City Commission
Regular Meeting Minutes

March 10, 2021 at 3:30 p.m.

WP Community Center
721 W. New England Avenue | Winter Park, Florida

Present

Mayor Steven Leary
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

City Manager Randy Knight
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1) Meeting Called to Order

2) Invocation and Pledge of Allegiance

Father Richard Walsh, St. Margaret Mary Catholic Church, provided the invocation followed by the Pledge of the Allegiance.

3) Approval of Agenda

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

4) Mayor's Report

Mayor Leary congratulated Mayor-Elect Anderson and wished him the best.

5) City Manager's Report

Mr. Knight thanked Mayor Leary for his service as he concludes his final term on the Commission. He highlighted accomplishments during his tenure on the Commission and presented Mayor Leary with a gavel. Mayor Leary expressed his appreciation for the city's leadership and city staff and thanked the commission for their service and the residents for their participation.

Mr. Knight advised that public comment is anticipated regarding Austin's Coffee which is a tenant in the building proposed to be purchased by the city for Fairbanks Avenue road improvements. The City is going through the due diligence process for the property at 901 Fairbanks and is in negotiations with the owner of the properties from 929-957 Fairbanks which includes the property where Austin's Coffee is located. He stated that it could take many years to acquire the property needed for the road improvements and other uses such as the expansion of MLK Park. If the city acquires the property, it would continue leases until they expire or are extended.

Members of the Commission commented on the road improvements and the years-long process and expressed their intent to work with the property owners through this process.

Responding to questions, Mr. Knight gave an update on the following:

- Meeting with Chamber of Commerce Board of Directors - The Chamber Board met last week and he understands the Chamber considers the (debate) matter closed.
- Process for working with businesses to locate or relocate within the city – City staff, under his supervision, work together to identify suitable locations.
- Tourist development taxes which are down from last year - Mayor Leary said there been multiple conversations with the county and dollars are secure.
- Schedule of OAO forums - Transportation forum is on March 15th at 5:30 and the Progress Point forum is on March 17th at 5:30 p.m.
- Relocation of post office property – Two potential sites were identified: the former planned hotel site on the corner of Pennsylvania and Symonds and the northern end of the Voc Tech property, but neither have been approved by Post Office.

6) City Attorney's Report

Mr. Ardaman addressed virtual participation in meetings stating that during a state of emergency it does not count toward the city's limit on virtual participation of three times per calendar year and will not count toward that limit until the declaration of emergency has expired. He noted that on February 26th, the governor extended the declaration of emergency for 60 days.

7) Non-Action Items

8) Citizen Comments | 5 p.m. or soon thereafter (Heard after Public Hearings)

9) Consent Agenda

a. Approval of the minutes of the Regular Meeting, February 24, 2021
b. Approval of the minutes of the work session of February 25, 2021. **Pulled by Commissioner Cooper.**
c. Approval of the following contracts:
    1. Xylem Water Solutions USA, Inc. - Sole Source (SS21-24) -Flygt Products; Additional $100,000 for fiscal year;
    2. Gatso USA, Inc. - RFP13-09 - Red Light Safety Enforcement Program; Amount $110,000.
d. Approval of the following Piggyback contracts:
    1. Toptalent Staffing, LLC - Orange County Y18-174-MV -Temporary Labor - Permit Analyst Building Safety; Amount $102,000;

    2. Flowers Chemical Laboratories - City of Naples RFP 18-026 - Lab Testing Services; Amount $100,000.

e. Extend of completion date from March 30th to April 30th for Comprehensive Annual Financial Report for the Year Ended September 30, 2020.

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

Commissioner Cooper pulled Item 9b.

There were no public comments. **Motion to approve the Consent Agenda except Item b carried with a 4-1 vote. Mayor Leary voted no.**

Motion made by Commissioner Cooper to amend the Work Session minutes of February 25, 2021 on Page 4: Subarea J, Maximum Height, change height from 4 to 3 stories, Commissioner Cooper comments after Sub J, change "areas" to "alleys" and Policy 1-XXX, Parallel Orange Avenue, change "designated" to "dedicated;" seconded by Commissioner Weaver. There were no public comments. **Motion carried with a 4 - 1 vote. Mayor Leary voted no.**

10) Action Items Requiring Discussion

a. <u>26th Annual 4th of July Celebration</u>

Mr. Knight reviewed staff's plan to hold the 4th of July celebration on July 5th with pods, hand sanitizing stations, limited entertainment and other small events spread throughout Central Park. Approved by consensus.

11) Public Hearings

a. <u>Request of the Magruder Eye Institute: **Withdrawn at applicant's request**</u>.
To annex the properties at 279/283 Orange Terrace Drive; Drive; 450/460/470 Cambridge Blvd. and 2310 Devon Court and establish Parking Lot (PL) Future Land Use and Zoning and for Conditional Use approval to build a two-story, 32,000 sq. ft. medical office building on the combined properties including 2245 W. Fairbanks Avenue. (1st Reading)

b. <u>Request of McLaren Orlando LLC for</u>:
<u>ORDINANCE 3200-21</u> - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING ARTICLE III ZONING REGULATIONS OF CHAPTER 58 OF THE LAND DEVELOPMENT CODE TO AMEND SUBSECTION 58-76 COMMERCIAL (C-3) DISTRICT TO ESTABLISH A NEW CONDITIONAL USE FOR VEHICLE SALES SHOWROOM AND TO AMEND SUBSECTION 58-95 DEFINITIONS TO ESTABLISH

DEFINITIONS FOR CAR SALES BUSINESS, VEHICLE DEALERSHIP, VEHICLE SALES BUSINESS, AND VEHICLE SALES SHOWROOM. PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (2nd Reading)

Attorney Ardaman read the ordinance by title.

Jeff Briggs, Principal Planner, stated that this is second reading of the ordinance establishing definitions and conditional use provisions for vehicles sales showrooms and also for conditional use approval for McLaren Orlando to locate at 1111 S. Orlando Avenue with two conditions regarding the test drive route:

1. Exit McLaren parking lot onto southbound on 17/92, turn right onto Princeton Street to I-4 East, then exit on to eastbound Fairbanks Avenue and then onto southbound on 17/92 back to McLaren.
2. Entertain the idea of potentially going further east on I-4 to exit on to Lee Road or Maitland Avenue, but they will stay on main state corridors and avoiding residential streets and Orange Avenue.

Commissioner Cooper suggested limiting the size of vehicle sales showrooms on C-3 parcels to decrease the likelihood of a large number of showrooms in the city.

Motion made by Commissioner Cooper to modify the definition in Section 58-76 to limit the building size to 2 stories and 47,000 square feet and a maximum street frontage of 165 feet on a major arterial road. (Replaced by new motion)

Mr. Briggs explained that this does not approve any showrooms for any other properties and that there is no need to set standards since the commission will consider future applications on a case by case basis. Discussion followed on the need for limitations and the size of the McLaren building and property.

Mary Solik, attorney representing applicant, was present to answer questions and said she is agreeable to the conditions and is comfortable with Commissioner Cooper's changes as along as it does not impact this site.

Motion made by Commissioner Sullivan to adopt the ordinance on second reading; seconded by Commissioner DeCiccio.

Motion made by Commissioner Cooper to amend the motion adding under Section 58-76 that the footprint of the building shall not exceed 36,000 square feet and 165 feet frontage on a major arterial road and the building be limited to two stories; seconded by Commissioner Weaver.

Motion made by Commissioner Sullivan to approve the conditional use with the conditions as presented; seconded by Commissioner DeCiccio.

There were no public comments.

Upon a roll call vote on the amendment to the main motion, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted no. Motion failed with a 0 - 5 vote.

Upon a roll call vote on the motion to adopt the ordinance, Commissioners Sullivan, DeCiccio and Weaver voted yes. Mayor Leary and Commissioner Cooper voted no. Motion carried with a 3 - 2 vote.

Motion made by Commissioner Sullivan to approve the Conditional Use as presented, Commissioner Sullivan, DeCiccio and Weaver voted yes. Mayor Leary and Commissioner Cooper voted no. Motion carried with a 3 - 2 vote.

c. Ordinance vacating easement at 1021 Bonita Drive. (1st Reading)

Attorney Ardaman read the ordinance by title.

Mr. Briggs explained that this is at the request of current owners who found an easement that will impede construction by the new owner.

Motion made by Commissioner DeCiccio to approve the ordinance on first reading; seconded by Commissioner Weaver.

In response to Commissioner Cooper, Troy Attaway, Public Works Director, advised that current owner made the original request but the ordinance will be revised for second reading clarifying ownership.

There were no public comments.

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

d. Request of the City of Winter Park for:
ORDINANCE 3201-21 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO ESTABLISH COMMERCIAL FUTURE LAND USE ON THE ANNEXED PROPERTY AT 2269/2267/2265/2263/2261/2259/2257 KENTUCKY AVENUE AND TO INDICATE THE ANNEXATION ON THE OTHER MAPS WITHIN THE COMPREHENSIVE PLAN, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)

ORDINANCE 3202-21 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO ESTABLISH COMMERCIAL (C-3) ZONING ON THE ANNEXED PROPERTIES AT 2269/2267/2265/2263/2261/2259/ 2257 KENTUCKY AVENUE, MORE PARTICULARLY DESCRIBED HEREIN. (2nd Reading)

A simultaneous public hearing was held on these ordinances. Attorney Ardaman read the ordinances by title only.

Motion made by Commissioner Cooper to adopt both ordinances on second reading; seconded by Commissioner DeCiccio.

There were no public comments.

Upon a roll call vote on the motion to adopt Ordinance 3201-21, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper voted yes. Commissioner Weaver voted no. Motion carried with a 4 - 1 vote.

Upon a roll call vote on the motion to adopt Ordinance 3202-21, Mayor Leary and Commissioners Sullivan, DeCiccio and Cooper voted yes. Commissioner Weaver voted no. Motion carried with a 4 - 1 vote.

e. Electric Vehicle Readiness Ordinances
   ORDINANCE 3203-21 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING REGULATIONS" SUBSECTION 58-86 "OFF-STREET PARKING AND LOADING REGULATIONS" SO AS TO ADD REGULATIONS FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE IN MULTI-FAMILY AND NON-RESIDENTIAL PARKING LOTS AND PARKING GARAGES, PROVIDING FOR VESTING, CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. (2nd Reading)
   ORDINANCE 3204-21 - AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO BUILDINGS; AMENDING CHAPTER 22 TO INCORPORATE TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE REQUIRING ELECTRIC VEHICLE CHARGING PROVISIONS TO THE WINTER PARK BUILDING CODE; AND PROVIDING AN EFFECTIVE DATE. (2nd Reading)

A simultaneous public hearing was held on these ordinances. Attorney Ardaman read the ordinance by title.

Motion made by Commissioner Weaver to adopt both ordinances on second reading; seconded by Commissioner Sullivan.

There were no public comments.

Upon a roll call vote on the motion adopt Ordinance 3203-21, Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Mayor Leary voted no. Motion carried with a 4 - 1 vote.

Upon a roll call vote on the motion to adopt Ordinance 3204-21, Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Mayor Leary voted no. Motion carried with a 4 - 1 vote.

12) City Commission Reports

Commissioner Sullivan

- Addressed the Killarney neighborhood traffic plan suggesting that the installation of fire access gate could help resolve program. After discussion, consensus was place on the next regular meeting agenda rather than a work session.

Commissioner DeCiccio

- Commented on the recent stimulus bill that includes funds for cities. Mr. Knight stated that staff is aware and working on this.
- Expressed her concern for pedestrians at the traffic light at 17/92 and Gay Road and suggested that additional time is needed to cross. Sarah Walker, Transportation Manager, advised that staff has contacted FDOT and will follow up with them.

Commissioner Cooper

- Expressed her appreciation for the work of Patrick Doyle who passed away recently.
- Asked for list of city needs that were not included in the CIP.
- Advised that she will be participating in Legislative Action Days for the Florida League of Cities are March 15 – 19, virtually.

Commissioner Weaver

- Congratulated Commissioner Cooper on becoming a new grandmother.
- Spoke on the art in the new Library and suggested that a scale model of the tornado at Universal Studios which is educational and interactive.
- Said he met with planning staff to discuss reallocating designated CRA funds for on-street parking on Harper and Comstock to create a parking lot. He recommended purchasing the two parcels (with abandoned buildings and parking) between Fairbanks and Comstock and Denning and Ward Avenues to create parking for the ballfields at MLK Park and for rear access to businesses fronting on Fairbanks. Consensus to bring forward for discussion at a future meeting or in an OAO work session. (Clarified in March 24th meeting that his intent was to reallocate funds from Comstock parking, not Harper.)

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

Comments were received regarding the city's purchase of properties along Fairbanks Avenue for traffic improvements and the impact on the existing businesses, particularly Austin's Coffee. The following spoke about its significance and importance to themselves, artists that perform at Austin's and on the community's art and culture.

- Michael Adkins, 2267 Milltown Way, Lake Mary
- Arjun Gavindan, 511 Hillcrest Street
- Marcus Robinson, 181 Orlando Avenue
- Leonard Musselle, 201 Albert Street, Winter Springs
- Lindsey Demetree, 10201 Wetland Trail, Orlando
- Jackie Oswalt-Moore, owner of Austin's Coffee, 929 W. Fairbanks Avenue
- Jordan Morales, 2002 Strathaven Road
- Rachel Collins – Tillman, 564 Breckenridge Village, Unit 102, Altamonte Springs
- Bernard Martin, 1230 Richmond Road
- Kira Calvaresi, 1415 Sherbourne Street, Winter Garden
- Shelby Reynolds, 5006 Tangerine Avenue

13) Summary of Meeting Actions

- Approved Consent Agenda
- Approved hosting Fourth of July Celebration on July 5th.
- Approved McLaren requests.
- Approved the vacation easement at 1021 Bonita on first reading.
- Approved land use and zoning for properties on Kentucky Avenue
- Adopted electric vehicle readiness ordinances.
- Asked staff to provide a list of items requested by Departments but are not included in the 5-year CIP.
- Directed staff to look at parking options for MLK Park in lieu of on-street parking.
- Place Killarney neighborhood traffic discussion on the next agenda.

____
Mayor Phillip M. Anderson

ATTEST:

____
City Clerk Rene Cranis