force report and commented on complaints about the current service. He supported fiberoptic city-wide and potentially using CRA funds to install within the CRA.

Mr. Knight advised that the city is working with the city's fiberoptic provider, Frog, but are having difficulty reaching agreement on the terms of contract.

Mr. Moore responded to questions. He stated that a prior study indicated a cost of \$28 million for city-wide fiberoptic but \$4 million to build out along all major commercial districts. The city is pursuing a public/private partnership because the city does not have license for fiberoptic. Consensus to have this reviewed by Utility Advisory Board.

8) Citizen Comments - 5 p.m. or soon thereafter

13) Summary of Meeting Actions

- Bring back micromobility ordinance for first reading with proposed changes recommended by Transportation Advisory Board.
- Civil Service Board appointments will be made based on seniority on Commission. Staff to provide board applications and current members, terms and their length of service.
- Staff to review City Code for ordinances that have not been codified.
- Provide options from City attorney on Gaines Way lift station.
- Approved road closure for downtown event in November.
- Approved lot fill and lot split ordinances.
- Staff to provide report on homeless task force.
- Staff to provide presentation on solar restrictions, city code and state statutes.
- Staff to provide information on housing authority board appointments, roles and funding.
- Staff to provide the fiberoptic task force report and refer to UAB for discussion.

The meeting adjourned at 5:04 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis