

TOWN OF WINDERMERE

Town Council Meeting Minutes

April 11, 2023

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose. Town Manager Robert Smith (absent), Public Works Director Tonya Elliott-Moore, Attorney Heather Ramos, Chief Dave Ogden, Zoning/Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter (via zoom) 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 opened the floor for public comments. The first to speak was Ms. Nora Brophy of 426 Magnolia Street. Ms. Brophy commented on complaints the Parks and Recreation Committee has received regarding tennis pros on the tennis courts. She stated that they would like solution/enforcement suggestions from the Town Council. Discussion was made regarding enforcement, posting of non-emergency numbers, rules currently in effect, and public notice. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She questioned the Bessie project split. Ms. Haines then commented on trash issues with Waste Pro using rear arm truck, and trash / containers not being completely emptied.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Proclamation: "Municipal Clerk's Week; April 30th – May 6th, 2023

Mayor O'Brien read and proclaimed April 30th – May 6th, 2023, as Municipal Clerk's Week. He stated the proclamation will be presented to Clerk Burkhalter at the May meeting.

3. TIMED ITEMS AND PUBLIC HEARING

NONE

4. NEW BUSINESS:

a. Minutes

- i. Town Council Meeting Minutes: March 14, 2023**
- ii. Town Council Workshop "Lake Street Parks Discussion" Minutes – March 28, 2023**

Mayor O'Brien introduced this item. Member Davit made a motion to approve the Town Council minutes as presented. Member Williams seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

b. CONSENT ITEMS:

NONE

c. ORDINANCES/RESOLUTIONS FOR APPROVAL/FIRST READING

i. Resolution #2023-03 – Rename Down Yonder Lane to Down Park Lane

Mayor O'Brien introduced Resolution 2023-03 for the record. Member Rose questioned who pays for the change. Mr. Brad Cornelius stated that the applicant is responsible. Member Rose made a motion to approve Resolution 2023-03. Member Davit seconded the motion. Member Stroup questioned why

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the name needed to be changed. Mr. Michael Scale of 10988 Down Yonder Lane introduced himself. He then stated that the owner feels the current name is somewhat outdated. Mr. Cornelius explained the notification process that will take place if approved. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

f. APPOINTMENTS

i. Town Council Liaison Assignments

Mayor O'Brien introduced this item. He then reviewed the proposed liaison assignments. After review and discussion was made, the following was agreed upon. Member David – Parks and Recreation and Food Truck/Farmers Market. Member Davit – Public Works, Metro Plan Alternate, Historic Preservation Board, and West Orange Chamber Alternate. Member Rose – Administration/Budget/Finance and Butler Chain of Lake Advisory Board. Member Stroup – Long Range Planning Committee, Windermere Tree Board, and Police Department Liaison. Member Williams – Development Review Board, Holiday Social Committee, School Advisory Alternate, and Elder Affairs Committee. Mayor O'Brien commented on the TSMO which will be reviewed and brought back.

g. CONTRACTS & AGREEMENTS

h. FINANCIAL

Mayor O'Brien questioned the Town Council if they were amenable to hear IPO #130 first as Mr. Woodward had not arrived yet. All agreed.

ii. Approval of IPO #130 Kimley Horn FDEM Grant Support Bessie Basin Project \$18,040

Mayor O'Brien introduced this item. Public Works Director Elliott-Moore explained that this was not a second project, but part of the original. She then turned the floor over to Mr. Hao Chau from Kimley-Horn. Mr. Chau commented that due to the size of the project, damage tables are needed (cost/benefit ratios). He then stated that FDEM determined that it is not feasible for funding. Mr. Chau explained how increasing the benefit was done by splitting the project. Discussion was made regarding environmental review, and the remaining process. Member Rose questioned if more flooding would occur if only half or two-thirds of the project was done. Mr. Chau stated that erosion and washouts will continue until the project is completed. He then stated that the upstream basins will remain the same and that the downstream will be able to convey water properly. Member Davit questioned the contract. Mr. Chau stated that it is "lump sum." Discussion followed regarding funding and costs. Ms. Brandi Haines of 835 Oakdale Street recapped the revised project as she understands it. She also questioned the potable water project. Mayor O'Brien commented that this project will not stop the potable water project. Mr. Chau commented on grading that will allow water to flow into the swales and the east side of Oakdale. Discussion followed regarding swales, culverts, correct grading of the roads, funding, and the bidding process. Mayor O'Brien stated that funding for this project is in place. Member Davit stated that the Council needs to review the funding streams for the phases. Member Rose made a motion to approve IPO #130. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye and Rose – aye. Motion carried 5-0.

i. Approval of IPO #116 Kimley Horn Pedestrian Bridge Project \$14,830

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Mike Woodward with Kimley-Horn. Mr. Woodward explained that additional funding is needed per the additional documentation requirements from FDOT. He explained that instead of using earthwork for the bridge,

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walls will be used which then put in place additional documentation and costs. Mayor O'Brien questioned the timeline for the project. Mr. Woodward commented that the Town has received \$750,000.00 for the project, however the project did not begin two years ago, and costs have increased considerably. He then stated that seeking additional funds from other sources could be done, but the Town Manager has stated that the Town does have the funds to cover the additional costs. Mr. Woodward commented that the design phase is almost complete, and that the next phase would be construction. He then stated that if there is a potential for additional outsource funding, construction would need to be held off. Member Davit questioned the change from the earthwork to an actual wall. Mr. Woodward explained that lateral space is needed and to reduce the footprint. Member Davit questioned if a cost analysis for the change from earth to wall had been done. Mr. Woodward stated no it had not been done. Member Rose questioned if the bridge and roadwork will be done at the same time. Mayor O'Brien explained the proposed projects. Mr. Woodward stated that this is for the entire project from 2nd Avenue to Windermere Elementary School. Member Stroup questioned the width of the path. Mr. Woodward stated the path would be ten feet wide, which is for safety. He then reviewed the proposed project. Discussion followed. Member Davit made a motion to approve IPO #116. Member David seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

j. OTHER ITEMS FOR CONSIDERATION

NONE

6. MAYOR & COUNCIL LIAISON REPORTS:

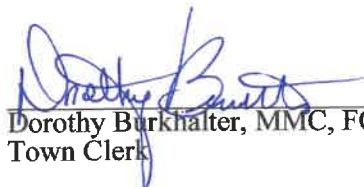
Mayor O'Brien thanked the Police Department and all who volunteered for the Easter event. He then commented on the financial disclosure form that legislation is seeking to change.

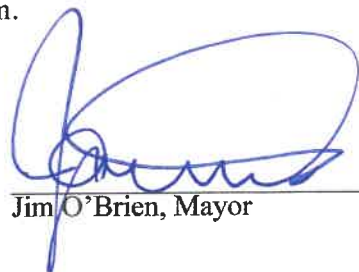
7. STAFF REPORTS:

- a. TOWN MANAGER ROBERT SMITH** – Manager Smith
- b. TOWN ATTORNEY HEATHER RAMOS** – Attorney Ramos reported on potential Legislative changes. Mr. Cornelius also reported on the Affordable Housing Project Bill.
- c. POLICE CHIEF DAVE OGDEN** – Chief Ogden reported on the past homicide case, Graduation, and DUI classes.
- d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-Moore no report.
- e. TOWN CLERK DOROTHY BURKHALTER** – Clerk Burkhalter no report.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:27pm.


Dorothy Burkhalter, MMC, FCRM
Town Clerk


Jim O'Brien, Mayor