

1 MINUTES OF THE LAKE MARY CITY COMMISSION WORK SESSION held January  
2 17, 2013, 5:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club  
3 Road.

4  
5

6 The work session was called to order by Mayor David Mealor at 5:10 P.M.

7

|   |   |
|---|---|
| 8 Mayor David Mealor                    | Jackie Sova, City Manager               |
| 9 Commissioner Gary Brender             | Dianne Holloway, Finance Director       |
| 10 Commissioner George Duryea           | John Omana, Community Dev. Director     |
| 11 Commissioner Allan Plank             | Gary Schindler, City Planner            |
| 12 Deputy Mayor Jo Ann Lucarelli – Late | Steve Noto, Planner                     |
| 13                                      | Randy Petitt, HR Manager                |
| 14                                      | Bruce Paster, Public Works Director     |
| 15                                      | Bryan Nipe, Parks & Recreation Director |
| 16                                      | Kathy Gehr, Asst. Parks & Rec. Director |
| 17                                      | Gunnar Smith, Events Center Manager     |
| 18                                      | Melissa Palmer, Special Events Coord.   |
| 19                                      | Radley Williams, Recreation Chief       |
| 20                                      | Steve Bracknell, Police Chief           |
| 21                                      | Craig Haun, Fire Chief                  |
| 22                                      | Mary Campbell, Deputy City Clerk        |

23

#### 24 ITEMS FOR CONSIDERATION

25

26 1. Update from Parks & Recreation

27

28 Mayor Mealor thanked the representatives from Seminole County government that are  
29 present as well as interested members from the community and the business  
30 community.

31

32 Ms. Sova said each member of the Parks & Recreation Department that handles a  
33 specific project is going to lead us in that project discussion and we will go through them  
34 consecutively as presented in the memo.

35

36 Mayor Mealor said the last item will be the Seminole County Sports Complex location  
37 option and is an item of interest to a number of people who are with us this evening. He  
38 recognized John Scarpino who is the Vice President and Athletic Director and is  
39 representing Seminole State College this evening.

40

41 Kathy Gehr, Assistant Parks & Recreation Director, came forward and gave an update  
42 on Heritage Park. The project is moving along and we are ready to go into the final  
43 phase of construction documents which should be completed by the end of April. The  
44 park focal point will be the fountain and its elevated platform. The elevated platform will  
45 hold the flagpole and bronze statues. There will be a seating wall and a paver walk that  
46 will connect to the cemetery through a boundary fence as well as to the pedestrian

1 connection across Palmetto from the SunRail site. Other amenities will include  
2 benches, flexi-pave or the equivalent will be used in all the natural areas, interpretive  
3 signage which will be limited to a historical Lake Mary overview, and will utilize the  
4 retention areas not only to retain the water but to also develop a rain garden. The  
5 existing conditions will determine what types of native plant materials will be used. She  
6 noted she had given a couple of samples of the possibilities in the staff report. The  
7 style of the park should closely resemble or incorporate the Italianate motif utilized in  
8 the Downtown area. The park will be bid in a package with street and infrastructure  
9 projects that Public Works and Community Development have under design in the area  
10 to get volume pricing.

11  
12 Commissioner Plank asked what the four statues would be.

13  
14 Ms. Gehr said fire, police, civic volunteers, and military.

15  
16 Commissioner Plank asked the reason to go with bronze.

17  
18 Ms. Gehr said water will play a big factor. It will hold up longer, will look better, and is a  
19 classier look for that park. It lasts forever.

20  
21 Mr. Nipe said as we met as a group throughout the last few months with the community,  
22 bronze was discussed but at the end of the day when we come back and are ready to  
23 build this park, we will look at different options. Cost is a big consideration. Statues are  
24 a hefty part of this project. If it is decided that bronze is the way to go and we don't  
25 have the amount of money to build the park and the bronze then we may push it out.  
26 The park can be built without the statues in place and we can have that as a future  
27 amenity.

28  
29 Commissioner Plank asked if the traffic circle was still a go coming off of Palmetto.

30  
31 Mr. Nipe said as far as he knew that was in design. Community Development is  
32 handling that. We have the luxury of working with CPH on our designs and they are  
33 also working on the roundabouts.

34  
35 Mr. Omana said it is currently in the design stage. At a workshop in February we will  
36 come to the Commission with not only the roundabout configurations and proposals but  
37 the specific geometry north of the railroad track at the Palmetto/East Crystal/Old Lake  
38 Mary intersection as well as an update on the conversations we have had with FDOT  
39 relative to the area intersecting with Greenleaf and Palmetto with some geometry on  
40 that as well.

41  
42 Commissioner Plank said aesthetics aside, his main interest was the traffic calming  
43 device.

44  
45 Mr. Omana said one of the challenges we have had has been the geometry involved.  
46 We are looking at a number of options that we will bring to the workshop.

1  
2 Commissioner Brender said there was no specific design as to what the statues will look  
3 like.

4  
5 Mr. Nipe said no. We met with the Bronze Foundry in Sanford. We received a tour and  
6 they gave a lot of ideas. The look discussed with the working group was a general look  
7 of military, fire, police, and a citizen.

8  
9 Ms. Gehr gave an update on the Trailhead Park improvements. Recently the park  
10 received improvements. We have a new park identification sign with an attached tenant  
11 sign with 14-watt LEDs. We are going energy efficient everywhere we can so we had  
12 installed three 20-foot fiberglass poles with 78-watt LED floodlights for the parking lot  
13 which are like the lights on Seminole Avenue. We have two 4-foot weatherproof  
14 fluorescent fixtures un-watt LED wall packs. The park is nicely lit, looks great, the  
15 tenant is very happy, and the users of the park after dark are pleased.

16  
17 Commissioner Plank asked how the concessionaire business was doing.

18  
19 Mr. Nipe said Smoothie King's business seems to be increasing. There are vehicles  
20 there on a daily basis. He said he stops by and gets a smoothie about once a week.  
21 They were pushing for lighting because they stay open until 7:00 and this happens to be  
22 the darkest time of year. There was a big fear with their workers handling cash at night.  
23 The police department also voiced their opinion about the lights. They believe they are  
24 doing well. They came to us and said it would take some time to ramp up business but  
25 they have a five-year plan that involves that parcel. They think that is going to be a  
26 success.

27  
28 Mayor Mealor said on Mondays Smoothie King has significant discounts and it is well  
29 worth the effort to go by there. It is an amazing staff and they are very accommodating.  
30 The previous tenant was never open on Monday so this was a pleasant surprise when  
31 he and his wife were biking the trail. They are trying to have an important presence in  
32 that quadrant of the City.

33  
34 Mayor Mealor said they got remarkable community feedback on what Ms. Gehr and her  
35 team accomplished with City Hall Central Park during the holiday lighting. He thought  
36 she was already making plans for next year and maybe some improvements. As  
37 Commissioner Duryea said, it is pretty hard to improve on something that's very good.

38  
39 Melissa Palmer, Senior Programs/Special Events Coordinator, came forward and gave  
40 an update on Wine Art Wednesdays. We are getting ready to unveil a new event for the  
41 City beginning Wednesday, February 6<sup>th</sup>. It will be on the first Wednesday of every  
42 month and is called Wine Art Wednesdays. Our department has been working closely  
43 with the shops in Downtown and some art enthusiasts to get an art stroll down Fourth  
44 Street and Lakeview Avenue. We will also have artists lined up in the park. We will  
45 have live entertainment by the fountain area. The Fourth Street Bar & Grill will have live  
46 music as well. We will have the food trucks on the pavers and would limit that to five.

1 Kathy Gehr's crew is working hard on building the wine and beer garden. There will be  
2 seating, a couple of picnic tables, Adirondack chairs, and an area for people to sit  
3 around and socialize.  
4  
5 Mayor Meador said people are talking about and are looking forward to this.  
6  
7 Mayor Meador asked if we would do any road closures.  
8  
9 Ms. Palmer said no road closures for this event. The only area that will be closed off  
10 will be the paver area for the food trucks.  
11  
12 Mayor Meador said at the last event the police department positioned out on Lakeview  
13 patrols to make sure there would not be parking in the residents' front area. He asked if  
14 that would be in place for this event.  
15  
16 Chief Bracknell answered affirmatively.  
17  
18 Mayor Meador said the residents were very complimentary of the way that was handled.  
19 He thought that was an important way of getting community buy-in.  
20  
21 Ms. Palmer said there would be better signage to the new parking area on Seminole  
22 Avenue as well.  
23  
24 Gunnar Smith, Events Center Manager, came forward and gave an update on the  
25 Tennis Center. The Request for Proposals for a Tennis Director is on the street and is  
26 due back on January 23<sup>rd</sup>. At that time we have a committee that we are going to put  
27 together to go through the proposals, meet with the contractors, and make a selection to  
28 bring to the City Commission for approval. We currently have Steve Huber as an  
29 interim director and is doing a good job. He is contracted through January and we have  
30 two 30-day extensions we can apply to him if this process takes longer than expected.  
31 We are looking for a more incentive-based contract this time.  
32  
33 Commissioner Plank asked if there was any indication that Steve (Huber) might be one  
34 of the bidders because he is hearing some awfully good things.  
35  
36 Mr. Smith said he absolutely is going to be one of the ones who turns in a proposal.  
37  
38 Mayor Meador said this is an example of the cost recovery program and we appreciate  
39 the marketing plan that has been put together.  
40  
41 Commissioner Brender asked the timeframe.  
42  
43 Mr. Smith said we should be able to narrow it down pretty quick with the proposals, get  
44 them in for interviews and make a selection. Maybe by the end of the month or the first  
45 of February.  
46

1 Mayor Mealor recognized Commissioner DeLores Lash. It is hard to believe she is one  
2 of the first to represent the City in an elected capacity and some of the vision she and  
3 the others had has been taken to the next level. What we enjoy today is because of  
4 those that came before us.

5  
6 Mr. Smith gave an update on the Lake Mary Community Center. The closing for the  
7 building on Wilbur is set for February 6<sup>th</sup>. The goal is to have a Request for Proposals  
8 or Qualifications for a design build for the interior renovations on the street shortly  
9 thereafter February 6<sup>th</sup>. Staff and the Trailblazers have discussed some options for the  
10 layout. We came up with one agreed-upon conceptual plan. He showed the current  
11 plan layout on the overhead. Those are dorm rooms so there are multiple interior walls  
12 that will need to come down. He showed a conceptual plan. We have not met with  
13 ZHA yet. We have contracted with ZHA to be design consultants. We have a meeting  
14 set with them tomorrow. This is something we drew up with the Trailblazers and have  
15 also taken it to the Parks & Recreation Advisory Board. We feel a split plan is the best  
16 use for the building right now because most of the mechanical and rest rooms are in the  
17 center and makes an automatic break in the middle of the building. Each of those  
18 rooms is approximately 2,000 S.F. so there could be two parties or meetings going on at  
19 once. This is not the final concept but is something we have come up with through the  
20 Trailblazers.

21  
22 Commissioner Plank said this is similar to the two rooms we had in the old community  
23 center with the improvement being that they are further apart. The other was just a  
24 folding wall between the two.

25  
26 Mr. Smith said we had a folding wall that didn't do well containing music or sound.

27  
28 Commissioner Brender said this is going to be used by everybody from cub/boy scouts,  
29 girl scouts, and homeowner meetings. He said he was looking at the storage and food  
30 prep. This is going to be a broadly used building and wanted to make sure we have the  
31 right equipment and design for as many of these conceptual uses that we have come up  
32 with.

33  
34 Mr. Smith said absolutely. The table and chairs storage takes up quite a bit of space  
35 and we have to make sure we have enough room for that. Those are fine details we are  
36 going to go through with ZHA as we move forward.

37  
38 Mr. Smith said we have put together a cost and cost recovery plan but it is very  
39 conceptual. Our plan is to operate the center and not lose money and break even. We  
40 are looking to house our new Recreation Chief, Radley (Williams), at this building with  
41 an office so that will help with daytime staffing of the building and use recreation  
42 assistants when we have classes or camps going on. He had some samples of the  
43 facility rental rates of \$25 per hour for city residents. These are not set in stone and  
44 were an example. Those rates were equivalent to what we had in the old building. A  
45 four-hour party by a resident would be \$100. We are looking at direct cost for the City

1 with staff, benefits and utilities at \$44 so it would be a win-win for us to have those kinds  
2 of classes.

3  
4 Deputy Mayor Lucarelli arrived at this time (5:30 P.M.).

5  
6 Mr. Smith said the other kind of activity we are looking to have in there other than a  
7 straight rental is to offer classes with fees and have instructors where they would pay us  
8 a percentage back. We have instructors paying 20% back of the registration fee. We  
9 have a sample registration fee of \$60 so if you had an 8-week class with ten participants  
10 that would be \$600. Our direct cost after staffing and utilities we are looking at \$88 per  
11 class. Those are rough numbers. We are going at this with the goal of not losing any  
12 money on these classes and rentals.

13  
14 Commissioner Plank asked if they anticipated any difficulty in people wanting to use the  
15 Community Center versus the Events Center.

16  
17 Mr. Smith said he didn't think so. He works at the Events Center and we get calls for  
18 these kinds of things all the time that we just can't accommodate. People are not going  
19 to pay \$3,000 on a Saturday for baby showers or 1-year-old birthday parties. He  
20 pointed out it wasn't available anyway.

21  
22 Commissioner Plank said he was looking at it the other way with somebody not wanting  
23 to pay \$3,000 on Saturday.

24  
25 Mr. Smith said he didn't think so. He thought if we had two Events Centers we would fill  
26 two Events Centers so that's not an issue.

27  
28 Mayor Meador said the costs are not fixed in stone and we will look at that. This is an  
29 opportunity for the community to have an amenity to hold an event. Just about all our  
30 kids had a birthday party or some kind of event at the old community building that was  
31 very reasonable yet a very nice environment to conduct that type of activity with disc  
32 jockeys, band or whatever they wanted to bring.

33  
34 Commissioner Plank asked if they could get Kathy's crew to do what they did with the  
35 clinic and do a nice interior.

36  
37 Mr. Nipe said there are a lot of exterior improvements they can work on. Public Works  
38 is going to work on getting a lift station put back into the ground because it's not  
39 necessary. We've got the ability to be gravity fed. Some other aesthetic improvements  
40 Parks can handle on the exterior. Once we get through the process and we look at the  
41 design build and see what we're looking at, it may be too great of an effort for the parks  
42 and facilities staff to take on.

43  
44 Commissioner Plank said if it is decided to go that route it would be taken into account  
45 in the bidding process or afterwards.

1 Mr. Nipe said the cost of labor, materials and everything.  
2  
3 Commissioner Duryea said he thought they were doing this so girl scouts and boy  
4 scouts would have a place to meet and wouldn't cost them anything.  
5  
6 Mr. Smith said we haven't gotten that far. We are putting together some models of what  
7 we could do. Nothing is firm.  
8  
9 Mr. Smith said Radley Williams would speak about the marketing plan.  
10  
11 Radley Williams, Recreation Chief, said the marketing plan is attached to the packet  
12 and gave an update. Once the purchase is complete on the 6<sup>th</sup> of February we will  
13 begin implementing our marketing plan and calendar. The calendar coordinates the use  
14 of different marketing materials that we have access to throughout a six-month time  
15 period which will lead up to opening the facility. Some of the materials we are going to  
16 use are posted on our Parks & Recreation website and the City Facebook pages, water  
17 bill insert flyer, use of news media outlets such as *Lake Mary Life* and *Lake Mary Health*  
18 *& Wellness* to get some articles generated to notify the public that a community building  
19 is coming back. We found that event flyers to the PTA have worked well; word of mouth  
20 is a great tool to use for the community building. Our core strategy would include a  
21 message of "Lake Mary Community Building...IT'S BACK!" It was mentioned a lot of  
22 the Commission had experience at the old community center and get the word out to  
23 the community that we are bringing a new amenity back for them and a facility they can  
24 use and enjoy.  
25  
26 Mayor Meador said next is a discussion about the Seminole County Sports Complex. It  
27 is a location option. Seminole County is researching viable locations throughout the  
28 County for a sports complex. One location of possible interest to the County is in Lake  
29 Mary at the 156-acre Siemens-Stromberg-Carlson subdivision between I-4 and Rinehart  
30 Road north of Primera Boulevard. He asked Mr. Nipe to introduce the County  
31 representatives.  
32  
33 Mr. Nipe introduced the Director of Leisure Services Mr. Joe Abel and Division Manager  
34 of Parks & Recreation Mr. Steve Waring from Seminole County, and Executive Director  
35 Sharon Sears from the Convention & Visitors Bureau.  
36  
37 Mr. Nipe said for some time Seminole County has been looking throughout the County  
38 for a location to create a sports complex that would be conducive to youth recreation,  
39 high school recreation, and collegiate recreation focusing on baseball. They have  
40 located a few properties. There is some funding they have identified through their Hotel  
41 Bed Tax to fund the sports complex. One of the locations is at the Siemens-Stromberg-  
42 Carlson subdivision on Rinehart Road just north of Primera between Rinehart and I-4. It  
43 is a 153-acre parcel. Some of the concepts focus on baseball fields upwards of 15 to  
44 18 fields and focusing on larger fields that can be brought down to a smaller field with  
45 temporary fencing if they were to bring in youth baseball.  
46

1 Mr. Nipe said the County has done some studies on economic impact of a facility of this  
2 magnitude that would draw folks from out of town, Georgia and possibly beyond. Folks  
3 are coming in, staying overnight, spending money on gas and restaurants, so an  
4 economic impact has been identified. With a complex of this size, they are looking at  
5 around \$20 million of direct economic impact per year to the area. They are also  
6 looking at having an indoor facility on site that would be conducive to indoor training,  
7 volleyball, and basketball. That would have an additional economic impact beyond just  
8 the fields.

9  
10 Mr. Nipe said he wanted to bring to the Commission's attention that this is out there.  
11 We wanted to make the Commission aware there is a possible economic impact but  
12 they would want to know about public safety and what is the best and greatest use of  
13 the property. From the best and greatest use perspective we worked with Community  
14 Development and Community Development has worked with the County to determine  
15 what type of value that property holds from a commercial perspective and if we remove  
16 it from commercial and it becomes a sports complex, what kind of impact does that  
17 have to the tax roll. From a public safety perspective, Chief Haun has done research  
18 based on property similar to this in the County to determine what kind and how many  
19 responses and the magnitude of those responses in terms of cost to the County or other  
20 municipalities. He asked Steve Noto to discuss the economic impact of removing the  
21 commercial property or keeping as is.

22  
23 Mr. Noto said the parcel in question is New Century Park and has been around about  
24 14 years and we haven't had any development. He showed the DRI plan on the  
25 overhead as it sits today. There are six parcels along the western edge by I-4 of Class  
26 A office space, three parcels set aside for flex space, and up front are three office  
27 parcels and a small commercial parcel that are not part of this sports complex project. It  
28 is about 1.2 million square feet of Class A office, 357,000 square feet of flex space, and  
29 8,000 square feet of commercial.

30  
31 Mr. Noto said we wanted to see what would happen if we took this off the tax rolls.  
32 Before we did that we looked at what the property is worth today and what we are  
33 getting from it today. Per the County Property Appraiser, the assessed value of the  
34 property is \$6.5 million and the City is getting just under \$24,000 a year of property tax.  
35 We looked at comparable Class A parcels and comparable flex space parcels  
36 throughout the City, primarily in Primera, Colonial Center, Heathrow, and North Point.  
37 Having put together all the numbers and backing into what we did, we coordinated with  
38 the County Economic Development folks who are still working on their numbers but in  
39 the last conversation we agreed we were pretty close and are looking at about \$400,000  
40 a year in lost property tax for the City.

41  
42 Deputy Mayor Lucarelli said today it is not developed and we are not getting that  
43 potential \$400,000. She asked how long it had been sitting empty.

44  
45 Mr. Noto answered 14 years. There is no vesting. They never did a traffic analysis but  
46 did some amendments over the years. While there may be 1.2 million square feet of

1 office space entitled, that doesn't mean they could do it all tomorrow. When we looked  
2 at this we thought 1.2 million square feet was a bit high for what's out there now.

3  
4 Mayor Meador said when his son and daughter were growing up in terms of their  
5 athletics we traveled across the south and the things we looked for is how convenient it  
6 was, how close was it to where we were going to stay, what kind of eating amenities  
7 that were reasonably priced, and ingress/egress. What he liked about this overhead is  
8 if you look at the possible punch through to Primera on the south, you look at access to  
9 Rinehart on the lower end, and Rinehart on the northern end is great ingress/egress in  
10 and out of the place to move traffic. This past December at the soccer complex for the  
11 County there was a tremendous amount of activity and you would see people come in  
12 waves and then they would leave and then another group came in waves and then  
13 would leave. This allows movement of traffic to be more efficient than what he  
14 observed at the soccer complex and thought that had a national influence. What we are  
15 looking at here is something that might have national impact. Just a few years ago  
16 Seminole State's baseball team was in the national tournament so that is an incredible  
17 kind of recognition for the entire community. Not just Seminole County but Central  
18 Florida is the beneficiary of those kinds of activities.

19  
20 Commissioner Brender said we are looking at highest and best use of the property from  
21 the standpoint of office development. He said he tended to think out years and tended  
22 not to make decisions for today or tomorrow. In five or ten years, assuming there is  
23 some economic recovery, there is going to be development. There are development  
24 issues we are dealing with right now with new Class A office. Staff's estimation of tax  
25 revenue is strictly tax revenue. Let's say in ten years 1.2 million square feet being built  
26 on that. This is assuming we are not talking about the elephant in the room which is the  
27 pollution that exists 400 feet below the ground underneath it. That is purely a tax  
28 revenue issue for the City. The question is the economic impact of 1.2 million square  
29 feet of office space as far as jobs. You have a \$20 million number for hotels and  
30 restaurants against \$400,000. He said he wanted to know the economic impact of  
31 what's going to be out there in five to ten years. That's the hard part because if you are  
32 talking 1.2 million square feet you are talking 200 square feet per job. You are talking  
33 thousands of potential jobs and thousands of potential people that are using those same  
34 restaurants and hotels. He said for that he needed more information.

35  
36 Mr. Noto said we will do our best to gather that type of information.

37  
38 Commissioner Plank asked the timeline the County was looking for on this project.

39  
40 Joe Abel, Director of Leisure Services for Seminole County, came forward. We are  
41 looking at this property and two other properties by the airport. The consultants are  
42 finalizing their remediation plan for this property that's going to DEP that was due in  
43 December. We are hoping to get it this month. Once DEP gets it they will give us a  
44 copy so we can see the conditions from the contamination perspective. He said his  
45 goal is to be able to take the environmental aspects of this property, the estimated price  
46 of this property and a conceptual configuration of this property along with the other two

1 properties back to the County Commission for some conversation and direction in  
2 March. Once we get final determination of moving forward with a property, depending  
3 on if remedial work needs to be done, we won't know exactly what that timeline would  
4 be for development at that point, although the information I am getting back in bits and  
5 pieces seems to be favorable for us to move forward at a pretty good pace. Once we've  
6 decided on the property and start the process of purchasing the property we will also  
7 start the design process. Once we start that process it will be a six to eight month  
8 purchasing/procurement process, the design about a year, and construction a couple of  
9 years. From the time we get started with design through complete development and  
10 opening the property is about 3-1/2 years—2016 would be the target.

11  
12 Deputy Mayor Lucarelli asked if there had been any consideration for design build which  
13 has been known to not only cut costs but speed up construction.

14  
15 Mr. Abel answered affirmatively and said that was their first preference. We have talked  
16 about that on the other properties. The concern with this property because of the  
17 remedial work that will need to be done is it may be difficult to find a design/build firm  
18 that would be willing to come in and give a package price when there are a lot of  
19 unknowns. We are hoping once we get the information from DEP and know exactly  
20 what we are dealing with then we will have a good idea of what we can do and include  
21 that into a design/build construction.

22  
23 Deputy Mayor Lucarelli asked Mr. Abel if he had coordinated with the Florida Brownfield  
24 Association to see what they could do to help this out. She noted there were  
25 representatives in the audience.

26  
27 Mr. Abel answered negatively. He said they wanted to identify what the knowns were.  
28 We wanted to wait and see what the remedial process was going to be from what  
29 needed to be done, what the timeframe was and what the cost was going to be so we  
30 could develop that into the conversation as we move forward.

31  
32 Deputy Mayor Lucarelli said there is a lot of help that they can offer and strongly  
33 encouraged Mr. Abel to have that conversation with them.

34  
35 Mr. Abel said they would.

36  
37 Commissioner Brender asked if the County had the money.

38  
39 Mr. Abel answered affirmatively. We are using TDC funding. We have about \$7 million  
40 in a reserve account that hoteliers have been providing through their taxes and we have  
41 been holding for this type of development. This property and the other properties we  
42 are looking at are probably between \$18 million to \$20 million in development. We are  
43 looking to fund all of that through TDC funding. This is just the outdoor complex portion.

44  
45 Mr. Noto showed on the overhead a concept of what the sports complex could look like  
46 on this property.

1  
2 Mr. Abel noted the property to the east is not included.

3  
4 **SIDE 1B**

5  
6 Mr. Abel said there is a five field pinwheel and those are 350-foot fields. He pointed out  
7 the fields that are 350 feet and ones that are 315 feet. Everything from the  
8 infield/outfield line, the infield will be designed with artificial turf. Everything on the  
9 outfields will be 419 Bermuda and all the fencing on the outside perimeter of all the  
10 fields will be removable. We would be able to do rectangular type sports for the  
11 younger age groups. We want to be able to cater to anybody 18 and under or at least  
12 16 and under in athletic sports for both residential and tournament. We are looking at  
13 national tournaments just like we did for soccer. We had had 170 teams in from all over  
14 the nation for that tournament. We look for this facility to be able to do the same type of  
15 thing.

16  
17 Mr. Abel pointed out an area on the exhibit that represents a footprint of an 80,000  
18 square foot indoor facility that would house up to six full court basketball courts, 12  
19 volleyball courts, a minimum 25-foot ceiling to be able to do cheerleading competitions.  
20 Our goal would be to have cheerleading, basketball, volleyball, wrestling, indoor soccer,  
21 and multi-purpose use of that facility. We project another \$15 million to \$18 million in  
22 economic impact just the indoor facility could generate. The sports complex could  
23 conceivably generate as much as \$40 million a year in Seminole County.

24  
25 Commissioner Duryea said this looks good but asked where they were going to park.

26  
27 Mr. Abel pointed out the gray areas on the exhibit and those are all parking.

28  
29 Commissioner Plank asked what they would do with the front space.

30  
31 Mr. Abel said they wanted to keep that because it is prime promotional property so that  
32 would be property that would stay on the books once it is developed.

33  
34 Commissioner Plank asked where the identification (signage) would be for the location  
35 of the sports complex.

36  
37 Mr. Abel said for signage we would want to make a deal with them for the front because  
38 that would probably serve as the main entrance.

39  
40 Deputy Mayor Lucarelli asked if there was any projection as to how much this will bring  
41 as far as employment because there has to be people to maintain the facility.

42  
43 Mr. Abel said the projection for the County to manage the facility would be 15 to 20  
44 positions if they do it in-house. If we contract out the maintenance there would be  
45 another dozen or so staff. Conservatively just on County and contracted staff you are

1 looking at 25 or 30 positions. It will generate more opportunity through concession  
2 operations, event activities, and event organizers.

3  
4 Commissioner Brender said they would be looking for a decision from the County on  
5 which property in March or April.

6  
7 Mr. Abel said he was hopeful to be in a position to take some solid information on the  
8 three properties for the Commission to make an informed decision on whether or not to  
9 move forward.

10  
11 Commissioner Brender asked when they would need a decision from this Commission  
12 of what we believe the status of the property should be.

13  
14 Mayor Meador said the City is interested in presenting this property for a sports complex  
15 for the County. He said we know there are two other properties, we know what is going  
16 on, and we know it will be a political decision. He said he was pleased that the County  
17 has moved forward with a strong economic development program, they've hired a  
18 strong individual and have the right team in place. The message we have been sending  
19 out in terms of economic development is we are going to reach out but the most  
20 important thing we can do for our small businesses is to retain them and support them.  
21 We have representatives from hoteliers present. It was what the hoteliers contributed  
22 that allowed us to come forward with this project. In the audience are hotelier  
23 representatives from Sanford, Lake Mary, Altamonte Springs and unincorporated  
24 Seminole County and they have communicated with the Commission that this would be  
25 their preferred site. He said he couldn't speak for the County Commission but thought it  
26 was safe to say that the City of Lake Mary is very interested in partnering with the  
27 County.

28  
29 Commissioner Brender said the Mayor may not be able to speak for the County but was  
30 not sure he could speak yet for the City of Lake Mary either. He said he had some  
31 reservations.

32  
33 Mayor Meador said as he stated earlier there are representatives from the business  
34 community in Lake Mary, Sanford, Altamonte Springs, and unincorporated Seminole  
35 County present this evening that feel that this would be a preferred site. He said he  
36 appreciated their advocacy for this. He said he probably should not have spoken as he  
37 did. This will be a Commission decision. The whole premise of this workshop is to talk  
38 about what this could be. We can't do anything tonight other than present information  
39 and will go back into the discussion mode. He said he was probably premature in his  
40 comments.

41  
42 Commissioner Brender asked when the County would need a decision from the City of  
43 Lake Mary.

44  
45 Mr. Abel said if he had a resolution from the City Commission when he makes a  
46 presentation to the County Commission in March would go a long way. When he talks

1 to the County Commission and says we have a willing property owner, a reasonable  
2 design expectation, a funding mechanism in place, have identified the obstacles and  
3 challenges and are meeting those, and we have the city this property is going to be  
4 developed in supporting this.

5  
6 Commissioner Brender said we are looking at six to eight weeks to decide where to go.  
7

8 Chief Haun came forward and gave information on the public safety aspect. We looked  
9 at this concept from a fire rescue standpoint and how that would impact them as far as  
10 call load, and it is very minor. We looked at four other complexes similar to this  
11 throughout Seminole County and there were only 36 calls for service at those locations  
12 and only about 50% of those were traumatic injuries. It is a minor impact. One thing we  
13 didn't look at because we weren't aware of it at the time when we were asked to gather  
14 information is that there would be an 80,000 square foot indoor facility. That would  
15 have additional impact but from what we have been able to gather, there's not a  
16 significant public safety impact on having this type of sports complex.  
17

18 Mayor Meador said Commissioner Brender has requested some additional information.  
19 We have the business community here and we recognize that this project will move  
20 forward regardless of where it is located because of the contributions of the hoteliers.  
21 Under the assumption that additional information will be provided to the Commission to  
22 answer any outstanding questions, he asked if there was any objection to the City  
23 moving forward with a proposal to present to the County for consideration for this  
24 baseball complex to be located within the City of Lake Mary.  
25

26 Commissioner Duryea objected and said he agreed with Commissioner Brender. We  
27 have been slowly eroding the commercial base in the City and this is a significant value  
28 to that economic base that we talked about as a target industry group years ago. He  
29 said he was not convinced this was the best place or the best use. The Mayor can tell  
30 the County Commission that some of the City Commission disagrees.  
31

32 Mayor Meador restated that he was premature and said it would definitely be a  
33 Commission decision. He said he stood corrected. He was out of line to say that. He  
34 was wrapped up in the excitement of what this could be.  
35

36 Mayor Meador asked Mr. Nipe to work with Mr. Noto and the others through the City  
37 Manager in terms of addressing any questions we may have. In fairness to the County  
38 and Mr. Abel, we should have a date certain that we could bring forward a resolution for  
39 consideration to submit to the County.  
40

41 Commissioner Brender said that's why we was asking the question. If we're going to  
42 support this thing he wanted to go out and support it. The key element is he wasn't sure  
43 they had the information they needed yet. We have to be able to compare apples to  
44 apples long term. We are making a decision that conceivably could tie up this property  
45 for 100 years. Let's make sure we have all the information gathered up before we put it  
46 out there. He said he wasn't saying no but was saying give us more information.

1  
2 Deputy Mayor Lucarelli said she sat on CALNO for Commissioner Brender and thought  
3 he was in Altamonte before for a tour of their science incubator. Just listening to their  
4 economic development department and how they took a park and turned it into  
5 something that is going to be a major economic driver, not only for Altamonte but all of  
6 Seminole County. She said she may be comparing apples to oranges but looked at this  
7 as being a huge economic driver for Central Florida as a whole. She could see  
8 potential for growth, putting Seminole County and Lake Mary on the map as a place  
9 people want to come and bring their businesses for the vacant and not-yet-built  
10 commercial that we have here. It makes it a desirable place to come live, work and  
11 play. It would encourage people to move their corporate headquarters and family here.  
12 She wanted to throw that out as food for thought. That's the way Altamonte is  
13 considering it.

14  
15 Commissioner Brender said that was a fair statement and agreed with Deputy Mayor  
16 Lucarelli if they decide to go ahead with it. He just wanted to make sure they were  
17 making the right decision.

18  
19 Mayor Meador said the hoteliers represented this evening have been amazing corporate  
20 neighbors, both to the City and civic groups and we appreciate all they have done. One  
21 only has to think about the firestorms of '98 and some other things. He thanked them  
22 for the interest in this project and thanked them for their support.

23  
24 **It was the consensus of the Commission to take comments from the audience.**

25  
26 Bruce Skwarlo, General Manager of the Marriott who resides at 1538 Cherry Blossom  
27 Terrace, Lake Mary, Florida, came forward. He noted he had lived in Lake Mary for 11  
28 years. He thanked the Commission for their time and for their wisdom and guidance  
29 through this process.

30  
31 Mr. Skwarlo said they didn't touch on the DEP and the economic and environmental  
32 impacts. He was looking at a facility that he had been looking at for 11 years and it's  
33 been a tarnish on the great City of Lake Mary. If we had the ability to use tourist  
34 development tax dollars to clean up this tainted land would be a wonderful use. He said  
35 he didn't think they needed to think about it as being taken off the tax rolls for 100 years.  
36 If the demand comes back for that type of commercial office space, there is nothing  
37 easier to do than take a bunch of grass and turn it into a first class office space. Maybe  
38 clean up the land now and 20 years from now could turn around There is always going  
39 to be land east of the City that will be available. He didn't think this land would be  
40 available. Thinking long term and thinking forward, there is nothing more easily  
41 developed than a piece of flat grass into a first class office space for future  
42 development. He didn't look at it as being here for 100 years. If it's needed on the tax  
43 rolls at some point and the demand is there, he would be the first to say bulldoze it and  
44 bring more first class businesses in. Right now he didn't see anything that's going to  
45 help the hoteliers more than this facility.

46

1 Mr. Skwarlo said there are three hotels in this city that have gone through hard  
2 economic times and turned over ownership because of the lack of business in the  
3 community. That needs to be thought about as well. We have hotels that are failing  
4 and turning over in ownership. He said his company just bought Homewood Suites  
5 because the last owner failed. The reason it failed is because of the down economy.  
6 The hoteliers in Lake Mary and Seminole County desperately need what this venue can  
7 provide. What it provides is hotel rooms on the weekends when we really need it. It  
8 also represents an opportunity to impact all of the stakeholders in Seminole County.  
9 We have a hotelier here from Altamonte Springs and if he had a choice to see a facility  
10 of this size built in Seminole County, he has the best chance if it goes on the I-4 corridor  
11 than he does if it goes by the airport. It really helps all the stakeholders across all of  
12 Seminole County and not just those in the Lake Mary area.

13  
14 Mike Arsenault came forward. He said he was an engineer, consults environmental  
15 work, and was a City of Lake Mary resident. There are some issues with this property  
16 and has sat undeveloped for some time due to some of those issues. There are a lot of  
17 success stories for properties around the state and country that have made a huge  
18 economic development to cities such as Lake Mary.

19  
20 Mr. Arsenault said he had small kids and coached baseball and has done a lot of  
21 sporting events. It seems like we are always going outside of the City. When we go we  
22 have lunch and dinner close to there and there are many families coming from Lake  
23 Mary. A facility such as this would bring so many people into Lake Mary, not only on  
24 weekends but during the week. With a community center such as that it opens it up for  
25 other events. As a resident of Lake Mary, but also knowing the technical and economic  
26 benefits that a facility such as this could bring for the City, it is very good to hear some  
27 positive thoughts behind this project. This is a lot different than it was 20 years ago.  
28 There are many success stories that can be shared through the Florida Brownfield  
29 organization and better publicly available that brings these types of sites to life.

30  
31 Anna Long, Attorney with the Lake Mary law firm of Sunstrom, Friedman & Fumero,  
32 came forward. She said she was the immediate past president of the Florida Brownfield  
33 Association and has worked in the Central Florida area with Osceola County, Orange  
34 County, the City of Orlando, and several others assisting both public and private entities  
35 in developing sites that have environmental challenges on them. This is a perfect site to  
36 be looked at. She said she couldn't promise monies are available to the tune needed to  
37 make up that differential but there are other added benefits to going through a  
38 Brownfield program including accelerated report review. She said Joe (Abel) is waiting  
39 on DEP that received a report at the end of December and hopes to have that  
40 information in 30+ days. When you are a designated site for Brownfield all of those  
41 things are accelerated on your behalf. It helps move your timeframe ahead for  
42 development.

43  
44 Ms. Long said the types of projects that lend themselves to being redeveloped over a  
45 Brownfield site are many. She said she wouldn't say you couldn't be as successful with  
46 commercial redevelopment on this property because that would not necessarily be true;

1 however, an open field plan of this nature provides less restriction on the overall  
2 development and less timing issues with respect to where I can put this versus where I  
3 can put that because there is likely going to be monitoring wells on this site for a  
4 number of years.

5  
6 Mayor Meador thanked Mr. Nipe for his presentation and the County and Convention  
7 and Visitors Bureau representatives for being present.

8  
9 Ms. Sova asked the Commission if they wanted her to bring back the economic  
10 information on February 7<sup>th</sup> or February 21<sup>st</sup> so we can get that information before the  
11 Commission for further discussion prior to the March timeframe.

12  
13 Mayor Meador said the sooner the better. If it can be done February 7<sup>th</sup> that will give us  
14 a chance to digest it and bring it back on the second meeting in February if the  
15 Commission is so inclined and take action at the County Commission prior to their  
16 March workshops and meetings.

17  
18 II. Adjournment

19  
20 There being no further business, the work session adjourned at 6:25 P.M.

21

1 MINUTES OF THE LAKE MARY CITY COMMISSION MEETING held January 17,  
2 2013, 7:00 P.M., Lake Mary City Commission Chambers, 100 North Country Club Road,  
3 Lake Mary, Florida.

4  
5  
6  
7  
8

I. Call to Order

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

10  
11  
12  
13

II. Moment of Silence

14

III. Pledge of Allegiance

15

IV. Roll Call

16

17 Mayor David Mealor  
18 Commissioner Gary Brender  
19 Commissioner George Duryea  
20 Commissioner Allan Plank  
21 Deputy Mayor Jo Ann Lucarelli

Jackie Sova, City Manager  
Dianne Holloway, Finance Director  
John Omana, Community Dev. Director  
Gary Schindler, City Planner  
Steve Noto, Planner  
Randy Petitt, HR Manager  
Bruce Paster, Public Works Director  
Bryan Nipe, Parks & Recreation Director  
Steve Bracknell, Police Chief  
Craig Haun, Fire Chief  
Katie Reischmann, City Attorney  
Mary Campbell, Deputy City Clerk

22  
23  
24  
25  
26  
27  
28  
29  
30

V. Approval of Minutes: December 20, 2012

31

32

33 **Motion was made by Commissioner Brender to approve the minutes of the**  
34 **December 20, 2012, meeting, seconded by Commissioner Plank and motion**  
35 **carried unanimously.**

36

VI. Special Presentations

37

38

39 Ms. Sova said all of our employees are very special to us and recognizing them is very  
40 important to me as it is to the Commission. She said she was pleased tonight that we  
41 have four officers receiving presentations from the police department. They have a  
42 wonderful organization and was very proud of these people as she was of all of the  
43 members of the police department.

44

45 Chief Bracknell said as evidenced by several news stories over the last several months,  
46 our call volume has increased quite a bit. We have had several opportunities for our

1 officers to shine brighter than they normally do. Those officers we would like to  
2 recognize with merit pins.

3  
4 Chief Bracknell asked Officer Justin Axon to come forward. On October 23, 2012, at  
5 2:00 A.M., newly hired Officer Justin Axon was on patrol in the area of Candlewood  
6 Suites Hotel and Greenwood Boulevard. His keen observations revealed that a suspect  
7 was trying to conceal himself behind a vehicle. Officer Axon also observed that there  
8 was a vehicle with a broken window. Officer Axon approached the vehicle and the  
9 suspect began to run. Officer Axon engaged in a foot pursuit and caught up with the  
10 suspect, giving him verbal commands to comply. The suspect did not comply and  
11 Officer Axon deployed his Taser. The suspect continued to flee with Officer Axon still  
12 giving chase at which time he observed another suspect running from the area. He was  
13 then able to radio this information so a perimeter could be established by fellow police  
14 officers. They arrived along with a K-9, went to the area and apprehended three  
15 suspects.

16  
17 Chief Bracknell said after the investigation, it was determined that all three suspects had  
18 taken part in the burglary of the vehicle in the parking lot at the hotel and additional  
19 items were recovered in the suspect's vehicle. All three were arrested for burglary,  
20 grand theft, resisting police without violence, and loitering and prowling.

21  
22 Chief Bracknell said Officer Axon's excellent observation and physical skills enabled  
23 him to stay with the suspects long enough to radio the activity and direction of travel to  
24 the assisting officers. Despite the fact that he was still in training, Officer Axon acted  
25 without hesitation and was able to thwart any further vehicle burglaries the suspects  
26 most certainly would have committed. His efforts that day were a positive reflection of  
27 the Lake Mary Police Department's mission. For that Officer Axon is awarded the  
28 Award of Merit.

29  
30 Mayor Mealor presented to Officer Axon a Certificate of Appreciation and ribbon for a  
31 job well done.

32  
33 Chief Bracknell asked PFC Matt Schaefer to come forward. Matt was assigned to the  
34 Criminal Investigation Division for five years. In keeping with our customs Matt rotated  
35 back to patrol and is now the Assistant Squad Leader for his particular shift.

36  
37 Chief Bracknell said on April 4, 2012, PFC Schaefer was assigned to the Criminal  
38 Investigation Division as a detective and was assigned a missing persons investigation  
39 from a resident in the Huntington Landing subdivision.

40  
41 Chief Bracknell said PFC Schaefer utilized various investigative techniques such as  
42 NCIC offline search, Facebook, toll road inquiries and was able to determine that the  
43 subject may be classified as endangered due to a past issue that the individual had.  
44 PFC Schaefer entered the person as missing in the NCIC database and immediately  
45 received notification that the Orange County Sheriff's Office had found the missing  
46 person's vehicle and there was an unknown deceased male inside.

1  
2 Chief Bracknell said further investigation revealed that the deceased male was shot and  
3 that it was, in fact, the missing person PFC Schaefer was looking for. He continued to  
4 work the case, he developed information and located a possible suspect to the murder.  
5 He provided that information to the Orange County Sheriff's Office and based on his  
6 information alone, the Orange County Sheriff's Office was able to arrest the suspect,  
7 recover the firearm that was used in the murder, and gain a confession from the  
8 suspect.

9  
10 Chief Bracknell said PFC Schaefer's exceptional diligence and investigatory skills led to  
11 not only finding the missing person but bringing his killer to justice. For that PFC  
12 Schaefer is awarded the Medal of Merit.

13  
14 Mayor Mealor presented PFC a Certificate and ribbon of merit.

15  
16 Chief Bracknell asked Sergeant Steve Towler to come forward. This is a very  
17 contemporary incident that we saw on the news not long ago. Steve is lucky to be with  
18 us.

19  
20 Chief Bracknell said on December 2, 2012, Steve Towler was monitoring Seminole  
21 County radio traffic when he heard the Altamonte Springs Police Department broadcast  
22 an armed carjacking that had just occurred in their jurisdiction. The information  
23 indicated that the suspects were possibly headed eastbound on I-4 to our jurisdiction.

24  
25 Chief Bracknell said Towler took up a position on I-4 and shortly afterwards he observed  
26 the vehicle and the suspects. He got behind the vehicle, confirmed the vehicle as being  
27 stolen, and waited for backup officers to arrive. He did not activate any blue lights and  
28 was waiting for his backup to get there. Sergeant Towler was following the car several  
29 car lengths behind while waiting for his backup, and the suspects exited I-4. The  
30 vehicle abruptly stopped in the middle of the road in the traffic lane. Chief Bracknell  
31 said he suspected that was for Steve to get out and walk up to it. Sergeant Towler  
32 stayed a safe distance away as his backup had not arrived. The suspects then  
33 accelerated to 100 MPH and attempted to leave the highway at 46A. Due to the  
34 excessive speed the suspects were traveling, they lost control of their vehicle and spun  
35 out onto the grass. Sergeant Towler arrived at their vehicle as they were exiting and  
36 attempting to flee on foot.

37  
38 Chief Bracknell said Steve gave loud verbal commands and was able to get one of the  
39 suspects to comply with those demands. The second suspect began to bury a handgun  
40 and attempt to flee. Sergeant Towler deployed his Taser and the second suspect  
41 complied. Sergeant Towler then safely waited for backup while keeping both suspects  
42 at bay. Additional officers arrived on scene and both suspects were arrested.

43  
44 Chief Bracknell said Sergeant Towler remained calm and demonstrated the utmost in  
45 restraint while waiting for backup officers. Due to his exemplary efforts, he was able to

1 stop and contain two armed suspects alone that had just committed a capital felony  
2 crime. For that Sergeant Towler is given an Award of Merit.

3  
4 Mayor Meador presented Sergeant Towler with an Award of Merit and a Ribbon of  
5 Distinction with star.

6  
7 Chief Bracknell said we are truly blessed in Lake Mary and we have so many  
8 exceptional employees and Lena DelGenio is one of those bright stars. He asked PFC  
9 Lena DelGenio to come forward. Lena DelGenio has demonstrated excellent  
10 performance and dedication to service this past year.

11  
12 Chief Bracknell said in January Lena checked on a stranded motorist on I-4. After  
13 speaking to the driver she knew something wasn't quite right so she investigated further  
14 and discovered the motorist was in possession of cocaine, packing material, a digital  
15 scale, \$3,700 and a drug ledger. The motorist was arrested and successfully  
16 prosecuted. He noted \$3,000 some odd dollars went to the Forfeiture Fund.

17  
18 Chief Bracknell said in February, Lena responded to a call of a 12-year-old boy who  
19 wanted to kill himself. Leno spoke to him at length, made him feel a lot better and  
20 calmed him down. In the following weeks she checked up on the boy and his mother,  
21 took an active interest in the boy's life and went out of her way to change his outlook  
22 from negative to positive. The boy has a brand new attitude about life. Chief Bracknell  
23 said the boy's mother contacted him just to express thanks for everything Lena had  
24 done to help her son.

25  
26 Chief Bracknell said in March, Lena located three burglary suspects who had just stolen  
27 three bicycles from a resident's garage. The suspects fled the area but she located  
28 them on 46A. Her observation and investigative skills led to the confessions of two of  
29 the suspects and implicated the third. All three were arrested for burglary to an  
30 occupied dwelling.

31  
32 Chief Bracknell said in December Lena responded to attempt to contact a male that was  
33 not answering his door at his apartment complex. She discovered that the car was  
34 running inside the home and forced entry had to be made. The male inside had  
35 perished. PFC DelGenio opened the windows in the apartment to let the carbon  
36 monoxide out. The Fire Department checked and discovered that additional apartments  
37 were contaminated and needed evacuating, with one other person suffering from  
38 carbon monoxide poisoning. Her quick actions ensured the safety of all the apartment  
39 complex tenants that day.

40  
41 Chief Bracknell said it should be noted that the officers in the Lake Mary Police  
42 Department are cross trained in many different things. For example the patrol officers  
43 will be cross trained into riding our T-3 and those are officers interested in doing extra  
44 things. Officer DelGenio is also a Certified Bicycle Officer. She has also taken on the  
45 extra duty as a Field Training Officer training our new officers. This year she has made  
46 19 arrests and made over 400 traffic stops. She's proactive, thorough in her

1 investigations, is always willing to help and accepts nothing less than the best for  
2 herself and the department. She is the Lake Mary Police Officer of the Year. He noted  
3 through all of her efforts and enthusiasm, she was selected as our newest K-9 Officer.

4  
5 Mayor Mealor presented a certificate to PFC DelGenio in appreciation of her  
6 outstanding service. He said the hallmark of a community is a commitment to public  
7 safety and its citizens. All of you personify that. He congratulated PFC DelGenio for a  
8 job well done.

9  
10 VII. Unfinished Business – None

11  
12 There was no unfinished business at this time.

13  
14 **SIDE 2A**

15  
16 VIII. New Business

- 17  
18 A. Request for a variance from Section 160.07 (B) (2) (b) for a storage shed at a  
19 single-family residential property located at 264 Almyra Drive, Gregory L.  
20 Crawford, applicant (Public Hearing) (Gary Schindler, City Planner)

21  
22 Mr. Schindler said this is a request for a variance of 51 feet from the required 75-foot  
23 setback that is associated with Chapter 160. In 1990 the City adopted Chapter 160  
24 which established a 25-foot environmental buffer and a 75-foot setback from  
25 development in the two most environmentally sensitive areas. One is the Crystal Lake  
26 Basin and the other is along Soldiers Creek.

27  
28 Mr. Schindler said the subject property far predates the regulations. The subdivision  
29 was done in the mid-1950's and the residence on this property was constructed in 1972.  
30 If these regulations had been in place at that time, it is doubtful that the residence could  
31 have been built. The residence is within the 100-year flood line. It could not have been  
32 built as it is today.

33  
34 Mr. Schindler said Mr. Crawford is proposing to construct a workshop. If the strict letter  
35 of the law is brought to force, he would be unable to do that. It would require him to  
36 move the storage shed to the front yard which is something that is not allowed. Storage  
37 sheds may be no farther front then the front of the house. He met with staff and we said  
38 the thing to do was request a variance.

39  
40 Mr. Schindler said historically the City Commission has taken the tact that if the  
41 requested variance does not result in any additional density then the Commission has  
42 been receptive to such variances. This is one dwelling unit and after the variance it will  
43 still be one dwelling unit. There are criteria that must be addressed for a variance.  
44 There are six criteria listed in the staff report and staff has found that this situation  
45 meets or exceeds all six criteria.

1 Mr. Schindler said staff finds the applicant has met all the criteria stated above to grant  
2 a variance of 51 feet from the minimum 75-foot building setback requirement with the  
3 condition that the subject property be used only for residential purposes.

4  
5 Mr. Schindler said the applicant has a home occupation for an office there. This would  
6 in no way conflict with his home occupation. As presented staff feels it meets all  
7 criteria.

8  
9 Mr. Schindler said at the December 11, 2012, meeting, the Planning & Zoning Board  
10 voted 4 – 0 to recommend the requested variance.

11  
12 Commissioner Brender said as he understood it the shed is not part of the home  
13 occupation use.

14  
15 Mr. Schindler said it is not but it could be. Under home occupations you are permitted  
16 to use the primary structure and accessory structures. At the Planning & Zoning Board  
17 meeting Mr. Crawford was asked this and he said over the years he has acquired a lot  
18 of woodworking toys.

19  
20 Mayor Mealor asked if anyone wanted to speak in reference to this request for a  
21 variance. No one came forward at this time and the public hearing was closed.

22  
23 **Motion was made by Deputy Mayor Lucarelli to approve the variance, seconded**  
24 **by Commissioner Brender.**

25  
26 Commissioner Brender said we know the house and this new building is going to be in  
27 the floodplain. He asked if there was any kind of hold harmless the City should be  
28 doing to make sure if five years from now the lake fills up and he is under water.

29  
30 Ms. Reischmann said we have done that before but it's not necessary. We are not  
31 liable for the fact that he built in the floodplain.

32  
33 Commissioner Brender said even though we approved it we are not going to be held  
34 responsible for allowing it when it floods.

35  
36 Ms. Reichmann answered negatively. She asked Mr. Schindler if he recalled that the  
37 City required a release from people that are building in the floodplain currently.

38  
39 Mr. Schindler answered affirmatively but believed that was the primary residence. This  
40 is not a habitable structure.

41  
42 Ms. Reischmann said she thought it shouldn't be a problem.

43  
44 **Motion carried by roll-call vote: Commissioner Brender, Yes; Commissioner**  
45 **Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli, Yes; Mayor**  
46 **Mealor, Yes.**

1  
2 B. Ordinance No. 1479 – Final PUD for Gander Mountain-Lake Mary, 3750  
3 Flagg Lane, Brooks and Amaden, Inc./Nicholas Messina, applicant – First  
4 Reading (Public Hearing) (Steve Noto, Planner)  
5

6 The City Attorney read Ordinance No. 1479 by title only on first reading.  
7

8 Mr. Noto said this is the first time this is before the Commission as a Final PUD but on  
9 August 4, 2011, the Preliminary PUD for the Gander Mountain rezoning was before you.  
10 What is before you is not much different other than we have a PUD agreement and a  
11 draft sign lease agreement that is part of Ordinance 1479.  
12

13 Mr. Noto said the key aspects of this rezoning is to build a first responder military  
14 veterans memorial, reconfigure Flagg Lane, create an entry sign for Gander Mountain,  
15 and have entitlements put in place for future development.  
16

17 Mr. Noto said we almost never use the computer to show exhibits but there are so many  
18 he thought it would be easier to do it that way. He said if anyone had trouble seeing he  
19 had the paper exhibits to zoom in if needed. He showed the Final PUD conceptual  
20 plan on the overhead. He pointed out Lake Mary Boulevard, Lake Emma Road, and  
21 Flagg Lane on the exhibit. The reconfiguration of Flagg Lane is where they are going to  
22 be creating an entry feature of the war memorial veterans' area, a solid wall, flags and  
23 things of that nature and it will bring you into the Gander Mountain store with a fully  
24 redone parking lot. There are some different phasings going on with regards to the site  
25 improvements.  
26

27 Mr. Noto said there are three phases to this project: 1A, 1B and Phase 2. Phase 1A as  
28 outlined on Page 2 of the staff report will be the most important part of the  
29 improvements: the adjustment of Flagg Lane, the adjustment of stormwater ponds, the  
30 new Welcome to Lake Mary and Gander Mountain sign at the corner of Lake Mary  
31 Boulevard and Flagg Lane, the flagstone wall on Flagg Lane with the Gander Mountain  
32 logo and flagpoles, veterans memorial and assorted site improvements. These are the  
33 limits of Phase 1A.  
34

35 Mr. Noto said Phase 1B has to do with additional parking lot improvements: landscaping  
36 in parking islands, installation and repair of irrigation, and replacing any broken or  
37 chipped curbing.  
38

39 Mr. Noto said Phase 2 is a long term plan. That is a recapture site at the northwest  
40 portion of the parcel of approximately 8,000 square feet for a future use, most likely a  
41 restaurant but he was not aware of any potential tenants at this time. When they do get  
42 to that point, the PUD has set aside approximately 8,000 square feet of entitlements  
43 including parking behind the building and further adjustments of the stormwater pond in  
44 the rear.  
45

1 Mr. Noto said maintenance of the new Flagg Lane area was talked about at length at  
2 the Planning & Zoning Board meeting in December. The City is going to continue to  
3 maintain a portion of Flagg Lane as we maintain it now. We're not going to change our  
4 maintenance patterns. LMBT which is the property owner and Gander Mountain will  
5 then maintain the remaining portion of Flagg Lane. That is a bit of what the condition  
6 has to do with on Page 3 of the staff report that P&Z recommended as part of their  
7 approval is the maintenance of that area as it pertains to landscaping. It is to beautify it  
8 because it is overgrown.

9  
10 Mr. Noto showed an example of the entry feature items as well as the landscaping plan.

11  
12 Mr. Noto said one of the big things we talked about at Preliminary PUD was the  
13 monument sign at Flagg Lane and Lake Mary Boulevard. We will be doing a sign lease  
14 agreement with Gander Mountain to lease them a portion of the right-of-way on Flagg  
15 Lane. This is an extension of the definition of on-premise sign but that's why we look at  
16 PUDs to try to do these things because there is the inherent flexibility with doing PUD  
17 agreements. This goes along with what the P&Z recommended at their December 11,  
18 2012, meeting.

19  
20 Mr. Noto showed the conceptual drawings of the sign. We worked with the applicant to  
21 put together the conceptual drawings of what the sign will look like. He showed a  
22 conceptual of what it would look like from Lake Mary Boulevard as you are turning right  
23 into Flagg Lane. It will have a brick base to conform with current code with plantings in  
24 the planter base.

25  
26 Mr. Noto said this item was heard by P&Z at their regular December 11, 2012, meeting  
27 and they unanimously recommended approval with the one condition. After we  
28 submitted the staff report we continued to work closely with the City Attorney and the  
29 applicant's attorney, Randi Fitzgerald, who is present this evening for some additional  
30 changes to the PUD agreement. They are minor things mainly on Pages 4 – 6 having  
31 to do with maintenance, indemnity insurance and things of that nature. We will have  
32 those changes at second reading.

33  
34 Ms. Reischmann asked if the condition P&Z recommended was incorporated into the  
35 PUD agreement.

36  
37 Mr. Noto answered affirmatively.

38  
39 Commissioner Brender said he wasn't sure where the most traffic enters Gander  
40 Mountain. He wasn't sure if it was off Lake Mary Boulevard or Lake Emma. He asked if  
41 there were any kind of improvements or turn lanes set for a wider turn radius off of Lake  
42 Mary Boulevard.

43  
44 Mr. Noto said we haven't talked about that at this point. At the very early stages of this  
45 project, the applicant made clear that most of their traffic now comes in from Lake  
46 Emma because they have no idea you can take Flagg Lane from the Boulevard in. This

1 is just the rezone and we didn't get into talking about traffic. When we get to site plan  
2 we can ask them to provide a traffic statement to show how many additional movements  
3 they think they may get from the Boulevard with the addition of that sign.  
4

5 Commissioner Brender said his only concern was with the turning traffic off I-4 having  
6 that separate right-turn lane and then there are people going eastbound on Lake Mary  
7 Boulevard who are trying to get over to the right, people making that right turn off I-4 to  
8 get over to the left, and now we are going to interject a main entrance to Gander  
9 Mountain in the middle of that short stretch of road. He suspected they need to look at  
10 some sort of lanage there.

11  
12 Mr. Noto said we will coordinate with the County.  
13

14 Deputy Mayor Lucarelli said a lot of people turn in there and didn't see room for a turn  
15 lane with the way the area is configured. She didn't see there was room for a turn lane  
16 without taking property.  
17

18 Commissioner Plank asked if we could request a formal traffic study because he shared  
19 the same concern. Since this came up initially he has been watching down there and  
20 not only do they come off I-4 without slowing down but you have people that are going  
21 to beat the people coming off in the right lane and they are going to cut back over  
22 because they want to go to Lake Emma. It's pretty congested there.  
23

24 Mr. Noto said if it is the desire of the Commission to add a condition that at site plan  
25 they provide a full traffic study, we can follow through with that.  
26

27 Commissioner Plank said even if not a full traffic study then have the police department  
28 take a look at it. They are out there every day and see if there is a need for that.  
29

30 Commissioner Plank said there is no question the sign and area needs improving.  
31 There is a section that says the owner of the property has the right if the Gander  
32 Mountain lease runs out to dismantle the memorial. When something of that nature is  
33 put into place he thought it was permanent. He said he didn't know how the owner feels  
34 about changing that section.  
35

36 Mr. Noto said if the next user has nothing to do with this type of thing we could look into  
37 whether they would rather keep it or get in talks with the City to see if the City wants to  
38 take it. The purpose of the memorial is to tie in with Gander Mountain's store. The  
39 owner is a war veteran so this was a top priority for him. We will talk with their attorney  
40 and see if we can come up with language to keep it there long term and perhaps have  
41 the City involved in some way with the turnover if that occurs.  
42

43 Commissioner Plank said he thought the other alternative would be to have the  
44 memorial because it is tied to Gander Mountain and not include it on the Gander  
45 Mountain sign which currently only addresses first responders and not the veterans.  
46

1 Mr. Noto said will do.

2

3 Miranda Fitzgerald of Lowndes, Dosdrick, Doster, Kantor & Reed Law Firm, 215 North  
4 Eola Drive, Orlando, Florida, came forward. She said she was working cooperatively  
5 with both the owner and Gander Mountain. We have worked hard with staff and City  
6 Attorney trying to get this right and everybody on our side is excited that this will be a  
7 big benefit to the City. That shopping center needs refurbishing so we've got a nice  
8 cooperative effort.

9

10 Mr. Fitzgerald said going to Commissioner Plank's question on the memorial, LMBT  
11 owns Lot 3 of the subdivision and they have a lease with Gander. The memorial was  
12 Gander's idea. LMBT is out of Pennsylvania and they may not want to keep it if Gander  
13 goes away because it's additional costs, maintenance, insurance, etc. We drafted it in a  
14 way that if they wanted to keep it they would have the obligation to maintain it and  
15 maintain the insurance, but if they didn't, they would have the ability to dismantle it. If at  
16 that point the City were interested in taking it over and taking that responsibility you  
17 have the benefit of having sovereign immunity and might be willing to do that. It's  
18 Gander's money being put into it and not LMBT. Gander leaving that memorial will  
19 inure to the benefit of the owner without cost. There won't be a payback there. If LMBT  
20 doesn't want to keep it or the successor to the Gander Mountain space doesn't want to  
21 keep it then we could have discussion at that time.

22

23 Commissioner Plank asked the length of Gander's lease.

24

25 Ms. Fitzgerald said she thought it was a 20-year lease but wasn't sure how much was  
26 left on it. As part of this transaction, it doesn't just involve what you are seeing here with  
27 the PUD. There are a number of lease amendments as well to conform the uses. We  
28 added a lot of language in the PUD about permitted and prohibited uses. All of those  
29 had to be incorporated into the lease term so there are a number of lease revisions that  
30 have been worked out to correlate the lease with the PUD. Because this is part of a  
31 larger subdivision, there are a total of four out lots plus Lot 3. It is a 5-lot subdivision  
32 with the outparcels along Lake Mary Boulevard included in it. This week we will be  
33 sending certified mail letters to those owners. She was sure they got notice of this  
34 hearing. They will be getting certified mail letters because we are also going to, with  
35 their consent, amend the declarations to deal with the signage. They've got rights in the  
36 signage and rights in the retention areas that are going to be reworked. All the storage  
37 will remain as it is. There are a number of things going on and hopefully it's going to  
38 coalesce at about the time the PUD is finished and approved.

39

40 Commissioner Brender asked the timeframe this might begin and end.

41

42 Ms. Fitzgerald said very soon. They had wanted to have the veterans' memorial  
43 finished last Veterans Day and it didn't happen. It will happen very quickly as soon as  
44 we get the approval done. She said she appreciated the Commission's support.

45

1 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1479. No  
2 one came forward and the public hearing was closed.

3  
4 Ms. Reischmann said Mr. Noto referred to a few technical changes we have made since  
5 the PUD agreement in the packets. They are minor legal issues. One issue that is  
6 outstanding is that we are requesting that they provide insurance for the memorial, not  
7 just indemnity but also insurance to cover any potential claim that is brought because of  
8 any accident or anything that occurs. That is being worked out. She asked in the  
9 motion to approve the PUD agreement with some minor technical changes in the  
10 insurance requirement.

11  
12 **Motion was made by Deputy Mayor Lucarelli to approve Ordinance No. 1479 on**  
13 **first reading with some minor technical changes in the insurance requirement,**  
14 **seconded by Commissioner Brender and motion carried by roll-call vote:**  
15 **Commissioner Duryea, Yes; Commissioner Plank, Yes; Deputy Mayor Lucarelli,**  
16 **Yes; Commissioner Brender, Yes; Mayor Mealor, Yes.**

17  
18 Mayor Mealor asked Ms. Fitzgerald to relay to Gander Mountain how much we  
19 appreciate their investment in the community and their diligence in working with staff.

20  
21 C. Ordinance No. 1480 – Revision to the adopted Final PUD for Waterside, 1255  
22 and 1275 West Lake Mary Boulevard, ZDA, LLC/Allan Goldberg, applicant –  
23 First Reading (Public Hearing) (Gary Schindler, City Planner)  
24 (1) Preliminary Subdivision Plan (for informational purposes only)

25  
26 The City Attorney read Ordinance No. 1480 by title only on first reading.

27  
28 Mr. Schindler said the first plan we saw for the original PUD was for 12 lots and the City  
29 said that was much too intense. A Bert Harris Act claim was made, we went to  
30 arbitration, and a compromised document was developed. That document satisfied  
31 both the Bert Harris Act claim and later became the developer's agreement for what is  
32 in place now.

33  
34 Mr. Schindler said what is in place now is an entitlement for seven lots. The lots are  
35 larger than the R-1AAA zoning which is immediately to the west. It called for four  
36 driveways on Lake Mary Boulevard, and it utilized the existing 20-foot wide  
37 ingress/egress easement along the south side of the property all the way down to the  
38 lake. It would have been so easy if the language in the existing agreement had said "up  
39 to" seven lots but it didn't. It said "seven lots" and we were stuck with it. In working with  
40 Mr. Goldberg (the applicant) we said he had to develop seven lots and it called for  
41 connection to the Sanford sewer system, but he did not want to develop seven lots. Mr.  
42 Schindler said he advised Mr. Goldberg that he would have to revise the developer's  
43 agreement. What is before the Commission tonight is a proposed revision to the  
44 developer's agreement and PUD.

1 Mr. Schindler said what is before the Commission is a proposal for five lots with three  
2 driveways on Lake Mary Boulevard and before we had seven lots with four driveways.  
3 The westernmost driveway will serve only Lot 5. The other two driveways serve Lots 1  
4 and 2 and then Lots 3 and 4, which is what the other plan showed. Previously there  
5 was a secondary access point along the rear of the lots from the ingress/egress  
6 easements. That is no longer being proposed. It is not being addressed tonight but will  
7 be addressed as part of the subdivision. Staff will ask for a non-access easement along  
8 the rear of the lots so there will be no access from the south.

9  
10 Mr. Schindler said because the lots are fewer they are larger. Several years ago the  
11 Commission adopted the Big Lake Mary Overlay Standards and that said every lot had  
12 to be a minimum of 40,000 square feet, and every lot is. Because Lot 5 is on the lake it  
13 would have the requirement of 154.12 which is 40,000 square feet and it is almost two  
14 acres. We have fewer lots and wider lots. All the lots are larger than what was  
15 previously proposed with the seven-lot configuration.

16  
17 Mr. Schindler said there are a number of policy issues that need to be addressed and  
18 one of those is the sewer connection. There was a 4-inch force main and a lift station  
19 that would be owned and maintained by the property owners. Mr. Goldberg would like  
20 the option of either having the lots connect to the City of Sanford sewer or to use on-site  
21 septic systems.

22  
23 Mr. Schindler said the other issue is the cold-mix paving of Stillwood Lane and the  
24 access easement. Stillwood is not a publicly platted road but is part of Lot 1. It's a  
25 private road. It is unpaved. There is probably fewer than a dozen homes that access  
26 off of Stillwood. It's unimproved. The existing PUD says you will put down a 1-inch  
27 base on Stillwood and you will cover with cold-mix paving for both Stillwood and the  
28 access easement. Mr. Goldberg is saying that he does not wish to do that. This is  
29 another policy decision that the Commission needs to make.

30  
31 Mr. Schindler said regarding access to Big Lake Mary, the existing PUD showed the  
32 ingress/egress easement going all the way down to the western lot. Mr. Goldberg said  
33 he didn't want anyone to be able to have lake access except for the owners of Lot 5 so  
34 why not delete the ingress/egress easement from the last lot.

35  
36 Mr. Schindler said stormwater was connected. There was a connected system shown  
37 previously. Now each lot has its own stormwater pond but they are interconnected.  
38 Because there is no positive outfall, they will be designed for the 100-year storm. That  
39 is the most significant requirement we have.

40  
41 Mr. Schindler said regarding walls and fencing, there is a requirement that there be a 6-  
42 foot high fence along the southern boundary. There is no longer access along there so  
43 Mr. Goldberg said he didn't want to put the fencing along there but proposed a 6-foot  
44 polyvinyl fence along the west side of Stillwood Lane. He is proposing, at his option, to  
45 construct a 6-foot high either brick or painted stucco wall along Lake Mary Boulevard.  
46 He has included some exhibits as to what the brick wall and stucco wall would be.

1  
2 Mr. Schindler said at the Planning & Zoning Board meeting, the issue was brought up  
3 about sand hill cranes. One of the neighboring property owners said there was a family  
4 of sand hill cranes that lived at the west end of the lake and they utilize this property.  
5 As part of the submittal, Mr. Goldberg submitted a report that was prepared by Biotech  
6 Consulting and it had a general statement that when they did the on-site survey, they  
7 found no evidence of endangered or threatened species. He said that's good but that  
8 does not specifically address the sand hill cranes. Subsequently they have provided a  
9 letter that specifically addresses sand hill cranes and it says there was no evidence of  
10 sand hill cranes when they were there. Before it was referenced that this might possibly  
11 be a nest site and they found no evidence of that.

12  
13 Mr. Schindler said staff finds that the final PUD for the Waterside development meets or  
14 exceeds the relevant provisions of the City's Code of Ordinances with the following  
15 conditions:

- 16  
17 1. The PUD be approved with the connection to the City of Sanford wastewater  
18 system in accordance with the original approval and the revised developer's  
19 agreement to read that the developer and the subsequent property owners'  
20 association shall only maintain the force main upstream from the point of  
21 connection to the City of Sanford wastewater system.

22  
23 Mr. Schindler said the requested City contribution of \$80,000 is a policy decision to be  
24 decided by the City Commission. Mr. Goldberg had said he would put in the sewer  
25 system if the City will contribute a flat \$80,000. The existing document says the City will  
26 contribute half the cost of putting the line under Lake Mary Boulevard up to a maximum  
27 of \$50,000. It's really a policy decision as if the Commission is going to require the  
28 connection to sewer and the amount of participation. Staff fully supports the connection  
29 to sewer but this is a policy decision and we will follow the Commission's lead.

- 30  
31 2. Prior to the issuance of a site construction permit, the developer shall provide a  
32 copy of the Seminole County Right-of-Way utilization permit for the proposed  
33 driveways.

34  
35 Mr. Schindler said there is one existing driveway that would probably need to be  
36 upgraded. There are two new driveways that are being proposed.

- 37  
38 3. The plans and developer's agreement shall be revised indicating that the  
39 developer shall install 1-inch of road base and cold-mix paving on Stillwood Lane  
40 and the access easement on the subject property.

41  
42 Mr. Schindler said this is existing language from the developer's agreement.

- 43  
44 4. The developer's agreement shall be amended to include the following language:  
45 To the greatest extent possible, the developer shall make the southern elevation

1 of the homes to be built in a manner that will be least offensive to the existing  
2 homeowners to the south of the property.

- 3  
4 5. During the construction process, if sand hill cranes or any other endangered or  
5 threatened species are documented to be present on the subject property, the  
6 applicant shall comply with all relevant protective measures.  
7

8 Mr. Schindler said at their regular December 11, 2012, meeting the P&Z voted 4 – 0 to  
9 recommend approval of the proposed Waterside Final PUD with conditions 1 – 4. He  
10 noted condition 5 was subsequent to P&Z.

11  
12 Commissioner Brender asked if they had any sense on how much the sewer connection  
13 is going to cost.  
14

15 Mr. Schindler said he didn't know but Mr. Goldberg indicated the increase in price was  
16 based upon some work he had done. He said he didn't have documentation regarding  
17 that figure.  
18

19 Mr. Schindler said in the original discussion of the PUD, there was some hope that in  
20 the long run additional properties in that area could be connected to the sewer system.  
21 We have a 4-inch line and it is sufficient to serve more properties than the five that are  
22 being proposed. There is the vacant power line property to the east. There is a  
23 requirement that any property within 100 feet of a sewer line be required to connect.  
24

## 25 **SIDE 2B**

26  
27 Allan Goldberg, applicant, came forward. He said he was the principal of ZDA, LLC  
28 which is a family owned real estate investment development company. He said he  
29 appreciated the Commission taking time to listen to their proposal for Waterside.  
30

31 Mr. Goldberg said he has developed in the City of Lake Mary over the last ten years. In  
32 conjunction with his partners he developed and built The Preserve at Soldiers Creek.  
33 That is a quality development and thought the City would be happy to see something  
34 like that on the east side of town. He said he also built a custom home on Wood Street  
35 under the name of Arlington Homes. He recently purchased four lots on Rolex Point in  
36 the community of Washington Estates. We will be starting a home next month which  
37 will be included in the Central Florida homebuilders Parade of Homes in April so we will  
38 be bringing some marketing to the City with that project. He has one lot under contract  
39 on Wood Street and is looking to make a significant investment in the east side of Lake  
40 Mary. It has been an area neglected by custom builders over the last two to five years  
41 for obvious reasons like the economy. It has always been a place where custom  
42 builders wanted to come to but always seemed to stay on the west side of town. He is  
43 looking forward to bringing up the east side.  
44

45 Mr. Goldberg said his goal for the Waterside project is to develop a community and  
46 build custom homes likely to be marketed in the high \$300,000's to the low \$400,000

1 range. The ultimate value will be determined by the market. The home values on the  
2 east side of Lake Mary have not come back as some of the home values in the rest of  
3 Lake Mary so he had to take a hard and conscious look at the cost of this project.  
4

5 Mr. Goldberg gave a history of the property. He said he was not the original developer.  
6 It was a very contentious hearing including the Bert Harris Act and the settlement with  
7 the City. He said he has had, along with Mr. Thompson (the landowner), two public  
8 community meetings. One was with the six residents who live down Stillwood Lane and  
9 a community meeting where everyone around the lake was invited. We had very few  
10 people attend either. Tonight we have only one resident present, Mr. Lawson, who lives  
11 across the street from this project. He thought he had alleviated the majority of the  
12 concerns that the residents have had, the major one being that they only have one lot  
13 with access to the lake. He committed that to them and committed to take the  
14 easement off Lot 5 so nobody else can use or access the lake. He said he and Mr.  
15 Thompson started out as he contracted his property. We were interested in a smooth  
16 rezoning for the property, obtaining support from the neighbors, and we did and went  
17 through that process.  
18

19 Mr. Goldberg said the next big item is the cost considerations for the project. This was  
20 originally a seven-lot subdivision. We thought it would be more palatable to the existing  
21 residents if we didn't do seven. This meets the new code for the overlay district with  
22 size of lots. We reduced the number of lots but increased the size of the lots. We will  
23 have five lots all one acre or larger. The biggest cost consideration is septic tanks  
24 versus sewers. Under the existing code we could use septic tanks but the original PUD  
25 required that the subdivision attach to the sewer system for the City of Sanford.  
26 Reducing the amount of lots increases the cost per lot to do sewer connections which is  
27 why he is asking the City to contribute more. The other item that Mr. Schindler brought  
28 up was oversizing the sewer line. Right now the 4-inch that's planned to come across  
29 Lake Mary Boulevard is enough to do maybe ten lots. If it's the future of the City to  
30 bring in more lots along Lake Mary Boulevard you might want to consider oversizing  
31 now while we are going through that process.  
32

33 Mr. Goldberg said regarding the Lake Mary Boulevard buffer, the original PUD didn't  
34 specify any wall or landscape buffer along Lake Mary Boulevard. He said he would like  
35 the right, but not the requirement, to build a wall whether it be brick or masonry, or have  
36 the option which wasn't discussed in the original PUD of having a 10-foot opaque  
37 landscape buffer.  
38

39 Mr. Goldberg said paving Stillwood Lane was in the original PUD. We've gone back  
40 and forth. Originally he discussed with the residents about not having any entrance off  
41 the south side of the lots which means he wouldn't be paving Stillwood Lane.  
42 Subsequent to that he had discussions with one of the commissioners about the access  
43 points off Lake Mary Boulevard, which are likely to be a problem, especially if they are  
44 gated which was the original plan, would be to do the cold paving of the portion of  
45 Stillwood Lane that runs along our property and having access from the south portion  
46 into the lots which would make it a much more community-type feel with the fronts of

1 houses facing each other. The backyards of the lots would be up against Lake Mary  
2 Boulevard. As the road curves down towards the lake on Stillwood Lane, there are two  
3 houses below the proposed five lots. One of the lots is Mr. Lawson's who would love to  
4 have Stillwood Lane paved. He pointed out Mr. Lawson's lot on the lake. There is one  
5 other lot that comes down and would access Stillwood. It affects two lot owners and the  
6 one present today would not mind to have it paved and doesn't have a problem with  
7 having access to the houses from the south. He asked the Commission to think about  
8 that in their deliberations tonight. That is not what he proposed in this PUD plan. It  
9 would rectify the situation of three entrances off Lake Mary Boulevard.

10  
11 Mr. Goldberg said he looked forward to a successful Waterside community for himself  
12 and the City of Lake Mary.

13  
14 Commissioner Plank said if Mr. Goldberg were to pave Stillwood and put the entrances  
15 on the south side rather than the north, he asked Mr. Goldberg if he would be willing to  
16 make the option that's currently in here of whether he would construct a wall on Lake  
17 Mary Boulevard mandatory. He said the reason he was saying that is if that is the  
18 backyard, for safety purposes a hedge or landscape is not going to provide adequate  
19 protection. We wouldn't want the backs of houses showing on Lake Mary Boulevard.

20  
21 Mr. Goldberg said it was hard to answer that question. It gets back to making this a  
22 five-lot subdivision rather than a seven-lot subdivision so every dollar of cost that you  
23 add to this project is amortized over five lots. He said he wasn't sure what the market is  
24 on this end of Lake Mary. He has to be very cost conscious about how he develops this  
25 project because he didn't know what the ultimate value is going to be. He said it was  
26 hard for him to commit to it without knowing what the value is going to be on these lots.

27  
28 Commissioner Duryea said we can't redesign this for Mr. Goldberg by fiat. We are being  
29 presented with a PUD and appreciated Mr. Goldberg's efforts to make it work. We can't  
30 just go changing it in the middle of the whole thing into something different. We are  
31 being asked to consider something that we have been presented with and is not part of  
32 the PUD. He asked if that was kosher.

33  
34 Ms. Sova said we would have wanted everything presented equally to the P&Z prior to  
35 coming here.

36  
37 Commissioner Duryea said we either have to deal with what we have or it goes back to  
38 P&Z.

39  
40 Mr. Goldberg said he would be happy to let it stand as is.

41  
42 Commissioner Brender said if this is going to be a PUD, once we approve it as long as it  
43 is five lots can't he develop it in any way he sees fit.

44

1 Ms. Reischmann said the picture is attached to the PUD agreement. The Commission  
2 is approving that picture and along with a lot of this detail which doesn't work with  
3 reconfiguring for various reasons such as the wall issue.  
4  
5 Mayor Mealor said there are standing decisions that the Commission has made that  
6 have been somewhat consistent related to certain development activities.  
7  
8 Ms. Reischmann asked if any member of the Commission had ex parte  
9 communications.  
10  
11 Mayor Mealor announced he had met with the applicant and the representatives of  
12 Waterside.  
13  
14 Deputy Mayor Lucarelli announced she had met with Mr. Goldberg.  
15  
16 Commissioner Brender announced he had discussions with Mr. Thompson and Mr.  
17 Goldberg.  
18  
19 Commissioner Duryea said Mr. Thompson comes in and out of his office.  
20  
21 Mayor Mealor asked if anyone wanted to speak in reference to Ordinance No. 1480. No  
22 one came forward and the public hearing was closed.  
23  
24 Mayor Mealor said let's talk about some of the policy issues that were mentioned by Mr.  
25 Schindler as well as addressed by the P&Z Board. The first policy issue deals with  
26 connecting to sewer or the option of septic. He said going back when he was deputy  
27 mayor it was a decision that those kinds of activities wherever possible would be  
28 connected to sewer related to Big Lake Mary and Lake Mary Boulevard. He shared with  
29 the applicant that it was his understanding that the Commission was adamant that in  
30 this area of development they would connect to sewer.  
31  
32 Commissioner Duryea said if at all possible, especially around water bodies. All the  
33 water bodies are going to eventually have to be looked at as something we should  
34 preserve and do our best to do so. If at all possible he would love for this and any other  
35 properties along Lake Mary Boulevard to have sanitary sewer. The City has committed  
36 to \$50,000.  
37  
38 Mayor Mealor said the applicant is asking the City of contribute an additional \$30,000.  
39 He said \$50,000 was put on the table and the request is for \$80,000. It is a policy  
40 decision.  
41  
42 Commissioner Brender said he had a discussion with the City Engineer about this.  
43 Trying to figure out the cost is difficult. He knew jack and boring under Lake Mary  
44 Boulevard is no small task but knew it wasn't \$80,000. He knew running pipe and  
45 everything wasn't cheap either. If the City can attract other people that are on the lake  
46 and in turn bring them into sanitary sewer, mainly as a lake protection effort, he was not

1 against putting some amount of money toward that sewer system. It would have to be  
2 sized properly so that it would handle however many properties can hook up. He was  
3 not saying we are going to run a 12-inch force main under there and eventually hook up  
4 the entire east side of the City to that particular line. If there is some legitimate City  
5 expansion possible in that area, for the sake of the lake we should probably support it.  
6

7 Commissioner Duryea said if we do that we have ordinances in place that say anyone  
8 within 100 feet of a sewer line must hook up. He asked who that includes not knowing  
9 where the sewer line will come into the property. He asked who that could possibly  
10 include. He asked if that would include the people on Stillwood.

11  
12 Mr. Schindler said it could but thought that was only if it was a public line. He wasn't  
13 sure if we could force anyone to connect to a private sewer line.  
14

15 Commissioner Duryea said it wouldn't be private until it got into the subdivision.  
16

17 Mr. Schindler said it's supposed to be private until it reaches at least Lake Mary  
18 Boulevard and maybe the north side.  
19

20 Mr. Paster said Gary (Schindler) is correct. The ordinance says 100 feet to a public  
21 sewer. The proposal in front of the Commission would be a private sewer line all the  
22 way to its connection with the City of Sanford's facilities on the north side of Lake Mary  
23 Boulevard. There would not be a City of Lake Mary public sewer in this area. If a  
24 property wants to develop to the east side, one of the recommendations by staff is to  
25 make it so they would be allowed to connect into the 4-inch force main. The 4-inch  
26 force main is ample size. Lake Mary Woods subdivision has 105 homes and that lift  
27 station feeds a 4-inch force main.  
28

29 Deputy Mayor Lucarelli said we have already committed to \$50,000 and didn't have an  
30 issue with that. To go any higher she would need to see hard costs, whys, is there a  
31 benefit, what's the benefit, can we recoup any of that. We would be contributing to a  
32 private sewer main.  
33

34 Mayor Mealor said that is already in place. The City is obligated.  
35

36 Commissioner Duryea asked if that was vested.  
37

38 Mr. Schindler answered affirmatively because the PUD is still in place. It says we will  
39 contribute half the cost of running the line under Lake Mary Boulevard not to exceed  
40 \$50,000.  
41

42 Commissioner Brender said half the cost of running the line under Lake Mary Boulevard  
43 isn't anywhere near \$50,000.  
44

45 Mr. Paster said Lake Mary Boulevard is a wide right-of-way and you have to push a  
46 steel casing under the road first and then feed that 4-inch line through it. Costs vary but

1 \$50,000 is much greater than half the cost. He estimated the total cost to be \$20,000 to  
2 get the line under the Boulevard. There are additional costs such as the lift station,  
3 collection system, force main, etc. The entire sewer project will be greater than  
4 \$50,000.

5  
6 Commissioner Brender said he wanted to see how it's worded in the PUD agreement. If  
7 all we are paying for is getting under Lake Mary Boulevard then...

8  
9 Mr. Paster said there are also costs for septic systems as well.

10  
11 Deputy Mayor Lucarelli said the wording says the City will contribute half "up to"  
12 \$50,000. Fifty thousand is the max and doesn't mean that's what it's going to be. She  
13 said she was agreeable to that.

14  
15 Commissioner Plank said the proposal is for \$80,000.

16  
17 Deputy Mayor Lucarelli said she was not agreeable to that. She has been in  
18 development a long time and you make your money back off of selling the homes and  
19 lots. The market is so in flex right now. These are going to be high end homes. It's not  
20 our responsibility to fund a private developer's project. There are costs associated with  
21 developing property and you go in knowing that. She would need good justification to  
22 sway her past \$50,000 at this point.

23  
24 **SIDE 3A**

25  
26 Commissioner Plank state it says to cover its agreed upon portion of all costs of  
27 installation of a pipe at least 4 inches in diameter from the point of connection with the  
28 City of Sanford's wastewater system on the north side of Lake Mary to the boundary of  
29 the property on Stillwood Lane. The \$80,000 would leave a few dollars in the bank on  
30 that basis if we are talking about getting under the road and connecting to the system.

31  
32 Ms. Reischmann said the vested right he has is for the old PUD agreement with all of its  
33 conditions. There is a big difference in the wording between the old PUD and the new  
34 as far as how the costs will be apportioned. She said Commissioner Plank stopped at  
35 Stillwood Lane but it goes on to say as well as on-site piping and lift station or individual  
36 lot pump. It is implying that the City would pay \$80,000 to cover all of that whereas  
37 before it was up to \$50,000 and it was exclusively limited to installation of jack and bore  
38 in the public right-of-way.

39  
40 Mayor Meador said Mr. Goldberg has done a good job in his developments within the  
41 community. That's not the issue. The issue before us now is that we are being  
42 presented with information that was not presented to P&Z nor is it in the staff report that  
43 we were asked to look at. We are trying to work through some things rather than  
44 sending it back to P&Z if that is the wish of the Commission.

1 Mr. Goldberg said if you are talking about sewer versus septic, that was presented at  
2 P&Z.  
3  
4 Mayor Mealor said you have talked about changing driveways, entrances, and fencing.  
5  
6 Mr. Goldberg said he would pull that back for the time being.  
7  
8 Commissioner Brender said he was the one who explored the idea of connecting this  
9 through Stillwood Lane. That way we would lose the driveway access off Lake Mary  
10 Boulevard. We are sensitive about cross access easements and U-turn movements on  
11 Lake Mary Boulevard. To approve a five-home development with three driveways when  
12 we could have one existing turn-in serving what would become a new neighborhood.  
13 He was not against trying to find a way to do this if the developer and the neighbors to  
14 the south are looking at that. It would make sense to have these houses pointing south  
15 for a front yard and have their backyards to Lake Mary Boulevard.  
16  
17 Mayor Mealor said Mr. Goldberg said early on that the 1-inch base and cold mix wasn't  
18 something he was willing to do.  
19  
20 Commissioner Brender said if we do that then that would be done.  
21  
22 Mr. Goldberg said that was correct; he would be willing to do it.  
23  
24 Commissioner Duryea said we have to keep in mind that we're back to where he started  
25 this discussion and we cannot redesign this. If the applicant wants to redesign it then it  
26 needs to go back through the system.  
27  
28 Commissioner Brender said he was trying to save that step in the process.  
29  
30 Commissioner Duryea said we can't do that because we would be changing the whole  
31 aspect.  
32  
33 Commissioner Brender said he gathered this would be substantive change.  
34  
35 Ms. Reischmann said we have attached a preliminary development plan to this and it is  
36 really part and parcel of it.  
37  
38 Commissioner Duryea asked if they were going to demand that the developer continue  
39 with the sewerage thing or allow septic tanks. If we are going to continue with the  
40 sewer requirement, he didn't know if there was any obligation based on the original  
41 subdivision approval that we pay for something.  
42  
43 Ms. Reischmann said the vested right is for the prior development. Once he seeks to  
44 change that then he can tell us if we don't negotiate with him in good faith then he is  
45 going to go back to the first plan. It's not like he can pull pieces out of it.  
46

1 Mr. Goldberg asked to make some comments about the costs. He said he had a bid  
2 from his contractor which detailed the costs to put in the line across Lake Mary  
3 Boulevard including the lift station and piping on site to be about \$115,000.  
4  
5 Deputy Mayor Lucarelli asked the applicant if he was wanting the City to pay more than  
6 half of that.  
7  
8 Mr. Goldberg said he was going to pay the same costs as what it would cost to put in  
9 septic tanks which is about \$7,000 to \$8,000 a unit.  
10  
11 Deputy Mayor Lucarelli asked Mr. Goldberg if he had a breakdown on just the jack and  
12 bore that was in the original PUD. She asked that cost.  
13  
14 Mr. Goldberg said he would have to add it up.  
15  
16 Commissioner Brender asked Mr. Paster who else we could serve down there. He  
17 asked if there was a legitimate City policy aside from the one stated that we would  
18 rather not have septic tanks on lakes.  
19  
20 Mr. Paster said if the septic system fails at one of the existing homes, they would have  
21 the option of replacing their entire septic system or putting in a small personal lift station  
22 and running that line into this force main. To the east of this property where the power  
23 lines are located, there is an undeveloped lot (12 acres). If a developer came in and  
24 wanted to develop those 12 acres then we could direct him to tie his lift station into this  
25 4-inch force main that we are talking about tonight.  
26  
27 Commissioner Duryea asked if that property was in the City.  
28  
29 Mr. Paster answered affirmatively. Those 12 acres are in the City at the furthest  
30 eastern edge of the City.  
31  
32 Mayor Mealor asked the preference of the Commission related to sewer or septic.  
33  
34 Commissioner Duryea said he would be willing to throw in that original \$50,000  
35 provided when the sewer line is finished that the developer give the sewer line to the  
36 City of Lake Mary so it is not a private line. He asked if that was a bad thing.  
37  
38 Mayor Mealor said if he were a resident there he would not be real happy with that  
39 based on the City's policy about the mandatory tie-in.  
40  
41 Ms. Sova said that would also require the City to pick up the maintenance costs of the  
42 lift station.  
43  
44 Commissioner Duryea said the lift station wouldn't belong to the City, only the line.  
45

