

THE TOWN OF  
**Windermere**



**MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE**

**Mayor Jim O'Brien**

**Council Members**

**Andy Williams**

**Tony Davit**

**Mandy David**

**Molly Rose**

**Tom Stroup**

***Agenda***

***Agenda***

**July 25, 2023**

**6:00 PM**

**\*\*VIRTUAL WORKSHOP\*\***

**JOIN ZOOM MEETING: [HTTPS://ZOOM.US/](https://zoom.us/)**

**MEETING ID: 854 2376 9825**

**PASSCODE: 451713**

**ONE TAP MOBILE: +1-305-224-1968 // 85423769825#**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceedings should contact the Office of the 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 conversation 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 WORKSHOP IS CALLED TO ORDER BY THE MAYOR**
- **FLAG SALUTE**

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

### **2. NEW BUSINESS**

#### **a. Other Items for Consideration**

- i. Lake Street Parks Solutions Presentation (Attachment)

### **3. MAYOR & LIAISON REPORTS**

#### **a. Mayor O'Brien**

#### **b. Council Member Williams**

#### **c. Council Member Davit**

#### **d. Council Member David**

#### **e. Council Member Rose**

**f. Council Member Stroup**

**4. STAFF REPORTS**

**a. Town Manager Robert Smith**

**b. Town Attorney Heather Ramos**

**c. Police Chief Dave Ogden**

**d. Public Works Director Tonya Elliott-Moore**

**e. Clerk Dorothy Burkhalter**

**5. ADJOURN**

# Lake Street Park Potential Options

Robert Smith

Town Manager

July 12, 2023



# Agenda

Introduction

DEP Discussion



Town Council  
Action Items

Summary



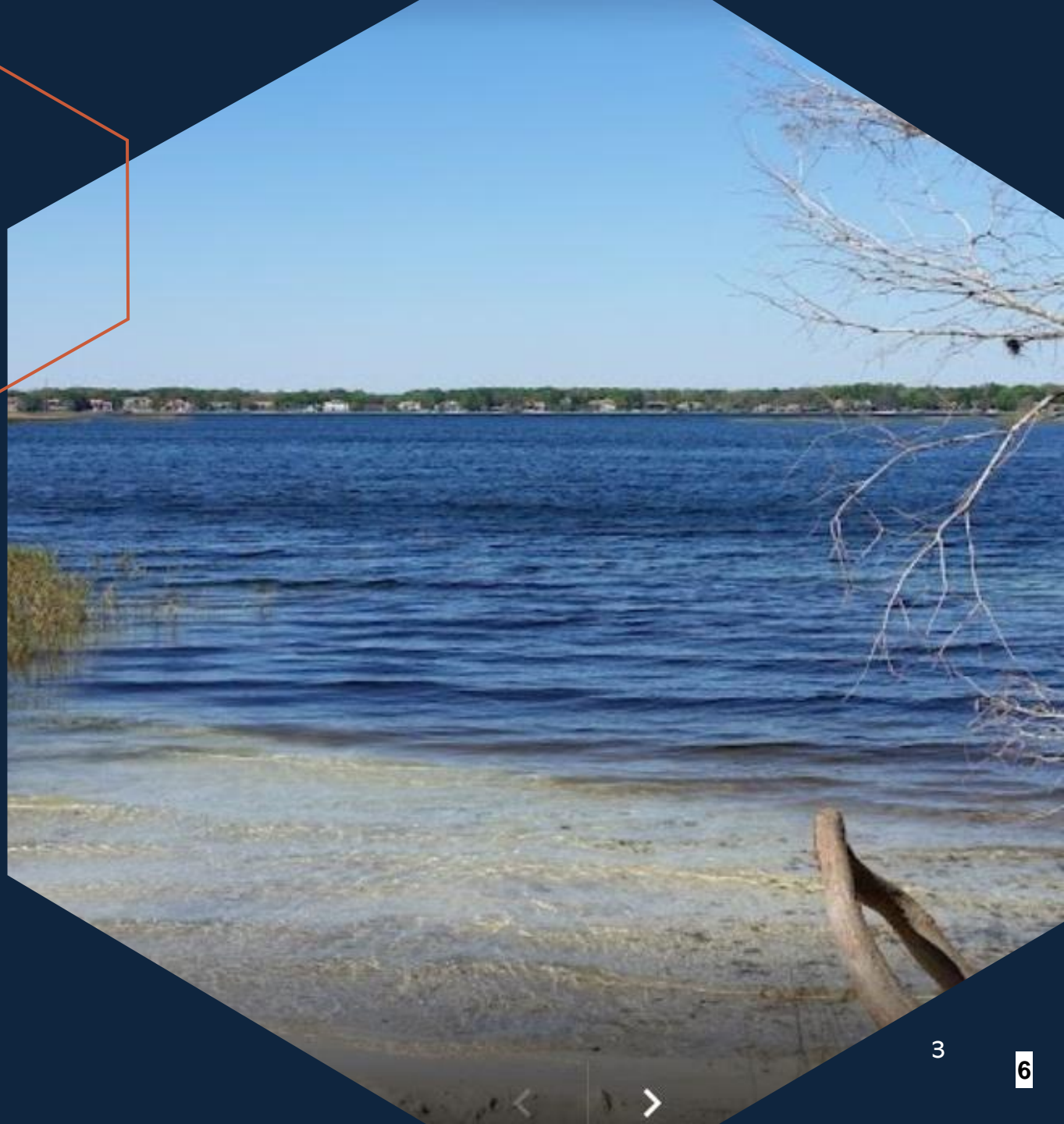
# Introduction

Residents have experienced unacceptable behavior from those using this park.

FRDAP grants, funded by FDEP, were used to make improvements to this park.

Exploration of multiple layers will be needed to address these impacts

At a Town Council workshop on March 28, 2023, Town Council provided staff with a list of Items for further exploration.



# DEP Discussion



**Not able to return grant funds**

**Can still restrict access/but must still grant public access**

**Can charge a fee for use**

**Can restrict days/hours pass holders can use the Park**

**Can require an acknowledgment/hold harmless agreement. Access can be terminated if acknowledgement parameters are violated**

# Town Council Exploration Items

1. Get pricing on fencing and access system for Lake Street and Lake Down Parks updated
2. Determine where the fencing can go at both parks especially at Lake Street Park due to the high-water designation. Determine the process for installing fencing at Lake Street due to its close proximity to the water.
3. Continue to work with Orange County EPD on establishing a swim area if possible
4. Explore a non-resident fee option and process for this
5. Look at options for no roof, metal roof, or keeping the existing roof at the boat dock at Lake Street Park
6. Explore SEO/Security Officer/Volunteer Patrol/Off Duty Officer or Extra Sherriff Patrol for the Park
7. Review options with Town Attorney to ensure the process and plan are feasible



# Town Council Action Items



Get pricing on fencing and access system for Lake Street and Lake Down Parks updated

Park	Fencing and Gates	Access System	Grand Total
Lake Street Park - 5th St	\$12,750.00	\$20,490.00	<b>\$33,240.00</b>
Lake Down Park - 4th St	\$4,200.00	\$10,960.00	<b>\$15,160.00</b>

# Town Council Action Items

Determine where the fencing can go at both parks





# Town Council Action Items

Determine where the fencing can go at both parks especially at Lake Street Park due to the high-water designation. Determine the process for installing fencing at Lake Street due to its close proximity to the water.

If above normal high water mark no permit required

If below normal high water mark then a Conservation Area Impact (CAI) permit from Orange County would be required. They would likely call the impact “de-minimis” and not require mitigation, but the CAI permit would still be required.

Need to perform a survey by engineers to determine normal high water mark.

- \$5000 to perform a site review/delineation, gathering of documentation for the permit submittal and coordination with Orange County EPD

# Town Council Action Items

Continue to work with Orange County EPD on establishing a swim area if possible

Not as likely as Bird Island, but Staff will continue to work with OC BOC and Florida Fish and Wildlife.



# Town Council Action Items

Explore a non-resident fee option and process for this

Require non-resident public to buy a pass, just like a boat ramp pass. Residents get a code for no fee, just like the ped gate at Fernwood.

Can restrict days and hours these folks can use their access code

\$50 annual pass to use this park for non-residents

Do not have to charge residents a fee as the argument is they already pay for this in their non ad valorem tax, which a non-resident does not contribute to.

*There is law that supports a non-resident fee, but to defend a challenge an agency needs to be able to show a definite financial burden in park maintenance costs to justify a higher fee for nonresidents.*

*Restricted hours and days requires a justification for nonresidents such as individuals safety, harm to the park, etc.*

# Town Council Action Items

Look at options for no roof, metal roof, or keeping the existing roof at the boat dock at Lake Street Park



a. Metal roof quote: \$5,535

a. Remove the roof structure - \$2840.

# Town Council Action Items

Explore SEO/Security Officer/Volunteer Patrol/Off Duty Officer or Extra Sherriff Patrol for the Park



a. Look for volunteers first

b. Or a Paid Employee as follows:

- Salary = 25 hours per week @ \$18 per hour = \$23,400
- Uniforms = \$500
- Transportation = 10K – 25K (golf cart vs. small specially equipped vehicle)
- Equipment = 9k (radio alone is 8K, flashlight, stop signs, electronics to print tickets, etc.)
- Training = 2K
- Misc. = 1K

**\$60,900**



# Summary

Resolution to these issues will require multiple layers, adjustments and modifications, as well as sweat equity.

The plan is to work towards minimizing and decreasing the impacts.

These steps may require some discomfort or extra steps for residents.



Thank you

