City Commission
Regular Meeting Minutes

January 11, 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 Kurt Ardaman; City Clerk Rene Cranis

1) Meeting Called to Order

Mayor Anderson called the meeting to order at 3:30 p.m.

2) Invocation

The invocation was given by Father Jared Jones, All Saints Episcopal Church, followed by the Pledge of Allegiance

3) Approval of Agenda

Motion made by Mayor Anderson to approve the agenda, moving Item 5b after Item 10b. Motion carried unanimously with a 5-0 vote.

4) Mayor Report

5) City Manager Report

- Progress Point Park - Construction fence around the site is scheduled to be installed tomorrow which will have a banner with the park rendering. A construction manager at risk will be retained and relocation of Palmetto will begin shortly.
- Utility bill format – some changes will be seen shortly; however, programming changes are required for display of graph/usage and meter details and are expected in 90 days.
- Fairbanks/Denning turn lane – in the process of obtaining FDOT approval.

Mayor Anderson spoke about utility rates. impact of fuel costs and progress with new utility billing system. He thanked staff for their work during the transition.

Discussion of FY 2023 Second Quarter Work Session Schedule was moved to Item 10.

6) City Attorney Report

The city closed on the property exchange with Elevation Financial.

7) Non-Action Items

8) Public Comments | 5 p.m. or soon thereafter (taken after Item 10a)

9) Consent Agenda

a. Approve the minutes of the regular meeting, December 14, 2022
b. Approve the minutes of the work session, December 15, 2022
c. Approve 360-day extension of the Broadband and Smart City Ad-Hoc Committee.
d. Approve the following contracts:
   1. Xylem Water Solutions USA, Inc. - SS23-12 - Flygt Products; Amount: $200,000 for goods on an as needed basis for the remainder of the current term through September 30, 2023.
   2. Matheson Tri-Gas, Inc. - Renewal of IFB16-21 - Purchase & Delivery of Liquid Oxygen; Amount: $230,000 for goods on an as needed basis for the duration of the term through January 11, 2024.
   3. CJ's Sales & Service of Ocala, Inc. - Renewal of IFB3-20 - Auxiliary Generator Maintenance; Amount: $300,000 for services on an as needed basis for the duration of the term through February 14, 2024.
   4. Kenick, Inc. - FY23-21 - Home Services Program; Amount: $80,000 for services on an as needed basis for the duration of the term through January 11, 2025.
   5. Florida Municipal Power Agency - Power Sales Contract - FL Solar 7 REPPA - Amendment 1; Rate Adjustment **(Removed by Mayor Anderson)**
e. Approve the following piggyback contracts:
   1. Home Depot USA, Inc. - US Communities Contract #16154 - Maintenance & Hardware Supplies; For goods on an as-needed basis during the term of the Agreement through December 31, 2026; Amount: $275,000.
   2. Bayside Dredging LLC - City of Tampa Contract #101100422 - Outfall Maintenance Services; For services on an as-needed basis during the term of the Agreement through December 15, 2023; Amount: $600,000.
   3. Monro, Inc. - State of Florida Contract #25172500-19-ACS - Tires, Tubes and Services (Goodyear); For goods on an as-needed basis during the term of the Agreement through March 31, 2024; Amount: $175,000.

Mayor Anderson asked to remove Item d5.

Motion made by Mayor Anderson to approve the Consent Agenda except Item d5; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

Item d5 – At the request of Mayor Anderson, Electric Utility Director Dan D'Alessandro stated this adjustment is on 10 megawatts with two future adjustments at 10 megawatts each. He said costs have risen but will still be lower than the cost of natural gas.

Motion made by Mayor Anderson to approve Item d5; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

10) Action Items Requiring Discussion

a. RFP18-22 Old Library Building Proposed Lease Consideration Deal Points and Presentation.

Director of Office of Management and Budget Peter Moore gave a brief summary of RFP process and negotiations.

Damien Madsen, proposer representing Harbert Realty, spoke about the process to this point. They are trying to adhere to the RFP for ground lease of the existing structure. However, costs have increased from $8M to almost $14M, partly because of renovation plans and partly due to code requirements which include a new elevator, relocation of restrooms, addition of at least one ADA compliant stairwell, replacement window glazing to improve wind load and additional windows. He explained the co-working concept and said they are very interested in doing this project despite staff's recommendation for denial. They would also be interested in purchasing the property if the city desires to sell.

He gave a presentation showing the existing site and noted that the proposal increases onsite parking to 78 spaces with an additional 20 secured from Rollins. The existing brick will be painted and outdoor architectural elements to modernize the building and two balconies will be added. He showed the proposed floor plan with the first floor focusing on health and wellness and the second and third floor plan, for which they have secured tenants. He showed conceptual plans for a new building they created after they learned of staff's recommendation for denial. The plan would allow for a more efficient site and parking plan. In addition, they developed a site plan with a one-level parking structure. They feel they are the right team and are prepared to move forward with any of the concepts presented. He spoke about the ground lease and asked that the city consider their $14M investment.

Commissioner Weaver said he believes the Historical Museum is still interested and meets the civic requirement; however, the space in building is not large enough. Mr. Madsen said they offered 2500 s.f. and will provide additional space if needed. The have a concept with the Museum space having an entrance on New England and shared use of the restrooms. Commissioner Weaver said the relocation of the Museum will allow its current location at Farmers Market to be converted a bride/groom suite.

Mr. Madsen said the city moves forward with a sale, the new building scenarios would be of similar scale and be driven by parking requirements. He wants what is best and feels coworking concept will serve the Winter Park community well.

Mayor Anderson noted the reduced parking needs of some businesses (financial services) and asked for parking needs based on use and coworking space. Mr. Madsen provided details on different coworking and spaces which require less parking.

Commissioner DeCiccio said she feels the parking situation will only worsen with high use components such as wellness and the loss of parking with upcoming Rollins development projects nearby. She believes the building needs to be demolished to maximize the property and have an energy-efficient building.

Mr. Madsen spoke about the cost to renovate versus the cost to demolish and rebuild and options that would alleviate parking needs.

In response to questions by Commissioner Sullivan, Mr. Knight said staff's opinion is that the RFP would have to be reissued if the parameters, (demolition of the building or sale of the property), were changed. Mr. Ardaman agreed.

Mr. Madsen said he is not in favor of releasing new RFP. If demolition is a consideration, they feel they should have first right, but understands selling the property would require a different approach. His team still wants to make it work under current guidelines; however, there is a difference between the rent they can pay and the rent the city would like to receive. He explained that because of increased costs, they cannot pay as much for the ground lease. He said they are willing to negotiate the ground lease amount in order to move forward.

Commissioner Weaver suggested adding a civic element by giving a portion of it to the Historical Museum. He believes the building is structurally sound; however, if the building is demolished and replaced, he supported parking on the first floor.

Mayor Anderson said the question is whether to accept best and final offer and if not, should negotiations continue toward something different or should it be taken in another direction. He asked whether this could be discussed further in a work session and how it would impact negotiations. Mr. Knight said a work session could be scheduled for January 26 with the commission as the negotiator. Discussion was held on options for moving forward, alternate uses and parking.

Mr. Ardaman said this could be continued in a work session with a vote taken in a regular meeting.

Mayor Anderson summarized the discussion that the financial terms are better with a new building than the existing building and options are worthy of additional discussion. Mr. Madsen agreed and asked whether the commission would consider putting Restoration Hardware in that location. Mayor Anderson noted the intent to move away from high traffic commercial use due to the proximity to residential neighborhood and its gateway to downtown. Discussion followed showrooms and parking and traffic impact.

Commissioner Sullivan recalled previous discussions to provide a type of arts and culture amenity or start-up business - something that does not exist today.

Motion made by Mayor Anderson to decline the current proposal on the table and move toward a negotiating work session in the next couple of weeks (January 26) to see if there is framework that could produce an acceptable result; seconded by Commissioner Weaver.

Commissioner Weaver withdrew his second because his preference is to continue negotiations based on keeping the existing building. Commissioner DeCiccio seconded the motion.

Mayor Anderson clarified that the work session would be a discussion of all options as a way to more forward and then continue negotiations with Mr. Madsen toward a plan that aligns with the city. Commissioner DeCiccio requested figures for different scenarios, which Mr. Madsen agreed to provide.

Robert Poynter, 1540 Grove Terrace, real estate appraiser, said if the city has a valid civic need then the city should move forward. If not, then the property should be sold and the proceeds should go toward the reduction of bond issue for new library. He urged the commission to find a solution that is responsible and would benefit the citizens

Mayor Anderson said for the work session, a parking ratio/analysis is needed to determine what use would be most appropriate. He feels this process has proven that the building has no economic value in keeping the building and may be more valuable as vacant land. The value is likely to be improved if the building is demolished and converted to open space. He said that concepts and numbers are needed for both lease and sale options. Mr. Madsen said they will do a sensitivity analysis and present models in the work session.

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

A recess was held from 5:20 to 5:36 p.m.

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

David Williams, 209 Tyree Lane, said he feels the city has failed to provide services on a scheduled basis and protect residential neighborhoods from unnecessary tree trimming which result in the destruction of trees. Mayor Anderson noted he has met with Mr. Williams, toured his neighborhood and has discussed issues with Mr. Knight.

Mary Jane Fries, 1123 Fairway Drive issues, spoke about flooding issues on Fairway Drive and asked for the city’s help to eliminate standing water on Fairway Drive. Mayor Anderson noted this will be part of the discussion in tomorrow's work session.

John Thompson, 1124 Fairway Drive, said there is ongoing flooding with stormwater on occasions not caused by hurricanes. He said it is typical for stormwater to flow through system and if there is blockage in storm system then it needs to be cleared.

Michael Perelman, 1010 Greentree Drive, asked for the timeline for putting utility usage history back on utility bills. Mr. Knight advised that the city is working with the vendor on billing issues which should be resolved in approximately 90 days.

b. 2023 State Legislative Priorities

Mr. Knight noted this list was formulated with the assistance of the city's lobbyist and include those that have the highest opportunity to be funded.

Motion made by Mayor Anderson to approve the priorities with the addition of acceleration of the Fix 426 Project; seconded by Commissioner DeCiccio. There were no public comments. **Motion carried unanimously with a 5-0 vote.**

11) Public Hearings: Quasi-Judicial Matters

12) Public Hearings: Non-Quasi-Judicial Matters

a. Ordinance - Vacating and abandoning portion of Elvin Avenue right-of-way (1st reading)

Attorney Ardaman read the ordinance by title.

Assistant Director of Public Works Don Marcotte reviewed the request of Dan Bellows for vacation of Elvin Avenue with Ravaudage.

Assistant Director of Planning Allison McGillis advised that there are no existing development applications for this section Ravaudage and understand this is planning for utilities and infrastructure for future projects.

Mayor Anderson asked if a vacation can be granted contingent upon approval of specific project. Mr. Ardaman said if additional information is needed, the commission should request the applicant to provide that information rather than placing conditions on the vacation.

Mrs. McGillis said per the Ravaudage development order this is part of the potential vacated road network.

Commissioner Weaver expressed his concern about the road network and the scale of the development which is almost all draining to Lake Gem. He would prefer to defer and allow the developer to complete other items in the original agreement. He showed pictures of existing conditions in this project - overgrown vegetation and condition of sidewalks and said he would like improvements to be made before vacating. He said he believes the original development agreement involved some improvements at Bennett and Lee Road and that the permitted improvements make the intersection worse.

Motion made by Commissioner Weaver to postpone this indefinitely until things are brought up to Winter Park standards; seconded by Mayor Anderson. (Failed for lack of second.)

Commissioner Sullivan agreed the conditions do not conform to Winter Park Standards but does not agree with denying or postponing the vacation.

Motion made by Mayor Anderson to amend the motion to table this to the next meeting, January 25, 2022.

Troy Attaway, Sydgan Company, explained this portion of Elvin goes to dead end and the vacation is being requested now because the developer now owns both parcels on either side of the road and is working on final infrastructure plans that will finish Ravaudage development.

Motion on amendment seconded by Commissioner Sullivan.

Discussion followed on utility improvements including stormwater treatment.

Mayor Anderson withdrew his motion to amend and second to the main motion.

Motion made by Commissioner Weaver to postpone indefinitely failed for lack of second.

Motion made by Mayor Anderson to table this to January 25, 2023; seconded by Commissioner Weaver. Upon a roll call vote, Commissioners Sullivan, DeCiccio Cruzada and Mayor Anderson voted yes. Commissioner Weaver voted no. Motion carried with a 4-1 vote.

5) City Manager Report (continued)

b. FY 2023 Second Quarter Work Session Schedule

Motion made by Commissioner Weaver to approve the proposed schedule for work sessions January - March 2023 with the addition of the Old Library RFP on January 25, 2023; seconded by Commissioner Sullivan. Motion carried unanimously with a 5-0 vote.

13) City Commission Reports

Commissioner Sullivan
- Asked for a public celebration onsite at Progress Point to let the public know what is happening. Approved by consensus.

Commissioner DeCiccio
- Asked that the Library make a presentation in the next meeting. Approved by consensus.

- Asked if there are any plans to repair brick roads in poor condition. Mr. Knight said staff with research and give report in next meeting.

Commissioner Cruzada

- Reported the appointment of Jay Trent to Community Redevelopment Advisory Board.

Commissioner Weaver

- Spoke about the inability of two boats to pass each other on Venetian Canal and suggested using the city's boathouse lots to widen the canal so boats can pass on the canal. Consensus was to present this to the Lakes and Waterways Board.
- Wished everyone well in 2023.

Mayor Anderson

- Reported that he met with and walked with Mr. David Williams in his neighborhood and was found some unkempt commercial property. He spoke with Mr. Knight about civic pride and suggested working with the Chamber and businesses to improve civic pride. He will be discussing these matters with Mr. Knight.

14) Summary of Meeting Actions

- Approved the Consent Agenda
- Rejected the old library proposal and scheduled it for a work session on January 26.
- approved legislative priorities with the addition of the acceleration of Fix 426 project.
- Tabled Elvin Avenue vacation to January 25, 2023
- Approved the 2nd quarter work session schedule with the addition of the old library discussion on January 26.
- Approved a celebratory event to kick-off of Progress Point Park renovation.
- Invite the Library to give a presentation in the January 25, 2023 meeting.

15) Adjournment

The meeting was adjourned at 6:27 p.m.

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Mayor Phillip M. Anderson

ATTEST:

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City Clerk Rene Cranis