City Commission
Regular Meeting Minutes

March 22, 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, Todd Cruzada, Todd Weaver (arrived at 3:42 p.m.); City Manager Randy Knight; Assistant City Manager Michelle del Valle; City Attorney Kurt Ardaman; City Clerk Rene Cranis.

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 3:34 p.m.

2) Invocation

Pastor Shawn Garvey, First Congregational Church of Winter Park, gave the invocation followed by the Pledge of Allegiance.

3) Oaths of Office

Commissioner Sullivan was issued the ceremonial oath of office by his wife and Commissioner DeCiccio was issued the oath of office by her husband.

4) Approval of Agenda

Mayor Anderson noted that staff has requested that Item 13a be tabled. Agenda was approved by consensus. Commissioner Weaver was not present.

Commissioner Weaver arrived at 3:42 p.m.

5) Mayor Report

Mayor Anderson spoke about the city's renewable energy efforts which will be addressed in the work session on March 23rd.

6) City Manager Report

Mr. Knight advised that the required auditor report will be delayed due to complications with utility conversion program and will be presented in the second meeting in April.

a. FY 2023 Third Quarter Work Session Schedule

Mayor Anderson suggested holding the May 25th work session open for possible future discussion of the electric feasibility study. Approved by consensus.

7) City Attorney Report

8) Non-Action Items

9) Public Comments | 5 p.m. or soon thereafter (taken after Commission Reports)

10) Consent Agenda

a. Approve the minutes of the regular meeting, March 8, 2023
b. Approve the minutes of the work session, March 9, 2023
c. Approve the following piggyback contracts:
   1. ACF Standby Systems, LLC - Sourcewell Contract #092222 - Electrical Energy Power Generation Equipment; For goods on an as-needed basis during the remainder of the current term of the Agreement through November 22, 2026; Amount: $750,000.
   2. Siteone Landscape Supply, LLC - Orange County Public Schools Contract #ITB2202048 - Ant Bait & Herbicides Products; For goods on an as-needed basis during the term of the Agreement through April 26, 2024; Amount: $125,000.
d. Approve the following contract:
   1. Ceres Environmental Services, Inc. - RFP5-18 - Emergency Debris Management Services; Amount: $75,000 for services on an as needed basis for the remainder of the current term through May 25, 2023.

Motion made by Commissioner Weaver to approve the Consent Agenda; seconded by Commissioner Cruzada. Motion carried unanimously with a 5-0 vote.

11) Action Items Requiring Discussion

a. Solid Waste Services - Contract extension with Waste Pro

Mayor Anderson noted the options being presented: a three-year extension or seven-year extension with a provision for conversion of trucks to natural gas by January 2024, replacement of existing carts and change in rates.

Commissioner Weaver suggested that there may be a benefit to consider a 4½ year term as a way to hold rates against future inflation and convert one-half of their trucks to natural gas.

Commissioner DeCiccio supported a three-year term which she feels will incentivize Waste Pro to work for conversion of trucks to natural gas and renewal in three years.

Mayor Anderson asked, given the desire for natural gas trucks and to improve conditions on Center Street, if there was sufficient time to solicit bids. Ms. del Valle responded that the contract has a six-month window built in so the city could go to bid, if the commission rejects the three-year extension and have a contract in place by October 1st when the contract would renew. Staff will be bringing forward a proposal for

Center Street modifications after hosting meetings with Park Avenue merchants and the Chamber of Commerce to gain feedback. She feels is not feasible to complete a full proposal for Center Street in six months. Staff is still looking some interim options. Mr. Knight said a three-year extension would allow time for implementation of Center Street improvements.

Ms. del Valle advised that the contract requires a decision by March 30th. If the commission does nothing, the contract automatically renews for three-years; however, she believes the city could continue negotiations under an extension to the next meeting. She added that the city could approve a three-year extension and negotiate terms. Discussion followed on terms and options for improvements to Center Street.

Motion to approve a three-year extension and continue negotiations made Commissioner Sullivan; 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. Naming park at former Progress Point site.

Director of Communications Clarissa Howard outlined the process for naming the Progress Point site, media efforts and results of a survey, leading to the recommendation of Seven Oaks Park.

Motion made by Commissioner Weaver to approve naming of Seven Oaks Park; 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.**

Mrs. Howard advised the groundbreaking event will be on April 13th.

c. City Banner Policy Update

Motion made by Commissioner DeCiccio to approve the policy; seconded by Commissioner Weaver.

Bonnie Jackson, 3009 Temple Trail, spoke about her banner request made on behalf of Winter Park Republican Women Federated which was not addressed by the city. She questioned why her banner celebrating family was ignored and the request to display PRIDE banners was approved in 2021 and 2022. She feels the policy should only allow banners for city events and should define who owns the property.

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

Commissioner DeCiccio cited supreme court case regarding displaying flags and said the policy is modeled after that case and noted it applies only to city-owned property.

12) Public Hearings: Quasi-Judicial Matters

a. RESOLUTION 2270-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1424 CAVENDISH ROAD, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

Attorney Ardaman read the resolution by title.

Planning Technician Aaron Hull presented this request which received a positive recommendation from staff and Planning and Zoning Board.

Motion made by Commissioner Weaver to approve the resolution; seconded by Commissioner Cruzada. 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 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.

Director of Planning and Zoning Jeff Briggs presented this request, largely due to delays caused by the pandemic.

Motion made by Mayor Anderson to approve the request; 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.**

c. Request of R. B. Equities, Inc.: for Conditional Use approval to allow for the development of four two-story townhouses at 730 Minnesota Avenue, zoned R-3.

Mr. Briggs reviewed the conditional use request and site plan. The plan accomplishes staff's desire to preserve three live oak trees in the middle of the site surrounded by townhouses and received a positive recommendation from Planning and Zoning Board.

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

d. ORDINANCE 3268-23: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, VACATING AND ABANDONING A 15 FOOT-WIDE PORTION OF THE VIA TUSCANY RIGHT-OF-WAY DEDICATED BY MAITLAND SHORES FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "S", PAGE 68, OF THE PUBLIC RECORDS OF ORANGE COUNTY, LYING EAST OF

THE RESIDENTIAL LOT LOCATED AT 2433 VIA TUSCANY, WINTER PARK, FLORIDA, HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBER 32-31-30-5478-05-080 AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR CONFLICTS, RECORDING AND AN EFFECTIVE DATE. (2nd reading)

Attorney Ardaman read the ordinance by title

Motion made by Commissioner Weaver to adopt the ordinance; 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. REQUEST BY STAFF TO TABLE.

Tabled to April 12, 2023.

14) City Commission Reports

Mayor Anderson -

- Reported that Orange County Mayor Demings formed the Tourist Development Tax (TDT) Citizen Task Force to expand the input on alternatives for the TDT and at Mayor Demings request, he appointed Matthew Downs to the Task Force.

Commissioners Sullivan, DeCiccio and Cruzada - no report

Commissioner Weaver -

- Said the Winter Park Playhouse lease of their current location on Orange Avenue ends in 18 months. He suggested using the existing parking lot at Progress Point that would meet Playhouse needs. He reviewed proposed site layout with a building over parking and the many advantages and minimal disadvantages of this conceptual plan.

Winter Park Playhouse Executive Director Heather Alexander supported the plan which would allow them to move forward with a capital campaign and noted that this would be a long-term lease that she feels will complement park. The Playhouse would be responsible for building and maintenance but it would be a city asset.

After brief discussion on the FAR and importance of identifying the Playhouse needs, consensus was that staff meet with Ms. Alexander and bring forward their concept on seating, parking requirements, square footage and place on the April 12th agenda for discussion and then continue discussion in the April 13th work session.

A recess was held from 4:45 to 4:52 p.m.

Mayor Anderson asked Mr. Knight to distribute his comments on tomorrow's work session tomorrow to the rest of the commission.

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

Lawanda Thompson, 664 Lyman Avenue, spoke about the death of Daniel Knight last year at his niece's wedding. She expressed her anger that the city has not been transparent in releasing information about the incident and wants employees terminated for violating policy and the law. She asked that all videos and documents be released to the family.

Katrina Knight, sister of Daniel Knight, spoke about her brother's character, especially as a father. She asked for transparency and release of the FDLE report, medical report, autopsy report, unedited videos (bodycam and venue) and the officer's personnel records.

Janisha Knight-Paul, niece of Daniel Knight and wedding bride, said they have not filed litigation but will do so to get transparency because they feel the family has been ignored. She spoke about the emotional trauma of her family and her wedding guests and expressed hope for resolution and support of the commission to get transparency. Ms. Paul continued on behalf of Daniel Knight's sister, Jennel Smith. She reiterated the family's ongoing emotional trauma and stated that litigation would be filed to obtain transparency.

Patricia Keeby, grandmother of Daniel Knight, was called to speak but was unable. Lawanda Thompson spoke in her place about the city doing the right thing for the family, especially for the sake of his children. She feels this has tarnished the city and the city needs to take action.

Bonnie Jackson, 3009 Temple Trail, said she feels there is a lack of greenspace in Winter Park and is glad to see Progress Point become a park. She spoke against the city helping select non-profits and spending money for the benefit of one entity over another. She opposed the construction of buildings in the park.

Michael Anthony, 704 Kiwi Circle, spoke about the symbolism of PRIDE and the importance of acceptance of members of the LGBTQ community. He thanked community members who have supported PRIDE.

Julie Von Weller, 641 Williams Drive, said she feels there is a lack of community engagement and encouraged the city to improve community engagement.

Mayor Anderson said this has been a tragic event and hearts are with the people involved and impacted by this incident.

15) Summary of Meeting Actions

- Approved 3rd quarter work session schedule, holding May 25th for possible electric feasibility discussion.
- Approved the Consent Agenda.
- Approved a three-year extension of solid waste contract.
- Renamed Progress Point site to Seven Oaks Park.
- Approved the banner policy.
- Approved resolution designating 1424 Cavendish Road to Register of Historic Places.
- Extended conditional use approval for 345 Carolina Avenue.
- Approved conditional use for 730 Minnesota Avenue.
- Adopted ordinance vacating portion of 2433 Via Tuscany.
- Schedule discussion of Winter Park Playhouse on April 12th agenda and the April 13th work session.

16) Adjournment

Mayor Anderson adjourned the meeting at 5:24 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis