City Commission
Regular Meeting Minutes

August 9, 2023 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; Assistant City Manager Michelle del Valle and Deputy City Clerk Kim Breland.

1) Meeting Called to Order

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

2) Invocation

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

3) Approval of Agenda

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

4) Mayor Report

Mayor Anderson spoke about the privilege of watching Police Department promotions over the past year and commended all city staff for their recruitment and retention efforts which has led to fewer vacancies.

5) Citizen Budget Comments

6) City Manager Report

a. Major (or long-term) project funding strategies.

Mr. Knight reviewed funding options for capital projects:

1. Bond issue. Requires a voter referendum that identifies projects to be funded. The deadline for a March 2024 referendum is December 12th which creates a tight timeline to develop a project list and adopt an ordinance.
2. CRA funds. Restricted to projects within the CRA and may require reallocating funds from other projects. Extension/expansion of the CRA would provide more flexibility.
3. Sale of property, i.e. old library and tree farm. No restrictions on the use of proceeds.
4. Designate a percentage of the operating millage for specific projects or purchase/ improvement of parkland. Must be approved by the commission during the budget process; however, since the tentative millage rate has been set for FY 24, increasing

the rate would require notification to each taxpayer of the change. Although this option provides the most flexibility, it can be changed by a future commission. This could also be asked as a non-binding referendum to determine taxpayer support.

Mr. Knight responded to questions on the options and the old Library RFP.

7) City Attorney Report

Mr. Ardaman addressed decorum policies at the request of Commissioner Sullivan following reports of problems by the local media. He reviewed current policies with respect to public comments and media inquiries and state statutes relating to public comment. He read excerpts from Ordinance 2345-22 and Resolution 2233-20 that addresses decorum and removal of persons violating the rules and the manner for receiving public comment. He opined that meetings are managed appropriately by the commission and he does not see any legal issues with how public comment is received. Mayor Anderson asked Mr. Ardaman to email the section prohibiting personal, inflammatory or slanderous comments to the Commission.

8) Non-Action Items

a. Presentation from the Winter Park Public Library

Executive Library Director Melissa Schneider and Board of Trustees Chair Michael Voll gave a presentation on the Library. Mrs. Schneider reviewed the progress from 2018 to 2023 in visits, circulation, program attendance, and technology use. Mr. Voll pointed out that this progress is despite the impact of COVID.

Mrs. Schneider highlighted curriculum, meeting and study space usage and cardholder growth. Mr. Voll emphasized the 50% increase in cardholders since 2018 with a 40% growth in the last year with less staff than 2018. Mrs. Schneider provided information on the Library’s literacy program, mentorship program, entrepreneurs and small business support with technology, spaces, tools and training, and senior programs. She reviewed the following funding scenarios for FY 24 and Mr. Voll provided details on each city scenario:

1. $93k increase (17.5%)- Leaves service gaps resulting in reduced programs, lab access and assistance due to decreased staff. This option does not allow for Sunday operating hours.
2. $350k increase (25%) – provides seven additional staff and increased access, programs and assistance and establishes six operating hours on Sunday.
3. $200k increase (20%) – provides five additional staff and four operating hours on Sunday but with no classes, changes Friday and Saturday hours to close at 5pm, and provides limited access to labs.

Mr. Voll pointed out that 100% of the city’s funding goes toward personnel costs, but covers only a portion of the personnel costs with the deficit funded by the Board. Mrs.

Schneider spoke about other funding sources such as fundraising, grants, endowments, special events, and the bookstore. She noted the Library's commitment to increase the revenue in each scenario by 17.5%, 25%, and 20%, respectively.

Mrs. Schneider and Mr. Voll responded to questions on the library's goals in each scenario and discussion followed on fundraising campaigns with different charitable organizations and commitments from other donors for technology and resources as opposed to staffing, which donors do not typically fund.

Mrs. Schneider reported on the Library's goal to become a Florida Star Library which will open grant opportunities and recent designation as a Family Place Library. She further explained revenue and fundraising targets.

Mayor Anderson explained level of service and inflationary cost of labor and spoke about increased cardholders, particularly within the CRA, and the mission of the CRA to assist with entrepreneurial assistance. Mrs. Schneider said they have spoken with staff regarding CRA support and summarized programs and outreach programs to low-income families.

Ryan Galbraith, 1818 Magnolia Avenue, spoke in favor the library and increasing city support to $350k to provide Sunday hours and programs for the community.

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

10) Consent Agenda

a. Approve the minutes of the regular meeting, July 26, 2023
b. Approve the minutes of the work session, July 27, 2023. **(Pulled by Commissioner Sullivan)**
c. Approval of the following contracts:
   1. Pond & Company, Inc. - RFQ7-23 - Geotechnical & Environmental Consulting Services - For services on an as-needed basis during the term of the Agreement through May 11, 2024; Amount: $400,000
   2. The Davey Tree Expert Company - ITN23-18 - Vegetation Management Services - For services on an as-needed basis during the term of the Agreement through December 19, 2023; Amount: $500,000
   3. Geosyntec Consultants - RFQ6-23 - Professional Stormwater Management Engineering Services - Task Order for Stormwater Basin Study - Western Region; Amount: $231,068.14 **(Pulled by Commissioner DeCiccio)**
d. Approval of the following purchase:
   1. Gresco Utility Supply, Inc. - Transformers 50 KVA PAD, 120/240.

Commissioner DeCiccio pulled Item (c)3 for discussion and Commissioner Sullivan pulled Item 2.

Motion to approve the Consent Agenda subject to discussion made by Commissioner DeCiccio; seconded by Commissioner Weaver

Motion made by Commissioner DeCiccio to amend Item (c)3 to delete the word "or" on Page 5, Paragraph 9, seconded by Commissioner Weaver.

Commissioner DeCiccio addressed Paragraph 4 which states "Usage of additional parkland to increase flood storage will be considered" stating she does not want to preclude other alternatives than focusing on the expansion of the two lakes at MLK Park. She also asked for assurance that this study includes the drainage problems on Comstock Avenue.

Director of Public Works Charles Ramdatt explained this is one of three studies which combined will cover all of Winter Park urban stormwater model that guides future development of public infrastructure. Contractors for all three studies will be working simultaneously, but the studies may not be completed at the same time. Discussion followed on the study and opportunities and funding for improvements.

Motion to amend Item (c)3 carried unanimously with a 5-0 vote.

Commissioner Sullivan pointed out a scrivener's error on Page 2 of the July 27th work session minutes: The third line should read $18.5m instead of $418.5m.

Main motion carried unanimously with a 5-0 vote.

11) Action Items Requiring Discussion

a. Agreement with Foundation of Kiwanis Club of Greater Orlando-Winter Park to release the restrictive covenant on the property located at 1925 Killarney Drive.

Mr. Knight provided the background of this agreement which allows the Foundation to sell the property at 1925 Killarney Drive. The agreement provides for the first $250k, or 25%, of the proceeds to go to the local Boys and Girl Scouts of America through a trust over a 20-year period and the remainder of the proceeds would stay with the Foundation for local charitable purposes.

Mayor Anderson suggested inserting "local operations of" prior to "Boy Scouts of America…" in the third paragraph to ensure funds stay local. He further suggested, on Page 4, Item 5, adding Killarney Elementary programs and Edgewater High School programs to the list of current charities.

Shawn Casey, Kiwanis Foundation, said the Foundation provides $1,000 scholarship to Valencia Community College, which is not on the list, works with Edgewater High School and have discussed establishing a scout troop at Killarney Elementary.

Motion made by Commissioner Weaver to approve the agreement with suggestions made by Mayor Anderson; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.

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

A recess was held from 4:59 to 5:07 p.m.

12) Public Hearings: Quasi-Judicial Matters

a. Request of Cady Way Cottages LLC to re-establish the Conditional Use approval at 2281 Nairn Drive for a three-unit cluster housing project of two-story townhomes on property zoned R-2.

Assistant Director of Planning and Zoning Allison McGillis reviewed the request to re-establish the conditional use approval. The applicant has revised the plan which eliminates the need for rear setback variances. She confirmed that this meets drainage requirements.

There were no public comments.

Motion made by Commissioner DeCiccio to approve the request, seconded by Commissioner Sullivan. 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. Ordinance authorizing the transfer of a small corner of Hopper Mini Park (1664 Orange Avenue) to FDOT for transportation improvements. (1st reading)

Attorney Ardaman read the ordinance by title.

Engineer Hong Lim explained that FDOT is requesting a portion of the corner of Hopper Park at Orange Avenue and 17-92 for Orange Ave improvements from Clay to 17-92 which reduces the city's and CRA's financial commitment toward the cost of this project. He summarized the proposed improvements which include a roundabout and reducing the roadway to three lanes and adding a multi-person trail.

Motion made by Commissioner Sullivan to approve the ordinance, seconded by Commissioner Weaver. 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) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance - amending sections of Chapter 102, Utilities, relating to sewer impact fee deferral program; utility connection requirements for future annexations; reporting and maintenance of private lift stations; pre-treatment requirements for dental amalgams; and other code cleanup. (1st reading)

Attorney Ardaman read the ordinance by title. Director of Water and Wastewater Utility David Zusi clarified provisions of the ordinance.

Motion made by Commissioner DeCiccio to approve the ordinance, 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.**

b. ORDINANCE 3276-23 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 3, FIREFIGHTERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-151, DEFINITIONS; AMENDING SECTION 74-157, PRE-RETIREMENT DEATH; AMENDING SECTION 74-158, DISABILITY; PROVIDING FOR COMPLIANCE WITH CHAPTER 2019-21, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. (2nd reading)

c. ORDINANCE 3277-23- AN ORDINANCE OF THE CITY OF WINTER ARK, FLORIDA, AMENDING CHAPTER 74, PERSONNEL, ARTICLE V, RETIREMENT AND PENSION PLANS, DIVISION 4, POLICE OFFICERS, OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK; AMENDING SECTION 74-201, DEFINITIONS; PROVIDING FOR COMPLIANCE WITH CHAPTER 2019-21, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. (2nd reading)

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

Motion made by Mayor Anderson to adopt Ordinance 3276-23, seconded by Commissioner Cruzada. 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**

Motion made by Mayor Anderson to adopt Ordinance 3277-23, 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**

14) City Commission Reports

Commissioner DeCiccio –

- Asked for consensus for staff to repair lights at Park Avenue and Canton, install lights at Carver, Railroad and Webster, consider traffic calming devices for these streets used as cut-through to 17-92, and install a light at the community center. She suggested using CRA funds and asked that this be done prior to daylight savings and the holidays and to be done as quickly as possibly for the safety of residents and visitors. Staff to report on scope and acceleration at next meeting.

Commissioner Weaver –

- Addressed the proposal to divide the tree farm and sell as six residential lots which would require approval for septic or connection to existing sewer lines. Neighbors have expressed a desire for a small park in area and a concern that building Habitat for Humanity homes would decrease their property values. He noted that there is no city park west of 17-92 and should be considered. He supported keeping part of the tree farm for hurricane debris collection. (To be brought back for discussion.)

15) Summary of Meeting Actions

- Received presentation of WP Library
- Approve Consent Agenda with amendments to the Geosync agreement.
- Approved agreement with Kiwanis Foundation with amendments.
- Approved re-establishment of conditional use 2281Nairn Drive.
- Approved ordinance on first reading authorizing transfer of Hopper Park to FDOT.
- Approved ordinance on first reading amending Chapter 102, Utilities.
- Adopted ordinances amending the Firefighter and Police Officers' Pension.
- Staff to report on fixing lights and adding lights on certain streets.
- Place discussion on potential sale of a portion of the tree farm property.

16) Adjournment

The meeting was adjourned at 5:33 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis