

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 14, 2020

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, Police Chief Dave Ogden, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:01pm 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 Ms. Dayna Gaut. Ms. Gaut of 11667 Acosta Avenue, Orlando, Florida introduced herself. She stated that she is a first-time candidate running for District 4 Orange County School Board. Ms. Gaut briefly commented on her background as well as the current needs/issues of the Orange County Schools and its staff. Ms. Shelia Cichra, representative for 219 W 2nd Avenue variance request introduced herself. She then stated that her clients would like to have their consent agenda item removed for discussion. Mayor O'Brien stated that this will be addressed when the Consent Agenda is up for discussion. Ms. Cichra stated that Mr. Jeff Szukalski, owner of 219 W 2nd Avenue, would also like to speak when the item is pulled. Mr. David Sharpe of 1027 Oakdale Street deferred until agenda item 5(c)(i) is being discussed.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Garden Club Appreciation/Recognition

Member McKinley recognized Ms. Vicki Hearst and the Windermere Garden Club for their outstanding decorating of the Towns Christmas tree, mantel, and back porch Christmas tree. He stated that the Garden Club has volunteered for years to decorate and always does an excellent job. Member McKinley recognized the Garden Club on their District Awards and the Deep South Southern District Award. Mayor O'Brien also publicly thanked the Garden Club. Garden Club President Vicki Hearst thanked everyone for the recognition. She then recognized Carolyn Warren as she is the head of the committee for decorating. Ms. Hearst stated that the Garden Club saves the decorations for cost saving measures. She also stated that a few of the decoration from this year's theme will be donated to a local school for their school carnival.

b. Windermere Police Department Recognitions/Promotions

i. **Promotion to Reserve Sgt. John Alcalde**

Chief Ogden introduced Reserve Officer John Alcalde. He then promoted Officer Alcalde to a Sergeants rank.

ii. **Officer of the Year – SRO Carlos Hernandez**

Chief Ogden presented SRO Carlos Hernandez with Officer of the Year certificate.

iii. **Community Service Award – Administrative Assistant & Admin Reserve Officer Lori Sipek**

Chief Ogden presented Administrative Assistant and Reserve Officer Lori Sipek with a Community Service Award.

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 14, 2020

iv. Certificate of Appreciation – Officer Griffin Hebel

Chief Ogden presented Officer Griffin Hebel with a Certificate of Appreciation.

3. TIMED ITEMS AND PUBLIC HEARING

a. Ordinance No. 2019-09:

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, AMENDING SEC. 5.01.05 OF DIVISION 5.01.00 OF THE TOWN'S LAND DEVELOPMENT CODE ENTITLED "TREES" TO INCORPORATE CHANGES MADE TO SECTION 163.045 OF THE FLORIDA STATUTES PERTAINING TO TREES THAT PRESENT A DANGER TO PERSONS OR PROPERTY; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor O'Brien introduced this item. He then closed the Town Council meeting at 6:27pm and opened the Public Hearing regarding proposed Ordinance 2019-09. There being no public comments, Mayor O'Brien closed the Public Hearing at 6:28pm and reconvened the Town Council meeting. Member Sapp made a motion to approve Ordinance 2019-09 as presented. Member McKinley seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams - aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

4. CONSENT AGENDA

a. **Z19-14 – Jeff and Rachelle Szukalski – Shelia Cichra (rep) 219 W 2nd Avenue - Variance for Boat Dock Side Setback Reduction – DRB recommends approval with the condition the boat dock does not exceed 16 feet in width and maintains a minimum side setback of 12 feet. (Vote 4-1)**

Mayor O'Brien introduced the Consent Agenda items. At the applicant's request and Town Council approval, this item was pulled for discussion. Ms. Cichra re-introduced herself. She then gave a brief history of the request, the two DRB meetings, and the current additional one-foot request. Mr. Jeff Szukalski, owner of 219 W 2nd Avenue introduced himself. He then stated that the original request was for twenty-two feet but it has to be scaled back to what the DRB has recommended of seventeen feet. Mr. Szukalski stated that they would like an additional one foot to make the walkway wider. Next to speak was Mr. Brad Cornelius with Wade Trim, Town Planner. Mr. Cornelius reviewed the previous DRB process. He then stated that the owners do have approval from the County for the larger dock. Mr. Cornelius stated that after the first review, the DRB requested fourteen feet for the dock and walkway. He then stated that revised plans were submitted to the DRB with a proposed seventeen-foot dock and walkway. Mr. Cornelius explained that the DRB did recommend approval for a sixteen-feet by a vote of four to one. Discussion with the Town Council began. Member Martini, and liaison for the DRB, commented on the area and the proposed dock. He then commented on the variance comprise from the DRB. Member Martini stated that an additional six-inches on either side won't be intrusive. Member Andert stated she's concerned about the height. She then questioned the denial response and the commercial business comment. Mr. Cornelius stated that the height will meet code. Ms. Cichra stated that Orange County only allows thirteen feet for height. Mr. Szukalski stated he does not have nor intend to run a commercial business from his home or on the water. Member Martini made a motion approve the

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 14, 2020

modification of the seventeen feet maximum with an eleven and half foot setback. Member Williams seconded the motion. Roll call vote was as follows: Andert – aye, Sapp -aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

5. NEW BUSINESS:

a. Minutes

i. **December 18, 2019 Town Council Meeting**

Member McKinley made a motion to approve the December 18, 2019, Town Council meeting minutes as presented. Member Andert seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye and Andert – aye. Motion carried 5-0.

b. Resolutions/Ordinances for Approval/First Reading

i. **Ordinance No. 2020-01: First Reading**

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO SAFETY; PROVIDING AUTHORITY TO THE TOWN MANAGER TO RESTRICT RIGHT AND LEFT TURNS ON RIDGEWOOD DRIVE DURING PEAK TRAFFIC HOURS AND TO TAKE ALL OTHER ACTION IN THE TOWN MANAGER'S DISCRETION TO REGULATE TRAFFIC ON STREETS AND ROADS WITHIN THE TOWN'S JURISDICTION TO PROTECT TOWN RESIDENTS; PROVIDING AUTHORITY TO THE TOWN MANAGER TO INSTALL APPROPRIATE SIGNAGE AND TRAFFIC CONTROL DEVICES; PROVIDING FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor O'Brien introduced proposed Ordinance 2020-01. He then read the title of proposed Ordinance 2020-01 for the record. Mayor O'Brien stated that the Second Reading/Public Hearing will be held at the February Town Council meeting.

c. Contracts & Agreements

i. **Individual Project Order #107: KHA Ward Trail Concept Plan Phase 1 – North Park Avenue \$49,970**

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith explained that this IPO is for Phase 1 of the Ward Trail concept plan. He further explained the benefits of having the concept plan when seeking grants/funding. Manager Smith stated that this would also include charettes. Member Martini questioned if this would serve as a template for the remaining phases. Manager Smith stated additional studies would not be needed but there will be some differences and variables in the right of ways. Member Sapp commented on concerns regarding trees. Manager Smith stated that an Arborists will be brought in. Some discussion followed. Mayor O'Brien opened the Floor to Mr. David Sharpe for comments. Mr. Sharpe withdrew his request to speak. Member McKinley made a motion to approve IPO 107 not to exceed \$\$49,970.00. Member Sapp seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye and Andert – aye. Motion carried 5-0.

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 14, 2020

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien stated that the Liaison reports are attached to the packet. He then commented on the passing of longtime resident Mr. Bill Matheison. Mayor O'Brien also commented on upcoming events. Member Sapp commended the Tree Board on their efforts with the Tree seminars. Member McKinley reported on the upcoming Elder Luncheon on February 4th, at 11:30, in the Town Hall. Mayor O'Brien thanked all volunteers for their support to the Town

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith reported on upcoming events, Night to Shine, WAYS Committee, projects, the new website, and the upcoming meeting with Orange County regarding the one cent sales tax initiative.

b. TOWN ATTORNEY HEATHER RAMOS – No report.


c. POLICE CHIEF DAVE OGDEN – Chief Ogden reported on the upcoming year end reports and grants.

d. PUBLIC WORKS DIRECTOR SCOTT BROWN – Director Brown reported on upcoming and ongoing projects, closing of the no name road to complete a project, and the use of social media for noticing of completed projects like Central Park.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:06pm.


Dorothy Burkhalter, MMC.FCRM
Town Clerk


Jim O'Brien, Mayor