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# **CITY OF WINTER SPRINGS, FLORIDA**



## **CITY COMMISSION**

## **MINUTES**

### **SPECIAL MEETING**

**MONDAY, FEBRUARY 18, 2019 – 6:00 P.M.**

**CITY HALL – COMMISSION CHAMBERS  
1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA**

Mayor Charles Lacey  
Commissioner/Deputy Mayor Kevin Cannon - Seat Two  
Commissioner Jean Hovey - Seat One  
Commissioner Ted Johnson - Seat Three  
Commissioner TiAnna Hale - Seat Four  
Commissioner Geoff Kendrick - Seat Five

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## CALL TO ORDER

The Special Meeting of Monday, February 18, 2019 of the City Commission was called to Order by Mayor Charles Lacey at 6:00 p.m. in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708).

### Roll Call:

Mayor Charles Lacey, present  
Deputy Mayor Kevin Cannon, present  
Commissioner Jean Hovey, present  
Commissioner Ted Johnson, present  
Commissioner TiAnna Hale, present  
Commissioner Geoff Kendrick, present  
City Manager Kevin L. Smith, present  
City Attorney Anthony A. Garganese, present  
City Clerk Andrea Lorenzo-Luaces, present

Brief comments followed on Public Input, City Commission discussion, and approving the Agenda for this Special Meeting.

Mayor Lacey remarked, “The first order of business that Anthony (Garganese, City Attorney) has suggested is that we adopt the Agenda that was presented.”

**“MOTION TO APPROVE.” MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER KENDRICK. DISCUSSION.  
MOTION CARRIED UNANIMOUSLY WITH NO OBJECTIONS.**

Further remarks ensued on City Charter and Veto’s.

## PUBLIC INPUT

*Mayor Lacey opened “Public Input”.*

*Mr. Robert S. Miller, 679 Silvercreek Drive, Winter Springs, Florida:* mentioned he was a former Commissioner, and spoke of revisions to the Comprehensive Plan, comments from Mayor Lacey, and that he hoped the Mayoral Veto would be overridden.

*Ms. Elaine Connors, 1121 Pheasant Circle, Winter Springs, Florida:* commented on who residents recently voted for and that what those Commissioners voted for should prevail, and that they did not want more apartments or Special Exceptions.

*Ms. Melissa Haynie, 214 Heatherwood Court, Winter Springs, Florida:* presented some written comments from Ms. Rebecca Long who she said could not attend this meeting.

*Mr. Kevin McCann, 1109 Pheasant Circle, Winter Springs, Florida:* spoke of the recent Mayoral Veto which he disagreed with, said that the most recent Commissioners that were voted in, ran on a platform of controlled growth, that he had been a restaurateur and delays with restaurants were typical, did not think that this suggested Temporary Moratorium would have a big impact, and the City Commission should serve residents and not developers.

*Mr. Paul Partyka, 404 Park Lake Drive, Winter Springs, Florida:* remarked that the Mayor did have the authority to Veto what he did not think was appropriate, that Moratoriums did not help a city's image, how he was in favor of holding Workshops however he thought this would take longer than the suggested three (3) months.

Mayor Lacey referenced the time and asked how the City Commission wished to proceed in terms of debate amongst the City Commission or to continue with Public Input.

Deputy Mayor Kevin Cannon said, "I would like to go to debate and then reserve time at the end to further hear from the residents."

Mayor Lacey asked if that was unanimous, to which Commissioner Ted Johnson and Commissioner TiAnna Hale nodded. Commissioner Geoff Kendrick noted that he wanted to continue to hear the residents.

Mayor Lacey inquired, "Is there a Motion to suspend the Rules?"

**"I MOVE AT THIS TIME THAT WE MOVE FORWARD WITH COMMISSIONER DISCUSSION, MOTIONS, AND SO FORTH IN RESPONSE TO THE VETO." MOTION BY DEPUTY MAYOR CANNON. SECONDED BY COMMISSIONER JOHNSON. DISCUSSION.**

**DEPUTY MAYOR CANNON, COMMISSIONER JOHNSON, COMMISSIONER HALE, AND COMMISSIONER HOVEY NOTED THEY WERE IN FAVOR. COMMISSIONER KENDRICK STATED, "NAY."  
MOTION CARRIED**

## **REGULAR AGENDA**

### **REGULAR**

#### **500. Office of the City Commission**

##### **REQUEST:**

**Office of the City Commission requesting they consider the Mayor's Veto of Ordinance 2019-02 as noted in his correspondence dated February 13, 2019, and to take whatever action the City Commission deems necessary, pursuant to City Charter.**

##### **FISCAL IMPACT:**

**Presently, there is no immediate fiscal impact related to conducting this Special Meeting.**

**COMMUNICATION EFFORTS:**

This Agenda been electronically forwarded to the Mayor and City Commission, City Manager, City Attorney/Staff, and will be available on the City's Website, the City's Server, and has been sent to applicable City Staff, Media/Press Representatives who have requested Agendas/Agenda Item information, Homeowner's Associations/Representatives on file with the City, and individuals who have requested such information. Copies of the Agenda will be available for the General Public, and will be posted at different locations around the City. Furthermore, this information is also available to any individual requestors. City Staff is always willing to discuss this Agenda with any interested individuals.

**RECOMMENDATION:**

**Staff recommends the City Commission consider the information to be discussed during this Special Meeting and provide any direction deemed appropriate.**

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Deputy Mayor Cannon spoke of a letter he wrote after he received the Mayor's Veto and asked that it be included in the Record.

Further discussion ensued on City Commission's actions, restaurants, the new Starbucks, and previous Agenda Items related to Special Exceptions.

Comments continued on a possible Motion and potential revisions to the Ordinance.

**"I MAKE A MOTION THAT THE CITY COMMISSION ADOPT A TEMPORARY MORATORIUM ORDINANCE AND GIVE STAFF DIRECTION TO DRAFT IT WHICH WOULD BE IDENTICAL IN LANGUAGE TO 2019-02 WITH THE ADDITION TO Section 3. 'D.' BEING UNDER EXEMPTIONS FOR THE SPECIAL EXCEPTION MORATORIUM, 'D.' AS IN DOG, APPLICATIONS FOR SPECIAL EXCEPTION FOR SIGNS IN THE TOWN CENTER." MOTION BY DEPUTY MAYOR CANNON. SECONDED BY COMMISSIONER JOHNSON.**

**DISCUSSION.**

**MAYOR LACEY SUMMARIZED, "WE ARE VOTING ON A MOTION THAT HAS BEEN MADE AND SECONDED TO INSTRUCT STAFF TO COME BACK WITH AN ORDINANCE VERY SIMILAR TO 2019-02, WITH SOME SPECIFIC CHANGES THAT WERE ENUNCIATED BY DEPUTY MAYOR CANNON.**

**IT IS MY SPECULATION, BASED ON WHAT ANTHONY (GARGANESE) SAID, THAT THAT MEANS THAT STAFF WILL PREPARE AN ORDINANCE LIKE THEY NORMALLY DO, LIKELY IN MY MIND, GO TO LPA [LOCAL PLANNING AGENCY] AND THEN COME BACK TO THE COMMISSION FOR FIRST READING AND THEN AGAIN ON SECOND READING."**

**FURTHER COMMENTS.**

**ATTORNEY GARGANESE ADDED, “THIS IS DIRECTION TO AMEND THE PREVIOUS ORDINANCE THAT THE COMMISSION ADOPTED, TO ADD ANOTHER EXCEPTION TO THE MORATORIUM...” DEPUTY MAYOR CANNON NOTED, “...CORRECT...”**

**CONTINUING, ATTORNEY GARGANESE STATED, “THERE IS A LIST OF CERTAIN EXCEPTIONS LIKE EXISTING PERMIT APPLICATIONS THAT WERE IN THE DOOR. THE DEPUTY MAYOR IS SUGGESTING ADDING ONE (1) ADDITIONAL EXCEPTION FROM THE MORATORIUM, ASSUMING IT GOES INTO EFFECT, TO EXEMPT SIGNAGE SPECIAL EXCEPTIONS IN THE TOWN CENTER.”**

**ATTORNEY GARGANESE AND MAYOR LACEY MENTIONED THIS WOULD COME BACK TO THE CITY COMMISSION AS A NEW ORDINANCE.**

**COMMENTS FOLLOWED REGARDING HOW MANY NEW APPLICATIONS CURRENTLY EXIST, MORATORIUMS, THE CITY’S IMAGE, THE REVIEW CYCLE OF THE NEW STARBUCKS, THAT RESIDENTS WERE A PRIORITY, WHETHER THERE WAS A CONTRACT ON THE CORNER PROPERTY AT TUSKAWILLA ROAD, REVISITING THE CITY’S COMPREHENSIVE PLAN, AND HOLDING WORKSHOPS.**

**DEPUTY MAYOR CANNON PROVIDED SOME MORATORIUM ORDINANCES FROM OTHER JURISDICTIONS FOR THE RECORD.**

**FURTHER COMMENTS FOLLOWED ON THE TEMPORARY MORATORIUM ORDINANCE, THAT THERE DID NOT SEEM TO BE ANY BUSINESSES BEING RESTRICTED FROM A POSSIBLE TEMPORARY MORATORIUM, SIGNAGE, THAT THE CITY’S COMPREHENSIVE PLAN DID NEED TO BE UPDATED, THAT THE SUGGESTED TEMPORARY MORATORIUM WAS APPROVED A WEEK AGO, THE CITY’S IMAGE, APPLICATIONS, SPECIAL EXCEPTIONS AND MORATORIUMS, CORRESPONDENCE TO THE CITY REGARDING THE COMPREHENSIVE PLAN, HOLDING WORKSHOPS, AND PUBLIC INPUT.**

**VOTE:**

**COMMISSIONER KENDRICK: NAY**

**DEPUTY MAYOR CANNON: AYE**

**COMMISSIONER JOHNSON: AYE**

**COMMISSIONER HOVEY: NAY**

**COMMISSIONER HALE: AYE**

**MOTION CARRIED.**

Mayor Lacey asked the City Manager if he knew what was expected of him. City Manager Kevin L. Smith stated, “I do Mayor.”

## PUBLIC INPUT

*Mayor Lacey opened "Public Input".*

*Ms. Sheila Benton, 414 Cedarwood Court, Winter Springs, Florida:* spoke of a different stance of the past City Commission and the present City Commission, that she thought there were discrepancies in the Mayor's Veto letter, commented about the Comprehensive Plan, said the Mayor should rescind his Veto, referenced 100.361, and noted that some residents thought development should be slowed down, not stopped.

*Ms. Constance Winning, 743 Sybilwood Circle, Winter Springs, Florida:* also mentioned her interest in slowing development in the City with consideration of traffic, aesthetics, construction, and was disappointed in the direction the City was going.

*Mr. Matt Benton, 414 Cedarwood Court, Winter Springs, Florida:* read some excerpts from an Election Financial Report for Mayor Lacey and pointed out some of the individuals and companies that contributed, and also provided the document for the Record.

*Mr. Jeff Crandall, 1239 Stone Harbour Road, Winter Springs, Florida:* provided several documents for the Record, spoke of Facebook and news sites, noted that documents were provided to Mayor Lacey regarding the Comprehensive Plan, thought the City's Comprehensive Plan should be in compliance, and said the proposed Moratorium would help put a hold in place.

Deputy Mayor Cannon referenced letters regarding the City's Comprehensive Plan, and asked that if there were others, that they be provided to him and the rest of the City Commission for consideration on an Agenda.

## ADJOURNMENT

Mayor Lacey adjourned the Special Meeting at 7:05 p.m.

*RESPECTFULLY SUBMITTED:*



ANDREA LORENZO-LUACES, MMC  
CITY CLERK

*APPROVED:*



MAYOR CHARLES LACEY

NOTE: These Minutes were approved at the March 11, 2019 City Commission Regular Meeting.