City Commission Regular Meeting Minutes

October 12, 2022 at 3:30 p.m.

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

Present

Mayor Phil Anderson, Commissioners Marty Sullivan, Sheila DeCiccio, Kris Cruzada, and Todd Weaver; City Manager Randy Knight; City Attorney Kurt Ardaman and City Clerk Rene Cranis.

1) Called to Order

Mayor Anderson called the meeting to order at 3:34 p.m.

2) Invocation

The invocation was given by Pastor Bruce Mayhew, Gateway Church, followed by the Pledge of Allegiance.

3) Approval of Agenda

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

4) Mayor Report

Mayor Anderson thanked staff for their work in the aftermath of Hurricane Ian and record flooding.

a. Proclamation for SpaceKids Global

Mayor Anderson thanked Sharon Hagle for sharing her experience in flying into space and recognized her founding of SpaceKids Global to encourage kids to participate in space and technology opportunities with a proclamation declaring September 28, 2022 to be SpaceKids Global Day. Mrs. Hagle thanked the city for the recognition.

5) City Manager Report

a. City Manager Report

Mr. Knight reported on staff's after-action meeting on Hurricane Ian. The Lakes and Stormwater divisions are still involved in post-hurricane work and will have a report this week. Staff is looking at capital and infrastructure needs exposed by the hurricane. He explained how the city's GIS mapping was an important tool to log storm events and locations. Staff identified the need for sandbags for post-storm use, electric switch gear equipment to be installed at higher levels in remaining undergrounding project areas, a telemetry system for lakes to measure lake levels and retractable barriers to allow for drainage from lakes. Staff will work with the advisory boards to develop a timeline for drawing down the lakes to educate neighbors and is conducting a vulnerability study with FDEP. The city is revising the street sweeping contract to have better access to resources after a storm. Staff is also evaluating the CRS process and will provide a report to the commission. Waste Pro reports daily on debris pickup with the first pass to be completed by this coming Sunday. He responded to questions stating staff is connecting residents to programs to begin recovery efforts.

In response to questions, Mr. Knight explained that Utility Billing is close to returning to a regular billing schedule; the payment system is now running and staff continues to work with residents to set-up electronic payment. There will be no penalties or disruption of service but bills may show the previous amount due because of the short time between billing cycles. The billing format is being revised.

Mayor Anderson suggested more personalized communication with residents about automatic/recurring billing.

6) City Attorney Report

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (taken after recess)

9) Consent Agenda

a. Approve the minutes of the work session, September 30, 2022
b. Approve the following contracts:
   1. High Performance Sports Management - Renewal of RFP17-18 - Tennis Programming & Instructional Services; Amount: $450,000 for services on an as needed basis during the term of the Agreement.
   2. A Budget Tree Service Inc. - Renewal of ITN23-18 - Vegetation Management Services; Amount: $800,000 for services on an as needed basis during the term of the Agreement.
   3. The Davey Tree Expert Co. - Renewal of ITN23-18 - Vegetation Management Services; Amount: $500,000 for services on an as needed basis during the term of the Agreement.
   4. Credit Bureau Systems, Inc. - Renewal of RFP13-20 - EMS Billing Services; Amount: $96,000 for services on an as needed basis during the term of the Agreement.
   5. Roman Roads Hardscapes, Inc. - IFB10-22 - Purchase and Installation of Bricks; Amount: $55,000 for additional funds for paver removal at the Country Club.

6. Paymentus Corp - Renewal of FY20-75 - Payment Management and Processing Services; Amount: $350,000 for services on an as-needed basis during the term of the Agreement.

Motion made by Commissioner Weaver to approve the Consent Agenda; seconded by Commissioner Cruzada. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

10) Action Items Requiring Discussion

a. Patel, Greene & Associates, LLC presentation of Transportation Master Plan Scope.

Director of Planning and Zoning Jeff Briggs advised that the current Transportation Master Plan is outdated and not based on current costs. The consultant will work with Asst. Director of Planning Allison McGillis and Engineer (Transportation Division) Hong Lim as staff project managers.

Project Manager Josh Peterson, Patel, Green, and Associates, introduced Gabe Gonzales and Angelo Rao who gave a presentation on the scope. Mr. Gonzales reviewed the overall plan to add and remove projects, update costs, expand and refresh the technology component, and create a connectivity component, process and elements to develop the plan without "reinventing the wheel." He reviewed the tasks and components of the six scope of work tasks.

Mr. Rao reviewed current and emerging technology trends as a key part of transportation, including rapid reflective beacon technology to improve pedestrian crossing and future connected vehicle and fiberoptic technology.

Mr. Gonzales advised that the goal is to identify and prioritize projects with a focus on greenways network/connection and infrastructure. Presentations will be made to staff, the Transportation Advisory Board and the commission. Additional information and details were provided in response to questions.

Mr. Lim gave an update status of 426/Brewer Curve FDOT study and the timing of potential improvements after the stakeholder meetings and a review of options. Discussion followed on the parameters for the transportation study and expectations. Mayor Anderson suggested that staff ensure the team is invited to appropriate FDOT public meetings to understand the study to incorporate into their final product.

Commissioner Sullivan suggested the team incorporate the city’s comprehensive plan priorities (modes of transportation - pedestrian, bicycle, public transit, Sunrail/transit links, private/commercial vehicles) as they prioritize core projects for the city. Mr. Gonzalez said the team will need to look at the data first to identify potential locations for transit facilities.

Mayor Anderson spoke about traffic safety concerns that he would like addressed sooner than later. He asked that the team provide an interim report to TAB and Commission on these items: 1. traffic calming on Capen, Denning and Bennett and around Mead Garden; 2, a truck routing map to enforce limits on heavy trucking through neighborhoods; 3. 426 improvements, and 4. arterial bicycle paths (east/west connectivity of MLK Park to Central Park and to City of Orlando).

Commissioner Weaver suggested a study of the intersection of Denning and Fairbanks which he feels will need a crossover or tunnel due to heavy traffic.

Mrs. McGillis stated that some of the neighborhood traffic calming issues can be looked at by staff to move forward more quickly.

Motion made by Mayor Anderson to approve the scope and fee for the Transportation Master Plan with the addition of the 426 public meetings process and interim report on micro items (listed above); seconded by Commissioner Weaver.

Motion made by Mayor Anderson to amend the motion to approve the scope and fee for the Transportation Master Plan with the addition of 426 public meetings process and interim report on micro items (noted above) and to include a reasonable budget adjustment to accommodate minor modifications to the scope; seconded by Commissioner Weaver. There were no public comments. **Motion carried with a 5-0 vote.**

b. Howell Branch Preserve Design

Director of Parks and Recreation Jason Seeley presented a revised design of Howell Branch Preserve based on stakeholder meetings. The public access points from Lolissa Lane and Drum Street have been removed with a new public access point from the police training ground and the boardwalk has been pulled further inland away from Lake Waumpi. The trail along Lolissa Lane has been moved northward to be less intrusive to the residents along the back side of the area. He reviewed costs for the Waumpi Loop at $226k (not part of the grant), the unpaved parking area, and safeguarding (fencing/gates) at $100k. He noted that staff is reviewing the results of a traffic study on Temple Trail to identify ways to make the area safer.

Discussion was held on funding to complete the project and potential need to revise the commission priorities list. Consensus was to discuss project costs as part of the priorities discussion at the next commission meeting.

Motion made by Commissioner Weaver to approve as presented; seconded by Commissioner Sullivan. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

A recess was held from 4: 49 p.m. to 5:02 p.m.

8) Public Comments | 5 p.m. or soon thereafter (None)

11) Public Hearings: Quasi-Judicial Matters

a. Request of the City of Winter Park and Elevation Plaza LLC for:
   1. Amendments to the sales contract to confirm the legal descriptions for parcels, approve the forms of the appurtenant easements, and provide for release of mineral rights by the City.
   2. Ordinance: Amending the Comprehensive Plan Future Land Use map:
      - from Institutional to Office on a portion of the property at 631 N. New York Avenue and
      - from Office to Institutional on a portion of the property at 507 N. New York Avenue (1st reading)
   3. Ordinance: Changing zoning:
      - from Public, Quasi-Public (PQP) to Office (O-1) on a portion of the property at 631 N. New York Avenue.
      - from Office (O-1) to Institutional (PQP) on a portion of the property at 507 N. New York Avenue (1st reading)

Attorney Ardaman read the ordinances by title. A simultaneous public hearing was held on these requests.

Mr. Briggs stated that these requests are related to the land swap for properties on N. New York Avenue. It includes rezoning of these properties and amendments to the sales contract to confirm legal descriptions, easements and transfer of mineral rights needed to move forward with closing. He responded to questions regarding the proposed plan.

Commissioner Weaver noted that there is a large deposit of lithium on the city property being swapped and asked if the city retains the mineral rights for the triangular portion of the property. Mr. Ardaman explained that unless the city expressly agrees otherwise, the mineral rights on the conveyed property are retained by the city. He explained that Elevation LLC is asking for the mineral rights and the title company has requested that the commission affirm the agreement to convey mineral rights. Unless the commission wants to retain the mineral rights, his recommendation is to convey the mineral rights along with the rest of the property rights. Discussion followed on mineral rights, conveyance, and the city wellhead and aquafer. Mr. Knight noted that the city is retaining the property where the wellhead is located.

Motion made by Commissioner Weaver to approve the amendments and two rezoning ordinances. 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. Request of Winter Park Town Center LTD for Conditional Use approval to redevelop the Ruth's Chris restaurant pad within the Winter Park Village (490 N. Orlando Avenue) with a one- story, 16,186-square-foot building for an Arhaus furniture store, zoned C-1.

John Harbilas, Senior Planner, reviewed this request and presented images of the location and surrounding area. The new use has a much lower parking requirement and the majority of spaces will be captured on site with the remaining requirement being met through use of overall parking at Winter Park Village. The Planning and Zoning Board recommended approval.

Motion made by Commissioner Weaver to approve the request; 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.**

12) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance amending Chapter 2, Article III, "Subsidiary Boards of the City of Winter Park," to provide for the appointment of a non-resident to the Keep Winter Park Beautiful and Sustainable Advisory Board (1st reading)

Attorney Ardaman read the ordinance by title.

Motion made by Mayor Anderson to approve the ordinance; seconded by Commissioner DeCiccio. 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) City Commission Reports

Commissioner Sullivan -

- Advised the Bank of the Ozarks property talks are continuing.
- Addressed complaints from residents regarding the brightness of the street lights. He asked for consensus for staff to research options for a softer lighting color rather than bright white lights and suggested more amber lights in residential and historic areas of the city. Commissioner Weaver agreed provided it meets energy efficiency.

Mayor Anderson stated that this is a two-part request: 1. For staff to look at LED amber lighting options and potential purchasing limitations 2. Consider what the impact would be to use low sodium vapor lighting for historic districts. Mr. Knight added that some residents like the brighter lights for visibility and safety and stated that staff will bring back a report on options. Commissioner Sullivan expressed hope that residents will provide their input. Approved by consensus.

Commissioner DeCiccio -

- Stated that the Friends of Hannibal Square is hosting Taste of Hannibal Square on November 17, 2022 and has asked that the City split the cost of approximately $5k.

Mr. Knight stated that he will get additional details and determine whether there are discretionary funds in the CRA budget.

- Stated that the city needs to make decision on whether to purchase Bank of the Ozarks property. She is opposed to the idea of a three-story office building on this site and discussed issues related to traffic. She asked for consensus to put the topic of purchasing the property on an upcoming agenda for discussion.

Commissioner Weaver asked for an update on Public Land Trust progress. Mr. Knight will be meeting with them tomorrow and will provide an update. He added that the asking price is still $7.5m and the Land Trust is working on presenting a contingent offer to the owner. Consensus was to place on an upcoming agenda.

Commissioner Cruzada –

- Gave an update on the 2300 S. Semoran property. Culver's withdrew their application and is no longer seeking restaurant/retail on the site.

Mr. Knight advised he asked the broker for the property for a sales price in case the city would be interested in purchasing, but Culver's is looking at other options for a different type of restaurant. He informed the broker of opposition from neighbors for any use with high traffic or extreme lighting.

- Noted that prior to the hurricane there was a community meeting at Winter Park High School regarding upcoming major renovations. The renovations are in design phase and another meeting will be held in the next six months.

Commissioner Weaver –

- Spoke about OAO and goals to stimulate development in the corridor. He explained that the city doesn't want to buy the Bank of the Ozarks to prevent a three-story development from being built, but to provide regional stormwater for the area and become an intra-city train stop and also to be used for potential a roundabout.

Commissioner Sullivan added that another option for the site could be arts and culture/non-profit that was original part of Progress Point discussions.

Mayor Anderson –

- Stated that the Bank of the Ozarks purchase discussion has triggered a lot of prioritization about where the city needs to and should be spending money. He spoke about the flooding that occurred with Hurricane Ian and funding needed for stormwater projects to prepare for future storms and flooding. He expressed concerns about using general fund money for a discretionary investment in land purchases instead of fixing flooding problems. His priority is to fix flooding and storm water issues. Discussion followed on funding for stormwater projects.

Commissioner DeCiccio said the city needs to make sure infrastructure is sufficient and address weaknesses; however, she feels the city needs to take a hard look at potential funding sources to purchase the Bank of the Ozarks such as funds set aside for restrooms at Progress Point said other funding sources funds are available that would not impact funding stormwater improvements.

14) Summary of Meeting Actions

- Presented Proclamation for SpaceKids Global.
- Received after-action report on Hurricane Ian.
- Received update on utility billing matters.
- Approved the Consent Agenda.
- Adopted Transportation Master Plan scope with recommendations from the City Commission
- Approved Howell Branch Preserve design - funding to be discussed on next agenda.
- Approved requests of Elevation Plaza, LLC.
- Approved Conditional Use request of Ruth's Chris.
- Approved ordinance revising Subsidiary Boards to allow a non-resident to KWPB/S Board.
- Directed staff to investigate street lighting options.
- Place Bank of Ozarks discussion on next agenda.

15) Adjournment

The meeting adjourned at 5:45 p.m.

Mayor Phillip M. Anderson

ATTEST:

City Clerk Rene Cranis