

TOWN OF WINDERMERE

Town Council Meeting Minutes

January 10, 2023

CALL TO ORDER:

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

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)

Ms. Thellie Roper of 610 W 2nd Avenue introduced herself. She then questioned when 2nd Avenue is scheduled for repaving. She voiced her concerns and displeasure with the project not being completed as of yet. Mayor O'Brien and Public Works Director Elliott-Moore explained the schedule for the project, where it is at for the Federal funding, and the proposed/ possible start frame. Mr. Bob McKinley of 536 Magnolia Street introduced himself. He then complimented the Public Works Department for being responsive and handling the Town's projects and needs as they arise. Ms. Nora Brophy of 426 Magnolia Street introduced herself. Ms. Brophy reported on the upcoming PetFest which will be held on February 25th. She then stated that she is not in favor of paving 5th Avenue but would favor bricks. Ms. Angela Withers of 712 Main Street introduced herself. She also commented on concerns with paving 5th Avenue and if need be, bricks would be better. Mrs. Withers stated that closing off 5th Avenue at Forest needed to be researched. She then stated that paving needed to be kept minimal and thanked the Council for the workshop. Mrs. Brandi Haines of 835 Oakdale introduced herself. She then stated that she opposes paving 5th Avenue or any road in town. Mrs. Haines then requested an update on the barricades on Oakdale Street. Director Elliott-Moore commented on the need of engineering prior to workshops. Mrs. Theresa Schretzmann-Myers of 2713 Tryon Place stated she would defer until the agenda item.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. 2023 Arbor Day Proclamation

Mayor O'Brien read and proclaimed January 20, 2023 as Arbor Day in the Town of Windermere.

3. TIMED ITEMS AND PUBLIC HEARING

4. OLD BUSINESS:

5. NEW BUSINESS:

a. MINUTES:

i. Town Council Meeting Minutes December 13, 2022

Mayor O'Brien introduced this item. Member Davit made a motion to approve the Town Council minutes of December 13, 2022, as presented. 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.

b. CONSENT ITEMS:

i. March 2023 Municipal Election Contract

Mayor O'Brien introduced this item. Member Davit made a motion to approve the Consent agenda as presented. Member Williams seconded the motion. Roll call vote was as follows: Rose – aye,

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Davit -aye, David – aye, Williams – aye, and Martini – aye. Motion carried 5-0.

c. ORDINANCES/RESOLUTIONS FOR APPROVAL/FIRST READING

i. **Resolution 2023-01 Money Purchase Plan - White to Thompson-Vegel**

Mayor O'Brien introduced proposed Resolution 2023-01. Member David made a motion to approve Resolution 2023-01. Member Davit seconded the motion. Roll call vote was as follows: Martini – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

ii. **Resolution 2023-02 457 Deferred Plan - White to Thompson-Vegel**

Mayor O'Brien introduced proposed Resolution 2023-02. Member Rose made a motion to approve Resolution 2023-02. 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.

d. APPOINTMENTS

e. CONTRACTS & AGREEMENTS

f. FINANCIAL

g. OTHER ITEMS FOR CONSIDERATION

i. **Paving of West 5th Avenue from Forest Street to Main Street**

Mayor O'Brien introduced this item. He then opened the floor to the public. First to speak was Mrs. Theresa Schretzmann-Myers of 2713 Tryon Place. She spoke in opposition of paving the road, and the benefits and protection of trees. Mr. Bob McKinley of 536 Main Street introduced himself. He then commented on negative reactions from residents in the past regarding paving; they don't want it. Mr. McKinley stated that brick should be used if the project needed to be done. Clerk Burkhalter read into the record comments received from residents opposing the paving of 5th Avenue. They were from Mr. Paul Gerding, Mr. and Mrs. Larry Roofner, Ms. Sue Leffler, Mrs. Nancy Spears, and Mr. John Spears (all attached.) Mayor O'Brien turned the floor over to the Council members. Member Rose Stated she is not in favor of paving the roads, and bricks are high maintenance upkeep. She then stated that she would like to discuss the possibility of barricading 5th Avenue to Forest Street off. Member Davit stated that the Long-Range Planning Committee needed to review the possible closure. Member Rose thanked staff for bringing this item forward that could have saved the Town money if it had been approved. Member Williams made a motion to deny paving of West 5th Avenue. Member Martini 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 reported on the passing of Ms. Rollie Allen. Member Martini reported on the upcoming Tree Giveaway on January 21st, no Treebute this year, and the Tree Board Replant Grant. Discussion followed regarding trees and replanting. Member David reminded everyone of the ASL classes beginning on Friday.

7. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Absent.

b. **TOWN ATTORNEY HEATHER RAMOS** – No report.

c. **DEPUTY CHIEF JAYSON BONK** – Deputy Chief Bonk reported on the Police Department accreditation, staffing, Chief Conference, and the HJ High award for the new facilities.

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d. **PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-Moore reported on the lakes management company, storm drain cleanouts, and Travis Mathias attending stormwater classes.

e. **TOWN CLERK DOROTHY BURKHALTER** – Clerk Burkhalter reported on upcoming elections.


Resident Tom Stroup commended the Police Department on the recent accreditation. Discussion followed regarding ramp closures to the lakes.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:05pm.



Dorothy Burkhalter, MMC, FCRM
Town Clerk



Jim O'Brien, Mayor

Dorothy Burkhalter

From: paul gerding <pauliephoto@gmail.com>
Sent: Monday, January 9, 2023 3:47 PM
To: Dorothy Burkhalter
Subject: paving

hi dorothy...i dont want any Paving any where in Windermere....i understand you will read this e mail at town meeting...thanks paul gerding 606 butler st....

Sent from my iPad

Dorothy Burkhalter

From: Marilyn and Larry <lmroofner@gmail.com>
Sent: Monday, January 9, 2023 6:15 PM
To: Dorothy Burkhalter
Subject: Paved streets

Ms. Burkhalter, will you please read this at the meeting on the Pavilion tomorrow. Thank you. We agree that brick only and block off 5th and Butler will stop cut through, speeding traffic and help eliminate parking on our streets.

Marilyn and Larry Roofner
lmroofner@gmail.com

Dorothy Burkhalter

From: Sue Leffler <sueleffler@icloud.com>
Sent: Monday, January 9, 2023 3:59 PM
To: Jim O'Brien; Andy Williams; Tony Davit; Mandy David; Molly Rose; Bill Martini; Robert Smith; Dorothy Burkhalter
Subject: Do not pave 5th

I would like this email read at the town Council meeting. I do not want fifth Street paved. And I would like some consideration given to blocking off fifth and Forest st to stop speeding traffic and excessive parking. Bricks or dirt would be acceptable, but not pavement.

Sent from my iPhone about

Dorothy Burkhalter

From: N Spears <nancyspears60@gmail.com>
Sent: Tuesday, January 10, 2023 10:59 AM
To: Nancy D Spears
Subject: Paving of 5th Ave

As a resident living at 406 Forest Street, I request that any paving done on the section of 5th Ave between Main and Forest be done in brick rather than asphalt to be in keeping with other downtown areas of Windermere, and I also request capping of 5th Ave where it meets Forest to prevent further traffic and parking on this residential street.

Dorothy, please read this at the meeting tonight as appropriate on this topic.

Sincerely,
Nancy Spears

Sent from my iPhone

Dorothy Burkhalter

From: John A. Spears <jspears@fmhainc.com>
Sent: Tuesday, January 10, 2023 1:03 PM
To: Dorothy Burkhalter
Subject: Paving of West 5th from Forest to Main.
Attachments: IMG_6799.JPG; IMG_6882.JPG

Morning Dorothy,

Please read this note to Council at tonight's meet. Show photos if you can.

I am not in favor of paving West 5th from Forest to Main.

ADA – accessibility is not a problem for the town. There is a H.C. parking space at Windermere Brewing that is not useable for accessible parking because of equipment and supplies blocking some of the space and all of the loading zone.

(This is a violation of federal law and should be ticketed if any vehicles or equipment blocks or impedes the use of a required H.C parking space, even if the business is not open.) Not sure why this violation is acceptable to our police department.

I am against inviting business traffic to the residential areas of our bedroom community. The amount of business traffic is

all ready unacceptable. We have large delivery trucks daily blocking Forest and 5th.

The church's new parking lot that is at the corner

of 5th and Forest Streets is rarely used by their congregation and they park up and down Forest Street instead.

On a normal rainy day the rain water flows from West 5th

down Forest Street and ends up flooding 4th Ave between Forest Street and Butler Street. More paving will increase run off.

For some reason the residents on Forest Street are paying the price (traffic) for the Business district.

I believe that the Council should take care of the residences first and not the Businesses and events that dominate our residential streets on a daily basis and every weekend.

The Town has other more important issues other than paving 5th from Forest to Main, that is really not going to help residences in any way, only Business and events.

Thank you,

John Spears
406 Forest Street
Windermere, FL 34786