



City Commission Regular Meeting Minutes

August 26, 2020 at 3:30 p.m.

Virtual Meeting

Present

Mayor Steve Leary
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

Assistant City Manager Michelle Neuner
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1. Meeting called to order

Mayor Leary called the regular meeting of the City Commission to order at 3:30 p.m.

2. Invocation and Pledge of Allegiance

Souraya Ghalayini, Leader's Preparatory School, provided the invocation followed by the Pledge of Allegiance.

3. Approval of Agenda

Motion to approve the agenda made by Commissioner Sullivan, seconded by Commissioner Cooper. Motion carried unanimously with a 5-0 vote.

4. Citizen Budget Comments

5. Mayor's Report

6. City Manager's Report

Mrs. Neuner asked for confirmation of attendance for the Work Session tomorrow. Commissioners Sullivan, Cooper and Weaver confirmed.

In response to Mayor Leary, Mrs. Neuner advised that the Winter Park Economic Recovery Task Force held its first meeting this week with a second meeting scheduled next week and will provide an update to the Commission. She invited everyone to attend the launch of the Winter Park Curbside To Go initiative in front of Prato on Park Avenue on August 27th at 5:00 p.m.

7. City Attorney's Report

Mr. Ardaman gave an update on the OAO litigation.

8. Non-Action Items

a. Presentation by Chris Castro on City of Orlando's sustainability initiatives

Chris Castro, City of Orlando Director of Office of Sustainability and Resilience, gave a presentation on the Orlando's sustainability program. He recommended that the city adopt solar and electric vehicle-ready guidelines and encouraged the city to pursue LEED

certification as a show of accountability and an example of the city's commitment to sustainability and will provide Orlando's cost for certification.

9. Citizen Comments (heard after Item 11a)

10. Consent Agenda

- a. Approve the minutes of the regular meeting, August 12, 2020
- b. Approve the minutes of the work session, August 13, 2020
- c. Approve the following Piggyback Contracts
 1. Hawkins, Inc. - Hillsborough County Piggyback Contract - RFQ #16709 Hydrofluosilicic Acid; Not to exceed \$75,000
 2. Dade Paper & Bag LLC (Imperial Dade) - OMNIA Partners Piggyback Contract - #R162101 Janitorial & Sanitation Products/Supplies/Services; Not to exceed \$75,000
 3. Danus Utilities, Inc. - City of Clermont Piggyback Contract - RFB 17-040 Lift Station Rehabilitation Services; Not to exceed \$400,000
 4. Graybar Electric Company, Inc. - OMNIA Partners Piggyback Contract - EV2370 Electrical, Lighting, Data Communications and Security Products and Related Products, Services and Solutions; Not to exceed \$75,000

Motion to approve the Consent Agenda made by Commissioner Cooper, seconded by Commissioner DeCiccio. There were no public comments. Motion carried unanimously.

11. Action Items Requiring Discussion

a. Single Member Districts

Mrs. Neuner provided the background on the citizen initiative for a charter amendment to change to single-member districts. There has been a request for the Commission to adopt an ordinance to place this question on the ballot as opposed to the citizen petition process.

Commissioner Weaver said he would prefer that this be left to the voters. He feels the intent of the initiative is to have a better opportunity to be represented and that citizens should not be asked to obtain petition signatures during a pandemic.

Mayor Leary said that he feels the challenge is finding a geographic solution. He likened the petition process to the census takers that go door-to-door and supported the petition process to determine support for an amendment.

Commissioner Sullivan supported this initiative, not only for minority representation but for improved governance. He said he feels it should be placed on the ballot by Commission action rather than by the petition process.

Commissioner Cooper said she feels single member districts will create a division between neighborhoods and give more fragmented attention as only one commissioner would represent a single district where currently members of the commission represent the entire city.

Commissioner DeCiccio questioned the number and size of districts that would be created, what would happen if nobody ran in that district, and the ability to accomplish tasks in different parts of the city.

Attorney Ardaman stated the charter requires that petitions be signed in ink or indelible pencil and that the circulator certify that they witnessed the person signing the petition. He opined that there are no state statutes to relax those requirements nor can the charter requirements be circumvented.

Motion that the Commission put the question of single member districts on the ballot in March 2021 with staff and city attorney drafting the ordinance to be presented to the Commission made by Commissioner Sullivan, seconded by Commissioner Weaver.

The following spoke in favor of single member districts:

- LaWanda Thompson, 664 W. Lyman Avenue, Winter Park
- Hannah Dela, 710 Teal Lane, Altamonte Springs
- Asante Thompson, 664 W. Lyman Avenue, Winter Park
- Chelsea Fairy, 1336 Hendren Avenue, Orlando
- Chele Hipp, 457 Seymour Avenue, Winter Park
- Maria Bryant, 450 S. Virginia Avenue, Winter Park

The following spoke in opposition to single member districts.

- Michael Perleman, 1010 Greentree Drive, Winter Park
- Marshall Swanson, 7707 Clementine Way, Orlando

After additional discussion and **upon a roll call vote, Mayor Leary and Commissioners Sullivan, DeCiccio and Weaver voted yes and Mayor Leary and Commissioner Cooper voted no. Motion carried with a 3-2 vote.**

9. Citizen Comments

Hannah Dela commented on diversity and recent events.

Mayor Leary called for a recess at 5:55 p.m. and reconvened the meeting at 6:15 p.m.

11. Action Items Requiring Discussion (continued)

b. Killarney Estates Traffic Improvements

Bronce Stephenson, Director of Planning and Transportation, provided the background on Killarney Estates neighborhood traffic improvements to reduce cut-through traffic.

Sarah Walter, Transportation Manager, gave a presentation on neighborhood concerns and current and proposed improvements and resulting traffic flow.

Mr. Stephenson summarized neighborhood concerns and reviewed the city's authority to implement transportation improvements. Staff's recommendation is to approve the current test-fit design with a new parklet with shade trees and planter bollards.

Commissioner Cooper suggested that staff develop a policy for addressing requests and plans for transportation improvements.

Motion made by Commissioner DeCiccio to approve staff's recommendation and current test-fit design; seconded by Commissioner Weaver.

Nick Dancaescu, Gray Robinson PA, representing Jim Veigle Properties, commented on current traffic movement and proposed changes and said he would like to have an independent review of the plan. He questioned the city's legal right to convert roadway into parklet without going through road abandonment process.

The following spoke in favor of the improvements:

- Danielle Whitehall, 433 Lakeview Avenue, Winter Park
- David Rimbach, 429 Lakeview Avenue, Winter Park
- Matthew Minear, 451 Broadway Avenue, Winter Park
- David Sutphin, 350 Killarney Drive, Winter Park
- Carolyn Minear, 430 Killarney Drive, Winter Park
- Mary Black, 1334 Dallas Drive, Winter Park

In response to Mr. Dancaescu's comments, Mr. Stephenson stated that the parklet serves as a landscape median. Attorney Ardaman opined that the city has the authority to move forward given state statutes.

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

c. Discussion of Commission Budget Suggestions FY 21

Mrs. Neuner stated that this discussion is to review Commission member's individual budget requests before moving to final adoption. She advised that State of Florida tax revenue projections increased which resulted in an increase to the general fund contingency.

Commissioner DeCiccio recommended maintaining the current millage rate due to better projections. She explained that her reason for recommending a higher millage rate was to provide the option to adopt a higher millage rate if revenue projections were low.

Peter Moore, Division Director of Office of Management and Budget, provided additional details on the changes to tax revenue projections. He advised that the resulting general fund contingency is approximately \$745,000 if funds are not spent over the next fiscal year.

Mr. Moore responded to questions. He provided the status of the project for consolidating maintenance facilities into one shared facility for cemetery and golf course services on the Swoope property, which will be brought back to the Commission for consideration. Discussion followed on cemetery revenues and improvements. Mr. Moore stated that staff is looking at opportunities for a shared facility and also to sell or sublease the property for parking.

Commissioner Cooper suggested that the Parks Major Maintenance budget be reduced by \$175,000 given the rollover fund balance. Mr. Moore and Mrs. Neuner reviewed the projects earmarked for these funds.

Jason Seeley, Director of Parks and Recreation, said he has no objection to deferring funding for Dinky Dock improvements since it will be delayed until Rollins completes their dorm project. He added that some projects have just started due to the pandemic and will reduce the fund balance. Consensus was to reduce the Parks Major Maintenance budget by \$175,000.

Commissioner Cooper suggested funding the design of parking enhancements and road realignment at Progress Point. After discussion, consensus was to fund \$50,000 in the Planning and Transportation Department budget for the study.

Consensus was to approve a \$20,000 contribution from the Organizational Support fund to the Woman's Club.

Upon comments by Commissioner Cooper, details on drainage issues in the OAO were reviewed by Public Works Director Troy Attaway and discussed. The roundabout at Minnesota/Orange and Denning was discussed and will be re-addressed at a future date as part of the OAO process.

After additional discussion, consensus was to reduce parks budget by \$175,000, budget \$50,000 for the OAO realignment study and \$20,000 for a contribution to the Woman's Club.

Mayor Leary said he would support the rollback rate which will assist property owners as a result of the pandemic. Commissioner Cooper asked staff to send information on the budgetary impacts using the rollback rate.

12. Public Hearings

- a. ORDINANCE 3180-20: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA; ADDING A NEW SECTION 58-368 GOVERNING FERTILIZER USE WITHIN THE CITY; ADOPTING THE ORANGE COUNTY REGULATIONS PERTAINING TO FERTILIZER USE AND AUTHORIZING COUNTY AND CITY ENFORCEMENT THEREOF WITHIN THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (Second Reading)

Attorney Ardaman read the ordinance by title.

Motion to adopt the ordinance on second reading made by Commissioner Weaver, seconded by Commissioner Sullivan.

Commissioner Cooper stated the intent stated in the August 12th meeting was to postpone implementing fines until after the pandemic. There were no public comments.

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

- b. Ordinance - Establishing regulations to backyard chickens as a pilot program - First Reading

Attorney Ardaman read the ordinance by title.

Kris Stenger, Assistant Director of Building and Permitting, reviewed the background and recommendations to limit the number of permits to 25, allow coops in rear yards only, and require approval by adjacent property owners before issuing permit. This will be a 24-month pilot program unless extended.

There were no public comments.

Motion to approve the ordinance on first reading made by Commissioner Weaver; seconded by Commissioner Sullivan.

Motion to amend the ordinance deleting Section 18.18.2 requiring neighbor permission made by Commissioner Weaver, seconded by Commissioner Sullivan.

Motion to amend Section 5.11.1 to allow coops in side yards provided property line and building setbacks are met and require a six-foot fence isolating the view of the coop made by Commissioner Weaver; seconded by Commissioner Sullivan.

There were no public comments.

Motion to amend the motion to require a solid fence if a coop is in the side yard made by Commissioner Cooper; seconded by Commissioner Weaver. Upon a roll call vote on the amendment requiring a (solid) fence between the properties, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the amendment requiring a six-foot fence if a coop is in the side yard, Commissioners Sullivan, DeCiccio and Weaver voted yes and Mayor Leary and Commissioner Cooper voted no. Motion carried with a 3-2 vote.

Upon a roll call vote on the amendment deleting the requirement for neighbor permission, Mayor Leary and Commissioners Sullivan, DeCiccio and Weaver voted yes and Commissioner Cooper voted no. Motion carried with a 4-1 vote.

Upon a roll call vote on the main motion as amended, Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes and Mayor Leary voted no. Motion carried with a 4-1 vote.

13. City Commission Reports:

Commissioner Sullivan

- Suggested the recovery and resilience strategy include hand washing stations at parks and athletic fields. Mrs. Neuner stated that staff is preparing a plan for athletic fields which she will send to the Commission.
- Requested biweekly work sessions on the Thursday prior to commission meetings to review the agenda. There was no agreement to schedule these work sessions.

Commissioner DeCiccio

- Clarified her support to maintain the current millage rate. Mayor Leary stated his support is for the roll back rate which would generate the revenue from FY 20.
- Suggested that Central Park stage improvements be moved forward in the CRA CIP from 2024. Consensus was to have staff provide the proposed design and funding availability to the commission and then determine whether a CRA Agency meeting must be held to reprioritize the project.

Commissioner Cooper

- Asked that the city's sustainability staff make a presentation on the city's sustainability efforts. Approved by consensus.
- Asked that data and analysis information on the OAO and the timeline toward the adoption of the new OAO be placed on the website. Approved by consensus.

Commissioner Weaver

- Asked for the status of the city's Sustainable Action Plan. Mr. Stenger explained the plan for the KWPB and Sustainable Board to work on and provide recommendations to the commission. Consensus was to place this on a future agenda.

Mayor Leary

- Urged staff and agencies to act quickly to assist businesses and to increase promotion of events using the money allocated. He suggested holding events in Central Park to attract visitors. Mrs. Neuner provided information on current efforts including a retail component of the Farmers' Market. Commissioner Weaver restated his recommendation to make Park Avenue one-way and close part of the road to provide additional outdoor dining with sunshades over the tables. Mrs. Neuner stated that idea was presented to the committee and is being considered.

14. Summary of Meeting Actions

- Hold OAO Work Session on August 27th at 1:00 p.m.
- Approved Consent Agenda.
- Directed staff to develop an ordinance to place single member districts on the ballot for the March 2021 election. (Mayor Leary asked staff to provide the timeline.)
- Directed staff to develop a formal process for traffic modifications (include in Transportation Master Plan)
- Approved Killarney traffic improvement plan.
- Achieved a \$750,000 contingency by decreasing parks maintenance budget, increasing the budget by \$50,000 for road realignment design for Progress Point and funding an additional \$20,000 contribution to the Woman's Club.
- Adopted fertilizer ordinance.
- Approved backyard chicken pilot program with amendments on first reading.
- Directed staff to ensure task force is considering safety measures for special and athletic events. Staff to share plan for opening athletic fields.
- Directed staff to look at moving Central Park stage improvements forward.
- Directed staff to review the Sustainability Action Plan and present recommendations to the Commission in a future meeting.
- Directed staff to add OAO adoption schedule and data to the website.
- Move forward on economic recovery programs and promotion for businesses.

The meeting adjourned at 9:23 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis