City Commission Regular Meeting Minutes

July 26, 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 (Virtual); City Manager Randy Knight; Assistant City Manager Michelle del Valle and City Clerk Rene Cranis.

1) Meeting Called to Order

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

2) Invocation

The invocation was given by Finance Director Wes Hamil, followed by Pledge of Allegiance.

3) Approval of Agenda

Motion made by Mayor Anderson to approve the agenda moving Item 11a after Items 11 b and c; seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.

4) Mayor Report

Congratulated Deputy Police Chief Pam Marcum and Police Sergeant Jeff Marcum on their retirement and thanked them for their long-term service to the city and welcomed new Deputy Chief Lisa Suepat.

5) Citizen Budget Comments

6) City Manager Report

a. Confirmation of new Department Heads

Mr. Knight recommended the promotion of Pam Russell and Peter Moore as directors of the new departments of Human Resources and OMB, respectively, and the promotion of Allison McGillis to Director of Planning and Zoning, replacing current director Jeff Briggs who is retiring. Mayor Anderson thanked Director of Planning and Zoning Jeff Briggs for his 45 years and congratulated the new department directors.

Motion made by Commissioner DeCiccio to confirm the appointments effective October 1, 2023; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

b. Report on process of taking over a state road

Director of Public Works Charles Ramdatt explained the constraints and obligations of taking control of state roads and said staff will be meeting with FDOT.

7) City Attorney Report

8) Non-Action Items

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

10) Consent Agenda

a. Approve the minutes of the regular meeting, July 12, 2023
b. Approve the minutes of the work session, July 13, 2023
c. Approval of the following piggyback contract:
    1. Control Technologies, Inc. - Florida Department of Transportation Contract #DOT-ITB-23-9037-SJ - Approved Products List Traffic Equipment; For goods on an as-needed basis during the term of the Agreement through March 14, 2024; Amount: $225,000
d. Approval of the following contracts:
    1. Dix-Hite Partners, Inc. - RFQ30-22 - Professional Landscape Architectural Services; For services on an as-needed basis during the term of the Agreement through December 13, 2023; Amount: $200,000
    2. Fortune Painters of Florida, LLC - IFB25-19 - Painting Services; For services on an as-needed basis during the term of the Agreement through August 19, 2024; Amount: $175,000
    3. HDD of Florida, LLC - RFP15-19 - Underground Conduit/Pipe Installation Services; For services on an as-needed basis during the term of the Agreement through October 1, 2023; Amount: $3,300,000
    4. Power Engineers, Inc. - RFQ18-18 - Electric Underground Conversion Design; For services on as-needed basis during the term of the Agreement through October 5, 2023; Amount: $225,000
    5. Incline Consulting, Inc. - Independent Contractor Agreement; For services on an as-needed basis during the term of the Agreement through January 31, 2025; Amount: $78.75/hour
e. Approval of the following formal solicitation:
    1. Garcia Civil Contractors - IFB21-23 - Denning/Fairbanks Right Turn Lane Construction; Amount: $644,916.5

Commissioner Weaver noted the contract execution date under Item (d)1 should be December 2022, rather than December 2023.

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

11) Action Items Requiring Discussion

b. 5 & 25-Year Strategic Capital Plan Review

Division Director of OMB Peter Moore presented the capital plan noting the potential large addition of projects evolving from the transportation master plan and stormwater projects that may need to be moved to the 5-year plan to address immediate issues. Responding to comments, Mr. Moore suggested delaying discussion of transportation projects until strategies from the Transportation Master Plan are developed and of stormwater projects until more information is gained on funding, i.e. stormwater fee collection, grants, stormwater fund and potential use of general fund. He summarized the unfunded list showing a deficit of approximately $30m.

Discussion was held on immediate, short and mid-term stormwater/flood improvement needs and road improvements, particularly those that impact neighborhoods (Hannibal Square) and funding stormwater improvements through a bond issue.

Commissioner Sullivan suggested identifying projects that must happen regardless of funding, grants or reserves, if necessary, and other projects that would be done depending on funding.

The following items were discussed and action noted:

- Stormwater Flood Prevention (Mayor Anderson) – Add Short-term, $2m; Mid-term, $10m (Amended after discussion to $5m with note for $5m from CRA with balance from grants or another source.)
- Transportation Master Plan Projects (Mayor Anderson) - $700k for technology
- Winter Park Playhouse (Commissioner Sullivan) - Retain on list without funding but with note to be funded from TDT or other sources (CRA)
- Farmers Market - West Meadow (Mayor Anderson) - a pavilion is planned and funded in the CRA budget.
- Fire department needs (Mayor Anderson) - Address as future annexations are considered including reconstruction of Lakemont station and new training facility possibly a public safety bond issue.
- MLK Park Improvements (Mayor Anderson) - project is already funded and will be discussed in the CRA meeting but budget may need to be increased.
- Acquisition of property fronting on SR 436, near the 7th hole (recommended by Golf Course Advisory Board) - to accommodate restaurant at the clubhouse and using this property for the maintenance building and for drainage. (Removed with note to monitor for opportunities.)

Commissioner Cruzada said that while revenue bonds could be issued to finance the purchase and expand the golf course, he does not feel there is an immediate need to purchase. Commissioner Weaver said the extra property could be used the lengthen the course and increase revenue from greens fees. Discussion followed on golf course revenue and the need for a business case before deciding to purchase.

Parks and Recreation Director Jason Seely said it may not be for sale later and that this could be used to make a restaurant viable and consider adding a tap bar. After discussion, consensus was for staff to prepare a business case.

- Acquisition of Bank of the Ozarks property (Commissioner Sullivan) - Reduce to \$6.5m and retain improvements at \$2m, with note to defer during the budget process.
- Lightning shelter at Winter Park 9 (Commissioner DeCiccio) – Retain at \$70k
- Downtown Parking Garage (Mayor Anderson) - Expressed reluctance to displace higher priorities for near-term planning and continue to carry \$7m in CRA. (Remove \$11.5m from unfunded list to long-term.)

Commissioner Weaver suggested a downtown shuttle service in conjunction with leasing parking spaces from two churches in the area. Mr. Moore advised that \$7m is allocated in the CRA for parking improvements, which could be used.

Commissioner DeCiccio suggested reallocating the \$7m for the post office toward infrastructure improvements in the area. Mr. Moore said with anticipated revenue of \$7m through the end of the CRA, the total funding for the post office is approximately \$14m. He explained deadlines and requirements for allocating and spending CRA funds after the CRA ends. Discussion followed on reallocating funds if there is no deal to purchase the post office before the CRA ends and options for allocating funds for stormwater improvements.

Mr. Moore said the changes, including estimated surplus funds, result in a deficit of approximately \$12.5m. Mayor Anderson noted that the Ozarks property accounts for \$8.5 (purchase and improvements) with funding decision to be determined in the next several months and that \$7m was added for stormwater projects. Discussion returned to funding options, including a bond issue, for these items and items coming from the transportation master plan. Mr. Moore said he will revise this worksheet and provide updated revenue projections and budget worksheets to the Commission for their comments which will be reviewed in the August 23rd meeting.

A recess was held from 4:52 to 5:05 p.m.

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

There were no public comments.

11) Action Items Requiring Discussion (continued)

c. Budget Discussion & Set Tentative Millage Rate

Mr. Moore stated the budget was prepared at the existing millage rate of 4.0923 mills and confirmed that it maintains the city's current level of service with the addition of three public safety positions and one administrative position. He reviewed changes to the budget.

Staff responded questions stating each .25 mil raises approximately $2.1m and that property taxes cannot be pledged for bonds without a voter referendum. Staff explained provisions for issuing bonds.

Motion made by Commissioner DeCiccio to adopt a tentative millage rate of 4.0923 mills; seconded by Mayor Anderson.

Commissioner Sullivan said residents have expressed to him that the city should increase the millage rate and suggested discussing how the additional .25 mills/$2.1m would contribute toward critical infrastructure needs that would be forgone at the existing millage rate. He expressed concern that funding may fall short particularly if revenues estimates fall short and feels increasing the tentative millage rate would provide a safety net, but could still be dropped to the current millage rate.

Motion made by Commissioner Sullivan to amend the motion to increase the millage rate by .25 to 4.3423 mills; seconded by Commissioner Weaver.

Mayor Anderson said he feels a bond issue for stormwater infrastructure is preferable to increasing the millage rate which is harder to roll back.

Commissioner Weaver supported a small increase in the tentative millage rate given current costs and unclear future costs.

Mr. Knight responded to questions stating that a .25 millage rate increase would increases property taxes by $25 per $100,000 of taxable value and explained property tax exemptions and Save Our Homes program.

Commissioner Cruzada opposed a increasing the millage rate and user fees (as proposed) at the same time due to the impact to residents and families.

Commissioner DeCiccio said she feels the increase is not needed this year given the new homes that will come on tax rolls over the next year.

There were no public comments.

Upon a roll call vote on the motion to increase the tentative millage rate to 4.3423, Commissioners Sullivan and Weaver voted yes. Commissioners DeCiccio and Cruzada and Mayor Anderson voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to set the tentative millage rate at 4.0923 mills, Commissioners Sullivan, DeCiccio, Cruzada, Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

Motion made by Mayor Anderson to adopt voted debt service millage as recommended (0.2379 mills on the General Obligation Bonds, Series 2017 & 2020 (Library & Events Center Bonds)).; seconded by Commissioner DeCiccio. Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

a. Economic Development Advisory Board Retail Strategies Report

Mayor Anderson suggested refining the retail vision and then define the next steps. He reviewed staff's analysis showing growth rates in retail and office space and a good tax base to match growth of expenses over the long term. He concluded that although additional square footage is not needed, it is critical to be intentional about the square footage needed or wanted. He suggested tweaking the retail vision to include retail terminology and this report should be topic for a work session to allow more discussion.

Commissioner DeCiccio stressed the importance of including Hannibal Square and encouraged action to develop minority businesses in this area. She also stressed the importance of obtaining buy-in from landlords on Park Avenue.

Commissioner Cruzada suggested bringing back C-2 zoning to allow for mixed use concepts and greater flexibility for retail businesses to use a portion of their location for something other than retail. He expressed a desire to recreate the uniqueness and authenticity of Park Avenue from years ago.

Commissioner Sullivan stressed the need to support and encourage local businesses and also to a provide a balanced mix of retailers.

Assistant Division Director of Economic Development/CRA Kyle Dudgeon outlined the analyses and process leading to this report. Staff’s desire is to obtain feedback and continue the work toward developing programs and incentives based on that feedback.

Mayor Anderson suggested the commission accept the report and schedule a work session on September 28th with following items provided prior to the work session: 1. Revise the Winter Park Retail Vision adding a map of the market area and including retail terminology for long-term, 2. Provide a detailed inventory of types of stores and restaurants (possibly add to consultant scope of service). The bulk of work session would be on specifics raised by each commissioner. Approved by consensus.

Commissioner DeCiccio suggested that the Community Redevelopment Advisory Board be included.

Mayor Anderson suggested a future study on second and third floor uses, in particular, uses that do not generate additional traffic or parking needs and whether there something that could be done for specific segments of office users.

12) Public Hearings: Quasi-Judicial Matters

13) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance - Amending Winter Park Firefighters' Pension Plan clarifying the definition of Salary and amending the pre-retirement death and disability sections to comply with the cancer presumption requirements of Florida Statutes. (1st reading)

b. Ordinance - amending Winter Park Police Officers Pension Plan clarifying the definition of Salary. (1st reading)

A simultaneous public hearing was held on these two ordinances. Attorney Ardaman read the ordinances by title. There were no public comments.

Motion made by Mayor Anderson to approve the ordinance amending the Firefighters Pension Plan on first reading; seconded by Commissioner DeCiccio. 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 approve the ordinance amending the Police Officers Pension Plan on first reading; seconded by Commissioner DeCiccio. Upon a roll call vote, Commissioners Sullivan, DeCiccio, Cruzada and Weaver and Mayor Anderson voted yes. Motion carried unanimously with a 5-0 vote.

c. RESOLUTION 2276-23 - A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, CORRECTING RESOLUTION 2268-23 AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title.

Motion made by Mayor Anderson to adopt the resolution.; 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.**

14) City Commission Reports

Commissioner Sullivan -

- Reported the Chamber of Commerce provided a book and extended an invitation on seminar on parking in September 21st at 5:30.

Commissioner DeCiccio -

- Asked about the elevators at the Events Center that are not work. Mr. Knight advised they continue to get struck by lightning and needs to be re-grounded. Ms. del Valle said the parts are on order and staff is also looking at solutions for re-grounding.

Commissioner Cruzada -

- Reported that the reflector at Summerfield and Cady Way has been damaged. Mr. Knight acknowledged and staff will repair.

Commissioner Weaver -

- Spoke about bond referendums and believes a large segment of residents would support a referendum for parks acquisition but a larger group would support a referendum for stormwater improvements. He suggested combining those referendums as part of a long-term strategy to use parkland for stormwater.

Mayor Anderson -

- Supported consideration of a bond issue once the report on flood and stormwater solutions is received. Discussion on restrictions, timeline and tasks to put on the March ballot.

Mr. Knight advised that only one issue is allowed per bond question and bond counsel would need to weigh in on combining parks and stormwater bonds into one question. After discussion, consensus was for staff to research and provide an update to the commission.

15) Summary of Meeting Actions

- Recognized retirements of Deputy Police Chief Pam Marcum and Sergeant Jeff Marcum and welcomed new Deputy Chief Lisa Suepat.
- Confirmed new department heads.
- Received overview on process for taking over state roads. Staff to meet with FDOT.
- Approved the Consent Agenda.
- Reviewed and revised 5/25-year capital plan with reevaluation after after finalizing revenue options.
- Set tentative millage rate at current rate of 4.923.
- Set debt service millage rate 0.2379
- Accepted EDAB retail strategy report. Staff to update summary page, prior to work session on September 28th to discuss feedback and comments by the commission. Staff to work with CRAB and EDAB to assist minority businesses.
- Approved ordinances amending firefighter and police officer pension plans.
- Adopted resolution correcting date for collection of stormwater fees
- Staff to provide information for a referendum in March.

16) Adjournment

The meeting was adjourned at 6:27 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis