City Commission
Regular Meeting Minutes

August 25, 2021 at 3:30 p.m.

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

Present

Mayor Phil Anderson
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 Anderson called the meeting to order at 4:20 p.m. (due to extended CRA meeting.)

2) Invocation

Mayor Anderson expressed condolences to long-term employee Juanita Grant Ford on the death of her husband and asked for a moment of silence. City Manager Randy Knight provided the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

Mayor Anderson noted that Item 12b will be heard at 5:00 and Item 11g will be addressed prior to Item 11e.

4) Citizen Budget Comments

Jackie Moore, owner of Austin's Coffee, 929 W. Fairbanks, said she does not see the need for funds for anything to do with businesses in front of MLK Park and questioned the need to budget for activation of the park as she feels it is active and will be activated further with the new Library and Event Center.

5) Mayor's Report

Mayor Anderson advised of the shortage of liquid oxygen due to COVID which is also used to treat water. He appealed to water customers to conserve water which will help to save on the use of liquid oxygen.

6) City Manager's Report

- A reverse 9-1-1 message is being sent today to all water customers to conserve water.

- Commissioner Sullivan has agreed to serve as delegate at the upcoming Orange County Legislative Delegation and suggested that the Commission submit their priorities to him to forward to Commissioner Sullivan. Commissioner Sullivan said his priority will be to advocate for transportation funding and revenue.
- Director of Planning and Transportation Bronce Stephenson gave an update on the implementation of transportation fee with a target completion date of March 2022.

7) City Attorney's Report

Commissioner Cooper asked for an update on mandatory employee vaccines. Mr. Knight said he has been working with the city's labor attorney and will be presenting a policy in an upcoming meeting.

8) Non-Action Items

10) Consent Agenda

a. Approve the minutes of the work session July 29, 2021.
b. Approve the minutes of the special meeting, August 3, 2021
c. Approve the minutes of the work session, August 4, 2021.
d. Approve the minutes of the work session, August 10, 2021 (Removed by Commissioner Weaver)
e. Approve the minutes of the regular meeting, August 11, 2021. (Removed by Commissioner DeCiccio)
f. Approve the following piggyback contracts
    1. Danus Utilities, Inc. - City of Clermont Contract #RFP2017-40 Lift Station Rehabilitation Services; Amount: $500,000.00 for services on an as-needed basis during the term of the agreement.
    2. HP, Inc. - State of Minnesota/NASPO Contract #MNNVP-133 - Computer Equipment, Peripherals & Services; Amount: $300,000.00 for services on an as-needed basis during the term of the agreement.
g. Approve the following contract
    1. Howard Industries, Inc. - IFB-8-2020 - Single-Phase Transformers; Amount: $200,000.00 for goods on an as needed basis during the term of the Agreement.

Motion made by Commissioner Weaver to approve the Consent Agenda except Items d and e; seconded by Commissioner Sullivan. Motion carried unanimously with a 5 – 0 vote.

<u>Item d:</u> **Motion made by Commissioner Weaver to amend the minutes deleting "and Roundabout ($4M)" from the heading of 4th item on Page 4; seconded by Commissioner Cooper. Motion carried unanimously with a 5 - 0 vote.**

Motion made by Mayor Anderson to approve Consent Agenda Item d as amended; seconded by Commissioner Sullivan. Motion carried unanimously with a 5 – 0 vote.

Item e: Commissioner DeCiccio addressed the second item under her report on Page10 and clarified that items could also be brought up under Commission reports. Commissioner Cooper said she is not opposed to deleting her comment.

Motion made by Commissioner Weaver to amend the minutes striking Commissioner Cooper's comments; seconded by Commissioner Cooper.

Motion made by Commissioner Sullivan to amend Mayor Anderson's motion on Page 6 by changing the word "policy" to "mandatory vaccinations"; seconded by Commissioner Weaver.

Mayor Anderson said he does not believe those were his words and understood that to be part of the policy consideration but could accept adding "(which may include mandatory vaccinations)" after "policy."

Commissioners Sullivan and Weaver accepted Mayor Anderson's modification to the amendment adding "(which may include mandatory vaccinations) after "policy." There were no comments. **Motion carried unanimously with a 5-0 vote.**

Upon a voice vote on the amendment deleting Commissioner Cooper's comment, motion carried unanimously with a 5 – 0 vote.

Minutes were approved unanimously with a 5 - 0 vote.

12) Public Hearings

b. Request of Wooten Built, Inc for:
Subdivision approval to split the property at 280 E. Lake Sue Avenue, zoned R-1AA. Variances are requested from the R-1AA lot dimension standards.

Principal Planner Jeff Briggs reviewed this request with a recommendation for approval contingent up recording of deed restriction establishing a 38% FAR on each lot.

Motion made by Commissioner Cooper to approve the lot split conditioned upon recording of a deed restriction establishing a 38% FAR on each lot; seconded by Commissioner Sullivan. There were no public comments. **Upon a roll call vote, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 - 0 vote.**

11) Action Items Requiring Discussion

a. Commission appointment to the Winter Park Police Officers' Pension Board

Commissioner Weaver nominated Russell Allen to this Board; seconded by Commissioner Cooper. Approved unanimously with a 5 - 0 vote.

b. Appointment to Civil Service Board

Motion made by Mayor Anderson to approve the appointment of Stockton Reeves to the Civil Service Board; seconded by Commissioner Weaver. Motion carried unanimously with a 5 - 0 vote.

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

There were no public comments.

11) Action Items Requiring Discussion (continued)

c. Review of Reallocated Strategic Capital Plan

Division Director of Office of Management and Budget Peter Moore distributed copies of the strategic capital plan. Mayor Anderson noted that $64M in projects in the 5-year plan have been identified, but results in a funding gap of $6.6M which may require moving projects to a long-term plan (6-25 years) or reallocating funds from other projects. The following items were discussed and amended as follows:

- Central Park/Post Office expansion - Allocate additional $6.475M from the CRA balance through 2027 (total CRA funding: $14M).
- Winter Park 9 Lightening Shelter – Remove and fund $25k in Parks budget.
- Margaret Square park improvements – Allocate $50 from ARPA funds.
- Bike and Mobility Implementation ($1M) – Move to long-term plan and pursue grant or other funding.
- Pedestrian/bike bridge along SunRail at 17-92 or Morse Blvd at 17-92 ($1M) – Move to long-term plan and pursue grant and other funding.
- Infrastructure Bill Prep – Allocate $750k of ARPA funds and include in FY22 budget.
- Traffic Enhancements – Move to long-term plan. Move $750k in ARPA funds to Infrastructure Bill Prep.
- Large-scale Rebricking Projects – Allocate $500k in ARPA funds. Do not include in FY22 budget.
- Aloma at Lakemont Intersection – Leave in long-term plan and pursue grant and other funding.
- Orange Avenue Traffic Improvements - Move to long-term plan.
- Library and Event Center Signature Artwork – Reduce to $100k and pursue grants and other funding. Remove $500k allocated from ARPA funds.
- Tourism, Travel, and Hospitality – Other – Remove $200k from 5-year plan.

Mayor Anderson called for a recess at 6:14 and reconvened at 6:24 p.m.

- Rename RFP Interim Plan to Contingency – Leave allocation of $400k included in the total cost of $3.9M and an additional $1M for additional park infrastructure. (Discussion was held on components of the park.)

d. <u>Budget Discussion and Review Commissioner and Staff Budget Suggestions</u>

Mayor Anderson provided highlights of the proposed balanced budget. Mr. Moore noted the improved revenue projections and staff's recommended expenditures. Consensus was to amend the budget based on staff's recommendation presented by Mr. Moore and fund $1.3M from ARPA funds.

Commissioner budget suggestions were discussed with agreement reached on the following:

- Lakes division director - Mr. Moore noted that staff is proposing a 5% increase in stormwater rates to maintain capital spending, which would fund the position. Consensus was to add this position using ARPA funds for capital projects in FY22 and stormwater funds for operating and re-evaluate funding for FY 23. (Staff to prepare position description for Commission approval.)
- Additional parks maintenance employees – Parks and Recreation Director Jason Seeley explained the department's facilities and needs. Consensus was to add two positions.
- Winter Park Institute (ARPA funding this year and then put on organizational support list for FY 23). Commissioner Cooper recalled that funding would have to be reallocated from the other organizations currently supported by the city. After discussion, consensus to approve one-time funding of $25k.
- Energy Audit all buildings – Allocate $110k by consensus.
- Accelerated purchase of electric-powered equipment – Allocate $100k by consensus.
- Reserve Policy - Mayor Anderson suggested a reserve policy that includes a with trigger to double reserves in the good year to potentially draw on reserves in lean years.
- Planning and Budgeting grant pursuit – Mayor Anderson suggested consideration of reserving some portion of the $750k for contract personnel to secure grants.
- Fire Dept staff electric vehicle - Chief Hagedorn outlined concerns regarding towing and battery life due to idling at scenes. Consensus was for staff to research more sustainable vehicles and present alternatives.
- Charging stations for staff – Consensus was to add $20k for staff vehicles.
- Leaf Blowers incentive fund – Consensus was to establish a pilot program to get parks contractors to use electric equipment to be discussed on an upcoming work session.

Commissioner Cooper recommended identifying additional revenue sources such as commercial parks usage fee and transportation fee.

Mr. Moore noted that items approved by consensus will be added to proposed budget for approval.

Commissioner Weaver expressed his concern with the number of vacant positions and after speaking with staff, he suggested a recruitment incentive. He added he feels that utility worker pay needs to be increased. Mr. Knight stated that staff is discussing options including acceleration of minimum wage to $15/hour, hiring bonus and employee incentives for referrals. Discussion followed on hiring challenges.

Mayor Anderson declared a recess at 8:01 p.m. and reconvened the meeting at 8:10 p.m.

g. Public solicitation for land to construct U.S. Postal Service facilities

Mr. Knight outlined the proposed plan to solicit for property to consider as a possible location for the Post Office. After discussion, consensus was to authorize staff to prepare the Notice that includes the post office requirements and a 90-day response deadline. (Motion made in Item e established a 60-day response deadline.)

e. Reconsideration of Notice to Dispose of the Swoope Property (631 N. New York Ave.)

Commissioner Cooper stated that she made this request because when this was voted on in the July 28th meeting, she was not aware of the availability of property/parking lot on New York owned by Embarq which could be part of the post office relocation. She gave a presentation showing area properties and availability and reviewed options to relocate the retail portion of the post office. She said she doesn't see sense of urgency of disposing of this property until resolution of Post Office acquisition. Discussion followed on possible options.

Mayor Anderson suggested tracking the Notice of Disposition in the same time frame as the proposals for the post office and have similar closing periods.

Discussion was held on the Post Office requirements and alternatives.

Motion made by Commissioner Cooper to reconsider the vote. Motion failed for lack of second.

Motion made by Commissioner Weaver to establish a response deadline of 60 days for both the NOD and the solicitation for the Post Office; seconded by Commissioner Cooper. There were no public comments. **Motion carried unanimously with a 4 – 1 vote. Commissioner Cooper voted no.**

f. Consideration of establishing a Lake Killarney Advisory Board

Mr. Knight advised that he met with Orange County staff and was assured they would work with the city's board and learned that the Orange County board has not met frequently. If the LKAB is approved, the board would meet monthly as do other city advisory boards.

Motion made by Commissioner Weaver to approve the Lake Killarney Advisory Board; seconded by Commissioner Cooper.

Mr. Knight advised that the code will need be amended to include in the list of advisory boards and to outline the duties of the board and that the new board will be added to the online board application to begin accepting applications.

David Hunter, 2142 Lake Drive, thanked the Commission for their decision.

Bill Voecks, 2096 Lake Drive, thanked the Commission and offered to serve on the board.

Jeanne Wall, 2110 Lake Drive, thanked the commission for honoring the 2003 commitment. She suggested re-evaluation in five years as is done with all city advisory boards and expressed her willingness to serve on the board.

Motion carried unanimously with a 5 – 0 vote.

12) Public Hearings

a. ORDINANCE 3212-21 - AN ORDINANCE OF THE CITY OF WINTER PARK AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM AN OFFICE FUTURE LAND USE DESIGNATION TO A SINGLE-FAMILY RESIDENTIAL DESIGNATION ON THE PROPERTIES AT 2141/2151/2211/2221/2223/2225/2227 LOCH LOMOND DRIVE IN ORDER TO MATCH THE EXISTING SINGLE FAMILY (R-1A) ZONING.
ORDINANCE 3211-21 - AN ORDINANCE OF THE CITY OF WINTER PARK AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FROM AN OFFICE FUTURE LAND USE DESIGNATION TO A SINGLE-FAMILY RESIDENTIAL DESIGNATION ON THE PROPERTIES AT 2229/2255/2311/2313 LOCH LOMOND DRIVE AND 2272 NAIRN DRIVE IN ORDER TO MATCH THE EXISTING SINGLE FAMILY (R-1A) ZONING. (2nd Reading)

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

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

c. Request of the City of Winter Park for:
   - An Ordinance to establish a Commercial Future Land Use on the annexed parcels at 647/653 Harold Avenue, and

- An Ordinance to establish Commercial (C-3) Zoning on the annexed parcels at 647/653 Harold Avenue. (1st Reading)

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

Principal Planner Jeff Briggs stated this establishes land use and zoning on the recently annexed property. He responded to questions stating that this does not include any approvals of site plan and that parking requirements will be met with the proposed office/ showroom/warehouse use.

There were no public comments.

Motion made by Commissioner Sullivan to approve ordinances on first reading; seconded by Commissioner Weaver. Upon a roll call vote, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 - 0 vote.

d. Participation in the Certified Local Government Program for Historic Preservation requiring:
   - An Ordinance amending the Historic Preservation Code to revise the procedures regarding demolition and providing for clarifications on the terms, vacancies and procedures for the Historic Preservation Board, (1st Reading) and
   - A Resolution of the Historic Preservation Board officially endorsing and recommending approval of the application for participation within the Local Certified Government program for historic preservation.

f. Ordinance proposing Charter Amendments for March 2022 ballot (1st reading - Tabled August 11, 2021)

Motion made by Mayor Anderson to table Items D AND F to September 8, 2021 meeting at 3:30 p.m.; seconded by Commissioner Sullivan. Upon a roll call vote, Mayor Anderson and Commissioner Sullivan, DeCiccio, Cooper and Weaver voted yes Motion carried unanimously with a 5-0 vote.

e. Request of the City of Winter Park for:
   An Ordinance to amend the Comprehensive Plan to adopt a new Private Property Rights Element in accordance with State Statutes. (1st Reading)

Attorney Ardaman read the ordinance by title.

Director of Planning and Transportation Bronce Stephenson presented the ordinance which has been recommended for approval by P&Z and staff.

Mr. Ardaman responded to questions regarding the policies in the ordinance and explained that this ordinance is required by legislature and the state will not consider comp plan amendments without this policy.

Motion made by Commissioner Cooper to approve the ordinance with amendments to Policy 10.2 changing the last sentence to read "The City will implement and maintain processes to better inform the public…." and Section 5 adding "Once this ordinance is adopted" at the beginning of the first sentence and adding the first and second reading dates before adoption date; seconded by Commissioner Weaver. (motion was separated below.)

Commissioner Sullivan said he feels changing Policy 10.2 as moved opens the city to potential lawsuits and imposes a requirement on the city to implement processes.

Motion made by Commissioner Cooper to approve the ordinance on first reading; seconded by Weaver.

Motion made by Commissioner Cooper to amend Policy 10.2 changing the last sentence to read "The City will implement and maintain processes to better inform the public…" (original motion was separated but amendment to Section 5 was not restated here); seconded by Commissioner Weaver.

Commissioner Cooper explained her reason for the amendment is that the city already has processes in place. Mr. Stephenson suggested changing the language to read "The city will continue to …"

Mayor Anderson asked whether the notion that the city "will do something to better inform the public" gives the public the right to stop something more than it gives an applicant the right to stop something. Mr. Ardaman opined that it gives a challenger of a decision an argument and increases the argument by a complainant. He suggested amending it to read "will continue to implement and maintain processes to inform…"

Motion made by Commissioner Sullivan to revise Policy 10.2 to "The city will continue to implement and maintain processes to inform the public…." Seconded by Commissioner Cooper.

Commissioner Cooper withdrew her motion to amend the ordinance.

There were no public comments.

Upon a roll call vote on the amendment, Commissioners Sullivan and Weaver voted yes. Mayor Anderson and Commissioners DeCiccio and Cooper voted no. Motion failed with a 2 – 3 vote.

Mayor Anderson clarified the main motion includes the changes to Section 5, but not the amendment to Policy 10.2. Commissioner Cooper confirmed.

Upon a roll call vote on the main motion, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5 – 0 vote.

13) City Commission Reports

Commissioner Sullivan

- Commended Planning and Zoning Board on their work and input on the OAO.

Commissioner DeCiccio - No report.

Commissioner Cooper

- Noted that a leader at Bank of the Ozarks team was named by Commercial Observer to their Power Finance Role for their real estate development positions. Suggested contacting him again (regarding project near Progress Point).
- Congratulated Four Rivers on being named Best Fast Food in Florida by Mashed.
- Extended condolences to the family of Joan Clayton, who passed away.

Commissioner Weaver

- Spoke on the trash accumulated near I-4 Ramp from Lee Road and asked that a trash be placed in the area.
- Addressed the OAO S-3 renewable enhancement menu concerning solar energy and asked to add to next work session agenda.

Mayor Anderson

- Thanked everyone for working through the budget items and 5-year plan.

14) Summary of Meeting Actions

- Approved the Consent Agenda
- Appointed members to the Civil Service Board and Police Officers Pension Board
- Agreed to strategic capital list with amendments.
- Approved several budget worksheet items
- Approved establishing of Lake Killarney Advisory Board (staff to present ordinance)
- Approved solicitation of properties for Post Office
- Approved Notice of Disposal on Swoope Avenue property (60-day deadline.
- Approved lot split at 282 E. Lake Sue.
- Approved comp plan and rezoning on Loch Lomond properties on second reading.
- Approved comp plan and rezoning on Harold Avenue on first reading.
- Approved ordinance on property rights with amendments.
- Tabled Public Hearings d and f.

Mr. Knight noted that a work session on strategic planning and leaf blowers was tentatively scheduled for September 7th and advised that the Keep Winter Park Beautiful has not completed their review of leaf blower regulations. Consensus was to postpone this work session. Mayor Anderson requested that the revised strategic planning spreadsheet be distributed to the Commission.

15) Adjournment

The meeting adjourned at 9:37 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis