

TOWN OF WINDERMERE

Special Town Council Meeting Minutes

September 7, 2022

CALL TO ORDER:

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

Mayor O'Brien called the meeting to order at 6:10pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

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

2. **SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS**

3. **TIMED ITEMS AND PUBLIC HEARING**

4. **OLD BUSINESS**
 - a. **CONSENT ITEMS**
 - b. **MINUTES**
 - c. **OTHER ITEMS FOR CONSIDERATION**

5. **NEW BUSINESS**
 - a. **CONSENT ITEMS:**
 - b. **ORDINANCE FOR APPROVAL/FIRST READING**
 - c. **RESOLUTIONS**
 - i. **Resolution 2022-09 of the Town of Windermere, Florida pertaining to and ratifying the Prosecution and Defense of the Controversy Regarding the 3rd Avenue Boathouses**

Mayor O'Brien opened the floor to the public. Ms. Barbara Fraser of 230 Down Drive declined to speak; signed in as present only. Mr. Curt Fraser of 415 W 3rd Avenue and Mr. George Poelker deferred until later in the meeting. Mr. Mike Lee of 508 W 2nd Avenue introduced himself. He then commented on the unique boathouses, concerns with demolition, questioned why change what has existed for years, needed reassurance that his life won't change (immediate neighbor to boathouses), and made comments regarding legal fee costs and the use of those funds somewhere else. Manager Smith stated that there has not been any direction by Town Council as they await the legal process. Mr. Mark Keller of 226 Main Street introduced himself. He then questioned why this has become an issue. Mayor O'Brien explained that the Town did not renew the lease of the boathouses. Mr. Keller then commented on growing up in Town and then on the boathouses. Mr. Curt Fraser of 415 W 3rd Avenue introduced himself. He stated that what the Town is doing is wrong. Mr. Fraser commented on costs to Town residents/tax dollars, the history of the current lessees and their purchases, his purchase of the Luff house, and then encouraged a "no" vote. Mr. George Poelker of 405 W 3rd Avenue introduced himself. He then requested that there be a "no" vote on the Resolution. Mr. Poelker then clarified comments he had made in a past meeting. Ms. Rene Cingolani of 412 Forest Street introduced herself. She questioned the Town as to why they want the boathouses and what the lawsuit is about. Mayor O'Brien explained the process that has led up to this meeting. Ms. Cingolani questioned "the agenda" of the Town for taking the boathouses. Mrs. Angela Withers of 712 Main Street introduced herself. She stated that there are two sides to every story. Mrs. Withers commented that this needed to be resolved without taking the boathouses away. Mr. Stephen

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Withers of 712 Main Street introduced himself. He stated that a lot of things are “not fair” but it needs to be accepted for what it is and bring harmony back to the Town. Public comments ended at 6:36pm. Mayor O’Brien read the title of Resolution 2022-09 for the record. He then turned the floor over to Attorney Ramos. Attorney Ramos introduced Gray Robinson Attorney Nick Dancaescu. She the briefly explained the proposed Resolution. There being no further comments, Member Davit made a motion to approve Resolution 2022-09. Member Davd seconded the motion. Roll call vote was as follows: Martini – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

d. APPOINTMENTS

e. CONTRACTS & AGREEMENTS

f. FINANCIAL

g. OTHER ITEMS FOR CONSIDERATION

i. Special Event Permit: Light the World-Community Christmas Concert: Acahand Foundation

Mayor O’Brien introduced this item. Manager Smith stated that this item has been noticed to the surrounding residents as well as on social media. He then reviewed the proposed event permit request that was reviewed in a workshop Monday evening (September 6th). Member David questioned food trucks. Manager Smith explained that since the local businesses will be closed, food trucks were proposed. Member Davit questioned the parking logistics. Manager Smith stated that a parking plan has not been provided. He then commented on the proposed stage and equipment locations. Manager Smith commented that option 1 would be the best option as the Community Room will be demolished. Member Martini stated that four out of five residents that he spoke with are not in favor of this event. He then stated that he would like more resident input and that he’s not in favor of a five-day event. Manager Smith commented that the requestor stated two-three days will not work for their event. Member Williams also commented on concerns with the number of days for the event, number of people, and parking issues. Member Rose commented on concerns with parking, and the event. She then stated she is not in favor of the event. Member David also commented on concerns with the event. Mr. Roland of 1 1st Court introduced himself. He stated that this is not a Town event and does not need to take place here. Member Martini made a motion to deny the Special Event permit request. Member Rose seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye and Martini – aye. Motion carried 5-0.

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O’Brien opened the floor for liaison reports. Member Williams stated that the Elder Luncheon is scheduled for October 4th. Mayor O’Brien reminded everyone of the evening 9/11 Memorial.

7. STAFF REPORTS:

- a. TOWN MANAGER ROBERT SMITH – No report.
- b. TOWN ATTORNEY HEATHER RAMOS – No report.
- c. POLICE CHIEF DAVE OGDEN – No report.
- d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE – No report.

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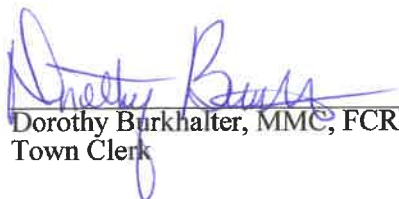
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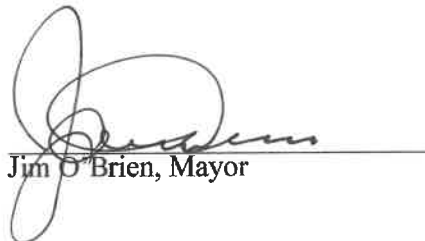
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e. **TOWN CLERK DOROTHY BURKHALTER** – No report.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:00pm.


Dorothy Burkhalter, MMC, FCRM
Town Clerk


Jim O'Brien, Mayor

9/7/2022

01:44:33 Camille McCashland: We are online.
01:44:46 Camille McCashland: If there are any questions we are happy to address them.
01:45:06 Tonya Elliott Moore tmoore@town.windermere.fl.us: As this is an official workshop you are not able to speak at this meeting via zoom.
01:45:25 Camille McCashland: Okay, we did not know any questions would be asked of us during this meeting.
01:47:16 Tonya Elliott Moore tmoore@town.windermere.fl.us: Understood, all meetings requiring Town Council action are live.
01:48:07 Camille McCashland: Thank you. We would have been there if we had known.