City Commission
Regular Meeting Minutes

April 12, 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; 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 Troy East, New Hope Missionary Baptist Church, gave the invocation followed by the Pledge of Allegiance.

3) Approval of Agenda

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

4) Selection of Vice-Mayor

Motion made by Mayor Anderson to nominate Commissioner DeCiccio Vice-Mayor; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.

5) Mayor Report

a. Proclamation for Earth Month

Director of Natural Resources and Sustainability Gloria Eby introduced the department's staff and Debbie Watson, Executive Vice President, and Lindsay Kist, Communications and Marketing Director of WP Health Foundation, city partner for the 2023 Ward and Wellbeing Earth Day Block Party. Mayor Anderson read the proclamation declaring April 2023 as Earth Month. Ms. Kist encouraged everyone to attend the block party on April 22.

Mayor Anderson reported his appointment of Mathew Downs to the Community Redevelopment Advisory Board.

He expressed appreciation to Commissioner Weaver for his service as Vice-Mayor.

6) City Manager Report

Mr. Knight reminded the commission of the groundbreaking for Seven Oaks Park, tomorrow at 10:00 a.m.

7) City Attorney Report

8) Non-Action Items

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

10) Consent Agenda

a. Approve the minutes of the regular meeting, March 22, 2023.
b. Approve the minutes of the work session, March 23, 2023 (Pulled by Mayor Anderson)
c. Approve the following formal solicitations:
    1. Lewis Outdoor Solutions LLC - IFB11-23 - Landscape Maintenance for City of Winter Park Facilities; Amount: $239,399
    2. Baxter & Woodman, Inc. - RFQ6-23 - Professional Stormwater Management Engineering Services
    3. Geosyntec Consultants, Inc. - RFQ6-23 - Professional Stormwater Management Engineering Services
    4. Singhofen and Associates, Inc. - RFQ6-23 - Professional Stormwater Management Engineering Services
    5. NV5, Inc. - RFQ7-23 - Professional Geotechnical and Environmental Consulting Services
    6. Pond and Company - RFQ7-23 - Professional Geotechnical and Environmental Consulting Services
    7. Terracon Consultants, Inc. - RFQ7-23 - Professional Geotechnical and Environmental Consulting Services
    8. Andrew Luy - RFP12-23 - MLK Park Call for Artist Rebid; Amount not to exceed: $450,000
    9. US Digital Designs by Honeywell International, Inc. - RFP9-23 - Fire Station Alerting System
d. Approve the following piggyback contracts:
    1. Florida PPE Services - Volusia County Contract #ROA 22-B-119AK - Cleaning, Inspection and Repair of PPE; For services on an as-needed basis during the term of the Agreement through January 24, 2026; Amount: $175,000
    2. Amazon.com Services LLC - Omnia Partners Contract #MA3457 - Online Marketplace; For commodities on an as-needed basis during the term of the Agreement through May 5, 2025; Amount: $350,000

e. Approve the following contract:
   1. Monument Warehouse, LLC - RFP19-21 - Pineywood Cemetery Columbarium Amendment 1; Amount: $119,880
f. Acceptance of three Conservation Easements from the Morse/Genius Foundations.
g. Approve ARPA Funding Allocations - Dinky Dock Improvements
h Open an account with Cogent

Mayor Anderson pulled Item b. **Motion made by Mayor Anderson to approve the Consent Agenda except Item b; seconded by Commissioner Weaver. Motion carried unanimously with a 5-0 vote.**

Item b: Mayor Anderson recalled discussion in the work session about the year 2042 being a breakpoint on an interim goal and suggested amending the minutes (page 3, 1st paragraph) by adding a sentence that states there was a discussion of 2042 as a possible interim target date when some of the future technologies might become more affordable.

Commissioner Sullivan emphasized the importance of questions he raised in the work session and said although the minutes are accurate, he feels the minutes do not reflect how strongly he felt about those items.

Motion made by Mayor Anderson to approve Item b as amended (adding sentence suggested by Mayor Anderson); seconded by Commissioner DeCiccio. Motion carried unanimously with a 5-0 vote.

11) Action Items Requiring Discussion

a. Public Art Funding Source

Assistant Director of Communications Craig O'Neal presented this request of the Public Art Advisory Board to implement a funding source for public art.

Director of Finance Wes Hamil reviewed the proposed funding, which is the same as parks acquisition fund that receives 10% of the increase in general fund reserves.

Public Art Advisory Board members Elizabeth Ingram and Tinker Marsh spoke of the need for public art funding and urged the commission to approve the policy.

Mr. Hamil responded to questions stating that it is hard to predict the future unassigned general fund balance and the funding amount will not be known until the audit is complete in March. Mr. O'Neil stressed the importance of funding and identified some of the Board's proposed projects.

Motion made by Commissioner DeCiccio to approve the policy; seconded by Commissioner Sullivan. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

b. Discussion on possible relocation of the Winter Park Playhouse to Seven Oaks Park

Mayor Anderson said the purpose of this discussion is to hear from all parties and the public with a follow-up discussion in the tomorrow's work session.

Heather Alexander, Executive Director of Winter Park Playhouse noted that this proposal does not take any park space. They retained an architect to design the building as suggested by Commissioner Weaver using a portion of the existing parking lot.

Mark Adams, 1118 Architecture, 1011 E. Colonial Drive, gave a presentation on the proposed plan and showed renderings of the building with parking beneath the theater.

Mayor Anderson said this is a very creative idea and is one pathway to activate the park. One question to be answered is whether the park should be activated and if so, what are some of the ways to activate it. He questioned the funding path and the potential for a CRA partnership for the current location and whether there is flexibility to modify the existing building in order to keep it on Orange Avenue (within the CRA).

Ms. Alexander noted their existing lease ends August 2024 and the property is on the market and their continued use depends on the buyer. They are open to other alternatives but timing is a challenge and they are more interested in this proposal that staying where they are and cannot pay the asking price which is above the appraised value.

Mayor Anderson noted three points for discussion 1) if this is done, should the 10,000 sq. ft. pad in the park remain greenspace, 2) if we activate the park in this manner, are there other ways to activate to serve a broader range of people, and 3) should we build anything over the parking.

Commissioner Weaver noted the benefits of this plan: it does not use any greenspace, it provides an opportunity for exfiltration; hides a parking lot and reduces the heat island effect, provides an opportunity for solar energy which would reduce future costs, costs less than building a parking garage, increases greenspace with elimination of the 10,000 sq. ft. pad. Overall, he feels this is better than a paved parking lot.

Commissioner Sullivan supported efforts to keep the Playhouse in Winter Park as he feels it is a regional treasure and has economic benefit. He spoke about initial and ongoing costs and stressed the need for more concrete information and a plan before acting.

Commissioner DeCiccio explained the city would dedicate the land but the Playhouse would build and maintain the property which would revert to the city if it was not used by the Playhouse. Consideration must be given to residents' desire to maintain greenspace and a community meeting is needed before moving forward. She strongly supported helping to keep the Playhouse in Winter Park.

Commissioner Cruzada said he feels this is a good idea and the Playhouse has a place in Winter Park; however, he is concerned about the numbers and funding. He encouraged the Playhouse to consider staying in its current location to obtain funding through the Tourist Development Tax (TDT) funding.

Mr. Knight noted that TDT funding application period is open but is closing soon. The city was considering submitting a placeholder application since it typically requires "shovel-ready" plans.

Commissioner Weaver said he is not proposing the city fund any portion of this project but to commit to solar power and exfiltration under the parking lot. He suggested the parking lot could be restriped in the interim when community meetings are held. He spoke about the dedicated 10,000 sq. ft. pad in the park plan and proposed splitting the pad with a portion designed for additional parking.

Discussion was held on delaying a decision on the pad and leaving the pad as designated in the current plan until this process is complete and after community input is received.

Mayor Anderson asked for the status of the road work and the surface lot improvement project. Ms. del Valle explained that the presentations from contract managers for both projects combined have been scheduled; however, the city could separate the contract into the road work and parking lot. Discussion followed an whether to separate the contract.

Motion made by Commissioner Weaver to continue contracting for the entire Seven Oaks Park plan without paving the large parking lot; seconded by Commissioner Sullivan.

Discussion was held on exfiltration plans and stormwater treatment.

Michael Perelman, 1010 Greentree Drive, spoke in favor of using the parking lot as a resource rather than putting a concrete pad in the park. He expressed concern about the timeline, costs and impact of the building process on the park. He supported the Playhouse but said there may be interest from other organizations and he opposed using public funds to facilitate this building, including using CRA funds.

Vicki Krueger, 940 W. Canton Avenue, urged the commission to pursue this opportunity but suggested increasing parking or reducing the seating capacity of the theater and also suggested consideration of a rooftop garden.

Sharon Wissert, 1051 Weaver Drive, Oviedo, spoke about her experiences attending programs at the Playhouse and dining in Winter Par and urged the commission to support the Playhouse.

Heather Alexander, Executive Director of the Playhouse, said the Playhouse is a gathering space for all residents and serves the community in many ways, in part by providing free programming to local non-profits. She stressed that they will be raising funds for construction of the building and will receive no funding from the city. She noted that the current parking situation is dangerous and under the proposed plan, parking impact will be insignificant since large groups typically arrive by bus.

Elizabeth Ingram, 1305 Place Vendome, supported the proposal and using this as an opportunity to display public art and also completing the park.

Mayor Anderson noted that this discussion will be continued in tomorrow's work session, in addition to a discussion on the use of the old library.

Motion carried unanimously with a 5-0 vote.

A recess was held from 5:10 to 5:23 p.m.

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

Ron Battle was called to speak but yielded his time to another Daniel Knight family member.

Mary Jane Fries, Fairway Drive, addressed Fairway Drive stormwater drainage issues and asked the city to expedite the work to eliminate flooding from the golf course, specifically the 9th Fairway, and parking lots behind homes on Fairway Drive.

Barbara Chandler, 937 South Pennsylvania Avenue, representing Coalition for Access and Representation and Equity Council, spoke about the death of Daniel Knight. She said she is disturbed by the city's handling of this case and urged the city to create a diversity council and develop a solution to keep residents and visitors safe.

Jamie Rodriguez, friend of the Knight family, spoke about the wedding events on the day of Daniel Knight's death and impact on the family and friends. She asked for release of video from wedding venue.

Jennel Smith, sister of Daniel Knight, expressed her concern about the Police Department's handling of case and her hope for more compassion for the family.

Carol Everett, 730 W. New England Avenue, spoke about floods in 2022 and asked for the status of newsletter to Hannibal Square residents regarding flooding and infrastructure repairs. She expressed her concern about flooding, lowering of lake levels and plans to prevent flooding.

Cynthia Hasenau, representing Mead Botanical Garden, thanked the commission and management for supporting the parks and recreation department and staff for their work after the hurricanes and flooding. She spoke about the successful events at Mead Garden.

Bernadette Wasman, 880 W. New England, spoke about the loss of her car and use of home due to the hurricane and flooding and asked what is being done to prevent future flooding.

Commissioner DeCiccio advised that the city has commissioned a study to determine reasons for flooding. Mr. Knight added that contractor has been approved. Mayor Anderson asked that staff reach out to the residents.

Katrina Knight Hall, sister of Daniel Knight,1638 Walla Road, Lakeland, showed a video of Daniel Knight and spoke about the family's difficulty in moving forward. She asked the city to release the venue video or that the family be allowed to privately view the video.

Bonnie Hamilton, 701 Douglas Avenue, spoke about impact of flooding from storms last year and asked what action the city is taking to prevent future flooding, specifically lowering lake levels and infrastructure repairs. She said residents are not getting promised communication on proposed plans.

Mayor Anderson thanked the Knight family for being present, speaking about the tragic event and sharing memories and photos of Daniel. Staff will work move forward to bring closure. He said staff will rectify communications to Hannibal Square residents and said the work session on hurricane preparedness is scheduled for June 13.

c. Fuel Adjustment Policy Draft - Wes Hamil

Mr. Hamil said this policy was prepared at the request of the Utilities Advisory Board to better define parameters on adjustment of fuel cost recovery rates. He spoke about fuel and natural gas cost fluctuation and reviewed charts illustrating rate adjustments. He reviewed proposed policy changes which include a fuel cost stabilization fund target of 10% of the annual fuel budget and other trigger points for rate adjustments. He responded to questions stating the city's goal is to increase rates annually. Fluctuating rates may require interim changes, but staff's goal is to adjust rates no more than quarterly.

Mayor Anderson commended staff their work to maintain customer rates.

Staff responded to questions and discussion followed on fuel rate adjustments, targeted fund balance, timing and impact. Mr. Knight noted that this policy allows some flexibility to adjust rates and was submitted to the Public Service Commission to inform them of the rate structure as required.

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

12) Public Hearings: Quasi-Judicial Matters

a. Request by Winter Park National Bank to re-establish and extend the Conditional Use approval for a three-story building with one drive-in teller at 345 Carolina Avenue. (2nd hearing)

Motion made by Commissioner Weaver to approve the request; 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.**

b. Request of Hill/Gray Seven LLC for Conditional Use Approval to develop a 3,331 square-foot bank with drive-thru, and a 11,000 square-foot office building for the property located at 900 & 950 N. Orlando Avenue, zoned C-3.

Planner John Harbilas reviewed the request showing the site plan and staff's alternate site plan which would provide more landscaping along Lee Road and 17-92 without loss of building square footage or parking. He showed renderings of the bank and office building and said the Planning and Zoning Board recommended approval with four conditions which the applicant has met with its revised plan.

Rebecca Wilson, attorney for the applicant, said exfiltration system is onsite and spoke about the landscaping plan with the agreement of mature landscaping at the corner and knee wall on the west side.

Mayor Anderson asked about the possibility of eliminating a row of parking in order to increase the tree canopy. Ms. Wilson said increased parking is needed since the bank is closing three branches and merging to this one location and that parking could be used by adjacent building.

Motion made by Commissioner Weaver to approve as recommended; 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.**

13) Public Hearings: Non-Quasi-Judicial Matters

a. Request of the City of Winter Park for: An Ordinance to extend the expiration of conditional use and variance approvals. TABLED FROM MARCH 22, 2023. (1st reading)

Attorney Langley read the ordinance by title. Director of Planning and Community Development Jeff Briggs reviewed the proposed changes which extends the expiration of conditional use and variance approvals to three and two years respectively. It also reaffirms the city's expectation that there be no significant changes between the preliminary and final plan which would require restarting at preliminary plan approval.

Motion made by Mayor Anderson 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.**

14) City Commission Reports

Commissioner Sullivan - No Report

Commissioner DeCiccio –
- Spoke about traffic backup at Denning Drive from Fairbanks to Morse and noted that the turn lane should be completed in the fall.
- Stressed the need to move quickly to resolve the parking at the Library and Event Center due to visitors use of the parking garage across Harper Street.

Commissioner Cruzada - No Report

Commissioner Weaver -
- Spoke about safety issues at Executive Drive, Bennett and Lee Road.

Mayor Anderson -
- Reiterated storm preparedness issues and asked for a preview of the hurricane preparedness plan in advance of the work session and to distribute to the community. He asked that staff reach out to Ms. Wasman to assist in finding funding options to complete repairs to her home.
- Reported on Orlando Mayor Dyer remarks made at League of Women Voters meeting about the ongoing collaboration of local agencies.

15) Summary of Meeting Actions

- Selected Commissioner DeCiccio as Vice-Mayor.
- Presented Proclamation for Earth Day.
- Appointed Matthew Downs to Community Redevelopment Advisory Board (Mayor Anderson)
- Received reminder of Seven Oaks Park groundbreaking on Thursday at 10 a.m.
- Approved Consent Agenda with amendment to the work session minutes.
- Approved policy for public art funding.
- Discussed Winter Park Playhouse and agreed to move forward with planned improvements to Seven Oaks Park withholding section of large parking lot with further discussion in the work session.
- Approved fuel adjustment policy.
- Approved extension of conditional use for Winter Park National Bank.
- Approved conditional use for bank and office building at 17-92/Lee Road.
- Approved ordinance modifying length of conditional use and variance approvals.

- Staff to provide preview of hurricane plan and date for community meeting on the hurricane plan.

16) Adjournment

The meeting was adjourned at 6:46 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis