

TOWN OF WINDERMERE

Town Council Pavilion 45% Plans Virtual Workshop Minutes

April 25, 2023

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose. Also present were Town Manager Robert Smith, Attorney Heather Ramos, Town Clerk Dorothy Burkhalter, Public Works Director Tonya Elliott-Moore, and Mr. John Fitzgibbon

1. WORKSHOP CALLED TO ORDER

Mayor O'Brien called the workshop to order at 6:01pm. He then led everyone with the Pledge of Allegiance.

2. NEW BUSINESS

a. Other items for consideration

i. Rotary/Healthy West Orange Pavilion 45% Plans

Mayor O'Brien reviewed the decorum for this workshop. He then turned the floor over to Clerk Burkhalter regarding public input. Clerk Burkhalter stated that all public email comments for any upcoming meetings/workshop need to be submitted by 4:00pm the day prior to said meeting/workshop. Mayor O'Brien opened the floor for public comments. First to speak was Mrs. Theresa Schretzman-Myers of 2713 Tryon Place, who introduced herself. She stated she opposes the pavilion, that protection of green space is needed, that bathrooms are needed, and regarding replanting of trees and protecting the tree canopy. Mrs. Schretzman-Myers commented on the Town Hall and the need for repairs. Manager Smith explained that the Town Hall renovation is a scheduled project. Attorney Ramos clarified that the pavilion grant is between Healthy West Orange and Rotary for this specific project. Mrs. Angela Withers of 712 Main Street introduced herself. She then commented that Healthy West Orange needed to be involved for a complete restart regarding a full site analysis to include appropriate size, location, and restrooms. Manager Smith stated that there is not an agreement between the Town of Windermere and Healthy West Orange. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She then stated that she is against the design, as it is too modern and too big. Mrs. Haines further commented on the need for bathrooms, and the need for a start-over. Manager Smith clarified that a full cost accounting has been requested for the project by the Town to Rotary Inc. He then stated that approximately \$157,000.00 is claimed to have been spent. Mr. Stephen Withers of 712 Main Street introduced himself. He then stated that after reviewing the drawings, they seem to be farther along than what has been approved. Mr. Fitzgibbon stated that if the Town Council desires, a full cost accounting will be done. Ms. Renee Cingolani stated that she, Ms. Sue Ellen Doty, and Ms. Sandi Gee were present as immediate neighbors on Forest Street. She stated that after going door-to-door to her neighbors, she did not find one resident who was in support of the Pavilion as it currently is proposed, however they were in support of bathrooms. Ms. Cingolani commented on the need for Town Hall repairs, proposed lawsuits, the need for line-item expenses, the need for green space, and many other current projects in town. Manager Smith stated that the Town is currently in litigation on one case. Some discussion followed. Manager Smith presented four options that the Town Council will need to decide on. The options are: 1 – Consent and move forward with proposed design, 2- Town Council be amenable to comprise the design, layout, size, and scope, 3 – Pay back the \$157,000.00 to Rotary Inc. and leave the space open, and 4 – Pay back funds and build bathrooms only. Mr. Fitzgibbon stated that decisions need to be based on facts. Mayor O'Brien stated that workshops between the Town Council are beneficial as they can't discuss items outside of this type of forum. Discussion followed. Member Stroup commented on the need for the line item numbers, questioned a possible size reduction, the intent, safety, importance compared to impact, and stated that residents are not in favor. Attorney Ramos reviewed the requirements in the agreement between Rotary Inc. and Healthy West Orange for the pavilion project. Member Stroup commented on his concerns with the requirements. Member David questioned if the proposed pavilion would sit in the exact outline of the previous community room. Mr. Fitzgibbon the design is to fit within the context of the community room. He then commented on past discussions since 2017 that have led to where the plans are today. Member David questioned the estimated cost for the bathrooms. Mr. Fitzgibbon stated that the estimated cost would be \$3.00-\$4.00 per square foot depending on variables. Mayor O'Brien stated that the funds that would need to be paid to Rotary Inc. are not in the budget. Member Rose stated she has heard comments with the majority not wanting the pavilion. She also stated that Town committees/boards stated they would not

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use the facility for their events. She stated that the plans needed to be modified and reduced in size. Member Rose commented on possible increase in events and bringing more outsiders in. She then stated she is not sure restrooms are needed as other parks do not have them. Member Rose stated she would like to see the Architects agreement that is in place for this project. Member Davit questioned where in the agreement that a single event will be added. Mayor O'Brien stated he remembers reading it in the agreement. Member Davit stated his concerns with the limitation use restrictions (one single event) in the agreement between the Town of Windermere and Rotary Club. Attorney Ramos stated that there is a requirement for one event in the agreement between Rotary Inc. and Healthy West Orange. Member Davit commented on concerns with the possibility of multiple "events" and the need for clarification for those types of events. He then stated that he did not read in the agreement where the Town would need to pay back the funds, but that Rotary would. Attorney Ramos explained contractual scenarios that could happen. Mayor O'Brien commented that it's uncertain but likely it would be paid back. Member Davit stated that there seems to be a difference between what the Town Council previously approved to what is being proposed now. He then stated that the Town needs to work with Rotary, and that Rotary needs to meet with Healthy West Orange and do a realignment. Member Davit stated that he does not like the current proposed architecture and design, as the it is too large. He then stated he would like to have the estimated costs to date for the proposed project. Discussion followed regarding size, design, current costs, events, issues with the size of events, and dislikes with size of events. Manager Smith stated that "no parking signs have been ordered for special events. Mayor O'Brien stated that direction for staff is needed. He stated that the following are options for the Town Council to consider: One – stop the project 100%; two – suggest that staff supply smaller concepts, different designs, and work with challengers with the funder and Rotary Inc.; three – proceed with existing proposed project; four – stop and plan for future restrooms. Member Davit stated he would like to add engaging Healthy West Orange regarding what they would like to see, and if there are any trades-offs allowed with an amended agreement. Mr. Fitzgibbon commented on the restrooms, size, and code. Discussion followed. Member David stated she would agree with option number two and would like the itemized list of spending. Mayor O'Brien stated, for the record, "that this is going to require full and active participation from the Rotary 501(c)3 to make this happen." Member Rose stated that most responses she received were in opposition to the pavilion. She then stated that restrooms are not required by Code unless there is a facility. Member Rose stated that Healthy West Orange could assist with restrooms, and then commented on the possibility of an exercise path, and possibly repairing the Town Hall porch and creating a stage. Member Stroup stated he has concerns with the impact on immediate neighbors who oppose the project the most. Mayor O'Brien stated that the size of the events seem to be more of a concern than the facility. Discussion followed. Mayor O'Brien stated that four options for staff have been previously discussed. Member Stroup commented that if residents' concerns can't be met, he would not be in favor of moving forward with the pavilion. Member Rose stated that if this moves forward, there should not be any further costs to the Town. Manager Smith commented that if other renderings are needed, then there will be additional costs. Member Rose suggested having a conversation with Healthy West Orange prior to moving forward. Manager Smith had contractual concerns. Mr. Fitzgibbon stated that clear direction of what the Town wants is what will be needed for the Rotary and Healthy West Orange. Mayor O'Brien recapped the discussion as to proceed with all players at the table for a possible significant modification. Manager Smith stated that there will be additional costs, approximately \$15,000.00 - \$20,000.00. He then stated that consensus is needed if moving forward with the project so that more costs are not incurred if not wanted. Discussion ensued. Attorney Ramos stated that this is a workshop in which no actions can be taken. Member David stated she would like to know if discussion can be had first with all parties prior to spending any further money. Member Davit agreed that the conversation needed to take place first so that the agreement boundaries are known. He then stated that at the next Town Council meeting a vote could be taken as to which way to move. Member Stroup agreed with Member David and Member Davit. Member Williams also agreed. Member Rose stated the project needed to be defined specifically. Attorney Ramos explained that the West Orange Health Care District is being dissolved.

3. MAYOR AND COUNCIL LIAISON REPORTS

None

4. STAFF REPORTS

Manager Smith reminded all of the upcoming Spring Fling. Mr. Fitzgibbon thanked all on behalf of his family for their support regarding their son Evan. He then commented on an upcoming memorial that will honor their son in renaming the lower mountain course after him. Mr. Fitzgibbon thanked all for

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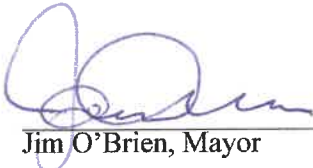
their support and prayers.

5. ADJOURN

Mayor O'Brien adjourned the workshop ay 8:20pm



Dorothy Burkhalter, MMC, FCRM
Town Clerk



Jim O'Brien, Mayor

4/25/2003

00:48:32 Jim & Peg Currie: Jim Currie, can't stay, vehemently oppose pavilion!

00:49:07 Robert Smith: Public Comment limited to 3 Minutes

01:04:45 Theresa Schretzmann-Myers: Theresa Schretzmann-Myers, 2713 Tryon Place, Windermere, FL 34786. I oppose the Pavilion. The most valuable and last remaining open green-space, historic Long Leaf Pine and Oak Tree Canopy in the NW green quadrant of Town Square Park must be kept and preserved for the use of Town Residents, Parks and Recreation Committee, Tree Board, Windermere Wine & Dine. All we need are public restrooms. We can start from the beginning, repay Healthy West Orange and try to go for another grant. There are more pressing needs such as restoration of Town Hall and its roof, Town Hall back porch which is rotting and restrooms in another location. The Town Square Green Space is use by most all the committees in the Town. Taking the green space and the remaining Tree Canopy would be a great loss to the residents and the committees. A stage can always be erected for concert activities. If bathrooms are erected, they should not be located in the location of the trees or at the expense of the tree canopy. We should take some

01:06:58 joanfoggia: I concur with Theresa Myers. If a pavilion is absolutely necessary, it must be modified and placed in a different location.

01:10:20 Jonathan Lewis: Each boathouse is a separate lawsuit!

01:10:51 Jonathan Lewis: Sad that she got cut off because she wanted to speak her mind. -again just proving her point. - Jessica Lee

01:16:18 joseph: Joseph Ata - 5 Pine St.
Just want to say thank you Mayor, council, Robert Smith and staff for all the wonderful work you do for our town! It is a thankless job and we are appreciative!