

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

April 12, 2022

#### CALL TO ORDER:

Present were Mayor Jim O'Brien, Town Council Members Andy Williams, Bill Martini, Mandy David, Tony Davit, and Molly Rose. Town Manager Robert Smith, Attorney Heather Ramos, Police Chief Dave Ogden, Public Works Director Tonya Elliott-Moore, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

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

Mayor O'Brien turned the floor over to the public. First to speak, Mr. Stephen Withers of 712 Main Street. Mr. Withers commented that he has worked with Hunton Brady in the past and they were good as well. He then stated that both companies for the Rotary project are good. Mayor O'Brien stated that Ms. Brandi Haines requested to be placed on the sign in sheet but was not present.

#### 2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

#### 3. TIMED ITEMS AND PUBLIC HEARING

##### a. ORDINANCE NO. 2022-02 Regulating Commercial Activities in Parks

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA REGULATING COMMERCIAL ACTIVITIES ON PROPERTY OWNED BY THE TOWN; AMENDING ARTICLE I OF CHAPTER 8 TO ADD A NEW SECTION 8-1 TO BE TITLED "COMMERCIAL ACTIVITIES PROHIBITED ON TOWN-OWNED PROPERTY; EXCEPTIONS"; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor O'Brien closed the Town Council meeting at 6:03pm and opened the Public Hearing regarding proposed Ordinance 2022-02. He then read the title of proposed Ordinance 2022-02 for the record. There being no public comments, Mayor O'Brien closed the Public Hearing and reconvened the Town Council meeting at 6:04pm. Member David made a motion to approve Ordinance 2022-02. Member Williams seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Martini – aye. Motin carried 5-0.

#### 4. OLD BUSINESS

##### a. CONSENT ITEMS

##### b. MINUTES

- i. Town Council Workshop Minutes March 3, 2022
- ii. Town Council Meeting Minutes March 8, 2022

Mayor O'Brien introduced this item. Member Davit stated a correction is need on the March 8<sup>th</sup> minutes. He explained that on page 3, under Consent Items (i), the roll call vote states "Davit" twice, and it should be "David aye, Davit – aye...". Member Davit made a motion to approve the minutes with the correction. Member Rose seconded the motion. Roll call vote was as follows: Martini – aye, Williams - aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

#### 5. NEW BUSINESS

##### a. CONSENT ITEMS:

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#### b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

#### c. APPOINTMENTS

#### d. CONTRACTS & AGREEMENTS

- i. RFQ#2022-01A: Design Build Services for Healthy West Orange Pavilion

Mayor O'Brien introduced this item. Member Martini made a motion to approve RFQ 2022-01A. Member Williams seconded the motion. Member Martini stated he spoke with John Fitzgibbon who feels confident with the selection. Member Davit questioned if McCree is a licensed General Contractor. Rotary representative stated "yes." Manager Smith stated that there will be two public workshops as well as 45% and 100% plans brought back before the Council.

- ii. RFQ#2022-01B: Building, Permitting, and Inspection Services

Mayor O'Brien introduced this item. Member Rose made a motion to approve RFQ 2022-01B, PDCS. Member Davit seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Martini – aye. Motin carried 5-0.

- iii. RFQ#2022-02: On-Call Land Planning Services

Mayor O'Brien introduced this item. Member Williams made a motion to approve RFQ 2022-02 Wade Trim. Member Rose seconded the motion. Roll call vote was as follows: Martini – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

- iv. RFQ#2022-03: General Legal Representation

Mayor O'Brien introduced this item. Member Davit made a motion to approve RFQ 2022-03 Gray-Robinson. Member Martini seconded the motion. Roll call vote was as follows: Martini – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

#### e. FINANCIAL

- i. Purchase of Vibrating Compactor, CV119 for CAT Skidsteer

Mayor O'Brien introduced this item. Member Rose questioned what the equipment does. Director Elliott-Moore explained that the equipment aids in compacting material into the road once it has been graded. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Martini – aye. Motion carried 5-0.

- ii. Fencing for Windermere Recreation Center Playground \$26,688

Mayor O'Brien introduced this item. Director Elliott-Moore explained that she needed to amend the request to "not to exceed \$28,000.00." She further explained that due to timing of the RFP review and acceptance, the quoted price has expired. Director Elliott-Moore stated that with the current economy, there has been a price increase. This is why she would like approval to renegotiate with a not-to-exceed. Member Rose made a motion to approve the fence with a not-to-exceed of \$28,000.00. Member David seconded the motion. Roll call vote was as follows: Martini – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

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**f. OTHER ITEMS FOR CONSIDERATION**

Mayor O'Brien turned the floor over to resident Brandi Haines of 835 Oakdale Street. Ms. Haines questioned if there will be arborist and Tree Board involvement with the Rotary Pavilion project. She then commented on the 50' setback on the lakes. Ms. Haines suggested using the Lake Consultant, use of "like" cities/towns similar to the Town, and the Outstanding Florida Water Bodies. Discussion followed regarding the Lake Consultant, Outstanding Florida Water Bodies, why 50' setback was selected, 100-year flood map, upcoming meetings with DRB, and the review and approval process. Manager Smith stated that regarding the trees and the pavilion, a tree survey will be submitted prior to any construction.

**6. MAYOR & COUNCIL LIAISON REPORTS:**

Mayor O'Brien began the review of the liaison assignments. The following was agreed by all; Member Williams; Elder Affairs, Historic Preservation Board, Holiday Social Committee, and School Advisory Committee. Member Martini; Development Review Board, Tree Board, and Police Department. Member David; Food Truck/Farmers Market, Parks and Recreation Committee/Department, and Windermere Active Youth Committee. Member Davit; Butler Chain of Lake Advisory Committee, Metro Plan Alternate, West Orange Chamber Alternate, Public Works Department. Member Rose; Long Range Planning Committee, Administration Department, and Budget and Finance Department.

Mayor O'Brien thanked all for their work with the ribbon cutting ceremony for the new facilities. Member Williams reported on the Elder Committee, Holiday Hoopla meeting, and the HPB meeting. Member Martini reported on the new tree survey program. Director Elliott-Moore elaborated on the tree survey program, and the iNaturalist Challenge April 29-May 2.

**7. STAFF REPORTS:**

**a. TOWN MANAGER ROBERT SMITH** – Manager Smith reported on the Sustainability Plan, Federal Appropriations Committee submittals, One Cent Sales Tax, Butler Chain of Lakes/Bird Island, a letter to OCBCC to be placed on agenda (all agreed), upcoming and past Committee/Board/Public workshops/meetings, Mid-year report in May, thanked Public Works for door hangers, and gave a review of Personnel Policies.

**b. TOWN ATTORNEY HEATHER RAMOS** – Ms. Ramos thanked everyone for approval of their contract. She then reminded everyone of the Legal Review on April 20<sup>th</sup> at 5:00pm.


**c. POLICE CHIEF DAVE OGDEN** – Chief Ogden reported on shift changes, Autism Awareness Month, Leadership/Volunteer events, Sea Cadets, upcoming events/Memorials, June 25<sup>th</sup> Foundation Summer Bash, Bunk Build in September, upcoming Easter Parade, and celebrating 100-years of the Town in three years.

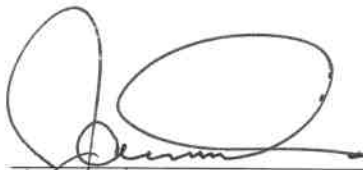
**d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-Moore reported on road repairs, Tree City USA designation, Lake Consultant, stormwater structures clean-outs, Lake Clean-Up event, sidewalk projects/repairs, coal patch material, and handicapped parking at little league field.

**e. TOWN CLERK DOROTHY BURKHALTER** – No report.

**8. ADJOURN:**

Mayor O'Brien adjourned the meeting at 7:14pm.

  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

  
Jim O'Brien, Mayor