1 Ms. Reischmann suggested making it at the City's option when the City chooses. The  
2 City could request a bill of sale for the line when it is convenient.  
3  
4 Commissioner Brender said when a developer develops a system we always take it  
5 over at a certain point.  
6  
7 Ms. Reischmann said we wouldn't have the safeguard of a maintenance bond so we  
8 would maybe not get it in as good a shape as we would like down the road.  
9  
10 Deputy Mayor Lucarelli said she agreed with Commissioner Duryea to stick with what  
11 was in the original agreement. Stick with \$50,000 but no more for sewer.  
12  
13 Commissioner Duryea said and also to require the developer to convey that line to the  
14 City at our option.  
15  
16 Mayor Mealar said the first item is a carryover from the original PUD of a City  
17 contribution of \$50,000 toward the installation of a 4-inch line. He asked if there was  
18 any objection to this policy decision with the stipulation that there would be a  
19 conveyance at the City's request.  
20  
21 Mayor Mealar said the second policy decision is the right-of-way utilization for the  
22 proposed driveways and the 1-inch base and cold mix paving. We might want to look at  
23 this issue right now related to what was brought up about the southern driveways and  
24 entrance off of Stillwood. If that is the case then the third policy decision would be pro  
25 forma because it would have to be done and the developer has acknowledged that he  
26 would be in favor of that. He asked the Commission if they wanted to direct them to  
27 have the entrance to the homes on all five lots from the southern entrance. This is part  
28 of his revision.  
29  
30 Mr. Omana said should the Commission direct the developer to reconfigure the access  
31 to the south and come in through the south then that would have to be remanded back  
32 to the Planning & Zoning Board and DRC for review.  
33  
34 Mayor Mealar said we are trying to be sensitive to Mr. Goldberg because time is money  
35 and he is willing to invest in the City of Lake Mary. We want that to be a successful  
36 project. In some of the discussion this evening and some of Mr. Goldberg's proposals  
37 may actually present a better plan, but the reality is we are not in the position to deal  
38 with it and it might be best to send this back to P&Z. P&Z is in favor of the project but  
39 what has come forward this evening might be something better than what was  
40 presented to P&Z originally. He thought Mr. Omana was right that this is something we  
41 should send back to P&Z for a second look. Once he started talking to people about  
42 what had the potential of being developed out there, there was great interest. One of  
43 the dilemmas in Lake Mary right now is we do not have a lot of new home construction.  
44 Mr. Goldberg has a concern of what would be the marketplace on the east side and with  
45 the type of product he develops thought it would be pretty good.  
46

1 **Motion was made by Commissioner Brender to remand Ordinance No. 1480 back**  
2 **to the Planning & Zoning Board for consideration, seconded by Deputy Mayor**  
3 **Lucarelli.**

4  
5 Commissioner Duryea asked if this would require the developer to re-file and pay all the  
6 fees again.

7  
8 Mr. Schindler answered negatively.

9  
10 Commissioner Plank said there were a number of issues that the P&Z Board indicated  
11 were policy decisions. He asked if the Commission had provided the necessary input  
12 so he doesn't have to come back here and then have those policy decisions become an  
13 issue again.

14  
15 Mayor Meador said if the southern entrance issue is brought forward then three of the  
16 four are addressed. We talked about sewer. One thing we should do is make sure the  
17 issue of the wall on Lake Mary Boulevard is addressed.

18  
19 Commissioner Duryea asked the purposed of the plastic vinyl fence.

20  
21 Mayor Meador said that would not be an issue if we go to what is now being proposed.

22  
23 Mr. Schindler said it was for privacy for Lot 1 from the traffic on Stillwood. Stillwood is  
24 actually part of Lot 1.

25  
26 **Motion carried unanimously.**

27  
28 Commissioner Brender said if there is anything we can do to speed the process up for  
29 Mr. Goldberg to get him through that process and back here then by all means.

30  
31 IX. Citizen Participation

32  
33 No one came forward at this time and citizen participation was closed.

34  
35 X. Reports:

36  
37 A. City Manager

38  
39 1. Purchase of Computer Voice Stress Analysis Equipment from the Law  
40 Enforcement Trust Fund

41  
42 Ms. Sova said this is a request for expenditure from the Law Enforcement Trust Fund to  
43 purchase computer voice stress analysis equipment which is basically a lie detector.  
44 The equipment we have is out of date and is ready to be replaced. The cost for the new  
45 system is \$3,795 including all the components that it needs. She asked the  
46 Commission to surplus the existing equipment and authorize disposal by trade in.

1  
2 **Motion was made by Commissioner Duryea to approve the expenditure of \$3,795**  
3 **from the Law Enforcement Trust Fund for the purchase of Computer Voice Stress**  
4 **Analysis Equipment from NITV Federal Services (sole source), declare existing**  
5 **equipment surplus and authorize City Manager to dispose of via trade in to NITV,**  
6 **seconded by Deputy Mayor Lucarelli and motion carried unanimously.**  
7

8 Ms. Sova said we discussed at the last meeting and tonight about serving alcohol in the  
9 park for Wine Art Wednesdays. We have an ordinance that requires Commission  
10 approval for alcohol to be served in a park and asked for a consensus vote.

11  
12 Deputy Mayor Lucarelli asked how that ranked in liability for the City if someone gets  
13 drunk, drives home and kills somebody.

14  
15 Ms. Sova said the bartender carries that liability insurance. That is one of the reasons  
16 for the fencing around the garden and we will have a police officer on patrol. The  
17 liability lies with the server.

18  
19 Commissioner Plank asked if people would be carded to make sure they are old  
20 enough.

21  
22 Ms. Sova said that is also the responsibility of the server.

23  
24 **It was the consensus of the Commission to allow alcohol to be served at Wine Art**  
25 **Wednesdays.**

26  
27 Ms. Sova said the Shred-A-Thon will be held Saturday, January 26<sup>th</sup> from 9:00 A.M. to  
28 1:00 P.M. at 660 Century Point which is just beyond the fire station where the event has  
29 been held in the past. The first three boxes are free and additional boxes are \$5 each.

30  
31 Ms. Sova said the Events Center carpet replacement will begin the week of February 4<sup>th</sup>  
32 and the building will be closed for those days. That project came in at \$32,126 so it was  
33 less than half of budget.

34  
35 Ms. Sova said we also have another flooring project and the Senior Center will be  
36 closed February 15<sup>th</sup> through the 22<sup>nd</sup> for new flooring as well as painting. That project  
37 came in well under budget at about \$13,000. We used US Community's pricing to do  
38 these projects.

39  
40 B. Mayor

41  
42 Mayor Mealor had no report at this time.

43  
44 C. Commissioners (1)

45  
46 Commissioner Brender had no report at this time.

1  
2 Commissioner Duryea had no report at this time.

3  
4 Commissioner Plank said the work continues on the Seminole County Public Schools  
5 elementary schools rezonings. The north zone which includes our area and specifically  
6 Bentley, Crystal Lake, Heathrow, Highlands, Idyllwilde, Lake Mary, Layer, Wicklow,  
7 Wilson, Winter Springs, and Woodlands. The core committees have completed their  
8 work which will be presented to the School Board at its meeting on January 23<sup>rd</sup> which  
9 begins at 6:00 P.M. at the main building on Lake Mary Boulevard (400 East Lake Mary  
10 Boulevard). He urged everyone to attend if they have children in school or if they are  
11 interested in what's taking place. They have done an excellent job. There has been a  
12 total of 350 proposals submitted by individual citizens and the committees for how the  
13 rezonings should take place.

14  
15 Commissioner Plank reminded everyone of Lake Mary Celebrates on March 2<sup>nd</sup> at  
16 Central Park.

17  
18 Commissioner Plank said the museum currently has an excellent quilt and fabric exhibit  
19 which will be on display until the 23<sup>rd</sup> of February.

20  
21 Commissioner Plank said on April 21<sup>st</sup> the Downtown 5K Run will take place.

22  
23 Deputy Mayor Lucarelli said she attended CALNO in Commissioner Brender's stead at  
24 the City of Altamonte and they did a presentation on their bio science center but this is a  
25 year later. They have 1,000 students, they showed videos and pictures of how  
26 successful and how well it has taken off. They invited us all to attend a class there with  
27 the kids. She said she was fascinated by it.

28  
29 Deputy Mayor Lucarelli said she attended a Tri-County League of Cities meeting today  
30 at the Amway Center and got sworn in as an official director. We talked about our  
31 legislative agenda. She has already sent e-mails to our legislators on some of our  
32 issues. Some of the issues she took on was economic development and synthetic  
33 drugs because we are trying to get a law passed to ban K-2, Spice, bath salts and  
34 things like that. The Seminole Prevention Coalition that she serves on is lobbying for  
35 that. Orlando showed off their Main Street program and it was good to see how they  
36 have improved a lot of those communities through that. She didn't know it was a  
37 nationwide program.

38  
39 Deputy Mayor Lucarelli said she attended the Arts Festival meeting and the elections  
40 went well. We have two new board members, one being from Lake Mary Prep and  
41 she's taking over our website development and is going to redo that for them. We're  
42 excited for some new ideas and better new things for this year.

- 43  
44 1. Resolution No. 914 – Supporting the legislative action agenda of the Florida  
45 League of Cities (Deputy Mayor Jo Ann Lucarelli)

1 The City Attorney read Resolution No. 914 by title only.

2  
3 Mayor Mealor said this is brought forward by the League of Cities. He said Deputy  
4 Mayor Lucarelli is now sitting on the Board of Directors for the Tri-County League of  
5 Cities. This is at her request and the signatory will be hers.

6  
7 **Motion was made by Commissioner Plank to approve Resolution No. 914,**  
8 **seconded by Commissioner Brender and motion carried unanimously.**

9  
10 D. City Attorney

11  
12 Ms. Reischmann said the Florida Supreme Court is taking up the case of the red light  
13 cameras and the cities' rights to install them. The Florida Highway Patrol just came out  
14 with a study studying how red light cameras are affecting traffic safety and finding that in  
15 56% of the agencies there is total reduction in crashes. The timing is exquisite because  
16 there has been a bill filed again this term which seeks to propose that the local  
17 governments cannot install red light cameras.

18  
19 Ms. Reischmann said there is a two-year study on internet cafes. It is on gambling in  
20 general. It's going to focus on internet cafes that's being taken up by the legislature.

21  
22 Ms. Reischmann said the decision today from the Florida Supreme Court has to do with  
23 the 3% contribution that state employees and those in the FRS have to make, and the  
24 Florida Supreme Court found that was constitutional. They found that 3% contribution  
25 could affect the current employees that are in FRS. This doesn't affect the City of Lake  
26 Mary because we aren't in FRS.

27  
28 Commissioner Brender asked the key question on the Supreme Court looking at red  
29 light cameras.

30  
31 Ms. Reischmann recalled when the City of Lake Mary was contemplating putting in red  
32 light cameras before the statute came along, the issue is were cities preempted and did  
33 cities have home rule authority for safety purposes to put in cameras. It's a home rule  
34 case and goes beyond the issue of red light cameras. The courts have been active in  
35 saying there is implied preemption even where the statute doesn't say we have  
36 preempted the field. The courts have said they think there is this pervasive scheme and  
37 probably the cities shouldn't be legislating in that area. This will maybe tie up that loop  
38 in our favor.

39  
40 Commissioner Plank said the school board is testing cameras on the side of two of their  
41 buses to catch people who drive past the school bus when it's stopped. It's quite an  
42 interesting system. It comes on when the STOP signs come out on the side of the bus  
43 but it doesn't activate until a vehicle passes by and a sensor clicks it on in time to catch  
44 the license plate and vehicle. The legislature is probably going to address this in the  
45 next session. He found it interesting that they are testing it now with really good  
46 success. What would happen is this would go to a private company that would screen

1 the photos. The ones that were good would be sent to the local county sheriff or city  
2 police department and they in turn would issue the citation.

3  
4 XI. Adjournment

5  
6 There being no further business, the meeting adjourned at 9:05 P.M.

7  
8  
9

10 \_\_\_\_\_  
11 David J. Mealor, Mayor

\_\_\_\_\_   
Mary Campbell, Deputy City Clerk

12  
13  
14  
15

16 ATTEST:

17  
18  
19  
20

21 \_\_\_\_\_  
Carol A. Foster, City Clerk