



Lake Killarney Advisory Board Regular Minutes

June 29, 2022 at 10 a.m.

City Hall Commission Chambers
401 S. Park Ave. Winter Park

Present

LKAB Members: Chair Jeanne Wall, Joyce Cunningham, Jason Ellison, William Voecks, David Dickerson.

City of Winter Park: Gloria Eby; Director of Natural Resources and Sustainability, Joey Cordell; Lakes Division Manager, Don Marcotte; Assistant Director Public Works, Victoria Tabor; Recording Secretary, Gary Jacobs; Orange County Lake Killarney Board.

Absent: Carolyn Minear John Mitchell

(1) Call to Order

Meeting started by Chairwoman Jeanne Wall at 10:00 a.m. Jeanne Wall opened meeting stating as a side-note that the commission changed the board's name to Lake Killarney Board from Lake Killarney Advisory Board because the board is quasi-judicial. Jeanne Wall wanted to remind everyone serving on the board that the State of Florida Ethics Commission requires board members to complete financial disclosure, which is due July 1st.

Jeanne confirmed that Gloria was taking notes to conduct the Summary of Meeting and to review actions approved by the board. Jeanne then officially called the meeting to order at 10:02 a.m.

(2) Consent Agenda

Motion to approve the agenda by David Dickerson, second by William Voecks. Motion passed unanimously.

(3) Public Comments

No public comments

(4) Public Hearings

No public hearings

(5) Action Items

1. Elect Chair and Vice Chair - William Voecks nominated Jeanne Wall as Chair and passed unanimously. Jeanne Wall nominated William Voecks as Vice Chair, Joyce Cunningham second. Motion passed unanimously.

(6) Non-Action Items

1. Dredging the Canal: timeline/costs - Don advised that he does not have a schedule right now because current contractor's lead time is 2 months. Once the residential seawall project is complete, Don will get with contractor's to get estimates and a timeline. Work does require funding based on cost and will need to be after October 1st, 2022. Board members had concern about dredge material being pulled out affecting adjacent properties regarding the seawalls falling. Don explained this was the reason why he did not want to attempt dredging until the large seawall was completed. Jeanne asked if permits were needed and staff is going to look into it, but outfalls and canals are considered maintenance therefore have standard exemptions. Jeanne referenced a dredging stormwater outfall permit exemption request dated March 22nd, 2013 from the city of Winter Park to the FDEP and a paper copy of the permit exemption dated April 22nd 2013 (file # 48-317531-001-EE) to the meeting. Document was provided to staff at the

end of the meeting. Jeanne stated the permit expired 2018 and goes for 5 years. Gloria and Don provided clarification when Jeanne requested city to get an exemption in writing or a permit and the activity should not be assumed; state exemptions do not require actual permit or written confirmation per ruling. There are standard exemptions, exemption permits or general permits. Gloria added further clarification that functional maintenance falls under standard exemption not requiring any additional confirmation. Jeanne asked for nods from the board to have an updated FDEP permit for dredging be provided, again clarification was restated that functional maintenance does not require additional permitting (exempted or general). Request was second by William Voecks after questioning if he needed to do so, motion passed unanimously. Jeanne stated city must have an updated document given it was expired. Staff maintained functional maintenance activities do not require documentation as the state already provides exemption ruling to abide by, however they will follow up with FDEP. David Dickerson noted no flow in the canal and Gloria responded this is standard characteristic of canals (morphology) thus requiring maintenance due to organic sediments, and invasive that tend to occur and that by improving the canal via removing the sediments and associated phosphorous.

2. FDEP Imperial Laundry Site - Data of Soils Collected -Gloria reminded the board members during last meeting the board asked for the data which was included in the agenda packet. Jeanne requested explanation of the lab results and asked about the wells on the drawing and if it was possible for the water to get to Killarney. Gloria responded under extreme high-water conditions there could be water from the site that flows into Lake Munson, aka MLK, Pond and under these conditions, the interconnect could engage and flow into Lake Killarney. Gloria mentioned if the board would like further information on the site they can motion to approve the request and it would be presented at the next meeting. The members are concerned with the development that's going on around Fairbanks-that settlement and debris is going to make its way to Lake Killarney. Joyce asked for further tutorial information about the imperial laundry site. Don suggested that geotechnical experts would be better suited to discuss the project. Gloria went to explain the chart, what the numbers on the graph meant and possible causes on why the numbers changed and added that at a later date, a presentation could be provided by consultant and requested direction from the board as the discussion pertaining to the data was not the action requested by the board; only providing a copy of the data. Jeanne clarified by asking for an update on the site status, ownership and Arcadis' response to some of the data points. Gloria went on to explain the chart, what the numbers on the graph meant and possible causes on why the numbers changed. Jeanne stated this could be discussed at a later date. Jeanne moved to request what the plans are for the site, how it interfaces with FDEP, and staff to call Arcadis for more information and second by William Voecks, motion passed unanimously. David Dickerson asked questions on the water connection from Lake Rose to Lake Munson and if it could contaminate the aquifer.
3. Killarney Estates HOA - Boat Ramp Bylaw's - Gloria provided by-law document requested by the board. Jeanne had a question from a resident asking: when the developer presented to planning and zoning board and then the commission about this development, the neighbors rose up and said they used to have a key for access to the boat ramp from Mr. Turner, the owner. Now, the developer a fee of \$5,000, which was to be a "nominal" fee, to have to have use of the boat ramp and no deeded access. The resident felt what was put into effect was different from what was represented to planning and zoning board and the commission. Jeanne is trying to figure out what to tell the resident. Gloria reiterated reasoning for this board is to focus on the health and quality of Lake Killarney. It becomes outside of the role of Lake Killarney Board's mission when topics such as individual HOA by-laws are discussed. A recommendation to provide the resident for assistance was to research which meeting minutes this concerned stemmed from and contact that particular board for help/answers. Jeanne then requested as-built for the boat ramp and stormwater plans. Motion made by Jeanne and second by William Voecks, motion passed unanimously.
4. Department Organizational Charts with Names- document was provided. Joyce thanked staff for the charts with names on them and noted that the director or public works position is open.

(7) Staff Updates

Lakes Management - Joey provided board members with an update on Lakes Division activities. The City of Winter Park and Orange County both conducted surveys on Lake Killarney identifying hydrilla which was treated; both entities said the lake is in great shape. Staff has noticed sparse hydrilla which is an indication that it is time to re-evaluate restocking the lake with grass carp fish. Gary Jacobs from Orange County provided an update that they have a new lake manager for Killarney, Nidia. Gary took Nidia and Langdon Stanley, Chair Man of Orange

County Lake Killarney Advisory Board, out on a survey. Board members were curious on how a resident could report hydrilla and staff advised to send picture and location to Lakes Division. Jason asked if we inspect in deep water as his anchor pulled up a lot of vegetation and was concerned. Staff explained instrumentation and protocol used to do so. It was clarified that the deep-water plant he encountered was more than likely a native beneficial plant called nitella. Joey updated that April water samples were collected and that we are still working with/waiting on GIS to create a new website that has the water quality data readily available. For the canal, a stop work order was issued because the turbidity barrier was not installed properly for the seawall construction. Subsequent to stop work order, turbidity curtains were installed immediately. Staff searched for additional cove water testing data and confirmed what has already been provided and was all the data available. For 11 months the cove data was not readily found by staff. Gloria explained the cove data vs lake data graphs to the board. Lake Killarney is due for another alum treatment. William Voecks is worried about the construction that's happening on Wymore and debris making its way from Lake Bell to Lake Killarney. Don made comment that the CDS structure would capture the solids. Grass carp fish was brought back up by Jeanne stating a little bit of hydrilla isn't bad because it gives the grass carp something to eat and that Lake Killarney was last stocked in June 2019 with 150 grass carp. Gary replied they monitor it and if they see a little bit, they monitor to see if the grass carp will eat it. If they don't, then it will be treated. Stocking grass carp takes an evaluation of indicators to determine how many are needed for the lake. At the moment, carp supply is unavailable until October. Jeanne spoke for Langdon Stanley, who was attending virtually, and he asked asking about getting more than one bid for contractors who do the alum treatments since both City of Winter Park and Orange County pay for it. Gary responded that we follow standard procurement practices. Langdon reported that only one bid was obtained at the last treatment. Board requested for staff to research when to do next alum treatment, motion made by Jason Ellison and second by David Dickerson. Motion passes unanimously. To close Lakes Management update Winter Park adopted Orange County fertilizer ordinance. Board members request a list of plants with link to the pictures to know what they're looking for. Gloria advised to be courteous of staff resources a link to plant photos via UF's Center for Aquatic Plants in lieu of. Motion made by Joyce Cunningham with photo link second by Jeanne Wall. Motion passes unanimously. The Board was curious how often the water levels were checked and staff told them that it is checked weekly as are the drain wells and inlets into the lake. Jeanne requests to add the water level data to the lakes update, motion by William Voecks second by Jason Ellison. Motion passes unanimously. Staff was requested to inspect a tree limb hanging low in the canal and provide update to the board. Jason requested for floating eelgrass to be raked: staff will inspect and respond. Gloria went over the new ordinance that was distributed for advisory boards. She wants to make sure that everyone is on the same page in understanding virtual option. Attendance is important, the meeting is still in person, virtual is available however you may attend virtually up to three times per year. A member desiring to attend a meeting virtually must provide its board's staff liaison advance notice of the member's desire to attend a meeting virtually then a link will be provided.

Stormwater Management - Don provided update with the 5 year CIP going to city commission. In the next fiscal years, the following projects will be funded: 2023- Ward Park Ponds, Nicolet Avenue Stormwater Pond; in 2024- CDS unit on Fawcett Road and Stirling Bridge replacement; in 2025- drainage improvements at the intersection of Canton and Knowles; in years 2026 and 2027- drainage improvements on Temple Drive.

Jeanne asked if Nicolette was funded. Don provided an update that request for funding was not appropriated by the state; however, The City of Winter Park plans to fund in fiscal year 2023. Don said some design needed to be completed. Jeanne recalled a 2017 design for the pond. Don still needs to provide a basin analysis but the pond design itself is complete. Jeanne asked if a collection box will be included and concerns for development along Fairbanks. Don informed that the development will provide improvement to stormwater since it currently has none and will consider a CDS box in the design. Joyce asked about funding mechanism related to CIPs. William Voecks asked how to report a stormwater issue; report to Public Works.

(8) Board Comments

No public comments to discuss.

(9) Upcoming Agenda Items

Jeanne mentioned boat length increase discussion at the commission meeting and asked if it is related to Lake Killarney or Chain of lakes. Gloria replied it is specific to the Chain of Lakes and provided the dimensions. Jeanne requested it be listed as Chain of Lakes and Gloria confirmed it currently states so. Jeanne asked if there is a size limit of boats for Lake Killarney, Gloria replied no only the Chain which is being considered for increase.

Gloria explained the different between public lakes vs private lakes per the State. Jeanne asked if the city attorney could confirm if the lake has restrictions. Gloria suggested to have Officer Hofer provide a presentation on regulation for Lake Killarney as 1st step. William Voecks seconded the motion, motion passed unanimously. Jeanne asked about Aubrey Lane development on Lake Killarney that the commission approved. Gloria will provide clarification from Jeff Briggs on the ruling for the board. Gloria stated that the commission only voted on non-structural items and reiterated the boat docks will come before the Killarney Board for consideration as per this is their role. William Voecks motion, Joyce seconded, motion passed unanimously.

Gloria provided recap of items approved by the board to act upon:

Minutes were approved, Jeanne was voted as Chair and William as Vice Chair.

Requested staff to review FDEP permit document Jeanne Wall presented, related to functional stormwater maintenance for Lake Killarney, be confirmed necessary or exempted entirely by FDEP.

Imperial Laundry site request to find out what the plans for the location are as the city owns the property and then get with FDEP's consultant to ask some baseline questions related to the last report issued.

Request stormwater as-builts from Public Works for Killarney Estate Shores.

Joey will provide a listing of native and invasive aquatic plants and also a photo link to the UF's Center of Invasive Aquatic Plants website that has wonderful photos that could be researched.

Movement by the board for looking into the next alum treatment including funding sources as well as feasibility study.

Measurement of lake levels- this has been collected since 1959 by Orange County. Data was missing on the Atlas and Gary Jacobs from Orange County will be looking to reestablishing the observation of the data and drain well construction/take over date.

Report on inspection of tree limb hanging low in the canal and to look into eelgrass raking.

Officer Luke Hofer to speak to board about the boat length and patrolling related to Lake Killarney- a private lake.

Staff is to verify the city commission and planning and zoning approval for Aubrey Lane what the commission voted on regarding docks. Get a hold of Jeff Brings and find out the order of business related to the docks and dimensions on the Arbury Lane development that's being proposed.

Jeanne closed meeting asking if August 3rd is still was a good date (no objections received) and thanked everybody and staff for all that they do.

(10) Adjournment

Meeting adjourned at 11:45 am

Next meeting scheduled for September 7th, 2022 at 10am at City Hall Commission Chambers

Minutes approved by the board on 08/03/2022.

/s/ Recording Secretary Victoria Tabor