City Commission
Regular Meeting Minutes

June 26, 2024 at 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Mayor Sheila DeCiccio, Commissioners Marty Sullivan, Craig Russell, Kris Cruzada and Todd Weaver; City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Dan Langley and City Clerk Rene Cranis.

1. Meeting Called to Order

Mayor DeCiccio 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

Motion made by Commissioner Russell to approve the agenda; seconded by Commissioner Sullivan. The motion carried unanimously by a 5-0 vote.

5. Mayor's Report

a. Proclamation for Kiwanis Club of Greater Orlando / Winter Park

Mayor DeCiccio read and presented a proclamation to Kiwanis members declaring June 26, 2025 Kiwanis Club of Greater Orlando Winter Park Day in recognition of their contributions and on their 93rd anniversary. Shawn Casey thanked the city for their recognition and provided the background of the Kiwanis mission and efforts.

b. Proclamation for Lakes Appreciation Month

Mayor DeCiccio read a proclamation declaring July as Lakes Appreciation Month and presented the proclamation to Department of Natural Resources and Sustainability staff. Director of Natural Resources and Sustainability Gloria Eby thanked the commission for recognizing staff's work.

Mayor DeCiccio introduced a video of the Winter Park High School ladies crew team as they prepare for a competition in the Henley Royal Regatta and wished them good luck.

Mayor DeCiccio advised that Governor DeSantis vetoed the funding for the leaf blower study, thereby vetoing the proposed amendment that would have prevented cities from banning gas leaf blowers.

6. City Manager's Report

a. Confirmation of Electric Utility Director

Mr. Knight recommended the appointment of Mr. Jamie England as new Director of Electric Utilities. Approved by consensus.

He reminded everyone of the Strategic Planning Session tomorrow at 8:00 a.m. Winter Park Events Center.

7. City Attorney's Report

Mayor DeCiccio reported on an article in the Florida Bar Journal about a recent judgment in a golf cart accident and asked the city attorney to look into potential liability to protect the city and residents.

8. Non-Action Items

a. Board Appointments: Mayor DeCiccio – none reported.

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

10. Consent Agenda

a. Approve the minutes of the regular meeting, June 12, 2024
b. Approve the following formal solicitations:
   1. Don Bell Signs, LLC - RFP16-24 - Park Avenue Gateway Arch Signs
c. Approve the following piggyback contracts:
   2. Kompan, Inc. - OMNIA Partners Contract #2017001135 - Playground and Outdoor Fitness Equipment - Renewal; for services on an as-needed basis during the term of the agreement through June 30, 2026; Amount: $100,000
   3. Konica Minolta Business Solutions USA, Inc. - NASPO Contract #187962 - Multi-Function Devices and Related Software, Services, and Cloud Subscriptions; for services on an as-needed basis during the term of the agreement through July 31, 2029; Amount: $200,000
   4. Thompson Well & Pump, Inc. - Volusia County Contract #21-SQ-21SR - Well Field Services - Renewal; for services on an as-needed basis during the term of the agreement through April 23, 2026; Amount: $100,000
d. Approve the following contracts:
   1. RFQ7-22 - Patel, Greene & Associates, LLC - Transportation Planning & Engineering Services - Amendment 3; for services on an as-needed basis during the term of the agreement through July 7, 2025; Amount: $500,000
   2. RFP15-19 - HDD of Florida - Underground Conduit/Pipe Installation Services; for services on an as-needed basis during the term of the agreement through September 30, 2024; Amount: $2,000,000
e. Approve the following purchase:
   1. OpenGov - Budget Solutions SaaS; Amount: $60,000 for FY24, $75,000 for FY25
f. Forward Funding of $200k for Habitat to Humanity for Affordable Housing Lot Purchase

Motion made by Commissioner Weaver to approve the Consent Agenda, seconded by Commissioner Sullivan. Commissioner Russell asked that the minutes be amended to attach Commissioner Weaver's presentation on the old library renovations. **The motion, as amended, carried unanimously by a 5-0 vote**.

11. Action Items Requiring Discussion

a. Board Appointments:
Winter Park Firefighters' Pension Board (2)
Winter Park Police Officers' Pension Board (1)
Civil Service Board (1)

The following appointments to the Civil Service Board were recommended: Steve Stutzer (Commissioner Sullivan), Anne Mooney (Mayor DeCiccio) and Ainsley Butts (Commissioner Russell). Steven Stutzer was appointed by unanimous consent. Anne Mooney was appointed by a 3-2 vote. Commissioners Russell and Cruzada voted no. (Note: This was reconsidered at the July 10th meeting.)

b. Stormwater Rate Assessment for FY25

Mr. Knight reviewed staff's recommendation to increase the stormwater assessment fee by one cent per square foot of impervious coverage which would generate an additional $700k for stormwater projects. Staff responded to questions stating funds can be used anywhere in the city and the average annual increase is approximately $48. There were no public comments.

Motion made by Mayor DeCiccio to approve raising the stormwater rate assessment as recommended. seconded by Commissioner Weaver. The motion carried unanimously by a 5-0 vote.

c. Confirmation of continued SunRail participation.

Mayor DeCiccio said the question is whether to continue participation or opt out. The state will stop funding as of 1/1/2025 and the city's share of the funding will be $350k. She noted that the City of Maitland opted out but are going to renegotiate with SunRail.

Mr. Knight clarified that this option is available every year going forward, and the contribution may increase by the CPI. He added that Maitland's decision is likely based on their financial situation where assessed property value and taxes will decrease for FY 25 and ridership is not as critical to their downtown area as Winter Park which has consistently been one of the top three stops on the line.

Motion made by Commissioner Cruzada to approve staff's recommendation to not exercise the City's right to terminate the commuter rail agreement, seconded by Commissioner Weaver. The motion carried unanimously by a 5-0 vote.

d. Community Rating System (CRS) Program - Research and Consideration of Enrollment

Assistant Director of Public Works Don Marcotte provided the history of interest in participating in this voluntary program. Ahmed Hamed, Geosyntec Consultants, gave a presentation on the CRS program and advised that based on their analysis of the city's participation, average annual flood insurance savings are estimated $59 per policy. Discussion followed on the benefits of the program, potential grants, staff's ability to manage this program, and whether to table this until the basin studies are complete. Mr. Knight pointed out that while there is low cost, staff believes there is little benefit and funds are better spent on stormwater projects.

Jeanne Wall, 2110 Lake Drive, spoke in support of this program.

Gigi Papa, 1440 Hibiscus Avenue, feels there is no need for this program.

Motion made by Commissioner Russell to table to January 2026, seconded by Commissioner Weaver. The motion carried with a 4-1 vote. Commissioner Sullivan voted no.

9. Public Comments

Rosemary Culhane, 160 Sandlewood Trail, cited data regarding the increasing popularity of pickleball and the city Comp Plan policy to meet different recreation interests and local recreation demands and interests. She asked that the city add 12 pickleball courts instead of the recommended eight.

Rolesia Barton, 708 Margaret Square, asked the city's support by providing a fence for a community garden on Winter Park Housing Authority property (The Meadows). She spoke about the potential and benefits for its residents.

Lawanda Thompson, 664 W. Lyman, President of Equity Council Corp., supported the request for a fence at The Meadows and also for dedicated funding for the community garden and questioned whether those funds still exist.

12. Public Hearings: Quasi-Judicial Matters

e. Request of Verax Lakemont, LLC for: Conditional Use approval to construct a two-story, 17,626-square foot medical office building on the vacant 1.213 acres of properties at the northwest corner of Aloma and Lakemont Avenue including the properties listed as 1851/1861/1871 Aloma Avenue and 443/453 N. Lakemont Avenue, zoned Office (O-2) and Parking Lot (PL) districts.

City Planning Consultant Jeff Briggs presented this request. He explained the location and function of each entrance with right-turn only in and out at Aloma and the Lakemont entrance located beyond the median to allow left turns in and out of the property. Due to traffic at peak hours, the city's intent is to install two left-turns from Lakemont to Aloma and the applicant has agreed to contribute land to create two left-turn lanes that will decrease the stacking of vehicles trying to make that left turn. The Planning and Zoning Board recommended approval with four conditions; shortening of parking spaces and shifting of building to the west to allow additional landscaping, right-of-way dedication prior to certificate of occupancy, cross access easement for adjacent properties to the west for future redevelopment and a six-foot wall to buffer along the northern property line. FDOT will have to approve the creation of two left-turn lanes but engineering and cost studies will begin with preliminary design and cost estimates in about six months.

Members of the commission expressed concern and discussed the turns in and out of the property on Lakemont Avenue and potential signage restricting movement during peak hours.

David Lamm, representing the applicant, addressed traffic movement concerns, peak hour trips and left-turns from the property on Lakemont. They have met with FDOT and plans do not impact FDOT's future plans for 426. He responded to questions about the wall height and the alternative for landscaping, height of building, and tower on the south side of the building. John Adams, project architect, said the taller tower height was increased to accommodate roof access, so opportunities to reduce the height may be limited. After additional discussion, Mr. Lamm agreed to a 41-foot height and a no-left turn sign exiting the property onto northbound Lakemont with the allowance for left turns entering the property from northbound Lakemont.

Motion made by Commissioner Russell to approve the request with the conditions of the Planning and Zoning Board and the additional condition of a "no left turn sign,

1. **That the parking spaces along the western edge of the building be shortened in length from 20 feet to 18 feet (18 feet is code) in order to shift the building 2-feet to the west to allow 5-feet of landscape area up against the eastern wall of the building.**
2. **That the right-of-way dedications described above be made prior to the certificate of occupancy for the building and that, in the interim until the road is widened, the applicant landscape and maintain such areas.**
3. **That the property owner will grant the City a cross-access easement, to ensure cross access to adjacent properties is available for future redevelopment to the west.**
4. **That there be a six-foot wall made of stone, concrete, or masonry along the northern property lines to provide an appropriate buffer to the residential properties. seconded by Commissioner Sullivan.**

Discussion returned to building height and consensus was to allow a 43-foot tower height. Motion seconded by Commissioner Sullivan.

The following spoke in opposition to the project citing traffic safety from left-turn lanes on to Lakemont and incompatibility with the neighborhood

Beth Hall, 516 Sylvan Drive
Laura LaBoda, 1765 Edwin
Barry LaBoda 1765 Edwin.
Vivien Hale, 1840 Edwin Blvd., (asked for additional landscaping around the property and for that a wall be constructed prior to building construction.
Eugene Stuccardo (suggested dimming lighting)
Jay Poppe,1730 Edwin Blvd

Commissioner Weaver said he cannot support the project without a median and restricting both left turn movements to and from Lakemont.

Mr. Lamm agreed to no left-turns from property onto northbound Lakemont. Discussion followed on traffic patterns on Lakemont Avenue and restricting traffic movement and traffic safety due to left turns from this property and also the shopping center across Lakemont. Mr. Lamm pointed out that the city has control over the movement on Lakemont with the design of the median and drive lanes at Aloma. Commissioner Weaver suggested flexible bollards to restrict movements temporarily funded by transportation impact fees paid by this project.

Mr. Lamm said if the city issues an early permit for the wall, they will construct the wall during plan review.

Commissioner Russell amended his motion to include construction of the wall prior to permitting, seconded by Mayor DeCiccio. Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Waver and Mayor DeCiccio. The motion carried unanimously with a 5-0 vote.

A recess was held from 6:42 to 6:53 p.m.

13. Public Hearings: Non Quasi-Judicial Matters

a. Ordinance: Authorizing lease agreement for 460 East New England Avenue (old library site) (1st reading)

Attorney Langley read the ordinance by title.

Mayor DeCiccio provided the background leading to this draft lease of the old library to Blue Bamboo. She presented amendments to the city management and city attorney, which she feels were essential to protect the residents. Mr. Langley summarized the amendments relating, in part, to right of termination, vacation of premises, project changes, permitting and inspection, lease amount, city liability for defects, liquor liability, breach of lease, surveillance/recording devices, incident reporting, and personal guarantee for damages.

The Commission discussed the lease with the action noted:

- Page 1, last paragraph - change termination lease notification to two years. Approved.
- Page 3, third paragraph - changing approval deadline for comprehensive plan change or rezoning to 120 days. Approved.
- Page 3, fourth paragraph - allow lease of additional parking for a one-year term or longer, striking the text beginning "such as ensuring that the number of seats ..." and replacing it with language that the venue will provide parking in compliance with the parking requirements of the city code. Approved.
  Page 3, last paragraph - Leave two-year requirement to bring premises up to code. Approved
- Page 3, last paragraph - In depth-discussion was held on requiring evidence of and determining financial viability. It was agreed to delete the language referencing and requiring evidence of financial viability and change language to state that if code compliance is not reached within two years, the lease may be terminated by the city upon giving 30 days' notice.

- Page 4, third paragraph - subleasing to not-for-profit organizations. Mr. Knight noted approval of organizations is the city's discretion.
- Page 4, third paragraph - inspection of property. Mr. Knight stated this was added to allow inspection by the city representatives. Consensus was for the city attorney to redraft to allow access and inspection by city employees or its representatives in compliance with established procedures.
- Page 4, last paragraph - Lease amount to remain be $132k. Approved.
  Page 5, third paragraph - Add language that brokerage or fees initiated by the city should be paid by the city. Agreed by consensus.
- Page 10, second paragraph - change vacation of the premises promptly to within 30 days of notification by the city.. Agreed by consensus.
- Page 12, subparagraph e - exclude proprietary recordings such as performance recordings that may be sold. After discussion on whether recordings are public record, consensus was for Mr. Langley to revise language to address public records laws and exemption for propriety recordings.
- Page 13, Paragraph 21 - Incident reporting within three business days (as recommended by the city's risk manager). Agreed by consensus.
- Page 15, Paragraph 31 - Personal Guarantee. Consensus was to delete.
- Page 11, Paragraph 13 - amount for holdover at the end of the lease. Mr. Knight clarified it is a monthly rate based on the annual lease amount, adjusted for inflation.

The following spoke in support of the lease:
Priscilla Purch, 100 S. Virginia Avenue
Mark Horn, Kellogg Drive, Tavares
Jaqueline Johnson, 1600 Alabama Drive
Alan Haughey, 315 E. New England
Judith Britt, Carriage Way Court, Oviedo
Eugene Stuccardo
Jack Graham
Elizabeth Chadwick, Longwood
Hattie Wolfe, 260 Carolina Avenue
Jim Denision, Orlando

Jeff Flowers, asked for clarification on surveillance recordings and said he does not want to be a custodian of public records. Mr. Knight said Blue Bamboo is a private entity and their records are not public records. However, recordings will become public records when received by the city and the city will comply with any exemptions to public records laws. Mr. Cortez said they will turn over security footage if they had it, although they currently do not have security cameras. Mr. Knight noted that Mr. Langley will make changes and bring back for the second reading.

Phil Anderson, 1621 Roundelay Lane, thanked the commission for making decisions that will protect the city and said in his experience, a letter from the bank saying an entity is good for the money is not unreasonable and ensures that the completion of the project.

John Reker, 1660 Joelene Court, said he feels the lease is one-sided in favor of the city and makes it easier for the city to terminate the lease.

Mr. Cortez said they are prepared to get a bid for Phase I and show that they have the funds for Phase I construction.

Motion made by Commissioner Weaver to the ordinance and attached lease agreement as amended, seconded by Commissioner Sullivan. Upon a roll call vote Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously with a 5-0 vote.

b. RESOLUTION 2287-24 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1259 ESSEX ROAD, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Langley read the resolution. Director of Planning and Zoning Allison McGillis reviewed the request.

Motion made by Commissioner Weaver to approve the resolution, seconded by Mayor DeCiccio.

