City Commission
Regular Meeting Minutes

June 9, 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 Attorney Dan Langley
City Clerk Rene Cranis

1) Meeting Called to Order

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

2) Invocation

Pastor Stuart Shelby, All Saints Episcopal Church, provided the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda (addressed after the Mayor's Report)

4) Mayor's Report

- Thanked the Commission and staff for their work in keeping the city operational.
- Thanked Commissioners Weaver and Cooper for representing the city at the American Legion's Memorial Day event.
- Noted the opening of the new emergency room at Florida Hospital.

3) Approval of Agenda

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

5) City Manager's Report

a. Update on American Rescue Plan Act (ARPA) funding for non-profit support.

Peter Moore, Division Director of Office of Management and Budget, reviewed the program's eligibility requirements and stated that there was tentative agreement to divide the funds equally among the eligible applicants, which would only if there is a small number of applicants. If there are large number of applicants, the guidelines allow the Commission the flexibility to create a ranking committee. Announcement of the program will occur in the next two weeks with a 30-day period to receive applications followed by staff screening of applications to determine the demand and present to the commission to determine funding. Approved by consensus.

b. City Manager's Report

Mr. Knight said the agreement to purchase the property at 929-947 Fairbanks Avenue will be placed on the next agenda for consideration.

Commissioner Cooper asked for an update on Howell Branch Park. Mr. Knight stated the project is moving forward and staff has submitted application for reimbursement for the land purchase. Commissioner Cooper suggested that area residents be notified of tree removal.

Commissioner Cooper spoke on the tree work on the golf course and the automated parking ticket processing system. In response to Commissioner Cooper, Mr. Moore stated he will research the funding allocation for enhancements to lighting and landscaping at the Library and Event Center.

Commissioner Cooper asked for a status on the purchase of the post office. Mr. Knight advised he and Mayor Anderson are working on a plan and said he would discuss individually with commissioners.

Mayor Anderson advised that Progress Point redevelopment will be discussed in the work session on June 10th. He said that construction of the Killarney Estates parklet will begin this month and that major field renovations have begun.

6) City Attorney's Report

Mr. Ardaman spoke on the Bert J. Harris Act. He stated that the standards for filing have not changed but what has changed is the timing and reasons for filing a claim. He reviewed provisions of the bill and impact of decisions relating to properties and adoption of the OAO. He suggested that the city could move forward taking steps to minimize liability.

Commissioner Weaver asked for Mr. Ardaman's opinion on the house bill relating to impact fees. Mr. Ardaman advised he will review the new statute but understands that the bill caps amounts of fee and outlines steps to adopt a fee. Mayor Anderson suggested this be discussed as part of OAO work session tomorrow.

Mr. Ardaman said he will also review the Bert J. Harris Act and provide additional input.

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (taken after Item 10a)

9) Consent Agenda

a. Approval of the minutes of the work session, May 24, 2021
b. Approval of the minutes of the regular meeting, May 26, 2021 (Removed by Commissioner Cooper)
c. Approval of the minutes of the work session, May 27, 2021
d. Approval of the following contract:
    1. Traffic Control Devices, Inc. - IFB4-20 Traffic Signal Installation & Maintenance; Amount $300,000 for services on an as-needed basis.
e. Approval of the formal solicitation:
    1. American Interiors, Inc. - IFB22-21 - FF&E for Winter Park Library; Amount $289,831.34 for library furnishings.

Motion made by Commissioner Cooper to approve Consent Agenda Items a, c, d and e; seconded by Commissioner Weaver. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

<u>Item b</u>: Motion made by Commissioner Cooper to amend the minutes to clarify that the motion to change the land use on the properties on Loch Lomond was to single-family residential not R-1A; seconded by Commissioner Weaver. No action was taken on this motion. Mr. Ardaman said it will be sufficient to note in those minutes that the intent was to change to single-family residential land use.

Motion made by Mayor Anderson to amend the minutes on Page 10, sixth item under Commissioner Weaver's comments, to read "…support of sunsetting gas-powered leaf blowers;" seconded by Commissioner Weaver. There were no public comments. **Motion carried unanimously with a 5–0 vote.**

10) Action Items Requiring Discussion

a. <u>Work Sessions</u>

Mr. Knight asked the Commission prioritize work sessions topics and noted that the work session with the Planning and Zoning Board is June 29th.

Members of the commission added to the list USPS/Central Park expansion, Howell Branch Preserve, Commission priorities update, continuance of Vision 2016, sustainability, bandwidth/fiber to homes.

Commissioners identified their priorities as follows:

- Commissioner Cooper: strategic planning; USPS offers; mobility/transportation OAO; budget
- Commissioner Weaver: strategic planning, mobility/transportation impact fee, super majority and sunsetting leaf blowers.

- Commissioner Sullivan: strategic planning, mobile fee/transportation impact fee, OAO (including Progress Point), sunsetting gas leaf blowers, old library use
- Commissioner DeCiccio: strategic planning, mobility/transportation impact fees, OAO, old library, broadband (ad-hoc committee discussion on next agenda)
- Mayor Anderson: strategic planning, mobility/transportation impact fee, USPS, old library, super majority.

Mayor Anderson suggested a future work session on a commission priorities for an update and for future planning.

Consensus was to schedule regular work sessions on the Thursday following the regular meeting and additional monthly work sessions on the Tuesday before regular meetings on topics of commission priority and to possibly schedule for discussion in regular meetings when the regular meeting agenda is light.

b. Discussion of super majority votes

Mr. Knight said this is being presented at the Commission's request and provides information and a draft ordinance that would place a charter amendment question to allow super majority votes on the March ballot.

Commissioner Cooper spoke in favor of the language that "at least" three affirmative votes are required and said she feels the language exempting financial matters from super majority requirements and defines financial matters is too long and may be confusing to the public.

Mr. Ardaman stated that including the definition of financial matters is important because requiring super majority vote on financial matters may paralyze the commission from making decisions on the budget, millage rate and purchasing matters, for example.

City Attorney Dan Langley said the language could be shortened but recommends defining financial matters for clarity. He said it would be more constraining to list all items where supermajority votes would be required as opposed to listing when super majority is not required.

Commissioner DeCiccio said she feels the language needs to be clear as to when super majority vote is not required.

Mayor Anderson commented on enacting this by charter amendment versus ordinance. Mr. Ardaman stated that a charter amendment is a stronger barrier to revocation as a future commission could not revoke the requirement without a subsequent charter amendment.

Commissioner Sullivan suggested if a charter amendment enables the Commission to impose a supermajority vote, then enacting a supermajority on a specific item must be approved with a super majority vote and may be revoked only through a super majority vote.

Commissioner Weaver said he is opposed to enacting this by ordinance and would prefer it be done by charter amendment.

In-depth discussion was held on options for enacting super majority vote, matters where super majority would be required, ballot language such as land use, up-zoning, disposal of city assets. General consensus was look further at provisions to be provided by the attorney and make decisions on how to proceed.

Commissioner Cooper addressed the current charter language that relates to changes in substance in the text of an ordinance that constitute first reading. She noted the attorney's opinion that a change to the title, not the text, constitutes a substantive change. She presented proposed language to clarify the current provision.

Mr. Langley said the proposed language clarifies the charter provision using the same language used by the Florida Supreme Court outlining situations where second reading reverts to first reading due to changes; however, it does not change the meaning of the charter. Discussion followed the charter language and defining "significant change" more strictly than the Florida Supreme Court. Consensus was to have the City Attorney draft an ordinance with for consideration.

The meeting recessed at 5:52 and reconvened at 6:00 p.m.

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

Lawanda Thompson, 664 W. Lyman Avenue, spoke on the decisions on the ARPA funding and feels that the $2 million threshold is too high. She suggested another round of funding for those that do not qualify for federal funds.

11) Public Hearings

a. RESOLUTION 2248-21: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CITY OF WINTER PARK TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title and explained that this resolution establishes the opportunity for the city receive funds from settlement of opioid cases against pharmaceutical companies. Mr. Knight noted that the funds were estimated at less than $10,000 and that the only cost to the city is administrative costs.

Motion made by Commissioner Sullivan to adopt the resolution; seconded by Mayor Anderson. There were no public comments.

Commissioner Cooper stated that the only reason she is supporting this resolution is because she understands there has been inappropriate activities by pharmaceutical companies.

Upon a roll call vote, Mayor Anderson and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

b. ORDINANCE 3207-21: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58, ARTICLE I, COMPREHENSIVE PLAN, FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF OFFICE TO SINGLE-FAMILY RESIDENTIAL ON LOTS 25, 26 AND 27 OF BLOCK A OF THE ALOMA - SECTION I PLAT ON THE CORNER OF LOCH LOMOND DRIVE AND MORAY LANE. (Second reading)

Attorney Ardaman read ordinance by title.

Motion made by Commissioner Cooper to adopt the ordinance on second reading; seconded by; seconded by Commissioner Weaver. 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.**

12) City Commission Reports

Commissioner Sullivan

- Spoke on the Soko marketplace which takes place on Sundays in Hannibal Square which was started by Equity Council Corp. Proceeds support the Hannibal Square neighborhood through cultural programs and initiatives. Its annual Juneteenth celebration, Knowing and Remembering, is June 19th at the Community Center.

Commissioner DeCiccio

- Said she will serve as commission liaison for the CRA Advisory Board.

Commissioner Cooper

- Said she will serve as liaison to the Economic Development Advisory Board.
- Asked staff to look at parking lot landscape codes and requiring more landscaping.
- Suggested a program to recognize best landscaping project through EDAB.
- Suggested starting to accept applications for the OAO Appearance Review Board.
- Spoke on renaming 17-92 to Winter Park Blvd. Mr. Knight stated the similarity to Winter Park Road may cause issues with public safety.

<u>Commissioner Weaver</u>

- Thanked Chief Deal and Division Chief Biles for increased police presence on Aloma/Osceola/Fairbanks Avenue.
- Said he has received a request from residents for a 4-way stop at Interlachen and Canton. Staff advised there is an online request form to request a traffic study.
- Announced that the Historical Society will present a new Rollins exhibit on June 14th from 5-8 at Farmers Market.
- Proposed a community meeting in the community center with west-side residents to hear suggestions on better representation.
- Thanked IT staff on the closed captioning.

<u>Mayor Anderson</u>

- Expressed his appreciation for staff's work on supporting work sessions and meetings and the commission for the additional hours dedicated to work sessions.

13) Summary of Meeting Actions

- Approved the Consent Agenda
- Prioritized future work sessions with top three being mobility/impact fees, strategic planning and the OAO.
- Schedule an additional work session each month to address prioritized list or add as a discussion item to regular meeting with short agenda.
- Approved the resolution related to opioid settlement funds.
- Bring back supermajority ordinance for further discussion.
- Schedule broadband committee and scope for next meeting.
- Approved land use change ordinance for properties on Loch Lomond.
- Commissioner DeCiccio will be commission liaison to CRA Advisory Board and Commissioner Cooper liaison to EDAB.
- Directed staff to look at the parking lot landscape code.
- Begin taking applications for the OAO Appearance Review Board.
- Conduct traffic study for a 4-way stop at Interlachen and Canton

14) Adjournment

The meeting was adjourned at 6:39.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis