



City Commission Regular Meeting Minutes

April 24, 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 Shawn Garvey, First Congregational Church of Winter Park

3. Pledge of Allegiance

4. Oath of Office

Commissioner Russell was administered the oath of office by his sister, wife Kate, and their children.

5. Selection of Vice-Mayor

Commissioner Sullivan nominated Commissioner Weaver as Vice-Mayor. Agreed by consensus.

6. Approval of Agenda

Motion made by Mayor DeCiccio to approve the agenda (noting the withdrawal of Item 15a by the applicant); seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

7. Mayor's Report

a. Green Business Award: Howell Branch Academy

Sustainability Specialist Mia Brady recognized Howell Branch Academy as a Bronze Business in the Green Business Recognition Program and reviewed their sustainability efforts.

b. Proclamation for Building Safety Month

Mayor DeCiccio read and presented a proclamation declaring May as Building Safety Month to Director of Building and Permitting Services Gary Hiatt. Dottie Mazarella, Vice-President of Governmental Relations for International Building Code Council

expressed her appreciation for the city's recognition of the work of the building and permitting staff who were introduced by Mr. Hiatt.

c. Elect alternate member for MetroPlan Orlando Municipal Advisory Committee
Commissioner Weaver nominated Commissioner Sullivan. Approved by consensus.

d. Scheduling of Strategic Planning Session

Mayor DeCiccio suggested moving the Old Library Reuse work session to May 23rd
Approved by consensus. The Strategic Planning session was scheduled for June 13th

Mayor DeCiccio reviewed some rules of conduct and decorum for commission meetings limiting public comments to three minutes without the opportunity to defer time to another speaker, prohibiting the calling out a member of the commission or audience and impertinent slanderous remarks. Her goal is to ensure residents are comfortable attending and expressing their opinions with respect.

8. City Manager's Report

a. Meeting Schedule - FY 24, Q3 and Q4 (Addressed under Item 7d)

Mr. Knight reported that a potential lease with Rollins College for parking at the Old Library will be on the next agenda. The term of the lease will be until the future use is decided. At the request of Commissioner Weaver, Mr. Knight said Rollins has requested to lease all the parking spaces but the city could set aside some spaces for public use.

9. City Attorney's Report

10. Non-Action Items

a. Economic Development Advisory Board Initiatives Update

Assistant Division Director of Economic Development/CRA Kyle Dudgeon reported on activities and programs of the EDAB over the past eight months to assist small, new, minority and home-based businesses. They engaged with the National Entrepreneurial Center (NEC) to develop the Winter Park Business Academy. Belinda Ortiz-Kirkegard, President of NEC, outlined programs that provide opportunities and entrepreneurship and reviewed the WP Business Academy Executive Summary, program area, participation, and future plans, programs, coaching and mentoring.

Mr. Dudgeon responded to questions about demographics, stating participants range from college students to senior level. Commissioner Russell suggested expanding opportunities to include high school students.

11. Public Comments | 5 p.m. or soon thereafter (Taken after Item 15b)

12. Consent Agenda

- a. Approve the minutes of the regular meeting, April 10, 2024
- b. Approve the following formal solicitations:

1. L&S Diversified – RFQ7-24 – Continuing Contract for Professional Survey Consulting Services
2. Southeastern Surveying & Mapping Corporation – RFQ7-24 – Continuing Contract for Professional Survey Consulting Services
3. PowerGrid Distribution Services, LLC – IFB9-24 – Overhead to Underground Electric Conversion
4. HDD of Florida, LLC – IFB9-24 – Overhead to Underground Electric Conversion
- c. Approve the following piggyback contracts:
 1. Ferguson Enterprises, LLC – Seminole County Contract #IFB-603115-18 – Assorted Concrete, Corrugated & Drainage Pipes; for goods on an as-needed basis during the term of the agreement through August 5, 2024; Amount: \$150,000
 2. HP, Inc. – State of Florida Contract #43210000-23-NASPO-ACS – Computer Equipment, Peripherals, and Related Services; for goods and services on an as-needed basis during the term of the agreement through June 30, 2025; Amount: \$150,000
 3. Dell Marketing LP – State of Florida Contract #43210000-23-NASPO-ACS – Computer Equipment, Peripherals, and Related Services; for goods and services on an as-needed basis during the term of the agreement through June 30, 2025; Amount: \$100,000
 4. TSI Disaster Recovery, LLC – Florida Department of Environmental Protection Contract #SL005 – DEP Waterway Debris; for services on an as-needed basis during the term of the agreement through August 1, 2026; Amount: \$1,000,000
 5. C & S Towing Service, Inc. – Seminole County Contract #RFP-604444-22/LNF – Towing Services; for services on an as-needed basis during the term of the agreement through March 12, 2026; Amount: \$80,000
 6. Southern Switches & Contacts – FMPA Contracts #ITB 2022-34 – Substation & Generating Station Maintenance Services; for services on an as-needed basis during the term of the agreement through February 28, 2025; Amount: \$100,000
- d. Approve the following contracts:
 1. RFP18-19 – AVI-SPL – Design, Install, Configure, & Maintain A/V Systems; for goods and services on an as-needed basis during the term of the agreement through December 4, 2024; Amount: \$150,000
 2. RFQ7-22 – Kimley-Horn & Associates, Inc. – Transportation Planning & Engineering Services; for services on an as-needed basis during the term of the agreement through June 2, 2025; Amount: \$500,000
 3. RFQ7-23 – Pond & Company, Inc. – Geotechnical Environmental Consulting Services; for services on an as-needed basis during the term of the agreement through May 10, 2025; Amount: \$500,000
- e. Amended and Restated Interlocal Agreement between the South Seminole North Orange County Wastewater Transmission Authority and Seminole County, Florida, and the cities of Casselberry, Maitland and Winter Park.

Motion made by Mayor DeCiccio to approve the minutes of April 10th, seconded by Commissioner Weaver.

Motion made by Commissioner Sullivan to amend the minutes deleting the last paragraph of Item 13b on Page 4 and replace with "Commissioner Weaver suggested a work session and Commissioner Sullivan suggested a member of the commission meet with city staff, Mr. Gottfried and Mr. Michael to determine any potential funding and project advancement. The consensus was for Mr. Gottfried and Mr. Michael to coordinate a meeting with Mr. Ramdatt, and Commissioner Sullivan. Potential meetings with FDOT and FDEP may follow." Seconded by Commissioner Weaver. Motion carried unanimously 5-0 vote.

Motion made by Mayor DeCiccio to approve the solicitations, seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

Motion made by Mayor DeCiccio to approve Items 12 c, d, e, seconded by Commissioner Cruzada. Motion carried unanimously with a 5-0 vote.

13. Action Items Requiring Discussion

14. Public Hearings: Quasi-Judicial Matters

15. Public Hearings: Non Quasi-Judicial Matters

- a. Request of Andrea Jacobs on behalf of the Villa Vienda Condominium at 221 Holt Avenue for Conditional Use approval to allow five of the six existing condominiums to be used as a bed and breakfast, zoned R-3.

(Tabled from March 27, 2024 at the request of the Applicant)

WITHDRAWN BY APPLICANT ON APRIL 22, 2024

- b. ORDINANCE 3292-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROPOSING AN AMENDMENT TO § 62-97 OF DIVISION 2 OF CHAPTER 62 OF THE CITY CODE OF ORDINANCES REGULATING THE USE AND OPERATION OF LEAF BLOWING OR YARD CLEARING EQUIPMENT POWERED BY AN INTERNAL COMBUSTION ENGINE OR MOTOR; SUBMITTING THE PROPOSED CODE AMENDMENT TO A VOTE BY THE ELECTORS OF WINTER PARK VIA REFERENDUM AT THE GENERAL CITY ELECTION TO BE HELD MARCH 11, 2025; PROVIDING FOR AMENDMENT OF CHAPTER 62 OF THE CITY CODE REGARDING RESTRICTIONS ON THE USE OF INTERNAL COMBUSTION POWERED LEAF BLOWERS IF THE CODE AMENDMENT IS ADOPTED; PROVIDING FOR THE REFERENDUM BALLOT QUESTION FOR THE PROPOSED CODE AMENDMENT; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR MODIFICATION BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATES OF THE ORDINANCE AND CITY CODE AMENDMENT. (2nd reading)
Tabled from March 27, 2024 meeting)

Attorney Langley read the ordinance by title.

Mr. Knight said this is the second reading of the ordinance to place a question on the March 2025 ballot about whether to repeal the ordinance banning gas-powered leaf blowers. If this ordinance does not pass, the original ordinance banning gas-powered leaf blowers would take effect July 1st with enforcement beginning January 1, 2025.

Mayor DeCiccio noted the commission unanimously adopted the ordinance banning leaf blowers in 2022. She provided the background of Senator Brodeur's agreement not to bring forward a state-wide preemption of bans on gas-powered leaf blowers if the city placed the question on a ballot. She expressed concern about setting a precedent where preemption is threatened in response to voter complaints.

Commissioner Weaver reviewed the background and reasons for adopting the ban. He read from a Winter Park Voice article quoting Senator Brodeur and reviewed the emissions and health impacts of gas-powered equipment. While he understands the financial impact of the purchase of non-gas-powered equipment, the financial impact of health care costs is higher.

Commissioner Cruzada said new data is needed and consideration should be given to local landscapers' comments regarding roadblocks to charge multiple batteries and to equip businesses to charge batteries. He supported deferring this to the residents to determine the benefit to the market and to the economy.

Commissioner Weaver said the report he referenced was from 2018 which said improvements in small engines haven't produced improved emission results.

Commissioner Sullivan said he believes research shows it is in the best interest of citizens, and landscapers, not to have gas-powered leaf blowers. He sees no reason to put the adoption of the ban at risk with a referendum and the ban should not be delayed.

Commissioner Russell said he has heard different opinions but he feels this is not in the best interest of the residents. He opposed telling small businesses how to run their businesses and would prefer to repeal the ban. **Motion made by Commissioner Russell to table this ordinance to bring forth an ordinance to repeal the ban on gas-powered leaf blowers, seconded by Commissioner Cruzada.**

Mayor DeCiccio restated her position that if the city does not move forward, it will be preempted and opposed repealing the ban

Mark Gillespie, 1608 Hibiscus Avenue, supported repeal of the ordinance and not to delay for a referendum. He feels individuals should decide whether to hire landscapers that use gas or battery-operated equipment.

Frank Hamner said he feels this should be a personal choice similar to selecting an electric versus a gas vehicle. He urged the commission's repeal first and then let the voters decide.

Damien Madsen said he feels this should be left up to the voters.

Attorney Langley noted that the motion to table included direction to staff to bring an ordinance repealing the ban, but it should be a separate motion and the motion to table would take precedent. If the motion to table passes, a second motion would be needed to provided direction to staff to prepare an ordinance to repeal the ban. If the motion to table fails, a motion is needed on the ordinance calling for a referendum.

Upon a roll call vote on the motion to table, Commissioners Russell and Cruzada voted yes and Commissioners Sullivan and Weaver and Mayor DeCiccio voted no. Motion failed with a 2-3 vote.

Motion made by Commissioner Weaver to deny the ordinance setting a referendum, seconded by Mayor DeCiccio.

Attorney Langley explained voting no on this motion would be a vote to set a referendum and voting yes would not set a referendum. **Commissioner Weaver withdrew his motion.**

Motion made by Commissioner Weaver to adopt the ordinance, seconded by Commissioner Sullivan.

Members of the Commission gave additional comments on the impacts to both residents and landscaping companies and background leading to this ban.

Upon a roll call vote to adopt the ordinance, Commissioners Russell and Cruzada and Mayor DeCiccio voted yes and Commissioners Sullivan and Weaver voted no. Motion carried with a 3-2 vote.

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

16. Public Hearings: Non Quasi-Judicial Matters (continued)

- c. ORDINANCE 3295-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING REGULATIONS" SECTIONS 58-65 THROUGH 58-71, COLLECTIVELY, THE RESIDENTIAL ZONING CODE PROVISIONS, SECTION 58-91 BOARD OF ADJUSTMENTS, AND SECTION 58-95 "DEFINITIONS" PROVIDING FOR ANNUAL ASSESSMENT AND UPDATES, TO THE CURRENT REGULATIONS, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (2nd reading)

Attorney Langley read the ordinance by title. Senior Planner John Harbilas reviewed the changes.

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

- d. ORDINANCE 3296-24 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE

- e. III, "ZONING" SECTION 58-83 "ORANGE AVENUE OVERLAY DISTRICT (OAO)" TO REVISE THE DEFINITIONS OF BUILDING STORY AND MIXED-USE, PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (2nd Reading)

Attorney Langley read the ordinance by title. **Motion made by Commissioner Cruzada to adopt the ordinance, seconded by Mayor DeCiccio.** There were no public comments.

Commissioner Russell asked for clarification on the stricken language under the definition of Mixed Use. Director of Planning and Zoning Allison McGillis explained the intent was to specify the types of commercial uses allowed in the OAO.

Frank Hamner, suggested leaving in the word "commercial" and then listing the types of commercial use.

Mrs. McGillis suggested changing it to read "commercial , including but not limited to restaurant, food service, personal service such as spa, fitness, retail, etc." Mr. Langley suggested " This must be some combination of residential, commercial uses permitted by the OAO (including, but not limited to, restaurant/food service, personal service such as salon/spa/fitness, and retail), and office uses such as business offices/financial services." Discussion followed on the intent of mixed use.

Motion made by Commissioner Russell to adopt the ordinance with the recommended language stated by the City Attorney, seconded by Commissioner Cruzada, Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. Motion carried unanimously with a 5-0 vote.

- f. ORDINANCE 3297-24 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER PARK ESTABLISHING A DESIGN GUIDELINES AD-HOC COMMITTEE; PROVIDING FOR SUNSET AND AN EFFECTIVE DATE. (2nd reading)

Attorney Langley read the ordinance by title. **Motion made by Commissioner Weaver to adopt the ordinance, seconded by Commissioner Cruzada.**

Mayor DeCiccio explained that this committee will review and recommend guidelines that will help applicants as they prepare plans for approval.

There were no public comments. **Upon a roll call vote, Commissioners Sullivan, Russell, Cruzada and Weaver and Mayor DeCiccio voted yes. Motion carried unanimously with a 5-0 vote.**

17. City Commission Reports

Commissioner Sullivan -

- As a new Winter Park Library Trustee, he asked the commission to share any comments are concerns that need to be brought forward to the Board of Trustees. He noted his intent to work on parking solutions.

- Gave an update on meetings with city staff, Mr. Michael and Gottfried (trail planners) on the Heritage Market Trail. The city has not received sufficient information, including available funding, to integrate this plan into the transportation planning process and recommended suspending any action to integrate this trail into the city's transportation planning process. Following discussion, consensus was to suspend further action.

Commissioner Russell -

- Thanked Mayor DeCiccio for reiterating meeting rules for decorum.
- Spoke about the highly qualified staff and thanked them for their work.
- Thanked his family for their support and residents for their participation in meeting and he is looks forward to continuing meeting with staff. One of his goals is to find ways to incorporate youth, possibly a youth advisory board, and look at opportunities to give residents a voice.
- The Winter Park Library luncheon recognizing the top ten scholars at Winter Park High School is tomorrow at 11:00 a.m. at Mead Garden.

Commissioner Cruzada -

- Earth Day is this weekend. Run For The Trees is Saturday morning

Commissioner Weaver -

- Reported the appointment of Steve DiClemente to Economic Development Advisory Board.
- Noted that Russell Alan has expressed an interest in continuing to serve the Police Officers' Pension Board. (Will be on May 8th agenda.)

Mayor DeCiccio -

- With the final approval of the Federal budget, the city will be receiving \$500k for affordable housing.
- Addressed library parking. Mr. Knight said it will be on the next agenda. .

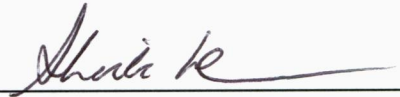
18. Summary of Meeting Actions

- Administered Oath of Office to Commissioner Russell
- Appointed Commissioner Weaver as Vice-Mayor.
- Appointed Commissioner Sullivan alternate to the MetroPlan Municipal Advisory Council.
- Presented the Bronze Green Business Award to Howell Branch Academy.
- Designated May as Building Safety Month.
- Approved the work session schedule, moving the old library discussion work session to May 23rd.
- Scheduled the Strategic Planning Session for June 13th.
- Received an update on Economic Development Advisory Board initiatives.
- Approved the Consent Agenda with amendments to the April 10th minutes.
- Adopted the ordinance setting the referendum to repeal the ban on gas-powered leaf blowers for March 11, 2025.
- Adopted ordinance amending single-family zoning regulations.

- Adopted ordinance amending OAO definitions.
- Adopted ordinance establish a design guidelines ad hoc committee.
- Approved suspending work on the Heritage Market Trail.

19. Adjournment

The meeting was adjourned at 5:36 p.m.



Mayor Sheila DeCiccio

ATTEST:



City Clerk Rene Cranis