



City Commission Special Meeting Minutes

February 11, 2021 at 1:00 p.m.

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

Present

Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Todd Weaver
Commissioner Carolyn Cooper (joined at 1:25)

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

Absent

Mayor Steve Leary

1) Meeting Called to Order

Mr. Knight opened the meeting. Commissioner Weaver chaired the meeting.

2) Approval of Agenda

3) Citizen Comments (items not on the agenda)

Citizen comments were heard after Commission opening remarks.

4) Action Items Requiring Discussion

Discuss accusations made in the Chamber of Commerce mayoral candidate debate on Friday, February 5th, and take action as deemed appropriate.

Commissioner DeCiccio stated the reason for this meeting is to address what she feels was an improper question presented during the Mayoral debate (held by the Chamber of Commerce in conjunction with The Mayflower) that commissioners "blatantly colluded" to oppose the Henderson Hotel. She stated the video of the debate is being aired daily at the Mayflower. She feels the question, submitted by an audience member and reviewed and approved by the Chamber, was loaded with false and inappropriate implications and should not be allowed in a political debate. She said she has not heard the Chamber take responsibility or apologize for allowing the question nor has anything been done to stop the video from playing at the Mayflower. She said it is not collusion when doing research, meeting with residents and staff and taking notes in preparation

for a commission meeting and making an informed decision. The question is whether the Chamber's role is to represent all the interests of Winter Park or has it become a lobbyist for developers and special interests, as she believes was done in the matter of the Henderson Hotel and the OAO. If Chamber is a lobbyist, then the relationship between the City and Chamber must change. To move past this, the Chamber should take responsibility and apologize to the commissioners and the city.

Commissioner Sullivan acknowledged the disappointment of many that Henderson Hotel was not approved and that the Chamber lobbied for the project. He stated that the number of residents opposing the hotel exceeded number in favor. He said the Chamber's disappointment in the "loss" of the hotel was reflected in the statement of the allegation. He cited the definition of collusion as said the statement was slanderous and an attack on his integrity. He asked that the Chamber take appropriate action to minimize the damage they have caused and expressed his hope to begin a dialogue to achieve an understanding and respect of each other's roles, objectives and priorities.

Commissioner Weaver expressed his concern that Chamber staff approved the question and is disturbed by the accusation. He said he would like to rectify the relationship. He commented on the Chamber's support of the hotel project that needed many deviations from the approved comp plan. He noted several projects approved during his tenure on the commission that required variances, rezoning or comp plan changes and commented on changes that were needed for the hotel project. He said he would like some interaction with the Chamber so he can understand its mission.

3) Citizen Comments (items not on the agenda)

Alex Payne, 420 Cambridge Blvd., as a nearby resident of the proposed Magruder facility, said he has talked to members of the Commission regarding the hotel project which shows that the commissioners are doing their job by preparing to act on request coming before the commission.

4) Action Items Requiring Discussion (continued)

Mary Black, 134 Dallas Avenue, spoke in support of the commissioners did their research and due diligence before making a decision on the Henderson Hotel. She feels the Chamber has betrayed the city's trust with the inappropriate and malicious question and the city should censure the Chamber and discontinue its relationship with the Chamber.

Commissioner Cooper joined the meeting at 1:25 p.m.

Nancy Shutts, 2010 Brandywine Drive, said she understands the commissioner's feeling of being attacked but feels the relationship with Chamber is critical to Winter Park and urged everyone to do what needs to be done to move on with business of the city.

Beth Hall, 516 Sylvan Drive, said she feels the Chamber owes the community, candidates and the commission an apology for maligning the commissioners.

Gigi Papa, 140 Hibiscus Avenue, questioned why this is so important to call a special meeting given the cancellation of the regular meeting on February 10th. She expressed her concern about commission members' open endorsement of candidate and feels sitting commissioners should not publicly support a candidate.

Frank Hamner, 1011 N. Wymore Road, said he feels this meeting is an abuse of power and that the publication of Chamber's lease appears to be an open threat in reaction to the question and attempt to quash free speech.

Bonnie Hansen, 400 Kilshore Lane, voiced her support of the commission.

Kim Woodham, 1321 Fairview Avenue, owner of three properties included in the Henderson Hotel plan, spoke on commissioners contact with residents on the project. She commented on the barriers that were placed on streets that exclude her from the Killarney neighborhood. She asked that the barriers be removed.

Bill Heagy, 2017 Howard Drive, said the Henderson Hotel is not the issue and that he is offended by the appearance of punitive attempts to quash freedom of speech by publishing the Chamber's lease. He said he feels the Commission should apologize for calling this meeting and abusing its power. He urged moving on to city business and let the voters choose their candidate.

Mark Michel, 275 E. Webster Avenue, said the commission has the responsibility to protect freedom of speech and everyone should be treated fairly and allowed to speak.

Bill Swartz, 2020 Taylor Avenue, commented on the need to move on and return to working on the issues that are important to everyone. He feels that the Chamber should focus on promoting local businesses not promote development.

Paul Twyford, 1288 Orange Avenue, said he believes the city is better if there is mutual support between the city and the Chamber and urged both parties to work toward a mutually agreeable path forward that benefits residents and businesses.

Commissioner Cooper said that this has damaged the Chamber/City relationship and is bad for the community. She believes that we need to return the age of civility and respect on a path that starts with a joint meeting with Chamber Board of Directors in a non-adversarial role and define the partnership. She suggested that the city adopt an ordinance prohibiting members of the Commission from supporting any candidates and that the Chamber adopt a policy that they will not take a public position on quasi-judicial matters that come before the Commission and that they will remove itself as an organization supporting a candidate

Commissioner Sullivan stated that the accusation of collusion is not protected speech but is slanderous and against the law. He stated that both entities answer to different constituents and as result have different objectives. He stressed the need to come to a common understanding and supported Commissioner Cooper's recommendation for a joint meeting.

Commissioner DeCiccio concurred with Commissioner Sullivan and said she feels there needs to be stricter protocol for taking questions from the audience. She asked for an apology from the Chamber in order to move forward and that the video be removed from the Mayflower.

Commissioner Weaver supported Commissioner Cooper's suggestion as a way of moving toward a resolution. He stated the statement/question was damaging to the city and feels the Chamber should take responsibility and act to correct.

Consensus was to schedule a work session with the Chamber Board of Directors.

Commissioner Sullivan addressed Mrs. Woodham's comments and traffic issues. Consensus was to have staff review and provide recommendations on alternate traffic plans and place on an upcoming agenda.

Commissioner Weaver asked for input on limiting the number of people allowed in meetings allow the public to watch elsewhere in the building. Mr. Knight advised that staff and the city attorney are doing research on limiting in-person participation.

Commissioner Sullivan asked for input the Chamber representatives. Derek Bruce, attorney representing the Chamber, stated that he has advised Chamber representatives not to speak. He said he feels the actual question was legitimate but the issue is in the lead-in to the question. The matter for discussion is whether or not the Chamber should have allowed the question as presented or without the lead-in. He feels it is most important to focus on what the commission, Chamber and residents could do together to make it better. The Chamber looks forward to a discussion on how to move forward productively. He responded to questions and stated that he has not been authorized to issue an apology.

In response to a question by Commissioner Cooper, City Attorney Ardaman cited law regarding defamatory statements and stated individuals have protective rights but cities and public entities do not have the same protective rights. He suggested proceeding with meeting unless the Chamber's representative states they are unwilling to meet.

Commissioner Weaver said that the Chamber should edit the video to remove the question and attach a public apology since the video cannot be removed from the public domain. Discussion followed on the Commission's request and need for a public apology before moving forward with a joint meeting.

Mr. Knight provided the following summary:

- Schedule a joint work session with Chamber Board of Directors
- Contact Mayflower to remove the video loop of the debate.
- Notify commissioners of any apology, or lack of apology.

The meeting adjourned at 3:08 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis