

TOWN OF WINDERMERE

Town Council Meeting Minutes

February 9, 2021

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley (arrived 6:05pm), Andy Williams, Chris Sapp, and Liz Andert. Town Manager Robert Smith, Attorney Tom Wilkes, Police Chief Dave Ogden, Public Works Foreman Travis Mathias, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated quorum was present.

Mayor O'Brien led everyone in the Pledge of Allegiance. He then gave the invocation.

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

Mayor O'Brien opened the floor to the public. First to speak was Mrs. Angela Withers of 712 Main Street. Mrs. Withers commented on the City Nature Challenge 2021 Orlando Metro. She stated that the challenge to record and observe wildlife begins April 30th and runs through May 3rd. Mayor O'Brien requested that Mrs. Withers forward the information to Manager Smith. Mr. Stephen Withers of 712 Main Street introduced himself. He then assured everyone that the trees at the new facility construction site are being protected. Ms. Susan Carter of 106 Palm Street introduced herself. She then commented on the trees at the new facility site. Ms. Carter stated that she has read the arborist report and appreciates all the support with saving the trees. Mrs. Karen Fay of 28 Pine Street introduced herself. She thanked the Town Council, Susan Carter, Leshia Miller, Nancy Nix, and all who were involved with the 83 Elder luncheon deliveries earlier in the day. Manager Smith stated that public comments were received from resident Brandi Haines (attached). He then responded on the 100-year flood plan, maintenance plans, same approach for the projects, dirt roads experience response, and materials proposed to be used.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Windermere Police Department Awards and Recognitions:

- i. Lieutenant Promotion Mark Destefano
- ii. Sergeant Promotion Officer Chip Irwin
- iii. Officer of the Year Officer Griffin Hebel
- iv. Award of Merit
 1. Sgt. Jayson Bonk
 2. Ms. Lori Sipek
- v. Presidential Service Award
 1. Andy Jones, Bronze
 2. Brian Miller, Silver
 3. Carolee Burrell, Gold
 4. Jeff Bacigalupi, Bronze
 5. John Alcalde, Gold
 6. Lori Sipek, Silver
 7. Patrick Husic, Bronze
- vi. Certificate of Appreciation – Crossing Guards
 1. Ruth Marcus

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2. Patty Saunders

3. Becky Sipek

Chief Ogden promoted, presented, and recognized several within the Police Department.

b. Recognition of Donna Steele: Volunteer Service Award

Mayor O'Brien introduced this item. Ms. Nora Brophy accepted the recognition plaque in the absence of Ms. Donna Steele. She then spoke and accepted the plaque on Ms. Steele's behalf.

c. Recognition of Orlando Health as Annual Sponsor of the Town of Windermere's Run Among the Lakes

Ms. Nora Brophy introduced the new Run Among the Lakes title sponsor, Orlando Health. She then introduced Mr. Mark Marsh and Ms. Dawn Harris Goodwin, representatives from Orlando Health. Mr. Marsh spoke briefly on the newly opened hospital in Horizon West. He then stated that Orlando Health is excited to play a part in a healthy event such as the Run Among the Lakes. Mayor O'Brien thanked Orlando Health for their support.

3. TIMED ITEMS AND PUBLIC HEARING:

4. CONSENT AGENDA

5. NEW BUSINESS

a. MINUTES

i. Town Council Meeting Minutes January 12, 2021

ii. Town Council Workshop Meeting Minutes January 26, 2021

Member McKinley made a motion to approve the 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.

Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

c. APPOINTMENTS

i. Parks & Recreation Committee Appointment: Dena O'Malley's

Member McKinley made a motion to appoint Dena O'Malley to the Parks and Recreation Board. Member Martini seconded the motion. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

ii. Long Range Planning Appointment: Frank Krens

Member Martini made a motion to appoint Frank Krens to the Long-Range Planning

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Committee. 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.

iii. **Long Range Planning Appointment Ex-Officio Member**

Member Martini made a motion to appoint Gregg Anderson to the Long-Range Planning Committee. Member Sapp seconded the motion. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

d. **CONTRACTS & AGREEMENTS**

i. **Town of Windermere and KHA AIA Design Contracts:**

1. **AIA Agreement Between Town of Windermere and KHA: IPO 118 Butler Street and 7th Avenue Stormwater Maintenance Improvements; Kimley Horn & Associates not to exceed \$163,647**

Mayor O'Brien introduced this item. Manager Smith explained that this has been previously approved with a not-to-exceed and à la cart items. He then stated that the formal RFQ process has been completed. Mayor O'Brien stated that the Maintenance Plan has been previously discussed and will be handled in house or outsourced. There being no further discussion, Member Sapp made a motion to approve the not-to-exceed \$163,647. Member Martini seconded the motion. Member McKinley questioned if the maintenance plan had been removed and is an à la cart item. Mayor O'Brien stated yes. Member Sapp amended his motion to include the maintenance plan as an à la cart item. Member Martini was friendly to the amendment. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

2. **AIA Agreement Between Town of Windermere and KHA: IPO 119 Bessie Street and 9th Avenue Stormwater Maintenance Improvements; Kimley Horn & Associates not to exceed \$216,264**

Mayor O'Brien introduced this item. Member McKinley made a motion to approve the not-to-exceed \$216,264.00, and the maintenance plan excluded as well. 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.

e. **FINANCIAL**

f. **OTHER ITEMS FOR CONSIDERATION:**

i. **Town of Windermere Pedestrian Bridge Concept Design Approval**

1. **Concept: Bowstring**
2. **Color: Black**

Mayor O'Brien introduced this item. He stated that the Bowstring design was favored, with the colors being questioned. Manager Smith stated that black was the consensus, but brown and bronze were

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questioned. He stated that brown and bronze are available. Manager Smith clarified that the height of the bridge will be six feet. He then stated that the concept and color needed to be determined. After some discussion was made, Member McKinley made a motion to approve the bowstring design with the black color. Member Williams seconded the motion. Member Martini questioned the width of the bridge. Manager Smith stated that the bridge will be fifteen feet external width and approximately one hundred feet long. There being no further comments, roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

6. MAYOR & COUNCIL LIAISON REPORTS:

Member McKinley reported on the Elder Luncheon held earlier in the day. He stated that eighty-three residents were delivered to. Member McKinley thanked all involved in the successful event. Member Martini reported that the Development Review Board did not meet. He then stated that the Board will be meeting on February 16, 6:30pm. Member Martini commented that the Wine and Dine scheduled in March has been canceled, future date to be determined. Member Andert reported on the upcoming WAY Zest event. She stated that the 1887 School House will be open for tours during the event. Member Andert reported on the Butler Chain of Lakes Advisory Board. She then recapped the Tree Board event. Mayor O'Brien stated that the workshop regarding the boathouses will be scheduled after the Council members are seated.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith stated that there has been discussion regarding Zoom streaming and the chat box being closed. He explained that Zoom is for livestreaming only, and as in the past, any and all comments can be forwarded to the Town Clerk for inclusion at the meeting. After some discussion was made, consensus from the Town Council is to leave the chat box closed and require any and all comments be forwarded to the Town Clerk prior to the meeting if anyone from the public can not be present at the meeting. Mr. Smith then reported on House/Senate bills, upcoming Candidates Night, February 24th Q & A, and the Project meeting notes. He then gave an update on the new facilities.

b. TOWN ATTORNEY TOM WILKES – No report.


c. POLICE CHIEF DAVE OGDEN – Chief Ogden thanked everyone for the support to the Police Department. He then reported on a meeting with the new State Attorney, current IT issues, Staff, applicants, upcoming spring break, and line of duty deaths.


d. PUBLIC WORKS FOREMAN TRAVIS MATHIAS – Mr. Mathias reported on Central Park, Main Street Tennis Courts, signage, sidewalk clean-ups, regulatory signage installed, dock repair quotes, and the light at the roundabout.

e. TOWN CLERK DOROTHY BURKHALTER – No report.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:25pm.


Dorothy Burkhalter, MMC, FCRM
Town Clerk


Jim O'Brien, Mayor

Dorothy Burkhalter

From: Robert Smith
Sent: Tuesday, February 9, 2021 4:48 PM
To: Dorothy Burkhalter
Subject: FW: Comments for Town Council Meeting 2/9/2021

Regards,

Robert Smith
Town Manager
Town of Windermere
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Windermere, FL 34786
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Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

From: Brandi Sloss <mascada16@yahoo.com>
Sent: Tuesday, February 09, 2021 4:45 PM
To: Robert Smith <rsmith@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Jim O'Brien <jobrien@town.windermere.fl.us>
Subject: Comments for Town Council Meeting 2/9/2021

Robert, Mayor, Council,

Please see below my comments for tonights Town Council meeting. Unfortunately we are out of town and were unaware until recently that public comment would not be allowed virtually as we have been to all of the in person council meetings since they started back up.

General Comments:

Town Council meetings should continue to allow for public comment via zoom or whatever interface the Town uses for meetings. Many residents are often out of town for work, leisure, or may own rental properties in the town although may not reside there. We have had great outreach and participation since the pandemic started and had to use a virtual setting. I understand there are technical difficulties that need to be worked out but I am confident that the town admin can find a solution. Maybe reach out to residents that are well versed in computers to assist if necessary. I have heard lots of positive feedback from residents that like to be able to interact this way.

All charettes with residents should be advertised and made available to ALL Town of Windermere residents not just those that are adjacent to certain projects.

Comments specific to the Butler and Bessie IPOs

1. There is a major discrepancy from what was previously said. John Fitzgibbons said in a meeting at my home with Councilwoman Andert, my husband and I (and may have been said at a Town Council meeting as well), that these IPOs are designing for a 5-year flood event. The contract with FEMA says we must design for a 100-year flood event (p. 181 of agenda packet). What flood event are the designs for? What flood event is required to be designed by the FEMA contracts?

2. There is a discrepancy between the Butler and the Bessie Projects regarding a maintenance plan. Will a maintenance plan be included on both the IPO's or just on Bessie?

p. 34 Butler project: "...with dirt roads we understand that a well planned and executed maintenance plan is essential to keep the proposed drainage improvements functioning properly. The type of maintenance plan may be better suited to be developed by in-house town staff. However we can assist town staff as needed for details of maintenance plans such as determining maintenance intervals dirt road and soil grading material procedures and vacuuming of inlets.

p.161 Bessie Project includes Task 15 - Unpaved Road Project Maintenance Plan.

3. The Butler IPO (p. 70) says the project will include open and closed drainage conveyance systems & will include proposed drainage swales, inlets, pipes, and stormwater management facilities needed. Bessie IPO (p. 157) says proposed drainage inlet, swales and stormwater facilities needed to accommodate water quantity and quality requirements prior to discharge into Lake Bessie. The Bessie project has no mention of pipes. This alternative should be considered for Bessie project as well as it would have less of an impact footprint and may allow for trees to be included in the plan in some areas of the proposed project. Was this left out on accident? Will Bessie IPO also look at piping an alternative? If so, it should be added to the SOW.

4. KHA RFQ bid states that they have expertise in dirt roads and an engineer with 26 years of experience with dirt roads. Can they provide any project examples of their dirt road projects specifically? There are none listed under the Experience: Relevant Projects Section.

p. 30 (1-7) KHA has expertise in the development and maintenance and dirt roads "We have implemented a series of best practices for the design and construction of low volume dirt and gravel roads." "Our team of experts understands regular inspections and maintenance will protect a dirt road from becoming degraded."

p. 37 (2-14) Mark Davies, P.E., LEED AP Dirt Road Maintenance/Construction Administration - Mark has 26 years of experience in construction, design, and dirt road maintenance.

5. Please define bank-run shell road material. Will other road material options be considered? How quickly will water percolate if bank-run shell is used compared to other sources such as sand?

p. 44 consider road material options such as bank-run shell to increase resistance to water and erosion.

Sincerely,
Brandi Haines
835 Oakdale St