



CITY COMMISSION WORKSHOP MINUTES

MONDAY, APRIL 15, 2019 AT 6:30 PM

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

CALL TO ORDER

The Workshop of Monday, April 15, 2019 of the City Commission was called to Order by Mayor Charles Lacey at 6:30 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
Interim City Manager Shawn Boyle, present
City Attorney Anthony A. Garganese, arrived at 6:32 p.m.
City Clerk Andrea Lorenzo-Luaces, present

A moment of silence was held, followed by the Pledge of Allegiance.

Mayor Lacey mentioned that Interim City Manager Shawn Boyle had asked if Agenda Item 4). could be deferred, "So, I would ask for a Consensus to approve the Agenda including items 1), 2), and 3)." Deputy Mayor Kevin Cannon and Commissioner Geoff Kendrick stated, "No objection." No disagreement was noted.

PUBLIC INPUT

Mayor Lacey opened "Public Input".

Mr. Phil Kaprow, Esquire, 1005 Antelope Trail, Winter Springs, Florida: addressed the City Commission as a representative of his employer, Killgore, Pearlman, Semanie, Denius & Squires, P.A., whom he noted was a sponsor for the Oviedo-Winter Springs Regional Chamber of Commerce's Capitol Connection. Mr. Kaprow mentioned that his company had an extra seat for the Capitol Connection and was offering it to the City of Winter Springs, specifically for Commissioner TiAnna Hale who they knew was interested in attending the Capitol Connection.

City Attorney Anthony A. Garganese arrived at 6:32 p.m.

With additional remarks, Mr. Kaprow pointed out, "We're not lobbyists, there's no quid pro quo involved; it's a gift to the City - the same way that it's an emolument of the membership of the Trusteeship. So, it's not like we're giving it with an earmark for her, but presumably the intention was that she had expressed an interest."

Mayor Lacey summarized, "It is a gift to the City, no strings attached." Mr. Kaprow responded, "That is correct."

Comments continued.

Attorney Garganese noted, "If it's something that the City can accept, not a gift but an emolument or whatever it is, it's of the trustee relationship between the Chamber and the City, and it comes to this body, and then the body can determine whether or not to accept it, and then the body, the governing body of Winter Springs can determine who goes on behalf of the City."

Discussion.

Mayor Lacey stated, "So, coming from a firm that has that as their benefit, can that be a donation to the City?" Attorney Garganese said, "The firm is not lobbying the City on behalf of a client or lobbying ..." Mr. Kaprow noted, "...We have no business before the City at this point, nor in the foreseeable future at this time."

Remarks continued regarding Deputy Mayor Cannon was also attending the Capitol Connection, how a past Commissioner served as the City's representative to the Oviedo-Winter Springs Regional Chamber of Commerce, that various current City Officials might also like to participate with similar trips, the Sunshine Law, and this current situation.

REGARDING THE CAPITOL CONNECTION TRIP, "I WOULD LIKE TO MAKE A MOTION THAT WE ACCEPT THE GENEROUS DONATION FROM MR. KAPROW'S FIRM AND THAT COMMISSIONER HALE BE THE PERSON SELECTED TO ATTEND." MOTION BY COMMISSIONER HOVEY. SECONDED BY COMMISSIONER JOHNSON. DISCUSSION.

Mayor Lacey opened "Public Input" on this particular topic of discussion.

No one spoke.

Mayor Lacey closed "Public Input" on this particular topic of discussion.

VOTE:
COMMISSIONER JOHNSON: AYE
COMMISSIONER HALE: AYE
DEPUTY MAYOR CANNON: AYE
COMMISSIONER KENDRICK: AYE
COMMISSIONER HOVEY: AYE
MOTION CARRIED.

Mayor Lacey closed "Public Input".

DISCUSSION ITEMS

1). Discuss Florida Regional Planning Council Proposal

Ms. Tara McCue, AICP, Director of Planning & Community Development, East Central Florida Regional Planning Council, 455 North Garland Avenue, Orlando, Florida: introduced herself and gave an overview of what the East Central Florida Regional Planning Council does and specifically what her agency could provide in terms of a possible Visioning program.

Regarding a proposal that the East Central Florida Regional Planning Council submitted, Ms. McCue referenced Task 1 and stated, "We would look at your old Vision and Strategic Plan, look through your land development, your demographic and your economic growth, and then interview the different Directors from the City to see what from your Strategic Plan process and that Vision would move forward - with some communication ideas, park and rec[reation] programs, those things that were highlighted. Then we would present this to the city council and also develop a report on that."

Continuing, Ms. McCue mentioned Task 2 that involved engaging the community and noted, "What we generally do is hold a Workshop with the community. We would present the findings from where you guys were in 2009, how things have changed because of the growth." Ms. McCue added, "A lot of the people who are here, may not have been part of that process, so we need to see how things have changed in the view of their minds as well, and educate them on the process that had already taken place. So, we would do that and then conduct the various numbers of roundtable discussions."

Ms. McCue added that during this process they would identify strengths and opportunities, where people would like to see improvement, and where they envision the City being in ten to twenty (10 to 20) years.

Continuing, Ms. McCue explained, "All of that would be led by the Regional Planning Council, we would work with your City Staff to get everybody out there, to announce it and get a really, really good turn out, and then taking that information, we would implement that into a survey."

Ms. McCue referenced a survey platform that was available to be used, and suggested the City take advantage of this free resource.

Furthermore, Ms. McCue noted, "We would take all that information and create the survey from it and really make it a community-based survey. So, we would work with the City to use all means necessary, mail out flyers, your marquee, social media, email lists to get as many people to participate in that survey as possible, and then we would develop a report."

Ms. McCue mentioned their Report would address "What came out of the Workshop, and what came out of the survey, and provide some recommendations to move forward; and those are the recommendations that we would come back and present to you all, whether or not it's to create another full vision, to create an addendum for your old Plan, or other recommendations that might come forward."

And then obviously all that information, we would work with the City to make sure it moves forward to get consulting, so that they would have an opportunity to look that over and move that forward. And some things that are not on the proposal - then we could work with the City to either create the vision if that was what the recommendation was and then review your LDR's (Land Development Regulations), your Ordinances in your Comp[rehensive] Plan to see if there are any barriers or gaps in order to move this forward."

Deputy Mayor Cannon remarked, "As part of this process, if the community decides that they want to tweak some of the goals that are in the Comp[rehensive] Plan you would - gather that information as well and then make recommendations."

Continuing, Deputy Mayor Cannon commented, "In Task 1, what you are looking at - is basically looking at our Comprehensive Land-Use Plan that was adopted in 2009, and looking at the Goals set forth in that and what we've achieved, and what we haven't achieved; and in addition to that, if the community's perspective has changed a little, you will capture that, right? If we need to tweak some things and bring it current?"

Ms. McCue responded, “Yes, we would look at what your Comp[rehensive] Plan is saying; if your Comp[rehensive] Plan really encompasses the vision. If they were done at the same time, I would hope it did.”

Further, Ms. McCue added, “We would do a periphery look at that. We wouldn't for this, we would not do straight through revisions. For that, I think that is a task that would be after - but that we can always add on, like I said, the findings we can recommend. We need to go through in a more detailed analysis of your Comp[rehensive] Plan.”

Deputy Mayor Cannon thought that reaching out for ten to twenty (10-20) years made sense to consider and asked if Ms. McCue had done this before. Ms. McCue responded that they had not done a twenty (20) year Plan, however, they had just completed a five (5) year Plan for another municipality.

Further remarks ensued on benchmarks, economic viability, the Gibbs Planning Group, marketing, and economic strategies.

Deputy Mayor Cannon then asked Ms. McCue when would her agency be available, if the City wanted to go forward. To that, Ms. McCue noted a May 1st start date.

Commissioner Hale asked if the suggested survey platform would be offered online to which Ms. McCue explained it was available via various electronic means however due to ADA (Americans with Disabilities Act) requirements, a paper copy would also be available as required.

Brief comments followed on the survey process, data, results, and Commissioner Kendrick noted his preference was for as much data gathered as possible.

Next, Commissioner Jean Hovey pointed out, “The total cost is seventeen thousand five hundred [dollars] (\$17,500.00). Is that an estimate?” Ms. McCue replied, “That was the cost, as-is. If we're going to be doing some best practice, that will go up a little bit but not tremendously – if we were to do three (3) best practice research, probably about twenty, twenty-one thousand.”

Continuing, Commissioner Hovey asked Interim Manager Boyle about the services that the Institute of Government might provide. Interim Manager Boyle spoke briefly about the Institute of Government and pointed out, “The benefit is that Tara (McCue) can actually come back and do the actual work to update the Comp[rehensive] Plan.”

With further remarks, Commissioner Hovey then referenced the suggested costs for this process and asked where the funds would come from, if the City Commission went with the Gibbs Planning Group,?

Interim Manager Boyle said, "We actually have some money in Community Development, one of the line items is for these type of services and what we'd like to do is if we don't make a decision – we weren't really asking you guys to make a decision tonight.

What we were going to do is bring it back on a Consent and we would put in there, 'Not to exceed this much money'; and obviously, if we do, then we come back before this body and ask for permission to exceed it. But we have some money in Economic Development over in Community Development line items to pay for it." Further in response, Interim Manager Boyle added, "We have money budgeted and no, we would not defer monies from other projects."

Commissioner Ted Johnson inquired as to what kind of a return could be expected from the proposed survey.

Ms. McCue noted, "Our aim is always to get three to five percent (3 - 5%) of the entire community which is pretty good for a survey. Of course, it depends upon how well the City can get the message out." Ms. McCue then mentioned a survey that was done in a coastal community that received excellent participation and results and noted that this other community set up a booth at festivals, used electronic devices, and also sent a letter to all citizens and businesses in the community to make sure everyone was informed about their survey.

Regarding attendance at Workshops, Commissioner Johnson asked about past results to which Ms. McCue said they have had varying results; however, they structured and marketed surveys to garner as much interest as possible. Next, Commissioner Johnson asked Ms. McCue what would be included on the survey.

Ms. McCue remarked, "What we would do is we would take some of the items that came out of the last Vision process, some of the things that boiled to the top for that, and then the information that we get from the community Workshops - what are the top things you want to see move forward and then we would combine them and tweak them in a way that they were comprehensive enough so that we're combining everything and then taking a deeper dive as the survey - moves along, so it would really be community driven.

What was important in the last survey to see if that has moved forward and then what has boiled to the top again in the community Workshop. And if there's things that are important to the Commission, we can include those as well."

Commissioner Johnson then inquired, "What would be a reasonable timeline for this process to be concluded?"

Ms. McCue said, "What we were envisioning was for reviewing everything in the trend analysis, and where have you been in the last ten (10) years. We are hoping to start that in May and complete that towards the middle of June, and then present to the council toward the end of June, and then the month of June, we would work on the community Workshop, and pulling all of that together. And then from there with the survey, we definitely would want the survey out for about a month, so we would take the information from the Workshop, compile it all together, have the Workshop out by July 1st.

So, the whole month of July would be attributed to people filling out the survey, and then we would spend the first week or two in August pulling all of that information together, coming up with our recommendations, creating a Report and then in August, depending on the schedule of the council, we would come back and provide you our recommendations."

Further comments.

Deputy Mayor Cannon mentioned he thought the timeline was longer than he would have preferred, however he said that that was related to the City. Ms. McCue then stated, "If we can get it done sooner, we will do our very best."

Brief remarks followed on the Visioning process, marketing, recommendations and whether this agency would assist with possible suggestions.

Ms. McCue explained, "If there is something that we see, that really come out, we would provide that recommendation but as far as the strategy of who to target, that would definitely be something coming from Gibbs, if you choose to go with them."

Commissioner Kendrick noted the timing, getting this done right, and pointed out, “July 4th, we have Celebration of Freedom here. We could probably incorporate and try to derive maybe a larger group of citizens to get those surveys out to, because we do have a City event that is very well attended by everyone throughout the County quite frankly, but plenty of Winter Springs’ residents, and I think that would be an ideal time to have a City booth and to have those iPads, and I think that would be perfect to drive those surveys home.”

Continuing, Commissioner Kendrick added that he thought these Workshops the City has had were more like Regular Commission meetings rather than roundtable discussions. Commissioner Kendrick suggested that what might be more conducive to hearing from residents and business representatives was to have actual tables for attendees to sit at, and thought that such would be helpful in opening up discussions, especially with business representatives.

Ms. McCue noted, “The way we set it up is that we would do one community Workshop; but if you are suggesting we do a Business Workshop as well, we can do one of those. We’ve done that as well, where we separated the conversation. The way that we do our Workshop is we get up, we do a presentation, why we’re here, this is where you’ve been, where do you want to go, and then we have different conversations occurring at different tables.”

Furthermore, Ms. McCue noted that typically she recommends that the Elected Officials do not attend Visioning Workshops so that the citizens can talk freely. Commissioner Kendrick said that he was agreeable to that.

Deputy Mayor Cannon asked how do they ensure that only residents from Winter Springs are surveyed. Ms. McCue explained that in another jurisdiction, participants had people put in their address; however, Ms. McCue suggested that sometimes, getting comments from others who visit a City and utilize services in that City, could also be helpful.

Commissioner Johnson noted that he thought the Workshops should be less formal and supported the roundtable concept. Additionally, Commissioner Johnson mentioned that he also agreed with the City having a booth or tent at the City’s 4th of July event, which he thought would be great for the survey and that we could ask people for their driver’s license for verification.

Further comments.

Mayor Lacey then remarked, "I believe it is Shawn's (Boyle) intention to bring this back as an Agenda Item next week, right? Interim Manager Boyle responded, "Yes." Interim Manager Boyle added, "What I'd like to bring back is some spending limits, some caps and a draft contract, that way we give Anthony (Garganese) some time to review it."

Mayor Lacey then said, "Commissioners, if you have any input for Shawn (Boyle) now or in the next few days, it would be useful." In terms of agreement, Mayor Lacey pointed out, "I don't see any shaking heads."

2). Draft Noise Ordinance 2019-XX

Interim Manager Boyle began the discussion by commending Attorney Garganese for his work on various Ordinances and that he was very appreciative of his efforts.

Attorney Garganese began the discussion on this Agenda Item and mentioned some recent issues related to the use of power tool equipment and power ground maintenance equipment being used during early morning hours.

Captain Matt Tracht, Operations Bureau, Police Department addressed the City Commission on these matters, recent Code Enforcement complaints, how most of this was related to landscaping work, and that they were proposing a new sub section (k) which would address landscaping issues.

Attorney Garganese remarked, "The way the Noise Ordinance is structured in Winter Springs - there's two (2) possible Violations. We have a decibel-based standard to deal with general noise and there's a whole methodology that's set forth in the Ordinance; and then the other section of the Ordinance deals with noise disturbances that are just prohibited out right. That is just generally deemed a public nuisance because they occur, not because of a decibel reading and there's a list of those type of activities that the Commission has previously deemed a noise disturbance that should be prohibited.

The way the Ordinance is structured, if this Ordinance were adopted by the Commission there would be an additional prohibited activity added to the Noise Ordinance for power tool equipment and power ground maintenance equipment. And the Ordinance would deem it unlawful to operate or permit to be operated any power tool equipment as defined in this Ordinance or power ground maintenance equipment – as defined in this Ordinance in residential areas only, not commercial areas but in residential areas, outdoors.

So, not the use of this equipment indoors but it would be in residential areas and the activity would occur outdoors, and it would be between the hours of 10 p.m. and 7 a.m. the following day.

Now with respect to outdoor use of ground maintenance equipment on public recreational fields and golf courses, the hours would be slightly different. It would be prohibited between 10:00 p.m. and 6:30 a.m. the following day, generally because of the recognition that those types of facilities tend to have to get fields ready for morning play.”

Deputy Mayor Cannon inquired if there were any exemptions for generators and big festivals such as the Scottish Highland Games or festivals held at churches.

Interim Manager Boyle stated, “There is an administrative exception that the City Manager currently can grant for - early morning concrete pours, any events, anything along those lines, the City Manager currently has the ability to waive some of the rules...” Captain Tracht added, “...Special Permits like the Highland Games.”

Comments followed on when special events such as the Scottish Highland Games have to go quiet.

Interim Chief of Police Chris Deisler, Police Department stated, “Generally, the noises are allowed per the Special Events Permit. So, if the permit gives them ‘x’ hours, the noises are exempt between those hours specified on the permit.”

Comments followed on school carnivals, permits, that this Ordinance would not address commercial situations, and issues such as garbage collections very early in the morning.

Commissioner Hovey noted, “If someone is at the school mowing the yard, it’s not just affecting me, it is affecting all of us around there, plus the people across [State Road] 434 - there are lots of residential next to commercial.”

Attorney Garganese pointed out, “The way the Ordinance is written for this particular Violation, it would be within a residential area. A residential area is defined in the existing Ordinance and with respect to the use of power equipment and power ground maintenance equipment, I would have to maybe look at that a little bit more if that is what the Commission wants to do.”

Remarks continued on waste and recycling pick-ups, and for example, when someone could start mowing lawns on Sunday mornings. Further discussion continued.

Deputy Mayor Cannon spoke of the 6:30 a.m. start time and comments followed that noise often comes with living on a golf course.

Furthermore, Deputy Mayor Cannon commented on the proposed Ordinance, Emergency Declarations, hurricane or smaller storm type events, and suggested that perhaps some leeway might be helpful if Attorney Garganese and/or the Police Department thought such would be helpful.

Mayor Lacey then said to Attorney Garganese, "Do you have from us what you need – any clarifications?" Attorney Garganese then asked if the 6:30 a.m. start time was acceptable. Deputy Mayor Cannon stated, "I am fine with it." No objections were voiced.

3). Draft Construction Management Ordinance 2019-XX

Attorney Garganese began the discussion on this Agenda Item and said, "At the last Workshop, the Commission discussed having a more specific and consolidated Construction Site Management Ordinance." Attorney Garganese added, "I went ahead and proposed an Ordinance which would create a new section of the City Code 6-88. which is our Building Code provisions, and it would create this uniform set of construction site management regulations.

Generally, the topics that are covered by this Ordinance are construction management plans, temporary toilet facilities for workers, the contractor and property owners responsibilities when there's the ongoing construction on the property.

There's a final site cleanup and repair of damage to public property provision - a temporary construction fence is another category that's addressed, and erosion and runoff control is another general category, and then there's a Violation and Enforcement section.

Further comments followed.

Deputy Mayor Cannon applauded Attorney Garganese for the great job that Attorney Garganese did in terms of putting this as well as the previous Ordinance together.

Discussion.

Commissioner Kendrick agreed with Deputy Mayor Cannon's compliments regarding Attorney Garganese's work on this Ordinance.

Deputy Mayor Cannon then suggested that with the Management Plan, before any Permit was issued, someone from the City would meet with the builder, provide them with a copy of the (final) Ordinance, have them sign that they have received it and will follow it. Interim Manager Boyle said, "Yes."

It was then noted that no Motion was needed and Mayor Lacey added, "It will come back to us for formal action."

4). Discuss Gibbs Planning Group, Inc. Economic Study

As stated during the Approval of the Agenda, this Agenda Item was not heard.

PUBLIC INPUT

Mayor Lacey opened "Public Input".

No individuals expressed any remarks.

Mayor Lacey closed "Public Input".

In other City business, Commissioner Johnson remarked that this week was set forth to recognize Dispatchers with the Police Department and Commissioner Johnson expressed that their work was very impressive and they do indeed deserve recognition.

Interim Chief Deisler agreed and said he would share these compliments with his staff.

ADJOURNMENT

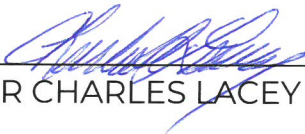
Mayor Lacey adjourned the Workshop at 7:39 p.m.

RESPECTFULLY SUBMITTED:



ANDREA LORENZO-LUACES, MMC
CITY CLERK

APPROVED:



MAYOR CHARLES LACEY

NOTE: These Minutes were approved at the May 13, 2019 City Commission Regular Meeting.