

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Jim O'Brien

Council Members

Robert McKinley

Andy Williams

Chris Sapp

Bill Martini

Liz Andert

Agenda

Agenda

July 14, 2020

6:00 PM

MEETING TO BE HELD VIRTUALLY ON ZOOM

Join Zoom Meeting

<https://zoom.us/j/93860568258?pwd=bnR0bFBpS1JaSTIFcWJTMjVWZHpkZz09>

Meeting ID: 938 6056 8258

Password: 510435

One tap mobile

+13017158592,,93860568258# US (Germantown)

+13126266799,,93860568258# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

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+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)

Meeting ID: 938 6056 8258

Find your local number: <https://zoom.us/j/abldq02YK>

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. **PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- FLAG SALUTE
- INVOCATION

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

- a. Please email dburkhalter@town.windermere.fl.us prior to 5pm on July 13, 2020 to sign up
- b. Prior to meeting please state name, address and topic within chat box

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

- a. Windermere Mayoral Proclamation Designating the Month of July as Windermere Staff Appreciation Month. (Attachment-Mayor O'Brien to Present)

3. TIMED ITEMS AND PUBLIC HEARING

- a. ORDINANCE NO. 2020-02 (DUKE Franchise Agreement Extension)

AN ORDINANCE GRANTING TO DUKE ENERGY FLORIDA, LLC d/b/a DUKE ENERGY, AN ELECTRIC UTILITY RIGHTS-OF-WAY UTILIZATION FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS RELATED TO THE OCCUPANCY OF MUNICIPAL STREETS AND RIGHTS-OF-WAY IN THE TOWN OF WINDERMERE, FLORIDA, FOR THE PURPOSE OF PROVIDING ELECTRIC SERVICE; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING AN EFFECTIVE DATE.

- b. ORDINANCE NO. 2020-03 (SFWMD Water Shortage Ordinance)

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO WATER CONSERVATION; REPEALING AND REPLACING SECTION 5.03.04 OF ARTICLE V OF THE TOWN'S LAND DEVELOPMENT CODE TO PROVIDE AN UPDATED WATER SHORTAGE PLAN CONSISTENT WITH THE REQUIREMENTS OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING THE INTENT AND PURPOSE; PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR THE DECLARATION OF WATER SHORTAGE OR WATER SHORTAGE EMERGENCY; PROVIDING FOR VARIANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

- c. ORDINANCE NO. 2020-04 (SFWMD Water Conservation Ordinance)

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO WATER CONSERVATION; REPEALING AND REPLACING ARTICLE XIV OF THE TOWN'S LAND DEVELOPMENT CODE TITLED "WATER CONSERVATION RULES" TO PROVIDE FOR UPDATED WATER CONSERVATION RULES CONSISTENT WITH THE REQUIREMENTS OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND TO BE TITLED "WATER CONSERVATION: YEAR-ROUND LANDSCAPE IRRIGATION MEASURES: VARIANCES; ENFORCEMENT; PENALTIES"; PROVIDING THE INTENT AND PURPOSE; PROVIDING DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR THE DECLARATION OF A WATER SHORTAGE OR WATER SHORTAGE EMERGENCY; PROVIDING FOR VARIANCES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

4. CONSENT AGENDA

- a. Windermere Wine & Dine Donation to Legacy Foundation Leadership for "Sunshine Project" \$19,000 (Attachments-Staff Recommends Retro Active Approval)
- b. Computer Business Consultants: Town of Windermere Temporary Move" Quote # CP 000464-1 \$17,325 (Attachments-Staff Recommends Retro Active Approval)
- c. Windermere Pavilion Concept Plan (Attachments-DRB Recommends Approval 5-1, LRP Recommends Approval. Board Option)

5. NEW BUSINESS

a. MINUTES

- i. Town Council Meeting Minutes June 9, 2020 (Attachments-Staff Recommends Approval)
- ii. Town Council Workshop Meeting Minutes June 23, 2020 (Attachments-Staff Recommends Approval)

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

- i. ORDINANCE NO. 2020-05 (Conduct in Town Parks and Recreation Areas)

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA ADDING A NEW ARTICLE III TO CHAPTER 22 OF THE TOWN'S CODE OF ORDINANCES TO BE ENTITLED "CONDUCT IN TOWN PARK AND RECREATION AREAS"; PROVIDING DEFINITIONS; PROHIBITING ALCOHOLIC BEVERAGES IN OR ON ANY PUBLIC PROPERTY, PUBLIC RECREATION AREA, OR PUBLIC PARK UNLESS AUTHORIZED BY THE TOWN COUNCIL PURSUANT TO SECTION 8-93 OF THE TOWN'S CODE OF ORDINANCES; AUTHORIZING THE INSPECTION OF CONTAINERS FOR ALCOHOLIC BEVERAGES, PROVIDING THE INSPECTION PROCEDURE AND PROVIDING FOR CONFISCATION; PROVIDING FOR RATIFICATION, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

c. CONTRACTS & AGREEMENTS

- i. Kimley Horn & Associates: National Pollutant Discharge Elimination System \$29,895 (NPDES) Permit Services 2021 (Attachments-Staff Recommends Approval)

d. FINANCIAL

e. OTHER ITEMS FOR CONSIDERATION:

6. MAYOR & COUNCIL LIAISON REPORTS

- a. **MAYOR O'BRIEN**
- b. **COUNCILMAN MCKINLEY**
- c. **COUNCILMAN WILLIAMS**
- d. **COUNCILMAN SAPP**
- e. **COUNCILMAN MARTINI**
- f. **COUNCILMEMBER ANDERT**

7. STAFF REPORTS

- a. TOWN MANAGER ROBERT SMITH
- b. TOWN ATTORNEY TOM WILKES
- c. POLICE CHIEF DAVE OGDEN
- d. PUBLIC WORKS DIRECTOR SCOTT BROWN

8. ADJOURN

- **REPORTS: NO ACTION REQUIRED**
- **FILED ITEMS**