Brian Berry, applicant, thanked the city and the Historic Preservation Board for their efforts. **Upon a roll call vote Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. The motion carried unanimously by a 5-0 vote.**

c. Request of the City of Winter Park for an Ordinance establishing Chapter 58, "Land Development Code", Article III, "Zoning", Section 58-97 "Community Engagement". (1st Reading)

Attorney Langley read the ordinance by title. Mrs. McGillis reviewed the provisions requiring community meetings for specific requests.

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

d. Request of City of Winter Park for:
    - An Ordinance amending Chapter 58, "Land Development Code", Article I "Comprehensive Plan" Future Land Use Map so as to change the Future Land Use designation of Office to Institutional Future Land Use on the city-owned property located at 655 N. Wymore Road. (1st Reading)
    - An Ordinance amending Chapter 58, "Land Development Code", Article III, "Zoning" and the official Zoning Map so as to change from Office (O-1) Zoning to Public, Quasi-Public (PQP) Zoning on the city-owned property at 655 N. Wymore Road. (1st Reading)

Attorney Langley read the ordinance by title. Mrs. McGillis reviewed the request to rezone the property on the city-owned property on Wymore Road.

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

e. Request of City of Winter Park for:
   - An Ordinance amending Chapter 58, "Land Development Code", Article I "Comprehensive Plan" Future Land Use Map so as to change the Future Land Use designation of Office to Institutional Future Land Use on the city-owned property located at 1401 Howell Branch Road. (1st Reading)
   - An Ordinance amending Chapter 58, "Land Development Code", Article III, "Zoning" and the official Zoning Map so as to change from Office (O-1) Zoning to Public, Quasi-Public (PQP) Zoning on the city-owned property at 1401 Howell Branch Road. (1st Reading)

Attorney Langley read the ordinances by title. A simultaneous public hearing was held. Mrs. McGillis reviewed the request to rezone the property for the future location of the city's Building and Permitting Services Department.

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

14. City Commission Reports

Commissioner Sullivan –
- Advised that the Museum of Black History Task Force will meet on Friday to reconsider its previous vote approving St. Augustine for the location for the museum. He asked for consensus for him to attend the meeting on behalf and present the resolution and speak in support of Eatonville. Agreed by consensus.

Commissioner Russell –
- Thanked the communications team and police department and Neighborhood Advisory Committee and encouraged residents to use social media to connect with staff.

Commissioner Cruzada –
- Asked for status of Quantum Fiber. Mr. Knight said completion is unknown and their central hub is on New York.

Commissioner Weaver –
- Thanked the staff for their work.
- Advised that the Denny's at Wymore Road has closed and will address in the strategic planning session tomorrow.

Mayor DeCiccio –

- Asked staff to contact the Housing Authority about funding for the community garden fencing. contact Ms. del Valle said she will reach out and suggested it could be an Eagle Scout project.

15. Summary of Meeting Actions

- Issued proclamation for Kiwanis Club of Greater Orlando and Winter Park
- Issued Proclamation for Lakes Appreciation Month
- Confirmed Jamie England as new Director of Electric Utility.
- Appointed two members to the Civil Service Board
- Approved Consent Agenda with amendment to the minutes.
- Approved a one-cent increase in the stormwater fee.
- Confirmed participation in Sunrail.
- Tabled decision to participate in the CRS to January.
- Approved Conditional Use request by Verax with conditions.
- Approved ordinance for the lease of the old library with revisions to the lease.
- Approved resolution designating 1296 Essex Road to the Winter Park Register of Historic Places.
- Approved ordinances changing land use and zoning on 665 Wymore Road and 1401 Howell Branch Roads
- Approved Commissioner Sullivan sending the resolution for Museuim of Black History.
- Directed staff to contact the Housing Authority regarding fencing for the community garden

16. Adjournment

The meeting was adjourned at 9:02 p.m.

Shale Ke
Mayor Sheila DeCiccio

ATTEST:

Rene Cranis
City Clerk Rene Cranis