



City Commission Regular Meeting Minutes

January 22, 2025 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 (arrived at 3:55 p.m.) City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman and City Clerk Rene Cranis.

1. Meeting Called to Order

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

2. Invocation - Jeff Briggs, Planning Director Emeritus

3. Pledge of Allegiance

4. Approval of Agenda

Motion made by Commissioner Sullivan to approve the agenda, seconded by Commissioner Russell. The motion carried unanimously by a 4-0 vote. Commissioner Weaver was not present.

5. Mayor's Report

- a. Proclamation for Jeffrey Briggs, Planning Director Emeritus

Mayor DeCiccio read a proclamation recognizing Jeff Briggs on his retirement after 47 years. Mr. Briggs thanked members of the commission for and their support.

6. City Manager's Report

- Congratulated Mr. Briggs on his retirement.
- The due diligence period for the purchase of the Fairbanks Avenue property ends this week and staff is recommending moving forward to the next phase. Approved by consensus.
- The agreement with Orange County School Board regarding School Resource Officers is close to completion with intent to place on the next agenda for approval.
- A meeting with Fix 426 is scheduled for Friday to address the proposed light at Cortland and staff will present its recommendation on whether to proceed with that light.

7. City Attorney's Report

- Reiterated the city will proceed toward closing on the Fairbanks Avenue property.
- Thanked Mr. Briggs for his service.

8. Non-Action Items

9. Public Comments | Heard after Item 12a.

10. Consent Agenda

- a. Approve the minutes of the regular meeting, January 8, 2025.
- b. Approve the following piggyback contracts:
 1. Graybar Electric Company - OMNIA Partners Contract #EV2370 - Electrical, Communications & Security Solutions - Renewal; for services on an as-needed basis during the term of the agreement through January 31, 2029; Amount \$1,200,000
 2. Henderson Wilder Contracting, Inc. - City of Orlando Contract #RFQu24-0024-2 - Rapid Response Construction Services for General Grouting & Repair or Replacement of Drainage Wells; Lake Spier Drain Well and Boat Launch project; Amount: \$1,200,000
 3. CJ's Sales & Service of Ocala, Inc. - Pasco County Contract #IFB-KM-23-032 - As Needed and Ongoing Generator Repair and Maintenance Services; for services on an as-needed basis during the term of the agreement through March 10, 2026; Amount: \$450,000
- c. Approve the following contracts:
 1. RFQ31-22 - KZF Design LLC - Professional Architectural Services - Renewal; for services on an as-needed basis during the term of the agreement through January 2, 2026

Motion made by Commissioner Russell to approve the Consent Agenda. seconded by Commissioner Sullivan. The motion carried unanimously by a 4-0 vote. Commissioner Weaver was not present.

11. Action Items Requiring Discussion

- a. Transfer property located at 1401 Howell Branch Road to Utilities. (Tabled on December 17, 2024)

Mr. Knight gave an update on history of the acquisition of this property and decision not to renovate or rebuild. Staff is recommending retaining the property and transferring funds from the Building Department to Water and Electric utilities and to remove the existing building.

Motion made by Mayor DeCiccio to approve as recommended, seconded by Commissioner Russell. The motion carried unanimously by a 4-0 vote. Commissioner Weaver was not present.

- b. 2025 Election
 - Appointment of Canvassing Board
 - Designation of Polling Places
 - Authorizations for Orange County Supervisor of Elections

Commissioners Russell, Sullivan and Weaver were appointed to the Canvassing Board.

Motion made by Mayor DeCiccio to designate the polling places and approve authorizations to Orange County Supervisor of Elections as recommended, seconded by Commissioner Russell. The motion carried unanimously by a 4-0 vote. Commissioner Weaver was not present.

- c. Community Rating System (CRS) Program - Research and Consideration of Enrollment (Tabled on June, 26, 2024)

Director of Public Works and Transportation Charles Ramdatt provided the background of the city's consideration of participating in the Community Rating System (CRS) which was tabled in 2024 to allow for completion of the city's three basin studies. Staff is recommending not to proceed with the CRS and to focus on the plans and projects resulting from the basin studies and to analyze the changes and benefits of the CRS on an annual basis and consider an internal similar program.

Commissioner Weaver arrived at 3:55 p.m.

There were no public comments. **Motion made by Commissioner Sullivan to move forward as recommended, seconded by Mayor DeCiccio. The motion carried unanimously with a 5-0 vote.**

12. Public Hearings: Quasi-Judicial Matters

- a. APP #1-24. Request of the Winderweedle Law Firm on behalf of Jonathan Cole for: An Appeal pursuant to City Code Section 58-94 (b) of the determination that the landscaping currently in place is in violation of a condition of approval for the redevelopment of the property granted by the Planning and Zoning Board on May 4, 2021 on Lake Virginia, zoned R-1AAA.

Planning Director Emeritus Jeff Briggs provided the history and conditions of approval of the new home requiring lakefront landscaping to be no taller than six feet to preserve the view of neighboring property. He showed images of the property location and line of sight to the lake, and photos showing the landscaping over six feet tall along the property line and the palm trees. Staff has determined the landscaping is in violation of the conditions of approval. Upon notification by the city to remedy the situation, the property owner appealed staff's determination to the Planning and Zoning Board who upheld staff's determination and further clarified the intent that vegetation or landscaping be maintained to a height no more than six feet from the edge of the rear of the single-family home going down to the edge of Lake Virginia. The commission's responsibility is to determine whether there is a violation of the condition restricting landscaping on the lakefront to no more than six feet, and if so, the matter would be referred to the Code Compliance Board. Mr. Briggs responded to questions clarifying the height restrictions applies to all types of landscaping including the palm trees.

Trippe Cheek, attorney representing the property owner, reviewed City Code provisions regarding appeals, noting that the options available to the commission include the ability to override the decision of the Planning and Zoning Board. He noted the city code ensures views of water from adjoining waterfront properties will not be unduly impacted but it does not include landscaping. He highlighted points of their appeal. He

showed an image of the property stating the palm tree does not unduly impair the lake view and cited other lakefront properties with landscape restrictions to preserve lake views. The owner will agree to the six-foot height restriction if it applies only to the landscaping along the property line, not to the palm trees. Mr. Cheek responded to questions and comments by members of the commission relating to interpretation of the city code and authority of the commission to exclude the two palm trees from the height restriction.

Members of the commission commented on and discussed the application of the code, the conditions of approval and existing landscaping and potentially setting a precedent.

Michelle Randolph, 741 Virginia Drive, neighboring property owner, spoke about the impaired view due to the location of the palm trees and house being closer to the lake than neighboring homes. She urged the commission to uphold the conditions.

Jonathan Cole, 721 Virginia Drive, property owner, said he feels his home and his property, including the palm trees and vegetation, are compatible with the neighborhood. He said he will agree to trimming the hedge, but not to removal of the palm trees.

Mr. Ardaman clarified that the matter for the commission is whether to uphold the Planning and Zoning Board's decision not to rehear the case and determine whether the condition is consistent with the code.

Motion made by Commissioner Cruzada to uphold the Planning and Zoning Board's decision, seconded by Mayor DeCiccio. 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.

13. Public Comments | 5 p.m. or soon thereafter

Bob Barnett, 929 W. Fairbanks Avenue, invited everyone to a discussion forum on January 28th from 6-8 p.m. concerning the redevelopment of Fairbanks Avenue properties.

14. Public Hearings: Non Quasi-Judicial Matters

15. City Commission Reports

Commissioner Sullivan

- Urged attendance at the Library's fundraiser, Yacht Rock 2025, on February 8th at the Library.

Commissioner Russell –

- Recognized Officer of Year, School Resource Officer Chris Belcore.
- Encouraged the public to volunteer to tutor at the Community Center after school.

Commissioner Cruzada –

- Thanked the city and staff for the MLK Unity Festival and the staff at the Hannibal Heritage Center for the tour

Mayor DeCiccio –

- Spoke about the underground electric utility that reduces the impact of storms and disasters.

16. Summary of Meeting Actions

- Presented proclamation to Jeff Briggs on his retirement.
- Approved the Consent Agenda.
- Approved transfer of funds to utilities departments.
- Appointed canvassing board designated polling places and authorized Supervisor of Elections to open and tabulate vote by mail ballots.
- Supported staff's recommendation not to join the CRS.
- Upheld the decision of the Planning and Zoning Board on the appeal by the property owner at 721 Virginia Drive.

17. Adjournment

The meeting adjourned at 5:18 p.m.

Mayor Sheila DeCiccio

ATTEST:

City Clerk Rene Cranis