



City Commission Regular Meeting Minutes

January 27, 2020 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Steve Leary
Commissioner Greg Seidel
Commissioner Sarah Sprinkel
Commissioner Carolyn Cooper
Commissioner Todd Weaver

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

1. Meeting called to order

Mayor Leary called the meeting of the Winter Park City Commission to order at 3:53 p.m.

2. Invocation and Pledge of Allegiance

Lenise Joseph, Central Florida Freethought Community, provided the invocation followed by the Pledge of Allegiance.

3. Approval of Agenda

Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Seidel and carried unanimously with a 5-0 vote.

4. Mayor's Report

a. Presentation - Dr. Phillips Performing Arts Center

Kathy Ramsberger, showed a video on the previous year's data on attendance, shows, educational programs, and volunteer hours. She provided a financial overview including income and fundraising, accomplishments and outreach programs. She presented details on Steinmetz Hall and the green room and construction timeline with planned opening in the fall of 2020.

5. City Manager's Report

Mr. Knight advised the noise ordinance for residential neighborhoods will be on next agenda.

6. City Attorney's Report

Attorney Ardaman commented on a law suit and requested an executive session to discuss litigation strategies. Consensus was to schedule the executive session for February 10, 2020 at 2:45 p.m.

7. Non-Action Items

8. Citizen Comments

Heard after 5:00 p.m.

9. Consent Agenda

- a. Approve the following purchase:
 1. D&M Leasing: Fully electric 2020 Nissan Leaf SV (5 total) for the Building & Permitting Department as well 3 dual-head charging stations to be installed on city property; not to exceed \$157,162.
- b. Approve the following formal solicitation:
 1. Comp Air Service Co.: IFB-2-2020 - Air Compressors for Aloma & Magnolia Water Plants; \$154,968.

Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Seidel. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

10. Action Items requiring Discussion

- a. Winter Park Library and Events Center

Mr. Knight stated this was tabled from last meeting and a work session held to receive additional information.

Commissioner Seidel stated that he had asked for and received Brassfield & Gorrie projects that came under budget, for which he feels positive. He commented on the parking options provided by city staff, specifically Option 3 which removes the southern-most parking area along Harper. He supported moving the contract forward without Parking Lot C and initiate a parking study.

Mayor Leary noted that the city has a lease for parking spaces across the street that provides 300 parking spaces after hours and on weekends.

Commissioner Seidel suggested that staff complete a parking analysis within three months to determine best parking solution that will benefit the residents, users of the park and patrons of businesses in area. This would allow sufficient time for the study, design and implementation to coincide with the completion of the library and event center.

Mayor Leary summarized five items that were added back into the project:

1. Extruded aluminum special profile at the portals
2. Provide enhanced finish on all vertical concrete
3. Precast bench around plinth
4. Architect's recommended light fixture package
5. Oculus

Mr. Knight stated these items total \$567,226 which results in a GMP total of \$34,072,395 and a total budget of \$41,716,074 including soft and non-construction costs. He advised that if Lot B is added back and Lot C is deleted, the GMP would be reduced to \$33,699,816 with total project cost of \$41,343,495. He advised this does not include the cost of de-mucking which would increase the GMP to \$34,384,233 total budget to \$41,827,955.

Commissioner Cooper said she is opposed to putting back in Lot B due to the impact on the late and the creation of continuous parking along Harper Street.

Carlo Burns, Pizzuti Solutions, stated that Lot B provides parking to meet zoning requirements and also provides stormwater management. He stated that a decision on Lot B is needed quickly in order to move forward with stormwater management.

Motion made by Commissioner Seidel to approve as presented with \$41,827,955; seconded by Commissioner Sprinkel.

Motion made by Commissioner Seidel to remove the Canopy and change to Winter Park Library and Winter Park Events Center; seconded by Commissioner Sprinkel.

Motion made by Commissioner Cooper to phase the construction of the porte cochere and remove it from the base; seconded by Commissioner Weaver.

Motion made by Commissioner Cooper to phase the construction of the rooftop venue; seconded by Commissioner Weaver

Motion made by Commissioner Cooper to eliminate the rooftop venue from the project; seconded by Commissioner Weaver.

Commissioner Weaver, speaking as a resident, gave a presentation on the site and proximity of the parking lot and distance to library. He spoke in opposition to the porte cochere due to end \$1.5M cost. He reviewed his safety and liability concerns in the children's area, spiral staircase, lack of handrails in body of raked auditorium. He expressed his concerns about operations and maintenance, ability to meet the Library's program requirements, future expansion, parking and technology. He offered seven options to approval:

1. Wait for results of de-mucking
2. Build library only to allow for additional fundraising for event center
3. Complete redesign to meet the budget
4. Remodel existing library with parking garage (relocate Library to Orchard Supply location)
5. Remodel with two-story parking garage and additional two floors above the garage
6. Buy Orchard Supply property, relocate library
7. Stop work and pay back the bond.

He reviewed the current state on cost, funding, parking, site conditions, design, functionality challenges. He said he supports the library but funds need to be raised for the event center.

Motion made by Commissioner Weaver to redesign the project to meet the budget; seconded by Commissioner Cooper.

Motion made by Commissioner Weaver to remodel the existing library with a parking garage and two additional floors above the parking garage; seconded by Commissioner Cooper.

Motion made by Commissioner Weaver to delay approval of the budget until de-mucking and surcharging is finished. Failed for lack of second.

Commissioner Seidel provided the background on the process and funding sources from CRA funds and grants. He spoke in support of the project and is looking forward to having a facility city can be proud of.

The following spoke in favor of the project,

- Brad Doster, President of Winter Park Library Board of Trustees, 1581 Magnolia Avenue
- Nancy Shutts, 2010 Brandywine Drive
- Sabrina Bernat, Executive Director, Winter Park Public Library
- Robert Moore, 2313 Hawick Lane
- Rachel Simmons, archivist, Winter Park Public Library
- Jim Barnes, 7 Isle of Sicily
- David Odahowski, Edyth Bush Charitable Foundation, 199 E. Welbourne Avenue
- Elizabeth Florez, 683 Greene Drive
- Bob McClelland, Winter Park Library Board of Trustees, 444 Jo-Al-Ca Avenue
- Ellen Prague, 321 Beloit Avenue
- Ann Murrah, 1660 Summerland Avenue

The following spoke in opposition to the project:

- Peter Gottfried, 1841 Carollee Lane
- Jay Jurie, Sanford
- Cathy Richey, 1048 S. Kentucky Avenue
- Sally Flynn, 1400 Highland Road
- William Deuchler, 1245 Sunset Drive
- Barbara Anderson, 1016 Tuscany Place
- Marty Sullivan, 901 Georgia Avenue

Commissioner Seidel spoke in opposition to removing the porte cochere as it is an important part of architect's vision.

Commissioner Cooper stated she feels her responsibility as commissioner is broader than her personal support of the library and stated her opposition is due to the budget that exceeds bond issue.

Commissioner Weaver stated he feels the event center will be competition with other venues who rely on income from rentals. He said the construction cost per square foot is excessive and supported building the library only.

Mayor Leary pointed that library has said the project meets their needs and the event center will produce revenue. He thanked city staff and the design team and expressed his hope that this moves forward and is made the best for the city.

Upon a roll call vote on the motion to remove the Canopy and change to Winter Park Library and Winter Park Events Center, Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes and Mayor Leary voted no. Motion carried with a 4-1 vote.

Upon a roll call vote on the motion to phase the construction of the porte cochere and remove it from the base, Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the motion to phase the construction of the rooftop venue; Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the motion to eliminate the construction of the rooftop venue; Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the motion to redesign the project to meet the budget, Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the motion to remodel the existing library with a parking garage and two additional floors above the parking garage, Commissioners Cooper and Weaver voted yes and Mayor Leary and Commissioners Seidel and Sprinkel voted no. Motion failed with a 2-3 vote.

Upon a roll call vote on the main motion, Mayor Leary and Commissioners Seidel and Sprinkel voted yes and Commissioners Cooper and Weaver voted no. Motion carried with a 3-2 vote.

Mayor Leary called for a recess at 5:45 and reconvened the meeting at 6:00 p.m.

8. Citizen Comments

David Porter, Orlando, expressed his disappointment in having the Police Department's armored vehicle at the Martin Luther King Day festival.

LaWanda Thompson, 664 W. Lyman Avenue, opposed the armored vehicle at the festival and asked for solution for MLK Day so that it better represents Martin Luther King Day.

Jay Jurie, Sanford, stated he feels the display of the armored vehicle at MLK Festival was offensive. He urged rethinking and input from the affected community.

Lawanna Gelzer, 7674 St. Stephens Court, Orlando, provided a history of policing and mistrust of law enforcement and stated the presence of armored vehicle brought back bad memories.

b. Consideration of Letter of Intent (LOI) to purchase the USPS property located at 300 N. New York Avenue

Mr. Knight provided a brief history of this matter and stated this letter of intent expires tomorrow but Post Office representatives were aware of the need to bring this to the Commission for approval but are expecting a quick response. He explained that the attorney has proposed some changes that would close some gaps in the letter and that when getting to the purchase sell agreement stage some of the costs would be known of the new facility and land and to address time constraints to build a new facility. He asked authorization to move forward and for the City Attorney and him to negotiate an acceptable agreement. He said the cost of moving forward at this point is \$75,000.

Mayor Leary advised that there is a lot of support for the city to own the property but it is a matter of timing, cost, details and terms of contract.

Attorney Ardaman stated there are some key points in the LOI where at each step of the process the city can reconsider the terms or agree to the terms.

Commissioner Cooper provided a brief background on the city's communication with the post office to purchase the property and the terms of the letter. She spoke in favor of moving forward with attorney recommended clarifications in the LOI.

Motion made by Commissioner Cooper to authorize the City Manager and City Attorney to negotiate terms of LOI and return to City Commission for approval; seconded by Commissioner Weaver.

Mayor Leary questioned the city's willingness to pay up to \$10 million before paying \$75,000 to continue negotiations.

Commissioner Sprinkel expressed her concern with the terms of the contract, which indicate to her that the post office is not a willing seller. She said there are a number of terms that have to change before moving forward but she could not support \$10 million for the property.

Commissioner Cooper pointed out that nothing else in this letter is binding on either party. She said she feels the property is worth the \$75,000 investment.

Commissioner Weaver said he feels the highest and best use of property is parkland and supported moving forward.

In response to questions by the commission, Mr. Knight advised that the cost was in the range of \$4.5 to \$8.8 million, but it did not include the land acquisition for the retail component. He added that the retail component could be a condominium-type ownership.

Bob Bendick, 1211 Oxford Road, stated this is a rational first step to explore and move forward one step at a time.

Upon a roll call vote on the motion, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

11. Public Hearings

- a. RESOLUTION 2226-20: A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA APPROVING A LOCALLY FUNDED AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR DESIGN OF ADDITIONAL LANDSCAPE AND STREETSCAPE IMPROVEMENTS TO U.S. 17-92 FROM NORFOLK AVENUE TO MONROE STREET.

Attorney Ardaman read the resolution by title

Motion made by Commissioner Cooper to approve the resolution; seconded by Commissioner Seidel. There were no public comments made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.**

- b. Request of WP View LLC for:

Subdivision approval to split the vacant property at 694 N. New York Avenue, Zoned R-3, into 10 single family lots for development as 10 new single homes. Each proposed lot has 60-65 feet of lot width and 6,000-6,240 square feet of land area, which comply with the lot dimensions required for R-3 zoning.

Principal Planner Jeff Briggs presented the request to divide property into 10 single-family properties instead of 16 townhomes. He showed the layout with a common drive in rear of the lots. He stated no variances are requested and approval is recommended provided there is architectural diversity of the homes.

Commissioner Cooper stated she would like for the architecture to be complimentary to downtown architecture in adjacent historical district. Mr. Briggs stated the architecture will be up to the buyers which will create architectural diversity.

Commissioner Seidel said he is glad to see single-family homes with golf course frontage. He suggested that the lot widths vary.

Discussion followed on city's ability to require varying lot sizes and minimum lot widths. Mr. Briggs pointed out that lot widths below 50' require a variance. Mayor Leary said he feels a five-foot variation in lot width will be insignificant.

Chris Gardner, applicant, stated that he has had requests for varying lot sizes but nothing under contract. He said that the homes will have a wide variety of architecture but will be classy. He stated he is not opposed to smaller lot width.

Motion made by Commissioner Sprinkel to approve the subdivision request for ten lots with a minimum lot width of 50 feet; seconded by Commissioner Seidel.

Donna Colado, 327 Beloit Avenue, spoke in favor of this request.

Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

c. Request of the ORC 2611/2615 Lee Road LLC for:

Conditional Use approval to redevelop the properties at 2611 and 2615 Lee Road for a new Starbucks restaurant with a drive-thru component on these two properties zoned C-3.

Mr. Briggs reviewed the request which provides 300 parking spaces and rear access through the office parking lot to Wymore Road with directional sign on Wymore Road.

Motion made by Commissioner Sprinkel to approve the conditional use request; seconded by Commissioner Cooper. There were no public comments made. Upon a roll call vote Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

d. Request of the City of Winter Park for:

An Ordinance amending the Subdivision Regulations to allow consideration of the preservation of historic homes and/or historic specimen live oak trees as special conditions and circumstances for lot size variances subject to the normal public notice and public hearing process. (1)

Attorney Ardaman read the ordinance by title.

Mr. Briggs provided the background of this ordinance to allow consideration of preservation of historic homes or live oak trees as part requests for lot splits with lot size variances.

Motion made by Commissioner Cooper to approve the ordinance on first reading; seconded by Commissioner Sprinkel. There were no public comments made. Upon a roll call vote Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

e. Request of the City of Winter Park for:

An Ordinance amending the Zoning and Subdivision Regulations to clarify the procedures for applicants seeking to table, continue or postpone public hearings after such public hearings have been duly advertised. (1)

Attorney Ardaman read the ordinance by title.

Mr. Briggs provided the background and purpose of this ordinance which provides opportunities for applicants to table their request, once at Planning and Zoning Board and one at City Commission.

Motion made by Commissioner Sprinkel to approve the ordinance on first reading; seconded by Commissioner Cooper. There were no public comments made. Upon a roll call vote Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

f. Request of Samuel and Christine Hines for:

Subdivision approval to split the property at 1554 Harris Circle in order to allow the existing guesthouse at 1552 Harris Circle to become an independent lot with the ability to be sold separately. **Postponed to February 10, 2020 at applicant's request.**

12. City Commission Reports:

Commissioner Seidel

- Commended the Winter Park High School choir on their invitation to perform with the award-winning Aeolians of Oakwood University at the 5th Annual MLK concert at First United Methodist Church of Orlando.
- Announced that the national youth flag football champions are from Winter Park.
- Commended Bronce Stephenson on overlay. He recommended the next overlay would be Hannibal Square more for cultural value as well as commercial value.

Commissioner Sprinkel

- Commended staff on the Martin Luther King, Jr. Festival.
- Said she will be attending the State of College at Rollins tomorrow morning.

Commissioner Cooper

- Asked whether it is appropriate to rezone the city park at 1390 Orange Avenue from O-1 to parkland. Planning and Community Development Director Bronce Stephenson stated staff will prepare the ordinance and bring back for approval.
- Thanked everyone for their support of purchase of post office

Commissioner Weaver

- Stated the Chili for Charity event is on February 26th and the Fiddler's 5-k Run is on February 22nd.
- Encouraged everyone to register to vote prior to the deadline.

Mayor Leary

- Expressed his hope that everyone will come together on the library.
- Asked everyone to keep Parking Enforcement Officer Derek Tooley and his mother in their prayers.

The meeting adjourned at 7:15 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis, CMC