

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 12, 2019

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Attorney Heather Ramos, Town Manager Robert Smith, Deputy Chief Jennifer Treadwell, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated all Council members were present.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

Mayor O'Brien opened the floor for public comments. First to speak was Mrs. Marilyn Roofner of 636 W 2nd Avenue. Mrs. Roofner commented on her displeasure with the removal of trees. Member Sapp commented on the newly enacted laws at the State level that mandates the authority over removal of trees, permitting, and costs.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Windermere Mayoral Proclamation Recognizing the Young Marines for their work toward a Drug Free America

Mayor O'Brien read the proclamation recognizing the young Marines for their work towards a drug free America. He then presented the proclamation to them.

3. TIMED ITEMS AND PUBLIC HEARING

a. Ordinance No. 2019-06: Ridgewood Drive One Way

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO SAFETY; DESIGNATING RIDGEWOOD DRIVE FOR ONE-WAY TRAFFIC AND PROVIDING AUTHORITY TO THE TOWN MANAGER TO INSTALL OFFICIAL TRAFFIC CONTROL DEVICES; PROVIDING FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor O'Brien stated that due to no advertising of this item, the proposed Ordinance will be tabled until the December 18th Town Council meeting.

4. CONSENT AGENDA

- a. **2020 Vote Processing Equipment Use Agreement and Elections Services Contract for Municipal Elections**
- b. **Fourth Amendment to the Medical Transportation Services Agreement between the Town of Windermere and American Medical Response (AMR)**
- c. **Z19-14 – Boat Dock Variance for 219 W 2nd Avenue (DRB tabled until December 17, 2020)**

Mayor O'Brien introduced the Consent Agenda items. Member McKinley made a motion to approve items a and b, as item c has been tabled by the DRB. Member Andert seconded the motion. Roll

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call vote was as follows: Andert – yes, Sapp -yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

5. NEW BUSINESS:

a. Minutes

i. **August 13, 2019 Town Council Meeting**

Member Sapp made a motion to approve the August 13, 2019 Town Council meeting minutes as presented. Member Williams seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes and Andert – yes. Motion carried 5-0.

ii. **August 27, 2019 Special Called Town Council Meeting**

Member Williams made a motion to approve the August 27, 2019 meeting minutes as presented. Member McKinley seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes.

b. Resolutions/Ordinances for Approval/First Reading

i. **RESOLUTION NO. 2019-08: Moving Town Council Meeting to December 18, 2019.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDERMERE RESCHEDULING THE DECEMBER 10, 2019, 6:00 P.M. REGULAR TOWN COUNCIL MEETING TO DECEMBER 18, 2019 AT 6:00 P.M.

Mayor O'Brien introduced this item. Member McKinley made a motion to approve Resolution 2019-08 as presented. Member Andert seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

ii. **RESOLUTION NO. 2019-09**

A RESOLUTION AMENDING THE GENERAL FUND FOR THE BUDGET YEAR 2018/2019 FOR THE TOWN OF WINDERMERE

Mayor O'Brien introduced this item. Member Williams made a motion to approve Resolution 2019-09 as presented. Member Martini seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

iii. **RESOLUTION NO. 2019-10**

A RESOLUTION OF THE TOWN OF WINDERMERE OF ORANGE COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT OF \$39,634.08 FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING A PUBLIC SAFETY VEHICLE; DELEGATING TO THE TOWN MANAGER OF THE TOWN, SUBJECT TO COMPLIANCE WITH THE APPLICABLE PROVISIONS HEREOF, THE AUTHORITY TO AWARD THE SALE OF SUCH NOTE TO SYNOVUS BANK PURSUANT TO A TERM SHEET; APPROVING THE FORM OF AND AUTHORIZING THE

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EXECUTION OF A BUSINESS LOAN AGREEMENT AND PROMISSORY NOTE; MAKING CERTAIN FINDINGS; AUTHORIZING CERTAIN OFFICIALS OF THE TOWN AND OTHERS TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID NOTE; AND PROVIDING AN EFFECTIVE DATE.

Mayor O'Brien introduced this item. Member McKinley made a motion to approve Resolution 2019-10 as presented. Member Sapp seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

iv. Ordinance 2019-07

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA TO APPROVE RENAMING A PLATTED SUBDIVISION FROM ROSSER RESERVE TO LAKE DOWN RESERVE AND TO APPROVE A STREET NAME CHANGE FROM ROSSER RESERVE LANE TO DOWN RESERVE COURT WITHIN THE SUBDIVISION, RECORDED IN ORANGE COUNTY PUBLIC RECORDS AT PLAT BOOK 91, PAGES 17-19; PROVIDING FOR FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE

Mayor O'Brien read the title of proposed Ordinance 2019-07 for the record. He then stated that the second reading/public hearing will be held at the December 18th Town Council meeting.

v. ORDINANCE 2019-08

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, VACATING A PORTION OF WEST 1ST AVENUE AND PINE STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; RESERVING UNTO THE TOWN OF WINDERMERE A 15-FOOT UTILITY EASTMENT ALONG THE VACATED CENTERLINE OF WEST 1ST AVENUE WITHIN THE PORTION OF THE VACATED PORTION OF WEST 1ST AVENUE AND PINE STREET; CONVEYING FEE SIMPLE OWNERSHIP OF THE VACATED PROPERTY TO FERNANDO AZPURUA, OWNER OF 92 PINE STREET; PROVIDING FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE

Mayor O'Brien read the title of proposed Ordinance 2019-07 for the record. He then stated that the second reading/public hearing will be held at the December 18th Town Council meeting.

c. Boards & Committee Appointments

i. Windermere's Active Youth "The W.A.Y. Forward"

Mayor O'Brien introduced this item. Member Andert made a motion to approve Grace Foglia as the chairperson for the W.A.Y. Forward committee. Member Martini seconded the motion. Member McKinley questioned the approval of the remaining officers. Member Andert explained that the Officers have been selected at their first meeting. She explained that only the Chairperson needs approval of town

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Council. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien stated that the reports are attached to the packet. Member Andert commented on the W.A.Y. Committee. She then encouraged all to attend the meeting.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith reported on the FEMA funds, repayments, and the remaining amounts. He then reported on the acquisition of the Rubio railroad right of way, upcoming events, and the first W.A.Y. Committee meeting. Manager Smith welcomed back Town Clerk Dorothy Burkhalter who has been out on medical leave. He then stated that training with the new agenda software and the new website has been ongoing and will be implemented soon. Manager Smith continued to report on current and upcoming projects.

b. TOWN ATTORNEY HEATHER RAMOS – No report.

c. DEPUTY CHIEF JENNIFER TREADWELL – Deputy Chief Treadwell commented on the annual toy drive for the One Heart for Women and Children organization. She then commented on a missing person report that was not within the Town's jurisdiction.


Manager Smith commented on the one cent sales tax initiative. He stated that there has not been communication between Orange County and the West Orange County municipalities. Mayor O'Brien reminded everyone that the public meeting with the Orange County will be December 10th.


d. PUBLIC WORKS DIRECTOR SCOTT BROWN – Director Brown reported on upcoming and ongoing projects. Mayor O'Brien questioned the work in the right of way. Director Brown stated that the right of ways will be repaired once the project is complete. Mayor O'Brien then requested a light at the bridge for early morning exercisers. Director Brown stated he would research it.

Clerk Burkhalter stated that qualifying opens November 22, 2019 and closes December 13, 2019. Member McKinley commented on the Veterans event. Mayor O'Brien stated that sponsorships for the Robbie German memorial are needed.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 6:42pm.


Dorothy Burkhalter, MMC.FCRM
Town Clerk


Jim O'Brien, Mayor