



Lake Killarney Board Meeting Minutes

March 01, 2023 at 10:00 a.m.

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

Present

Jeanne Wall, William Voecks, David Dickerson, Carolyn Minear, and John Mitchell;
Board Coordinator Tatia Ghviniashvili.

Absent

Joyce Cunningham and Jason Ellison.

Staff Present

Director of Natural Resources & Sustainability Gloria Eby; Assistant Director of Public Works Don Marcotte; Public Works Engineer Shannon Monahan; Lakes Division Manager Joseph Cordell; Director of Planning and Zoning Jeff Briggs; Lakes Division Administrative Coordinator Victoria Tabor.

Also Present

Senior Environmental Specialist of Lakes Management at Orange County, Nidia Volpe.

1) Call to Order

Jeanne Wall called the meeting to order at 10:01 a.m.

2) Consent Agenda

- a. Approve the minutes of regular meeting, February 01, 2023

Motion made by John Mitchell to approve the minutes as presented; seconded by Carolyn Minear. Motion carried unanimously with a 5-0 vote.

3) Public Comments (for items not on the agenda):

There were no public comments.

4) Public Hearings

There were no public hearings.

5) Action Items

- a. Review and provide a recommendation on an ordinance amending chapter 58, "land development code", article iii, "zoning regulations" section 58-87 "lakefront lots, canalfront lots, streamfront lots, repealing the regulations on boathouses and docks and amending chapter 114 "waterways" to incorporate and update the regulations concerning docks and boathouses.

Mr. Briggs gave an update to the ordinance for shifting variance authority for docks and boathouses to Lake Killarney and Lakes & Waterways Boards. Since the previous discussion on November 02, 2022, staff has added a new Section (a)(2) to the ordinance. The additions are as followed, with some paralleling those of the Orange County ordinance:

- A clear outline of duties and responsibilities upheld by the boards mentioned above such as, protecting trees, mitigating impact on neighbors' views, and preventing erosion.
- Enhance the outreach of applicants to their adjacent neighbors. More specifically, if an applicant is meeting the Code they are simply encouraged to reach out to their neighbor and inform them of whatever changes will be made. However, if an applicant is asking the city for a variance, they are required to provide a letter of consent from the adjacent affected neighbor.
- A required list of minimum submittal specifications for the applicant. One of these being a plan that highlights the extension of the property line as it goes out into the lake.
- Dock and boathouse conditions need to be properly maintained and repaired as needed.

The floor opened for discussion and the board asked various questions pertaining to the changes/additions to the ordinance. Ms. Wall asked about single-family setbacks and subdivisions as they are seen in the ordinance. Mr. Briggs made the necessary clarifications. Ms. Minear raised a question about item (b) (10) of the updated ordinance which speaks to boathouses/docks on Venetian Canal. The board emphasized that the information was not clear as to whether or not the section mentioned above relates only to canal boathouses. Staff pointed out that item (10) has been duplicated under subsection (a), when it only belongs under subsection (b), thus causing confusion. Staff will modify the ordinance to make it apparent that section (b) (10) is exclusively talking about canal boathouses. Amended on April 5, 2023.

Mr. Briggs gave a brief update on the annexation study discussed at the previous meeting, and informed the board that Peter Moore, Office of Management &

Budget Division Director, will have numbers before spring break. Mr. Briggs will also confirm with Mr. Moore that stormwater infrastructure/project costs and updates be included as part of the study. Amended on April 5, 2023.

Motion made by John Mitchell to advise the City Commission that the Lake Killarney Board has reviewed the changes in this ordinance, and concur with staff that it be adopted; seconded by William Voecks. Motion carried unanimously with a 5-0 vote.

Ms. Eby will take this boards suggested modifications for the ordinance before the Lakes and Waterways Board, so they can incorporate those edits into their motion.

6) Non-Action Items

There were none.

7) Staff Updates

a. Lakes Management

Mr. Cordell presented a few updates to lakes management. Water quality data from December was included, indicating high levels of phosphorus- especially in the cove- with staff noting that these are continuous effects of Hurricanes Ian and Nicole. There were no treatments conducted in February, as nothing was required. Staff also successfully removed 290 gallons of debris, and 40 gallons of trash. As requested by the board at a previous meeting, photographs and videos of the recent grass carp stocking process were shown, and staff answered board questions. Moving forward, staff will include a line for "impaired" for each water quality graph, to help visualize normal vs. abnormal levels.

The water elevation policy draft will be presented at the April meeting. The presentation on pool pollution will remain as a future item until the agenda has availability for it.

Ms. Eby shared that there is currently a Request for Proposal (RFP) for professional stormwater management and engineering services. A copy of the RFP was distributed for the board to look at. Staff shared contact information for Michael Hall (mhall@cityofwinterpark.org, (407) 599-3414), the city's point of contact for the RFP.

Jennifer Maier, Procurement Manager, spoke briefly to clarify the process for the RFP. She explained that the solicitation is out, and when the responses come back they will be exempt from public record for 30 days. It typically takes staff a week to review the responses, with presentations taking place the following week.

Responses chosen by staff will be moved forward before the City Commission, at which point they are denied or accepted.

b. Stormwater Management

Mr. Marcotte gave various CIP updates. The Seminole County Ditch Piping project is at a pause until staff receives utility information from Seminole County. Nicolet Avenue Stormwater Pond drawings are ready and staff is awaiting approval of contractor for the project. Staff is also coordinating with the Economic Development Director to gauge the relationship with the business commerce next door. Ms. Wall asked a few questions about the Nicolet Pond project and staff clarified that Nicolet Pond will not be sold by the city, and there will be attempt to work in partnership with the developer in order to have access to Nicolet Road, and prevent impairments to the pond. Amended on April 5, 2023.

The Lake Bell Weir Outfall Improvements project is awaiting funding to repair the existing leaks. Staff noted that although the leaks are not getting worse, they are being actively monitored. A further discussion about Nicolet Pond ensued, and Ms. Wall asked questions about the installation of a CDS unit to catch/filter debris before draining into Lake Killarney. Staff explained that a CDS unit will be included as a consideration for consolidating outfalls on Killarney Drive, however, there is no need for one at Nicolet Pond because the pond does its own natural treatment. Amended on April 5, 2023.

At the request of the board at a previous meeting, staff provided the exact address for the Rippling Lane Pipe Repair project- moving horizontally through 227 and 236 Rippling Lane. A specific date for the replacement of the pipe will be provided at the next meeting.

There were no additional applications for lakefront construction, so staff shared the same map from the February meeting and took board questions. Ms. Wall highlighted this board's lack of knowledge on the approval of docks/boathouses on the Orange County side of Lake Killarney, and asked how that information could be communicated. Ms. Volpe explained that she will look into a way to share that information, specifically applications pertaining to docks/boathouses. Ms. Wall indicated that although this board does not hold any jurisdiction to the Orange County's side of Lake Killarney, it would still be of benefit to know what gets reviewed/approved as it related to the waterfront.

As previously requested by the board, staff shared a breakdown of major outfalls that are part of the request for NRCS funding. Although there are more outfalls throughout the city, NRCS funding is only applicable to large (36 inches or greater)

outfalls. Funding has yet to be allocated, however, staff will provide an update at the next meeting. Once funding is received, dredging will be completed by the Bayside Dredging Company based on priority and staff is expecting the entire process to take about three months. The sandbar on Lake Killarney is a priority due to safety. Amended on April 5, 2023.

Staff had recently met with Jeff Wright, a member of the original development for the Killarney Estates Subdivision, and came up with a solution to the ongoing sludge issue. Mr. Wright has agreed to provide an outfall that sits at a lower level than the control of the pond, which will prevent the pond from bleeding out of the grate. According to staff, the pond will function better with this improvement, increasing the retention time/volume which will lead to better treatment and no sludge. Ms. Monahan will provide a further update at the next meeting.

Navigational canals in the chain are staff priority for dredging, Ms. Monahan will have a date for the project by the end of March 01, or March 02. Once those are completed, and NRCS funding is received, staff will shift focus to dredging outfalls discussed previously.

Staff will provide an update on the outfall condition survey and the water elevation policy draft at the next meeting. The BMP feasibility study for Killarney Dr. Outfall Consolidation, and Library and Events Center as-builds updates will also be provided at the next meeting. A brief discussion about the Library and Events Center as-builds ensued.

8) Board Comments

a. Public Hearing Notice

Ms. Eby shared and read a letter signed on behalf of City Manager Randy Knight, to the Orange County Board of Zoning and Adjustments (BZA) regarding the Shawn Casey for Kiwanis Scout House application. The letter asked to table and continue the request, to allow for the development of conditions of approval that would mitigate concerns by the city residents as to the frequency/scale of events and use of property. Ms. Wall suggested members of this board write a letter to Orange County, not opposing the Kiwanis House, but asking clarifying questions pertaining to how this could affect Lake Killarney and its surrounding residential area. Amended on April 5, 2023.

A discussion ensued and Mr. Mitchell explained the five criteria the Kiwanis Scout House applicant needs to meet in order to be granted a special exception by the county. He also emphasized the lack of information surrounding the proposal. Ms.

Wall volunteered to write a letter on behalf of this board, before the special exemption is granted at the March 02 hearing, to clarify and restrict what the waterfront usage will be as it relates to public access, number of water vessels, etc. The board nodded in support of Ms. Wall writing the letter.

Ms. Eby will also write a letter before the March 02 hearing, expressing concerns for the proposed new septic system and setbacks as it relates to flood conditions. Ms. Wall provided the email for the Orange County case planner Laekin O'Hara, Laekin.Ohara@ocfl.net, for those looking to send a letter to the Orange County BZA. A further discussion ensued.

Mr. Mitchell gave a brief update on the Killarney Drive drainage improvements and shared the information he has gathered as a resident of the Orange County side. Ms. Volpe shared that per last months discussion, she did inquire about the installation of a CDS unit as part of the drainage improvement plan, and has yet to hear a response. Per board request, Ms. Volpe will send a follow-up email to OC Public Works about the inclusion of the CDS unit in the final design.

b. Discussion of Public Comments Received

There were no public comments to discuss.

9) Upcoming Agenda Items

- Cost-benefit analysis, along with any other items about annexation that will go before the City Commission (when available).
- Water elevation policy draft (next meeting).
- Presentation on pool pollution arranged by Ms. Volpe (when available).
- Feasibility study update for the Shoreview outfall project improvement plan that includes seven outfalls (when available).
- Rippling Lane repairs project, and Killarney pipe update/repair date.
- List of completed infrastructure inspections (next meeting).
- Status of NRCS funding.
- Orange County Stormwater Project update.
- Killarney Estates Subdivision Property Management update.
- BMP feasibility study for Killarney Dr. Outfall Consolidation (when available).
- Library and Event Center as-builts provided when acquired (when available).
- Nicolet Pond update.
- Dredging status update.
- Kiwanis Boy Scout Meeting Facility update.

All routine staff updates will carry over for every month.

10) Adjournment

The meeting adjourned at 11:25 a.m.

Minutes approved by the board on April 5, 2023.
/s/ Tatia Ghviniashvili, Board Coordinator