

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held July 22, 2010,
2 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road.

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I. Call to Order

The meeting was called to order by Mayor David Mealor at 7:05 P.M.

II. Moment of Silence

III. Pledge of Allegiance

IV. Roll Call

Mayor David Mealor	John Litton, City Manager
Deputy Mayor Gary Brender	Carol Foster, City Clerk
Commissioner George Duryea	Jackie Sova, Finance Director/ Assistant City Manager
Commissioner Shirley Gray	John Omana, Com. Dev. Dir.
Commissioner Jo Ann Lucarelli	Gary Schindler, City Planner
	Steve Noto, Planner
	Bill Carrico, Parks & Rec. Dir.
	Bruce Paster, Public Works Dir.
	Colin Morgan, Deputy Police Chief
	Craig Haun, Fire Chief
	Katie Reischmann, City Attorney
	Mary Campbell, Deputy City Clerk

Mayor Mealor asked the Commission to move Item O under New Business, Ordinance No. 1384, to the second item under New Business.

Motion was made by Commissioner Gray to move Item O under New Business, Ordinance No. 1384, to the second item under New Business, seconded by Commissioner Lucarelli and motion carried unanimously.

V. Approval of Minutes: July 1, 2010

Motion was made by Commissioner Gray to approve the minutes of the July 1, 2010, meeting, seconded by Commissioner Duryea and motion carried unanimously.

VI. Special Presentations

There were no special presentations at this time.

VII. Unfinished Business

1
2 A. Ordinance No. 1353 – Authorize purchase of property located at 172 E.
3 Crystal Lake Avenue – Second Reading (Public Hearing)
4

5 The City Attorney read Ordinance No. 1353 by title only on second reading.
6

7 Mr. Litton said the property is located at 172 East Crystal Lake Avenue, and the
8 purchase price is \$165,000. It is .34 acres and is currently zoned DC. The City is
9 responsible for the closing costs. If this is approved on second reading, we will proceed
10 with our due diligence to include Phase 1 environmental and boundary survey.
11

12 Commissioner Duryea said this is four 33-foot lots. Mr. Litton answered affirmatively.
13

14 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1353. No
15 one came forward and the public hearing was closed.
16

17 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1353 on**
18 **second reading and authorize the City Manager to execute associated budget**
19 **adjustment, seconded by Commissioner Lucarelli and motion carried by roll-call**
20 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
21 **Gray, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**
22

23 VIII. New Business
24

25 A. Request for one variance from the Resource Protection Standards,
26 §160.07(B)(2)(b), Code of Ordinances, to construct a swimming pool, screen
27 enclosure, and cabana structure, 127 Linda Lane, Tim & Amy Pennock,
28 applicants (Public Hearing)
29

30 Mr. Noto said the subject property is located at 127 Linda Lane which is east of North
31 Country Club Road. They are requesting approval of a variance to build a swimming
32 pool, screen enclosure, and cabana. The construction is located in the rear of the
33 property within the 75-foot setback from the 25-environmental buffer.
34

35 Mr. Noto said the subject property is roughly one acre. The house currently on the
36 property was constructed in 1962. The property itself is Lot 10 of Crystal Lake Heights
37 which was recorded in 1954, forty-one years prior to the adoption of Chapter 160.
38

39 Mr. Noto said like most variance requests from the Resource Protection Standards,
40 there is always something more unique than last time. The front yard setback is roughly
41 80 feet from the front property line. Every property has a front yard setback; however,
42 combined with the Resource Protection Standards it has crunched everything together
43 in the backyard and has created a unique situation for the current owner. They want to
44 build a pool which is a standard accessory use for a residential property and the only
45 way they can do so is by requesting a variance from Chapter 160.
46

1 Mr. Noto said we have reviewed this against the standard findings of fact for a variance.
2 We have also put this up against the litmus test like we have done for other requests as
3 far as increasing density and if the request is within the standards for accessory uses on
4 residential properties. It is not increasing the density and a pool is considered a
5 standard accessory use.

6
7 Mr. Noto said the Planning & Zoning Board heard this item at their June 22, 2010,
8 meeting and they voted unanimously (5-0) to recommend approval.

9
10 Mr. Noto said staff finds the request meets all the findings of fact and recommends
11 approval.

12
13 Mayor Mealor asked if the home to the south had a swimming pool. Mr. Noto answered
14 affirmatively. He said the owner is Chris Mahnken who is here tonight representing the
15 applicants and he also received a variance from Chapter 160.

16
17 Deputy Mayor Brender said the only difficulty he had is making sure that we don't end
18 up in a situation when the waters rise and they come running to us asking why we let
19 this happen. He asked if we had the same rules and requirements as we have had in
20 other things like warning the property owner that we are allowing them to go into this
21 setback but it's at their own risk.

22
23 Mr. Noto said depending on the severity or the location of the property in conjunction
24 with Crystal Lake or Soldiers Creek, we will ask the applicant to enter into a hold
25 harmless agreement releasing the City from liability. We can do that with this property
26 as we have with other properties in the past.

27
28 Deputy Mayor Brender said he didn't think that was a bad thing to do.

29
30 Ms. Reischmann said it's not necessary. Under the law we don't have liability for
31 approving something like this, but could see where it is helpful to forestall any
32 discussion.

33
34 Deputy Mayor Brender said so we wouldn't have to get the City Attorney involved or if
35 there is another property owner that buys it in the future.

36
37 Commissioner Gray said the City needs to be held harmless for structural or any water.

38
39 Mayor Mealor asked if anyone wanted to speak in reference to this request. No one
40 came forward and the public hearing was closed.

41
42 **Motion was made by Deputy Mayor Brender to approve the variance subject to**
43 **the applicant entering into a hold harmless agreement, seconded by**
44 **Commissioner Lucarelli and motion carried by roll-call vote: Commissioner**
45 **Duryea, Yes; Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy**
46 **Mayor Brender, Yes; Mayor Mealor, Yes.**

1
2 The Commission discussed Item O at this time.

3
4 O. Ordinance No. 1384 – Conveying an easement to Seminole County for
5 pedestrian underpass at International Parkway and Lake Mary Boulevard –
6 First Reading (Public Hearing)
7

8 The City Attorney read Ordinance No. 1384 by title only on first reading.
9

10 Mr. Noto said in 2006 the City entered into a pre-annexation agreement with Colonial
11 Properties for the annexation of property north of the subject property. As part of that
12 pre-annexation agreement, there was language that stated the City would be deeded
13 the International Parkway right-of-way from the AAA Drive area south to Lake Mary
14 Boulevard. We completed that process last year.
15

16 Mr. Noto said earlier this year the County let us know they were preparing to build a
17 pedestrian underpass similar to the one located at SR 434 and Markham Woods Road.
18 They needed to go within that right-of-way to build their underpass. They asked us
19 some different strategies and after we talked about it we decided that granting the
20 County an easement would be the best way to go about the construction of this
21 underpass. The area highlighted with the yellow crosshatch shown on the exhibit would
22 be the easement we would be granting to the County. The underpass would run from
23 International Parkway moving south to the opposite intersection along Lake Mary
24 Boulevard.
25

26 Mr. Noto said the easement language is outlined as an attachment to the memo. It
27 would grant the County the ability to construct the underpass and they would also
28 maintain it over time.
29

30 Mr. Noto said staff recommends approval of Ordinance No. 1383.
31

32 Mayor Mealor stated David Martin was present representing Seminole County.
33

34 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1384. No
35 one came forward and the public hearing was closed.
36

37 Mayor Mealor said as much use as the area gets, this is going to be a very helpful
38 addition.
39

40 **Motion was made by Commissioner Gray to approve Ordinance No. 1384 on first**
41 **reading, seconded by Deputy Mayor Brender and motion carried by roll-call vote:**
42 **Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor Brender,**
43 **Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**
44

45 The Commissioner returned to the regular order of the agenda at this time.
46

1 Mayor Mealar said items B through N all deal with land use change requests. We will
2 read them as a group, will hold public hearings for all, and then we will vote individually.
3
4 The City Attorney read Ordinance No. 1371 through Ordinance No. 1383 by title only on
5 first readings.
6
7 Mr. Schindler asked to address these items in two different groups: Items B through M
8 and then Item N separately.
9
10 Mr. Schindler said Items B through M are all located in the vicinity of the proposed rail
11 station. This is the last group of land use amendments that were triggered by the
12 Commission's directive that we contact property owners and give them the option of
13 allowing the City to act on their behalf.
14
15 Mr. Schindler said all of these were reviewed by the Local Planning Agency at their
16 June 16, 2010, meeting. Each meets or exceeds the minimum criteria for a small scale
17 land use amendment and the Local Planning Agency recommended approval.
18
19 Mr. Schindler said Item N is slightly different. It meets or exceeds minimum standards
20 but rather than being east of the downtown, it is west of the downtown. It is located on
21 the northwest corner of Fourth Street and Crystal Lake Avenue. In the past the
22 Commission has said they would like to encourage all the properties that are on the
23 front Fourth Street to come into the downtown. We contacted the property owners.
24 There are four properties and this being the southernmost property. He pointed out the
25 other three properties on the exhibit. Of the four properties that we contacted, only one
26 owner responded and that property is before the Commission tonight. Whereas all the
27 properties on the east side were LMDR to DDD, this is LDR.
28
29 Mr. Schindler said this was reviewed by the LPA at their June 16th meeting and they
30 unanimously recommended approval.
31
32 Mayor Mealar said Ordinance No. 1383 deals with the property on North Fourth Street.
33 He asked how it would be handled if the double lots to the west of the subject property
34 wanted to come in.
35
36 Mr. Schindler said they need to apply and we would review their property in light of all
37 the criteria for a small scale land use amendment and move forward with the review.
38
39 Mayor Mealar said we have read Ordinances Nos. 1371 through 1383. We will hold
40 public hearings on any item of concern to anyone in the audience under those
41 ordinances. If anyone has any comments, questions or concerns related to the
42 ordinances, this is the time to comment.
43
44 Melanie Lucas, 154 West Crystal Lake Avenue, came forward. She said she owned the
45 double lot behind the subject property.
46

1 Ms. Lucas said this was an outstanding idea but in the event we don't submit a proposal
2 to be part of the downtown district and if that property becomes part of the downtown
3 district, she asked the proposal for what is going to go on that piece of property.

4
5 Mr. Schindler said at this point there is no proposal for a change. In time he thought the
6 owners of all the properties going through land use amendments would anticipate that
7 there would be changes. That property now contains a single-family residence. It is not
8 a large piece of property. The property would be limited as a non-residential use just
9 because of its size. The Downtown Development District will permit a wide range of
10 office, retail, and service uses as well as residential units with a density of up to 18
11 dwelling units per acre. Anything proposed would have to meet all required open space
12 requirements and parking so it's not like they can go in and just throw up anything. We
13 have very high standards for the development in the downtown and would make sure
14 that all relevant requirements were met.

15
16 Ms. Lucas said we know and respect that because we have watched everything you
17 have done and we thank you. In the event that is determined to be a parking lot, it
18 would have to go through the whole process with the City and the Commission.

19
20 Mayor Mealor said with the City and the Commission and it would have to meet all
21 setback and buffer requirements.

22
23 Ms. Lucas asked the guarantee of safety in the event it does become parking. She said
24 one of her major concerns is that piece of land would be parking. She said that was a
25 rental property and the tenants had children.

26
27 Mr. Schindler said we would want the driveways to be on Fourth Street rather than on
28 Crystal Lake Avenue because Fourth Street is more of a commercial street as opposed
29 to being residential. It would lessen the traffic on Crystal Lake Avenue west of Fourth.

30
31 No one else came forward and the public hearings were closed.

32
33 B. Ordinance No. 1371 - Small scale land use amendment to the
34 Comprehensive Plan revising the Future Land Use designation from LMDR
35 (Low Medium Density Residential) to DDD (Downtown Development District),
36 147 N. High Street; Danna Bradford, applicant - First Reading

37
38 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1371 on**
39 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
40 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**
41 **Duryea, Yes; Commissioner Gray, Yes; Mayor Mealor, Yes.**

42
43 C. Ordinance No. 1372 - Small scale land use amendment to the
44 Comprehensive Plan revising the Future Land Use designation from LMDR
45 (Low Medium Density Residential) to DDD (Downtown Development District),
46 136 N. High Street; John Spolski, applicant - First Reading (Public Hearing)

1
2 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1372 on**
3 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**
4 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
5 **Gray, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

6
7 D. Ordinance No. 1373 - Small scale land use amendment to the
8 Comprehensive Plan revising the Future Land Use designation from LMDR
9 (Low Medium Density Residential) to DDD (Downtown Development District),
10 134 N. Lake Street; William and Chau McAfee, applicants - First Reading
11 (Public Hearing)

12
13 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1373 on**
14 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
15 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
16 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

17
18 E. Ordinance No. 1374 - Small scale land use amendment to the
19 Comprehensive Plan revising the Future Land Use designation from LMDR
20 (Low Medium Density Residential) to DDD (Downtown Development District),
21 142 N. Lake Street; Gwyn Yates, applicant-First Reading (Public Hearing)

22
23 **Motion was made by Deputy Mayor Brender to approve Ordinance No. 1374 on**
24 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
25 **vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**
26 **Brender, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

27
28 F. Ordinance No. 1375 - Small scale land use amendment to the
29 Comprehensive Plan revising the Future Land Use designation from LMDR
30 (Low Medium Density Residential) to DDD (Downtown Development District),
31 140 N. High Street; Martha Mitchell, applicant

32
33 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1375 on**
34 **first reading, seconded by Commissioner Duryea and motion carried by roll-call**
35 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**
36 **Duryea, Yes; Commissioner Gray, Yes; Mayor Mealor, Yes.**

37
38 G. Ordinance No. 1376 - Small scale land use amendment to the
39 Comprehensive Plan revising the Future Land Use designation from LMDR
40 (Low Medium Density Residential) to DDD (Downtown Development District);
41 1950, 1970 and 1990 W. Lake Mary Blvd.; John Spolski, applicant - First
42 Reading (Public Hearing)

43
44 **Motion was made by Commissioner Duryea to approve Ordinance No. 1376 on**
45 **first reading, seconded by Commissioner Lucarelli and motion carried by roll-call**

1 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
2 **Gray, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

3
4 H. Ordinance No. 1377 - Small scale land use amendment to the
5 Comprehensive Plan revising the Future Land Use designation from LMDR
6 (Low Medium Density Residential) to DDD (Downtown Development District),
7 133 N. High Street; Nathan Myers, applicant - First Reading (Public Hearing)

8
9 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1377 on**
10 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**
11 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
12 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

13
14 I. Ordinance No. 1378 - Small scale land use amendment to the
15 Comprehensive Plan revising the Future Land Use designation from LMDR
16 (Low Medium Density Residential) to DDD (Downtown Development District),
17 130 N. High Street; Harry and Elaine Deer, applicant - First Reading (Public
18 Hearing)

19
20 **Motion was made by Commissioner Gray to approve Ordinance No. 1378 on first**
21 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
22 **vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**
23 **Brender, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

24
25 J. Ordinance No. 1379 - Small scale land use amendment to the
26 Comprehensive Plan revising the Future Land Use designation from LMDR
27 (Low Medium Density Residential) to DDD (Downtown Development District);
28 123 N. High Street; Mary/Dale and Jane Tryzbiak, applicants - First Reading
29 (Public Hearing)

30
31 **Motion was made by Commissioner Gray to approve Ordinance No. 1379 on first**
32 **reading, seconded by Commissioner Lucarelli and motion carried by roll-call**
33 **vote: Commissioner Lucarelli, Yes; Deputy Mayor Brender, Yes; Commissioner**
34 **Duryea, Yes; Commissioner Gray, Yes; Mayor Mealor, Yes.**

35
36 K. Ordinance No. 1380 - Small scale land use amendment to the
37 Comprehensive Plan revising the Future Land Use designation from LMDR
38 (Low Medium Density Residential) to DDD (Downtown Development District),
39 139 N. High Street; Henry and Hazel Flores - First Reading (Public Hearing)

40
41 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1380 on**
42 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**
43 **vote: Deputy Mayor Brender, Yes; Commissioner Duryea, Yes; Commissioner**
44 **Gray, Yes; Commissioner Lucarelli, Yes; Mayor Mealor, Yes.**

1 L. Ordinance No. 1381 - Small scale land use amendment to the
2 Comprehensive Plan revising the Future Land Use designation from LMDR
3 (Low Medium Density Residential) to DDD (Downtown Development District),
4 141 Palmetto Street; Kirk and Jona Howe, applicants - First Reading (Public
5 Hearing)
6

7 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1381 on**
8 **first reading, seconded by Deputy Mayor Brender and motion carried by roll-call**
9 **vote: Commissioner Duryea, Yes; Commissioner Gray, Yes; Commissioner**
10 **Lucarelli, Yes; Deputy Mayor Brender, Yes; Mayor Mealor, Yes.**

11
12 M. Ordinance No. 1382 - Small scale land use amendment to the
13 Comprehensive Plan revising the Future Land Use designation from LMDR
14 (Low Medium Density Residential) to DDD (Downtown Development District),
15 273 Greenleaf Lane; Amir Golchini, applicant - First Reading (Public Hearing)
16

17 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1382 on**
18 **first reading, seconded by Commissioner Gray and motion carried by roll-call**
19 **vote: Commissioner Gray, Yes; Commissioner Lucarelli, Yes; Deputy Mayor**
20 **Brender, Yes; Commissioner Duryea, Yes; Mayor Mealor, Yes.**

21
22 N. Ordinance No. 1383 - Small scale land use amendment to the
23 Comprehensive Plan revising the Future Land Use designation from LDR
24 (Low Density Residential) to DDD (Downtown Development District), 160 N.
25 4th Street; Steve and Deborah Bracknell, applicants - First Reading (Public
26 Hearing)
27

28 **Motion was made by Commissioner Lucarelli to approve Ordinance No. 1383 on**
29 **first reading, seconded by Deputy Mayor Brender.**

30
31 Commissioner Gray said regarding Ms. Lucas' concerns, she couldn't imagine a parking
32 lot on this property. She said if she owned the property she wouldn't put a parking lot
33 there because it wouldn't be beneficial, but that doesn't mean it is not going to be
34 parking lot.
35

36 **Motion carried by roll-call vote: Commissioner Lucarelli, Yes; Deputy Mayor**
37 **Brender, Yes; Commissioner Duryea, Yes; Commissioner Gray, Yes; Mayor**
38 **Mealor, Yes.**

39
40 O. Ordinance No. 1384 – Conveying an easement to Seminole County for
41 pedestrian underpass at International Parkway and lake Mary Boulevard –
42 First Reading (Public Hearing)
43

44 This item was discussed and approved earlier in the meeting. See Page 4, Line 4.
45

46 P. Fiscal Year 2011 Budget Message – John Litton, City Manager

1 Setting of:

- 2 1. Proposed operating millage rate
- 3 2. Current year rolled-back rate
- 4 3. Date, time and place of tentative budget hearing

5
6 Mr. Litton said in accordance with Section 13.02 of the City Charter, I present my
7 proposed budget for FY 2011 together with the five-year projections through the year
8 2015, again with the latter being extremely important during these difficult times. Please
9 note that each program summary for 2011 includes a pie chart depicting personnel
10 service compared to operating costs.

11
12 Mr. Litton said over the past three years this process has become very much a moving
13 target as a direct result of the economy, especially when it comes to estimating
14 revenues as well as future costs.

15
16 Mr. Litton said I am proposing no increase in rates for fees or services in 2011 but have
17 provided monies for a consultant to update our stormwater fees which have not been
18 reviewed since 1993 when the charge was first established. This fund is also being
19 impacted by new FDEP requirements which are focused on nutrient reduction, and we
20 know those mandates are going to be more costly in future years.

21
22 Mr. Litton said our rolled-back rate as defined by Florida Statutes for 2011 and
23 calculated by the Seminole County Property Appraiser's Office is 4.1449 mills with a mill
24 in the City of Lake Mary projected to represent \$1,748,900 in Fiscal Year 2011 at the
25 95% collection rate compared to \$1,980,815 in Fiscal Year 2010. This figure is
26 significant as it truly shows what is happening with property values and, unfortunately,
27 there is not a lot of encouraging news going forward.

28
29 Mr. Litton said this budget calls for a levy of 3.6355 mills for 2011 which is 12.29% less
30 than the rolled-back rate and is the same number as was levied in 2010. State law only
31 requires a simple majority vote of the Commission to approve this recommendation. If
32 we were to go to the rolled-back rate which is calculated to be 4.1449 mills it requires a
33 two-thirds vote and any levy between that number and the 10-mill max requires
34 unanimous approval. The latter would be the case if you decide to balance without
35 using any reserves because any calculated levy would be 4.5299 mills.

36
37 Mr. Litton said General Fund Debt Service for 2011 is \$1,615,317 with other funds,
38 including Water and Sewer, being debt-free. Our Unreserved Fund Balance as a
39 percent of General Fund expenditures at the close of 2011 will be approximately 61%.

40
41 Mr. Litton said assuming the proposed millage rate is adopted, total General Fund
42 Revenues are estimated to go down \$1,073,238 from 2010, with General Fund balance
43 at the end of 2011 projected at \$11,478, 115. This compares to 2010 estimated at
44 \$12,551,353 and \$13,375,292 actual in 2009. It's important for the Commission to
45 understand that while in the past our General Fund balance tended to come in higher
46 than anticipated at the end of each fiscal year, we are in fact reducing that to a more

1 realistic number for our size city. As you recall our goal is to never let the General Fund
2 Balance fall below \$10,000,000 primarily to protect us if a major storm event were to
3 come our way. We know that such things as debris removal and payroll have to be paid
4 upon performance. If we learned one thing from the hurricanes in 2004 and 2005—
5 especially on the front end—we don't want to be dependent on others, including FEMA.
6

7 Mr. Litton said also a lot of thought and effort has gone into our revenue projections in
8 an attempt to ensure that they are truly reflective of the way we see the economy for the
9 next year, while being careful not to either substantially over or understate the numbers.
10 However, it is still somewhat a roll of the dice. A case in point was the unforeseen hit
11 the commercial side of our taxable values took in 2010 as reflected in this year's
12 numbers from the Property Appraiser's Office. Unfortunately, I don't see things
13 improving much for at least the next two to three years and maybe even longer. In fact,
14 it is just as likely that our property values will continue to go down.
15

16 Mr. Litton said we are proposing to spend \$1,564,460 of General Fund surplus to
17 balance and, with the exception of taking over the Lake Mary Cemetery on October 1st,
18 to basically maintain the same level of services we now provide our citizens. In 2010,
19 that number will be approximately \$576,410. We are able to do this because we have
20 always maintained a very conservative spending policy even during the good times but
21 in some regards this document changes that philosophy temporarily as we look forward
22 to developing a long-term high-end tax base in the Downtown Development District.
23 The bottom line is we are going to have to make some additional financial investments,
24 including infrastructure improvements, and I, among others, believe we need to do it
25 now if we want to see that area become a true destination where people live, work,
26 shop, eat, and play.
27

28 Mr. Litton said I think that despite these very difficult economic times, the City's
29 responsible participation in downtown redevelopment is critical unless you are satisfied
30 with our proposed train station becoming no more than a rail stop with lots of never
31 used parking spots. As you are all aware, we have been working hard to not only get
32 potential developers interested, but excited, and I am happy to report to a significant
33 degree that is already happening. Now the challenge is to keep those balls in the air
34 knowing full well that if one falls others may follow leaving us at ground zero. To that
35 end I have included in this budget \$150,000 in General Government for continued
36 professional assistance as needed and am optimistic that those dollars will be returned
37 tenfold over the next several years. This includes not only a focus on public/private
38 partnerships but also utilizing the properties we have acquired over the years to either
39 sell for private development or use for infrastructure. We must continue to buy smaller
40 properties in the area which only makes the Downtown Development District more
41 attractive for future development. We have also included in this budget the City's share
42 of the SunRail station upgrades in the amount of \$96,063.
43

44 Mr. Litton said two other things I believe would help expedite the quality downtown
45 development are the City taking over North Country Club Road between Lake Mary
46 Boulevard and Grace United Methodist Church and designating the Downtown District

1 as a CRA. While both require County Commission approval, the latter involves an
2 extensive application process which staff is already working on. Acquisition of that
3 section of C-15 will give us so many new opportunities to encourage footfall and greatly
4 enhance the overall aesthetics of the area while becoming the primary gateway to the
5 Downtown. While there will be associated maintenance costs down the road, they will
6 be well worth the cost. We don't need any more studies or pretty pictures of what our
7 downtown could or should look like—we need to see bricks and mortar. I am hopeful
8 we can take both items to the Board of County Commissioners for their consideration as
9 early as September.

10
11 Mr. Litton said we are again funding the City's payment to the 17-92 CRA in the amount
12 of \$54,608. The City is committed through the fall of 2017 but the Seminole County
13 Commission can extend all participants, to include Lake Mary, for a third ten years with
14 or without our approval.

15
16 Mr. Litton said I am proposing no new personnel positions in Fiscal Year 2011 but am
17 recommending one part-time position be upgraded to full time in the Parks Department.
18 This is to accommodate the anticipated additional work as a result of the City taking
19 over the cemetery as well as the additional staff time that is now being required to help
20 deal with the Events Center traffic which has exceeded all expectations as to popularity,
21 and most importantly, generated revenue.

22
23 Mr. Litton said keeping our good employees competitive with salaries, benefits, and
24 technology is just as important as ever while we truly do more with less. Our turnover
25 rate continues to be minimal and those who do leave, for the most part, are doing so for
26 the right reasons. You will recall in 2010 we gave no raises whatsoever and while
27 things are still very tight, I would like to give employees with one or more years of
28 service and no promotional increases of more than 5% during this year a 1% pay plan
29 adjustment effective in October. Furthermore, I would like to make employees in Pay
30 Range 29 or below eligible for up to 2% merit on their eligibility date. Those above that
31 pay range to include department heads, professional staff, along with sworn police and
32 fire personnel would be eligible for 1% merit on their respective eligibility date. We have
33 also funded the required additional payments for the police retirement plan as
34 calculated by their actuary in the amount of \$89,526 to keep the plan financially sound.
35 We literally have some of our lower paid employees living less than paycheck to
36 paycheck and while we all have been impacted by the economy, I have seen some non-
37 self-inflicted life situations within our own work force which are truly gut-wrenching.
38 Total cost for these pay increases will not exceed \$180,000 including benefits. I am
39 happy to report that no positions will be eliminated nor will we need to do any
40 organizational restructuring unless attrition provides that opportunity down the road.

41
42 Mr. Litton said I am not recommending any changes to the sick leave buy-back or safety
43 incentive programs, longevity, or the Take-Home Vehicle Policy which is certainly as
44 liberal as most for both general and public safety employees, but does not come without
45 a significant cost. Overall in 2011, the estimated cost in fuel for fleet operations is
46 \$233,900 citywide of which more than half is consumed by the Police Department.

1
2 Mr. Litton said I think it is important to note that while we may not have a lot of good
3 news, our property and casualty insurance premiums to include workers comp and
4 vehicle liability are flat for the next fiscal year. While our claims frequency has been
5 higher this year, we have had no major occurrence. I am also happy to report that our
6 flat renewal comes even after a top to bottom reappraisal of all City property and
7 contents that we are required to do every five years by PRM, which are critical numbers
8 in the event of a loss or losses.

9
10 Mr. Litton said on the health insurance side, the City's contribution toward the employee
11 benefit will exceed one million dollars with no real end in sight. We have also asked
12 employees to pay more in premiums while at the same time increasing co-pays and
13 deductibles. As a step to address that issue down the road, this budget includes a
14 \$200,000 allocation to fund a health clinic which will be located in or near one of our
15 facilities. The concept will be to encourage employees to use this option for routine
16 medical needs including prescriptions which, over time, will reduce premiums. These
17 facilities have been successful in other jurisdictions and if all goes well the City should
18 be able to self insure its healthcare benefits within two to three years, and when
19 combined with the health clinic is where the real savings will come. While plans are still
20 a work in progress, those employees who have visited other clinics are truly excited.

21
22 Mr. Litton said in General Fund Capital Projects, we estimate \$241,067 in carry-forward
23 monies excluding \$3,937,000 for the Sand Pond/Skyline Drive road improvements that
24 will be reimbursed by Seminole County as part of the Second Generation One-Cent
25 Sales Tax. We are in the final stages of acquiring the necessary property to complete
26 the punch-through of that roadway based on your previous direction. We are proposing
27 no new major spending. Other carry-forward projects include \$48,303 for downtown
28 beautification and stair-step park improvements including sidewalks, streetlights,
29 signage, etc.; \$18,004 from the federal grant for the Downtown T-21 Reauthorization
30 Fund Project for the Bypass Corridor Analysis; \$17,093 for in-car cameras; and \$5,200
31 for ticket writers in the Police Department. In Facilities Maintenance, \$15,000 is
32 allocated to continue our efforts to make our buildings more energy efficient; \$46,627 for
33 streetlight additions; and \$90,840 for new sidewalks and repairs in Public Works.
34 Additional funding includes \$16,500 for computer replacements; \$13,500 for server and
35 network development; and \$55,996 for equipment replacements in the Police
36 Department including laptop computers, portable and mobile radios, along with radars.
37 In the Fire Department I am asking for \$24,891 to replace a defibrillator which, in the
38 end, will be funded by a grant which has already been awarded.

39
40 **SIDE 1B**

41
42 In Public Works I am asking for \$300,000 for annual street resurfacing; \$300,000 in
43 Fourth Street related right-of-way upgrades; and \$20,000 to begin an annual program of
44 minor rehabilitation and restriping of our parking lots at various City facilities. In
45 Facilities Maintenance, there is \$240,730 budgeted to redo the ball field lighting at the
46 Sports Complex which was just funded through an Energy Efficiency & Conservation

1 Block Grant; and \$300,000 for continued downtown land acquisitions as previously
2 discussed.

3
4 Mr. Litton said from the Police Second Dollar Education and Training Fund we project to
5 spend some \$16,800 on training which will leave a fund balance of \$113,354. In
6 Recreation Impact Fees, there is an allocation of \$10,000 for the Heritage Park Study,
7 leaving a fund balance of \$118,966. We will be coming back to you in the next month or
8 so to spend a large portion of that amount on a security surveillance system for the
9 Sports Complex which is long overdue. There are no other expenditures in impact fees
10 leaving fund balances of \$179,029 in Fire; \$50,881 in Public Works; and \$355,292 in
11 Police. From the Law Enforcement Trust Fund there is an expenditure of \$3,980 for
12 wireless microphones to be used by our motorcycle officers which is a safety feature.
13 We will designate our annual donations during the year to eligible organizations from a
14 balance of \$262,314. The Streetlighting Fund has been consolidated with the General
15 Fund in compliance with a change in governmental accounting standards and will no
16 longer be presented as a separate fund. Previously that fund had accumulated monies
17 from streetlighting assessment payments that were in turn transferred to the General
18 Fund.

19
20 Mr. Litton said in the Water and Sewer Fund we estimate total revenues of \$3,696,350
21 of which \$1,900,000 is water sales. New capital projects dollars requested are
22 \$212,000, which includes \$75,000 for consumptive use permit monitoring requirements;
23 \$40,000 for maintenance of our elevated storage tank; \$25,000 for water treatment
24 plant component upgrades; \$7,000 for additional commercial meter testing and repair,
25 along with the \$43,000 that will be carried forward; \$15,000 to replace both sodium
26 hypochlorite tanks and associated piping at the water plant; and \$50,000 for Well No. 2
27 rehab. We also project \$1,530,796 in carry-forward monies in the Water and Sewer
28 Fund of which \$1,392,796 is for sewer and reuse implementation; \$80,000 for security
29 fencing at the water plant; and \$15,000 for HVAC replacement at the Public Works
30 Complex.

31
32 Mr. Litton said in the Stormwater Utility Fund, we anticipate revenues of \$283,000 from
33 the stormwater fees and operating expenses of \$546,294. At the end of the year we
34 estimate an unrestricted net asset of \$483,822. Our focus with the capital dollars is to
35 maintain existing cold mix by applying fog seal or overlays in the amount of \$160,000 on
36 those streets listed in the program summary; \$100,000 for stormwater improvements
37 which are part of the downtown right-of-way improvement project; and \$50,000 in carry
38 forward to implement the FDEP Total Maximum Daily Load nutrient reduction
39 requirement which will become more stringent each year as I previously mentioned.

40
41 Mr. Litton said in the budget book is the fleet maintenance program which services
42 some 136 pieces of rolling stock along with the projected vehicle replacement list not
43 only for FY 2011 but through the year 2015. Of course the replacement schedule for
44 any vehicle or piece of equipment is subject to change, and while each piece is actually
45 owned by vehicle maintenance, each program pays rent based upon each unit's life

1 cycle costs. Estimated vehicle/equipment replacement costs for 2011 are \$351,700 and
2 jump substantially in 2012 based on the replacement schedule shown in your book.

3
4 Mr. Litton said during the next several months, I would like to see the Commission
5 establish a Charter Review Committee consisting of either the Commission or an
6 appointed citizens group with the idea of reviewing the document from top to bottom.
7 The current charter is not broken but I believe could be tweaked in various areas to be
8 more reflective of the times. This recommendation is not in any way meant to interfere
9 with the rights of our citizens but since it was last done in 1992, it's just time. Any
10 recommended changes to the charter would ultimately have to be voted on by the
11 citizens.

12
13 Mr. Litton said we have scheduled our first work session for August 12th at 5:00 P.M. to
14 go over in detail the proposed budget. As always, we will review each of the various
15 operating programs during our work sessions but other than what has already been
16 mentioned, they are again pretty flat. We can also change or have other meetings
17 should that be necessary to accommodate schedules.

18
19 Mr. Litton said in accordance with Florida Statutes, the action required by you tonight is
20 to establish the proposed millage rate for 2011, which I recommend at 3.6355 mills and
21 is the same as the current fiscal year; set the rolled-back rate at 4.1449 mills; and
22 schedule the first public hearing for September 9, 2010, at 7:00 P.M. in the Commission
23 Chambers.

24
25 Mayor Mealor thanked Mr. Litton and the team. He said what he appreciated in these
26 very difficult times is that the City is not increasing government, we are making
27 investments to continue a quality of life in this community, and a defined and obvious
28 commitment to public safety. He commended Mr. Litton on the budget message.

29
30 Commissioner Gray said to tell Sue (Thorne) that she did a great job on the PowerPoint.
31 She asked when the budget message would be available on the web.

32
33 Mr. Litton said tomorrow morning. He wanted the Commission to see it first.

34
35 Commissioner Gray said she wanted to make sure it was available on the web. It is
36 packed full of good and needed information so the citizens can all see it.

37
38 **Motion was made by Commissioner Duryea to establish the proposed millage rate**
39 **at 3.6355 mills for Fiscal Year 2011, and the rolled-back rate of 4.1449, seconded**
40 **by Commissioner Lucarelli and motion carried unanimously.**

41
42 **Motion was made by Deputy Mayor Brender to schedule the first public hearing**
43 **for September 9, 2010, 7:00 P.M., in the City Commission Chambers, seconded by**
44 **Commissioner Lucarelli and motion carried unanimously.**

1 Deputy Mayor Brender asked the schedule for next month's Commission meetings. Mr.
2 Litton said they are the second and fourth Thursdays (August 12th & 26th). Mayor Meador
3 said the first budget workshop will be August 12th at 5:00 P.M.
4

5 IX. Citizen Participation
6

7 Joanne Counelis, 136 East Alma Avenue, came forward. She said they need bus
8 service on holidays, weekends and nighttime for all of Seminole County, starting with
9 Lake Mary and Longwood first. She asked the Commission to take care of that as soon
10 as possible.
11

12 Commissioner Gray said she brings that up each month at the Metroplan Advisory
13 Committee meetings.
14

15 Ms. Counelis asked to be advised of those meetings.
16

17 Mayor Meador asked Ms. Counelis to get with Commissioner Gray after the meeting and
18 exchange e-mail addresses.
19

20 No one else came forward and citizen participation was closed.
21

22 X. Reports:
23

24 A. City Manager
25

- 26 1. Request Commission authorize City Manager to extend contract with Grubbs
27 Emergency Services and to execute contract with Beck Disaster Recovery, Inc.
28 for Disaster Debris Planning and Support Management Services
29

30 Mr. Litton said there are two parts to this item. We are trying to come into compliance
31 with FEMA guidelines which are a moving target. We have had a previous contract with
32 Grubbs Emergency Services for disaster response and it includes collection, cleanup,
33 demolition, removal, processing, and disposal of debris as directed by us. We would
34 like to continue that contract through the end of the year when Seminole County will be
35 re-advertising. It makes more sense to piggyback them whenever possible in this
36 situation because they are usually ahead of the game. When the rules stay the same
37 they can get everything in order.
38

39 Mr. Litton said the biggest challenge we have is a debris site. We'll keep looking and
40 hopefully we will be able to use one of the County's if we need to, but they are going to
41 use them first.
42

43 **Motion was made by Commissioner Lucarelli to authorize the City Manager to**
44 **extend the contract with Grubbs Emergency Services to December 31, 2010,**
45 **seconded by Commissioner Gray and motion carried unanimously.**
46

1 Mr. Litton said the second part is a recommendation to go with Beck Disaster Recovery
2 for disaster debris planning and support management services. FEMA wants field
3 inspectors, two or three people on each truck, and wants to verify everything that
4 happens even though it is very costly, but we have to do it. Beck Disaster is Seminole
5 County's provider of that service and would like to piggyback on their contract for
6 disaster debris planning and support management services. That will be for two years.

7
8 Deputy Mayor Brender asked if these operations were able to maintain the contract with
9 the entire County in addition to being with the City.

10
11 Mr. Litton said Seminole County wouldn't let them offer that piggyback if they didn't think
12 they had enough.

13
14 Commissioner Duryea expressed concern that the City had no control over any of this.

15
16 Mr. Litton said we have some control but not as much as we would like. We are
17 certainly not going to be the primary. We prioritize the areas that they are going to pick
18 up and we tell them where we want them working. They will be working directly for
19 Bruce Paster.

20
21 Mr. Paster said that was correct. They would be working only under the City's direction,
22 through our requests and the amount of resources that we will need to make sure we
23 are in compliance with all the FEMA paperwork and monitoring. The big issue is
24 monitoring. FEMA has to make sure that every twig that's picked up has the paperwork
25 of where it was picked up, where it was delivered to and how it was handled. The Beck
26 contract is a monitoring contract. We direct them to monitor Grubbs so we have a third
27 party to prove to FEMA that all those monies are spent and that way hopefully get all
28 the money reimbursed.

29
30 Commissioner Duryea said it was his impression reading this that they pick the
31 contractors and we have no control.

32
33 Mr. Paster said we are already using Grubbs for the pickup. Beck will not be choosing
34 Grubbs—that is something the City has already done. We will be using them just for the
35 monitoring. What we will do with that contract is open a work order for a certain amount
36 of work. The contract includes every possible scenario. The signing of the contract isn't
37 the end all. We still have to have a specific work order for the type of work we want
38 them to do for us.

39
40 Deputy Mayor Brender said he remembered the expense of maintaining this
41 recordkeeping process from the 2004 hurricanes was in the hundreds of thousands.

42
43 Mr. Litton said and then the time not available to do their other work. He said Jackie
44 (Sova) spent hours, days and months and still spends time trying to close it out.

1 **Motion was made by Deputy Mayor Brender to authorize City Manager to**
2 **piggyback the contract with Beck Disaster Recovery, Inc. and Seminole County**
3 **for disaster debris planning and support management services for a two-year**
4 **period, seconded by Commissioner Lucarelli and motion carried unanimously.**
5

6 2. Request Commission authorize purchase of Data Storage Unit and Stealth Stat
7 traffic monitoring device from police forfeiture fund in an amount not to exceed
8 \$9,841.13, and authorize City Manager to execute associated budget adjustment
9

10 Mr. Litton said this is a request by the police department to expend a total of \$9,841.13
11 from the Forfeiture Fund. First is a data storage unit required for police camera
12 recording. The second is a Stealth Stat traffic diagnostic monitor which is a great tool
13 and they use it all the time. This would be the first one we bought from the Forfeiture
14 Fund. It is very useful in traffic studies.
15

16 Mr. Litton asked the Commission to approve the expenditure from the Forfeiture Fund
17 and the associated budget adjustment.
18

19 **Motion was made by Deputy Mayor Brender to approve the expenditure of**
20 **\$9,841.13 from the Forfeiture Fund and authorize City Manager to execute the**
21 **associated budget adjustment, seconded by Commissioner Gray and motion**
22 **carried unanimously.**
23

24 Mr. Litton said he was happy to report that Gander Mountain has donated \$17,000
25 toward our open space park fund as part of their expansion of an indoor gun range. He
26 said John Omana did a great job getting that.
27

28 Mr. Litton said National Night Out will be August 3rd: the Forest, 4:30 P.M. to 5:30 P.M.
29 at their clubhouse; Huntington Landing, 5:30 P.M. to 6:30 P.M. at the second pool in the
30 back of their complex; Lake Mary Landings, 6:30 P.M. to 7:30 P.M. at their pool; and
31 Timacuan is 7:30 P.M. to 9:00 P.M. on the east side of the parking lot at the clubhouse.
32

33 Mr. Litton said we have a budget work session at 5:00 P.M. on August 12th followed by
34 the regular meeting.
35

36 Mr. Litton said the Antique Train Exhibit continues through the end of the month at the
37 Historical Museum.
38

39 Mr. Litton said to stop by the museum beginning August 7th to see "Rocks Rock", an
40 exhibit of minerals, fossils and gemstones. Admission is free. The museum is located
41 at 158 North Country Club Road and is open Thursdays from 6:30 P.M. to 8:30 P.M.,
42 Saturdays from 10:00 A.M. to 2:00 P.M., or by appointment by calling 407-585-1481.
43

44 B. Mayor

45
46 Mayor Mealor had no report at this time.

1
2 C. Commissioners (1)
3

4 Deputy Mayor Brender said he attended the Seminole County Alliance for Children
5 meeting at the Sheriff's Office. Seminole County continues to do well in managing
6 children services with the Department of Children and Families. The statistics seem
7 heartbreaking but when you hear the statistics for some neighboring counties you
8 realize how incredibly fortunate we are in Seminole County to have the help that we do.
9 There are concerns about future budget cuts.

10
11 Deputy Mayor Brender said he attended the Hills of Lake Mary annual meeting and
12 helped bring the board and members present up to date on what's happening with the
13 Lake Como entrance. The City has installed a new water meter within the City right-of-
14 way; however, the day after we installed the water meter we got a letter from Mr. Roy
15 who thought we were trespassing on his property and we in turn informed him it was not
16 on his property. What is left is for the Hills of Lake Mary to establish a plumbing
17 contract to hook up the remaining sprinkler lines without crossing or going on Mr. Roy's
18 property. Once that is completed there will be water back to the median and along the
19 wall. They have reinstated a contract with their landscape maintenance company to
20 cut the area between the wall and the sidewalk. They have that area from Tuscany
21 down to the bend in the road where the goat farm is.

22
23 Deputy Mayor Brender said there is litigation pending on what happens to the Lake
24 Como entrance. It is owned by a private entity and they are trying to make a decision
25 through litigation or settlement talks which are ongoing at this time. He said he had no
26 idea when, or if, that will ever come to an end. He said Mr. Roy was code enforced for
27 the area he is responsible for because it is his property. That issue was going before
28 the Code Enforcement Board on July 20th but it came into compliance with code and
29 that was the end of that. He said he had the feeling that in the future this will be exactly
30 what is going to happen. We will code enforce him and he will come into compliance
31 just before the Code Enforcement Board meets and that will go on for some time.

32
33 Deputy Mayor Brender said the retention pond at the end of Lake Como Drive is an
34 area that is being code enforced and we are also in touch with the St. Johns River
35 Water Management District. Apparently the grass in the retention pond is exceeding six
36 feet. From what he was told St. Johns has drafted a letter to Mr. Roy but did not know
37 the content.

38
39 Deputy Mayor Brender said he called for a special called meeting of the Seminole
40 County Expressway Authority. We will be meeting on July 27th at 4:00 P.M. He said he
41 believed they have come up with a draft interlocal agreement with the Orange County
42 Expressway Authority. Once that draft is approved we can continue to plan for the
43 eventual lay of that road in Seminole County.

44
45 Commissioner Duryea had no report at this time.
46

1 Commissioner Gray said she attended the Trailblazers meeting and they talked mostly
2 about the cemetery. They have put in a lot of hours. They couldn't have come along as
3 far as they have without the input of staff.

4
5 Commissioner Gray said the e-mail she sent this afternoon was a spinoff from where
6 she participates as the representative of the Commission for the Children's Cabinet of
7 Seminole. She hoped it wasn't offensive asking for donations for their garage sale.

8
9 Commissioner Gray said she attended Red, Rock and Blue. People put up tents and
10 camped out under the overhang around the building with all the rain. The band had
11 their equipment covered and they rocked. She guessed there were about 150 people.

12
13 Commissioner Gray said she attended the Metroplan Advisory Committee meeting.
14 They had a subcommittee meeting first regarding quiet zones for SunRail. We are
15 trying to encourage not only quiet zones but enhanced safety zones. We made a
16 proposal and then took it to the Metroplan Advisory Board. FDOT will be upgrading the
17 126 crossings for the 61 initial miles and making sure they are safe. We are asking to
18 put in the infrastructure to get ready for the quiet zone. We asked Metroplan Orlando if
19 they would carry that ball and do a study and they accepted. She said she had been
20 selected to be on the Nominating Committee.

21
22 Commissioner Gray said she is working on the committee for the Kids' House Golf
23 Tournament and everyone would be hearing more about that. The tournament will be at
24 Timacuan Country Club on September 20th to raise funds for Kids' House.

25
26 Commissioner Gray said she was volunteering again this year for the Leadership
27 Seminole classes: Government Day and several others during the term.

28
29 Commissioner Lucarelli had no report at this time.

30
31 D. City Attorney

32
33 Ms. Reischmann had no report at this time.

34
35 XI. Adjournment

36
37 There being no further business, the meeting adjourned at 8:25 P.M.

38
39
40
41 _____
42 David J. Mealor, Mayor

40
41 _____
42 Mary Campbell, Deputy City Clerk

43 ATTEST:

44
45 _____
46 Carol A. Foster, City Clerk